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**JOURNAL**

**AND**

**PROCEEDINGS**

**OF HER MAJESTY'S**

**LEGISLATIVE COUNCIL**

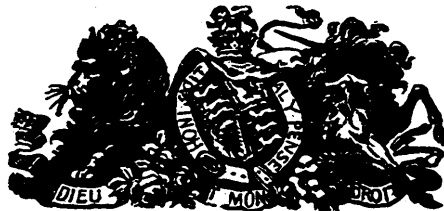
**OF THE**

**PROVINCE OF NOVA-SCOTIA.**

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**1860.**

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**HALIFAX:**

**A. GRANT, QUEEN'S PRINTER.**

**1860.**







# PROCLAMATION,

By His Excellency the Right Honorable

The Earl of Mulgrave,

[L. S.]  
MULGRAVE.

*Lieutenant-Governor and Commander-in-Chief in and over  
Her Majesty's Province of Nova Scotia and its  
Dependencies, &c. &c. &c.*

**W**HEREAS I have thought fit to dissolve the General Assembly of this Province, which now stands prorogued to Tuesday the 10th day of May next, I do for that purpose publish this Proclamation, and, accordingly, by these Presents, do dissolve the said General Assembly.

And I do hereby notify the Members of the Legislative Council, as well as the Representatives of this Her Majesty's Province, severally, as they are returned from the Counties, Townships, and Districts, that they are discharged from further attendance in the said General Assembly.

And, by these Presents, I further declare, that I have this day given orders to issue Writs in due form for calling a new General Assembly—which Writs will bear teste on the Fifteenth instant, and be returnable on the First day of June next.

Given under my Hand and Seal at Arms, at Halifax, this  
Fifteenth day of April, A. D. 1859, in the Twenty-  
second year of Her Majesty's Reign.

By His Excellency's Command,

CHARLES TUPPER.

GOD SAVE THE QUEEN.



# PROCLAMATION,

By His Excellency the Right Honorable

*The Earl of Mulgrave,*

[L. S.]  
MULGRAVE.

*Lieutenant-Governor and Commander-in-Chief in and over  
Her Majesty's Province of Nova Scotia and its  
Dependencies, &c. &c. &c.*

**W**HEREAS, by the Writs issued for the General Election of Members to serve in General Assembly, bearing teste on the Fifteenth day of April last, the respective Sheriffs of the several Counties in this Province were commanded to summon the persons who should be elected and chosen according to the exigency of said Writs, to attend Her Majesty's Service in General Assembly, at such time and place as should be notified by Proclamation for that purpose:

I do, accordingly, by this Proclamation, give notice, that I have appointed, and do hereby appoint, Thursday, the Twenty-sixth day of January next, at Halifax, for the meeting of the said General Assembly, *for the Dispatch of Business*—and I hereby require the Members of the Legislative Council, and the House of Assembly, to attend in General Assembly on the said day, at Halifax—whereof they, and all others concerned, are to take notice and govern themselves accordingly.

Given under my Hand and Seal at Arms, at Halifax, this  
Second day of December, A. D. 1859, in the Twenty-  
third year of Her Majesty's Reign.

By His Excellency's Command,

CHARLES TUPPER.

GOD SAVE THE QUEEN.

JOURNAL  
OF THE  
PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL

OF THE  
PROVINCE OF NOVA-SCOTIA.

FIRST SESSION OF THE TWENTY-SECOND GENERAL ASSEMBLY.

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ANNO VICESSIMO TERTIO VICTORIÆ REGINÆ.

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AT HALIFAX, IN THE PROVINCE OF NOVA-SCOTIA.

LEGISLATIVE COUNCIL CHAMBER,

Thursday, 26th January, 1860.

Writs having been issued for a new Election of Representatives to serve in General Assembly, returnable on the first day of June in the Year of our Lord One Thousand Eight Hundred and Fifty-nine; and the said General Assembly having been by Proclamation summoned to meet this day, the Council met,

PRESENT:

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM McKEEN,  
RICHARD A. McHEFFEY,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
JOHN HOLMES,  
JOHN CREIGHTON.

*(For Despatches relative to the following Appointments, vide Journals of 1st February.)*

The Honorable Robert M. Cutler presented a Commission from His Excellency the Lieutenant-Governor, appointing him a Member of the Legislative Council, provisionally, until the signification of Her Majesty's pleasure, with the rank and Mr. Cutler takes Oath.

precedence he before enjoyed in the said Council—the same was read by the Clerk, whereupon the Oath of Allegiance was administered to him by the Honorable the Provincial Secretary (as Commissioner), and, after giving and receiving salutations to and from the Members present, his former seat was assigned to him.

Mr. Keith takes oath.

The Honorable Alexander Keith presented a Commission from His Excellency the Lieutenant-Governor, appointing him a Member of the Legislative Council, provisionally, until the signification of Her Majesty's pleasure, with the rank and precedence he before enjoyed in the said Council—the same was read by the Clerk, whereupon the Oath of Allegiance was administered to him by the Honorable the Provincial Secretary (as Commissioner), and, after giving and receiving salutations to and from the Members present, his former seat was assigned to him.

Mr. Pineo takes oath

The Honorable Henry G. Pineo presented a Commission from His Excellency the Lieutenant-Governor, appointing him a Member of the Legislative Council, provisionally, until the signification of Her Majesty's pleasure, with the rank and precedence he before enjoyed in the said Council—the same was read by the Clerk, whereupon the Oath of Allegiance was administered to him by the Honorable the Provincial Secretary (as Commissioner), and, after giving and receiving salutations to and from the Members present, his former seat was assigned to him.

Mr. McHefey takes oath.

The Honorable Richard A. McHefey presented a Mandamus, appointing him a Member of the Legislative Council—the same was read by the Clerk, whereupon the Oath of Allegiance was administered to him by the Honorable the Provincial Secretary (as Commissioner), and, after giving and receiving salutations to and from the Members present, his former seat was assigned to him.

Mr. Holmes takes oath.

The Honorable John Holmes presented a Commission from His Excellency the Lieutenant-Governor, appointing him a Member of the Legislative Council, provisionally, until the signification of Her Majesty's pleasure, with the rank and precedence he before enjoyed in the said Council—the same was read by the Clerk, whereupon the Oath of Allegiance was administered to him by the Honorable the Provincial Secretary (as Commissioner), and, after giving and receiving salutations to and from the Members present, his former seat was assigned to him.

Mr. Creighton takes oath.

The Honorable John Creighton presented a Commission from His Excellency the Lieutenant-Governor, appointing him a Member of the Legislative Council, provisionally, until the signification of Her Majesty's pleasure, with the rank and precedence he before enjoyed in the said Council—the same was read by the Clerk, whereupon the Oath of Allegiance was administered to him by the Honorable the Provincial Secretary (as Commissioner), and, after giving and receiving salutations to and from the Members present, his former seat was assigned to him.

Mr. McKeen takes oath.

The Honorable William McKeen presented a Mandamus, appointing him a Member of the Legislative Council—the same was read by the Clerk, whereupon the Oath of Allegiance was administered to him by the Honorable the Provincial Secretary (as Commissioner), and, after giving and receiving salutations to and from the Members present, his former seat was assigned to him.

H. E. comes to Council Chamber.

At half-past two o'clock, P. M., His Excellency the Right Honorable THE EARL OF MULGRAVE, Lieutenant-Governor and Commander-in-Chief in and over Her Majesty's Province of Nova Scotia and its Dependencies, &c. &c. &c., came to the Council Chamber, attended as usual, and being seated, the Gentleman Usher of the Black Rod received His Excellency's command to let the House of Assembly know "It is His Excellency's will and pleasure they attend him immediately in this House," who being come, the President of this House said:

H. A. attend.

*Gentlemen of the Legislative Council, and Gentlemen of the House of Assembly:*

I have it in command from His Excellency the Lieutenant-Governor to inform you that His Excellency will declare the causes of his calling this General Assembly as soon as the House of Assembly have chosen a Speaker. It is therefore the pleasure of the Lieutenant-Governor that the Gentlemen of the House of Assembly do repair to the place where they usually sit, and there proceed to the choice of a Speaker, and present the person so chosen for His Excellency's approbation.

H. A. directed to  
choose Speaker.

The House of Assembly then retired, and after a short time having returned the Honorable William Young, one of the Members for the County of Cumberland, addressed His Excellency as follows:

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly, agreeably to Your Excellency's command, have proceeded to the choice of a Speaker, and have elected Stewart Campbell, Esquire, one of the Members for the County of Guysborough, to that office, and, by their direction, I beg leave to present him for the approbation of your Excellency.

Speaker presented.

To which His Excellency was pleased to say:

I approve of the Speaker whom the House of Assembly have chosen.

And approved of.

Then the Speaker of the Assembly said:

Your Excellency's ready approval of the choice with which I have been honored by the House of Assembly having constituted me in due form the Speaker of the House of Assembly, it has now become my duty, in the name of the Representatives of Her Majesty's loyal subjects, the People of this Province, respectfully to demand all their accustomed rights and privileges, that they may have freedom of speech in their debates, that they may be free from arrest during their attendance in Parliament, and that I, as their Speaker, may have free access to your Excellency's person.

Speaker claims privi-  
leges.

To which His Excellency replied:

I grant the usual privileges.

Privileges granted.

Then His Excellency was pleased to open the Session with the following Speech:

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

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

In meeting this Parliament for the first time, it gives me much pleasure to be able to congratulate you upon the prosperous condition of the Province.

Speech.

You will be gratified to learn, that, notwithstanding the diminution of the Royalty on Coal, and although the Distilleries have not been in operation during the last nine months, the Revenue has exceeded that of any former year, fully realizing the Estimates submitted to the Legislature.

It is matter of congratulation, that, while under existing arrangements, the operations of the General Mining Association have considerably increased, new and valuable discoveries have been made in our Mineral resources, which are stimulating Provincial enterprise, attracting foreign capital, and bid fair at no distant day to introduce vigorous and healthy competition, by which Trade will be largely extended, and the Revenue increased.

A Commissioner was appointed, under the Act relating to the management of the Indian Reserves, and some progress has been made in their adjustment, the Report of which will be laid before you.

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

The Public Accounts and Estimates, for the current year, will be submitted for your consideration.

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

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

The entire absence of any organized Local Force for the defence of the Province, has induced me, during the recess, to authorize the formation of Volunteer Companies throughout the Country, and I am happy to inform you that my endeavors have been cordially responded to, not only by the inhabitants of this city, but in many parts of the Province.

Several Companies have already been organized, and others are in the course of formation.

Three thousand stand of Enfield rifles, of the best description, have been placed at my disposal by the Home Government, for the purpose of arming these Volunteers; and I trust that the same feeling which has been so generally evinced in the Mother Country, and also in some of the Colonies of Her Majesty's Empire, will induce you liberally to support the movement, so as to enable me to render this force effective.

I have directed that the correspondence on this subject should be laid before you; and some modification of the Militia Laws will be submitted for your consideration.

The Railways to Truro and Windsor having been finished, the expense of operating and upholding these lines has been placed at the lowest point consistent with the safety and efficiency of the road, and, as far as was practicable, with our present legislation.

By consolidating the Railway and Public Works Departments, further economy may be effected, and your attention will shortly be called to that subject.

The large amount annually required to meet the payment of interest on the Railway Debt, must for some time severely tax your resources, and imperatively demands the most stringent economy in order to preserve intact the public credit.

A proposition to transfer to the Executive the Initiation of Money Votes, will be submitted for your deliberation—that system having been found indispensable in England, and already advantageously adopted in New Brunswick and other Colonies.

Your attention will be called to the propriety of extending the principles of Intercolonial Free Trade to Manufactured Articles, in addition to those products now interchanged without duty between the British North American Colonies.

A careful investigation has been had into the condition and working of the Savings' Bank, the result of which will be laid before you, and your attention will be invited to some modification of the existing system.

The conflicting clauses of the Decimal Currency Act of last Session demand your early consideration.

It is also desirable that some amendments should be made in the enactments relating to Lunatics, by which the Hospital for the Insane, an Institution already so extensively useful, may be rendered still more widely beneficial.

I fervently trust that your deliberations may contribute to the peace, prosperity, and advancement of this thriving Colony, so deeply indebted to Almighty God for the numerous blessings it now enjoys.

Bill pro forma read.

Mr. Brown presented a Bill to amend Chapter 92 of the Revised Statutes, "Of the preservation of useful Birds and Animals"—which was read a first time.

*Ordered,* That the said Bill be read a second time at a future day.

Speech reported.

The President reported His Excellency's Speech, and the same being read by the Clerk,

Mr. Whitman moved that an Address be presented to His Excellency in answer to his Speech, which he read in his place, and afterwards delivered it to the Clerk, who read the same as follows: Address in answer read.

To His Excellency the Right Honorable  
The Earl of Mulgrave,

*Lieutenant-Governor and Commander in Chief in and over  
Her Majesty's Province of Nova Scotia and its  
Dependencies, &c. &c. &c.*

THE ADDRESS OF THE LEGISLATIVE COUNCIL.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal subjects, the Legislative Council of Nova Scotia, thank Address.  
Your Excellency for the Speech with which you have been pleased to open the present Legislative Session.

We desire to render thanks to Almighty God for the prosperity which this Province now enjoys.

The increase of the Revenue to which Your Excellency has adverted affords us much satisfaction.

We are gratified to learn that such numerous and beneficial results are already flowing from the settlement of the long vexed questions connected with the Mineral resources.

We are glad to learn that some progress has been made in the adjustment of the Indian Reserves in accordance with the Act of last Session relating thereto.

We thank Your Excellency for the deep interest you have manifested in the local defence of the Colony. Our zealous coöperation shall not be wanting to aid Your Excellency, and prove to the Home Government that the valuable gift of arms furnished by the Parent States is duly appreciated.

We will bestow the most attentive consideration upon the important subject of an extension of the principles of Free Trade between the Sister Colonies and ourselves.

We will carefully consider the Report upon the Savings' Bank when laid before us, and any modifications in the system that may be found advantageous.

We will not neglect to bestow early attention to the difficulties presented in connection with the Decimal Currency Act of last Session.

Our attention will also be carefully bestowed upon any amendments of the Laws relating to Lunatics, by which that unfortunate class may be enabled still more extensively to enjoy the benefits provided by the Hospital for the Insane.

We devoutly join Your Excellency in the aspiration that our deliberations may promote the well being of our Country, rich in the numerous and varied natural advantages bestowed by a Bountiful Creator.

*Ordered,* That the said Address be read a second time at a future day.

*Ordered,* That Mr. Bell, Mr. Almon, Mr. Brown, Mr. McCully, and Mr. Creighton, be a Committee to consider of the Orders and Customs of this House and Privileges of Parliament. Com. of privileges.

*Ordered,* That Mr. Almon, Mr. Brown, and Mr. McCully, be a Committee to consider and report to the House the arrangements for Reporting and Publishing the Debates of this House for the present Session. Com. on Reporting.

On motion made and seconded, the House adjourned until To-morrow, at 1 o'clock Adjourn.

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**Friday, 27th January, 1860.**


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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,

The Honorable JONATHAN McCULLY,  
 WILLIAM McKEEN,  
 RICHARD A. McHEFFEY,  
 THOMAS D. ARCHIBALD,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 JOHN HOLMES,  
 JOHN CREIGHTON.

**PRAYERS.**

The Minutes of yesterday were read.

Address to H. E. read  
 2nd time.

The Address to His Excellency the Lieutenant-Governor in answer to his Speech was read a second time.

And ordered to Com.

*Ordered,* That the said Address be committed to a Committee of the whole House presently.

Committed.

On motion, the House was adjourned, during pleasure, and put into a Committee on the said Address. After some time the House was resumed, and Mr. Cutler reported that the Committee had gone through the said Address, and had agreed to the same without any amendment.

*Ordered,* That the said Address be read a third time presently.

Read 3rd time.

The said Address was read a third time, and the question was put by the President Whether this Address shall pass?

And passed.

It was resolved in the affirmative.

To be presented by  
 whole House.

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

Com. to wait on H. E.

*Ordered,* That Mr. Whitman, Mr. Comeau, and Mr. McHeffey, be a Committee to wait upon His Excellency, and ascertain when he will be pleased to receive this House with their Address.

Report of Com.

Mr. Whitman, the Chairman of the Committee, reported that the Committee had waited upon His Excellency, and that His Excellency had been pleased to state he would receive this House at half-past three o'clock, P. M., to-day.

House wait on H. E.  
 with Address.

At half-past three o'clock, P. M., the House proceeded to the Government House, and being returned to the Council Chamber, the President reported that His Excellency had been pleased to receive the said Address, and to make the following reply thereto:

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

Reply.

I thank you for your Address, and for the assurance you give me of your readiness to devote yourselves, with earnestness and zeal, to the consideration of those subjects which may be brought under your deliberation during the present Session; and I rejoice to find that the steps which I have thought it my duty to take to increase the local defences of the Colony meet with your approval.

**MULGRAVE.**

Adjourn.

On motion made and seconded, the House adjourned until to-morrow, at half-past two o'clock.

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**Saturday, 28th January, 1860.**

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The House met pursuant to adjournment.

PRESENT:

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINO,  
 JOHN E. FAIRBANKS,

The Honorable JONATHAN McCULLY,  
 WILLIAM MCKEEN,  
 RICHARD A. McHEFFEY,  
 THOMAS D. ARCHIBALD,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 JOHN HOLMES,  
 JOHN CREIGHTON.

PRAYERS.

The Minutes of yesterday were read.

Mr. Brown, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Papers and Despatches on Constitutional Questions:

Message with Despatches on Constitutional Questions.

Letter, dated 9th June, 1859, from the Hon. Mr. Johnston to the Lieut.-Governor.

Letter, dated 30th June, 1859, from the Honorable William Young, and twenty-eight others, returned as Members of the House of Assembly, to the Lieutenant-Governor.

Letter, dated 20th July, 1859, from the Executive Council to the Lieutenant-Governor.

Letter, dated 21st July, 1859, from the Provincial Secretary to the Honorable William Young and others.

Letter, dated 24th July, 1859, from the Honorable William Young to the Lieutenant-Governor, enclosing—

A Letter, dated 26th July, 1859, from the Honorable William Young to the Secretary of State for the Colonies.

Letter, dated 28th July, 1859, from the Honorable Mr. Johnston and others, to the Lieutenant-Governor.

Despatch, dated 28th July, 1859, from the Lieutenant-Governor to the Secretary of State for the Colonies.

Despatch, dated 1st September, 1859, from the Secretary of State for the Colonies to the Lieutenant-Governor.

Memorandum, dated 26th August, 1859, by the Lieutenant-Governor for the Attorney General.

Letter from the Attorney General and Solicitor General to the Lieutenant-Governor, enclosing—

A Case, relative to the disqualification of certain Members elected to serve in the House of Assembly, with schedules, and their Opinion thereon.

Despatch, dated 6th September, 1859, from the Lieutenant-Governor to the Secretary of State for the Colonies.

Despatch, dated 23rd December, 1859, from the Secretary of State for the Colonies to the Lieutenant-Governor, enclosing—

The Opinion of the Attorney General and Solicitor General of England, dated 7th December, 1859.

*(Appendix—Constitutional Questions.)*

The same were read and ordered to lie on the Table.

On motion made and seconded, the House adjourned until Tuesday, at half-past two o'clock. Adjourn.

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**Tuesday, 31st January, 1860.**

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**The House met pursuant to adjournment.**

P R E S E N T :

**The Honorable EDWARD KENNY, President.**

**The Honorable ROBERT M. CUTLER,**  
**HUGH BELL,**  
**STAYLEY BROWN,**  
**MATHER B. ALMON,**  
**ALEXANDER KEITH,**  
**WILLIAM A. BLACK,**  
**HENRY G. PINEO,**  
**JOHN E. FAIRBANKS,**  
**JAMES MCNAB,**

**The Honorable JONATHAN McCULLY,**  
**WILLIAM McKEEN,**  
**RICHARD A. McHEFFEY,**  
**THOMAS D. ARCHIBALD,**  
**ANSLEM F. COMEAU,**  
**ALFRED WHITMAN,**  
**ROBERT B. DICKEY,**  
**JOHN HOLMES,**  
**JOHN CREIGHTON.**

**PRAYERS.**

The Minutes of Saturday were read.

Mr. Almon, the Chairman, of the Committee on reporting and publishing the Debates, reported that the Committee recommended the engagement of Henry Oldright, Esquire, as Reporter, for the stipulated sum of £125. That the Debates should be published in the "Sun," tri-weekly paper, for Thirty-four Pounds, and in the "Acadian Recorder," newspaper, for Forty-five Pounds, which also included the Debates in pamphlet form. That it had been suggested that the "Montreal Gazette," as containing Parliamentary information from Canada, should be supplied; and that a copy of the "Royal Gazette" should be furnished to each Member. The same was read.

*Ordered,* That the said Report be received and adopted.

Mr. McCully presented the Petition of R. McCully and others, praying for a Bill for the sale of the old Baptist Meeting House in Amherst—which was ordered to lie on the Table.

Mr. Brown, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Despatches and Letters relative to the Militia:—

Despatch, dated 20th January, 1859, from the Lieutenant-Governor to the Secretary of State for the Colonies.

Despatch, dated 24th March, 1859, from the Secretary of State for the Colonies to the Lieutenant-Governor.

Despatch, dated 16th June, 1859, from the Lieutenant-Governor to the Secretary of State for the Colonies.

Letter, dated June 1859, from the Lieutenant-Governor Commanding in Chief the Militia, to the Officers commanding Militia Regiments.

Despatch, dated 30th June, 1859, from the Secretary of State for the Colonies to the Lieutenant-Governor.

Despatch, dated 20th July, 1859, from the Lieutenant-Governor to the Secretary of State for the Colonies.

Despatch, dated 22nd September, 1859, from the Lieutenant-Governor to the Secretary of State for the Colonies.

Despatch, dated 10th September, 1859, from the Secretary of State for the Colonies to the Lieutenant-Governor.

Despatch, dated 2nd November, 1859, from the Lieutenant-Governor to the Secretary of State for the Colonies.

Despatch, dated 18th November, 1859, from the Secretary of State for the Colonies to the Lieutenant-Governor, enclosing—

Report of Com. on Reporting.

Adopted.

Petition of R. McCully, and al.

Message from H. E. with Despatches relative to Militia.

Letter, dated 26th October, 1859, from Sir C. Yorke, Under Secretary of State for War, and

Letter, dated October, 1859, from H. R. H. the Duke of Cambridge to the Right Honorable Sydney Herbert.

Letter, dated 2nd November, 1859, from Sir Edward Lugard to Mr. Merivale.

Letter, dated 7th November, 1859, from the same to the same.

*(Appendix—Militia.)*

The same were read and ordered to lie on the Table.

Mr. Brown, by His Excellency's command, laid before the House—

A Statement of the Accounts and Claims of Mr. Donald Cameron, for work done on Contract No. 4, Windsor Branch, of the Nova Scotia Railway—dated December 28th, 1859.

Message from H. E. with statem't of D. Cameron's claim.

*(Appendix—Railway—Donald Cameron's Claim.)*

The same were read and ordered to lie on the Table.

On motion made and seconded, the House adjourned until to-morrow, at half-past Adjourn. two o'clock.

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**Wednesday, 1st February, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
STAYLEY BROWN,  
MATHEW B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JONATHAN McCULLY,

The Honorable RICHARD A. McHEFFEY,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON.

PRAYERS.

The Minutes of yesterday were read.

Mr. Brown, by the command of His Excellency the Lieutenant-Governor laid before the House the following Despatches relative to the Publication of the Patent Law Commission :

Message from H. E. with Despatches relative to Publication of Patent Law Commission,

Despatch, dated 18th October, 1859, from the Lieutenant-Governor to the Secretary of State for the Colonies.

Despatch, dated 23rd November, 1859, from the Secretary of State for the Colonies to the Lieutenant-Governor.

Letter, dated 18th November, 1859, from Mr. Woodcroft to Mr. Fortescue.

*(Appendix—Patent Law Commission.)*

Also, the following Despatches relative to vacancies and appointments in the Legislative Council:

And vacancies and appointments to Leg. Council,

Despatch, dated 22nd October, 1859, from the Lieutenant-Governor to the Secretary of State for the Colonies.

Despatch, dated 19th December, 1859, from the Secretary of State for the Colonies to the Lieutenant-Governor.

*(Appendix—Legislative Council.)*

And Inter-Colonial  
Free Trade.

Also, the following Despatches relative to Inter-Colonial Free Trade :  
Despatch, dated Quebec, 26th November, 1859, from the Governor-General to the  
Lieutenant-Governor, enclosing—

A copy of a Minute of Council of Canada, dated 22nd November, 1859.

*(Appendix—Inter-Colonial Free Trade.)*

Adjourn.

On motion made and seconded, the House adjourned until Friday, at half-past two  
o'clock.

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**Friday, 3rd February, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,

The Honorable WILLIAM McKEEN,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON.

PRAYERS.

The Minutes of Wednesday were read.

Adjourn.

On motion made and seconded, the House adjourned until Monday, at half-past  
two o'clock.

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**Monday, 6th February, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
WILLIAM McKEEN,

The Honorable THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON.

PRAYERS.

The Minutes of Friday were read.

Adjourn.

On motion made and seconded, the House adjourned until To-morrow, at half-past  
two o'clock.

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**Tuesday, 7th February, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
WILLIAM MCKEEN,

The Honorable THOMAS D. ARCHIBALD,  
ANSLEM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON.

## PRAYERS.

The Minutes of yesterday were read.

Mr. Brown rose in his place, and said—

Mr. President,—

I think it right to inform the House that in consequence of a Vote passed in the other Branch of the Legislature, on Friday last, His Excellency's advisers deemed it their duty to recommend a dissolution of the Assembly—in which recommendation His Excellency did not concur, and therefore they felt it incumbent on them to tender to His Excellency the resignation of their Offices, and their Seats as Executive Councillors—which resignation His Excellency had been pleased to accept, at the same time expressing his desire that they should retain office till their successors should be appointed, and in this position therefore they considered themselves now placed.

Resignation of Executive Council.

On motion made and seconded, the House adjourned until to-morrow, at half-past two o'clock. Adjourn.

**Wednesday, 8th February, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,

The Honorable JONATHAN McCULLY,  
WILLIAM MCKEEN,  
THOMAS D. ARCHIBALD,  
ANSLEM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON.

## PRAYERS.

The Minutes of yesterday were read.

Mr. Brown, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Despatches and Letters relating to Her Majesty's recognition of the services of Chief Justice Halliburton :

Message from H. E. with Despatches relative to Chief Justice Halliburton

Despatch, dated 30th December, 1858, from the Lieutenant-Governor to the Secretary of State for the Colonies.

Despatch, dated 9th April, 1859, from the Secretary of State for the Colonies to the Lieutenant-Governor.

Letter, dated 6th May, 1859, from the Lieutenant-Governor to Chief Justice Halliburton.

Letter, dated 6th May, 1859, from Chief Justice Halliburton to the Lieutenant-Governor.

*(Appendix—Chief Justice Halliburton.)*

The same were read and ordered to lie on the Table.

Petition of J. H. Ditmars and al.

Mr. Whitman presented the Petition of J. H. Ditmars and others, praying aid towards the building of a Bridge over Bear River, in the County of Annapolis—which was ordered to lie on the Table.

Petition of G. Coggin and al.  
Petition of E. Laffoly and al.

Mr. McCully presented the Petition of George Coggin and others, and also the Petition of Elizabeth Laffoly and others, praying for the passing of a Prohibitory Liquor Law—which were ordered to lie on the Table.

Adjourn.

On motion made and seconded, the House adjourned until To-morrow, at half-past two o'clock.

**Thursday, 9th February, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH.  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,  
JONATHAN McCULLY,

The Honorable WILLIAM McKEEN,  
RICHARD A. McHEFFEY,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON.

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly by Mr. James, with the following Resolution :

Pay of Members of Council and H. A.

*Resolved,* That His Excellency the Lieutenant-Governor be authorized, and respectfully requested to advance such sum as will suffice to pay every Member of the Legislative Council and House of Assembly One Pound per day for his attendance in General Assembly to the date of the adjournment of the present Session ; also the Travelling Fees at the rate heretofore established of Members not resident in Halifax ; and that this House will provide for the same when it again meets.

To which Resolution they desired the concurrence of this House.

Read first time.

The said Resolution was read a first time.

*Ordered,* That the said Resolution be read a second time.

The said Resolution was by order read a second time, and the question was put by the President, Read 2d time,

Whether this Resolution be agreed to?

It was resolved in the affirmative.

Agreed to,

A Message was sent to the House of Assembly by the Clerk,  
To return the said Resolution, and acquaint them that this House has agreed to the same without any amendment. And sent to H. A.

On motion made and seconded, the House adjourned until Monday, the Twelfth day of March next, at half-past two o'clock. Adjourn.

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**Monday, 12th March, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM MCKEEN,  
RICHARD A. McHEFFEY,  
THOMAS D. ARCHIBALD,  
ALFRED WHITMAN,  
JOHN HOLMES,  
JOHN CREIGHTON.  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of Thursday, the Ninth day of February last, were read.

John H. Anderson, Esquire, was introduced, and presented a Commission from His Excellency the Lieutenant-Governor, appointing him a Member of the Legislative Council, provisionally, until Her Majesty's pleasure should be known—the same was read by the Clerk, whereupon the Oath of Allegiance was administered to him by the Honorable the Provincial Secretary, (as Commissioner), and after giving and receiving salutations to and from the Members present, his seat was assigned to him next to Mr. Creighton. Mr. Anderson takes Oath.

Mr. McCully, by the Command of His Excellency the Lieutenant-Governor, laid before the House the following Papers relative to the Post Office: Message from H. E. with Papers rel. to Post Office.

Report from the Post Master General, dated 20th January, 1860.

Statement of the Revenue and Expenditure of the Post Office Department of Nova Scotia, for the year 1859.

Account Current with the Province of Nova Scotia.

General Account between the United Kingdom and Nova Scotia.

Report of Money Order Office.

Report of Number of Money Order Offices in operation; and

General Principles of the Money Order System, and Instructions to Postmasters.

The same were read and ordered to lie on the Table.

On motion made and seconded, the House adjourned until Wednesday, at half-past two o'clock. Adjourn.

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**Wednesday, 14th March, 1860.**

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The House met pursuant to adjournment.

PRESENT:

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,  
 JAMES McNAB,  
 JONATHAN McCULLY,

The Honorable WILLIAM McKEEN,  
 RICHARD A. McHEFFEY,  
 THOMAS D. ARCHIBALD,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 ROBERT B. DICKEY,  
 JOHN HOLMES,  
 JOHN CREIGHTON.  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of Monday were read.

Message from H. E.,  
 with

Mr. McCully, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Orders in Council, Reports, and Correspondence:

Order in Council,  
 confirming Acts,

Order of Her Majesty in Council, dated 29th day of November, 1859, approving of Ninety Acts, passed in the last Session.

*(Appendix—Legislative Acts.)*

Do..

Order of Her Majesty in Council, dated 23rd January, 1860, approving of Six Acts, passed in the last Session.

*(Appendix—Legislative Acts.)*

Rep. Com. Cr. Lands,

The Report of the Commissioner of Crown Lands for the year 1859.

*(Appendix—Crown Lands.)*

Do. Public Records,

The Third Report of the Commissioner of Public Records.

Do. Hospital for Insane.

The Report of the Commissioners of the Provincial Hospital for the Insane for the year 1859.

Account of the Expenditure and Receipts for 1859.

Inventory of Property belonging to the Hospital for Quarter ending 31st December, 1859.

Second Report of the Medical Superintendent of the Hospital for the Insane.

*(Appendix—Hospital for the Insane.)*

Rep. of Railway. &c.

Report of Commissioners of the Provincial Railway for the year 1859.

Report of Engineer, dated January 17, 1860.

Report of Superintendent, dated January 31, 1860.

Report of Superintendent of Locomotives, dated 25th January, 1860.

Abstract, shewing Mileage of Trains, Number of Passengers, and Quarterly Receipts, for the year 1859.

Working Expenses of Traffic for the year 1859.

Monthly Return of Passenger, Horse, Waggon, and Freight Traffic, for the year 1859.

Statement, shewing Description, Quantities, and Cost of Work done by Road Masters on the Main Line and the Windsor Branch, from May 1 to November 30, 1859.



Classification of Expenditure on Construction, with Details of Masonry, &c.  
 Details of Masonry.  
 Statement of Mileage, Consumption of Stores, and Cost of Repairs of Locomotives,  
 for the year 1859.

(*Appendix—Railway.*)

Also, the following Despatches, relative to Light Houses on Prince Edward's Island: Light Houses, P. E. Island.

Despatch, dated January 27th, 1860, from the Lieutenant-Governor of Prince Edward's Island to the Lieutenant-Governor of Nova Scotia.

Despatch, dated 1st February, 1860, from the Lieutenant-Governor of Nova Scotia to the Lieutenant-Governor of P. E. Island.

(*Appendix—Light Houses, P. E. Island.*)

The same were read and ordered to lie on the Table.

On motion made and seconded, the House adjourned until to-morrow, at half-past two o'clock. Adjourn.

**Thursday, 15th March, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,  
 JAMES McNAB,  
 JONATHAN McCULLY,

The Honorable WILLIAM McKEEN,  
 RICHARD A. McHEFFEY,  
 THOMAS D. ARCHIBALD,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 ROBERT B. DICKEY,  
 JOHN HOLMES,  
 JOHN CREIGHTON,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

Mr. Anderson, by the command of His Excellency the Lieutenant-Governor, laid before the House— Message from H. E., with

The Report of the Chairman of the Board of Works for the year 1859. Rep. Board of Works.

The Report of the Superintendent of Light Houses. Do. Superintendent of Light Houses.

Additional Report of the Superintendent of Light Houses. Additional Do.

The same were read and ordered to lie on the Table.

A Message was brought from the House of Assembly, by Mr. James, with the following Resolution :

*Resolved*, That Mr. Esson, Mr. Tupper, Mr. Grant, Mr. Shaw, and the Honorable the Attorney General, be a Committee to join a Committee of the Legislative Council, to examine the Public Accounts. Com. Public Accts. H. A.,

On motion, *resolved*, that Mr. Archibald, Mr. Creighton, and Mr. Whitman, be a Committee of this House to join a Committee of the House of Assembly to examine the Public Accounts, and that the Clerk do acquaint the House of Assembly therewith. And Council.

- Message from H. E.,  
with  
Public Accounts, and  
Railway do.
- Mr. Anderson, by the Command of His Excellency the Lieutenant-Governor, laid before the House—  
The Receiver General's Accounts for the year 1859.  
(*Appendix—Public Accounts.*)
- Also, the Accounts with the Provincial Railway to 1st January, 1860, with a Statement of the Cost of the Railway.  
(*Appendix—Railway Accounts.*)
- The same were read and ordered to lie on the Table.
- Partition of Lands  
Bill read 1st time.
- Mr. McCully presented a Bill to amend Chapter 139 of the Revised Statutes, "Of the Partition of Lands," which was read a first time.  
*Ordered,* That the said Bill be read a second time at a future day.
- Adjourn.
- On motion made and seconded, the House adjourned until To-morrow, at half-past two o'clock.

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**Friday, 16th March, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,  
JONATHAN McCULLY,

The Honorable WILLIAM MCKEEN,  
RICHARD A. McHERFEY,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON.  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

- Partition of Lands  
Bill read 2d time,  
And ord. to Com.
- A Bill, entitled, An Act to amend Chapter 139 of the Revised Statutes, "Of the Partition of Lands," was read a second time.  
*Ordered,* That the said Bill be committed to a Committee of the whole House at a future day.
- Message from H. E.,  
with  
Poor House Accts.,
- Mr. Anderson, by the command of His Excellency the Lieutenant-Governor, laid before the House—  
The Accounts of the Halifax Asylum for the Poor for the year 1859.  
The same were read, and ordered to lie on the Table.
- Petition of A. Downs.
- Mr. Black presented the Petition of Andrew Downs, praying aid towards the establishment of a Museum and an Aquarium, which was read, and ordered to lie on the Table.
- H. A. ask Conference  
on Gen. State of  
Province.
- A Message was brought from the House of Assembly by Mr. James,  
To desire a Conference with this House, by Committee, on the General State of the Province.

*Ordered*, That the said Conference be agreed to.

Agreed to.  
Committee.

*Ordered*, That Mr. McCully, Mr. Almon, and Mr. Dickey, be a Committee of this House to manage the said Conference.

A Message was sent to the House of Assembly by the Clerk,

Message to H. A.,  
agreeing to Conference.  
Report.

To inform the House that this House agrees to the Conference desired by them.

And the Managers went to the Conference, and being returned, Mr. McCully reported that the Committee had held the said Conference, and that the Chairman of the Committee of the House of Assembly had delivered to him the following written paper :

*In the House of Assembly, 16th March, 1860.*

Whereas it has been officially announced by His Excellency the Governor General that His Royal Highness the Prince of Wales will visit Canada during the ensuing summer ;

H. A. addresses Her Majesty to allow the Prince of Wales to visit N. Scotia.

And whereas Her Majesty's loyal subjects in Nova Scotia would embrace with the liveliest satisfaction the opportunity of seeing His Royal Highness, of evincing to him how completely His Royal Parent reigns in their hearts, and of shewing the happy combination which exists in this Province of perfect freedom and devoted loyalty :

Therefore *resolved unanimously*, that a Select Committee be appointed to draw up an Address to Her Majesty The Queen, respectfully requesting that His Royal Highness the Prince of Wales may be permitted to extend his visit to Nova Scotia.

*Resolved*, That a Conference be held by Committee with the Legislative Council, and that the Council be requested to join the House in such Address.

A. JAMES, *Clerk.*

*Resolved, unanimously*, That this House will join the House of Assembly in an Address to Her Majesty The Queen, respectfully requesting that His Royal Highness the Prince of Wales may be permitted to visit Nova Scotia as well as Canada, during the ensuing summer.

Res. to join H. A. in Address.

*Resolved*, That Mr. McCully, Mr. Almon, and Mr. Dickey, be a Committee of this House to join a Committee of the House of Assembly in preparing the said Address.

Com. to prepare.

*Resolved*, That a further Conference be desired with the House of Assembly by Committee on the General State of the Province, and that the Committee of this House do communicate the foregoing Resolution to the Committee of the House of Assembly.

Further Conference.

A Message was sent to the House of Assembly by the Clerk,  
To desire the said Conference.

Conference asked.

A Message was brought from the House of Assembly by Mr. James,

Agreed to.

To inform the House that the House of Assembly agreed to the further Conference desired by this House.

*Ordered*, That the Committee who managed the last Conference do manage the present Conference.

And the Managers went to the Conference, and being returned, Mr. McCully reported that the Committee had held the said Conference, and that he had communicated his instructions to the Committee of the House of Assembly.

Report.

On motion made and seconded, the House adjourned until Monday, at half-past two o'clock.

Adjourn.

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**Monday, 19th March, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,  
 JAMES McNAB,

The Honorable JONATHAN McCULLY,  
 WILLIAM McKEEN,  
 THOMAS D. ARCHIBALD,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 ROBERT B. DICKEY,  
 JOHN HOLMES,  
 JOHN CREIGHTON,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of Friday were read.

Message from H. A.  
 with Com. to pre-  
 pare Address to  
 Her Majesty rel. to  
 Pr. of Wales' visit.

A Message was brought from the House of Assembly by Mr. James,  
 To inform the House that the House of Assembly had appointed the Honorable the President of the Executive Council, the Honorable Mr. Johnston, and the Honorable the Provincial Secretary, to be a Committee of the House of Assembly to join the Committee of this House to prepare an Address to Her Majesty to permit the Prince of Wales to visit Nova Scotia as well as Canada during the ensuing season.

H. A. ask Conference  
 on Gen. State of  
 Prov. (Journals).  
 Agreed to.

The Messenger also informed the House that the House of Assembly desired a Conference with this House, by Committee, on the general state of the Province.

*Ordered,* That the said Conference be agreed to, and that the Clerk do acquaint the House of Assembly therewith.

Committee.

*Ordered,* That Mr. McCully, Mr. Almon, and Mr. Dickey, be a Committee of this House to manage the said Conference.

Asso. Alumni Acadia  
 Col. Bill read 1st  
 time.  
 Referred.

Mr. Fairbanks presented a Bill to incorporate the Associated Alumni of Acadia College—which was read a first time.

*Ordered,* That the said Bill be referred to a Select Committee to examine and report upon.

Committee.

*Ordered,* That Mr. Fairbanks, Mr. Brown, and Mr. Comeau, be a Committee for that purpose.

Rep. of Com. of Con-  
 ference. (Journals).

Mr. McCully, the Chairman of the Committee of this House, appointed to hold a Conference with the Committee of the House of Assembly on the general state of the Province, reported that the Committee had held the said Conference, and that the Chairman of the Committee of the House of Assembly had delivered to him the following written paper :

*In the House of Assembly, 15th March, 1860.*

On motion of the Honorable the Attorney General,

*Resolved,* That in the opinion of this House, it is desirable that some arrangement should be made by which the Journals of the House should be published at an early period after the rise of the House ; and by which the Public Documents in the Appendices to the Journals of both Houses may be required to be but once printed, and the Journals of both Houses be uniform in size.

*Resolved*, That a Conference be requested by Committee with the Legislative Council to communicate a copy of the foregoing Resolution, and request their concurrence.

A. JAMES, *Clerk*.

Mr. Dickey presented a Bill to amend Chapter 117 of the Revised Statutes, "Of the Sale of Lands under Foreclosure of Mortgages," which was read a first time. Sale of Lands under Mortgages Bill read 1st time.

*Ordered*, That the said Bill be referred to a Select Committee to examine and report upon. Ref. to Sel. Com.

*Ordered*, That Mr. Dickey, Mr. McCully, and Mr. Almon, be a Committee for that purpose. Committee.

Mr. Dickey presented a Bill to amend Chapter 134 of the Revised Statutes, "Of Pleadings and Practice in the Supreme Court," which was read a first time. Pleadings and Practice Bill read 1st time.

*Ordered*, That the said Bill be referred to a Select Committee to examine and report upon. Ref. to Sel. Com.

*Ordered*, That Mr. Dickey, Mr. Creighton, and Mr. McCully, be a Committee for that purpose. Committee.

Mr. McCully, the Chairman of the Committee of this House appointed to join a Committee of the House of Assembly, to prepare an Address to Her Majesty, requesting that the Prince of Wales may be permitted to visit Nova Scotia as well as Canada during the ensuing summer, reported the draft of an Address, which he read in his place, and afterwards delivered it to the Clerk, who read the same as follows: Committee rep. Joint Address to Her Majesty' rel. to visit of Pr. of Wales.

### To the Queen's Most Excellent Majesty :

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

MAY IT PLEASE YOUR MAJESTY :

We, Your Majesty's dutiful subjects, the Legislative Council and House of Assembly of Nova Scotia, in Parliament assembled, beg leave to approach Your Majesty with the united expression of our loyalty and affection to your Royal Person and Government. Address.

Having been informed that His Excellency the Governor-General has announced to the Parliament of Canada that His Royal Highness the Prince of Wales will visit that Province during the ensuing summer, the Legislative Council and House of Assembly of Nova Scotia humbly request that the visit of His Royal Highness may be extended to this Province, where the memory of his illustrious Grandfather is cherished with the fondest affection : and Your Majesty's faithful subjects would embrace with the liveliest satisfaction the opportunity of seeing the Heir Apparent of the British Crown, of evincing to him how completely your Majesty reigns in the hearts of the People of this Province, and of shewing the happy combination which it displays of free institutions with devoted loyalty.

*Resolved, unanimously*, That the said Address be received and adopted. Adopted unanimously.

The Chairman also reported the draft of an Address to His Excellency the Lieutenant-Governor, which he read in his place, and afterwards delivered it to the Clerk, who read the same as follows : Address to H. E. reported.

To His Excellency the Right Honorable  
**The Earl of Mulgrave,**  
*Lieutenant-Governor and Commander-in-Chief in and over  
 Her Majesty's Province of Nova Scotia and its  
 Dependencies, &c. &c. &c.*

THE JOINT ADDRESS OF THE LEGISLATIVE COUNCIL AND HOUSE OF  
 ASSEMBLY :

MAY IT PLEASE YOUR EXCELLENCY :

Address.

The Legislative Council and House of Assembly have passed an Address to Her Most Gracious Majesty The Queen, praying Her Majesty will be pleased to permit His Royal Highness The Prince of Wales to visit Nova Scotia as well as Canada during the ensuing summer, which Address the Legislative Council and House of Assembly respectfully pray Your Excellency to forward to His Grace the Secretary of State for the Colonies, to be laid at the foot of the Throne.

Adopted.

*Ordered,* That the said Address be received and adopted.

Com. to present Ad-  
 dress to H. E.

*Ordered,* That the Committee who prepared the said Address be a Committee to present the same to His Excellency the Lieutenant-Governor.

Adjourn.

On motion, made and seconded, the House adjourned until Wednesday, at half-past two o'clock.

Wednesday, 21st March, 1860.

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,  
 JAMES McNAB,  
 JONATHAN McCULLY,

The Honorable WILLIAM McKEEN,  
 RICHARD A. McHEFFEY,  
 THOMAS D. ARCHIBALD,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 ROBERT B. DICKEY,  
 JOHN HOLMES,  
 JOHN CREIGHTON.  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of Monday were read.

Mr. Dickey, the Chairman of the Committee to whom a Bill, entitled, An Act to amend Chapter 117 of the Revised Statutes, "Of the sale of Lands under foreclosure of Mortgages," was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House. Com. on sales under Foreclosures Bill Rep.

The said Bill was read a second time. Bill read 2d time,

*Ordered,* That the said Bill be committed to a Committee of the whole House at a future time. And ordered to Com.

Mr. Dickey, the Chairman of the Committee to whom a Bill, entitled, An Act to amend Chapter 134 of the Revised Statutes, "Of Pleadings and Practice in the Supreme Court," was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House. Com. on pleadings in Sup. Court Bill Rep.

The said Bill was read a second time. Bill read 2d time,

*Ordered,* That the said Bill be committed to a Committee of the whole House at a future time. And ordered to Com.

Mr. Dickey presented a Bill to repeal Chapter 24 of the Acts of 1859, entitled, An Act to establish the Decimal System of Accounting—which was read a first time. Decimal Currency Bill read 1st time.

*Ordered,* That the said Bill be read a second time at a future day.

Mr. Fairbanks, the Chairman of the Committee to whom a Bill, entitled, An Act to incorporate the Associated Alumni of Acadia College, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House. Com. on Associated Alumni of Acadia Col. rep.

The said Bill was read a second time. Bill read 2d time.

*Ordered,* That the said Bill be committed to a Committee of the whole House at a future time. And ordered to Com.

Mr. McHefley presented the Petition of the Rev. T. H. Porter and others, praying for the passing of an Act to prevent the importation and sale of Intoxicating Liquors—which was ordered to lie on the Table. Pet. of Rev. T. H. Porter and al.

- S. O. S. *Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills before a Committee of the whole House.
- Com. on Bills. On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Cutler reported that the Committee had made some progress.
- Rep. Partition of Lande. The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend Chapter 139 of the Revised Statutes, "Of the Partition of Lands"; also,
- Sales under fore-closures. A Bill, entitled, An Act to amend Chapter 117 of the Revised Statutes, "Of the sale of Lands under foreclosure of Mortgages"; also,
- Plead. and Practice in Sup. Court, A Bill, entitled, An Act to amend Chapter 134 of the Revised Statutes, "Of Pleadings and Practice in the Supreme Court"; also,
- And Associated Alumni Aca. College, Bills without am. A Bill, entitled, An Act to incorporate the Associated Alumni of Acadia College; And had agreed to the same without any amendment.
- Ordered*, That the said Bills be engrossed, and read a third time at a future day.
- Com. rel. to Journals. On motion of Mr. McCully,  
*Resolved*, That a Committee be appointed to make arrangements for the early printing of the Journals of this House, and by which the Public Documents in the Appendices to the Journals of the Council and House of Assembly may be required to be printed but once, and by which the Journals of both Houses may be uniform in size.
- Committee. *Resolved*, That Mr. McCully, Mr. Almon, and Mr. Dickey, be a Committee for that purpose.
- Conf. on Gen. state of Province. *Resolved*, That a further Conference on the General State of the Province be desired with the House of Assembly by Committee, and that the Committee of this House do communicate to the Committee of the House of Assembly the foregoing Resolutions.
- Conf. asked. A Message was sent to the House of Assembly by the Clerk,  
To desire the said Conference.
- Agreed to. A Message was brought from the House of Assembly by Mr. James,  
To inform the House that the House of Assembly agreed to the Conference desired by this House.
- Committee. *Ordered*, That Mr. McCully, Mr Almon, and Mr. Dickey, be a Committee of this House to manage the said Conference.
- Report. And the Managers went to the Conference, and being returned, Mr. McCully reported that the Committee had held the said Conference, and that he had communicated his instructions to the Committee of the House of Assembly.
- Adjourn. On motion made and seconded, the House adjourned until Friday, at half past two o'clock.



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**Friday, 23rd March, 1860.**


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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM MCKEEN,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of Wednesday were read.

A Bill, entitled, An Act to amend Chapter 139 of the Revised Statutes, "Of the Partition of Lands, Partition of Lands; also,

A Bill, entitled, An Act to amend Chapter 117 of the Revised Statutes, "Of the Sale of Lands under foreclosure of Mortgages; also, Sales under Foreclosures.

A Bill, entitled, An Act to amend Chapter 134 of the Revised Statutes, "Of Pleadings and Practice in the Supreme Court; also, Pleadings, Supreme Court, and

A Bill, entitled, An Act to incorporate the Associated Alumni of Acadia College. Associated Alumni Acadia Col. Bills. Read 3rd time,

Were read a third time, and the question was put by the President on each Bill, Whether this Bill shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk,

To carry down the said Bills, and desire their concurrence thereto. Passed, And sent to H. A.

A Message was brought from the House of Assembly by Mr. James,

To inform the House that the House of Assembly had appointed the Honorable the Provincial Secretary, Mr. Tupper, the Honorable the Attorney General, Mr. Bourinot, and Mr. McLellan, a Committee of that House to join a Committee of this House to make arrangements for the early printing of the Journals, and for printing the Public Documents in the Appendices but once. Message from H. A. with Com. of H. A. rel. to Printing of Journals.

Mr. McCully, the Chairman of the Committee of this House, appointed to join a Committee of the House of Assembly to present to His Excellency the Lieutenant-Governor the joint Address of this House and the House of Assembly to Her Majesty, requesting that the Prince of Wales may be permitted to visit Nova Scotia as well as Canada during the ensuing summer; and also the Address to His Excellency the Lieutenant-Governor, requesting him to forward the same; reported that the Committee had performed that duty; and that His Excellency had been pleased to state he would have much pleasure in forwarding the same. Rep. of Com. to present Address rel. to Pr. of Wales visit.

Mr. McCully, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Papers relative to a proposed reduction of the Railway expenses: Message from H. E. with Papers rel. to proposed reduction of Railway expen.

A Circular Letter, dated 15th March, 1860, to different persons employed relative to proposed reductions.

A Scale of Wages and Salaries and proposed reductions in the Halifax Office, Traffic Department, Locomotive and Car Department, Repairs of Permanent Way, and summary of the foregoing.

Letter, dated 15th March, 1860, from the Chairman of the Railway Board to the Provincial Secretary.

The same were read and ordered to lie on the Table.

Adjourn.

On motion made and seconded, the House adjourned until Monday, at half-past two o'clock.

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**Monday, 26th March, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM McKEEN,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of Friday were read.

Leave to Law Clerk  
to attend before  
Com. of H. A.

On motion, *resolved*, that Mr. Ritchie, the Law Clerk of this House, have leave to attend before the Election Committees of the House of Assembly.

Message from H. E.  
with

Mr. McCully, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Reports and Despatch :

Reports Provincial  
Penitentiary.

Report of the Superintendent of the Provincial Penitentiary, for the year 1859.

Report of the Medical Superintendent of the Provincial Penitentiary, for the year 1859.

Despatch rel. to Cus-  
toms Duties Act

Also, a Despatch, dated 11th February, 1860, from the Secretary of State for the Colonies to the Lieutenant-Governor, stating objections to the 8th Clause of the Act of 1859 to regulate Customs Duties.

(*Appendix—Revenue Act.*)

Rep. Inspector Mines.  
Shipments of Coal.

Also, The Report of the Inspector of Mines, for the year 1859.

Also, Statements of the Quantities of Coal shipped at the Sydney, Albion, Lingan, and Joggins Mines, during the year 1859.

Rep. of Superinten-  
dent of Education.

Also, The Report of the Superintendent of Education and Principal of the Normal School, for the year 1859.

Also, Various Tables connected with Schools in this Province.

(*Appendix—Education.*)

The same were read and ordered to lie on the Table.

Adjourn.

On motion made and seconded, the House adjourned until To-morrow, at half-past two o'clock.

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**Tuesday, 27th March, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,  
 JAMES McNAB,  
 JONATHAN McCULLY,

The Honorable WILLIAM McKEEN,  
 RICHARD A. McHEFFEY,  
 THOMAS D. ARCHIBALD,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 ROBERT B. DICKEY,  
 JOHN HOLMES,  
 JOHN CREIGHTON.  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. James, with the following Bills :

A Bill, entitled, An Act to regulate Customs Duties.

Customs Duties.

A Bill, entitled, An Act to continue the Law imposing Light House Duties.

Light House do.,

A Bill, entitled, An Act to regulate the Currency and the Decimal System of Accounting.

And Currency and  
Dec system of Ac-  
counting, Bills

To which Bills they desired the concurrence of this House.

The same were read a first time.

Read 1st time.

*Ordered*, That the said Bills be referred to a Select Committee to examine and report upon.

And referred.

*Ordered*, That Mr. Anderson, Mr. Almon, and Mr. Pineo, be a Committee for that purpose.

Committee.

Mr. Archibald presented the Report of the Deaf and Dumb Institution at Halifax, for the year 1859.

Rep. of Deaf and  
Dumb In.

Also, the Petition of the Director of the Deaf and Dumb Institution at Halifax, praying aid, which was read, and ordered to lie on the Table.

Pet. of Director of  
Deaf and Dumb In.

Mr. McCully, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Papers and Despatch :

Message from H. E.  
with

Note, dated July 18th, 1859, from M. H. Perley, Esquire, Commissioner under the Reciprocity Treaty, to the Lieutenant-Governor, suggesting the expediency of adopting measures for the preservation of the Fisheries of the River Margaree, Inverness.

Note from Com under  
Reciprocity Treaty.  
Fisheries Margaree  
River.

(*Appendix—Fisheries, Margaree River.*)

Also, the following Correspondence relative to the Indian Reserves.

Indian Reserves.

Letter, dated 22d August, 1859, from the Provincial Secretary to Samuel P. Fairbanks, Esq., with—

Note, dated August 26th, 1859, of Mr. Fairbanks' appointment as Commissioner.

Letter, dated 19th September, 1859, from Mr. Fairbanks to the Provincial Secretary.

Also, the following Despatch and Letter, suggesting the expediency of the Representation of the Principal Colonies at the approaching Congress of Statistical Science, to be held in London in July next.

Representation at  
Statist Congress.

Despatch, dated 10th February, 1860, from the Secretary of State for the Colonies to the Lieutenant-Governor, enclosing—

Letter from Mr. Booth to the Under Secretary of State for the Colonies.

(Appendix—Statistical Congress.)

The same were read and ordered to lie on the Table.

Petition of Rev. C. Randall and al. and Mrs. Cynthia Randall.

Mr. Comeau presented the Petition of the Reverend Charles Randall and others. Also, The Petition of Mrs. Cynthia Randall and others, praying for a Law prohibiting the importation, manufacture, and sale of Intoxicating Liquors—which were ordered to lie on the Table.

Com. on Cus Duties,  
Light House Duties,  
And Currency Bills.

Mr. Anderson, the Chairman of the Committee to whom a Bill, entitled, An Act to regulate Customs Duties; also, A Bill, entitled, An Act to continue the Law imposing Light House Duties; also, A Bill, entitled, An Act to regulate the Currency and the Decimal System of Accounting.

Report.

Were referred, reported that the Committee had examined the said Bills, and recommended them to the favorable consideration of the House.

*Ordered*, That the said Bills be read a second time at a future day.

Adjourn.

On motion made and seconded, the House adjourned until to-morrow, at half-past two o'clock.

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**Wednesday, 28th March, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,  
JONATHAN McCULLY,

The Honorable WILLIAM McKEEN,  
RICHARD A. McHEFFEY,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON.  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

Customs Duties, and  
Light Houses Duties,  
Bills.  
Read 2d time,  
And ordered to Com.

A Bill, entitled, An Act to regulate Customs Duties; also,  
A Bill, entitled, An Act to continue the Law imposing Light House Duties,—  
Were read a second time.

*Ordered*, That the said Bills be committed to a Committee of the whole House at a future time.

Motion for 2d Read'g.  
of Currency Bill

Mr. Archibald moved that a Bill, entitled, An Act to regulate the Currency and the Decimal System of Accounting be read a second time, which, being seconded, and

after long debate, the question being put by the President, there appeared, for the Motion, Nine; against the Motion, Ten:

For the Motion—

Mr. Anderson,  
McCully,  
McKeen,  
McHefley,  
Archibald,  
Pineo,  
Bell,  
Comeau,  
Almon.

Against the Motion—

Mr. McNab,  
Brown,  
Whitman,  
Holmes,  
Dickey,  
Black,  
Fairbanks,  
Keith,  
Cutler,  
The President.

So it passed in the negative.

Negatived.

A Message was brought from the House of Assembly by Mr. James,  
To return a Bill, entitled, An Act to amend Chapter 139 of the Revised Statutes,  
"Of the Partition of Lands;" also,  
A Bill, entitled, An Act to amend Chapter 117 of the Revised Statutes, "Of the  
sale of Lands under foreclosure of Mortgages;"

H. A. agree to  
Partition of Lands,  
and  
Sales under Foreclo-  
sures, Bills,  
Without am.

And to inform the House that the House of Assembly had agreed to the same  
without any amendment.

The Messenger also brought up the following Resolution:

*Resolved*, That the sum of One Hundred Thousand Dollars be granted for the Road  
and Bridge service for the present year.  
To which Resolution they desired the concurrence of this House.  
The same was read a first time.

\$100,000, Roads and  
Bridges,  
Read 1st time.

*Ordered*, That the said Resolution be read a second time at a future day.

On motion made and seconded, the House adjourned until to-morrow, at half  
past two o'clock.

Adjourn.

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**Thursday, 29th March, 1860.**

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The House met pursuant to adjournment.

PRESENT:

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,  
 JAMES McNAB,

The Honorable JONATHAN McCULLY,  
 WILLIAM MCKEEN,  
 THOMAS D. ARCHIBALD,  
 ANSELM F. COMEAU,  
 ROBERT B. DICKEY,  
 JOHN HOLMES,  
 JOHN CREIGHTON,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

\$100,000, Roads and  
 Bridges read 2d  
 time.

The Resolution for granting the sum of One Hundred Thousand Dollars for the Road and Bridge service for the present year, was read a second time, and the question was put by the President,

Whether this Resolution be agreed to?

It was resolved in the affirmative.

Agreed to.

And sent to H. A.,

A Message was sent to the House of Assembly by the Clerk,  
 To return the said Resolution, and acquaint them that this House has agreed to the same without any amendment.

Decimal Currency  
 Bill read 1st time.

Mr. Dickey presented a Bill to amend Chapter 24 of the Acts of 1859, entitled, "An Act to establish the Decimal system of Accounting,"—which was read a first time.

*Ordered,* That the said Bill be read a second time at a future day.

Com. on Bills.

On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Bell reported that the Committee had made some progress.

Report

Customs Duties, and  
 Light House Duties  
 Bills  
 Without am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to regulate Customs Duties; also,

A Bill, entitled, An Act to continue the Law imposing Light House Duties.

And had agreed to the same, without any amendment.

*Ordered,* That the said Bills be read a third time at a future time.

S. O. S.

*Resolved unanimously,* That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the said Bills.

Bills read 3rd time,

The said Bills were read a third time, and the question was put by the President on each Bill,

Whether this Bill shall pass?

It was resolved in the affirmative.

Agreed to,

And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,  
 To return the said Bills, and acquaint them that this House has agreed to the same without any amendment.

Amherst Burial Gr'd.  
 Bill read 1st time.

Mr. Dickey presented a Bill relating to the Burial Ground at Amherst—which was read a first time.

*Ordered*, That the said Bill be referred to a Select Committee to examine and report upon. Referred.

*Ordered*, That Mr. Dickey, Mr. Pineo, and Mr. Comeau, be a Committee for that purpose. Committee.

Mr. Almon moved that a Bill, entitled, An Act to regulate the Currency, and the Decimal system of Accounting, be read a second time. Motion for 2d read'g. Currency Bill.

Whereupon, after long debate, Mr. Dickey moved that the said Bill be read a second time this day three months, and the question being put by the President, there appeared for the Amendment, Eight; against the Amendment, Ten: Motion to defer 2d reading 3 mos.

For the Amendment—

Mr. McNab,  
Brown,  
Holmes,  
Dickey,  
Black,  
Fairbanks,  
Keith,  
The President.

Against the Amendment—

Mr. Anderson,  
McCully,  
Creighton,  
McKeen,  
Archibald,  
Pineo,  
Bell,  
Comeau,  
Almon,  
Cutler.

So it passed in the negative. Negatived.

*Ordered*, That the said Bill be read a second time.

The said Bill was read a second time. Bill read 2d time.

*Ordered*, That the said Bill be committed to a Committee of the whole House at a future day. And ord. to Com.

On motion, made and seconded, the House adjourned until To-morrow, at half-past two o'clock. Adjourn.

**Friday, 30th March, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JONATHAN McCULLY,

The Honorable WILLIAM McKEEN,  
RICHARD A. McHEFFEY,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

Mr. Dickey, the Chairman of the Committee to whom a Bill, entitled, An Act relating to the Burial Ground at Amherst, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House. Com. on Amherst Burial Gr'd. Bill rep.

Bill read 2d time,  
And ord. to Com.

The said Bill was read a second time.

*Ordered*, That the said Bill be committed to a Committee of the whole House at a future day.

Mes. from H. E. with  
Des. rel. to pro.  
importation of Pro-  
duce of French Cod  
Fisheries.

Mr. McCully, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Despatches, relative to the reported intention to prohibit the importation of the Produce of the French Cod Fisheries into Nova Scotia.

Despatch, dated 31st March, 1859, from the Secretary of State for the Colonies to the Lieutenant-Governor, enclosing—

Note, dated 17th March, 1859, from the French Ambassador, in London, to the Earl of Malmesbury.

Despatch, dated 22d April, 1859, from the Lieutenant-Governor to the Secretary of State for the Colonies.

(*Appendix—Fisheries—French Cod Fish.*)

The same were read and ordered to lie on the Table.

Com. on Bills.

On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Cutler reported that the Committee had made some progress.

Rep. Currency Bill  
with am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to regulate the Currency, and the Decimal system of accounting, and had made two amendments thereto.

Am. read,

The said amendments were read by the Clerk as follows:

SECOND CLAUSE—2d line—after the word “any” insert the words “present or future.”

FOURTH CLAUSE—2d line—leave out the words “received and paid,” and insert instead the word “computed.”

And agreed to.

And the said amendments being read a second time, were agreed to by the House.

*Ordered*, That the said Bill be read a third time.

S. O. S.

*Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the said Bill.

Bill read 3rd time.

The said Bill was read a third time, and the question was put by the President, Whether this Bill, with the amendments, shall pass?

And agreed to with  
am.

It was resolved in the affirmative.

Leave of absence to  
Mr. McHefey.

On motion of Mr. McCully, *Ordered*, that Mr. McHefey have leave of absence to return home, on account of ill health.

Adjourn.

On motion, made and seconded, the House adjourned until to-morrow, at two o'clock.



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**Saturday, 31st March, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM McKEEN,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

A Message was sent to the House of Assembly by the Clerk,

To return a Bill, entitled, An Act to regulate the Currency and the Decimal System of Accounting, and to inform them that this House has agreed to the same with amendments, to which amendments their concurrence is desired. Dec. Currency Bill Sent to H. A.

A Message was brought from the House of Assembly by Mr. James,

To bring up a Bill, entitled, An Act to regulate the Currency and the Decimal System of Accounting, and to inform the House that the House of Assembly agreed to the amendments proposed by this House to the said Bill. H. A. agree to am. to Bill.

The said Bill was then read as amended, and the question was put by the President, Whether this Bill, as amended, shall pass? Bill finally agreed to,

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk,

To return the said Bill, and acquaint them therewith. And sent to H. A.,

At three of the clock, P. M., His Excellency the Right Honorable the Earl of Mulgrave, Lieutenant-Governor and Commander-in-Chief in and over Her Majesty's Province of Nova Scotia and its Dependencies, &c., &c., &c., came to the Council Chamber, attended as usual, and being seated, the Gentleman Usher of the Black Rod received His Excellency's command to let the House of Assembly know "It is His Excellency's will and pleasure they attend him immediately in this House," who being come, with their Speaker, His Excellency was pleased to give his assent to five Bills, entitled as follows: H. E. comes to Council Chamber.

An Act to amend Chapter 139 of the Revised Statutes, "Of the Partition of Lands." H. A. attend.  
H. E. assents to five Bills, viz.:

An Act to amend Chapter 117 of the Revised Statutes, "Of the sale of Lands under foreclosure of Mortgages." Partition of Lands,  
Sales under Foreclosures,

An Act to regulate Customs Duties. Customs Duties,

An Act to continue the Law imposing Light House Duties. Light House Duties.

An Act to regulate the Currency and the Decimal System of Accounting. Currency and Decimal System of Accounting.

The House of Assembly then withdrew, and His Excellency was pleased to retire soon after. H. A. withdraw.  
H. E. retires.

On motion made and seconded, the House adjourned until Monday, at half-past two o'clock. Adjourn.

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**Monday, 2d April, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,  
 JAMES McNAB,

The Honorable JONATHAN McCULLY,  
 WILLIAM McKEEN,  
 THOMAS D. ARCHIBALD,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 ROBERT B. DICKEY,  
 JOHN HOLMES,  
 JOHN CREIGHTON.  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of Saturday were read.

Corrupt Practices at  
 Elections Bill read  
 1st time,  
 And referred.

Mr. Dickey presented a Bill to prevent corrupt practices at Elections—which was read a first time.

*Ordered,* That the said Bill be referred to a Select Committee to examine and report upon.

Committee.

*Ordered,* That Mr. Dickey, Mr. McCully, and Mr. Brown, be a Committee for that purpose.

Pet. C. E. Ratchford.

Mr. Dickey presented the Petition of C. E. Ratchford, of Amherst, praying for a Bill to enable the Town to provide a Fire Engine—which was read, and ordered to lie on the Table.

Fires and Firewards,  
 Amherst Bill  
 Read 1st time.

Mr. Dickey presented a Bill to extend to the Town of Amherst the provisions of Chapter 99 of the Revised Statutes, "Of Fires and Firewards,"—which was read a first time.

And ref.

*Ordered,* That the said Bill be referred to a Select Committee to examine and report upon.

Committee.

*Ordered,* That Mr. Dickey, Mr. Pineo, and Mr. Holmes, be a Committee for that purpose.

Com. on Bills.

On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Bell reported that the Committee had made some progress.

Report  
 Am. Burial Gr'd. Bill  
 without am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act relating to the Burial Ground at Amherst, and had agreed to the same, without any amendment.

*Ordered,* That the said Bill be engrossed, and read a third time at a future day.

Adjourn.

On motion, made and seconded, the House adjourned until to-morrow, at half-past two o'clock.

**Tuesday, 3rd April, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JONATHAN McCULLY,

The Honorable WILLIAM McKEEN,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON.  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday. were read.

A Bill, entitled, An Act relating to the Burial Ground at Amherst, was read a third time, and the question was put by the President, Burial Ground, Am. Bill read 3rd time

Whether this Bill shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk,

To carry down the said Bill, and desire their concurrence thereto.

Passed,

And sent to H. A.,

Mr. Dickey, the Chairman of the Committee to whom a Bill, entitled, An Act to extend to the Town of Amherst the provisions of Chapter 99 of the Revised Statutes, "Of Fires and Firewards," was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House. Com. on Amherst Firewards Bill rep. fav.

The said Bill was read a second time.

Bill read 2d time,

*Ordered,* That the said Bill be committed to a Committee of the whole House at a future time. And ord. to Com.

Mr. Dickey, the Chairman of the Committee to whom a Bill, entitled, An Act to prevent corrupt practices at Elections, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House. Com. on Corrupt Practices at Elections Bill rep.

The said Bill was read a second time.

Bill read 2d time.

*Ordered,* That the said Bill be committed to a Committee of the whole House at a future day. And ord. to Com.

*Resolved unanimously,* That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act to extend to the Town of Amherst the provisions of Chapter 99 of the Revised Statutes, "Of Fires and Firewards." S. O. S. suspended on Am. Firewards Bi'l.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time the House was resumed, and Mr. Cutler reported that the Committee had gone through the said Bill, and had made an amendment thereto. Bill Committed, And amended,

Which amendment, being read twice by the Clerk, was agreed to by the House. Am. agreed to.

*Ordered,* That the said Bill be engrossed, and read a third time at a future day.

A Message was brought from the House of Assembly, by Mr. James, with the following Bills :

Elec. Divisions, Elec. Districts, C. B., and	A Bill, entitled, An Act relating to Electoral Divisions. A Bill, entitled, An Act to amend the Act to alter certain Electoral Districts in the County of Cape Breton.
Bap. Meeting, Am., Bills,	A Bill, entitled, An Act to enable the Trustees of the Old Baptist Meeting House at Amherst to sell the same.
Read 1st time.	To which Bills they desired the concurrence of this House. The said Bills were read a first time. <i>Ordered</i> , That the said Bills be read a second time at a future day.
Adjourn.	On motion, made and seconded, the House adjourned until to-morrow, at half-past two o'clock.

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**Wednesday, 4th April, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,  
JONATHAN McCULLY,

The Honorable WILLIAM McKEEN,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

Firewards, Am. Bill read 3rd time,	A Bill, entitled, An Act to extend to the Town of Amherst the provisions of Chapter 99 of the Revised Statutes, "Of Fires and Firewards," was read a third time, and the question was put by the President, Whether this Bill shall pass? It was resolved in the affirmative.
Passed, And sent to H. A.	A Message was sent to the House of Assembly by the Clerk, To carry down the said Bill, and desire their concurrence thereto.
Elec. Divisions, Elec. Districts C. B., and	A Bill, entitled, An Act relating to Electoral Divisions; also, A Bill, entitled, An Act to amend the Act to alter certain Electoral Districts in the County of Cape Breton; also,
Bap. Meeting Am., Bills,	A Bill, entitled, An Act to enable the Trustees of the Old Baptist Meeting House at Amherst to sell the same,—
Read 2d time, And ord. to Com.	Were read a second time. <i>Ordered</i> , That the said Bills be committed to a Committee of the whole House at a future time.
Com. on Bills.	On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time, the House was resumed, and Mr. Bell reported that the Committee had made some progress.

The Chairman also reported that the Committee had gone through a Bill, entitled, *Rep. Corrupt Prac's.*  
 An Act to prevent corrupt practices at Elections, and had agreed to the same without *Elec. Bill without*  
 any amendment. *am.*

*Ordered,* That the said Bill be engrossed, and read a third time at a future day.

*Resolved unanimously,* That the Standing Order of this House, Number 72, relative *s. o. s.*  
 to Bills not being read or proceeded with twice in the same day, be suspended as  
 respects the Bills before a Committee of the whole House.

On motion, the House was adjourned during pleasure, and put into a Committee *Com. on Bills.*  
 on Bills. After some time the House was resumed, and Mr. Cutler reported that the  
 Committee had made some progress.

The Chairman also reported that the Committee had gone through a Bill, entitled, *Report*  
 An Act relating to Electoral Divisions ; also, *Elec. Divisions,*

A Bill, entitled, An Act to alter certain Electoral Districts in the County of Cape *Elec. Dis., C. B., and*  
 Breton ; also,

A Bill, entitled, An Act to enable the Trustees of the Old Baptist Meeting House *Bap. Meeting, Am.,*  
 at Amherst to sell the same ; and had agreed to the same without any amendment. *Bills,*  
*Without am.*

*Ordered,* That the said Bills be read a third time at a future day.

On motion, made and seconded, the House adjourned until To-morrow, at twelve *Adjourn.*  
 o'clock.

**Thursday, 5th April, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,  
 JAMES McNAB,

The Honorable JONATHAN McCULLY,  
 THOMAS D. ARCHIBALD,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 JOHN HOLMES,  
 JOHN CREIGHTON,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to prevent corrupt practices at Elections was read a third *Corrupt Practices at*  
 time, and the question was put by the President, *Elections Bill read*  
 Whether this Bill shall pass ? *3rd time,*

It was resolved in the affirmative.

*Passed,*

A Message was sent to the House of Assembly by the Clerk,

*And sent to H. A.*

To carry down the said Bill, and desire their concurrence thereto.

A Bill, entitled, An Act relating to Electoral Divisions ; also, *Elec. Div.,*

A Bill, entitled, An Act to amend the Act to alter certain Electoral Districts in the *Elec. Dis., C. B., and*  
 County of Cape Breton ; also,

A Bill, entitled, An Act to enable the Trustees of the Old Baptist Meeting House *Bap. Meeting House,*  
 at Amherst to sell the same,— *Amherst, Bills,*

Were read a third time, and the question was put by the President on each Bill, *Read 3d time,*

- Whether this Bill shall pass?  
 It was resolved in the affirmative.
- Agreed to,  
 And sent to H. A. A Message was sent to the House of Assembly by the Clerk,  
 To return the said Bills, and acquaint them that this House has agreed to  
 the same without any amendment.
- Rep. Com. Public  
 Accounts. Mr. Archibald, the Chairman of the Committee of this House appointed to join a  
 Committee of the House of Assembly to examine the Public Accounts, made his  
 Report, which he read in his place.  
 (*Appendix—Public Accounts.*)
- Ordered*, That the said Report do lie on the Table.
- A Message was brought from the House of Assembly by Mr. James, with the fol-  
 lowing Bill:
- Distilleries Bill, A Bill, entitled, An Act to revive and amend Chapter 20 of the Revised Statutes,  
 "Of the regulation of Distilleries."  
 To which Bill they desired the concurrence of this House.
- Read 1st time. The said Bill was read a first time.  
*Ordered*, That the said Bill be read a second time at a future day.
- Adjourn. On motion, made and seconded, the House adjourned until Monday, at half-past  
 two o'clock.

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**Monday, 9th April, 1860.**

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The House met pursuant to adjournment.

P R E S E N T:

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,  
 JAMES McNAB,

The Honorable JONATHAN McCULLY,  
 WILLIAM McKEEN,  
 THOMAS D. ARCHIBALD,  
 ANSELM F. COMEAU,  
 JOHN HOLMES,  
 JOHN CREIGHTON,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of Thursday were read.

- Distilleries Bill read  
 2d time. A Bill, entitled, An Act to revive and amend Chapter 20 of the Revised Statutes,  
 "Of the Regulation of Distilleries,"—was read a second time.
- And ord. to Com. *Ordered*, That the said Bill be committed to a Committee of the whole House at a  
 future day.
- Courts and Judicial  
 Officers Bill  
 Read 1st time. Mr. Creighton presented a Bill to amend Chapter 126, new series of the Revised  
 Statutes, "Of Courts and Judicial Officers,—which was read a first time.  
*Ordered*, That the said Bill be read a second time at a future day.
- Adjourn. On motion, made and seconded, the House adjourned until Wednesday, at half-  
 past two o'clock.

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**Wednesday, 11th April, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,  
 JAMES McNAB,

The Honorable JONATHAN McCULLY,  
 WILLIAM MCKEEN,  
 THOMAS D. ARCHIBALD,  
 ALFRED WHITMAN,  
 ROBERT B. DICKEY,  
 JOHN HOLMES,  
 JOHN CREIGHTON.  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of Monday were read.

A Bill, entitled, An Act to amend Chapter 126 (new series) of the Revised Statutes, "Of Courts and Judicial Officers," was read a second time.

*Ordered*, That the said Bill be committed to a Committee of the whole House at a future time.

Courts and Judicial  
 Officers Bill  
 Read 2d time,  
 And ord. to Com.

Mr. McCully, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Report and Papers relative to the Provincial Savings Bank.

Mes. from H. E., with  
 Rep. on Savings  
 Bank.

Report of Archibald Scott, Esquire, dated November 15th, 1859.

Letter, dated December 3rd, 1859, from the Provincial Secretary to Mr. Duckett, Cashier of the Savings Bank.

Letter, dated 5th December, 1859, from Mr. Duckett to the Provincial Secretary.

Letter, dated 12th December, 1859, from Mr. Keating to Messrs. Marshall and Henry.

Report of Messrs. Marshall and Henry, dated December 19th, 1859.

Receipt from Mr. Lawson, dated December 21st, 1859, for £137 17 11.

Letter, dated 20th December, 1852, from Mr. Duckett to the Provincial Secretary.

Letter, dated December 21st, 1859, from the Provincial Secretary to Mr. Duckett.

Letter, dated 21st December, 1859, from Mr. Duckett to the Provincial Secretary.

Appointment of Mr. Lawson, as Cashier, dated December 20th, 1859.

The same were read and ordered to lie on the Table.

*Resolved unanimously*, That the Standing Order of this House, Number 72, relative s. o. s. to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills before a Committee of the whole House.

On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Bell reported that the Committee had made some progress.

Com. on Bills.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend Chapter 126 (new series) of the Revised Statutes, "Of Courts and Judicial Officers," and had made two amendments thereto.

Rep. Courts and Jud.  
 Officers Bill, with  
 am.

Which amendments, being read twice by the Clerk, were agreed to by the House. *Ordered*, That the said Bill be engrossed, and read a third time at a future day.

Am. agreed to.

Rep. Distilleries Bill  
without am.

The Chairman also reported that the Committee had gone through a Bill, entitled, *An Act to revive and amend Chapter 20 of the Revised Statutes, "Of the regulation of Distilleries,"* and had agreed to the same without any amendment.

*Ordered,* That the said Bills be read a third time at a future day.

Leave of absence to  
Mr. Archibald.

On motion of Mr. Almon, *ordered,* that Mr. Archibald have leave of absence from Wednesday next to return home on urgent private business.

Adjourn.

On motion made and seconded, the House adjourned until Friday, at half past two o'clock.

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**Friday, 13th April, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH.  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JONATHAN McCULLY,

The Honorable WILLIAM McKEEN,  
RICHARD A. McHEFFEY,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of Wednesday were read.

Sup. Court & Officers  
Bill read 3rd time.

A Bill, now entitled, *An Act to amend Chapter 126 (new series) of the Revised Statutes, "Of the Supreme Court and its Officers,"* was read a third time, and the question was put by the President,

Whether this Bill shall pass?

It was resolved in the affirmative.

Passed,  
And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,  
To carry down the said Bill, and desire their concurrence thereto.

Distilleries Bill  
Read 3rd time.

A Bill, entitled, *An Act to revive and amend Chapter 20 of the Revised Statutes, "Of the regulation of Distilleries,"* was read a third time, and the question was put by the President,

Whether this Bill shall pass?

It was resolved in the affirmative.

Agreed to.  
And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,  
To return the said Bill, and acquaint them that this House has agreed to the same without any amendment.

Mss. from H. E., with  
Despatch and Lec-  
ture on Geology of  
Nelson, N. Zealand.

Mr. McCully, by the command of His Excellency the Lieutenant-Governor laid before the House the following Letter, enclosing a Lecture on the Geology of the Province of Nelson, New Zealand :

Letter dated Auckland, 13th December, 1859, from the Under-Secretary of Auckland to the Provincial Secretary, enclosing—

A Lecture by Dr. Ferdinand Hochstetter, Geologist on board the Austrian Frigate "Novara."

The same were read and ordered to lie on the Table.



Mr. Pineo presented a Bill, relating to the Qualification of Electors, which was read a first time. Qual. of Electors Bill read 1st time.

*Ordered*, That the said Bill be referred to a Select Committee to examine and report upon. And referred.

*Ordered*, That Mr. Pineo, Mr. Dickey, and Mr. McCully, be a Committee for that purpose. Committee.

Mr. McCully presented the Petition of David Mitchell and others, praying for an Act to incorporate the Trustees of the Reformed Presbyterian Congregation of Goose River, Cumberland, which was read and ordered to lie on the Table. Pet. of D. Mitchell. et. al.

A Message was brought from the House of Assembly by Mr. James, with the following Resolutions:

*Resolved*, That One hundred and sixty dollars be granted to the Messenger of the Governor and the Executive and Legislative Councils, for his services during the present year. \$160 Messenger of Governor, &c.

*Resolved*, That Three hundred and twenty dollars be granted to the Keeper of the Assembly House, Council Chamber, and Law Library, for his services for the present year. 320 Keeper of Assembly, &c.

*Resolved*, That One thousand six hundred dollars be granted for the support of the Establishment at Sable Island, for the present year. 1600 Sable Island.

*Resolved*, That One hundred dollars be granted to the Commissioners of the Poor in Halifax, to continue the school in the Poor Asylum, for the present year. 100 School in Poor House.

*Resolved*, That One thousand two hundred dollars be granted for the benefit of Indians, for the present year. 1200 Indians.

*Resolved*, That Four hundred dollars be granted to the Clerk of the Crown in the Supreme Court, for his services for the past year. 400 Clerk of Crown.

*Resolved*, That Eighty dollars be granted to each of the two Chairmen of Bills, and Supply for their services, for the present year. 160 Chairmen H. A.

*Resolved*, That Four hundred dollars be granted to defray the travelling charges of Members of Government non-resident in Halifax, when summoned during the recess to attend meetings of Council, to be computed at the same rate as allowed to Members of Assembly. 400 Trav. charges of Executive Coun'rs.

*Resolved*, That Five hundred dollars be granted for stationery and other contingencies of the Provincial Secretary's Office, for the present year, the expenditure to be accounted for at the next Session of the General Assembly. 500 Stationery. Pro. Sec'y's Office.

*Resolved*, That Fifty dollars be granted and paid to the Judge of the Vice Admiralty Court, for fuel and Crier of the Court, for the present year. 50 Fuel and Crier. V. Adm'ty. Court.

*Resolved*, That such sum be granted and placed at the disposal of the Governor as will be sufficient to repay the amount advanced from the Treasury, to defray the expense of postage of the Public Departments during the past year. Postage, Pub. Dep'ts.

*Resolved*, That such sum be granted and placed at the disposal of the Governor as will provide for the remuneration of a Private Secretary, for the present year, at the rate of One thousand two hundred and fifty dollars per annum. 1250 Govrs. P. Sec'y.

*Resolved*, That Four thousand dollars be placed at the disposal of the Governor to pay a sum not to exceed Twenty pounds each, for their services during the present year, to the Controllers at the different Ports, and such further sum as shall be required to pay at the same rate such other Controllers as may be appointed during the present year. 4000 Controllers.

*Resolved*, That One hundred and twenty dollars be granted to Edmund Crowell, of Seal Islands, in the County of Yarmouth, for keeping the Establishment on the Islands to aid vessels in distress. 120 E. Crowell.

\$2300 Clerks, Prov.  
Secy's Office.

*Resolved*, That Two thousand three hundred dollars be granted for the salaries of the Clerks in the Provincial Secretary's Office, for the present year, the expenditure to be accounted for at the next Session of the General Assembly.

400 Rep'g. Decisions  
Sup. Court.

*Resolved*, That Four hundred dollars be granted to provide for the reporting and publication of the decisions of the Supreme Court, during the present year.

\$800 Charlottetown  
Steamer.

*Resolved*, That Eight hundred dollars be placed at the disposal of the Governor to aid steam communication between Charlottetown and Pictou, the boat to run twice a week.

Read 1st time.

To which Resolutions they desired the concurrence of this House.

The said Resolutions were read a first time.

*Ordered*, That the said Resolutions be read a second time at a future day.

Adjourn.

On motion, made and seconded, the House adjourned until Tuesday, at half-past two o'clock.

**Tuesday, 17th April, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,  
JONATHAN McCULLY,

The Honorable WILLIAM McKEEN,  
RICHARD A. McHEFFEY,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of Friday were read.

Money votes.

The following Resolutions for granting Money, viz.:

\$160 Messenger of Governor, &c.  
320 Keeper of the Assembly Room, &c.  
1600 Sable Island.  
100 School in Poor House.  
400 Clerk of the Crown.  
160 Chairmen of H. A.  
400 Travelling Fees of Executive Councillors.  
500 Stationery, Provincial Secretary's Office.  
50 Fuel and Crier of the Admiralty Court.  
Postage of Public Departments.  
1250 Private Secretary of Lieutenant-Governor.  
4000 Controllers of Customs.  
120 E. Crowell.  
2300 Clerks, Provincial Secretary's Office.  
400 Reporting Decisions of the Supreme Court.  
800 Charlottetown Steamer.

Were read a third time, and the question was put by the President on each Resolution, Read 2d time,

Whether this Resolution be agreed to?

It was resolved in the affirmative. And agreed to.

Mr. Pineo, the Chairman of the Committee to whom a Bill, entitled, An Act relating to the Qualification of Electors, was referred, reported that the Committee had examined the said Bill, and that the majority recommended it to the favorable consideration of the House. Com. on Qualification of Electors Bill rep

The said Bill was read a second time. Bill read 2d time.

Whereupon, after long debate, Mr. Dickey moved that the further consideration of the said Bill be deferred to this day three months, which being seconded, and after long debate, the question was put by the President, there appeared, for the motion, Ten; against the motion, Nine:— Motion to defer 3 mo.

For the Motion—

Mr. McNab,  
Brown,  
Whitman,  
Holmes,  
Dickey,  
Black,  
Fairbanks,  
Keith,  
Cutler,

The President.

Against the Motion—

Mr. Anderson,  
McCully,  
McKeen,  
McHeffey,  
Archibald,  
Pineo,  
Bell,  
Comeau,  
Almon.

So it passed in the affirmative. Agreed to,

*Ordered*, That the further consideration of the said Bill be deferred to this day three months. Bill deferred.

The Resolution for granting the sum of One thousand two hundred dollars for the benefit of the Indians was read a second time, and the question was put by the President, \$1200 Indians read 2d time.

Whether this Resolution be agreed to?

It was resolved in the affirmative. Agreed to.

On motion, made and seconded, the House adjourned until To-morrow, at half-past two o'clock. Adjourn.

**Wednesday, 18th April, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM McKEEN,  
RICHARD A. McHEFFEY,  
THOMAS D. ARCHIBALD,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON.

PRAYERS.

The Minutes of yesterday were read.

Money votes sent to  
H. A.

A Message was sent to the House of Assembly by the Clerk,  
To return the seventeen Resolutions for granting Monies, agreed to yesterday, and  
to acquaint them that this House has agreed to the same without any amendment.

Adjourn.

On motion, made and seconded, the House adjourned until Friday, at half  
past two o'clock.

**Friday, 20th April, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES McNAB,

The Honorable JONATHAN McCULLY,  
RICHARD A. McHEFFEY,  
ANSLEM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN CREIGHTON,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of Wednesday were read.

A Message was brought from the House of Assembly by Mr. James, with the following Bills and Resolutions :

Constables, Halifax,

A Bill, entitled, An Act to authorize the appointment of extra constables in the City of Halifax.

Borrowing Funds,  
Halifax,

A Bill, entitled, An Act to enable the City of Halifax to borrow funds, and to erect buildings therewith, near the Market Slip.

Sittings, Supr. Court,

A Bill, entitled, An Act to postpone the ensuing Spring Sittings of the Supreme Court at Halifax.

Yacht Club,

A Bill, entitled, An Act to incorporate the Halifax Yacht Club.

Chedabucto D., S. T.,

A Bill, entitled, An Act to incorporate the Trustees of Chedabucto Division of the Order of the Sons of Temperance.

A Bill, entitled, An Act for improving the road from Maitland to Shubenacadie Station. Road, Maitland to Shubenacadie,

A Bill, entitled, An Act to amend the Act to incorporate the Halifax Fire Insurance Company. Hx. Fire Ins. Co.,

A Bill, entitled, An Act to alter the Act to incorporate the Nova Scotia Electric Telegraph Company, and the Act in amendment thereof. Elec. Tel. Co., and

A Bill, entitled, An Act to amend Chapter 62 of the Revised Statutes, "Of laying out Roads other than certain Great Roads." Laying out Roads, Bills,

*Resolved,* That the sum of One hundred thousand dollars granted for the Road and Bridge service, for the present year, be applied as follows: Division of Road Money,

Halifax County	\$6956
Pictou	7200
Yarmouth	6600
Hants	5592
Lunenburg	6000
Colchester	5440
Cumberland	5840
Cape Breton	5684
Kings	5400
Annapolis	5200
Yarmouth	4880
Shelburne	4880
Digby	4880
Sydney	4880
Richmond	4880
Victoria	4880
Guysborough	4880
Queens	4728

\$98800

On the Main Post Road from Guysborough to Port Mulgrave	300
On the Main Post Road from Mahone Bay to Liverpool through Bridgewater and Mills Village	300
On the line of Road from Plaister Cove, in the County of Inverness, to Baddeck, in the County of Victoria, via Whycomomagh; Three hundred dollars thereof to be expended in the County of Victoria, and Three hundred dollars in the County of Inverness	600

\$100000

*Resolved,* That the following sums, granted for the service of Roads and Bridges in previous years in the Counties hereinafter mentioned, and remaining undrawn, be added to the sums granted in the present year for the Road and Bridge service in those Counties, respectively, and appropriated in the Road Scales: Change of appropri'n. Road Monies,

County of Annapolis	\$262 38
Cape Breton	138 80
Colchester	503 54
Cumberland	139 91
Digby	220 05
Guysborough	33 32
Halifax	37 30
Hants	214 18

County of Inverness .....	\$483 20
Kings .....	108 33
Lunenburg .....	46 55
Pictou .....	40 45
Queens .....	137 66
Richmond .....	233 62
Shelburne .....	72 80
Sydney .....	161 82
Victoria .....	13 73
Yarmouth .....	4 40

To which Bills and Resolutions they desired the concurrence of this House.

The same were read a first time.

Read 1st time.

Constables, Halifax,  
and  
Borrowing Funds,  
Halifax, Bills. ref.  
Committee.

*Ordered*, That the two first Bills be referred to a Select Committee to examine and report upon.

*Ordered*, That Mr. Almon, Mr. Keith, and Mr. Black, be a Committee for that purpose.

*Ordered*, That the third, fourth, fifth, sixth, seventh, and eighth Bills be read a second time at a future time.

Laying out Roads  
Bill ref.

*Ordered*, That the ninth Bill be referred to a Select Committee to examine and report upon.

Committee.

*Ordered*, That Mr. Whitman, Mr. Holmes, and Mr. Pineo, be a Committee for that purpose.

*Ordered*, That the two Resolutions be read a second time at a future day.

S. O. S. on Sittings  
Supr. Court, Ex.,  
and

*Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act to postpone the ensuing Spring Sittings of the Supreme Court at Halifax; also,

Elec. Tel. Co., Bills.

A Bill, entitled, An Act to alter the Act to incorporate the Nova Scotia Electric Telegraph Company, and the Act in amendment thereof.

Com. on Bills.  
Rep. Sittings Supr.  
Court, Hx., Bills.  
with am.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bills. After some time, the House was resumed, and Mr. Cutler reported that the Committee had gone through a Bill, entitled, An Act to postpone the ensuing Spring Sittings of the Supreme Court at Halifax, and had made an amendment thereto.

Am. read,

The said amendment was read by the Clerk as follows:

FIRST CLAUSE—4th line—After the word "April" insert the following words: "and shall continue for three weeks if the business of the Court shall require such continuance, and the presiding Judge is authorized to extend such Sittings for a further period of three days, if such extension should be deemed necessary, and for such further time as may be requisite in consequence of any trial being protracted beyond such extension."

And agreed to.

And the said Amendment being read a second time, was agreed to by the House.

*Ordered*, That the said Bill be read a third time presently.

Bill read 3rd time,

The said Bill was read a third time, and the question was put by the President, Whether this Bill, with the Amendment, shall pass?

Agreed to with am.,

It was resolved in the affirmative.

And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,

To return the said Bill, and acquaint them that this House has agreed to the same with an amendment, to which amendment their concurrence is desired.

Rep. E. Tel. Bill  
with am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to alter the Act to incorporate the Nova Scotia Electric Telegraph Company,

and the Act in amendment thereof, and had agreed to the same without any amendment.

*Ordered*, That the said Bill be read a third time presently.

The said Bill was read a third time, and the question was put by the President,  
Whether this Bill shall pass?

Bill read 3rd time,

It was resolved in the affirmative.

Agreed to,

A Message was sent to the House of Assembly by the Clerk,

And sent to H. A.

To return the said Bill, and acquaint them that this House has agreed to the same without any amendment.

On motion of Mr. Holmes, *ordered*, that Mr. Creighton have leave of absence from Monday next, to return home on urgent private business.

Leave of absence to  
Mr. Creighton.

On motion made and seconded, the House adjourned until Monday, at half-past two o'clock. Adjourn.

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**Monday, 23d April, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES MCNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM MCKEEN,  
RICHARD A. McHEFFEY,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
ROBERT B. DICKEY,  
JOHN HOLMES,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of Friday were read.

A Message was brought from the House of Assembly by Mr. James,  
To return a Bill, entitled, An Act to extend to the Town of Amherst the provisions of Chapter 99 of the Revised Statutes, "Of Fires and Firewards," and to inform the House that the House of Assembly had agreed to the said Bill without any amendment.

H. A. agree to Fire-  
wards, Amherst.  
Bill without am.

The Messenger also informed the House that the House of Assembly agreed to the amendment proposed by this House to a Bill, entitled, An Act to postpone the ensuing Spring Sittings of the Supreme Court at Halifax.

H. A. agree to am. to  
Sit'gs. Supr. Court  
Bill.

The said Bill was then read as amended, and the question was put by the President,  
Whether this Bill, as amended, shall pass?

Bill finally agreed to.

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk,

And sent to H. A.

To return the said Bill, and acquaint them that this House has agreed to the same as amended.

The Messenger also brought up a Bill, entitled, An Act relating to Trusts and Trustees.

Trusts Bill

To which Bill they desired the concurrence of this House.

The said Bill was read a first time.

Read 1st time.

- And referred.  
Committee. *Ordered*, That the said Bill be referred to a Select Committee to examine and report upon.  
*Ordered*, That Mr. Dickey, Mr. McCully, and Mr. Almon, be a Committee for that purpose.
- A Message was brought from the House of Assembly, by Mr. James, with the following Bills :
- Prov. Loan,  
Post Road, C. B., and  
Vic. Coal Min'g. Co.,  
Bills  
Read 1st time,  
Vic. Coal Min'g. Co.,  
Bill ref.  
Committee.  
Com. on Constables,  
Halifax, and  
Borrowing Funds,  
Hx. Bills,  
Report.  
Bills read 2d time,  
And ord. to Com.  
Com. on laying out  
Roads Bill report.  
Bill read 2d time,  
And ord. to Com.  
Hx. Yacht Club.  
Ched'o, D., S. of T.,  
Road, Maitland, and  
Hx. Fire In. Co. Bills  
Read 2d time,  
And ord to Com.  
Mes. from H. E., with  
Letter and Statm't.  
rel. to Sav. Bank.
- A Bill, entitled, An Act to continue the Act to authorize a Provincial Loan.  
A Bill, entitled, An Act for improving the Main Post Road in the County of Cape Breton.  
A Bill, entitled, An Act to incorporate the Victoria Coal Mining Company.  
To which Bills they desired the concurrence of this House.  
The said Bills were read a first time.  
*Ordered*, That the two first Bills be read a second time at a future day.  
*Ordered*, That the third Bill be referred to a Select Committee to examine and report upon.  
*Ordered*, That Mr. Brown, Mr. Almon, and Mr. Holmes, be a Committee for that purpose.
- Mr. Almon, the Chairman of the Committee, to whom a Bill, entitled, An Act to authorize the appointment of extra Constables in the City of Halifax; also,  
A Bill, entitled, An Act to enable the City of Halifax to borrow Funds, and to erect Buildings therewith, near the Market Slip,—  
Were referred, reported that the Committee had examined the said Bills, and recommended them to the favorable consideration of the House.  
The said Bills were read a second time.  
*Ordered*, That the said Bills be committed to a Committee of the whole House at a future day.
- Mr. Whitman, the Chairman of the Committee to whom a Bill, entitled, An Act to amend Chapter 62 of the Revised Statutes, "Of laying out Roads other than certain Great Roads," was referred, reported that the Committee had examined the said Bill, and proposed an amendment to the same, and, with said amendment, recommended it to the favorable consideration of the House.  
The said Bill was read a second time.  
*Ordered*, That the said Bill be committed to a Committee of the whole House at a future day.
- A Bill, entitled, An Act to incorporate the Halifax Yacht Club; also,  
A Bill, entitled, An Act to incorporate the Trustees of Chedabucto Division of the order of Sons of Temperance; also,  
A Bill, entitled, An Act for improving the Road from Maitland to Shubenacadie Station; also,  
A Bill, entitled, An Act to amend the Act to incorporate the Halifax Fire Insurance Company,—  
Were read a second time.  
*Ordered*, That the said Bills be committed to a Committee of the whole House at a future day.
- Mr. McCully, by the command of His Excellency the Lieutenant-Governor, laid before the House—  
A Letter, dated April, 1860, from the Honorable Stayley Brown to the Provincial Secretary, enclosing—



A Statement, dated 28th December, 1859, from Mr. Brown, Receiver General, relative to the Provincial Savings Bank.

The same were read and ordered to lie on the Table.

At four of the clock, P. M., His Excellency the Right Honorable the Earl of Mulgrave, Lieutenant-Governor and Commander-in-Chief in and over Her Majesty's Province of Nova Scotia and its Dependencies, &c., &c., &c., came to the Council Chamber, attended as usual, and being seated, the Gentleman Usher of the Black Rod received His Excellency's command to let the House of Assembly know "It is His Excellency's will and pleasure they attend him immediately in this House," who being come, with their Speaker, His Excellency was pleased to give his assent to seven Bills, entitled as follows:

H. E. comes to Coun. Chamber.

H. A. attend.  
H. E. assents to 7 Bills, viz.:

An Act to extend to the Town of Amherst the provisions of Chapter 99 of the Revised Statutes, "Of Fires and Firewards."

Firewards, Amherst,

An Act to amend the Act relating to Electoral Divisions.

Elec. Div.,

An Act to amend the Act to alter certain Electoral Districts in the County of Cape Breton.

Elec. Dis., C. B.,

An Act to enable the Trustees of the Old Baptist Meeting House at Amherst to sell the same.

B. Meet'g., Amherst,

An Act to revive and amend Chapter 20 of the Revised Statutes, "Of the regulation of Distilleries."

Distilleries,

An Act to alter the Act to incorporate the Nova Scotia Electric Telegraph Company, and the Act in amendment thereof.

Elec. Tel. Co., and

An Act to postpone the ensuing Spring Sittings of the Supreme Court at Halifax.

Sit'gs. S. Court, Hx.

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

H. A. withdraw.  
H. E. retires.

Mr. Whitman presented the Petition of the Central Baptist Assembly, praying for a Bill for the Registry of Births, Marriages, and Deaths, which was read and ordered to lie on the Table.

Pet. Central Baptist Assembly for regie. of Births, &c.

Mr. Whitman presented the Petition of the Central Baptist Assembly, praying for the passing of a Prohibitory Liquor Law, which was ordered to lie on the Table.

Do. of Do. for Pro. Liquor Law.

On motion of Mr. Holmes, *ordered*, that Mr. Dickey have leave of absence from Wednesday next, to return home on urgent private business.

Leave of absence to Mr. Dickey.

On motion, made and seconded, the House adjourned until To-morrow, at half-past two o'clock.

Adjourn.

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**Tuesday, 24th April, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,

The Honorable JAMES McNAB,  
 JONATHAN McCULLY,  
 WILLIAM McKEEN,  
 RICHARD A. McHEFFEY,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 ROBERT B. DICKEY,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

Prov. Loan, and  
 Road. C. B. Bills

A Bill, entitled, An Act to authorise a Provincial Loan ; also,  
 A Bill, entitled, An Act for improving the Main Post Road in the County of Cape Breton,—

Read 2d time,  
 And ord. to Com.

Were read a second time.  
*Ordered*, That the said Bills be committed to a Committee of the whole House at a future time.

Div. of Road Money,  
 and  
 Road Monies unex-  
 pended.  
 Read 2d time,

The Resolution dividing the sum of One hundred thousand dollars, voted for Roads and Bridges, and

The Resolution relative to Road Monies unexpended,—

Were read a second time, and the question was put by the President on each Resolution,

Whether this Resolution be agreed to ?

Agreed to.

It was resolved in the affirmative.

And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,  
 To return the said Resolutions, and acquaint them that this House has agreed to the same without any amendment.

S. O. S.

*Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills before a Committee of the whole House.

Com. on Bills.

On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Bell reported that the Committee had made some progress.

Rep. Constables, Hx.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to authorize the appointment of extra constables in the City of Halifax ; also

Borrowg. Funds. Hx.

A Bill, entitled, An Act to enable the City of Halifax to borrow funds, and to erect buildings therewith, near the Market Slip ; also,

Yacht Club,

A Bill, entitled, An Act to incorporate the Halifax Yacht Club ; also,

Ched. Div. S. of T.

A Bill, entitled, An Act to incorporate the Trustees of Chedabucto Division of the Order of the Sons of Temperance ; also,

Hx Fire Ins. Co.

A Bill, entitled, An Act to amend the Act to incorporate the Halifax Fire Insurance Company ; also,

A Bill, entitled, An Act to authorise a Provincial Loan; also,  
 A Bill, entitled, An Act for improving the Main Post Road in the County of Cape Breton.

Prov. Loan, and  
 Post Road, C. B. Bills  
 without am.

And had agreed to the same without any amendment.

*Ordered*, That the said Bills be read a third time at a future day.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act for improving the Road from Maitland to the Shubenacadie Station, and had made an amendment thereto.

Rep. Maitland Road  
 Bill with am.

The said amendment was read by the Clerk as follows:

Am. read,

At the end of the Bill add the following proviso:

"Provided always, that no part of the Road Monies of the County of Hants shall be applied to the payment of the sum borrowed under this Act, till all sums previously borrowed on the credit of the said Road Monies shall have been paid."

And the said amendment being read a second time, was agreed to by the House.

And agreed to.

*Ordered*, That the said Bill be read a third time at a future day.

Mr. Dickey, the Chairman of the Committee to whom a Bill, entitled, An Act relating to Trusts and Trustees, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.

Com. on Trusts Bill  
 Report.

The said Bill was read a second time.

Bill read 2d time,

*Ordered*, That the said Bill be committed to a Committee of the whole House at a future day.

And ord. to Com.

Mr. Brown, the Chairman of the Committee to whom a Bill, entitled, An Act to incorporate the Victoria Coal Mining Company, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.

Com. on Victoria  
 Coal Mining Co.  
 Bill report.

The said Bill was read a second time.

Bill read 2d time,

*Ordered*, That the said Bill be committed to a Committee of the whole House at a future day.

And ord. to Com.

On motion, made and seconded, the House adjourned until Thursday, at half past two o'clock.

Adjourn.

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**Thursday, 26th April, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS.

The Honorable JAMES McNAB,  
 JONATHAN McCULLY,  
 WILLIAM McKEEN,  
 RICHARD A. McHEFFEY,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 JOHN HOLMES,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of Tuesday were read.

- |   |   |
|---|---|
| Constables, Halifax,                            | A Bill, entitled, An Act to authorize the appointment of extra Constables in the City of Halifax ; also,  |
| Borrowing Funds,<br>Halifax,                    | A Bill, entitled, An Act to enable the City of Halifax to borrow Funds, and erect buildings therewith, near the Market Slip ; also,   |
| Yacht Club,                                     | A Bill, entitled, An Act to incorporate the Halifax Yacht Club ; also,  |
| Chedabucto Division,<br>Sons of Temper'ce.      | A Bill, entitled, An Act to incorporate the Trustees of Chedabucto Division of the Order of Sons of Temperance ; also,  |
| Hx. Fire Ins. Co.,                              | A Bill, entitled, An Act to amend the Act to incorporate the Halifax Fire Insurance Company ; also,   |
| Provincial Loan, and<br>Post Road, C. B., Bills | A Bill, entitled, An Act to authorize a Provincial Loan ; also,<br>A Bill, entitled, An Act for improving the Main Post Road in the County of Cape Breton,  |
| Read 3rd time,                                  | Were read a third time, and the question was put by the President on each Bill,<br>Whether this Bill shall pass ?   |
| Agreed to,                                      | It was resolved in the affirmative.   |
| And sent to H. A.                               | A Message was sent to the House of Assembly by the Clerk,<br>To return the said Bills, and acquaint them that this House has agreed to the same without any amendment.  |
| Road, Maitland, Bill<br>Read 3rd time,          | A Bill, entitled, An Act for improving the Road from Maitland to the Shubenacadie Station, was read a third time, and the question was put by the President,<br>Whether this Bill, with the amendment, shall pass ?                                       |
| Agreed to with am.,<br>And sent to H. A.        | It was resolved in the affirmative.<br>A Message was sent to the House of Assembly by the Clerk,<br>To return the said Bill, and acquaint them that this House has agreed to the same with an amendment, to which amendment their concurrence is desired. |
| Com. on Bills.                                  | On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Cutler reported that the Committee had made some progress.  |
| Report Trusts Bill<br>without am.               | The Chairman also reported that the Committee had gone through a Bill, entitled, An Act relating to Trusts and Trustees, and had agreed to the same without any amendment.<br><i>Ordered,</i> That the said Bill be read a third time at a future day.    |

The Chairman also reported that the Committee had gone through a Bill, entitled, *Report laying out Roads Bill with am.*  
 An Act to amend Chapter 62 of the Revised Statutes, "Of laying out Roads other than certain Great Roads,"—and had made an amendment thereto.

The said amendment was read by the Clerk as follows:

Am. read,

At the end of the Bill add the following clause:

"The provisions of this Act shall not apply to any case where there has been an appeal to the Supreme Court, and the Order of Sessions has been reversed, or such appeal is now undetermined."

And the said amendment being read a second time, was agreed to by the House. *And agreed to.*

*Ordered,* That the said Bill be read a third time at a future day.

On motion, *ordered,* that Mr. McCully have leave to attend before a Committee of the House of Assembly on Mr. Blanchard's election, if he think fit. *Leave to Mr. McCully to attend before Com. of H.A.*

A Message was brought from the House of Assembly by Mr. James, with the following Bills:

A Bill, entitled, An Act to amend Chapter 126 of the Revised Statutes, "Of the Supreme Court and its Officers." *Supreme Court,*

A Bill, entitled, An Act to amend Chapter 132 of the Revised Statutes, "Of Barristers and Attornies." *Barristers and Attornies,*

A Bill, entitled, An Act relating to the Police Court in the City of Halifax. *Police Court, Halifax.*

A Bill, entitled, An Act respecting Drains and Sewers in the City of Halifax. *Drains, Halifax,*

A Bill, entitled, An Act respecting Ancient Lights in the City of Halifax. *Ancient Lights, Hx.,*

A Bill, entitled, An Act to authorise the Roman Catholic Episcopal Corporation of Arichat to sell certain Lands. *Arichat R. C. Episco. Corporation,*

A Bill, entitled, An Act to provide for the organization of a Volunteer Militia Force for the Defence of this Province. *Volunteer Militia.*

A Bill, entitled, An Act to amend Chapter 90 of the Revised Statutes, "Of Poor Districts." *Poor Districts,*

A Bill, entitled, An Act respecting the apprehension of Criminals escaping from any of Her Majesty's Provinces and Governments in North America into Nova Scotia. *Escaped Criminals,*

A Bill, entitled, An Act to naturalize certain Aliens. *Aliens, and*

A Bill, entitled, An Act relating to certain Electoral Districts in the County of Victoria. *Elec. Dis., Victoria, Bills*

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Read 1st time.

*Ordered,* That the two first and eight last mentioned Bills be read a second time at a future day.

*Ordered,* That the third Bill be referred to a Select Committee to examine and report upon. *P. Court Bill ref.*

*Ordered,* That Mr. Bell, Mr. McCully and Mr. Almon, be a Committee for that purpose. *Committee.*

On motion, made and seconded, the House adjourned until to-morrow, at half-past two o'clock. *Adjourn.*

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**Friday, 27th April, 1860.**


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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,  
 JAMES McNAB,

The Honorable JONATHAN McCULLY,  
 WILLIAM McKEEN,  
 RICHARD A. McHEFFEY,  
 ANSLEM F. COMEAU,  
 ALFRED WHITMAN,  
 JOHN HOLMES,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

Trusts Bill  
 Read 3d time,

A Bill, entitled, An Act relating to Trusts and Trustees, was read a third time, and the question was put by the President,

Whether this Bill shall pass ?

Agreed to,

It was resolved in the affirmative.

And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,

To return the said Bill, and acquaint them that this House has agreed to the same without any amendment.

Laying out Roads  
 Bill read 3rd time,

A Bill, entitled, An Act to amend Chapter 62 of the Revised Statutes, "Of laying out Roads other than certain Great Roads," was read a third time, and the question was put by the President,

Whether this Bill, with the Amendment, shall pass ?

Agreed to with am.,

It was resolved in the affirmative.

And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,

To return the said Bill, and acquaint them that this House has agreed to the same with an amendment, to which amendment their concurrence is desired.

Supr. Court,

A Bill, entitled, An Act to amend Chapter 126 of the Revised Statutes, "Of the Supreme Court and its Officers ;" also,

Barristers and Attor-  
 nies,

A Bill, entitled An Act to amend Chapter 132 of the Revised Statutes, "Of Barristers and Attornies ;" also,

Drains, Halifax,

A Bill, entitled, An Act respecting Drains and Sewers in the City of Halifax ; also,

Ancient Lights, Hx.,

A Bill, entitled, An Act respecting Ancient Lights in the City of Halifax ; also,

R. C. Epis. Corpora-  
 tion, Arichat,

A Bill, entitled, An Act to authorize the Roman Catholic Episcopal Corporation of Arichat to sell certain Lands ; also,

Vol. Militia.

A Bill, entitled An Act to provide for the organization of a Volunteer Militia Force for the Defence of the Province ; also,

Poor Districts.

A Bill, entitled, An Act to amend Chapter 90 of the Revised Statutes, "Of Poor Districts ;" also,

Escaped Criminals,

A Bill, entitled, An Act respecting the apprehension of Criminals escaping from any of Her Majesty's Provinces and Governments in North America into Nova Scotia ; also,

Aliens, and

A Bill, entitled, An Act to naturalize certain Aliens ; also,

Elec. Dis. Victoria,

A Bill, entitled, An Act relating to certain Electoral Districts in the County of Victoria.

Read 2d time,

Were read a second time.

*Ordered*, That the said Bills be committed to a Committee of the whole House at a future time. And ord. to Com.

Mr. Bell, the Chairman of the Committee to whom a Bill, entitled, An Act relating to the Police Court in the City of Halifax, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House. Com. on P. Court.  
Hx., Bill, report.

The said Bill was read a second time. Bill read 2d time,

*Ordered*, That the said Bill be committed to a Committee of the whole House at a future time. And ord. to Com.

*Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills before a Committee of the whole House. S. O. S.

On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Bell reported that the Committee had made some progress. Com. on Bills.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act respecting Drains and Sewers in the City of Halifax; also, Report  
Drains, Halifax,

A Bill, entitled, An Act respecting Ancient Lights in the City of Halifax; also, Ancient Lights, Hx..

A Bill, entitled, An Act to authorize the Roman Catholic Episcopal Corporation of Arichat to sell certain Lands; also, R. C. Epis. Corpora-  
tion, Arichat,

A Bill, entitled An Act to provide for the organization of a Volunteer Militia Force for the Defence of the Province; also, Vol. Militia,

A Bill, entitled, An Act to amend Chapter 90 of the Revised Statutes, "Of Poor Districts;" also, Poor Districts,

A Bill, entitled, An Act respecting the apprehension of Criminals escaping from any of Her Majesty's Provinces and Governments in North America into Nova Scotia; also, Escaped Criminals,

A Bill, entitled, An Act to naturalize certain Aliens; also, Aliens, and

A Bill, entitled, An Act relating to certain Electoral Districts in the County of Victoria,— Elec. Dis., Victoria,  
Bills

And had agreed to the same without any amendment. Without am.

*Ordered*, That the said Bills be read a third time presently.

The said Bills were read a third time, and the question was put by the President on each Bill, Bills read 3rd time,

Whether this Bill shall pass?

It was resolved in the affirmative. Agreed to,

A Message was sent to the House of Assembly by the Clerk, And sent to H. A.

To return the said Bills, and acquaint them that this House has agreed to the same without any amendment.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend Chapter 126 of the Revised Statutes, "Of the Supreme Court and its Officers," and had made an amendment thereto. Report  
Supreme Court Bill  
with am.

The said amendment was read by the Clerk as follows: Am. read,

FIRST CLAUSE—Leave out this clause, and insert instead the following clause:

"The July Term of the Supreme Court at Halifax is abolished for the present year, and all matters and proceedings pending or to be had at such July Term, are respectively continued until the December Term of such Court."

And the said Amendment being read a second time, was agreed to by the House. And agreed to.

*Ordered*, That the said Bill be read a third time presently.

The said Bill was read a third time, and the question was put by the President, Bill read 3rd time.

Whether this Bill, with the amendment, shall pass?

It was resolved in the affirmative. Agreed to with am,

A Message was sent to the House of Assembly by the Clerk, And sent to H. A.

To return the said Bill, and acquaint them that this House has agreed to the same with an amendment, to which amendment their concurrence is desired.

Report  
Barristers and Attor-  
nies Bill with am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend Chapter 132 of the Revised Statutes, "Of Barristers and Attornies," and had made an amendment thereto.

Am. read.

The said amendment was read by the Clerk as follows :

At the end of the Bill insert the following clause :

" Application for admission as Attorney or Barrister may be made in vacation, by petition to two Judges of the Supreme Court, by any Law Student who shall have complied with all the requisites and be by law entitled to his admission, and the said Judges may make an order for his admission, or may, if they think proper, direct that application be made to the Court at the next Term at Halifax."

And agreed to.

And the said amendment, being read a second time, was agreed to by the House."

*Ordered*, That the said Bill be read a third time presently.

The said Bill was read a third time, and the question was put by the President, Whether this Bill, with the amendment, shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk,

To return the said Bill, and acquaint them this House has agreed to the same, with an amendment, to which amendment their concurrence is desired.

Recommend Police  
Court Bill to be  
deferred.

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act relating to the Police Court in the City of Halifax, and had directed him to report, that it was the opinion of the Committee that the further consideration of the said Bill should be deferred to this day three months.

Bill deferred.

*Ordered*, That the said Report be received, and that the further consideration of the said Bill be deferred to this day three months.

Adjourn.

On motion made and seconded, the House adjourned until Monday, at half-past two o'clock.



**Monday, 30th April, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,

The Honorable JAMES McNAB,  
 JONATHAN McCULLY,  
 WILLIAM MCKEEN,  
 RICHARD A. McHEFFEY,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 JOHN HOLMES,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of Friday were read.

On motion, the House was adjourned during pleasure, and put into a Committee Com. on Bills.  
 on Bills. After some time the House was resumed, and Mr. Cutler reported that the  
 Committee had made some progress.

The Chairman also reported that the Committee had gone through a Bill, entitled, Report  
 An Act to incorporate the Victoria Coal Mining Company, and had made two Victoria Coal Min'g.  
 amendments thereto. Co. Bill with am.

The said Amendments were read by the Clerk as follows:

Am. read,

EIGHTH CLAUSE—1st, 2d, and 3rd lines—Leave out the words “only continue in  
 force for three years, unless previously to the expiration of that time,” and insert the  
 following words: “not go into operation until.”

At the end of the Bill insert the following clause:

“The Company shall keep an office at the River Hebert in the County of Cum-  
 berland, and an agent there, for the transaction of business connected with the Cor-  
 poration, service upon whom of all process, notices, or other documents shall be  
 deemed a sufficient service upon the Corporation.”

And the said amendments, being read a second time, were agreed to by the House. And agreed to.

*Ordered,* That the said Bill be read a third time at a future day.

A Message was brought from the House of Assembly by Mr. James with the fol-  
 lowing Resolutions.

*Resolved,* That Eighty dollars be granted to aid the inhabitants of Douglas at the \$80 Douglas Ferry,  
 mouth of the Shubenacadie in supporting a Ferry between Londonderry and that  
 place, under the regulation of the Sessions for the County of Hants, to be paid on  
 the certificate of three justices of the peace residing in Douglas that such regulations  
 have been duly carried out.

*Resolved,* That Forty dollars each be granted to the two licensed Ferrymen at the 80 Shuben. Ferry.  
 mouth of the Shubenacadie in the Counties of Colchester and Hants, for the trans-  
 portation of horses and carriages across that River, to be paid upon the certificate of  
 three justices of the peace of each County, respectively, that such Ferry has been  
 duly attended.

*Resolved,* That Fifty dollars each be granted to Joseph Pernette and Charles Per- 100 La Have Ferry.  
 nette, for keeping up the Ferry over La Have River.

*Resolved,* That Forty dollars be granted to Cornelius Craig, to enable him to keep 40 Ferry Sable River  
 up a Ferry across the Narrows at the entrance of Sable River in the County of Shel-  
 burne.

- \$40 Strait of Canso Ferry, *Resolved*, That Forty dollars be granted to Alexander McGuire, or such other person as shall run a Ferry Boat or Scow between Carter's Landing on the western side of the Strait of Canso, and Alexander McPherson's on the eastern side thereof, under the regulation of the Sessions of the County of Guysborough, and to be paid on their certificate.
- 40 A. McPherson, Ferry, *Resolved*, That Forty dollars be granted to Alexander McPherson to enable him to run a Ferry Boat or Scow between his Landing, on the eastern side of the Strait of Canso, and John Carter's on the western side thereof, under the regulation of the Sessions of the County of Richmond, and to be paid on their certificate.
- 80 Port L'Herbert Ferry, *Resolved*, That Forty dollars each be granted to such two persons as shall, respectively, keep up a Ferry at the mouth of Port L'Herbert for the transportation of horses and cattle across that River.
- 40 Low Point Ferry, *Resolved*, That Forty dollars be granted to Duncan McPhee to enable him to maintain a Ferry between Low Point and the Sydney Mines at the mouth of the Spanish River, in the County of Cape Breton.
- 80 Cape Sable Ferry, *Resolved*, That Eighty dollars be granted to such persons as shall keep up a Ferry across the Narrows of the passage between Cape Sable Island and the Main, in the County of Shelburne.
- 60 Amherst Ferry, *Resolved*, That Sixty dollars be granted to aid in maintaining a Ferry between Amherst and Minudie, in the County of Cumberland.
- 120 Grandique Ferry, *Resolved*, That Sixty dollars each be granted to the two licensed Ferrymen at the mouth of Grandique River, in the County of Richmond.
- 50 Sheet Harbor Ferry, *Resolved*, That Fifty dollars be granted to the Ferryman at Sheet Harbor, in the County of Halifax.
- 40 N. W. Arm Ferry, *Resolved*, That Forty dollars be granted to the Ferrymen at the North West Arm, in the County of Halifax.
- 40 Liscomb Harbor Ferry, *Resolved*, That Twenty dollars each be granted to two such persons, one on each side of Liscomb Harbor, in the County of Guysborough, as shall maintain a Ferry across that Harbor.
- 20 Sambro Ferry, *Resolved*, That Twenty dollars be granted to the Ferryman at Sambro, in the County of Halifax.
- 40 Necum Tench Ferry, *Resolved*, That Forty dollars be granted to the Ferryman at Necum Tench River, in the County of Halifax.
- 30 Clay Head Ferry, *Resolved*, That Thirty dollars be granted to aid in maintaining the Ferry over Liscomb Harbor opposite the Highway at Clay Head, in the County of Guysborough.
- 20 Bear River Ferry, *Resolved*, That Twenty dollars be granted to the Ferryman at Bear River.
- 100 Grand and Petite Passage Ferry, *Resolved*, That Thirty dollars each be granted to the two Ferrymen, one on each side of Petite Passage, and Twenty dollars each to the two Ferrymen at the Grand Passage, in the County of Digby.
- 20 Lingan Ferry, *Resolved*, That Twenty dollars be granted to John Young, of Lingan, in the County of Cape Breton, to enable him to keep a Ferry across the passage between Lingan and Bridgeport.
- 30 St. Ann's Ferry, *Resolved*, That Thirty dollars be granted to the Ferryman at St. Ann's Head, in the County of Victoria.
- 20 Marguerite Ferry, *Resolved*, That Twenty dollars be granted to the Ferryman at Marguerite River, in the County of Inverness.
- 32 Grand Narrows Ferrymen, *Resolved*, That Sixteen dollars be granted to each of the two Ferrymen at the Grand Narrows, in the County of Cape Breton.
- 20 Sydney Ferry, *Resolved*, That Twenty dollars be granted to the Ferry between North Bar and the Town of Sydney in the County of Cape Breton.
- 80 Great Bras d'Or Ferry, *Resolved*, That Eighty dollars be granted to the Ferryman at the entrance of the Great Bras d'Or in the County of Victoria.

*Resolved*, That Twenty dollars be granted in aid of the Ferry across Pugwash Harbor in the County of Cumberland. \$20 Pugwash Ferry.

*Resolved*, That One hundred and sixty dollars be granted to aid the inhabitants of Cape Breton in supporting a Ferry between McMillan's Point in Cape Breton, and Auld's Cove in the County of Sydney, under the regulations of the Supervisors of the Main Post Road and of the Sessions of the County of Inverness. 160 McNutt's Point do,

*Resolved*, That Forty dollars be granted to the Ferryman at Port Mulgrave, to aid in maintaining a Ferry between that place and Ship Harbor in the County of Inverness, under the regulations of the Sessions for the County of Guysborough, and to be paid on their certificate. 40 Ship Harbor do,

*Resolved*, That Forty dollars be granted to the Ferryman at Ship Harbor, to aid in maintaining a Ferry between Ship Harbor and Port Mulgrave in the County of Guysborough, under the regulation of the Sessions of the County of Inverness, and to be paid on their certificate. 40 Port Mulgrave do.

*Resolved*, That Twenty dollars be granted to each of the two Ferrymen at St. Mary's River, Guysborough. 40 St. Mary's do,

*Resolved*, that Thirty dollars be granted in aid of the Ferry at the entrance of Southern Bay, Ingonishe, County of Victoria. 30 Ingonish do,

*Resolved*, That Twenty dollars be granted to the Ferryman at the entrance of Mirè River in the County of Cape Breton. 20 Mire River do,

*Resolved*, That Eighty dollars be granted to the Ferryman at Little Bras d'Or in the County of Cape Breton. 80 Little Bras d'Or do,

*Resolved* That Ten dollars each be granted to the two Ferrymen at Sydney River in the County of Cape Breton. 20 Sydney River do.

*Resolved*, That twelve dollars each be granted to the two Ferrymen at Tusket in the County of Yarmouth. 24 Tusket do,

*Resolved*, That Twenty dollars each be granted to the two Ferrymen at the mouth of Ship Harbor, in the County of Halifax. 40 Ship Hr., Hx. do.

*Resolved*, That Twenty dollars each be granted to the two Ferrymen on each side of the Jordan River in the County of Shelburne. 40 Jordan River do.

*Resolved*, That Forty dollars be granted in aid of the Ferry across Wallace Harbor in the County of Cumberland. 40 Wallace do,

*Resolved*. That Sixty dollars each be granted to the two Ferrymen at Big Harbor, Bras d'Or Lake, in the County of Victoria. 120 Big Harbor do,

*Resolved*, That Twenty dollars be granted in aid of the Ferry from the Mainland to Pear Point Island in the County of Yarmouth. 20 Yarmouth do,

*Resolved*, That Ten dollars be granted to A. Ross, Ferryman at Little Narrows between the Counties of Inverness and Victoria. 10 Little Narrows do.

*Resolved*, That Twenty dollars be granted in aid of the Ferry from Washabuck to Baddeck in the County of Victoria. 20 Baddeck do,

*Resolved*, That Thirty dollars be granted in aid of a Ferry between Hantsport and Kempt in the County of Hants. 30 Hantsport do,

*Resolved*, That Thirty dollars be granted to aid in maintaining a Ferry across the Harbor of Pictou. 30 Pictou do,

*Resolved*, That Forty dollars be granted to Josiah Embree, for services rendered in 1858, in maintaining a Ferry between Ship Harbor and Port Mulgrave in the County of Guysborough. 40 J. Embree.

- To which Resolutions they desired the concurrence of this House.  
The same were read a first time.  
*Ordered*, That the said Resolutions be read a second time at a future day.
- Read 1st time.
- H. A. agree to Am't.  
Burial Ground and  
Asso. Al. Acadia Col.  
Bills  
Without am.
- The Messenger also returned a Bill, entitled, An Act relating to the Burial Ground at Amherst; also,  
A Bill, entitled, An Act to incorporate the Associated Alumni of Acadia College.  
And informed the House that the House of Assembly had agreed to the said Bills without any amendment.
- H. A. agree to am. to  
Barristers and Attor-  
neys and  
Laying out Roads  
Bills.  
Bills finally agr'd. to.
- The Messenger also brought up a Bill, entitled, An Act to amend Chapter 132 of the Revised Statutes, "Of Barristers and Attornies;" also,  
A Bill, entitled, An Act to amend Chapter 62 of the Revised Statutes, "Of laying out Roads other than certain Great Roads."  
And informed the House that the House of Assembly had agreed to the amend-ments proposed by this House to the said Bills.  
The said Bills were then read as amended, and the question was put by the Presi-  
dent on each Bill,  
Whether this Bill, as amended, shall pass?  
It was resolved in the affirmative.
- And sent to H. A.
- A Message was sent to the House of Assembly by the Clerk,  
To return the said Bills, and acquaint them that this House has agreed to the same as amended.
- H. A. do not agree to  
am. to Supr. Court  
Bill.
- The Messenger also brought up a Bill, entitled, An Act to amend Chapter 126 of the Revised Statutes, "Of the Supreme Court and its Officers," and informed the House that the House of Assembly did not agree to the amendment proposed by this House to the said Bill.
- Am. not adhered to,
- On motion, the House proceeded to the consideration of the amendment to the said Bill.  
The same was read by the Clerk,  
And, on motion, *resolved*, That the said amendment be not adhered to.  
A Message was sent to the House of Assembly by the Clerk,  
To return the said Bill, and acquaint them that this House does not adhere to the amendment proposed to the said Bill, but agrees to the Bill as originally sent up.
- And Message to H. A.
- A Message was brought from the House of Assembly by Mr. James, with the fol-  
lowing Bills:
- Bank of Yarmouth,  
A Bill, entitled, An Act to amend the Act to incorporate the Bank of Yarmouth in Nova Scotia.
- Proceed'gs in Equity,  
A Bill, entitled, An Act to amend Chapter 127 of the Revised Statutes, "Of Pro-  
ceedings in Equity."
- Fires,  
A Bill, entitled, An Act to extend the operation of Chapter 99 of the Revised Statutes, "Of Fires and Firewards."
- Naval Volunteers,  
A Bill, entitled, An Act relating to Naval Volunteers and Shipping Masters.
- Volunteer Band,  
A Bill, entitled, An Act to incorporate the Halifax Volunteer Band Committee.
- Light House Duties,  
A Bill, entitled, An Act to amend the Law imposing Light House Duties.
- County Assesm'ts.,  
A Bill, entitled, An Act to extend the operation of Chapter 46 of the Revised Sta-  
tutes, "Of County Assessments."
- Port Hawkesbury,  
A Bill, entitled, An Act relating to Port Hawkesbury, in the County of Inverness.
- Hx. Ice Company,  
A Bill, entitled, An Act to incorporate the Halifax Ice Company.
- Port Acadie,  
A Bill, entitled, An Act for naming Port Acadie in the County of Digby.

A Bill, entitled, An Act to provide for improving certain Roads in the County of Guysborough, Guysborough.

A Bill, entitled, An Act for opening a Road from Sheet Harbor to Musquodoboit. Road, Sheet Harbor.

A Bill, entitled, An Act to authorise the completion of a line of Road in the County of Richmond, Richmond.

A Bill, entitled, An Act to incorporate the New Annan Bellgift Cemetery Company, New Annan Cemetery Company.

A Bill, entitled, An Act to incorporate the Mountain Cemetery Company of Yarmouth, Mountain Cemetery Co., Bills

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Read 1st time.

Ordered, That the said Bills be read a second time at a future day.

Mr. Holmes presented a Bill to regulate the appointment of Chief Justice, which was read a first time. Chief Justice Bill read 1st time.

Ordered, That the said Bill be read a second time at a future day.

On motion, made and seconded, the House adjourned until to-morrow, at half-past two o'clock. Adjourn.

**Tuesday, 1st May, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS.

The Honorable JAMES McNAB,  
 JONATHAN McCULLY,  
 WILLIAM McKEEN,  
 RICHARD A. McHEFFEY,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 JOHN HOLMES,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

The following Resolutions for granting Monies in support of Ferries, viz:

Ferry Votes

- \$80 Douglas Ferry,
- 80 Shubenacadie do.,
- 100 LaHave do.,
- 40 Narrows, Sable River do.,
- 40 Strait of Canso do.,
- 40 McPherson's do.,
- 80 Port L'Herbert do.,
- 40 Low Point do.,
- 80 Cape Sable do.,
- 60 Amherst do.,

\$120	Grandique Ferry,
50	Sheet Harbor do.,
40	North West Arm, Halifax, do.,
40	Liscomb Harbor do.,
20	Sambro do.,
40	Necum Tench do.,
30	Clay Head do.,
20	Bear River do.,
100	Grand and Petite Passage, Digby, do.,
20	Lingan do.,
30	St. Ann's do.,
20	Marguerite do.,
32	Grand Narrows do.,
20	Sydney do.,
80	Great Bras d'Or do.,
20	Pugwash do.,
160	McMillan's Point do.,
40	Port Mulgrave do.,
40	Ship Harbor do.,
40	St. Mary's do.,
30	Ingonish do.,
20	Mirè River do.,
80	Little Bras d'Or do.,
20	Sydney River do.,
24	Tusket do.,
40	Ship Harbor, Halifax, do.,
40	Jordan River do.,
40	Wallace do.,
120	Big Harbor do.,
20	Yarmouth do.,
10	Little Narrows do.,
20	Baddeck do.,
30	Hantsport do.,
30	Pictou do.,
40	J. Embree,

Read 2d time. Were read a second time, and the question was put by the President on each Resolution,

Agreed to. Whether this Resolution be agreed to?  
It was resolved in the affirmative.

And sent to H. A. A Message was sent to the House of Assembly by the Clerk,  
To return the said Resolutions, and acquaint them that this House has agreed to the same without any amendment.

Victoria Coal Mining Co. Bill read 3rd time. A Bill, entitled, An Act to incorporate the Victoria Coal Mining Company, was read a third time, and the question was put by the President,  
Whether this Bill, with the amendments, shall pass?

Agreed to with am.. It was resolved in the affirmative.

And sent to H. A. A Message was sent to the House of Assembly by the Clerk,  
To return the said Bill, and acquaint them this House has agreed to the same, with amendments, to which amendments their concurrence is desired.

A Bill, entitled, An Act to amend the Act to incorporate the Bank of Yarmouth, Bank of Yarmouth, Nova Scotia; also,

A Bill, entitled, An Act to amend Chapter 127 of the Revised Statutes, "Of Proceedings in Equity;" also,

A Bill, entitled, An Act to extend the operation of Chapter 99 of the Revised Statutes, "Of Fires and Firewards;" also,

A Bill, entitled, An Act relating to Naval Volunteers and Shipping Masters; also, Naval Volunteers.

A Bill, entitled, An Act to incorporate the Halifax Volunteer Band Committee; also, Volunteer Band.

A Bill, entitled, An Act to amend the Law imposing Light House Duties; also, Light House Duties,

A Bill, entitled, An Act to extend the operation of Chapter 46 of the Revised Statutes, "Of County Assessments;" also, County Assessm'ts.,

A Bill, entitled, An Act relating to Port Hawkesbury, in the County of Inverness: also, Port Hawkesbury.

A Bill, entitled, An Act to incorporate the Halifax Ice Company; also, Hx. Ice Company,

A Bill, entitled, An Act for naming Port Acadie in the County of Digby; also, Port Acadie,

A Bill, entitled, An Act to provide for improving certain Roads in the County of Guysborough; also, Roads, Guysborough.

A Bill, entitled, An Act for opening a Road from Sheet Harbor to Musquodoboit; also, Road, Sheet Harbor.

A Bill, entitled, An Act to authorise the completion of a line of Road in the County of Richmond; also, Road, Richmond.

A Bill, entitled, An Act to incorporate the New Annan Bellgift Cemetery Company; also, New Annan Cemetery Company,

A Bill, entitled, An Act to incorporate the Mountain Cemetery Company of Yarmouth,— Mountain Cemetery Co., Bills

Were read a second time. Read 2d time,

*Ordered*, That the said Bills be committed to a Committee of the whole House at a future day. And ord. to Com.

Mr. Holmes moved that a Bill, entitled, An Act to regulate the appointment of Chief Justice, be read a second time. Chief Justice Bill

The said Bill was read a second time. Read 2d time.

Whereupon, after long debate, Mr. Pineo moved that the further consideration of the said Bill be deferred to this day three months, which, being seconded, and the question being put by the President, there appeared for the motion, eight; against the motion, eight: Motion to defer

For the Motion—

Mr. McHefey,  
Anderson,  
McCully,  
McKeen,  
Pineo,  
Bell,  
Comeau,  
Fairbanks,

Against the Motion—

Mr. McNab,  
Whitman,  
Almon,  
Holmes,  
Black,  
Keith,  
Cutler,  
The President.

And, the votes being equal, then, according to the ancient rule in like cases— Negatived on equal division.

*Semper praesumatur pro negante.*

Then the question was put by the President,

Whether the said Bill be committed to a Committee of the whole House at a future day, when there appeared, for committing the Bill, Nine; against committing it, Seven: Question that Bill be committed

For committing the Bill—  
 Mr. McNab,  
 Whitman,  
 Almon,  
 Holmes,  
 Black,  
 Fairbanks,  
 Keith,  
 Cutler,  
 The President.

Against committing the Bill—  
 Mr. McHefey,  
 Anderson,  
 McCully,  
 McKeen,  
 Pineo,  
 Bell,  
 Comeau.

- Agreed to. So it passed in the affirmative.
- Bill ord. to Com. *Ordered*, That the said Bill be committed to a Committee of the whole House at a future day.
- A Message was brought from the House of Assembly, by Mr. James, with the following Bills :
- Barry's Letters Patent, Custos and Justices of the Peace, Railroads, A Bill, entitled, An Act to enable Samuel J. W. Barry to obtain Letters Patent.  
 A Bill, entitled, An Act relating to the offices of Custos and Justice of the Peace.  
 A Bill, entitled, An Act to amend Chapter 70 of the Revised Statutes, "Of Railroads."
- School Lot, Tusket, and Fuller Lodge Bills A Bill, entitled, An Act to authorise the Sale of a School Lot at Tusket.  
 A Bill, entitled, An Act to incorporate Fuller Lodge No. 5 of the Independent Order of Odd Fellows.
- To which Bills they desired the concurrence of this House.
- Read 1st time. The said Bills were read a first time.  
*Ordered*, That the said Bills be read a second time at a future day.
- H. A. agree to am. to Maitland Road Bill with am. The Messenger also brought up a Bill, entitled, An Act for improving the Road from Maitland to Shubenacadie Station, and informed the House that the House of Assembly had agreed to the amendment proposed by this House to the said Bill, with an amendment, to which amendment they desired the concurrence of this House.
- H. A. agree to Vic. Coal Min. Co. Bill. The Messenger also brought up a Bill, entitled, An Act to incorporate the Victoria Coal Mining Company, and informed the House that the House of Assembly agreed to the amendment proposed by this House to the said Bill.
- Adjourn. On motion made and seconded, the House adjourned until To-morrow, at half-past two o'clock.



Wednesday, 2d May, 1860.

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JAMES McNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM McKEEN,  
RICHARD A. McHEFFEY,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
JOHN HOLMES,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to incorporate the Victoria Coal Mining Company was read as amended, and the question was put by the President, Vic. Coal Min. Co. Bill

Whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

Agreed to as am.,  
And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,

To return the said Bill, and acquaint them that this House has agreed to the same as amended.

The House proceeded to the consideration of the amendment proposed by the House of Assembly to the amendment proposed by this House to a Bill, entitled, An Act for improving the Road from Maitland to Shubenacadie Station. Am. to am. to Maitland Road Bill considered.

The same was read by the Clerk as follows :

Am. read,

At the end of the amendment add the following clause :

“ Unless the same shall be done with the consent of the persons to whom such previously borrowed monies shall be due.”

And the said amendment, being read a second and third time, was agreed to by the House. And agreed to.

A Message was sent to the House of Assembly by the Clerk,

Message to H. A.

To return the said Bill, and acquaint them that this House has agreed to the amendment proposed by them to the amendment proposed by this House to the said Bill.

A Bill, entitled, An Act to enable Samuel J. W. Barry to obtain Letters Patent, was read a second time. Barry's Letters Patent Bill read 2d time,

*Ordered,* That the said Bill be referred to a Select Committee to examine and report upon. And referred.

*Ordered,* That Mr. Almon, Mr. Bell, and Mr. McHefsey, be a Committee for that purpose. Committee.

A Bill, entitled, An Act to amend Chapter 70 of the Revised Statutes, “ Of Railroads,” was read a second time. Railroad Bill read 2d time,

*Ordered,* That the said Bill be referred to a Select Committee to examine and report upon. And referred.

*Ordered,* That Mr. McNab, Mr. Almon, and Mr. Holmes, be a Committee for that purpose. Committee.

- Custos and Justices of the Peace, A Bill, entitled, An Act relating to the Offices of Custos and Justice of the Peace ; also,
- School Lot, Tusket, A Bill, entitled, An Act to authorize the sale of a School Lot at Tusket ; also,
- And Fuller Lodge Bills, A Bill, entitled, An Act to incorporate Fuller Lodge, No 5, of the Independent Order of Odd Fellows,—
- Read 2d time, Were read a second time.
- And ord. to Com. *Ordered*, That the said Bills be committed to a Committee of the whole House at a future day.
- Com. on Bills. On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Bell reported that the Committee had made some progress.
- Report Yarmouth Bank, The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend the Act to incorporate the Bank of Yarmouth ; also,
- Proc'd'gs. in Equity, A Bill, entitled, An Act to amend Chapter 127 of the Revised Statutes, "Of Proceedings in Equity;" also,
- Fires, A Bill, entitled, An Act to extend the operation of Chapter 99 of the Revised Statutes, "Of Fires and Firewards;" also,
- Naval Volunteers, A Bill, entitled, An Act relating to Naval Volunteers and Shipping Masters ; also,
- Hx. Volunteer Band, A Bill, entitled, An Act to incorporate the Halifax Volunteer Band Committee ; also,
- Light House Duties, A Bill, entitled, An Act to amend the Law imposing Light House Duties ; also,
- County Assessments, A Bill, entitled, An Act to extend the operation of Chapter 46 of the Revised Statutes, "Of County Assessments;" also,
- Port Hawkesbury, A Bill, entitled, An Act relating to Port Hawkesbury in the County of Inverness ; also,
- Hx. Ice Company, A Bill, entitled, An Act to incorporate the Halifax Ice Company ; also,
- Port Acadie, A Bill, entitled, An Act for naming Port Acadie in the County of Digby ; also,
- Road, Sheet Harbor, A Bill, entitled, An Act for opening a Road from Sheet Harbor to Musquodoboit ; also,
- Road, Richmond, A Bill, entitled, An Act to authorize the completion of a line of Road in the County of Richmond ; also,
- N. Annan Cemetery Company, and A Bill, entitled, An Act to incorporate the New Annan Bellgift Cemetery Company ; also,
- Mountain Cemetery Company Bills, A Bill, entitled, An Act to incorporate the Mountain Cemetery Company of Yarmouth,—
- Without am. And had agreed to the same without any amendment.
- Ordered*, That the said Bills be read a third time.
- S. O. S. *Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the said Bills.
- Bills read 3rd time, The said Bills were read a third time, and the question was put by the President on each Bill,
- Whether this Bill shall pass ?
- Agreed to, It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly by the Clerk, To return the said Bills, and acquaint them that this House has agreed to the same without any amendment.
- Report Chief Justice Bill Without am. The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to regulate the appointment of Chief Justice, and had agreed to the same without any amendment.
- Motion to re-commit Bill Whereupon, Mr. McCully moved that the said Bill be re-committed to a Committee of the whole House for the purpose of amending the same, by leaving out the word "hereafter" in the second line of the clause, and inserting instead the following

words: "after the appointment of the next incumbent," which, being seconded, and the question being put by the President, there appeared, for the motion, Seven; against the motion, Nine:

For the Motion—

Mr. Anderson,  
McCully,  
McKeen,  
McHeffey,  
Pineo,  
Bell,  
Comeau.

Against the Motion—

Mr. McNab,  
Brown,  
Whitman,  
Almon,  
Holmes,  
Black,  
Keith,  
Cutler,  
The President.

So it passed in the negative.

Negatived.

Mr. McCully then moved that the further consideration of the said Bill be deferred to this day three months, which, being seconded, and the question being put by the President, there appeared, for the motion, Seven; against the motion, Nine:

Motion to defer 3 mo.

For the Motion—

Mr. Anderson,  
McCully,  
McKeen,  
McHeffey,  
Pineo,  
Bell,  
Comeau.

Against the Motion—

Mr. McNab,  
Brown,  
Whitman,  
Almon,  
Holmes,  
Black,  
Keith,  
Cutler,  
The President.

So it passed in the negative.

Negatived.

*Ordered,* That the said Bill be engrossed, and read a third time at a future day

A Message was brought from the House of Assembly by Mr. James, with the following Bills:

A Bill, entitled, An Act in addition to Chapter 51 of the Revised Statutes, "Of Religious Congregations and Societies." Religious Congregations,

A Bill, entitled, An Act to incorporate the Union Hall Company of Cornwallis. Union Hall Co.,

A Bill, entitled, An Act in addition to the Act concerning Sheriffs. Sheriffs,

A Bill, entitled, An Act to establish the bounds of certain Electoral Districts in the County of Inverness. Elec. Dis., Inverness.

A Bill, entitled, An Act relating to the ensuing July Term at Halifax. July Term, Halifax,

A Bill, entitled, An Act to amend Chapter 92 of the Revised Statutes, "Of the preservation of useful Birds and Animals." Useful Birds,

A Bill, entitled, An Act to amend the Act to enable Henry Bessemer to obtain Letters Patent. Bessemer's Letters Patent, and

A Bill, entitled, An Act to enable Azel Storrs Lyman to obtain Letters Patent. Lyman's do., Bills,

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Read 1st time.

*Ordered,* That the said Bills be read a second time at a future day.

The Messenger also brought up a Bill, entitled, An Act for improving the Road from Maitland to Shubenacadie Station, and informed the House that the House of Assembly agreed to the said Bill as now amended. Road, Maitland, Bill finally agreed to by H. A.,

Finally agreed to by Council,	The said Bill was then read, and the question was put by the President, Whether this Bill, as now amended, shall pass ? It was resolved in the affirmative.
And sent to H. A.	A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them therewith.
Leave of absence to Mr. Pineo.	On motion of Mr. Brown, <i>ordered</i> , that Mr. Pineo have leave of absence from Friday next, to return home on urgent private business.
Adjourn.	On motion, made and seconded, the House adjourned until Friday, at half past two o'clock.

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**Friday, 4th May, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STANLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JAMES McNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM McKEEN,  
RICHARD A. McHEFFEY,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
JOHN HOLMES,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of Wednesday were read.

Religious Congregations,	A Bill, entitled, An Act in addition to Chapter 51 of the Revised Statutes, "Of Religious Congregations and Societies;" also,
Union Hall Co.,	A Bill, entitled, An Act to incorporate the Union Hall Company of Cornwallis ; also,
Sheriffs,	B Bill, entitled, An Act in addition to the Act concerning Sheriffs ; also,
Elec Dis., Inverness,	A Bill, entitled, An Act to establish the bounds of certain Electoral Districts in the County of Inverness ; also,
July Term, Hx.,	A Bill, entitled, An Act relating to the ensuing July Term at Halifax ; also,
Useful Birds,	A Bill, entitled, An Act to amend Chapter 92 of the Revised Statutes, "Of the preservation of useful Birds and Animals;" also,
Bessemer's Letters Patent, and	A Bill, entitled, An Act to amend the Act to enable Henry Bessemer to obtain Letters Patent ; also,
Lyman's do., Bills	A Bill, entitled, An Act to enable Azel Storrs Lyman to obtain Letters Patent,—
Read 2d time,	Were read a second time.
And ord. to Com.	<i>Ordered</i> , That the said Bills be committed to a Committee of the whole House at a future time.
Com. on Barry's Letters Patent Bill report majority unfav.	Mr. Almon, the Chairman of the Committee to whom a Bill, entitled, An Act to enable Samuel J. W. Barry to obtain Letters Patent, was referred, reported that the Committee had examined the said Bill, and that the majority of the Committee did not recommend it to the favorable consideration of the House.

Whereupon, Mr. Whitman moved that the Report be not received, but that the Bill be committed to a Committee of the whole House at a future day, which, being seconded, Mr. Keith moved in amendment that the further consideration of the said Bill be deferred to this day three months, which, being seconded, and the question being put by the President, was agreed to.

Motion not to receive Report.

Motion in am. to defer Bill 3 months agreed to.

*Ordered*, That the future consideration of the said Bill be deferred to this day three months.

Bill deferred.

Mr. McNab, the Chairman of the Committee to whom a Bill, entitled, An Act to amend Chapter 70 of the Revised Statutes, "Of Railroads," was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.

Committee on Railroad Bill rep. fav.

*Ordered*, That the said Report be received, and that the said Bill be committed to a Committee of the whole House at a future time.

Bill ord. to Com.

A Bill, entitled, An Act to regulate the appointment of Chief Justice, was read a third time, and the question was put by the President,

Chief Justice Bill Read 3rd time,

Whether this Bill shall pass?

It was resolved in the affirmative.

Passed,

A Message was sent to the House of Assembly by the Clerk,

And sent to H. A.

To carry down the said Bill, and desire their concurrence thereto.

The Honorable Mr. McCully, a Member of the Executive Council, appeared at the Bar, and informed the House that he was commanded by His Excellency the Lieutenant-Governor to deliver to the House the following written Message from His Excellency which he read at the Bar—the Members being uncovered:—

Message from H. E. with Despatch in answer to Address rel. to Prince of Wales' Visit.

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

I embrace with pleasure the earliest opportunity of laying before you a Despatch, which I have received in answer to the Joint Address to Her Majesty, passed by both Branches of the Legislature, praying that the approaching visit of His Royal Highness the Prince of Wales to Canada may be extended to this Province.

Message.

It affords me much gratification to assure you that Her Majesty was pleased to receive your Address very graciously, and to announce to you that it is the intention of His Royal Highness to honor this city with a visit during the present summer.

This visit, evincing as it does, the deep interest which is felt by Her Majesty in the welfare and prosperity of this portion of her Colonial Empire, will, I doubt not, draw forth a warm expression of that feeling of loyalty for which Nova Scotia has ever been noted; and that the population of this Province will unite as one man in their endeavors to do honor to the son of our beloved Queen, and to render the visit of His Royal Highness agreeable to himself.

MULGRAVE.

Government House, Halifax, N. S., 3d May, 1860.

*Downing Street, 19th April, 1860.*

MY LORD,—

I have the honor to acknowledge the receipt of Your Lordship's Despatch No. 34, of the 22d of March, enclosing a Joint Address to the Queen, passed by both Branches of the Legislature, praying that the approaching visit of His Royal Highness the Prince of Wales to Canada may be extended to Nova Scotia.

No. 25. Despatch.

I have laid this Address before the Queen. Her Majesty has been pleased to receive the same very graciously, and to command me to request Your Lordship to convey to the Legislative Council and House of Assembly, the assurance that it will

afford the Prince much gratification to respond to the sentiments of loyalty and attachment to Her Majesty's Throne and Person expressed in their Address, by complying with the wishes of the Legislature of Nova Scotia.

A visit to Nova Scotia has from the first formed part of His Royal Highness's projected tour.

(Signed,)

NEWCASTLE.

The EARL OF MULGRAVE.

The same was read by the Clerk, and ordered to lie on the Table.

- S. O. S. *Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills before a Committee of the whole House.
- Com. on Bills. On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Bell reported that the Committee had made some progress.
- Report Roads, Guysborough, Custos & Jus. Peace. The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to provide for improving certain Roads in the County of Guysborough; also, A Bill, entitled, An Act relating to the offices of Custos and Justice of the Peace; also,
- School Lot, Tusket, Fuller Lodge, A Bill, entitled, An Act to authorise the Sale of a School Lot at Tusket; also, A Bill, entitled, An Act to incorporate Fuller Lodge No. 5 of the Independent Order of Odd Fellows; also,
- Union Hall Co., A Bill, entitled, An Act to incorporate the Union Hall Company of Cornwallis; also,
- Sheriffs, A Bill, entitled, An Act in addition to the Act concerning Sheriffs; also
- Elec. Dis., Inverness, A Bill, entitled, An Act to establish the Bounds of certain Electoral Districts in the County of Inverness; also,
- July Term, Hx., Useful Birds, and A Bill, entitled, An Act relating to the ensuing July Term at Halifax; also, A Bill, entitled, An Act to amend Chapter 92 of the Revised Statutes, "Of the preservation of useful Birds and Animals; also,
- Railroads Bills, A Bill, entitled, An Act to amend Chapter 70 of the Revised Statutes, "Of Railroads,"—
- Without am. And had agreed to the same without any amendment.
- Bills read 3rd time. *Ordered*, That the said Bills be read a third time presently. The said Bills were read a third time, and the question was put by the President on each Bill, Whether this Bill shall pass? It was resolved in the affirmative.
- Agreed to, And sent to H. A. A Message was sent to the House of Assembly by the Clerk, To return the said Bills, and acquaint them that this House has agreed to the same without any amendment.
- Report Religious Congregations Bill with am. The Chairman also reported that the Committee had gone through a Bill, entitled, An Act in addition to Chapter 51 of the Revised Statutes, "Of Religious Congregations and Societies," and had made an amendment thereto.
- Am. read, The said amendment was read by the Clerk as follows: EIGHTH CLAUSE—2d, 3rd, 4th, and 5th lines—Leave out the words "extend to the Church of England, or to the Parishes thereof, or shall affect the rights of the Clergymen, Officers, and Parishioners," and insert instead the following words: "affect any of the provisions of Chapter 50 of the Revised Statutes, 'Of the Church of England.'"

And the said amendment, being read a second time, was agreed to by the House. And agreed to.  
*Ordered,* That the said Bill be read a third time presently.  
 The said Bills was read a third time, and the question was put by the President; Bill read 3d time,  
 Whether this Bill, with the amendment, shall pass?  
 It was resolved in the affirmative. Agreed to with am.,  
 A Message was sent to the House of Assembly by the Clerk, And sent to H. A.  
 To return the said Bill, and acquaint them that this House has agreed to the same  
 with an amendment, to which amendment their concurrence is desired.  
 The Chairman also reported that the Committee had had under consideration a Recommend Besse-  
 Bill, entitled, An Act to amend the Act to enable Henry Bessemer to obtain Letters mer's Patent, and  
 Patent; also,  
 A Bill, entitled, An Act to enable Azell Storrs Lyman to obtain Letters Patent,— Lyman's Patent,  
 And had directed him to report that it was the opinion of the Committee that the Bills  
 further consideration of the said Bills should be deferred to this day three months. To be deferred.  
*Ordered,* That the said Report be received, and that the further consideration of Bills deferred.  
 the said Bills be deferred to this day three months.  
 A Message was brought from the House of Assembly by Mr. James, with the fol-  
 lowing Bills:  
 A Bill, entitled, An Act to amend Chapter 85 of the Revised Statutes, "Of the Regulat'g. Provisions  
 regulation and inspection of Provisions, Lumber, Fuel, and other Merchandize." and  
 A Bill, entitled, An Act for the building of certain Bridges and the improvement Bridges and Roads,  
 of certain Roads in the County of Pictou. Pictou, Bills  
 To which Bills they desired the concurrence of this House.  
 The said Bills were read a first time. Read 1st time.  
*Ordered,* That the said Bills be read a second time at a future day.  
 On motion, made and seconded, the House adjourned until Monday, at half-past Adjourn.  
 two o'clock.

**Monday, 7th May, 1860.**

The House met pursuant to adjournment.

PRESENT:

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,

The Honorable JOHN E. FAIRBANKS,  
 JONATHAN McCULLY,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 JOHN HOLMES,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of Friday were read.

A Bill, entitled, An Act to amend Chapter 85 of the Revised Statutes, "Of the Regulation of Provi-  
 regulation and inspection of Provisions, Lumber, Fuel, and other Merchandize;" sions, and  
 also,  
 A Bill, entitled, An Act for the building of certain Bridges and the improvement Bridges and Roads,  
 of certain Roads in the County of Pictou,— Pictou, Pictou,  
Bills,

Read 2d time,  
And ord. to Com.

Were read a second time.

*Ordered,* That the said Bills be committed to a Committee of the whole House at a future day.

Bessemer's Patent  
Bill read 1st time,

Mr. McCully presented a Bill to revive and continue An Act to enable Henry Bessemer to obtain Letters Patent, which was read a first time.

*Ordered,* That the said Bill be read a second time at a future time.

A Message was brought from the House of Assembly by Mr. James, with the following Resolutions and Bills :

Vote of credit,  
(Prince of Wales'  
visit.)

*Resolved,* That His Excellency the Lieutenant-Governor be respectfully requested to expend such sum as may be necessary for the suitable reception and accommodation of His Royal Highness the Prince of Wales and Suite, on his proposed visit to this Province in the summer, and the House will provide for the same at its next Session.

Excise Waiters,

*Resolved,* That such sum be paid on the certificate of the Board of Revenue as may be sufficient to pay at the rate of one dollar and a half per day to such persons as shall be employed by the Receiver General as extra Waiters for the port of Halifax during the present year; one dollar per day to such extra Waiters when unemployed, and at the rate of one dollar per day to temporary waiters.

\$1200 Guager,

*Resolved,* That Twelve hundred dollars be granted to such persons as the Governor shall appoint to discharge the duties heretofore performed by the Guager, Weigher, and Proof Officer for the Port of Halifax.

1600 Seiz'g Officers,

*Resolved,* That a sum, not to exceed One thousand six hundred dollars, be placed at the disposal of the Governor, to be appropriated in paying Seizing Officers in various parts of this Province, for more effectually protecting the Revenue, provided no such officer shall receive more than Sixty dollars.

200 Guysb'h. Packet,

*Resolved,* That Two hundred dollars be granted to such person as shall run a proper Packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under the regulations of the Sessions of the Counties of Guysborough and Richmond, to be paid on the certificate of such Sessions.

100 Westport Packet,

*Resolved,* That One hundred dollars be granted and placed at the disposal of the Governor, to aid in maintaining a Packet between Westport and Montegan in the County of Digby.

80 Weym'th. Packet,

*Resolved,* That Eighty dollars be granted in aid of a Packet between Weymouth Bridge and Sandy Cove in the County of Digby.

1500 St. John's, N. F.  
Steamer,

*Resolved,* That One thousand five hundred dollars be granted to such persons as shall run a suitable Steamboat between Halifax and St. John's Newfoundland, touching at Cape Breton going and returning, to be paid when it shall appear to the satisfaction of the Governor in Council that the service has been properly discharged.

1000 Sydney and  
Baddeck Steamer,

*Resolved,* That One thousand dollars be granted and placed at the disposal of the Governor for running a suitable Steamboat from Sydney through the Bras d'Or Lake to Whycocomagh twice a week, calling at Baddeck while the navigation is open, and carrying the Judge, while on circuit, free of expense.

2400 Pictou and Port  
Hood Steamer,

*Resolved,* That Two thousand four hundred dollars be granted in aid of a suitable Steamboat to run once a week during the open navigation from Pictou to Arichat, touching at Port Hood, Port Mulgrave, and Ship Harbor, going and returning.

1000 Hx., Yarmouth,  
& Boston Steamer,

*Resolved,* That One thousand dollars be granted to such persons as shall run a suitable Steamboat between Halifax, Yarmouth, and Boston.

80 Breakwater, Griff-  
in's Cove,

*Resolved,* That Eighty dollars be granted in aid of the Breakwater at Griffin's Cove, Digby, under the usual restrictions.

80 Do, Cape Cove,

*Resolved,* That Eighty dollars be granted in aid of the Breakwater at Cape Cove, Digby, under the usual restrictions.



*Resolved*, That Two hundred dollars be granted in aid of the Breakwater at Pleasant Cove, Digby, under the usual restrictions. \$200 Do, Pleasant Cove,

*Resolved*, That Two hundred dollars be granted in aid of the Breakwater at Porter's Point, Cornwallis, under the usual restrictions. 200 Do, Porter's Point,

*Resolved*, That Eighty dollars be granted in aid of the Breakwater at Green Cove, Yarmouth, under the usual restrictions. 80 Do, Green Cove,

*Resolved*, That Eighty dollars be granted in aid of a Breakwater at Cranberry Head Cove, Yarmouth, under the usual restrictions. 80 Do, Cranberry Head,

*Resolved*, That Eighty dollars be granted to assist in making a Boat Harbor at Darling's Lake, Yarmouth, under the usual restrictions. 80 Boat Harbor, Darling's Lake,

*Resolved*, That Sixty dollars, granted in aid of the Arisaig Pier in 1859, be granted without reference to the conditions conferred on such grant, pursuant to the Report of the Committee on Navigation Securities. 60 Arisaig Pier.

*Resolved*, That Eighty-four dollars and eight cents be granted to pay expenditure in aid of Margaree River Breakwater in 1859, under the usual restrictions. 84 8 Breakwater, Margaree River.

*Resolved*, That Forty dollars be granted to aid in placing Buoys in the harbor of Sydney, Cape Breton. 40 Buoys, Sydney.

*Resolved*, That Eighty dollars be granted to aid in placing Buoys at Cape Negro, Shelburne. 80 Buoys, Cape Negro,

*Resolved*, That One hundred dollars be granted to aid in placing Buoys at Tusket River, Yarmouth. 100 Buoys, Tusket River,

*Resolved*, That Six thousand five hundred and sixty dollars be granted to defray the expenses of the Provincial Penitentiary for the present year. 6560 Penitentiary,

*Resolved*, That Five hundred and ninety-nine dollars and eight cents be granted to defray the several sums following, pursuant to the Report of the Relief Committee : 599 08 Transient Poor,

Overseers of First Section Township of Pictou : Michael Harrigan . \$18 00  
 Neil Morrison . . . . . 20 00  
 Thomas Murphy . . . . . 41 40  
 Dennis Collins . . . . . 5 00  
 George Holton . . . . . 17 00  
 Nancy White . . . . . 48 00  
 Dr. Kirkwood . . . . . 44 20

\$193 60

Overseers of Annapolis Township : Edward McBride . . . . . 13 50  
 " Clements : Ann Conley . . . . . 41 60  
 " Wilmot : James McDonald . . . . . 12 00  
 " Liverpool Township : Eliza Anderson, Insane Transient Pauper . 109 50  
 Patrick Carey . . . . . 22 95  
 " Newport Township : Dr. Dennison, half his Account for attending Indians . . . . . 43 33  
 " Barrington : Mary Ann Flinn . . . . . 28 00  
 " Yarmouth : Amos White . . . . . 49 75

Board of Health, Yarmouth : John Peterson . . . . . 14 85  
 Overseers of Antigonish : John McDonald . . . . . 30 00  
 N. L. Fulmore, for attending sick pauper . . . . . 40 00

*Resolved*, That Forty-eight dollars and fifty cents be granted to John Slayter, Health Officer of Port of Halifax, pursuant to Report of Relief Committee. 48 50 Dr. Slayter,

*Resolved*, That One hundred dollars be granted to Philip Gallienne and George Easterbrook, for their services in rescuing crew of schooner "Gold Hunter," lost at sea, pursuant to Report of Relief Committee. 100 P. Gallienne, and Geo. Easterbrook,

*Resolved*, That Twenty-four dollars be granted to John Peck and others, for services rendered in rescuing crew of schooner "Forrest," wrecked at Little Bras d'Or, pursuant to Report of Relief Committee. 24 J. Peck,

- \$21 C. E. McAlpine, *Resolved*, That Twenty-one dollars be granted to Charles E. McAlpine, Coroner of Louisburg, for expense of holding inquest on Denniston Kerr, pursuant to Report of Relief Committee.
- \$ 75 Adam Roy, *Resolved*, That Eight dollars and seventy-five cents be granted to Adam Roy, Controller of Customs, Maitland, to reimburse him for passage of shipwrecked seamen, pursuant to the Report of the Relief Committee.
- 8000 Poor Asylum, *Resolved*, That Eight thousand dollars be granted to the Commissioners of the Poor in Halifax, for the support of transient paupers for the present year.
- 2000 Deaf and Dumb, *Resolved*, That Two thousand dollars be granted to aid in supporting the Institution for the Deaf and Dumb for the present year.
- 200 A Downs, *Resolved*, That Two hundred dollars be granted to Andrew Downs to aid in establishing a Museum and Aquarium, pursuant to the Report of the Committee.
- 100 Record Comm'n., *Resolved*, That One hundred dollars be granted to defray certain expenses of the Record Commission for the present year, pursuant to the Report of the Committee on that subject.
- 37 40 J. Davison, *Resolved*, That Thirty-seven dollars and forty cents be granted to John Davison, being return of half Light Dues paid by him, pursuant to the Report of the Committee on Trade.
- 252 Province notes lost by fire, *Resolved*, That the following sums be paid to the persons hereinafter named for Province Notes destroyed by fire, pursuant to the Report of the Committee on Trade:

E. Billing & Co.....	\$172 00
Colin Robinson .....	72 00
John Creelman .....	8 00
	\$252 00

- 113 75 Bauld & Gibson, *Resolved*, That One hundred and thirteen dollars seventy-five cents be granted to Messrs. Bauld & Gibson, being a return of duties paid on Tobacco exported, pursuant to the Report of the Committee on Trade.
- 80 Goodwin and Smith, *Resolved*, That Eighty dollars be granted to William Goodwin and George W. Smith, residents upon Mud Island, County of Yarmouth, to enable them to render assistance to shipwrecked Mariners, to be paid on the certificate of the Sessions of that County that the duty has been properly performed.
- 60 J. Nelson, *Resolved*, That Sixty dollars be granted to John Nelson, to enable him to maintain a Half-way House between Musquodoboit and St. Mary's in the County of Guysborough.
- 60 G. Merry, *Resolved*, That Sixty dollars be granted to George Merry, to enable him to keep a Half-way House between Liverpool and Nictaux.
- 60 V. Munro, *Resolved*, That Sixty dollars be granted to Valentine Munro, to enable him to maintain a Half-way House between Liverpool and Annapolis.
- Conditions of grants to piers, &c., *Resolved*, That the usual conditions annexed to grants for Piers and Breakwaters, the regulations respecting Steamboats, Packets, and Ferries receiving Provincial aid; and the authority to the Governor to advance monies to provide for casualties to Roads and Bridges, be continued for the present year.
- \$9144 80 Advances by Government, *Resolved*, That Nine thousand one hundred and forty-four dollars and eighty cents be granted and placed at the disposal of the Governor, to pay the following advances made from the Provincial Treasury, during the year 1859:

J. W. Compton, on account of contract for Printing.....	\$1780 00	£445 0 0
Thomas B. Akin, on account of Record Commission.....	1457 53	364 7 2
Hon. Financial Secretary, for relief of distressed families, County Guysborough .....	466 15	116 10 9

James R. Smith, for services as assistant Counsel in application for Mandamus by Mr. Justice Haliburton, to compel Receiver General to pay pension.....	\$60 00	£15 0 0
James W. Johnston & Son, for attendance investigating cause of explosion of City Powder Magazine.....	40 00	10 0 0
Rev. James Kennedy, on account of supplies furnished distressed Indians, Queens County.....	24 00	6 0 0
Eliza Cann, Board and Lodging Sailors of Barque "Peace," burned near Sydney, C. B.....	29 50	7 7 6
Commissioner of Indian Affairs, on account of expenditure of 1858.....	293 15	73 5 9
John Esson & Co., for relief of distressed families, County of Halifax.....	675 50	168 12 6
W. J. Veith, expenses conveying a wrecked seaman hence to Sydney, C. B.....	20 00	5 0 0
S. Cunard & Co., for conveying Michael Desmond, shipwrecked seaman, hence to St. John's, N. F.....	16 00	4 0 0
James Keating, wrecked seaman of late Barque "Ester Frances," to enable him to proceed to England.....	10 00	2 10 0
H. C. D. Twining, on account of revising the Statutes.....	120 00	30 0 0
M. J. Wilkins, Do.....	200 00	50 0 0
W. A. Henry, Do.....	200 00	50 0 0
James R. Smith, Do.....	200 00	50 0 0
Alpin Grant, on account of Public Printing.....	1000 00	250 0 0
A. C. G. Charels H. Shiel, Ammunition furnished the Volunteer Artillery, from 18th Sept., 1857, to 28th Sept., 1858.....	120 55	30 2 9
James R. Smith, collecting, arranging, and superintending the publication of the Election Laws.....	80 00	20 0 0
Captain Richard McCulloch, conveying distressed seaman from Boston to Halifax, July, 1858.....	3 00	0 15 0
William H. Pye, Do.....	3 50	0 17 6
H. B. Paulin, subsistence of eight distressed British seamen.....	21 50	5 7 6
" " Robert Reid, do., 37 days.....	9 25	2 6 3
" " James Crawford, do., Nova Scotia seaman.....	6 00	1 10 0
" " four Nova Scotia seamen and master of Sch. "Princess".....	12 00	3 0 0
" " and clothing eight distressed British seamen of Ship "Christiana," of Dublin.....	104 40	26 2 0
" " two British seamen, wrecked in Ship "Christiana" of Dublin.....	3 50	0 17 6
" to provide clothing for Andrew Harvie, a distressed British seamen.....	13 05	3 5 3
" to pay for boarding three wrecked Nova Scotia seamen of Sch. "Earl of Mulgrave".....	8 40	2 2 0
" subsistence of a Nova Scotia seaman in Brig. "Billow," from New York to Halifax.....	1 75	0 8 9
" to pay William Zwicker, for conveying three distressed Nova Scotia seamen from Barbadoes to Lunenburg in the Sch. "Will of the Wisp".....	24 75	6 3 9

James Newport, boarding thirteen passengers of wrecked Steamer "Indian" .....	\$9 50	£2 7 6
A. & W. McKinlay, books furnished Inspector of Mines.....	36 70	9 3 6
Henry Yeomans, premium of Insurance on Militia Arms, hence to Yarmouth per "Eastern State".....	76 00	19 0 0
Nathaniel Groves and Joseph Lynars, for marking 150 stand of Militia Arms and Accoutrements.....	203 12	50 15 7
James W. Johnston & Son, for services as Counsel in application for Mandamns by Mr. Justice Haliburton, to compel Receiver General to pay pension .....	100 00	25 0 0
Thomas B. Akin, expenses on books from Canada and United States for Provincial Library .....	23 65	5 18 3
Do., to pay for books purchased for Provincial Library.....	68 00	17 0 0
Jacob S. Ingraham, expenses procuring information for Assembly, 31st March. 1859.....	8 80	2 4 0
King & Brothers, for conveying by Steamer and Railway from St. John to Halifax 194 packages Militia Arms....	658 00	164 10 0
Frederick W. Fishwick, conveying Militia Arms from Richmond Depot to Ordnance Stores .....	101 98	25 9 11
Alpin Grant, publishing extra copies Debates of Assembly, Session 1859.....	80 00	20 0 0
Donald McLean, for writing in the preparation of the Index of the Revised Statutes .....	50 00	12 10 0
A. C. G. Palmer, for 300 great-coats issued to the Commissioner of Indian Affairs.. ..	187 50	46 17 6
Archibald Scott, investigating books connected with Savings Bank, making statement of accounts, and Report of same .. ..	539 17	134 15 10
		<hr/>
	\$9144 80	£2286 4 0

- Surveyors Highways, 1. A Bill, entitled, An Act to amend Chapter 63 of the Revised Statutes, "Of Surveyors of Highways and Highway Labor," except in Halifax.
- Duty on Vessels for City Hospital, 2. A Bill, entitled, An Act to impose a duty on vessels resorting to the Port of Halifax, in aid of the income of the City Hospital.
- Assessments, Hx., 3. A Bill, entitled, An Act respecting Assessments in the City of Halifax.
- Digby Slate Co., 4. A Bill, entitled, An Act to incorporate the Digby Slate Quarry Company.
- Settlement of Poor. 5. A Bill, entitled, An Act to amend Chapter 89 of the Revised Statutes, "Of the settlement and support of the Poor."
- Townships, 6. A Bill, entitled, An Act further to amend Chapter 48 of the Revised Statutes, "Of Townships and Township Officers."
- Sessions, Inverness, 7. A Bill, entitled, An Act relating to the Sessions for the County of Inverness.
- Salt Springs Savings Bank. 8. A Bill, entitled, An Act to incorporate the Salt Springs Savings' Bank.
- Assessment Rolls, Victoria, 9. A Bill, entitled, An Act relating to the Assessment Rolls for the County of Victoria.
- Importation of Goods and 10. A Bill, entitled, An Act to amend Chapter 16 of the Revised Statutes, "Of the Importation of Goods."
- Chebucto Marine Railway Co. Bills. 11. A Bill, entitled, An Act to incorporate the Chebucto Marine Railway Company,—
- To which Resolutions and Bills they desired the concurrence of this House.
- Read 1st time. The same were read a first time.
- Surveyors Highways Bill ref. Committee. *Ordered*, That the said Resolutions be read a second time at a future day.
- Ordered*, That the first Bill be referred to a Select Committee to examine and report upon.

*Ordered*, That Mr. Pineo, Mr. Whitman, and Mr. Holmes, be a Committee for that purpose. Committee.

*Ordered*, That the second, fourth, fifth, seventh, ninth, and eleventh Bills be read a second time at a future day.

*Ordered*, That the third Bill be referred to a Select Committee to examine and report upon. Assessment, Hr. Bill ref.

*Ordered*, That Mr. Almon, Mr. Anderson, Mr. Keith, Mr. Bell, and Mr. Black, be a Committee for that purpose. Committee.

*Ordered*, That the sixth Bill be referred to a Select Committee to examine and report upon. Townships Bill ref.

*Ordered*, That Mr. Brown, Mr. Whitman, and Mr. Comeau, be a Committee for that purpose. Committee.

*Ordered*, That the eighth Bill be referred to a Select Committee to examine and report upon. Salt Springs Savings Bank Bill ref.

*Ordered*, That Mr. Almon, Mr. Holmes, and Mr. Brown, be a Committee for that purpose. Committee.

*Ordered*, That the tenth Bill be referred to a Select Committee to examine and report upon. Importation of Goods Bill ref.

*Ordered*, That Mr. Brown, Mr. Pineo, and Mr. Whitman, be a Committee for that purpose. Committee.

*Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act to revive and continue An Act to enable Henry Bessemer to obtain Letters Patent. S. O. S. on Bessemer Patent Bill.

The said Bill was read a second time.

Bill read 2d time.

*Ordered*, That the said Bill be committed to a Committee of the whole House at a future day. And ord. to Com.

Mr. Bell presented a Bill to allow Samuel J. W. Barry to obtain Letters Patent— which was read a first time. Barry's Letters Patent Bill read 1st time.

*Ordered*, That the said Bill be read a second time at a future day.

On motion, made and seconded, the House adjourned until to-morrow, at half-past two o'clock. Adjourn.

**Tuesday, 8th May, 1860.**

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
WILLIAM A. BLACK,  
HENRY G. PINEO,  
JOHN E. FAIRBANKS,  
JAMES MCNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM MCKEEN,  
RICHARD A. MCHEFFERY,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
JOHN HOLMES,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

On motion, *resolved*, that a Committee be appointed to take into consideration the Contingent Expenses of this House for the present Session. Contingent Expenses.

Committee.

*Ordered,* That Mr. Fairbanks, Mr. McHeffey, and Mr. Anderson, be a Committee for that purpose.

Money votes

The following Resolutions for granting monies, viz :

Vote of credit for expenses for the reception of His Royal Highness the Prince of Wales,

Excise Waiters,

\$1200	Guager, &c.,
1600	Seizing Officers,
200	Guysborough Packet,
100	Westport Packet,
80	Weymouth Packet,
1500	Steamer to St. John's, N. F.,
1000	Do, Sydney and Baddeck,
2400	Do., Pictou and Port Hood,
1000	Do., Halifax to Yarmouth and Boston,
80	Breakwater, Griffin's Cove,
80	Do., Cape Cove,
200	Do., Pleasant Cove,
200	Do., Porter's Point,
80	Do., Green Cove,
80	Do., Cranberry Head,
80	Boat Harbor, Darling's Lake.
60	Arisaig Pier,
80	Breakwater, Margaree,
40	Buoys, Sydney,
80	Do., Cape Negro,
100	Do., Tusket River,
6560	Penitentiary,
599	08 Transient Poor,
48	50 Dr. Slayter,
100	P. Gallienne and G. Easterbrook,
24	J. Peck and others,
21	C. E. McAlpine,
8	75 Adam Roy,
8000	Poor Asylum, Halifax,
2000	Deaf and Dumb Institution,
200	A. Downs,
100	Record Commission,
37	40 J. Davison,
252	Province Notes lost by fire,
113	75 Bauld & Gibson,
80	Goodwin and Smith,
60	J. Nelson,
60	G. Merry,
60	V. Munro,

Conditions of grants to Piers, &c.,

\$9144 80 Advances by Government,—

Read 2d time.

Were read a second time, and the question was put by the President on each Resolution,

Whether this Resolution be agreed to ?

Agreed to.

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk,

And sent to H. A.

To return the said Resolutions, and acquaint them that this House has agreed to the same without any amendment.

A Bill, entitled, An Act to impose a duty on Vessels resorting to the Port of Halifax, in aid of the income of the City Hospital; also, Duty on Vessels for City Hospital,  
 A Bill, entitled, An Act to incorporate the Digby Slate Quarry Company; also, Digby Slate Quarry Company,  
 A Bill, entitled, An Act to amend Chapter 89 of the Revised Statutes, "Of the Settlement and Support of the Poor;" also, Settlement of Poor,  
 A Bill, entitled, An Act relating to the Sessions for the County of Inverness; also, Sessions, Inverness,  
 A Bill, entitled, An Act relating to the Assessment Roll for the County of Victoria; also, Assessm't. Roll, Victoria, and  
 also,  
 A Bill, entitled, An Act to incorporate the Chebucto Marine Railway Company,— Chebucto Marine Railway Co., Bills,  
 Were read a second time. Read 2d time,  
*Ordered*, That the said Bills be committed to a Committee of the whole House at a future time. And ord. to Com.

Mr. Almon, the Chairman of the Committee to whom a Bill, entitled, An Act respecting Assessments in the City of Halifax; also, Com. on Hr. Assess't. and  
 A Bill, entitled, An Act to incorporate the Salt Springs Savings Bank,— Salt Springs Savings Bank Bills report.  
 Were referred, reported that the Committee had examined the said Bills, and recommended them to the favorable consideration of the House.  
 The said Bills were read a second time. Bills read 2d time,  
*Ordered*, That the said Bills be committed to a Committee of the whole House at a future time. And ord. to Com.

Mr. Pineo, the Chairman of the Committee to whom a Bill, entitled, An Act to amend Chapter 63 of the Revised Statutes, "Of Surveyors of Highways and Highway Labor, except in Halifax," was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House. Com. on Surveyors Highway Bill rep.  
 The said Bill was read a second time. Bill read 2d time,  
*Ordered*, That the said Bill be committed to a Committee of the whole House at a future day. And ord. to Com.

Mr. Brown, the Chairman of the Committee to whom a Bill, entitled, An Act further to amend Chapter 48 of the Revised Statutes, "Of Townships and Township Officers;" also, Com. on Townships and  
 A Bill, entitled, An Act to amend Chapter 16 of the Revised Statutes, "Of the Importation of Goods,"— Importation of Goods Bills  
 Were referred, reported that the Committee had examined the said Bills, and recommended them to the favorable consideration of the House. Report.  
 The said Bills were read a second time. Bills read 2d time,  
*Ordered*, That the said Bills be committed to a Committee of the whole House at a future time. And ord. to Com.

Mr. Bell moved that a Bill, entitled, An Act to allow Samuel J. W. Barry to obtain Letters Patent be read a second time. Motion for 2d reading of Barry's Letters Patent Bill.  
 Whereupon, Mr. Almon moved, in amendment, that the said Bill be read a second time this day three months, which, being seconded, and the question being put by the President, there appeared, for the amendment, Thirteen; against the amendment, Three. Motion in am. to read 2d time 3 mos.

For the Amendment—

Mr. McNab,	Mr. Comeau,
Anderson,	Almon,
McCully,	Holmes,
McKeen,	Fairbanks,
McHefsey,	Keith,
Pineo,	Cutler.
Brown,	

Against the Amendment—

Mr. Bell,  
 Whitman,  
 The President.

So it passed in the affirmative.

Carried.

*Ordered*, That the said Bill be read a second time this day three months.

S. O. S.

*Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills before a Committee of the whole House.

Com. on Bills.

On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Cutler reported that the Committee had made some progress.

Report  
Bessemer's Patent  
Bill without am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to revive and continue An Act to enable Henry Bessemer to obtain Letters Patent, and had agreed to the same without any amendment.

*Ordered*, That the said Bill be engrossed, and read a third time at a future day.

Report  
Bridges and Roads,  
Pictou,

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act for the building of certain Bridges and the improvement of certain Roads in the County of Pictou; also,

Regulation of Provi-  
sions,

A Bill, entitled, An Act to amend Chapter 85 of the Revised Statutes, "Of the regulation and inspection of Provisions, Lumber, Fuel, and other Merchandize;" also,

Digby Slate Co.,  
Settlement of Poor,

A Bill, entitled, An Act to incorporate the Digby Slate Quarry Company; also,

A Bill, entitled, An Act to amend Chapter 89 of the Revised Statutes, "Of the Settlement and Support of the Poor;" also,

Sessions, Inverness,

A Bill, entitled, An Act relating to the Sessions for the County of Inverness; also,

Assessment Roll,  
Victoria,

A Bill, entitled, An Act relating to the Assessment Roll for the County of Victoria; also,

Chebucto M. R. Co.,  
and

A Bill, entitled, An Act to incorporate the Chebucto Marine Railway Company; also,

Salt Springs Savings  
Bank Bills  
Without am.

A Bill, entitled, An Act to incorporate the Salt Springs Savings Bank,—

And had agreed to the same without any amendment.

*Ordered*, That the said Bills be read a third time presently.

Bills read 3rd time.

The said Bills were read a third time, and the question was put by the President on each Bill,

Whether this Bill shall pass?

Agreed to,

It was resolved in the affirmative.

And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,

To return the said Bills, and acquaint them that this House has agreed to the same without any amendment.

Res. rel. to Printing,

A Message was brought from the House of Assembly by Mr. James, with the following Resolution:

*Resolved*, That the attention of the Government be called to the excessive amount to which the cost of the Public Printing has been swelled within a series of years, that they may take such measures as may appear practicable to reduce it within moderate compass.

To which Resolution they desired the concurrence of this House.

Read 1st time.

The same was read a first time.

*Ordered*, That the said Resolution be read a second time at a future day.

H. A. agree to Reli-  
gious Congregat'ns.  
Bill.

The Messenger also brought up a Bill, entitled, An Act in addition to Chapter 51 of the Revised Statutes, "Of Religious Congregations and Societies," and informed the House that the House of Assembly agreed to the amendment proposed by this House to the said Bill.

The said Bill was then read as amended, and the question was put by the President,

Whether this Bill, as amended, shall pass?



It was resolved in the affirmative.  
 A Message was sent to the House of Assembly by the Clerk,  
 To return the said Bill, and acquaint them that this House has agreed to the same  
 as amended.

Bill finally agreed to,  
 And sent to H. A.

On motion made and seconded, the House adjourned until To-morrow, at half-past  
 two o'clock. Adjourn.

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**Wednesday, 9th May, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
 HUGH BELL,  
 STAYLEY BROWN,  
 MATHER B. ALMON,  
 ALEXANDER KEITH,  
 WILLIAM A. BLACK,  
 HENRY G. PINEO,  
 JOHN E. FAIRBANKS,

The Honorable JAMES McNAB,  
 JONATHAN McCULLY,  
 WILLIAM McKEEN,  
 RICHARD A. McHEFFEY,  
 ANSELM F. COMEAU,  
 ALFRED WHITMAN,  
 JOHN HOLMES,  
 JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to revive and continue An Act to enable Henry Bessemer  
 to obtain Letters Patent, was read a third time, and the question was put by the  
 President, Bessemer's Patent  
 Bill read 3rd time.

Whether this Bill shall pass?

It was resolved in the affirmative.

Passed,  
 And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,  
 To carry down the said Bill, and desire their concurrence thereto.

The Resolution relative to Printing was read a second time, and the question was  
 put by the President, Printing Resolution  
 read 2d time,

Whether this Resolution be agreed to?

It was resolved in the affirmative.

Agreed to,  
 And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,  
 To return the said Resolution, and acquaint them that this House has agreed to  
 the same without any amendment.

On motion, the House was adjourned during pleasure, and put into a Committee  
 on Bills. After some time the House was resumed, and Mr. Cutler reported that the  
 Committee had made some progress. Com. on Bills.

The Chairman also reported that the Committee had gone through a Bill, entitled,  
 An Act to amend Chapter 63 of the Revised Statutes, "Of Surveyors of Highways  
 and Highway Labor, except in Halifax," and had made an amendment thereto. Report  
 Surveyors of High-  
 ways Bill with am.

The said amendment was read by the Clerk as follows :

Am. read,

FIFTH CLAUSE—Leave out this Clause.

And the said amendment being read a second time, and the question being put by  
 the President, there appeared for agreeing to the amendment, Six—against agreeing  
 to it, Ten,—so it passed in the negative. Not agreed to.

Motion to re-commit  
Bill agreed to.

Whereupon, it was moved that the said Bill be again committed to a Committee of the whole House for the purpose of amending the sixth clause thereof—which was agreed to.

*Ordered*, That the said Bill be again committed to a Committee of the whole House at a future day.

Recom. Township and  
Township Officers  
Bill to be deferred.

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act further to amend Chapter 48 of the Revised Statutes, "Of Townships and Township Officers," and had directed him to report that it was the opinion of the Committee that the further consideration of the said Bill should be deferred to this day three months.

Bill deferred.

*Ordered*, That the said Report be received, and the further consideration of the said Bill be deferred to this day three months.

A Message was brought from the House of Assembly, by Mr. James, with the following Bills:

Bartlett River Road.  
Jurisdiction of Justices  
of the Peace in  
civil cases,  
Elections,

A Bill, entitled, An Act relating to Bartlett's River Road in the County of Digby.

A Bill, entitled, An Act to amend Chapter 131 of the Revised Statutes, "Of the Jurisdiction of Justices of the Peace in Civil Cases."

A Bill, entitled, An Act to provide for the issue of Writs for Elections in certain cases.

Education.  
Census.

A Bill, entitled, An Act to revive and continue the Laws relating to Education.

A Bill, entitled, An Act to amend Chapter 33 of the Revised Statutes, "Of the Census and Statistical Information."

County Assessments,  
and

A Bill, entitled, An Act to amend Chapter 46 of the Revised Statutes, "Of County Assessments."

Blasting Rocks, Bills

A Bill, entitled, An Act respecting blasting Rocks with Gunpowder.

To which Bills they desired the concurrence of this House.

Read 1st time.

The same were read a first time.

*Ordered*, That the said Bills be read a second time at a future day.

Com. on Contingent  
Expenses Report.

Mr. Fairbanks, the Chairman of the Committee appointed to consider of, and report to the House, the amount required for the Contingent Expenses of this House for the present Session, made his Report, which he read in his place, and afterwards delivered it to the Clerk, who read the same as follows:

Report

The Committee appointed to consider of, and report to the House, the amount which will be required for its Contingent Expenses for the present Session, report as follows:

Salary of the Clerk.....	£200	0	0
"    Law Clerk and Clerk of Parliament.....	150	0	0
"    Gentleman Usher of the Black Rod and Sergeant-at-Arms... ..	75	0	0
"    Chaplain .....	25	0	0
"    Messengers—1st Messenger, £45; 2d ditto, £20 .. .. .	65	0	0
Fuel to be accounted for by the Clerk.....	22	0	0
This sum for Contingencies, to be expended under direction of the			
President .....	20	0	0
For the Library .....	50	0	0
To pay the Reporter.....	125	0	0
For Publishing Debates:			
" Sun " .....	34	0	0
" Acadian Recorder," including Debates in Pamphlet form .....	45	0	0
James Venables, for services during the year, in Council Chamber, and as Assistant Librarian .....	25	0	0

Accounts:

J. J. Sawyer .....	£5	5	0
Hall & Beamish .....	8	17	6
James Bowes & Sons .....	6	15	0
Black & Bros .....	0	8	6
James Venables .....	5	0	0
R. Huntington .....	1	5	0
W. M. Harrington .....	1	1	0
Morton & Co .....	2	18	9
J. & W. Compton .....	30	6	0
J. A. Graham .....	10	17	4½
Dechezeau & Co., .....	2	1	0
Morton & Cogswell .....	9	13	0
A. & W. McKinlay .....	25	9	4½
Thomas Fenerty .....	2	5	0
E. G. Fuller .....	9	10	10
Stationery allowances, not included in McKinlay's Account .....	30	0	0
—— Warren's account .....	1	0	0
	£988	13	4
	Or \$3954	67	

JOHN E. FAIRBANKS, Chairman.

Committee Room; 9th May, 1860.

*Ordered*, That the said Report be received and adopted.

Adopted.

On motion, *resolved*, that a Conference be desired with the House of Assembly by Committee on the General State of the Province, and that the Committee of this House do communicate to the Committee of the House of Assembly that Three thousand nine hundred and fifty-four dollars and sixty-seven cents are required to defray the Contingent Expenses of this House for the present Session.

Con. on Gen State of Province. (Contingent expenses.)

A Message was brought from the House of Assembly, by Mr. James, with the following Bill:

A Bill, entitled, An Act to amend the Act to facilitate the division and management of Property by certain Presbyterian Churches and Congregations in Cornwallis.

Presbyterian Churches, Cornwallis Bill

To which Bill they desired the concurrence of this House.

The same was read a first time.

Read 1st time.

*Ordered*, That the said Bill be read a second time at a future day.

A Message was sent to the House of Assembly by the Clerk, To inform them that this House desires a Conference with them by Committee on the General State of the Province.

Con. on Gen. State of Prov. (Contingent Expenses.)

A Message was brought from the House of Assembly by Mr. James, To inform the House that the House of Assembly agreed to the Conference desired by this House.

Agreed to.

*Ordered*, That Mr. Fairbanks, Mr. McHefey, and Mr. Anderson, be a Committee of this House to manage the said Conference.

Committee.

And the Managers went to the Conference, and, being returned, the Chairman reported that the Committee had held the said Conference, and that he had delivered his instructions to the Chairman of the Committee of the House of Assembly.

Report.

Com. on Bills.

On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Cutler reported that the Committee had made some progress.

Reconl. Duty on Vessels for City Hospital Bill to be def. 3 mos.

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to impose a Duty on Vessels resorting to the Port of Halifax, in aid of the income of the City Hospital, and had directed him to report that it was the opinion of the Committee that the further consideration of the said Bill should be deferred to this day three months.

Whereupon, it being moved that the said Report be received, and the question being put by the President, there appeared, for the motion, Ten ; against it, Seven :

For the Motion—

Mr. McNab,  
Anderson,  
McCully,  
McKeen,  
McHeffey,  
Pineo,  
Brown,  
Comeau,  
Whitman,  
Fairbanks.

Against the Motion—

Mr. Almon,  
Bell,  
Holmes,  
Black,  
Keith,  
Cutler,  
The President.

Agreed to.

So it passed in the affirmative.

Bill deferred.

*Ordered*, That the further consideration of the said Bill be deferred to this day three months.

Descent of Estate Bill read 1st time.

Mr. McCully presented a Bill to amend Chapter 115 of the Revised Statutes, "Of the Descent of Real and Personal Estate," which was read a first time.

*Ordered*, That the said Bill be read a second time at a future day.

Adjourn.

On motion, made and seconded, the House adjourned until To-morrow, at half-past two o'clock.

Thursday, 10th May, 1860.

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
STAYLEY BROWN,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
JOHN E. FAIRBANKS,  
JAMES MCNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM McKEEN,  
RICHARD A. McHEFFEY,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
JOHN HOLMES,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to amend Chapter 115 of the Revised Statutes, "Of the Descent of Real and Personal Estate," was read a second time. Descent of Estates  
Bill read 2d time.

*Ordered*, That the said Bill be committed to a Committee of the whole House at a future time. And ord. to Com.

A Bill, entitled, An Act relating to Bartlett's River Road in the County of Digby ; also, Bartlett's Riv. Road.

A Bill, entitled, An Act to amend Chapter 131 of the Revised Statutes, "Of the Jurisdiction of Justices of the Peace in Civil Cases ;" also, Jurisdiction J's. P.,

A Bill, entitled, An Act to provide for the issue of Writs for Elections in certain cases ; also, Elections,

A Bill, entitled, An Act to revive and continue the Laws relating to Education ; also, Education.

A Bill, entitled, An Act to amend Chapter 33 of the Revised Statutes, "Of the Census and Statistical Information ; also, Census.

A Bill, entitled, An Act respecting blasting Rocks with Gunpowder ; also,

A Bill, entitled, An Act to amend the Act to facilitate the division and management of property by certain Presbyterian Churches and Congregations in Cornwallis— Blasting Rocks, and  
Presbyterian Churches,  
Cornwallis Bills

Were read a second time.

Read 2d time,

*Ordered*, That the said Bills be committed to a Committee of the whole House at a future time. And ord. to Com,

*Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills before a Committee of the whole House. S. O. S.

On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Bell reported that the Committee had made some progress. Com. on Bills.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend Chapter 115 of the Revised Statutes, "Of the Descent of Real and Personal Estate," and had agreed to the same without any amendment. Report  
Descent of Estates  
Bill  
Without am.

*Ordered*, That the said Bill be engrossed, and read a third time presently.

The said Bill was read a third time, and the question was put by the President, Whether this Bill shall pass ? Bill read 3rd time.

- Passed. It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly by the Clerk,  
To carry down the said Bill, and desire their concurrence thereto.
- Report  
Importat'n. of Goods, The Chairman also reported that the Committee had gone through a Bill, entitled,  
An Act to amend Chapter 16 of the Revised Statutes, "Of the Importation of  
Goods;" also,
- Bartlett's Riv. Road, A Bill, entitled, An Act relating to Bartlett's River Road in the County of Digby;  
also,
- Jurisdiction J's. P., A Bill, entitled, An Act to amend Chapter 131 of the Revised Statutes, "Of the  
Jurisdiction of Justices of the Peace in Civil Cases;" also,
- Elections, A Bill, entitled, An Act to provide for the issue of Writs for Elections in certain  
cases; also,
- Education, A Bill, entitled, An Act to revive and continue the Laws relating to Education;  
also,
- Census, A Bill, entitled, An Act to amend Chapter 33 of the Revised Statutes, "Of the  
Census and Statistical Information;" also,
- County Assessments, A Bill, entitled, An Act to amend Chapter 46 of the Revised Statutes, "Of County  
Assessments;" also,
- Blasting Rocks, A Bill, entitled, An Act respecting blasting Rocks with Gunpowder; also,
- Pres'n. Ch's., Corn-  
wallis, and A Bill, entitled, An Act to amend the Act to facilitate the division and manage-  
ment of Property by certain Presbyterian Churches and Congregations in Corn-  
wallis; also,
- Assessm't., Hx., Bills,  
Without am. A Bill, entitled, An Act respecting Assessments in the City of Halifax,—  
And had agreed to the same without any amendment.  
*Ordered*, That the said Bills be read a third time presently.
- Bills read 3d time. The said Bills were read a third time, and the question was put by the President  
on each Bill,  
Whether this Bill shall pass?
- Agreed to. It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly by the Clerk;  
To return the said Bills, and acquaint them that this House has agreed to the  
same without any amendment.
- Rep. Surveyors of  
Highw's. Bill with  
am. The Chairman also reported that the Committee had gone through a Bill, entitled,  
An Act to amend Chapter 63 of the Revised Statutes, "Of Surveyors of Highways  
and Highway Labor, except in Halifax," and had made two amendments thereto.
- Am. read, The said amendments were read by the Clerk as follows:  
SIXTH CLAUSE—Leave out this Clause.  
At the end of the Bill add the following Clause:  
"Relief shall only be afforded under the eighteenth section of the Act hereby  
amended, in case three Justices shall concur in granting the Certificate required by  
that section."
- And agreed to. And the said amendments, being read a second time, were agreed to by the  
House.  
*Ordered*, That the said Bill be read a third time presently.
- Bill read 3d time. The said Bill was read a third time, and the question was put by the President,  
Whether this Bill, with the amendments, shall pass?
- Agreed to with am, It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly by the Clerk,  
To return the said Bill, and acquaint them that this House has agreed to the same  
with amendments, to which amendments their concurrence is desired.

A Message was brought from the House of Assembly, by Mr. James, To return a Bill, entitled, An Act to revive and continue An Act to enable Henry Bessemer to obtain Letters Patent, and to inform the House that the House of Assembly had agreed to the said Bill without any amendment.

H. A. agree to Bessemer's Patent Bill without am.

The Messenger also brought up the following Bills and Resolution :

A Bill, entitled, An Act to amend the Act to provide for the erection of a Court House in Halifax. Court House, Hx.,

A Bill, entitled, An Act to amend Chapter 22 of the Revised Statutes, "Of Licenses for the Sale of Intoxicating Liquors." Licenses, and

A Bill, entitled, An Act to amend Chapter 152 of the Revised Statutes, "Of the Custody and Estates of Lunatics." Lunatics' Bills,

Whereas in the year 1853 an Act was passed regulating the appointment of Prothonotaries in the several Counties of this Province, and it was therein enacted that the Prothonotaries of the several Counties should annually pay into the office of the Receiver General one third part of the fees of office received by them, for the purpose of securing the salary of James W. Nutting, Esquire, the Prothonotary at Halifax, as secured to be paid to him in and by the said Act ; Resolution rel. to Prothonotaries.

And whereas it appears by the Report of a Committee appointed by this House, that the fees received by the said James W. Nutting, in his office at Halifax, are sufficient to cover the amount secured to be paid to him in and by the said Act, and the said James W. Nutting has not drawn any sum of money from the Provincial Treasury sincethe year 1855 towards the payment of the salary secured to him, as aforesaid, and that it is not at all likely that he will hereafter be obliged to do so ;

And whereas it would be unjust and contrary to the intention of the Legislature when the said Act was passed, to compel the payment of any portion of the fees of the Country Prothonotaries into the Provincial Treasury, when the same is not required for the purpose originally contemplated.

Thereupon, *resolved*, that hereafter no Prothonotary shall be obliged to pay into the Provincial Treasury the one third part of the fees received by him, as required by the said Act, until such time as the fees of the Prothonotary's office at Halifax shall fall short of the sum secured to him by such Act ; and that when the Province shall become liable to pay to the said James W. Nutting any portion of his said salary, the Government may notify the several Prothonotaries to pay into the office of the Receiver General one third of the fees received by them after the receipt of such notice.

To which Bills and Resolution they desired the concurrence of this House.

The same were read a first time.

Read 1st time.

*Ordered*, That the two first Bills and the Resolution be read a second time at a future time.

*Ordered*, that the third Bill be referred to a Select Committee to examine and report upon. Lunatics' Bill ref. to Sel. Com.

*Ordered*, That Mr. Bell, Mr. Almon, and Mr. Anderson, be a committee for that purpose. Committee.

*Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act to amend the Act to provide for the erection of a Court House in Halifax ; also, S. O. S. on Court House, Hx. and

A Bill, entitled, An Act to amend Chapter 22 of the Revised Statutes, "Of Licenses for the Sale of Intoxicating Liquors." Licenses Bills,

Bills read 2nd time.  
And ord. to Com.

The said Bills were read a second time.  
*Ordered*, That the said Bills be committed to a Committee of the whole House at a future day.

Adjourn.

On motion, made and seconded, the House adjourned until to-morrow, at eleven o'clock.

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**Friday, 11th May, 1860.**

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The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
JOHN E. FAIRBANKS,  
JAMES McNAB,

The Honorable JONATHAN McCULLY,  
WILLIAM MCKEEN,  
RICHARD A. McHEFFEY,  
ANSELM F. COMEAU,  
ALFRED WHITMAN,  
JOHN HOLMES,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

Prothonotary Res.  
Read 2d time,

The Resolution relative to the Prothonotaries' fees was read a second time, and the question was put by the President,

Whether this Resolution be agreed to ?

Agreed to,  
And sent to H. A.

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk,

To return the said Resolution, and acquaint them that this House has agreed to the same without any amendment.

Com. on Lunatics'  
Bill report.

Mr. Bell, the Chairman of the Committee to whom a Bill, entitled, An Act to amend Chapter 152 of the Revised Statutes, "Of the Custody and Estates of Lunatics," was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.

Bill read 2d time.  
And ord. to Com,

The said Bill was read a second time.

*Ordered*, That the said Bill be committed to a Committee of the whole House at a future time.

S. O. S.

*Resolved, unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day be suspended as respects the Bills before a Committee of the whole House.

Com. on Bills.

On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Cutler reported that the Committee had made some progress.

Report  
Licenses, and

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend Chapter 22 of the Revised Statutes, "Of Licenses for the Sale of Spirituous Liquors;" also,

Lunatics' Bills

A Bill, entitled, An Act to amend Chapter 152 of the Revised Statutes, "Of the Custody and Estates of Lunatics."

Without am.

And had agreed to the same without any amendment.

*Ordered*, That the said Bills be read a third time presently.



The said Bills were read a third time, and the question was put by the President on each Bill, Bills read 3d time.

Whether this Bill shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk,

To return the said Bills, and acquaint them that this House has agreed to the same without any amendment.

Agreed to,  
And sent to H. A.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend the Act to provide a Court House in Halifax, and had made several amendments thereto. Report Court House, Hx., Bill with am.

The said amendments were read by the Clerk as follows :

Before the first clause, insert the following clauses :

Am. read,

“The Commissioners shall be entitled to expend a sum not exceeding Six thousand dollars, to be applied towards completing and furnishing the Court House according to their estimate, having first obtained the approval of the Governor in Council.

“The Commissioners shall be entitled to receive from the Public Treasury a sum not exceeding Two thousand dollars of the above sum, and the Commissioners may borrow on the credit of the County of Halifax a sum not exceeding Four thousand dollars.”

SECOND CLAUSE—Leave out this clause.

THIRD CLAUSE—1st and 2d lines—Leave out the words “the preceding section,” and insert instead the words “this act.”

And the said amendments being read a second time, and the question being put by President,

Whether these amendments be agreed to?

There appeared, for agreeing to them, Seven; against agreeing to them, Four :

For the Amendments—

Against the Amendments—

Mr. Bell,  
Almon,  
Holmes,  
Black,  
Fairbanks,  
Cutler,

Mr. McCully,  
McKeen,  
McHefey,  
Comeau.

The President.

So it passed in the affirmative.

And agreed to.

Ordered, That the said Bill be read a third time presently.

The said Bill was read a third time, and the question was put by the President, Whether this Bill, with the amendments, shall pass? Bill read 3rd time,

It was resolved in the affirmative.

Agreed to with am.,

A Message was sent to the House of Assembly by the Clerk,

And sent to H. A.

To return the said Bill, and acquaint them that this House has agreed to the same with amendments, to which amendments their concurrence is desired.

A Message was brought from the House of Assembly by Mr. James, To return a Bill, entitled, An Act to amend Chapter 115 of the Revised Statutes, “Of the Descent of Real and Personal Estate,” and to inform the House that the House of Assembly agreed to the said Bill without any amendment. H. A. agree to Descent of Estates Bill Without am.

The Messenger also brought up the following Resolutions:

Resolved, That Eight thousand and seventy four dollars and ninety-five cents be granted to defray the amount still due for Public Printing, pursuant to the Report of the Committee on that subject: \$8074 95 Balance for Printing,

Queen's Printer.....	\$3152 46
William A. Penney .....	1999 02
Messrs. J. & W. Compton ..	3375 00
Alpin Grant.....	129 37
Thomas Annand .....	135 75
W. H. Blackadar .....	122 00
William Cunnabell.....	62 90
Messrs. A. & W. McKinlay ..	10 23
Wesleyan Office.....	72 60
S. J. M. Allan.....	115 12
Casket Office .....	92 00
J. Barnes & Co .....	59 00
Dodge & Gidney.....	4 60
Compton & Bowden .....	21 00
A. Lawson .....	41 00
J. & W. Compton .....	36 60
Christian Messenger Office.....	101 50
Richard Huntington .....	44 00
Church Record .....	2 50
J. Bowes & Son.....	43 25
Ritchie & Bulger.....	19 62
J. P. Ward.....	58 00
George E. Morton .....	29 50
William Cunnabell .....	7 00
J. S. Holmes.....	41 88
E. McDonald .....	71 50
Ritchie & Bulger.....	7 50

- \$2200 Reporting, &c.,  
for H. A., *Resolved,* That Two thousand two hundred dollars be granted and placed at the disposal of the Governor, to defray the expense of reporting and publishing the Debates and Proceedings of the House of Assembly, pursuant to the Report of the Committee on Reporting.
- 50 J. & W. Compton, *Resolved,* That Fifty dollars be granted to Messrs. J. & W. Compton, to recompense them for loss sustained in connection with their Contract for Printing, pursuant to the Report of the Committee on Public Printing.
- 2160 Agricultural Societies, *Resolved,* That Two thousand one hundred and sixty dollars be granted and placed at the disposal of the Governor, to be applied at the rate of One hundred and twenty dollars for each County, in aid of Agricultural Societies.
- 100 and 17 40 Dr. Forrester, *Resolved,* That Two hundred dollars be granted to the Rev. Dr. Forrester, for services to be performed by him, pursuant to the Report of the Committee on Agriculture, and Seventeen dollars and forty cents, paid by him for Postages and Circulars, pursuant to the same Committee.
- All's. to Colle. and Academical Institutions, *Resolved,* That the allowances now made to Collegiate and Academical Institutions, including King's College, Windsor, shall be continued, under existing regulations, for the present year.
- \$100 Teacher of Music, Norm. School, *Resolved,* That One hundred dollars be granted to provide for a Teacher of Music for the Normal School, pursuant to the Report of the Committee on Education.
- 60 Furniture, Normal School, *Resolved,* That Sixty dollars be granted to repay the Commissioners of the Normal School the expense of procuring additional Furniture, pursuant to the Report of the Committee on Education.
- Insurance, Normal School, *Resolved,* That such sum be granted and placed at the disposal of the Governor, as shall be sufficient to pay the premium of Insurance on Buildings of the Normal and Model Schools for the present year.

*Resolved*, That One hundred and six dollars and ninety-five cents be granted to repay an over-expenditure on the Contingent Expenses of the Normal School, pursuant to the Report of the Committee on Education. \$106 95 Over-expenditure, N. School,

*Resolved*, That Two hundred dollars be granted to the Ladies managers of the Infant School at Halifax, in aid of that benevolent and useful Institution, pursuant to the Report of the Committee on Education. 200 Infant School, Halifax,

*Resolved*, That Forty dollars be granted to the Trustees of a Colored School on the Campbell Road, to aid in completing the School House, pursuant to the Report of the Committee on Education. 40 Colored School,

*Resolved*, That One hundred and twenty dollars be granted to the Trustees of the African School in Halifax, in aid of that Institution, pursuant to the Report of the Committee on Education. 120 African School,

*Resolved*, That such sum be granted and placed at the disposal of the Governor as shall be sufficient to defray the balance due to the Board of Works. Balance, B. of Works

*Resolved*, That Sixteen hundred dollars be granted annually for four years to such persons as shall perform the following service, viz: To run a suitable Steamboat three times a week round the Basin of Minas, connecting Hantsport, Kings County, Parrsborough, Five Islands, Londonderry, Maitland, Petit, and Kempt, with the Railroad at Windsor. \$1600 annually. St'r. Basin of Minas,

*Resolved*, That Eighty dollars be granted to William and Ann Fitchett, pursuant to the Report of the Committee on Road Damages. 80 W. & A. Fitchett,

*Resolved*, That Four hundred dollars be granted to William and Edward Young to recompense them for loss sustained by them in saving life and property from the wrecked steamer "Indian," pursuant to the Report of the Committee on their Petition. 400 E. & W. Young,

*Resolved*, That Three hundred and twenty-eight dollars be granted and placed at the disposal of the Governor to defray the expense of engraving Treasury Notes. 328 Engraving Treasury Notes,

*Resolved*, That Thirty-two dollars and sixty cents be granted to A. & W. McKinlay to defray their account for stationery furnished to the Commissioners for revising the Statutes. 32 60 A. & W. McKinlay,

*Resolved*, That One pound per day be granted to each Member of the Legislative Council for his attendance during the present Session; also the travelling charges as heretofore. Pay of Leg. Council,

*Resolved*, That One pound per day be granted to each Member of the House of Assembly for his attendance during the present Session; also the travelling charges as heretofore. Pay of Members H. A.

*Resolved*, That Three thousand nine hundred and fifty-four dollars and sixty-seven cents be granted to defray the Contingent Expenses of the Legislative Council during the present Session. \$3954 67 Contingencies, Leg. Council,

*Resolved*, That One thousand three hundred and thirty-seven dollars and sixty-three cents be granted to defray the Contingent Expenses of the House of Assembly pursuant to the Report of the Committee on Contingencies. 1337 63 Contingencies of H. A.,

*Resolved*, That One thousand five hundred and four dollars and fifty-six cents be granted to A. & W. McKinlay in full of their account for stationery, books, and binding Laws and Journals for the House of Assembly for last year. 1504 56 A. & W. McKinlay, Stationery, &c., H. A.,

*Resolved*, That Four hundred dollars be granted to the Committee of the Welsford and Parker Monument, to be paid on the same being completely finished upon the plan now in progress. 400 Welsford and Parker Monument,

*Resolved*, That Eight hundred dollars be granted to John Canty to reimburse him for saw mill destroyed by fire, pursuant to the Report of the Committee on Railways. 800 John Canty,

*Resolved*, That such sum be granted and placed at the disposal of the Governor as shall be sufficient to defray the expenses of the Post Office Department for the present year, pursuant to the Report of the Committee on that subject. Post Office Expenses,

- Vote of Credit for Printing.** *Resolved*, That His Excellency the Lieutenant-Governor be authorized and respectfully requested to direct advances from the Treasury of such sums as may be required towards defraying the expenses of Public Printing during the present year, provided no greater sum be advanced in the whole than Two thousand four hundred dollars, and this House will provide for the same at its next Session.
- Read 1st and 2d time** To which Resolutions they desired the concurrence of this House.  
The said Resolutions were read a first time, and, by order, the said Resolutions were read a second time, and the question was put by the President on each Resolution, Whether this Resolution be agreed to ?
- Agreed to,** It was resolved in the affirmative.
- And sent to H. A.** A Message was sent to the House of Assembly by the Clerk, To return the said Resolutions, and acquaint them that this House has agreed to the same without any amendment.
- Road Damages, Sydney, and Petty Trespasses Bills,** The Messenger also brought up the following Bills:  
A Bill, entitled, An Act to provide for appraising certain Road Damages in the County of Sydney.  
A Bill, entitled, An Act further to amend Chapter 147 of the Revised Statutes, "Of Petty Trespasses and Assaults," and the Act in amendment thereof.
- Read 1st time.** To which Bills they desired the concurrence of this House.  
The said Bills were read a first time.  
*Ordered*, That the said Bills be read a second time at a future time.
- H. A. agree to am. to Surveyors of Highways Bill.** The Messenger also brought up a Bill, entitled, An Act to amend Chapter 63 of the Revised Statutes, "Of Surveyors of Highways and Highway Labor, except in Halifax," and informed the House that the House of Assembly agreed to the amendments proposed by this House to the said Bill.
- Bill finally agreed to,** The said Bill was then read as amended, and the question was put by the President, Whether this Bill, as amended, shall pass ?  
It was resolved in the affirmative.
- And sent to H. A.,** A Message was sent to the House of Assembly by the Clerk; To return the said Bill, and acquaint them that this House has agreed to the same as amended.
- S. O. S. on Road Damages, Sydney, and Petty Trespasses Bills,** *Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act to provide for appraising certain Road Damages in the County of Sydney; also,  
A Bill, entitled, An Act further to amend Chapter 147 of the Revised Statutes, "Of Petty Trespasses and Assaults," and the Act in amendment thereof.
- Bills Read 2d time,** The said Bills were read a second time.
- And ord. to Com.** *Ordered*, That the said Bills be committed to a Committee of the whole House presently.
- Committed.** On motion, the House was adjourned during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Bell reported that the Committee had gone through the said Bills, and had agreed to the same without any amendment.
- Rep. without am.** *Ordered*, That the said Bills be read a third time presently.
- Read 3rd time,** The said Bills were read a third time, and the question was put by the President on each Bill, Whether this Bill shall pass ?
- Agreed to,** It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk,  
To return the said Bills, and acquaint them that this House has agreed to the same  
without any amendment.

And sent to H. A.

On motion, made and seconded, the House adjourned until to-morrow, at eleven  
o'clock. Adjourn.

Saturday, 12th May, 1860.

The House met pursuant to adjournment.

P R E S E N T :

The Honorable EDWARD KENNY, President.

The Honorable ROBERT M. CUTLER,  
HUGH BELL,  
MATHER B. ALMON,  
ALEXANDER KEITH,  
WILLIAM A. BLACK,  
JOHN E. FAIRBANKS,

The Honorable JAMES McNAB,  
JONATHAN McCULLY,  
WILLIAM MCKEEN,  
RICHARD A. McHEFFEY,  
JOHN HOLMES,  
JOHN H. ANDERSON.

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly by Mr. James, with the following Resolutions and Bill :

*Resolved*, That His Excellency the Lieutenant-Governor be authorized and respectfully requested to take such measures as shall be necessary for sub-dividing and appropriating the monies granted during the present Session, and applied in the general division of Road Monies to the services of ordinary and great Roads in the County of Victoria, and for directing the expenditure thereof.

Sub-division of Road  
Money :  
Victoria,

Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Halifax.

Halifax,

Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Pictou.

Pictou,

Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Hants.

Hants,

Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Lunenburg.

Lunenburg,

Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Colchester.

Colchester,

Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Cumberland.

Cumberland,

Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Cape Breton.

Cape Breton,

Also, a Resolution sub-dividing the sums granted for Roads and Bridges in Kings County.

Kings,

Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Annapolis.

Annapolis,

Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Yarmouth.

Yarmouth,

Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Shelburne.

Shelburne,

- Digby,** Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Digby.
- Sydney,** Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Sydney.
- Richmond,** Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Richmond.
- Guysborough,** Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Guysborough.
- Queens,** Also, a Resolution sub-dividing the sums granted for Roads and Bridges in Queens County.
- Inverness,** Also, a Resolution sub-dividing the sums granted for Roads and Bridges in the County of Inverness.
- Appropriation Bill** A Bill, entitled, An Act for applying certain monies therein mentioned for the service of the year One thousand eight hundred and sixty, and for other purposes. To which Resolutions and Bill they desired the concurrence of this House.
- Read 1st time.** The same were read a first time.
- Appropriation Bill referred.** *Ordered,* That the said Resolutions be read a second time at a future time.
- Committee.** *Ordered,* That the said Bill be referred to a Select Committee to examine and report upon.
- Sub-division of Road Money read 2d time** *Ordered,* That Mr. Bell, Mr. Holmes, and Mr. McKeen, be a Committee for that purpose.
- Agreed to, And sent to H. A.** By order the eighteen Resolutions for sub-dividing the Road Money in the different counties were read a second time, and the question was put by the President on each Resolution, Whether this Resolution be agreed to? It was resolved in the affirmative. A Message was sent to the House of Assembly by the Clerk, To return the said Resolutions, and acquaint them that this House has agreed to the same without any amendment.
- Com. on Appro'n. Bill rep.** Mr. Bell, the Chairman of the Committee to whom a Bill, entitled, An Act for applying certain monies therein mentioned for the service of the year One thousand eight hundred and sixty, and for other purposes, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.
- S. O. S.** *Resolved, unanimously,* That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day be suspended as respects the said Bill.
- Bill read 2d time, And ord. to Com.** The said Bill was read a second time. *Ordered,* That the said Bill be committed to a Committee of the whole House presently.
- Committee.** On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time the House was resumed, and Mr. Cutler reported that the Committee had gone through the said Bill, and had agreed to the same without any amendment.
- Read 3d time,** *Ordered,* That the said Bill be read a third time presently. The said Bill was read a third time, and the question was put by the President, Whether this Bill shall pass? It was resolved in the affirmative.
- Agreed to, And sent to H. A.** A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them that this House has agreed to the same without any amendment.

A Message was brought from the House of Assembly by Mr. James, with the following Bill:

A Bill, entitled, An Act to alter and amend the Act to provide for the erection of a Court House in Halifax. Court House, Hx., B.H.

To which Bill they desired the concurrence of this House.

The same was read a first time.

Read 1st time.

Ordered, That the said Bill be read a second time at a future time.

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the said Bill. S. O. S.

The said Bill was read a second time.

Read 2d time,

Ordered, That the said Bill be committed to a Committee of the whole House presently.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Cutler reported that the Committee had gone through the said Bill, and had agreed to the same without any amendment. Committed.

Ordered, That the said Bill be read a third time presently.

The said Bill was read a third time, and the question was put by the President, Whether this Bill shall pass? Read 3d time,

It was resolved in the affirmative.

Agreed to,

A Message was sent to the House of Assembly by the Clerk,

And sent to H. A.

To return the said Bill, and acquaint them that this House has agreed to the same without any amendment.

At two of the clock, P. M., His Excellency the Right Honorable the Earl of Mulgrave, Lieutenant-Governor and Commander-in-Chief in and over Her Majesty's Province of Nova Scotia and its Dependencies, &c., &c., &c., came to the Council Chamber, attended as usual, and being seated, the Gentleman Usher of the Black Rod received His Excellency's command to let the House of Assembly know "It is His Excellency's will and pleasure they attend him immediately in this House," who, being come, with their Speaker, His Excellency was pleased to give his assent to seventy-five Bills, entitled as follows: H. E. comes to Council Chamber.

An Act relating to the Burial Ground at Amherst

Burial G'd. Amherst

An Act to incorporate the Associated Alumni of Acadia College.

Asso. Alma. Aca. Col

An Act to revive and continue an Act to enable Henry Bessemer to obtain Letters Patent. Bessemer's Let. Pat.

An Act to amend Chapter 115 of the Revised Statutes, "Of the Descent of Real and Personal Estate." Descent of Estates.

An Act to authorize the appointment of extra Constables in the City of Halifax. Extra Constables, Hx.

An Act to enable the City of Halifax to borrow funds, and erect buildings there-with, near the Market Slip. Funds for Building, Hx.,

An Act to incorporate the Halifax Yacht Club. Hx. Yacht Club,

An Act to incorporate the Trustees of Chedabucto Division of the Order of Sons of Temperance. Ched. Div., S. of T.

An Act to amend the Act to incorporate the Halifax Fire Insurance Company. Hx. Fire Ins. Co.,

An Act to authorise a Provincial Loan. Provincial Loan.

An Act for improving the Main Post Road in the County of Cape Breton. Post Road, C. B.

An Act relating to Trusts and Trustees. Trusts,

An Act concerning Drains and Sewers in the City of Halifax. Drains, Hx.,

An Act respecting Ancient Lights in the City of Halifax. Ancient Lights, Hx.

- R. C. Epis. Corporation, Arichat, An Act to authorise the Roman Catholic Episcopal Corporation of Arichat to sell certain Lands.
- Volunteer Militia, An Act to provide for the organization of a Volunteer Militia Force for the Defence of the Province.
- Poor Districts, An Act to amend Chapter 90 of the Revised Statutes, "Of Poor Districts."
- Escaped Criminals, An Act respecting the apprehension of Criminals escaping from any of Her Majesty's Provinces and Governments in North America into Nova Scotia.
- Aliens, An Act to naturalize certain Aliens.
- Elec. Dis., Victoria, An Act relating to certain Electoral Districts in the County of Victoria.
- Barristers and Attornies, An Act to amend Chapter 132 of the Revised Statutes, "Of Barristers and Attornies."
- Laying out Roads, An Act to amend Chapter 62 of the Revised Statutes, "Of Laying out Roads other than certain Great Roads."
- Supreme Court, An Act to amend Chapter 126 of the Revised Statutes, "Of the Supreme Court and its Officers."
- Victoria Coal Co., An Act to incorporate the Victoria Coal Mining Company.
- Bank of Yarmouth, An Act to amend the Act to incorporate the Bank of Yarmouth.
- Proceed'gs. in Equity, An Act to amend Chapter 127 of the Revised Statutes, "Of Proceedings in Equity."
- Fires and Firewards, An Act to amend of Chapter 99 of the Revised Statutes, "Of Firesand Firewards."
- Naval Volunteers, An Act relating to Naval Volunteers and Shipping Masters.
- Vol. Band Committee An Act to incorporate the Halifax Volunteer Band Committee.
- Light House Duties, An Act to amend the Law imposing Light House Duties.
- County Assessments, An Act to extend the operation of Chapter 46 of the Revised Statutes, "Of County Assessments."
- Port Hawkesbury, An Act relating to Port Hawkesbury in the County of Inverness.
- Hx. Ice Company, An Act to incorporate the Halifax Ice Company.
- Port Acadie, An Act for naming Port Acadie in the County of Digby.
- Road, Sheet Harbor, An Act for opening a Road from Sheet Harbor to Musquodoboit.
- Road, Richmond, An Act to authorize the completion of a line of Road in the County of Richmond.
- New Annan Cem. Co. An Act to incorporate the New Annan Bellgift Cemetery Company.
- Mountain Cem. Co., An Act to incorporate the Mountain Cemetery Company of Yarmouth.
- Road, Maitland, An Act for improving the road from Maitland to Shubenacadie Station.
- Roads, Guysborough, An Act to provide for improving certain Roads in the County of Guysborough.
- Custos and J. P., An Act relating to the offices of Custos and Justices of the Peace.
- School Lot, Tusket, An Act to authorise the Sale of a School Lot at Tusket.
- Fuller Lodge, An Act to incorporate Fuller Lodge No. 5 of the Independent Order of Odd Fellows.
- Union Hall Co., An Act to incorporate the Union Hall Company of Cornwallis.
- Sheriffs, An Act in addition to the Act concerning Sheriffs.
- Elec. Dis., Inverness, An Act to establish the Bounds of certain Electoral Districts in the County of Inverness.
- July Term, Hx., An Act relating to the ensuing July Term at Halifax.
- Useful Birds, An Act to amend Chapter 92 of the Revised Statutes, "Of the preservation of useful Birds and Animals."
- Railroads, An Act to amend Chapter 70 of the Revised Statutes, "Of Railroads."
- Bridges and Roads, Pictou, An Act for the building of certain Bridges and the improvement of certain Roads in the County of Pictou.
- Regulation of Provisions, An Act to amend Chapter 85 of the Revised Statutes, "Of the regulation and inspection of Provisions, Lumber, Fuel, and other Merchandize."
- Digby Slate Co., An Act to incorporate the Digby Slate Quarry Company.



An Act to amend Chapter 89 of the Revised Statutes, "Of the Settlement and Support of the Poor."	Settlement of Poor.
An Act relating to the Sessions for the County of Inverness.	Sessions, Inverness.
An Act relating to the Assessment Roll for the County of Victoria.	Assessment Roll, Victoria.
An Act to incorporate the Chebucto Marine Railway Company.	Chebucto M. R. Co.
An Act to incorporate the Salt Springs Savings Bank.	Salt Springs Savings Bank.
An Act in addition to Chapter 51 of the Revised Statutes, "Of Religious Congregations and Societies."	Religious Congregations.
An Act to amend Chapter 16 of the Revised Statutes, "Of the Importation of Goods."	Importat'n. of Goods.
An Act relating to Bartlett's River Road in the County of Digby.	Bartlett's Riv. Road.
An Act to amend Chapter 131 of the Revised Statutes, "Of the Jurisdiction of Justices of the Peace in Civil Cases."	Jurisdiction J's. P.
An Act to provide for the issue of Writs for Elections in certain cases.	Elections.
An Act to revive and continue the Laws relating to Education.	Education.
An Act to amend Chapter 33 of the Revised Statutes, "Of the Census and Statistical Information."	Census.
An Act to amend Chapter 46 of the Revised Statutes, "Of County Assessments."	County Assessments.
An Act respecting blasting Rocks with Gunpowder.	Blasting Rocks.
An Act to amend the Act to facilitate the division and management of Property by certain Presbyterian Churches and Congregations in Cornwallis.	Pres'n. Ch's. Cornwallis.
An Act respecting Assessments in the City of Halifax.	Assessments, Halifax.
An Act to amend Chapter 22 of the Revised Statutes, "Of Licenses for the Sale of Spirituous Liquors."	Licenses.
An Act to amend Chapter 152 of the Revised Statutes, "Of the Custody and Estates of Lunatics."	Lunatics.
An Act to amend Chapter 63 of the Revised Statutes, "Of Surveyors of Highways and Highway Labor, except in Halifax."	Surveyors of Highw'ns.
An Act to provide for appraising certain Road Damages in the County of Sydney.	Road Damages, Syd.
An Act further to amend Chapter 147 of the Revised Statutes, "Of Petty Trespasses and Assaults," and the Act in amendment thereof.	Petty Trespasses.
An Act to alter and amend the Act to provide for the erection of a Court House in Halifax.	Court House, Halifax.
An Act for applying certain Monies therein mentioned for the service of the year One thousand eight hundred and Sixty, and for other purposes.	Appropriation.

After which, His Excellency was pleased to close the Session with the following Speech.

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

Speech.

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

It affords me much pleasure to relieve you from further attendance on your Legislative duties.

The approaching Summer will be marked by an event unparalleled in Colonial history, as this and the other North American Colonies will then be visited by His Royal Highness the Prince of Wales; and in the name of our Sovereign I thank you for the liberal provision you have made for his appropriate reception.

The devoted loyalty and affection to the Throne and person of our beloved Queen, which I know to exist throughout Nova Scotia, will enable me to assure His Royal Highness that those manifestations of welcome with which he will doubtless be greeted in this capital, represent the feelings which pervade the population of the whole Province.

The grant placed by you at my disposal for the local defence of the Province, and for which I now thank you, will enable me to render efficient the Volunteers, who, by their enrollment, have given so ready and patriotic a response to the appeal I made, and I shall spare no pains to give to this force the character of a permanent Institution.

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

I thank you for the Supplies granted for the General Service of the year, and you may rely upon their faithful and economical expenditure.

*Mr. President and Honorable Gentlemen of the Legislative Council;*

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

In now parting with you, allow me to express a hope that individual happiness and prosperity may attend you; and I pray that, by the blessing of Divine Providence, the interests and welfare of this Province may continue steadily to advance.

Then the President of the Council, by His Excellency's command, said :

GENTLEMEN :

Prorogation.

It is the pleasure of His Excellency the Lieutenant-Governor, that this General Assembly be prorogued to Thursday the Twelfth day of July next; and this General Assembly is accordingly prorogued to Thursday the Twelfth day of July next, to be then here held.

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

JOHN C. HALLIBURTON,

Clerk of the Legislative Council.

# APPENDICES

TO THE

## JOURNALS

OF THE

### LEGISLATIVE COUNCIL.

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#### RAILWAY REPORT.

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NOVA-SCOTIA RAILWAY,  
*Engineer's Office, January 5th, 1860.*

SIR,—

I have the honor to submit the following report on the surveys and examinations made during the past season, for the Pictou Branch Railway, by way of Earltown and River John, with a comparison of the merits of the route with those previously surveyed. Also some remarks with reference to the Trunk Line.

In my report of March last, in describing the general features of the country and the objects to be held in view in making the surveys, I used the following language :

“ It is desirable to obtain a route which will form a portion of the Railway line to New Brunswick, as well as to Pictou. It is important to connect with the Albion Coal Mines, and afford accommodation to New Glasgow, and to the large population on the East side of the Harbor of Pictou ; and it is important to have access to deep water accessible to steamers and shipping.

“ To accommodate these several interests satisfactorily, with the least length of Railway, and at the smallest cost, is the problem to be solved in selecting the route.”

And, in giving the results of the surveys, I stated as follows :

“ In addition to the routes above mentioned, another was suggested by residents of the River John, and it was my intention to have made a thorough examination of it ; but the inclemency of the weather, and the want of time to complete the survey before the meeting of the Legislature, prevented.

“ The line referred to would follow the Salmon River to McDonald's Lake in Earltown, thence down the Nabiscump to River John, and by Black River and Saw-Mill Brook to Pictou. A series of levels were taken by Mr. Poole with the barometer ; they indicate heavier work and steeper grades than on route No. 3, while the distance from Truro to Pictou would be increased to about 47 miles. The advantages of a line in this direction are, that if the Southern route should be adopted for the Trunk Line to New Brunswick, it would be common for 22 miles, and reduce the length of the branch to Pictou to about 25 miles. The branch, however, could not be connected with the Coal Mines without making the road very circuitous.

“ Leaving out of view, for the present, this line by River John, (which ought to be thoroughly examined,) I consider Route No. 3, from Truro to the Salt Springs, a distance of 27 miles, as entitled to the preference. From this point, to accommodate

Pictou and the Coal Mines, future surveys and examinations must determine the most eligible route. The comparative advantages of having the road terminate on the North or South side of the harbor, must also be a matter for future consideration."

Instructions having been given by the Government that the route above referred to should be thoroughly examined, the field operations were intrusted to Mr. Geo. Wightman, whose report is annexed.

The surveys of last season had reached the vicinity of Earltown, on the Trunk Line, when they were interrupted by the severity of the weather. From Truro to the summit, near McDonald's Lake, a distance of  $21\frac{1}{2}$  miles, the line is in the immediate vicinity of the Salmon River, the Banks of this stream being too steep to allow of any material divergence. The summit is 506 feet above tide, and is reached by grades not exceeding 44 feet per mile. Hence to Earltown,  $2\frac{1}{2}$  miles, is over difficult ground, and requires a descending grade of 50 feet per mile.

From Earltown the survey of the Trunk Line was continued the present season by the valley of Waugh River, for a distance of 4 miles, in order to determine the rate of inclination required to reach the low country on the North of the Cobequid Hills. The descent it was found could be effected with grades not exceeding 55 feet per mile. The line would pass within three miles of the Harbor of Tatmagouche, and along the level lands of the Northern shore to the New Brunswick boundary.

Returning to the summit at McDonald's Lake, we find the country hilly and broken, but presenting several places from which a branch to Pictou may diverge.

The first route examined was that projected in 1851, by the late P. Crerar, Esq., of Pictou. His plan was to carry the Trunk Line across the Cobequid Hills, at the head of the West branch of River John, from which he proposed to run a branch to the Albion Mines and to Pictou. The summit on this route is one mile North of Gully Lake, near the boundary between the Counties of Colchester and Pictou, and is 660 feet above tide water.

Mr. Crerar surveyed  $2\frac{1}{2}$  miles of the line, commencing at the summit and running North on the Westerly side of River John. The plan and section accompanying his report, show that on this distance the descent of the stream is 230 feet, his survey, with a grade of 22 feet per mile, terminating on the slope of the hill 190 feet above the bed of the River. On the next mile the descent is full 100 feet; and on the next  $2\frac{1}{2}$  miles, which reaches a point about  $\frac{1}{2}$  mile below the village of West Branch, the descent is 200 feet—making 530 feet in all below the summit, being an average of nearly 90 feet per mile.

As the Trunk Line could keep on the slope of the hill, it may be possible to trace a route through this Valley towards the Coast, by crossing the Nabiscump  $2\frac{1}{2}$  or 3 miles West of its junction with River John, and thence keeping along the shore to Tatmagouche. The route would be inferior, however, to that by Waugh River, as the summit to be overcome is 150 feet higher, and the distance would probably be increased by several miles. There would be no inducement to adopt it, unless a material saving could be effected in connection with the branch to Pictou.

The Branch would, from the rapid descent of the River John, either have to diverge near the summit and keep on the East side of the Valley, or follow the Trunk Line until, with a grade of 55 or 60 feet per mile, it had descended to the low lands near the Nabiscump. By the first course the line would be rendered exceedingly expensive in consequence of the several deep gorges which have to be crossed, although when compared with the Earltown route, to be presently described, a saving of five or six miles in distance to Pictou would be effected. By the second course the distance to Pictou would also be reduced about two miles.

No actual survey was made of these lines. They would have involved surveying to the extent of about forty miles of trunk and branch together, to determine their exact character. All that they could result in would be a shortening of the distance to Pictou at the expense of the trunk line. Were a route by River John determined

upon, it would be advisable to have them surveyed; but considerations connected with other features of the route, which will be referred to in this Report, appeared to render it inexpedient. Some other lines were examined by Mr. Wightman, and are referred to by him. The route selected as the most favorable, and on which the estimate of cost has been made, is that designated on the plan as the

### EARLTOWN ROUTE.

This commences at a point on the Trunk Line, about one mile north of McDonald's Lake, 22<sup>8</sup>/<sub>10</sub> miles from Truro. Hence it runs close by the village of Earltown, to the summit between McKay's Mill Brook and the Nabiscump River, near the Presbyterian Church, distant 25 miles from Truro. This summit, allowing for a cutting of 30 feet, is 518 feet above tide, or 12 feet higher than the summit between the Salmon and Waugh Rivers. Thence the line follows down the Nabiscump four miles in a northerly direction, and curving round on the slope of the hill to the east, crosses the River John about  $\frac{2}{3}$  of a mile north of the village of West Branch, so called, 33 miles from Truro. Thence easterly ten miles by the valley of Black River to the summit between that stream and Saw-mill Brook, near the south end of Hardwood Hill. This summit has an elevation of 252 feet. Thence down the valley of Saw-mill Brook and along the northern shore of the West River to Pictou.

The length of the branch from the Trunk Line at Earltown to Smith's wharf in Pictou, is 27.97 miles, say 28 miles—and the whole length from Truro 50<sup>77</sup>/<sub>100</sub> miles.

The ground is somewhat rough and broken for three miles in the vicinity of Earltown. Down the Nabiscump, although the banks are steep and look unpromising, a line has been obtained which requires but a small amount of work, and along the Black River valley a distance of eight miles, the ground is highly favorable, and a road can be constructed at a moderate cost. On the Saw-mill Brook a narrow and crooked gorge is encountered, requiring several sharp curves and heavy work.

The maximum grade in going towards Pictou is 56 $\frac{1}{2}$  feet per mile, and in the opposite direction 54 $\frac{1}{2}$  feet.

The survey has been made with more than ordinary care, and probably no material improvement could be effected. The distance is greater than was anticipated last season, but the heavy work has mostly been avoided.

Mr. Wightman's estimate per mile is considerably below that of any of the other routes. Estimates, however, on different lines, unless made on the same basis, are of little value. On the other routes excavation was averaged at 2s. per cubic yard, and bridge masonry at 55s. In Mr. Wightman's estimate he averages excavation at 1s. 6d., and bridge masonry at 25s. and 35s., being lower than the prices heretofore paid on the Railway. I have therefore gone over the estimates, and made such additions, having reference to the facilities of construction and character of material, as were necessary to exhibit a fair comparison of the respective routes. The additions made are equivalent to £491 per mile on the Branch, which still leaves it as costing £1250 less per mile than the average.

The road is supposed to terminate at Smith's wharf in Pictou, where the water is shoal, but allowance has been made for carrying out a pier to the channel from Brown's Point, about one mile west of the terminus. The length of the pier would be about 800 feet.

To continue the road along the wharves in front of the town to deep water at Battery Point, say  $\frac{2}{3}$  of a mile in distance, would, if damages were paid to the owners of property for interference with their wharves and buildings—probably cost not less than £40,000. This would add to the average cost of the Branch nearly £1500 per mile. For the present, however, the road is supposed to terminate as above.

Route No. 5 to Abercrombie Point, having been considered the best of the former surveys, I will confine myself to that in the comparisons to be made with the Earltown route.

### ABSTRACT OF THE ESTIMATES.

#### ROUTE NO. 5 TO ABERCROMBIE POINT.

The estimated cost of the 10½ miles which route No. 5 is on the Trunk Line, is.....	£147,720	0	0
And the 29.95 miles of Branch to Abercrombie Point, including ferry accommodation to Pictou.....	352,280	0	0
Total.....	£500,000	0	0

#### EARLTOWN ROUTE.

The estimated cost of the 22 <sup>8</sup> / <sub>10</sub> miles of Trunk Line, is.....	£294,345	0	0
And the 28 miles of Branch from Earltown to Smith's wharf in Pictou.....	284,255	0	0
Total.....	£578,600	0	0

The estimates are meant to be liberal, and such as would complete and finish a road in a permanent and durable manner, and provide also the requisite rolling stock and station buildings.

#### COMPARISON OF ROUTES.

It is unfortunate for discussing questions of this kind, that the partizan political feelings which exists in the Province ignores truth, and imputes dishonorable motives to every act and statement which for the time conflicts with personal ends. The Railway operations especially, have been subjected to this narrow and illiberal treatment by political aspirants.

The importance of selecting a route that will afford accommodation to the population and business of the country, is obvious; and to establish which route will do this most satisfactorily, while the question is an open one, a full and fair discussion of the merits of competing lines, is desirable. Of course personal interests may bias individuals and communities, in favor of particular lines; but in the present case, misrepresentations and misstatements of facts have been made by those who, from their position, are supposed to have some influence in forming public opinion, and who it might have reasonably been expected would not intentionally mislead. As it may help to divest the subject of some misconceptions, I deem it proper briefly to notice a few of these misstatements. A fresh starting point will at least be given to those who have either the will or the ability fairly to investigate the question upon its merits.

By the newspaper reports of the proceedings in Parliament, one of the members from Colchester\* made the following remarks:

"One thing, however, he felt it his duty to call to the attention of the House. The Intercolonial line, though postponed, in the end would be made. If we could not get from the Imperial Government a guarantee, the time would come when the Lower Colonies, expanding in resources and united in Federal bonds, would be able to deal with this question without the aid of Britain. This, therefore, should not be lost sight of in locating the Pictou Branch.

\* Adams G. Archibald.

“ Let the line pursue the course most favorable for the Trunk, as far as possible, so that when the Intercolonial road shall be built, the whole will be a system.

“ Mr. Beattie, whose survey was taken with great care, and was designed in reference to both Trunk and Branches, surveyed up the Valley of Salmon River to the height of ground near McDonald's Lake in Earltown, a height of 506 feet above the tide waters, and thence branched off to Pictou by the Valley of the Nabiscump and the West Branch of River John. He regretted to observe that Mr. Laurie, though he admitted the advantages of this route, had not explored the ground between Earltown and Pictou, for the purpose of directing the Branch in that direction. He was quite satisfied, from what he knew of the ground, that the proper place for the Branch to commence was Earltown, and he warned the Government against committing themselves to either of the lines recommended by Mr. Laurie, until the explorations were made to justify the departure from the route adopted by Mr. Beattie, after the most careful and accurate surveys.”

And one of the members from Pictou\* indulged in the following remarks :

“ Mr. Laurie, in his report, refers to various routes for the Pictou extension, some of which have been surveyed, and alludes also to Mr. Beattie's line over Earltown, as one to which he did not turn the attention either of himself or his staff. It is to my mind a very singular and suspicious circumstance that this line recommended by Mr. Beattie has not been surveyed. The attention of that gentleman was, I believe, first drawn to it by the representations of the late Peter Crerar, Esq., of Pictou, who, wherever he was known, was esteemed a person of most respectable attainments as a Civil Engineer. There is very little room for doubting the fact, that keeping in view the combining of the Trunk and Branch to as great an extent as possible, this route will be found to present advantages well worthy the consideration of the Government; but I presume that the discovery of a practicable and advantageous route was not the object of the Government or those employed by them on these surveys”

These are statements made by Members of Parliament from the only two counties through which the Railway runs, and who would naturally be supposed not only to be acquainted with, but to state the facts. By referring to the excerpts given at the commencement of this Report, from my Report of March last, which they professed to criticise, it will be sufficiently obvious how much, in some particulars, they have drawn upon their own imaginations; but, in addition, the main statement so boldly asserted by both members, that Mr. Beattie had surveyed and recommended a line to Pictou by way of Earltown and River John, is altogether untrue. Had he done so, from his known ability and sound judgment as an engineer, it would certainly have been something in its favor; but the truth is, no line surveyed by him or under his direction to Pictou, came within ten miles of Earltown or River John. This route, then, to Pictou, must stand on its own merits, without the able support which is claimed for it as having been “surveyed,” “recommended” and “adopted” by Mr. Beattie.

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\* A. C. McDonald.

*Tabular Statement showing the leading characteristics of the two Routes.*

STATEMENT.	Route No. 5 to Montgomery Pt.	Earltown Route.	Difference.
Length of road in miles, Truro to Pictou.....	40.25	50.77	10.52
Maximum grade in feet per mile.....	51½	56½	5
Total amount of ascents in feet.....	455	681	226
“ “ descents in feet.....	505	731	226
Total ascents and descents in feet.....	960	1412	452
Elevation of principal summit above tide.....	502	518	12
Number of summits.....	1	3	2
Least radius of curvature in feet.....	1200	1200	0
Total amount of curvature in degrees, ap- proximate.....	1565	1684	119
Curvature per mile in degrees.....	39	33.1-6	6
Length on Trunk Line, in miles.....	10.30	22.80	12.50
Length of Branch, “.....	29.95	27.97	1.98
	40.25	50.77	10.52
Estimated cost of Trunk Line.....	£147720 0 0	£204345 0 0	£146625 0 0
“ “ of Branch.....	352280 0 0	284255 0 0	68025 0 0
	£500000 0 0	£578600 0 0	£78600 0 0

In considering the question of route, two views may be taken of the matter. First, as a route to Pictou, independent of and without reference to the Trunk Line; and second, assuming that the Trunk Line is to be built.

As a route for the accommodation of the business centering at Pictou, an inspection of the comparative Table shows that Route No. 5 has every advantage in an engineering point of view. It is 10½ miles shorter, has 452 feet less rise and fall, 119 degrees less curvature, has lower grades, and would cost £78,600 less than the Earltown route. It would also, as will presently be seen, accommodate a much larger population. Viewed apart, then, from the Trunk Line, there can be no question as to which would be entitled to the preference. But the only proper view to take of the question is to assume that the Trunk Line will eventually be constructed.

By route No. 5 the distance on the Trunk is 10.30 miles, and the length of the Branch to Abercrombie point 29.95 miles. Total, 40.25 miles.

By the Earltown route the distance on the Trunk is 22.8 miles, and the length of the Branch to Pictou 27.97 miles. Total, 50.77 miles.

The length of road to be constructed, then, in the first instance, is 10½ miles more on the Earltown route than on Route No. 5; but the Earltown runs 12½ miles further on the Trunk Line, so that its adoption would eventually reduce the length of road to be constructed by 12½—10½=two miles.

The cost of the 30 miles of Branch by Route No. 5 to Abercrombie Point, including Ferry to Pictou, is estimated at.....£352,280 0 0  
And the 28 miles of Branch from Earltown to Smith's Wharf, Pic-  
tou, at.....284,255 0 0

Difference.....£68,025 0 0

Including the portions of the Trunk Line to be constructed, the  
total expenditure by Route No. 5 would be.....£500,000 0 0

And by the Earltown route.....578,600 0 0

Difference.....£78,600 0 0



An important element remains to be considered before we can determine which of the routes is entitled to the preference—that is, the amount of business that would be accommodated by them respectively, and

In discussing this question, it is important to bear in mind that the population and business in the vicinity of Pictou is separated and divided by the Harbor—about one mile in width—and the navigable streams flowing into the same. An inspection of the accompanying map will give a better idea of the peculiarities of position in this respect, than the most labored description.

The Town of Pictou contains about 3000 inhabitants, and lies on the South side of a tongue land, having the Harbor in the front, and Cumberland Strait about four miles in the rear. It has therefore but a limited district, from which it is conveniently accessible without crossing the Harbor.

The Villages of New Glasgow and the Albion Mines, which are on the opposite side of the Harbor, have a population about equal to Pictou. So far, therefore, as respects the local population to be benefitted by the Railway, neither side has any special advantage. The Eastern travel from Sydney County and Cape Breton would be best accommodated by a route approaching the Harbor from the South side.

The Harbor itself is of course common to both sides, and the necessary wharf facilities for shipping and steamers could be as cheaply constructed on one as on the other.

With the terminus at Abercrombie Point, passengers and freight from Pictou would have to cross the Harbor by Steam Ferry in the Summer, and on the ice in the Winter, to reach the Railway. From New Glasgow and the Mines they would either go to Abercrombie Point, 5 miles from New Glasgow, or to the crossing of Middle River, which is also about 5 miles, and the same distance on the Railway, towards Truro.

With the terminus on the Pictou side, which would necessarily be the case with the Earltown route, passengers and freight from New Glasgow would have to find their way to Pictou 8 miles, crossing the Harbor, and would then have to go 36½ miles by Railway to reach Salmon River Bridge (14½ miles from Truro), making 44½ miles—while the distance by the post road from New Glasgow to the same point is only 25 miles. From the Albion Mines, the distance to Pictou is 2 miles further, while to Salmon River Bridge is one mile nearer, than from New Glasgow—making 47½ miles of travel by the Earltown route against 24 by the post road.

Again, if we assume a point on the West River, say at Kempt Bridge, the distance is nearly the same (10 to 12 miles), whether we go back towards Pictou to intersect the Railway on Saw Mill Brook, or forward towards Truro to intersect it at Salmon River Bridge; and as by the latter course 30 miles of Railway travel would be saved, there can be no question as to the direction which the business from this quarter would ordinarily take.

The Eastern travel and freight would in like manner either have to go from New Glasgow to Pictou, or continue on the post road, which is the present route, to Salmon River Bridge; and on comparing the distances, it is questionable, even if a Railway was in operation from Pictou via Earltown to Truro, if a considerable portion of the business, both passengers and freight, would not continue on the post road.

For the business of the district of country lying between the Albion Mines and the head waters of the Stewiacke, and East and Middle Rivers, which now to some extent intersects the Railway at Brookfield and Stewiacke Stations, the distance from the Mines to Brookfield being several miles less than by the post road to Truro, the Earltown route would afford no additional facilities, while Route No. 5 would afford such accommodation as to make it profitable to use the Railway from points between the Middle River and the summit.

By adopting the Earltown route the connection with the Coal Mines must be abandoned, for although on the map it may appear practicable to cross the West

River from the Bend of Saw Mill Brook, an examination of the section will show that the Railway at this point is 204 feet above tide water, and the distance to the River being less than two miles, it would be impracticable to get down with an admissible grade.

About the only way by which the Mines could be reached would be by crossing the Harbor with a Bridge of nearly one mile in length, a structure which would be so enormously expensive, if constructed of durable materials, and so uncertain and costly for renewals, if constructed of timber, I do not think the Province, for a merely local work, would be warranted in undertaking it.

In my former Report I discussed the question of the practicability of carrying Coal to Halifax to be there shipped to the States. Although the result showed that no great profit could be derived from this business, in competition against the low freights by water, still, for local accommodation it would be a matter of yearly increasing importance, as the country becomes cleared of its wood, to have Railway connection with the Mines.

My estimate of the cost of transportation from the Mines to Halifax, for the purposes of transshipment, was 7s. 6d. per ton. A certain quantity, however, could be carried at a less cost. In the regular business of the road, trains to the full capacity of the engines would not ordinarily be required, and a few car loads of Coal could be brought daily to Halifax at a reduced cost. Assuming four car loads, or 20 tons, per day, on an average, would give 6000 tons per year—probably more than sufficient to supply the local demand. The actual cost of transportation in this case would be 4s. to 5s. per ton; and, adding the cost of the Coal at the loading ground, 12s. 6d., would give 17s. per ton, as the cost delivered at Richmond.

On review, then, it will be seen that the question of route is more one of business accommodation than of cost, or engineering facilities.

The advantages of Route No. 5 are, that it is the shortest by 10½ miles. It accommodates the business and population of Pictou, New Glasgow, the Albion Mines, Middle and East Rivers, and the Eastern travel, so that *they will use the Railway when full*. It reaches the Albion Mines with the shortest possible distance, and approaches the nearest to the Frazer and Patrick Mines of bituminous shale, or asphalt Coal, recently opened, for manufacturing oil; and which eventually may prove to be of great importance, also a source of considerable income, as the manufactured article could afford to pay Railway freights. The disadvantages of the route are confined to its terminating on the opposite side of the Harbor from Pictou, and the extra cost, when the Trunk is extended, of £68,025 0 0.

The advantages of the Earltown route, are, that it requires two miles less of Railway to be constructed, trunk and branch together, than by Route No. 5. It has its terminus in Pictou, and for the present accommodates Earltown, River John, and the Black River settlement. Its disadvantages—It has a greater length of 10½ miles, and would require a present expenditure of £78,600 additional to reach Pictou. It has 452 feet more rise and fall, has more curvature and steeper grades, does not connect with the coal mines, and does not accommodate New Glasgow, nor the East or Middle Rivers, nor the Sydney County or Cape Breton travel—would afford but little additional facilities to the eastern half of Pictou County, while the western portion which it accommodates, with the exception of Black River district, is also that which would be accommodated by the Trunk line.

The Middle River nearly divides the population of the County, and from the best information I can obtain, Route No. 5 would accommodate about twice the trade and local population, including Pictou, which would be done by the Earltown route.

On comparison, then, of the advantages and disadvantages, and for the several reasons stated, I arrive at the conclusion that Route No. 5 to Abercrombie Point, is entitled to the preference.

In my Report of March last, I mentioned that future surveys must determine which is the most advisable route between the Salt Springs and Abercrombie Point. No new surveys have been made on this portion. It resolves itself mainly as to which side of Green Hill to carry the road. If on the north side, we must cross the Middle River by a bridge and embankment, which cannot be reduced below half a mile in length, and which from the great depth of water and mud would be necessarily expensive. If on the south side, we encounter much heavy cutting and a high bridge, although not necessarily a long one, over the Middle River. The one without going to great expense, would have to be of wood, and subject to continued charges for renewals; the other could be made a durable structure of stone and iron.

As to which of the lines should be preferred, would be a question to be decided when the construction of the road is determined upon.

No new data have been collected in relation to the amount of business that would pass over the road. Some deductions, however, may be made from the statistics given in my former Report.

The extent of the probable revenue to be derived from the local business, was estimated at £18,750, whereas £43,875 was required to pay working expenses, and four per cent. interest upon the cost,—leaving £25,125 to be derived from the business of Prince Edward Island, Cape Breton, the Northern Shore and the Gulf of St. Lawrence.

By the statistics given, the exports from Halifax to Prince Edward Island in 1858 were of the value of £32,643 8s., and from the weights and quantities stated amount to about 1230 tons. If the whole were carried by Railway from Pictou, at 20s. per ton, which is 100 per cent. more than is now charged by sailing vessels from the Island to Halifax, the gross revenue derived would be £1230 per annum. In like manner, taking all the imports into Halifax from the Island, excepting potatoes, oats and barley, which would undoubtedly continue to be shipped mainly by water, the value is £11,574 17s. 9d., and the weight about 1200 tons, which, at 20s. per ton, would yield £1200—and both together, £2430. Allowing 60 per cent. for expenses, would leave as nett revenue from the trade of Prince Edward Island, £972.

A reduction of the exports and imports of Pictou to weight, from the trade returns of 1858, gives—

Exports—Coal.....	106,618 tons.
“ Other articles,.....	7,540
Imports.....	5,060
	—————
	119,218 tons.

It is unfortunate that during the winter, when the trade from Prince Edward Island and the Gulf, from the greater risks of delay, and high rates of insurance by water, would take the railway in preference to passing round by the Gut of Canso—that Pictou, and other harbors in the Gulf and Northumberland Straits, are inaccessible. This would limit the business to be derived from these quarters very materially, confining it mainly to seven or eight months in the year, when the navigation is not attended with increased risk, and of course enabling vessels to compete more successfully with the railway.

The business with Cape Breton that would take an inland route, is limited, being confined chiefly to passenger travel. During the past year, the whole number of tickets sold and collected on the railway for passengers going by the mail coaches east of Pictou, was 670, or little more than two passengers a day. During the same period, the number sold and collected by the same conveyances to Pictou, including Prince Edward Island passengers, was 976. And the total number to and from Halifax and Truro, including the above, 9,913. Many passengers, however, buy a Railway Ticket to Truro and then a Stage Ticket onward.

As to the business along the Northern Shore, we must bear in mind, that, when the Trunk line is completed, Tatamagouche, and all ports to the north both in Nova Scotia and New Brunswick, will be much better accommodated by that than by the Pictou Branch. Passenger travel for the Gulf of St. Lawrence would gain nearly a day in going by rail to Shediac, in place of going to Pictou; and, although undoubtedly, so long as the Trunk Line was not extended, a large trade from the Gulf would centre at Pictou, this would to a considerable extent cease as soon as the trunk was completed.

Having thus stated the results of the surveys and investigations with respect to the Earltown route, it may not be out of place to make a few remarks with reference to

#### THE TRUNK LINE.

The system of Railways originally projected for Nova Scotia, was a very comprehensive one, and were they not so costly to construct and maintain, or did the business of the country warrant, would be of great benefit to the Province.

By the original scheme, a Trunk Line was to be constructed in the first instance to the New Brunswick frontier; and, it is questionable in my mind if the resources of the Province would not have been better applied to its completion—than to the construction of branches. It is true that the expenditure would have been confined to one portion of the Province, always a serious difficulty to be overcome with government works; but once get a Railway that pays, it is easy to extend and construct branches.

The Trunk Line, in addition to the facilities afforded to Earltown, River John, Tatamagouche, Pugwash, Bay Verte, and the northern part of Amherst—would bring the counties of Westmorland, Albert and Kent, in New Brunswick, nearly as accessible to Halifax as to St. John.

These counties by the census of 1851, contained the following population :

Westmorland .....	17,814
Albert .....	6,313
Kent .....	11,410
	35,537

The Trunk would also, by means of the Shediac and St. John Railway, which will be completed next summer, make Halifax the port of entry for freight as well as for passengers, by the Atlantic steamers, destined for St. John and other parts of New Brunswick.

Until it is completed, St. John, by means of the Shediac road, will be much more accessible to the trade of Miramichi, Bay Chaleur, the Gulf of St. Lawrence, and the business connected with the fisheries, than either Pictou or Halifax.

The Inter-Colonial line, of the construction of which at various times there have been such sanguine hopes entertained—from present indications, unless undertaken as a political necessity, will be many years in abeyance ere the amount of population and business on the route will warrant its construction. Canada and New Brunswick are too intent upon affording railway facilities to the more settled portions of the country, to embark in it, at present, upon their own resources; and the contingencies which might arise to render it of imperial importance are viewed as too remote, to induce aid being given towards its construction. Still some progress has been made. Since the date of Capt. Robinson's surveys in 1848, there has been completed in Nova Scotia, the portion from Halifax to Truro, 61 miles; and in Canada the portion from Quebec to Trois Pistoles, 130 miles,—leaving 466 miles to be yet commenced, viz :

In Nova Scotia, by North Shore route.....	80 miles.
In New Brunswick.....	239 "
In Canada.....	147 "
	466 miles.

As more than half of this distance is through wilderness, or sparsely inhabited, the prospect of the early completion of the road as a commercial work, is not very flattering.

Meanwhile, however, when we look in another direction, and see the rapid progress making in the construction of the New Brunswick and State of Maine roads—forming portions of the "European and North American Railway," so called—they promise at no distant day, through the Grand Trunk of Canada, to connect the Upper and Lower Provinces, and by a route which, all things considered, may be quite as advantageous for Nova-Scotia.

By the Inter-Colonial Line, (Northern Shore route) the distance from Halifax to Quebec is 656 miles, and thence to Montreal by the Grand Trunk now in operation, is 168 miles, making the distance from Halifax to Montreal, 824 miles.

Between the same termini, by the European and North American and Portland branch of the Grand Trunk Railway, the following table shows the distances, also the length of road completed, constructing, and proposed.

Halifax to Truro.....	completed, 61 miles.
Truro to N. B. Line.....	proposed, 80 "
N. B. Line to Bend of Peticodiac.....	" 33 "
Bend to St. John, to be completed July, 1860.....	89 "
St. John to Calais, Maine boundary.....	proposed, 74 "
Calais to Bangor, of which 6 miles from Calais to Baring, and 13 miles from Milford to Bangor, completed.....	95 "
Bangor to Danville Junction on Grand Trunk, (27 miles from Portland,) completed.....	110 "
Danville to Quebec via Grand Trunk.....	completed.. 288 "
	Halifax to Quebec..... 830 miles.
	Halifax to Danville Junction as above..... 542 miles.
	Danville to Montreal via Grand Trunk, completed..... 264 "
	Halifax to Montreal..... 806 miles.

This route, therefore, would be 174 miles longer from Halifax to Quebec, and 18 miles shorter from Halifax to Montreal, than by the Intercolonial line. It has the great advantage of requiring only 263 miles of road, and that to a large extent through a settled country, to be constructed, of which there are—

In Nova Scotia.....	80 miles.
In New Brunswick.....	107 "
In the State of Maine.....	76 "
	263 miles.

With these links completed, Nova Scotia and New Brunswick would be connected with the whole Railway systems of the United States and of Canada, and by a line which perhaps would afford better facilities to the existing or probable business than the Intercolonial would afford.

General freight from the Canadas for Europe will take the shortest Railway route to a shipping port, the expense of carriage by rail being quite double that by water. Even were the Intercolonial line constructed,—in times of peace, and with free transit and drawback of duties, as now exist,—New York, Boston, and Portland, must be the Atlantic shipping ports for Canadian produce when the St. Lawrence is closed, except for goods which can afford to pay the highest rates to save time. The increased Railway charges by the Intercolonial would nearly or quite pay the freight, on ordinary produce, across the Atlantic.

The distance by rail from Montreal to New York is 400 miles, to Boston via Grand Trunk 404 miles, and to Portland 293 miles. From Quebec to New York by rail is 554 miles, to Boston 427 miles, and to Portland 316 miles—showing a great saving in distance when compared with the Intercolonial.

It is the passenger travel and light goods to and from Europe which could be relied upon as the most remunerative for a line from Halifax. For such business, which is annually increasing, any saving in time or distance that can be effected is of great importance. Halifax has the advantage of being the nearest available point of arrival and departure, being 600 miles nearer to Liverpool than New York, 450 miles nearer than Boston, and 400 miles nearer than Portland.

Assuming the speed of Railway trains at 25 miles an hour, and the speed of sea steamers at an average of 12½ miles an hour, the following table exhibits the time from Halifax to several points:

	Distance by Rail.	Distance by Sea.	Time.
Halifax to Quebec, by European and N. American . . . . .	830 . . . . .		33 hours.
“ to Montreal by do do . . . . .	806 . . . . .		32 “
Halifax to Quebec by Sea to Boston & Gr. Trunk . . . . .	427 . . . . .	450 . . . . .	53 “
“ to Montreal by do do . . . . .	404 . . . . .	450 . . . . .	52 “
Halifax to Boston by Sea . . . . .		450 . . . . .	36 “
“ to do by Rail . . . . .	676 . . . . .		27 “

Passengers, therefore, by leaving the steamers at Halifax could reach Montreal and Quebec in 32 or 33 hours—sooner, in fact, than the steamer can reach Boston, and thus one day would be gained. Passengers also for the States could reach Boston nine hours in advance of the steamer.

To complete these links appears to me to be within the ability of Nova Scotia, New Brunswick, and the State of Maine. By doing so they would add largely to the business facilities of the several States. The Grand Trunk Company of Canada would also benefit largely by the successful accomplishment of the work, as it would afford a speedy and direct means of connecting with the Atlantic steamers throughout the year, and would induce travel over their road, which now goes to New York, or through Vermont and New Hampshire to Boston. I believe it only requires some united action to insure the early completion of the whole work.

In the foregoing remarks I have assumed that we must use the Grand Trunk Railway in the State of Maine, but in the event of the St. Andrew's and Quebec Railway, now partly constructed, being completed, and the projected road of 70 miles in length, from St. John, to intersect it, being built, the distance from Halifax to Quebec would be reduced to about 668 miles. To Montreal, however, the distance would be increased to 836 miles. The trade of the latter is altogether of more importance than the former.

The distance by this route would be as follows :

Halifax to St. John .....	263 miles.
St. John to Junction St. Andrew's and Quebec R. R. ....	70 "
Junction to Woodstock .....	55 "
Woodstock to Canada boundary .....	120 "
Boundary to River du Loup .....	50 "
River du Loup to Quebec, completed .....	110 "
	668 miles.
Quebec to Montreal by Grand Trunk, completed .....	168 "
	836 miles.

LENGTH OF ROAD REQUIRED TO BE CONSTRUCTED.

In Nova Scotia .....	80 miles.
In New Brunswick .....	278 "
In Canada .....	50 "
	408 miles.

Nova Scotia possesses the important advantage, that the portion of road within her territory would form a part of the "European and North American;" and also of the "Inter-Colonial" to Quebec, whenever and on whatever route it may be constructed. New Brunswick, on the other hand, labors under the disadvantage of requiring two independent lines, one for the European and North American and another for the Inter-Colonial. And possibly in her anxiety to commence and secure the construction of both, she may cripple her resources so as to be unable to effect the completion of either. Her true policy, in my opinion, is to devote her energies to the European and North American in the first instance. The portion from St. John to the boundary line of Maine, is the key to the whole. If New Brunswick can complete this portion, the rest must follow as a matter of course, and with every prospect of proving remunerative.

The Trunk Line, from Truro to the New Brunswick boundary, averaging the whole distance, can certainly be built for, say £10,000 per mile, which is about the estimated cost of the branch from Earltown to Pictou. The country from Tatamagouche to the New Brunswick line, a distance of about 50 miles, is comparatively level. Calling the whole distance 80 miles—

The cost, at £10,000 per mile, would be .....	£800,000	0	0
While to carry the road to Pictou and the Mines, would cost .....	520,000	0	0
	£280,000	0	0
To complete both the Trunk Line and the Branch to Pictou, would cost—			
Trunk .....	£800,000	0	0
Branch .....	352,280	0	0
	£1,152,280	0	0

I am aware that in expressing these views, they run counter to the cherished hopes and anticipations of many; but I give them as my convictions, and for the purpose of directing attention anew to forming a Railway connection with Canada and the States, and by a route which appears to be more within the ability and present resources of the Provinces to accomplish.

I have the honor to be, Sir,

Your most obedient servant,

JAMES LAURIE, C. E.

The Hon. the Provincial Secretary.

Table of Gradients from Truro to Pictou, via Earldown.

Distance from Truro in miles.	Length of grade in miles.	Inclination of grade 1 in.	Grade in feet per mile.	Ascent of Grade in feet.	Descent of Grade in feet.	Elevation above tide water in feet.	LOCALITY.
						58	Truro Station.
.64	.64	880.	6		4	54	
1.52	.88	1173.3	4½	4		58	
2.56	1.04	340.6	15½	16		74	
4.36	1.80	293.3	18	32		106	Saw Mill Brook.
7.76	3.40	289.3	18½	62		168	
9.85	2.09	176.	30	63		231	
10.30	.45	120.	44	19		250	Route No. 3 diverges.
13.49	3.19	277.9	19	60		310	
14.63	1.14	251.4	21	24		334	
15.90	1.27	176.	30	38		372	
17.79	1.89	138.9	38	72		444	
20.70	2.91	245.5	21½	62		506	Summit near McDon-
21.40	.70		Level.			506	ald's Lake.
22.10	.70	112.3	47		34	472	
22.42	.32		Level.			472	{ Pictou Branch com-
23.06	.64	105.6	50		32	440	{ mences at 22.80.
23.55	.49		Level.			440	
24.93	1.38	93.4	56½	78		518	Nabiscump Summit.
26.63	1.70	96.9	54½		92	426	
26.89	.26	234.6	22½		6	420	
28.82	1.93	103.5	51		98	322	
29.65	.83	192.	27½		23	299	
32.83	3.18	107.8	49		155	144	
32.98	.15		Level.			144	River John near W.
33.34	.36	240.	22	8		152	Branch.
33.49	.15		Level.			152	
34.19	.70	285.3	18½		13	139	
35.37	1.18	117.3	45	53		192	
36.53	1.16	754.3	7	8		200	Black River road.
37.38	.85	377.1	14		12	188	
38.02	.64		Level.			188	McCara's Brook.
38.76	.74	943.	5½	4		192	
39.42	.66	293.3	18	12		204	
40.14	.72		Level.			204	
40.78	.64	142.7	37	24		228	
41.23	.45	240.	22		10	218	
41.63	.40	550.	9½	4		222	Stewart's Brook.
42.63	.98	172.2	30½	30		252	
42.97	.36		Level.			252	{ Hardwood Hill Summit.
44.03	1.06	117.3	45		48	204	
46.15	2.12	107.8	49		104	100	
46.35	.20		Level.			100	
47.31	.96	115.8	45½		44	56	Road to River John.
49.02	1.71	188.6	28		48	8	Town Gut.
49.20	.27		Level.			8	
49.93	.64	422.4	12½	8		16	
50.50	.57	377.1	14		8	8	
50.77	.27		Level.			8	To Smith's whf. Pictou.
				681	731		



*Statement of Importations from P. E. Island, for 1858, to Halifax.*

ARTICLES.	Quantity.	Rate Weight in Bg.	Tons.	Value.
Oats.....bushels..	201,121	45	4040.30	£20112 2 0
Barley.....“	35,716	45	717.50	6696 15 0
Potatoes.....“	115,717	60	3099.56	10125 4 9
Turnips.....“	1,629	40	29.88	142 10 9
Oysters.....“	1,095	60	29.33	273 15 0
Oatmeal.....bags and bbls	1,417	200	126.50	1500 0 0
Codfish.....quintal.	7,492	112	374.60	5993 12 0
Scale Fish.....“	2,681	112	134.05	1340 10 0
Mackerel.....barrels	591	300	79.15	1182 0 0
Herrings.....“	930	300	124.55	697 10 0
Butter.....packages	356	50	7.94	445 0 0
			8763.36	£48508 19 6
Deduct..Potatoes.....	3099.56			
“ ..Oats.....	4040.30			
“ ..Barley.....	717.50		7857.36	
			906	
Add $\frac{1}{2}$ for under estimates and measurement goods.....			302	
			1208 tons.	

*Statement of Exportations to P. E. Island, for 1858, from Halifax.*

ARTICLES.	Quantity.	Rate Weight in lbs.	Tons.	Value.
Molasses.....puncheons..	550	1250	306.92	£4950 0 0
“.....tierces.....	14	800	5	84 0 0
“.....barrels.....	27	300	3.61	60 15 0
Sugar.....hogsheads..	268	1350	161.51	6700 0 0
“.....barrels.....	94	300	12.58	470 0 0
Rum.....puncheons..	138	1100	67.76	3036 0 0
Brandy.....hogsheads..	10	700	3.15	450 0 0
Tea.....chests.....	1421	112	71.05	8526 0 0
“.....half chests..	15	56	37	45 0 0
Soap.....boxes.....	279	75	9.34	209 5 0
Candles.....“.....	64	48	1.37	128 0 0
Sole Leather.....sides.....	1291	25	14.40	1936 10 0
Tobacco.....boxes.....	243	148	16.06	1215 0 0
Herrings.....barrels.....	216	300	28.92	172 16 0
Flour.....“.....	803	200	71.69	1204 10 0
Apples.....“.....	148	120	7.92	88 16 0
Ale and Porter.....“.....	41	250	4.57	82 0 0
Pork.....“.....	50	300	6.70	60 0 0
Raisins.....boxes.....	628	18	5.04	376 16 0
Gin.....hogsheads..	98	780	34.12	1960 0 0
Gin.....cases.....	36	100	1.60	36 0 0
Wine.....casks.....	36	400	6.42	720 0 0
Salt.....hogsheads..	330	500	73.66	132 0 0
			923.76	£32643 8 0
Add $\frac{1}{2}$ for under estimates and measurement goods.....			307	
			1230 tons.	

## APPENDIX.

## MR. WIGHTMAN'S REPORT.

SIR,—

Having been directed by you to make a Survey for a Railroad from Earltown to Pictou, I beg to submit the following Report:—

The general formation of the country may be described as follows: There is a deep valley running through the Earltown mountain in a north-west and south-east direction, about three hundred feet below the general top of the mountain, the drainage of which forms the Salmon and Waugh Rivers; the former running into the Bay of Fundy at Truro, and the latter into the Gulf of St. Lawrence at Tatamagouche. The point at which the waters divide in this valley is about station 970 of the survey of last autumn, and the height five hundred and six feet above the tide level of high water at Truro; from this point the valley descends southwardly at a declivity of twenty to forty feet per mile, and northwardly from forty to sixty feet per mile.

From the northern valley, at about two miles from the summit, a valley branches off to the north-east, in which is a large stream known as McKay's mill stream. About a mile up this valley, above McKay's mill, or a mile and three quarters from its junction with the Waugh, there is a low depression in the northern range of hills by which it is bounded, and immediately northward, within a few hundred feet, is the source of the *Nabiscump*, a stream falling into the River John. The line for the road is carried through this depression, the height of which is five hundred and eighteen feet, twelve feet above the summit at Salmon River.

The Nabiscump, after the first half mile, becomes a considerable stream, flowing in a valley descending north-eastwardly, at fifty to fifty-five feet per mile, between ranges of lofty hills. At about four miles from its source it leaves the mountainous region and continues its course nearly east through a gently undulating country for about four miles further to its junction with the River John.

At the place of the entrance of the Nabiscump into the low country, the foot of the mountain turns off to the southward of east, and continues in that direction about five miles to the valley of the "West Branch" of River John, from which place it continues nearly east, with little interruption, to the low chain of high lands which bounds the "West River" of Pictou. To the eastward and north of the mountain the features of the country are tame and undulating.

At about ten miles from the West Branch, we arrive at the top of the chain of hills bounding on the west the basin in which the harbor of Pictou lies, the lowest opening through which is two hundred and fifty feet above tide water, and distant from Pictou about seven and a half miles.

The survey begins at station 1006 on the former survey, one mile south of McDonald's Lakes. The line as run is straight to the Lake at station 50, thence for another mile it passes through portions of the Lakes and encounters several hills, with curvatures of three degrees, and the earthwork heavy,—about 120,000 yards in two miles, but by increasing the curvatures at the foot of the lake to four degrees, and changing the straight line south of the lake to curves of two degrees, this quantity may be reduced by 50,000 yards.

From the foot of McDonald's Lake the passage is crooked, and the hills abrupt and about thirty feet in height for about half a mile, from which the valley of the Waugh River, continues in a broad flat northwardly, with an average descent of fifty feet per mile.

The Branch to Pictou will turn off at about station 110, from which, to McKay's mills, at station 173, the ground falls toward the Waugh, and the line is carried so as to make the least earthwork that the case admits of. At this point it enters the valley of McKay's mill stream, which is somewhat crooked as far as station 190, from thence to station 222 the flat is pretty straight, and carries a breadth of four or five hundred feet, and is bounded by pretty steep hills—the line is carried up this flat.

On the above line, as run from McDonald's Lakes to station 222, the grades are steep—descending to about station 140, and then rising at fifty-five feet per mile to station 222. This depression may be avoided by running a line across the front of a range of hills from station 80 to 222, as shown by the line upon the plan; this line would have grades of twenty-five feet per mile, of the same length, but would be considerably more expensive. A line has been run

here, but not so worked out as to determine the quantities : it might be further examined at a future time.

Another line has been tried direct from A to station 222—it saves about three-quarters of a mile in distance, and avoids the heavy work at McDonald's Lakes ; the grades about forty-five feet per mile, but little or nothing would be saved in expense, while it would leave the Trunk Line through the Lakes still to be done at a future time : it was abandoned for the present. The line as run was therefore preferred. On this line the natural place for a junction with the Grand Trunk is at station 110—the head of the Waugh River, but as the descent of the ground for a mile northwardly is sixty-five feet per mile, there is no opportunity of getting a level for a station.

On the summit of ground south of the Lakes the line is level, but that, besides being in the mountains too far from the settled country, would involve the necessity of laying two miles of double track, or keeping a switchman at station 110.

Draining off about seven feet of water from the present surface of the lower lake, will lay bare several acres, and afford a level space of 1200 feet in length, and it is only half a mile from the present road. By making the junction at the Lake the half mile up to station 110 would require grading for a double track.

To overcome the summit at station 222, will require a deep cutting. The grade down the Nabiscump is laid at fifty-four and a half feet per mile. This grade is exceptional, the other grades descending towards Pictou not exceeding fifty feet per mile ; this might be brought to the same by an addition to the earthwork of some 30,000 yards, or by raising it to sixty feet per mile, it might be *reduced* about 20,000 yards. The material at this summit will make the embankment in both valleys from station 173 to 323, but it will require moving with a train.

From station 240 to 290, the flat ground along the Nabiscump is narrow and crooked, necessitating some cutting of the points of hills, and the making of several culverts ; but from this point downwards to station 450 it is more broad, and by giving the line easy curvatures there will be an opportunity of carrying the stream entirely on the northern side of the road, leaving only the land wash of the southern side to be carried through by ordinary-sized culverts. This is the more expedient, as, although the basin drained by this stream is not large, the height and steepness of the hills on either side is such as to send down sudden flushes of water which would require considerably wide bridges on the stream.

Between station 450 and River John there is a swell of ground of moderate height, bounded on the north by the Nabiscump, and on the south by a broad strip of lowish ground running down from the foot of the mountain on the west to the river. It was necessary to carry the line either on one side or the other of this swell of ground ; the northern side of it is not so eligible for a line as the southern, because the Nabiscump is crooked, and the crossing of the River John would be much more expensive than upon a line further up the river. The line was therefore carried across the head of this high ground to station 485, and at this point it becomes a question which is the most proper course to the River John. The line as run skirts the head and southern side of the low ground, falling at fifty feet per mile. It might turn off at station 485, and follow the northern side of the valley to B, and continuing onward, join the present line at station 730, which would save a quarter of a mile in distance, and probably cost no more than the present line. The objection to it is, that it would increase the descent to the River John upwards of five feet in the mile : it remains to be more fully examined at a future time.

From station 570 to 585 there is a pretty heavy cutting, which might be greatly reduced by going four or five hundred feet to the left, but it would make the road more crooked, and eventually save nothing in quantity, because the material is all wanted upon the low ground at River John, which would otherwise have to be made up by borrowing ; it may be moved with a train. The remark respecting sudden flushes of water in the valley of the Nabiscump, applies equally to this section, from the vicinity of the mountain on the south-west.

The River John, commonly called " West Branch," at the bridge about half a mile above the line, passes through an opening of forty feet in width, with a maximum depth of ten ; a considerable brook comes in between this and the line. Taking the above bridge as a guide, sixty, or at most, seventy feet, for the span of the bridge, seems to be sufficient to meet any contingency. The bottom is coarse gravel, with a probability of rock at no great depth.

The section up Black River extending from station 640 to 1160—about ten miles—is of a character quite different from the above—it is a broad plain, slightly broken, undulating in some parts ; and bounded at the sides by low ranges of hills. For the first four miles of this distance the line follows a vein of pretty smooth ground near the base of the southern hills, but beyond the range of flushes of water on the remaining six miles, it keeps near the middle of the valley, and meets with no obstacle except a point of upland at station 1060, which might be

turned by going further north, but it would lengthen the road, and the expediency of the measure must be determined by future examinations.

At station 1160 commences the descent towards Pictou, by the valley of the "Saw Mill Brook." Up to station 1195 the earth work is light; from thence the line has to follow the brook in a crooked and narrow ravine, with steep, rocky banks, up to station 1230. (3500 feet.) The line has curves of four and four and a half degrees, with but one crossing of the ravine, but will require pretty heavy work. The present estimate is only an approximation to the quantities, but I think will be found tolerably near the truth. The probable increase of expense over the general average per mile of the whole road will be about £5,000.

After passing this ravine, the line follows the southern slope of "Harwood" and "Scotch Hills," with grades not exceeding fifty feet per mile, to the "Town Gut," from which place it will follow the shore of the harbour, as far as may be required.

The material is generally a loam, in which gravel preponderates. I have not observed any clay, except a few patches in the valley of Black River. On some parts of the line, gravel is abundant; probably it will not be difficult to procure it in any part. There is no indication of rock in the hills westward of the head of Saw Mill Brook, although it *may* be met with in some of the deep cuts. From this place to Pictou the ground is underlaid with sandstone rock, and it may be expected at a short distance below the surface, but as a large proportion of the road will be in embankment, the rock cutting, with the exception of the ravine on Saw Mill Brook, will not be very extensive. Another circumstance to be observed, is that the stone in this region is of a kind fit for building, and that required for culverts, &c., may probably be had from the excavations.

With respect to building materials, there are no quarries fit for that object known to exist westward of River John. In the bed of that river, and in the lower part of Black River, hard sand stone in beds of convenient thickness is abundant, and there is reason to believe that quarries may be found in many places on either Black River or the lower three miles of the Nabiscump. From the head of Saw Mill Brook to Pictou, building stone is abundant, and as has been already remarked, may probably be had from the cuttings of the road.

The haulage of stone from River John to the mountain will cost from ten to fifteen shillings per yard, and as wood is very abundant, it will be a matter for consideration whether the places for culverts had not better be passed with temporary trestles, leaving the stone to be brought on afterwards with a train.

A line has been proposed to cross the mountain from the valley of Salmon River to that of River John by Gulley Lake;—much reliance has been placed upon a line being found here in consequence of the late Mr. Crerar having, in a report in 1851, (a copy of which is herewith appended) proposed to carry the *Trunk Line* in this direction in preference to Major Robinson's route by the Folley Lake. But recent surveys show that a line here would not be so favorable as the Report represents, and that the trunk line by Salmon and Waugh Rivers is at least four miles shorter, with one hundred and fifty feet less height at the summit. This, I think, precludes the idea of bringing the Trunk Line this way.

But, as the plans shew, could a line to Pictou be found through this pass, leaving the Trunk three miles above Irvine's Brook, there would be about a mile less of branch to make than on the line surveyed, and about six miles less distance between Truro and Pictou. I therefore had a course of levels taken along the road from West Branch bridge to the summit at Gulley Lake. The height of several points to the eastward has also been ascertained by leveling; their position is not determined by measurement, but it is believed that, as marked on the plan, they are within one or two thousand feet of being correct.

These levels show the height at Gulley Lake to be six hundred and fifty-two feet, making a rise from Irvine's Brook of three hundred feet in a distance of about six miles; average fifty feet per mile. But this would require the Trunk Line to rise from Irvine's Brook at fifty feet per mile for three miles, and then pass along the side of the high ground above the valley of Salmon River to near the summit, or else, to commence the branch at Irvine's Brook, making it three miles longer than I have estimated.

To the north of Gulley Lake the ground is irregular, but no descent can be made for a mile; from that point the branch of the River John, connecting with the valley of Gulley Lake, falls three hundred feet in two miles. There is a branch further east, falling one hundred and fifty feet in two miles, but the brook at the upper end of these two miles is three hundred and thirty feet below the ridge dividing the brooks.

It is, therefore, impossible for a line to follow the valley of the River John. It must either keep the high land on the west as proposed by Mr. Crerar, for the Trunk Line, and intersect the surveyed line near the Nabiscump, or cross one of those brooks on a high bridge, and follow the mountain side on the east.

On the first, or western line, grades might possibly be obtained at fifty feet to the mile, but with difficult ground to encounter, and thirty-one miles of *Branch* to make against twenty-eight by the surveyed line. The distance from Truro to Pictou would be about forty-eight miles, against fifty and a half miles by Earltown.

On the eastern line, to obtain grades of fifty feet a mile, it would be necessary to ascend to a summit of about seven hundred and twenty feet, and cross the ravine at the point marked C on the plan, with a bridge of one hundred and eighty feet in height, which could hardly be less than one thousand feet long on top; or, to follow the western side of the ridge between the brooks, and cross the ravine at D, with a bridge two hundred feet high. To the east of this, I believe there is at least one other large ravine to be crossed.

Even if these difficulties could be surmounted, the road would have to run for a great part of eighteen miles along the side of the mountain, crossing all its spurs and hollows, requiring numerous culverts, causing the road to be more crooked, and leaving it subject to flows of water from the mountain side, making it altogether inferior to a road located in the bottom of a valley, independent of the very great addition to the expense. From these considerations, I thought it imprudent to spend more time on that line without special instructions.

The curves are not so well defined as to be fit for a tabular statement, but the following will be near the truth:—

3	curves of Radius 1200 feet.
2	do. do. 1637 "
5	do. do. 1910 "

The remainder from 2865 to 5730 feet.

In the following estimate the cuttings are calculated for a breadth of formation level of twenty-four feet, slopes 2 to 1; embankments 18 to 20 feet, slopes 1½ to 1.

The superstructure of the bridges, and the crossing of open culverts and cattle guards are all calculated for iron.

I am, Sir,  
Yours respectfully,

GEORGE WIGHTMAN.

JAMES LAURIE, ESQ.,  
Chief Engineer N. S. R., Halifax.  
Halifax, September 26, 1859.

*Abstract of Gradients.*

Description.	No.	Length. m. dec.	
From 0 to 10 feet per mile.....	2.....	1.52	} Between Truro and Earltown.
" 10 " 20 do. do.....	4.....	9.43	
" 20 " 30 do. do.....	2.....	4.05	
" 30 " 40 do. do.....	3.....	5.25	
" 40 " 44 do. do.....	1.....	0.45	
Level.....	11.....	4.09	
From 0 to 10 feet per mile.....	3.....	2.30	} Between Earltown and Pictou.
" 10 " 20 do. do.....	5.....	3.42	
" 20 " 30 do. do.....	5.....	3.61	
" 30 " 40 do. do.....	2.....	1.62	
" 40 " 50 do. do.....	7.....	9.84	
" 50 " 56½do. do.....	3.....	5.19	
Total... ..	48.....	50.77	

*Bridge and Culvert Masonry.*

Station.	Designation.	Depth of embankt. Feet.	Total Yards.	Rate.			
17.	Bridge 30 feet span.....	4	60	30s	£90	0	0
24.	3 feet Culvert.....	6	48	30s	72	0	0
50.	Wooden Sluice.....				10	0	0
57.	Ditto.....				10	0	0
80.	Ditto.....				20	0	0
95.	Bridge, 10 feet span.....	6	60	30s	90	0	0
120.	3 feet Box Culvert.....	12	72	30s	108	0	0
145.	Bridge for stream and roadway, 30 ft....	20	280	30s	420	0	0
165.	2 feet Culvert.....	25	70	30s	105	0	0
174.	Bridge 20 feet span.....	8	80	30s	120	0	0
182.	3 feet Culvert.....	8	84	30s	126	0	0
207.	3 feet open Drain.....	4	40	30s	60	0	0
242.	3 feet do.....	3	32	30s	48	0	0
261.	4 feet do.....	6	70	30s	105	0	0
280.	3 feet double Culvert.....	6	72	30s	108	0	0
285.	3 feet do.....	10	96	30s	144	0	0
321.	Bridge, 10 feet span.....	10	180	30s	270	0	0
343.	3 feet open Drain.....	4	40	30s	60	0	0
375.	3 feet do.....	4	40	30s	60	0	0
400.	3 feet do.....	5	40	30s	60	0	0
423.	4 feet Culvert.....	12	114	30s	171	0	0
434.	3 feet do.....	10	64	30s	96	0	0
440.	2 feet do.....	20	60	20s	60	0	0
456.	3 feet do.....	13	76	30s	114	0	0
487.	4 feet do.....	10	102	30s	153	0	0
492.	2 feet do.....	12	42	20s	42	0	0
503.	3 feet do.....	10	64	30s	96	0	0
510.	Bridge 15 feet span.....	10	180	30s	270	0	0
539.	Do. do.....	8	150	25s	187	10	0
564.	Do. do.....	12	230	30s	345	0	0
576.	3 feet open drain.....	3	36	25s	45	0	0
595.	Bridge 15 feet span.....	7	140	25s	175	0	0
625.	Bridge 25 feet span, stream and road.....	15	280	30s	420	0	0
640.	River John Bridge.....	12	400	40s	800	0	0
702.	4 feet Culvert.....	17	144	25s	180	0	0
707.	Bridge and Roadway, 30 feet.....	16	540	30s	810	0	0
724.	3 feet Culvert.....	15	82	25s	102	10	0
733.	Do. do.....	7	52	25s	65	0	0
779.	Do. do.....	6	48	25s	60	0	0
794.	Do. do.....	7	52	25s	65	0	0
806.	Do. do.....	7	52	25s	65	0	0
828.	Do. do.....	7	52	25s	65	0	0
835.	3 feet open Drain.....	5	60	25s	75	0	0
871.	3 feet Culvert.....	10	64	25s	80	0	0
881.	Bridge 20 feet span.....	10	182	30s	273	0	0
905.	Do. do.....	12	232	30s	348	0	0
928.	Open Drain.....	3	36	25s	45	0	0
942.	Bridge 20 feet span.....	8	150	25s	187	10	0
959.	3 feet Culvert.....	8	56	25s	70	0	0
976.	do. do.....	6	48	25s	60	0	0
985.	Bridge 20 feet span.....	4	60	25s	75	0	0
1009.	4 feet Culvert.....	8	90	25s	112	10	0
1025.	3 feet Culvert.....	6	48	25s	60	0	0
1040.	Do. do.....	6	48	25s	60	0	0
1069.	Do. do.....	6	48	25s	60	0	0
1080.	Do. do.....	9	51	25s	63	15	0
1096.	Bridge 15 feet span.....	6	100	25s	125	0	0
1107.	3 feet Culvert.....	8	56	25s	70	0	0
1121.	Do. do.....	6	48	25s	60	0	0

Station.	Designation.	Depth of embankt. Feet.	Total Yards.	Rate.			
1134.	3 feet Culvert .....	6.	48.	25s.	60	0	0
1181.	Double 3 feet Culvert. ....	6.	72.	25s.	90	0	0
1197.	Bridge 25 feet span .....	12.	230.	25s.	287	10	0
1209.	2 feet Culvert .....	15.	50.	25s.	62	10	0
1222.	Bridge, Saw Mill Brook, 40 feet span .....	45.	1000.	25s.	1250	0	0
1244.	3 feet Culvert .....	6.	48.	25s.	60	0	0
1255.	4 feet open Culvert .....	6.	54.	25s.	67	10	0
1274.	4 feet Culvert .....	10.	102.	25s.	127	10	0
1285.	3 feet do. ....	8.	56.	25s.	70	0	0
1309.	4 feet do. ....	8.	90.	25s.	112	10	0
1335.	4 feet open Drain .....	4.	50.	25s.	62	10	0
1347.	4 feet do. ....	6.	88.	25s.	110	0	0
1381.	10 feet Arch .....	35.	720.	30s.	1080	0	0
1396.	Double 3 feet Culvert .....	10.	96.	25s.	120	0	0
1412.	3 feet Culvert .....	14.	78.	25s.	97	10	0
1423.	Do. do. ....	10.	64.	25s.	80	0	0
1446.	Do. do. ....	8.	56.	25s.	70	0	0
					8603..... £12,105 5 0		

*Road Crossings.*

At Station				
47.	Public—Level .....	£70	0	0
105.	Do. do. ....	80	0	0
126.	Private—Level .....	10	0	0
168.	Public—Under Railway .....	500	0	0
205.	Private—Level .....	10	0	0
226.	Public—Wooden Bridge over Railroad .....	120	0	0
247.	Private—Level .....	10	0	0
261.	Do. do. ....	10	0	0
287.	Public— do. ....	80	0	0
308.	Private— do. ....	10	0	0
323.	Public— do. ....	70	0	0
335.	Private— do. ....	10	0	0
363.	Do. do. ....	10	0	0
415.	Do. do. ....	10	0	0
431.	Public— do. ....	70	0	0
453.	Private— do. ....	10	0	0
512.	Do. do. ....	10	0	0
535.	Do. do. ....	20	0	0
546.	Do. do. ....	10	0	0
595.	Do. do. ....	10	0	0
623.	Public—Under Railroad .....	30	0	0
651.	Public—Level .....	70	0	0
815.	Do. do. ....	80	0	0
873.	Private— do. ....	10	0	0
938.	Do. do. ....	10	0	0
986.	Do. do. ....	10	0	0
1000.	Public— do. ....	70	0	0
1065.	Private— do. ....	10	0	0
1100.	Public— do. ....	70	0	0
1112.	Private— do. ....	10	0	0
1145.	Do. do. ....	10	0	0
1170.	Public— do. ....	70	0	0
1225.	Do. do. ....	100	0	0
1250.	Private— do. ....	10	0	0
1260.	Do. do. ....	10	0	0
1273.	Public— do. ....	80	0	0
1294.	Private— do. ....	10	0	0

At Station				
1311.	Private—	Level	.....	10 0 0
1335.	Public—	do.	.....	70 0 0
1370.	Private—	do.	.....	10 0 0
1390.	Public—	do.	.....	70 0 0
1406.	Private—	do.	.....	10 0 6
1421.	Do.	do.	.....	10 0 0
1425.	Do.	do.	.....	10 0 0
1436.	Do.	do.	.....	10 0 0
1448.	Do.	do.	.....	10 0 0
				£2,000 0 0

*Road Diversions, &c.*

80 to 110.	½ mile of new road	.....	200 0 0	
220 “ 240.	½ mile of new road	.....	100 0 0	
	Removing Church	.....	100 0 0	
520 “ 534.	½ mile of new road	.....	20 0 0	
1110 “ 1136.	½ mile of new road	.....	200 0 0	
1220 “ 1250.	½ mile of new road	.....	200 0 0	
				£820 0 0

*Superstructure for Bridges, &c.*

West Branch, River John, 70 feet span, at £18	.....	£1260 0 0
Saw Mill Brook, 40 feet span, at £10	.....	400 0 0
Aggregate length of small bridges, 400 feet, at £5	.....	2000 0 0
12 open Drains, at £7 10s	.....	90 0 0
		£3,750 0 0

## GENERAL ESTIMATE.

Earthwork, 800,000 yards, at 1s. 6d.	.....	£60,000 0 0
Rock excavation, 14,000 yds. at 6s. 3d.	.....	4,375 0 0
Extra at Saw Mill Brook	.....	5,000 0 0
Grading 7 stations, 32,000 yards, at 1s. 3d.	.....	2,000 0 0
Masonry, Bridges and Culverts	.....	12,105 0 0
Iron Superstructure and Girders	.....	3,750 0 0
Road Crossings	.....	2,000 0 0
Diversions of Roads	.....	820 0 0
Catch Drains, 12 miles, at 4s. per rod	.....	768 0 0
Stream diversions	.....	500 0 0
Grubbing and clearing 27½ miles	.....	2,000 0 0
		£93,318 0 0
27½ miles superstructure, at £2500, including allowance for sidings	.....	68,750 0 0
		£162,068 0 0
Contingencies, 10 per cent.	.....	16,206 0 0
		£178,274 0 0

NOTE.—This estimate is up to a point two and a half miles back from Smith's wharf, Pictou.



Amount brought down, Mr. Wightman's Estimate for grading, masonry, and superstructure, on 25½ miles,.....	£178,274	0	0
Add for 2½ miles of road to Smith's wharf, Pictou, including bridge across Town Gut and filling for Station, also station tracks and turn-outs, per route No. 3,	27,715	0	0
Add to Mr. Wightman's estimate, 3d. per yard on excavation, and 15s. on bridge masonry.....	13,766	0	0
	<hr/>		
	£219,755	0	0
Station Buildings and fixtures.....	6,000	0	0
Locomotive Engines and Cars.....	25,000	0	0
Wharves.....	5,000	0	0
Engineering, &c.....	8,500	0	0
	<hr/>		
	£264,255	0	0
Add interest during construction.....	20,000	0	0
	<hr/>		
Total.....	£284,255	0	0

## COPY OF MR. CRERAR'S REPORT.

Pictou, October 27th, 1851.

SIR,—

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

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

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

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

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

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

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

I have the honor to remain,

Your obedient servant,

PETER CRERAR.

Hon. JOSEPH HOWE, &c. &c.

## ACCOUNTS AND CLAIMS OF MR. DONALD CAMERON.

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*Halifax, December 28, 1859.*

Mr. Cameron was the original contractor on the Windsor Branch for Nos. 1, 3, and 4 contracts, but as in the opinion of the Commissioners he failed to carry them on, with sufficient energy, to insure their completion within the time specified, an arrangement was made to pay him for the work done, on No. 1 and 3 contracts, at the schedule prices, and transfer them to Messrs. Johnston & Blackie, leaving him to devote his attention entirely to No. 4.

The contracts were let out July 7th, 1855, to be completed June 1st, 1857, and the transfers made September 30th, 1856.

In the winter of 1857-8, when the other contractors on the Railway presented claims for extra work arising from sinkage of bogs and inaccuracies of surveys, Mr. Cameron appeared before the Railway Committee, representing that they had no just claims. He had previously himself, however, presented claims on No. 4 contract to the Railway Board, amounting to £9719 0 0. (See appendix No. 1.)

Several of the other contractors stated that they made no allowance for bogs or subsidencies,—that they based their tenders on the schedule quantities, expecting to be paid extra if they performed additional work. And from the circumstances stated,—coming from Canada where work was paid for by the cubic yard, and not being conversant with the practice in Nova Scotia,—it is possible to believe that they were sincere in their statements, and the more especially, as in the settlements made with Mr. Cameron on contracts No. 1 and 3 Windsor Branch, he was paid substantially for every cubic yard of work done by him, without deduction either for shrinkage or subsidence.

Mr. Cameron, in giving evidence before the Railway Committee, stated as follows :

“ I went over the works, and examined the bogs, and satisfied ourselves about the nature of the cuttings. In some cases we found a greater quantity of cuttings than section indicated. *In most all cases we took a pole in going over the bogs, and probed to examine the depths.* I considered the quantities in the sections represented the embankments from the surface of the ground, and *the sinking was at the risk of the contractor.* I would have made a different tender, if I had not calculated for subsidence.” Cross-ex.: “ *I made allowance for sinking—based our calculations upon it.*”

“ In going over the ground I found the survey pretty accurate. I consider, according to the spirit of the agreement, the contractor was bound to finish the work, whether the specification was wrongly given or not.”

“ Under the upholdence clause, I consider I am bound to make the embankments so as to hand over the road complete at the end of the time.”

“ When claims were talked of, I put in a claim of £5000 for subsidence some four or five months ago.\* If the committee would decide in favor of complainants, on the same principle I should be entitled to about £5000.”

\* Mr. Cameron's claim for subsidence, presented to the Board of Commissioners November 26th, 1857, was for 10650 cubic yards side cuttings put into embankments on account of bad foundations and shrinkage, at 2s. 9d.—£1464 0 0.

The Railway Committee reported in favor of settling and adjusting the claims brought before them by a re-measurement of the works. Deductions to be made for all work included in the original schedule not performed, and providing also, that where extra sloping had been done, it should be paid for as earthwork, but not where the material was otherwise paid for.

Shortly after the committee reported, several arrangements, it appears, were made with Mr. Cameron to pay him for sloping, while the material had either been used or was required to complete his embankments, and to pay him also for work not performed. As these arrangements were at variance with the contract, the principles established by the report of the Railway Committee, and the rules sought to be applied to other contractors, they were refused settlement unless sanctioned by the Board of Commissioners.

Mr. Forman, in reporting on the claims of other contractors for work claimed to have been ordered by him, says, "I never considered myself authorised to make any deviation from the contract, except under the instructions of the Board." Some of the agreements referred to not having been recognised or sanctioned by the Board, were held in abeyance, February, 1859, when Mr. Cameron, by petition, brought his claims before the Legislature, who referred them to the then Railway Committee. Mr. Cameron submitted a modified statement of his claims, (see appendix No. 2) and the following is the report of the Committee, approved by the Legislature April 15th, 1859:—

"Donald Cameron petitions to be paid £1356 17 5, assumed to be due him under his contract No. 4, Windsor branch, and has some other claims for work done under agreements with, or instructions received from, the late Engineer. Mr. Laurie takes exception to those claims which, in the absence of Mr. Forman, the committee regret that they have not been able to investigate to their entire satisfaction. Mr. Cameron appears to have completed, or nearly completed, his work without any disputes with the Board of Commissioners, or with Mr. Forman, and his year of upholding terminated in October last. There is every reason to believe that, had the late Engineer continued in charge, the claims arising out of this contract would have been amicably adjusted. As, however, points have been raised by Mr. Laurie, involving considerable sums of public money, about which, in the absence of the late Chief Engineer, a majority of the committee have not been able to come to any satisfactory conclusion, they recommend that Mr. Cameron be offered either of two alternatives—to accept a measurement of his whole work, subject to deductions as in the cases of the other contractors; or if he prefers to press his claims against the Government in a Court of Law, that permission should be given him to do so.\*

"JOSEPH HOWE, Chairman.

\* \* The Hon the Attorney General, the Hon. William Henry, and John Tobin, do not concur in the recommendation of the latter alternative."

The work done on the contract has been re-measured, and the accounts adjusted in accordance with the principles established by the report of the Railway Committee, and as applied in the settlement of claims upon other contracts; but as Mr. Cameron objects, through his counsel, J. McCully, to a settlement in this way,—and states that he, "Mr. Cameron, knows of no reports of Railway Committees under which contract No. 4, W. B., requires re-measurement," that, "this contract he completed in the terms of specification, except where slightly altered by mutual consent, and yet payment of a balance *settled and adjusted* has been most dishonestly refused, &c." It may be proper to consider the claims from two points of view.

- 1st. Their nature and character as under the original contract.
- 2nd. The results by measurement, making the prescribed deductions.

*1st.—Nature and Character of the Claims.*

In his petition Mr. Cameron bases his claims upon certain returns in the Engineer's office; and it may be proper, in the first place, to inquire as to them. Were they to be considered as final returns, there would be no necessity of going further into the matter, unless they were put aside on the ground of partiality, or obvious mistake.

The monthly returns are made by the inspectors in charge of the work, and the Chief Engineer ordinarily has not the means of knowing their entire accuracy until towards the completion of the contracts, when a comparison can be made with the original calculations. Mr. Forman's opinion of their character is sufficiently explicit. In his Report on contract No. 3, Windsor Branch, he states: "I have further to remark that the *monthly statements*, as already explained, are intended only as approximate estimates of the value of work, and the allowances are on as liberal a scale as possible, in order to remove any cause of complaint on the part of the contractors. *They are not to be founded upon in case of a final settlement, or on an accurate adjustment made at any time.*" And in his Report on contract No. 7, he says: "The monthly payments are only approximate estimates of the value of work done at date." Certain work had been returned upon both of these contracts which was afterwards deducted, and on others he acted on the same view of their character.

In adjusting the claims of other contractors, I have paid no attention to the returns where they conflicted with the facts. Thus on contract No. 8, work to the value of £2000, which had been returned as completed, was kept off; and on contract No. 1, Windsor Branch, £2850 had been returned and paid to the contractors, for sloping cuttings, while by re-measurement £1,256 5s. 9d. in value of the work remained to be done—which was also deducted. The returns, therefore, which Mr. Cameron claims under, have not heretofore been viewed, nor can they in my opinion be now viewed, as of a final character.

1. The first claim presented by Mr. Cameron is for £356 8s., being the value of the cuttings which remained unfinished at the time he left the work; or rather, he objects to having any deductions made on account of this work, on the ground that it had been returned as completed.

The entire cuttings and embankments on the contract were returned and paid for in August, 1857. On the 14th January, 1858, by a re-measurement made, on file in the office, there were still remaining to be done 10,198 cubic yards of excavation, and 20,786 cubic yards of embankment, worth at the schedule rate, £2,858 1s. 6d. In October, 1858, when Mr. Cameron suspended operations, there still remained to be done 1,094 cubic yards of earth excavation, and 1,498 cubic yards of rock, worth at the schedule rate, the amount claimed, viz., £356 8s.

Waving any enquiry as to whether the return of August, 1857, was known to be wrong at the time, we know that it was so in January, 1858, but no correction was made, the return has been continued forward in the accounts until the present time.

Mr. Forman testified before the Railway Committee in April, 1858, as follows:

"I do not consider Mr. Cameron's contract completed. He has been paid the total amount of excavations, but there is still some undone." "When Mr. Cameron's contract was reported finished, I sent out Mr. Mosse who reported to me several deficiencies. On his report I wrote to Mr. Cameron, and required him to make good those deficiencies before the work would be taken off his hands—this was contract No. 4, Windsor Branch." "£1,868 is still due on that contract, sufficient to complete the contract without any loss to the public."

Such was Mr. Forman's evidence. In September, 1858, Mr. Cameron, while still employed upon the contract, was requested to have the unfinished work done, otherwise it would be deducted in the settlements, and as he failed to do so, I can see no possible claim that he has to be paid for it. (See Letters No. 3 to 6.)

2. The next claim is for 23,031 cubic yards of extra sloping, at 2s. 9d., £3,166 15s. 3d., under an order of Mr. Forman of date May 13th, 1858, and approved by the Railway Board.

In Mr. Cameron's statement of claims, presented November 26th, 1857, there is the following item: "40,000 cubic yards of side cutting excavated in clay and other cuttings rendered necessary 1½ to 1—banks not standing 1 to 1, at 2s. 9d., £5,500,"—which he states had been then performed; and in a letter of the same date asks the Board to take the work off his hands, that the contract is completed. (See Letters No. 5, 7 and 8.)

We have seen that in January, 1858, work to the value of £2,858 1s. 6d. still remained to be done under the original contract. Now, if Mr. Cameron's statement was correct, that the sloping was done in 1857, his application to Mr. Forman and the order of the Board in May, 1858, was unnecessary, otherwise than as authority to make the payment. The truth is, a considerable portion of the sloping had been then done, and had been executed not as sloping, but as side cutting in order to obtain material to complete Little Meadow Brook and other embankments, and for which Mr. Cameron had already been paid.

However, as the Railway Board directed this work to be done in May, 1858, and the Chairman states they expected to pay for it at the schedule price, it has been allowed in this statement. It may be proper to mention, however, that the sloping being all earth, was not worth as much per cubic yard as the average or schedule rate—which was based on a large amount of rock in the cuttings. Assuming the rock to be worth 5s., there would be left for the earth excavation rather less than 2s. per cubic yard. Allow 2s. 3d., however, and in paying the schedule rate, Mr. Cameron still gets £575 more on this work, besides having already been paid for a portion of it—than under the Report of the Committee, or an equitable view of the claim, he would be fairly entitled to.

On the other contracts the prices allowed for extra earth work, including slopings, have been as follows: No. 3, Main Line, 2s., including surface rock borrowing; No. 6, 1s. 6d.; No. 7, 1s. 6d.; No. 8, 1s. 5d.; No. 1, W. B. 2s. 3d., the schedule price, there being no rock on the contract; No. 2, W. B., 2s. 3d., 2s. 8d.; No. 3, W. B., 2s.; No. 5, W. B., 1s. 3d.; Extension, 1s. 3d.—depending on the character of the material and the schedule price.

3. The next claim amounts to £464, and is for masonry originally proposed in the Big Bog Brook viaduct, but not built. The level of the road was lowered at this viaduct about five feet, which reduced the height of the piers, and the quantity of masonry, from the original plan. By the contract, and the practice on the road, all masonry and other mechanical work is paid for by measurement. If more than the schedule quantity, the contractor is paid for it, and if less a deduction is made.

Mr. Cameron was paid for the whole of the masonry constructed, and which in consequence of some alterations made in the depth of the foundations and thickness of the piers, exceeded the schedule amount in value by £420 18s. 10d. He now claims for the additional masonry that would have been required had the piers been carried up to the original height, and bases his claim not only on the ground that the work had been returned, but was specially provided for in certain correspondence with the Railway Board. I can discover, however, no warrant for the allowance in the correspondence referred to, which has reference to substituting an embankment for another bridge, Little Meadow Brook bridge. Subsequently Mr. Cameron offered to substitute an embankment for the schedule cost of the Big Bog Brook viaduct, but which was not accepted. (See Letters 9 to 13.)

In Mr. Forman's letter it is stated that, "the specifications and contracts are to apply to the whole of the altered work, in the same manner as they would have done had it formed a part of the contract at first,"—which appears to me to bring the masonry

under the general rule, to be paid for by measurement. If it was the understanding in 1855 that Mr. Cameron was to be paid for this work, there was no necessity of recommending it to be allowed in 1857. That the Engineer intended to allow the extra work, and also the work not built, may be admitted, but he having referred the matter to the Board, and there being no evidence of their approval, I have not felt at liberty to include both in the statement. It is the only case within my knowledge where masonry has been returned and paid for when not actually built. It was first allowed in the return of November 21st, 1857.

4. The next claim is for £800—less £40 for work remaining to be done, in excavating two drains. This is claimed under an agreement with the late Engineer, and as having been approved by the Railway Board. The Chairman of the Board, however, represents that they only authorized the work to be done, without having any knowledge that Mr. Cameron was to receive more than the schedule price for doing it.

The value of the work done by Mr. Cameron on these drains, at the schedule rates, is as follows:

582 cubic yards of earth excavation.	
566.....“..... of rock.....“.....	
1148 cubic yard.....at 2s. 9d.....	£157 17 0
84 lineal yards of drain, 2½ by 1½ feet, at 6d.....	2 2 0
30 cubic feet of Timber, at 2s. 6d.....	3 15 0
	£163 14 0

The ditches were not fully completed by Mr. Cameron, either as to width or depth. There has been expended on them since he left £44 11 3. The work done by him was worth something more than the schedule rates, and I have added 100 per cent. on the grading, and allowed for the drain at 15s. per lineal yard, which I consider very liberal allowances—making £382 9 0. (See letters No. 14 and 15.)

5. The next claim is for “£106 12 3 short credited on extra slopings, where grades were raised.” In this case Mr. Cameron claims to be paid for sloping, not by actual measurement of work done, but by original depths of cuttings, where the grades were raised. This he claims under a promise of the late Engineer that the work would be so returned. There is no agreement on file to this effect. All the sloping actually performed is included in the measurements—and to allow this claim would be paying for work not done.

6. Mr. Cameron claims 300 cubic yards of Ballast at 3s.—£45 0 0, in addition to that returned, to make the full schedule quantity. In October, 1858, when the claim was first presented, the offer was made to have this and any other work re-measured, either along with himself or any Engineer he might choose to send; but while he has ever been ready to make the most unwarranted charges, he has never been willing to put them to the test of actual measurement.

At the time of the re-measurement of the work, much additional ballast had been put on the contract by the Commissioners, as well as a large quantity of clay and other inferior material removed, which the contractor had used from the nearest cuttings—the amount and cost of which, by a statement furnished by the Superintendent, is as follows:

2633 cubic yards of clay ballast removed.	
4249.....“..... of new ballast.	
6882 cubic yards.....cost..	£573 10 0

It is now therefore impossible to re-measure that originally put on by Mr. Cameron. Judging, however, from the above and the present state of the ballasting, he has been largely overpaid. I am satisfied that at least the quantity not returned was wanting to complete the work according to contract.

7. Mr. Cameron also claims for "300 cubic yards of masonry, in culverts not done under specifications, built 3 by 3, and 3 by 2½ feet, at 40s. per cubic yard,.....	£600	0	0
Less amount received £5 8 6, should be.....		6	0
		<hr/>	
		£593	19 11

The quantity and value of this work is largely overstated; the quantity being 268½ cubic yards, and the average price paid on the railway, excluding Mr. Cameron's contracts, about 10s. per yard, which would give £134 6 8.

He claims for this work upon two grounds, 1st., that he misunderstood the specifications; 2nd, that some of the culverts built are of a different size than specified—the schedule specifying sizes of 3 by 2, 4 by 2, 8 by 4, and 12 by 6, while some of the culverts constructed are 3 by 3, and 3 by 2½. In the returns, for the sizes not specified, he has been allowed the prices attached to the next largest, so that he gets paid for larger sizes than actually built.

A claim for this work was first presented May 22nd, 1856. Mr. Forman reported to the Board that the work was executed in accordance with the original specifications and plans, and the Chairman of the Board made the following memorandum on the report: "If the contractors have made a miscalculation in drainage or anything else, what have we to do with it? We shall have a good many applications of the same sort if this is entertained. J. H. 30th May."

Similar claims have been presented on other contracts, none of which have been allowed. (See letters Nos. 16 and 17.)

Mr. Cameron was paid November 21st, 1857, for two open drains, one 7 by 5, and the other 18 by 4½ feet, the large price of 40s. per cubic yard, on the ground that these sizes were not specified, and that the workmanship was of a superior class. Unfortunately, the larger of the two has been a source of continued expense, the walls having settled fully fifteen inches, and are now so crippled and injured that it will be necessary soon to rebuild them. They have been allowed in the statement.

8. The following items, which had not previously been returned, were brought before the Railway Committee of last session and are now allowed, viz. :—

200 cubic yards of ballasting in siding, at 3s.....	£30	0	0
Ballasting, rail-laying, &c., one chain in length, omitted in original schedule.....		14	4
Culverts and drains not previously returned.....		7	11
		<hr/>	
		£51	16 5

No claim is made for want of material. Mr. Cameron in his evidence stated, "I had no difficulty generally, or put to any loss for want of rails and chairs,"



*Statement exhibiting the amounts claimed and the amounts allowed; also the amount paid and balance due Mr. Cameron.*

Item.	Nature of Work.	Amount claimed.	Amount Allowed.
1	For Grading—not done.....	£356 8 0	
2	“ Sloping .....	3166 15 3	3166 15 3
3	“ Masonry Big Bog, br.—not done. 464 0 0		
4	“ Drains in cuttings 6 and 19.....	760 0 0	382 9 0
5	“ Slopes where grades were raised— work not done.....	106 12 3	
6	“ For Ballasting—not done.....	45 0 0	
7	“ Culverts and drains—claim for ex- tra price.....	600 0 0	6 0 1
8	“ Small items allowed.....	51 16 5	51 16 5
		£5550 11 11	£3607 0 9
Amount paid on the above.....			3297 3 2
Balance.....			£309 17 7

*General Statement.*

	Totals.
Cuttings and embankments per schedule.....	£30,811 5 6
Less work not done.....	356 8 0
Little Meadow Brook embankment, substituted per agreement.....	5348 0 0
Sloping cuttings, per return.....	3166 15 3
Big Bog Bridge, per return.....	6227 19 4
Less work not done.....	464 0 0
Drains in cuttings 6 and 19—claim £760—allowed.....	382 9 0
Culverts and drains.....	199 8 3
Grading St. Croix Station, per return.....	568 16 9
Siding at cut No. 19, per return.....	116 16 6
Grubbing and clearing.....	950 0 0
Finishing.....	5719 19 0
Total.....	£52,671 1 7
Amount paid.....	52,361 4 0
	£309 17 7

Under this view of the subject, then, we find the several claims made by Mr. Cameron amount to £5550 11 11, of which there has been allowed £3607 0 9, and excluded for the reasons stated, £1943 11 2. He has been paid in full for all the other work performed on the contract, and paid on account of the items allowed, £3297 3 2, leaving a balance due of £309 17 7.

On the remeasurement of the work, however, it was found that Mr. Cameron had been paid, November 1856, £568 16 9 for grading St. Croix station. The material, which, in this case he got paid for, was taken from the end of cutting No. 21, and was required, and used, in making the adjoining embankments. In this case he gets paid twice for the same material, once as embankment, and again as side cutting. No station or siding has ever been made here, and no agreement in relation to it is on file. Were this allowance deducted from the above balance, he has been already overpaid £258 19 2.

Mr. Cameron in his petition states that the contract was finished and completed, the uphouldence terminated, and the work accepted and taken off his hands, by officers appointed by the Railway Board to accept and receive the same.

In reference to this, it may be proper to mention that up until July 3rd, 1858, no upholdence had been returned or allowed. At that date he was paid for nine months, £666 0 0, carrying back the completion of the contract to October 3rd, 1857. As the contract work was not then completed, and there was no work being performed on the railway during a portion of the winter and spring of 1857-8, it is questionable if he was entitled to upholdence during the whole of this period, but as it had been sanctioned by the Board, and Mr. Cameron gave notice September, 1858, of his intention to remove the force employed on upholdence, it became necessary to take charge of the work. The upholdence only, however, was taken off his hands. (See letters 18 and 19.)

*2nd.—Results by Re-measurement of the Work.*

Mr. Cameron having objected to the work being re-measured, (see letters Nos. 20, 21 and 22,) and as he did not attend in person, it may be proper to mention the manner in which the measurements have been made on this and other contracts.

The contractors have always been notified to attend, and have generally done so, and also sent an engineer to take measurements and notes at the same time with the Government engineers. Their calculations have been made separately, and afterwards compared with each other. The notes are plotted in books, and shew the precise form of the cuttings, when the measurements were taken, at every chain in length, or at shorter intervals where rendered necessary by the irregularities of the cuttings. These books are on file, and can be referred to at any time.

Several alterations were made during the progress of the works from the original plans. An embankment was substituted for a viaduct originally proposed at Little Meadow Brook—the contractor agreeing to make the substitution for the price set apart in the schedule for the viaduct originally intended to be built at that place, and the cost of the iron girders. (See letters 9 and 10.)

The grade also was altered at several places, generally with a view to reduce the amount of work, or to save rock cutting.

In the aggregate, the alterations effected a saving of rock excavation to the extent of about 600 cubic yards; the reductions being 4487, and the additions 3887 cubic yards, in both cases assuming the rock to be taken out to the contract width and slopes.

The only addition to the rock cutting was at Little Meadow Brook. Here the additional quantity of embankment required to take the place of the viaduct on the original grade, was 53,780 cubic yards. By lowering the grade the quantity was reduced to 45,370, making an absolute saving of material to be moved of 8410 cubic yards. To obtain this saving, however, there had to be excavated, at the contract width and slopes, 3887 cubic yards of slate rock in lieu of the same quantity of earth. The earth cuttings, which were increased by the alteration, were all required, besides a large amount of side cutting to form the embankment

The change of grade was decidedly to the benefit of the contractor. The saving to him was 8410 cubic yards of embankment, say at 2s.....	£841	0	0
Less the increased cost of excavating 3887 cubic yards of rock at 5s. in place of the same quantity of earth, at 2s.....		583	1
			0

Saving.....£257 19 0

The lowering of the road at this place flattened a portion of a steep grade from 64<sup>5</sup>/<sub>10</sub> feet to 47<sup>1</sup>/<sub>2</sub> feet per mile. All the other alterations on the contract were either by parallel grades, or by increasing the inclinations.

All the extra sloping performed on the contract is included in the measurement of the several cuttings.

The claims, items 4, 7 and 8, are allowed as on page 15 of this report. The others, 1, 3, 5 and 6, being for work not performed, are excluded under the following clauses of the report of the Railway Committee :

“ Where alterations have been made, reducing the quantities, deductions should be made. Also, where the grade or line has been altered, by which quantities were reduced, and where the cuttings and embankments are not to the proper widths, deductions should either be made, or the contractor required to complete them to the width specified. For flattening the slopes and removal of slurry, after cuttings had been made the contract width, with slopes of 1 to 1, your Committee consider that the contractors should be paid as earth work, but not where the material is otherwise paid for.”

In arriving at the quantity of extra work, there has been added, as on the other contracts,  $\frac{1}{2}$  to the nett measurement of solid rock excavations, and there has been deducted 8 per cent. for shrinkage from the earth measured in cuttings—to make embankment measurement, which is the ruling quantity. This meets the terms of the contract where it is specified that although the calculations are made on slopes of *one to one*, the contractors may make them  $\frac{1}{2}$  to one, in rock—they making good the loss of material arising therefrom. Also, that they shall make the embankments from the material taken out of the excavations, so far as it goes, and the deficiency shall be made up at their risk and expense.

The amount of extra work done on the contract, including the flattening of the slopes, is 14,447 cubic yards. As this quantity falls short of the extra sloping which had been returned, and was allowed Mr. Cameron under the first view or statement of his claims, it may be proper to explain the cause of the difference.

By the re-measurement we get the actual quantity of work performed on the contract, and which by the report of the committee, and the principles applied in the settlement of other claims, is all that the contractor is entitled to be paid for. Mr. Cameron, however, in addition to the actual quantity of work done, had been allowed and paid for certain quantities a second time.

By the special agreement for substituting an embankment at Little Meadow Brook, for which he received £5348 0 0, there were required 45370 cubic yards of material beyond that furnished by the original cuttings. Part of this material was procured from detached borrow pits, and the balance from the earth cuttings, in many cases the cuttings being widened beyond a slope of  $1\frac{1}{2}$  to 1. The borrow pits on the contract measure 25763 cubic yards; so that Mr. Cameron, to complete this embankment, must have taken 19,607 cubic yards of material from the cuttings beyond the slopes of 1 to 1—and so far as this was taken from between the slopes of 1 to 1 and  $1\frac{1}{2}$  to 1, he, in getting paid for sloping the same cuttings, gets paid a second time for the same material.

He was also paid a second time for 4137 cubic yards, as grading St. Croix Station.

The quantity of material actually removed as sloping was comparatively small, the greater portion having already been used to complete the embankments.

By the annexed detailed statement, the total value of work done on the contract, including sloping and all other work actually performed, is.....£51,233 15 10

And by a statement furnished by the Chairman of the Railway

Board, Mr. Cameron has been paid.. .. .	52,361	4	0
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Difference.....	£1,127	8	2
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Or he has been paid this sum more than the work amounts to by re-measurement.

The results, then, on this contract are briefly these :—Under the first view of the claims there is a balance due Mr. Cameron of £309 17 7, provided he can show that

the paying him a second time for the work at St. Croix Station, amounting to £568 16 9, was authorized by the Board, or was a proper and fair allowance.

Under the second view, applying the same principles to the settlement of the claims, as on other contracts, there is nothing due Mr. Cameron—he has already been overpaid by the large sum of £1127 8 2.

I have the honor to be, Sir,

Your most obedient servant,

JAMES LAURIE.

The Honorable the Provincial Secretary.

## APPENDIX.

DONALD CAMERON'S CLAIMS FOR EXTRA WORK, SUBMITTED TO THE RAILWAY BOARD, NOV. 26TH, 1857.

No. 1.

St. Croix, 26th November, 1857.

*To the Commissioners of Railways for the Province of Nova Scotia,*

Gentlemen,—Herewith I furnish you an account of extra work performed by me on Contract No. 4, Windsor Branch, and for which I conceive myself entitled to be allowed under the terms of my contract.

If the Board shall require it, I shall be happy to furnish any explanations necessary to establish the claims, and have only to add that I trust they will receive an early consideration, and that I may in due course be furnished with a reply.

Your obedient servant,  
(Signed)

DONALD CAMERON.

The Commissioners of Railways and Government of Nova Scotia :

To Donald Cameron, Dr.

1857.

Novr.—To extra work and operations on Contract No. 4, Windsor Branch, viz :

300 cubic yards masonry in Culverts, built 3 × 3 and 3 × 2½ feet, at 40s. per yard.....	£600	0	0
Side cuttings put in embankments on account of bad foundations and shrinkage, 10,650 cubic yards, at 2s. 9d.....	1464	0	0
Shrinkage of clay embankments, 15,000 yards, at 2s. 9d.....	2062	0	0
Side slopes excavated in clay, and other cuttings rendered necessary 1½ to 1—banks not standing 1 to 1—40,000 yards at 2s. 9d.....	5500	0	0
Bridge at Peg No. 121,.....	51	0	0
Bridge at Peg No. 30.....	42	0	0
	£9719	0	0

St. Croix, Nov. 24th, 1857.

No. 2.

DONALD CAMERON'S CLAIMS FOR EXTRA WORK, SUBMITTED TO RAILWAY COMMITTEE, MARCH, 1859.

The Commissioners of Railways and Government of Nova Scotia,

To Donald Cameron. Dr.

1858.

October.—To this sum due, being difference between amount received and work performed on Contract No. 4, Windsor Branch, as per return of 25th September, 1858,.....£1356 17 0

300 yards Ballasting, short credited per schedule, at 3s.....45 0 0

Ballasting siding, 300 yards,  
Less—allowed, 100 “ —200 yards, at 3s.....30 0 0

This sum short credited on stone drain, cut No. 19, and on channel cutting No. 6—say agreement,.....£800 0 0

Amount credited.....£662 9 3

Work required to finish.....40 0 0—702 9 3

97 10 9

Ballasting, rail laying, &c., on one chain in length of work omitted in calculation—work contracted for, 474 chains, work performed, 475 chains, on Section No. 4.....14 4 6

Short credited on extra sloping, where grades were raised.....106 12 3

To extra work and operations on Contract No. 4, Windsor Branch, viz:  
300 cubic yards masonry in Culverts not done under specifications, built 3 x 3 and 3 x 2½ feet, 40s. per yard.....£600 0 0

Less amount received for this work.....5 8 6

594 11 6

£2244 16 5

No. 3.

Martin's, 2nd October, 1857.

J. R. Forman, Esq.,—

Dear Sir,—I enclose notes of levels over contract No. 4, Windsor Branch, reduced to the contract datum. The notes also contain the most obvious deficiencies in the widths of cuttings, many of them are from two to four feet narrow, and they require a good deal of dressing up, and many points of rock yet remain to be blasted out of the sides and out of the ditches.

The embankments are generally sufficiently wide at the top, but the slopes of all the large ones are too steep, being, as you may see by the cross sections, nearer 1¼ to 1 than 1½ to 1.

It appears to me that the quantity of ballasting returned has been ample—in most of the cuttings it will not average more than one foot of ballasting and boxing, or say seven inches below the sleeper. My impression is that the ballasting is insufficient, and I think Mr. Thomas had better be directed to have holes sunk every three chains in the cuttings, so that the quantity may be more accurately ascertained than time now permitted me to do.

I have examined the curve over the Little Meadow Brook, and find that it requires to be widened out about two feet on the right side, in order to suit the curve of 25 chains radius. I also inspected the culvert under this embankment, as far as I could well get through it—the walls do not appear to be bulged, but some of the covers are split, and also some of the stones in the walls.

The slips of the embankment covered up the mouth of the culvert at both ends last Spring, and all the earth now requires to be taken away, and the culvert to be cleared out so that there may be no danger of stopping the water course next Winter.

The mortar in the walls of the culvert is a good deal washed out, and is scarcely set in any case, the situation being so damp.

I did not go all through the culvert, as it is so low in the centre, say 3 feet high, and a late slip of the earth on the right hand side of it now blocks up that end of it.

Yours truly,

(Signed)

J. R. MOSSE.

No. 4.

Nova Scotia Railway,  
Engineer's Office, Halifax, 7th Oct., 1857.

Sir,—I annex hereto copy of Report upon contract No. 4, handed in by Mr. Mosse; and I have to request that immediate attention be given to rectifying the works referred to therein, not executed in terms of the contract. I am, Sir, your obedient servant,

(Signed)

J. R. FORMAN.

DONALD CAMERON, Esq., Contractor, St. Croix.

No. 5.

St. Croix, 26th November, 1857.

*To the Commissioners of Railways for the Province of Nova Scotia,—*

Gentlemen,—About the first week in October last I notified the Chief Engineer of Railway, in connection with your Board, that I had finished contract No. 4, Windsor Branch of Railways, and requested the work to be then taken off my hands.

Shortly after, I was furnished with a copy of a report signed by Mr. Mosse, relative to the works, and pointing out certain deficiencies. My attention was immediately turned to the objections, and wherever I found any grounds for the exceptions, prompt and energetic means were adopted to remedy the supposed difficulty.

Your Engineer and the Board must be aware that the heavy embankments on No. 4 of necessity go on consolidating and diminishing in volume, and will in the nature of things continue to do so, for a considerable period of time; and unforeseen and inexplicable causes often produce such results in certain places, which nothing but a provision for upholding will by any possibility remedy.

It would be unreasonable to expect that a section of several miles of road could be put in such a condition that a lean embankment, a slight subsidence, a slide, or some other contingency, might not perhaps be found to exist, as on a class of new works in a woody country, where the sun and winds do not operate very effectually, a long period must elapse before such events entirely cease; but my contract is, and as I shall contend has been, substantially completed since October; and I now formally notify the Board to that effect, and I have respectfully to request that the works may be taken off my hands, as of the period named, and that the balances due me be paid over in the terms of my contract.

I need scarcely say that the road is, and since the 1st of October, and indeed before that period—has been ready for the Locomotive, and I feel that I ought not to be detained and delayed in my payments, my bondsmen kept responsible, my own attention directed from other enterprises, indefinitely, because other sections of the road are not in working order.

I am, Gentlemen, yours, &amp;c.,

DONALD CAMERON.

No. 6.

Halifax, 22nd Dec., 1857.

Dear Sir,—I forward herewith a letter from D. Cameron, Contractor for No. 4, Windsor Branch, with a statement of account, claiming £9719 for extra work done on the contract, and also a letter from him stating that his contract No. 4 is completed, and requesting that it may be taken off his hands. The Board request you will report on these communications.

I am, dear Sir, your obedient servant,

(Signed)

JAMES McNAB.

To J. R. FORMAN, Esq., Chief Engineer.

No. 7.

St. Croix, 26th April, 1858.

CONTRACT NO. 4, WINDSOR BRANCH.

Sir,—The present state of the works on my section would enable me to reduce the slopes of clay cuttings  $1\frac{1}{2}$  to 1 with advantage, and I would suggest that an order be given me to have this work done so that this contract may be fully completed as soon as possible.

I have the honor to be, Sir, your obd't. servant,  
(Signed)

DONALD CAMERON.

J. R. FORMAN, Esq., Engineer, &amp;c.

No. 8.

Engineer's Office, Halifax, 13th May, 1858.

Sir,—I recommend that the contractor of No. 4 section, Windsor Branch, be instructed to flatten the slopes of clay cuttings, as follows :

- Cutting No. 7 both sides,
- Do " 10 both sides, for about  $\frac{1}{2}$  length.
- Do " 11 both sides.
- Do " 16 upper side only.
- Do " 17 both sides.
- Do " 18 do
- Do " 19 do
- Do " 20 do
- Do " 21 do

I have the honor to be, Sir, your obdt servant,

(Signed)

J. R. FORMAN.

Hon. JAMES McNAB.

Mr. Forman will direct the sloping recommended to be done.

(Initials)

J. McM.  
W. P., Jr.  
J. H. A.

13th May, 1858.

No. 9.

No. 4, WINDSOR BRANCH.

*Substitution of Embankment for Little Meadow Brook Bridge.*

Halifax, 7th Sept., 1855.

MEMO.—Messrs. Cameron and McDonald have applied for permission to form an embankment across Little Meadow Brook, in place of erecting Bridge, and they agree to make this substitution on their being allowed their contract price besides the cost of the iron for the girders. The embankment to be 15 feet wide at formation, and sloped off to my satisfaction, the slopes in no case, however, being less than  $1\frac{1}{2}$  horizontal to 1 perpendicular, and the necessary drainage, whether this be done by culverts or large stones, to be at their cost.

(Signed)

J. R. FORMAN.

No. 10.

Halifax, 25th September, 1855.

*Messrs. Cameron & McDonald :*

Sirs,—Your application to be allowed to alter the grade on part of No. 4 contract, Windsor Branch, as shewn on section enclosed, and to carry the Railway across the "Little Meadow Brook" by an embankment instead of a bridge, is granted, on the understanding that you are to do this work for the gross contract price ; that is, without any extra charge ; and that the slopes of the embankment shall in no case be less than  $1\frac{1}{2}$  horizontal to 1 perpendicular, and as much more as may be necessary to secure the embankment, and that the specifications and contracts are to apply to the whole of the altered work, in the same manner as they would have done had it formed part of the contract at first.

The drainage to be provided for in the manner, and to the extent I may think necessary.

Yours, &c.,

(Signed)

J. R. FORMAN.

No. 11.

*To the Hon. the Chairman and to the Board of Commissioners of Railway :*

Gentlemen,—In contract No. 4 of the Windsor Branch, there is a deep valley known as Big Bog Brook, over which by the specification and contracts entered into, the contractors are under engagements to construct a bridge, to be erected upon stone piers.

The contractors have recently been engaged in making explorations with a view of ascertaining if suitable stone can be obtained for the purpose of building piers, and they are sorry to add that after a diligent search they are unable to discover, within a distance of three miles in any direction, any quarry or quantity of stone fit for the purpose.

Under such circumstances, they have respectfully to submit to the Board a proposition for building a solid embankment of stone and earth across the valley. They are under the belief, that if the Board will sanction such an alteration, and allow them the value of the girders and

their preparation and erection, that they can fill the valley up, thereby making a permanent and more enduring line—one more beneficial to the public, and at the same time effect some saving to themselves. The contractors do not seek to substitute any less substantial road for that they are under contract to build; but if a more substantial road can be constructed, and at any reduction of expense, they vain hope your Board will sanction such an alteration. As the works progress, they have every reason for believing that their completion will task their utmost skill and economy at the prices contracted for, and where proper material, as in this case, cannot be procured at reasonable distances, they respectfully suggest that the proposition made is reasonable, and will command the grave consideration of your Board.

An early reply to this application is of moment to the undersigned, who are only anxious to devote their best energies to the satisfactory completion of their contracts.

We have the honor to be, Gentlemen,

Your most obedient servants,

(Signed)

DONALD CAMERON.  
FINLAY CAMERON.  
JOHN McDONALD.

Halifax, 22d February, 1856.

No. 12.

Nova Scotia Railway,

Engineer's Office, 4th March, 1856.

Sir,—Having fully considered Messrs. Cameron & Co.'s request, as contained in their letter to the Board of Commissioners of the 22d February, and after inspecting the ground, I am of opinion that it would not be safe to allow them to substitute an embankment at the Big Bog Brook, for the viaduct intended to be built there.

The Railway at this place is ninety-five feet above the bottom of the valley. An embankment of this height could not be made except at a very great cost, and the completion of the works at the contract price would then become extremely doubtful.

The valley is well situated for bridging, the natural surface of the ground is hard, and the stone, though some distance from the point of operations, is of excellent quality.

I have the honor to be, Sir, your most obedient servant,

(Signed)

J. R. FORMAN.

Approved.

(Signed) JOSEPH HOWE, Chairman.

No. 13.

Halifax, 25th November, 1857.

Sir,—When I offered to make an embankment at the "Little Meadow Brook," for the price set apart in the Schedule for the viaduct originally intended to be built at that place, and the cost of the iron girders, I believed that I would have obtained the advantage of the saving on the masonry due to the lowering of the grade over the Big Bog Valley.

In executing these works, and for the purpose of securing a better foundation, the inspector instructed me to go to a greater depth than shown on the plan, and I was also ordered to widen the centre piers two feet; these alterations increased the masonry beyond what I estimated, and I submit that this extra quantity should be paid for.

I am, Sir, your obedient servant,

(Signed)

DONALD CAMERON.

J. R. FORMAN, Esq.

Recommended to be allowed.

(Signed) J. R. FORMAN.

No. 14.

J. R. Forman, Esq.,—

Sir,—I will make a channel and build a stone drain across cutting No. 19, to convey off the water in the manner explained by you, and also for a channel down cutting, No. 6, ten feet wide and two feet below the formation level of the Railway, in both cases for conveying the water clear of the line and works, and so as to completely secure them, and as shall from time to time be directed, and approved of by you, for the sum of eight hundred pounds in full.

(Signed)

DONALD CAMERON.



No. 15.

CONTRACT NO. 4, W. B.

Engineer's Office, Halifax, 10th June, 1858.

Sir,—For the purpose of securing the drainage, it is necessary to make a channel down cutting No. 6, and across cutting No. 19.

These works are in rock, and will cost about £800 in all, and I have to recommend that they be at once ordered to be done.

I have the honor to be, Sir, your obedient servant,

(Signed)

J. R. FORMAN.

HON. JAMES McNAB, &c., &c.

Approved.

(Init.)

J. McN.

J. H. A.

W. P., Jr.

Mr. Cameron having been furnished by the Board of Commissioners with two original papers, namely, my letter to the Chairman, dated 10th June, 1858, recommending drainage on contract No. 4 Windsor Branch, and estimated by me at about £800, approved of by the Board, and an offer on his part to do the work specified for that sum, without date—marked filed 10th June, 1858; I am required to signify whether this offer was accepted. I have, thereupon, to remark that it was, and he was employed to finish the work under that estimate, and his offer, and it was in progress when my connection with the office ceased.

(Signed)

J. R. FORMAN, late C. E.

3rd Sept., 1858.

No. 16.

Windsor Road, 22nd May, 1856.

To the Hon. the Chairman and the Board of Railway Commissioners:

Gentlemen,—We have to bring to your notice the subject of the drainage of the Windsor Branch Contracts Nos. 1, 3 and 4.

By the schedules furnished, and under which we tendered, it will be but too evident that the nature of the work comprised under the head of drains in No. 1 and No. 3, and under the title of culverts and drains, in contract No. 4, was not, nor could have been, understood to mean what the Engineer now requires to be done. The contractors, in tendering for the work, supposed that these drains and culverts, if required under that class of drains which sometimes become necessary to drain off the surface water along the sides of Railroads.

The prices opposite the various sized drains can leave no doubt, they apprehend, upon that point.

But under this title the Engineer has called upon them to build drains and culverts of Mason work, under and through the road in various places, which were never contemplated by the Contractors, and which is utterly impossible to be done at the rates tendered, being an entirely different class of work from that tendered for, as they read the schedule.

The Contractors beg, therefore, to call the attention of the Board to this matter at once. They have no wish to shirk any fair responsibility assumed, but where any class of work has been misconceived, owing to the absence of a sufficiently detailed specification, they trust the Board will deal with such a question in that spirit of liberality and fairness to which they have never heretofore unsuccessfully appealed.

In the meanwhile, they will carry on the works as the Engineer directs, wishing that a fair allowance will be made for the extra service, if a reasonable construction of the schedule will justify it. The Contractors would solicit an early consideration and reply hereto.

On behalf of self and co-contractors.

Your obedient servant,

(Signed)

DONALD CAMERON.

The Engineer will report upon this letter.

(Signed)

JOSEPH HOWE, Chairman.

27th May.

No. 17.

Engineer's Office, 30th May, 1856.

Sir,—I have read Messrs. Cameron & Co.'s application to the Board, dated the 22nd instant, referring to the subject of drainage on contracts Nos. 1, 3 and 4.

The drainage for these contracts is clearly described in the general specification, the drawings shewing the dimensions are referred to in the supplementary specification, and agree with the

written figures in the schedules. The Contractors ought not, therefore, to have been deceived in this work.

The prices set apart by the contractors for drainage is totally inadequate, and they must have been detailed without sufficient knowledge: and as the extent of this work is considerable, any error is important.

I have the honor to be, Sir, your obd't servant,

(Signed)

J. R. FORMAN, Engineer.

The Hon. JOSEPH HOWE, Chairman, &c.

If the Contractors have made a miscalculation in drainage, or any thing else, what have we to do with it? We shall have a good many applications of the same sort, if this entertained.

(Signed)

J. H.

30th May.

No. 18.

Richmond, 16th March, 1859.

Dear Sir,—I send overleaf copy of letter addressed on 27th Sept. to Mr. Don. Cameron, by which I arranged to take the *repairs of the permanent way*, sometimes called the *upholdence*, off his hands, on 29th September, 1858; but this had nothing to do with the question as to whether his works were completed according to the specification, nor as to any question of money involved thereby. I took no measurements of Mr. Cameron's works on the day in question, nor touched in any way upon settlements which belonged to the Chief Engineer. It was simply this, that Mr. Cameron having wished to be relieved from the repairs of the road, the Commissioners thought it advisable to place them in my charge.

In a similar manner I undertook last month the repairs of the permanent way on contracts Nos. 9 and 10, although other portions of these works still remained in the hands of Messrs. Sutherland.

I am, Sir, your obedient servant,

(Signed)

J. R. MOSSE.

JAMES LAURIE, Esq., Chief Engineer.

No. 19.

Richmond, 27th Sept., 1858.

Sir,—With reference to the enquiry you made to me last Saturday, as to when I could arrange to take the repairs of the Permanent Way on contract No. 4, Windsor Branch, off your hands, I shall be glad to meet you for that purpose at the Still Water Tank, at 9 A. M., on Wednesday next, 29th inst.

Your obedient servant,

(Signed)

J. R. MOSSE.

D. CAMERON, Esq., Contract No. 4, W. B.

No. 20.

Railway Office, Halifax, June 27th, 1859.

Sir,—Arrangements will be made by the 12th of next month to commence measuring the work on contract No. 4, W. B., with a view to a settlement under the report of the Railway Committee.

Should you desire to be present, or to have an Engineer present when the measurements are taken, you must be on hand.

Yours, &c.,

(Signed)

JAMES LAURIE.

Mr. DONALD CAMERON, Railway Contractor, New Glasgow.

No. 21.

Halifax, 4th July, 1859.

Sir,—Your letter 27th June to D. Cameron, informing him of "arrangements to commence measuring works on No. 4, W. B., with a view to settlement under reports of Railway Committee," has been received by Mr. D. Cameron, and handed to me with instructions to reply.

Mr. Cameron knows of no "Reports of Railway Committee," under which contract No. 4, Windsor Branch, requires re-measurement. This contract he completed in the terms of specification, except where slightly altered by mutual consent, and yet payment of a balance settled and adjusted has been most dishonestly refused—an arbitration has been refused—leave to sue

the Government has been refused, and if Mr. Cameron is not under a misapprehension, this has been done either at your express recommendation, or with your sanction.

The conduct of the Board and of the present Government towards Mr. Cameron, throughout, has been so unjust, so shamefully dishonest and oppressive, and your own partiality and want of fairness, as well before the Committee last Winter as in your Report, were so palpable, Mr. Cameron has no confidence in the Government you serve, nor in you as their Engineer. Any measurements taken by you, or under your direction, or subject to your control, would probably be as perverted as your Report and your testimony; and he therefore respectively declines to commit himself to any proceedings you as their servant, or a Government undisguisedly hostile to his interests, and which has forfeited all public confidence, may see proper to adopt.

Your obedient servant,  
(Signed) J. McCULLY.

J. LAURIE, Esq., C. E.

No. 22.

Railway Office, Halifax, July 5th, 1859.

Sir,—Your communication of the 4th inst., as Counsel for Mr. Donald Cameron, relative to measuring work done on contract No. 4, Windsor Branch, has been received.

The want of truth, and the base and blackguard spirit in which your letter is penned, prevent me from taking further notice of it than to inform you that the measurements will be made at the time specified.

Your obedient servant,  
(Signed) JAMES LAURIE.

HON. J. McCULLY.

**MR. SMELLIE'S CORRECTED RETURN OF QUANTITIES.**

NOVA SCOTIA RAILWAY—CONTRACT NO. 4, WINDSOR BRANCH.

*Statement of Excavations.*

Excavations.	Quantities.	
	Rock. C. Yds.	Earth. C. Yds.
Cutting No. 1.....	1253.2.....	376.
do. " 2.....	37	
do. " 3.....	6683.3.....	1674.8
do. " 4.....	3152.4.....	689.4
do. " 5.....	20.	
do. " 6 c.yds. 4804, less 414 c.yds. in ditch	4390.	
do. " 7.....		8660.4
do. " 8.....	3089.2.....	13226.7
do. " 9.....	3837.....	1480.6
do. " 10.....	10316.8.....	11630.
do. " 11.....		4689.8
do. " 12.....	2993.8	
do. " 13.....	7497.	
do. " 14.....	5414.8.....	5473.1
do. " 15.....	3556.9.....	7151.9
do. " 16.....		33497.2
do. " 17.....		10926.3
do. " 18.....		17119.2
do. " 19.....	2423.8.....	58900.5
do. " 20.....	9202.5.....	27930.8
do. " 21.....		13566.8
	57852.5	216993.5

*Statement of Side Cuttings.*

	Location.	Quantities.	
		Earth. C. Yds	Earth. C. Yds.
Side cutting at peg. No. 13 to	embankment No. 1.....		286
“ “ do. “ 18 “	do. “ 2.....		138
“ “ do. “ 70 “	do. “ 4.....		76
“ “ do. “ 72 “	do. “ 5.....		89.5
“ “ do. “ 110 “	do. “ 6.....		518.6
“ “ do. “ 296 “	do. “ 15.....	2079	
“ “ do. “ 300 “	do. “ 15.....	8285.3	
			10364.3
“ “ do. “ 348 “	do. “ 17.....	3026.2	
“ “ do. “ 352 “	do. “ 17.....	1964.8	
“ “ do. “ 353	do. “ 17.....	3513.7	
			8504.7
“ “ do. “ 373 “	do. “ 18.....	2665.4	
“ “ do. “ 375 “	do. “ 18.....	1123.6	
			3789.
“ “ do. “ 421 “	do. “ 19.....	1139	
“ “ do. “ 433 “	do. “ 19.....	857.4	
			1996.4
			25762.5

*Excavation put to Spoil.*

Location.	Quantities. C. Yds.
From cutting No. 9 at pegs 178 to 180.....	83
“ “ “ 14 “ “.....	1154
“ “ “ 19 “ “ 395 to 396½.....	96
	<u>1333</u>

*Memorandum.*

	C. Yds.	C. Yds.
Little Meadow Brook Embankment, substituted for bridge— quantity by lowered grade.....	45,370.	
Quantity by original grade.....	53,780.	
Reduction by lowering grade.....		8410
Additions to rock cuttings by alterations of grades, assuming cuttings to be taken out to contract width and slopes,..	3,887	
Reduction by alteration of grades, do. do. do.....	4,487	
Saving by alteration of grades.....		600
Quantity of rock in cuttings No. 14 and 15, at contract width and slopes, by present grades.....	8,351	
Quantity of rock in cuttings Nos. 14 and 15, at contract width and slopes, by original grades.....	4,464	
Quantity actually taken out, including c. yds. side cutting for ballasting, &c.,.....	8,972	
Quantity put to spoil from cutting No. 14, (Embankment measurement.....	1,154	
268½ c. yds. of masonry in culverts and drains, entered in office returns at schedule prices, and for which con- tractor claims extra.		
Masonry in Big Bog Brook Bridge, allowed as built.....	232	

*Summary of Cuttings and Side Cuttings.*

	C. Yds.	C. Yds.
Excavations, earth.....		216,994
do. rock.....	57,852	
Add $\frac{1}{2}$ to rock.....	28,926	
		86,788
Side Cuttings, earth.....		25,763
		329,535
Shrinkage on 216,994 c. yds. earth from cuttings,		
“ “ 25,763 “ “ “ side cuttings,		
Total..... 242,757 c.yds. at 8 per cent.....		19,420

310,115

Halifax, 15th December, 1859.

WM. B. SMELLIE.

NOVA SCOTIA RAILWAY.—CONTRACT NO. 4, WINDSOR BRANCH.

*Statement of works executed by Mr. Donald Cameron.*

Description of Work.	Rock.	Earth.
Cutting No. 1.....	1253	376
do. “ 2.....	37	
do. “ 3.....	668	1675
do. “ 4.....	3153	689
do. “ 5.....	20	
do. “ 6.....	4390	
do. “ 7.....		8660
do. “ 8.....	3089	13227
do. “ 9.....	3837	1481
do. “ 10.....	10317	11630
do. “ 11.....		4690
do. “ 12.....	2994	
do. “ 13.....	7497	
do. “ 14.....	5415	5473
do. “ 15.....	3557	7152
do. “ 16.....		33497
do. “ 17.....		10926
do. “ 18.....		17119
do. “ 19.....	2423	58901
do. “ 20.....	9202	27931
do. “ 21.....		13567
	57852	216994
Add a half to rock excavations.....	28926	86778

303772

Side cutting to embankment No. 1.....	286
do. do. “ 2.....	138
do. do. “ 4.....	76
do. do. “ 5.....	89
do. do. “ 6.....	519
do. do. “ 15.....	10864
do. do. “ 17.....	8505
do. do. “ 18.....	3789
do. do. “ 19.....	1997

329585

Brought over.....329535

Deduct—

Shrinkage on 216,994 c. yds. earth from cuttings,  
do. 25,763 do. do. side cuttings,

Total....242,757 c. yds. at 8 per cent.....19420

Little Meadow Brook embkt. substituted per agmt. 45370

Ballasting as entered in "Finishing".....19442

do. in siding in cutting No. 19.....300

do. taken to Contract No. 3.....2970

Earth removed from cuttings by Commissioners..3072

Rock do. do. do. ...432 91006

238529....2s. 9d.....£32,797 14 9

Grubbing and clearing away trees.....chs. 475...40s.....950 0 0

*Culverts and Drains.*

Description of Work.	Quantities.	Rate.	Amount.
4 feet x 3 feet.....	l. yards, 88½	5s.....	£22 3 4
3 " x 3 ".....	" 48	1s.....	2 8 0
3 " x 2½ ".....	" 39½	1s.....	1 19 4
3 " x 2 ".....	" 39½	9d.....	1 9 9
2½ " x 2 ".....	" 4	9d.....	0 3 0
Side ditches on top of slopes.....	" 2244	6d.....	56 2 0

At Peg No. 30—

Masonry.....c. yards, 19 .....40s.....38 0 0

Pine girders.....c. feet, 80 .....2s. 6d.....10 0 0

Planking.....s. yards, 15 .....1s. 4d.....1 0 0

Spikes.....lbs. 15 ..... 6d.....0 7 6

At Peg No. 115—

Cutting foundations.....c. yards, 57 .....1s. 6d.....4 5 6

Masonry in Walls....." 14½.....40s.....29 0 0

Pine girders.....c. feet, 224 .....2s. 6d.....28 0 0

Planking.....s. yards, 49 .....1s. 4d.....3 5 4

Ironwork.....lbs. 49 ..... 6d.....1 4 6

199 8 3

Drain in Cutting No. 6—

Earth excavations.....141

Rock do. ....460 c. yards, 601 .....5s. 6d....165 5 6

Drain across Cutting No. 19—

Earth excavations.....c. yds. 441

Rock do. ....106 c. yards, 547 .....5s. 6d....150 8 6

Rubble drain 2½ feet by 1½ feet.....l. yards, 84 ...15s.....63 0 0

Timber beams.....c. feet, 30 .....2s. 6d.....3 15 0

382 9 0

*Bridges.*

Big Bog Brook—

Cutting foundations.....c. yards, 907.....1s. 6d.....68 0 6

Foundation stones....." 6130.....".....459 15 0

Block and course....." 2226.....40s.....4452 0 0

Dry stone....." 93.....5s.....23 5 0

Backing abutments....." 250.....".....62 10 0

Coping.....c. feet, 370.....6s.....111 0 0

Timber in beams....." 1660.....2s. 6d.....207 10 0

Handrail....." 628.....6s.....188 8 0

Planking.....s. yards, 564.....1s. 4d.....37 13 4

Tarring and Gravelling....." 565.....6d.....14 2 6

Iron Work, Bolts, &c.....lbs., 2230.....".....55 15 0

Painting, 3 coats....." say.....".....20 0 0

Erecting Girders.....".....".....50 0 0

Cutting rivets, and felt used.....".....".....14 0 0

5763 19 4

Little Meadow Brook—					
Embanked per agreement—	Schedule amount.....	£4484	2	7	
	Estimated Cost of Girders.....	657	5	5	
	“ Freight .....	26	15	0	
	“ Insurance .....	25	17	0	
	“ Erection.....	154	0	0	
					5348 0 0

*Siding in Cutting No. 19.*

Excavation, included in measurement of cutting—						
Ballasting.....	c. yards, 300.....	3s.....	45	0	0	
Rail laying.....	l. yards, 162.....	1s.....	8	2	0	
Sleepers.....	No. 189.....	1s. 6d..	14	3	6	
Points and Crossings.....	sets.....	1.....	100s.....	5	0	0
					72 5 6	

*St. Croix Station.*

Excavation, included in measurement of cut No. 21.						
<i>Finishing.</i>						
Ballasting.....	c. yards, 19442.....	3s....	2916	6	0	
Rail laying.....	l. yards, 10450.....	1s....	522	10	0	
Sleepers.....	No. 12207.....	1s. 6d..	915	10	6	
Carriage of material.....	miles.....	5 <sup>13</sup> / <sub>80</sub> .....	£80...	475	0	0
Upholdence for 12 months.....	“.....	5 <sup>13</sup> / <sub>80</sub> .....	£150...	890	12	6
					5719 19 0	
Total.....			£51,233	15	10	

HALIFAX, December 30, 1859.

SIR,—I herewith submit report on claims of Mr. Donald Cameron, Contract No. 4, Windsor Branch, which has been delayed in consequence of some circumstances which I deem it proper to communicate to the Government.

The measuring of the work on this contract was entrusted to Mr. Wm. B. Smellie, and the calculation of the quantities were also made by him and entered in pencil in the book of Cross Sections and Quantities. These calculations were then checked or proved by Messrs. R. Uniacke and George McHefey, and the figuring afterwards inked in by Mr. Smellie, who also made out a final statement of the quantities, and of Mr. Cameron's account. This occupied Mr. Smellie most of the time from July to the end of November last.

On examing the work when completed, I discovered a number of errors in the quantities entered, and of such a nature as could have only been made by fraudulently altering the figures. I consequently had the calculations gone over again by Mr. Hewitt, and also by Mr. Smellie, and the latter now certifies to the accuracy of the measurements and quantities.

I enclose Mr. Smellie's original return of the work marked A, also a statement of the errors marked B. The errors are 82 in number, and vary from 10 to 1000 cubic yards for a chain in length, and in the aggregate amount to 14,708 c. yards, worth at the schedule rate £2,022 7s. 0d.

In every case they are in excess. 10, 50, 100, 200, 300, 500, and in one instance 1000, yards, being added to the true quantities.

I submit these facts without further comment for the present—leaving it for the Government to take such steps, if any, in the matter, as may be proper.

I have the honor to be, sir, your obedient servant,

(Signed)

JAMES LAURIE.

The HON. CHARLES TUPPER, Provincial Secretary.

## A.

## MR. SMELLIE'S ORIGINAL RETURN OF QUANTITIES.

NOVA SCOTIA RAILWAY—CONTRACT NO. 4, WINDSOR BRANCH.

*Statement of Excavations.*

Cutting No.	Quantities.	
	Rock. C. Yards.	Earth. C. Yards.
1.....	1253.2	376.
do. " 2.....	37.	
do. " 3.....	668.3	1674.8
do. " 4.....	3541.9	689.4
do. " 5.....	20.	
do. " 6.....	5016.	
do. " 7.....		8660.4
do. " 8.....	3089.2	13826.7
do. " 9.....	3837.	1524.6
do. " 10.....	10616.8	11548.4
do. " 11.....		4689.8
do. " 12.....	3192.8	
do. " 13.....	8147.	
do. " 14.....	5714.8	5465.1
do. " 15.....	3681.4	7551.9
do. " 16.....		36197.2
do. " 17.....		11226.3
do. " 18.....		18322.2
do. " 19.....	2423.8	61902.5
do. " 20.....	9402.3	29927.8
do. " 21.....		14566.8
	<u>60641.5</u>	<u>228149.9</u>

Side Cuttings.	Quantities.	
	Earth. C. Yards.	Earth. C. Yards.
At pegs No. 13 a 17 to embankment No. 1.....		286
do. " 18 a 20 " do. " 2.....		138
do. " 70 a 71 " do. " 4.....		76
do. " 72 a 74 " do. " 5.....		89.5
do. " 110 a 113 " do. " 6.....		518.6
do. " 296 a 297 " do. " 15.....	2179.	
do. " 301 a 302 " do. " 15.....	9035.	
		<u>11214.</u>
do. " 348 a 349 " do. " 17.....	3129.2	
do. " 352 a 353 " do. " 17.....	1963.9	
do. " 353 a 354 " do. " 17.....	3621.7	
		<u>8714.8</u>
do. " 373 a 374 " do. " 18.....	2785.4	
do. " 375 a 376 " do. " 18.....	1173.6	
		<u>3959.</u>
do. " 421 a 422 " do. " 19.....	1139.	
do. " 433 a 434 " do. " 19.....	857.4	
		<u>1996.4</u>
		<u>26992.3</u>

*Excavations put to Spoil.*

	C. Yds.
From cutting No. 9, at pegs 178 a 180.....	83.
do. " 14, ".....	1154.
do. " 19, " 395 a 396½.....	96.

1333.



B.

Statement of errors on entering the quantities on No. 4 Windsor Branch.  
All the errors are in excess of the true quantities.

No. of Peg.		Earth Cubic Yards.	Rock Cubic Yards.	
From	57	to 57.33	193	Cut. No. 4.
"	57.33	" 58	174	" "
"	96.40	" 97	191	Cut. No. 6.
"	140	" 140.33 300		Cut. No. 8.
"	141.33	" 142. 6 300		" "
"	190	" 191	50	Cut. No. 10.
"	199	" 200	50	" "
"	203	" 204	50	" "
"	207	" 207.33	50	" "
"	207.33	" 208	30	" "
"	209	" 209.33	70	" "
"	242.20	" 243	40	Cut. No. 12.
"	243.33	" 244	60	" "
"	244. 9	" 244.20	50	" "
"	244.47	" 245	29	" "
"	245.17	" 245.45	20	" "
"	251	" 251.15	100	Cut. No. 13.
"	251	" 251.25	100	" "
"	251.25	" 251.37	100	" "
"	251.37	" 252	50	" "
"	252	" 252.24	200	" "
"	252.24	" 252.40	100	" "
"	276	" 277	100	Cut. No. 14.
"	277	" 278	100	" "
"	279	" 280	100	" "
"	290	" 291	100	Cut. No. 15.
"	291	" 292	100	" "
"	293	" 293.33 100		" "
"	293.33	" 294 100		" "
"	294	" 294.33 200		" "
"	294.33	" 295	50	" "
"	295.20	" 295.52 50		" "
"	302.18	" 302.48 200		Cut. No. 16.
"	302.60	" 303.50 500		" "
"	306	" 307 500		" "
"	309	" 310 500		" "
"	310	" 311 500		" "
"	335	" 336 200		Cut. No. 17.
"	338	" 339 100		" "
"	358	" 359 500		Cut. No. 18.
"	359	" 360 500		" "
"	362	" 363 200		" "
"	392	" 393 300		Cut. No. 19.
"	393	" 394 500		" "
"	394	" 395 500		" "
"	395.33	" 396 200		" "
"	397	" 398 300		" "
"	398	" 398.31 50		" "
"	398.31	" 399 40		" "
"	399	" 399.25 10		" "
"	400	" 401 100		" "
"	402	" 403 300		" "
"	405	" 406 100		" "
"	406	" 407 200		" "
"	407	" 408 300		" "
"	411	" 412 100		" "

From 440	to 441.....	500	Cut. No. 20
" 441	" 442.....	1000	" "
" 447	" 448.....	300.....200.....	" "
" 450	" 451.....	200	" "
" 469.47	" 470.....	50	Cut. No. 21.
" 470	" 471.....	50	" "
" 471	" 472.....	300	" "
" 472	" 472.54.....	300	" "
" 472.54	" 474.....	100	" "
" 474	" 475.....	200	" "

## Borrow Pits.

From 22 ft.	to 40.....	50	Emb. No. 15.
" 58	" 80.....	50	" "
" 51	" 70.....	500	" "
" 110	" 123.....	100	" "
" 139	" 151.....	50	" "
" 151	" 174.....	100	" "
" 91	" 108.....	50	Emb. No. 17.
" 126	" 139.....	50	" "
" 61	" 85.....	100	" "
" 121	" 130.....	11	" "
" 0	" 32.....	30	Emb. No. 18.
" 32	" 47.....	20	" "
" 90	" 102.....	20	" "
" 102	" 121.....	50	" "
" 22	" 53.....	30	" "
" 67	" 86.....	20	" "

11,981  
Deduct Shrinkage, and add  $\frac{1}{2}$  to rock. .958  

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11,023

2,457  
1,228

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3,685  
11,023

14,708 at 2s. 9d.   £2,022 7 0

Dec. 15, 1859.

C. E. HEWITT.

At a meeting on the third day of January, one thousand eight hundred and sixty, of the undersigned members of the Executive Council, the Commissioners of the Railroad, and the Chief Engineer, Mr. Smellie and Mr. George McHefley were sent for, and Mr. Laurie's letter, dated 30th December last, stating that alterations had been made in the calculations of the measurements on Mr. Cameron's contract, was read to them, and their explanations were required; Mr. Hewitt was subsequently sent for and attended,—Mr. Uniacke being ill could not be present.

Little or no discrepancy was found in any of the statements; and the following appeared to be admitted facts:

The re-measurements in the field on Mr. Cameron's contract, for the purpose of Mr. Laurie's report, were made by Mr. Smellie. He afterwards plotted on paper the cross sections, calculated the areas and computed the quantities of cubic yards, and footed the amounts at the bottom of each page, which were carried over so as to give the total quantity of each cutting. There were columns ruled at the side of the pages on which the cross sections were delineated for the quantities; and at first Mr. Smellie said he had entered the result of his computations in pencil in these columns. It, however, appeared that, with the exception of a few in the commencement, this was not the case; and that he had entered the quantities in pencil, not in the columns, but immediately outside of them, and opposite to the plots delineated, and on or about

the same lines on which the final entries of the quantities in ink would be written into the columns after the calculations should be checked.

Mr. Richard Uniacke checked the computation of the areas, about which no question has arisen, and Mr. George McHefey checked the computations of the quantities of cubic yards. Mr. McHefey stated that he found and corrected a number of mistakes in Mr. Smellie's computations of the cubic yards,—that these mistakes were of small amount in general, but that there might have been a few instances in which the error reached 100 cubic yards; these errors he said were sometimes in diminution and sometimes in increase of the quantity, and that his corrections on the whole made in consequence little alteration on the sum total. The mode in which he made the corrections was by substituting his figures in pencil for those of Mr. Smellie which were found to be wrong.

After the calculations were checked it became Mr. Smellie's duty to write the quantities in ink, in the ruled columns, add up the amounts, and make a return of the results to the Chief Engineer on which he might base his report of the work performed by Mr. Cameron.

Mr. Smellie did accordingly complete the work by entering in ink in the ruled columns sums representing the several quantities, and added up the different pages, and the aggregate of each cutting, and obliterated the pencil entries. He also made out and furnished to Mr. Laurie a detailed account of the quantities and the general amounts as taken from his work as thus completed.

Mr. Laurie, according to his practice in other cases, before finally adopting this report, to assure himself of its accuracy, made computations by way of trial, and finding that erroneous quantities had been returned, he employed Mr. Hewitt to go over the calculations. Mr. Hewitt reported errors to a large amount in the quantities of the cubic yards, as entered in the book of cross sections, and returned by Mr. Smellie. Mr. Laurie then required Mr. Smellie to go over the calculations himself. He did so, and admitted the existence of the errors as reported by Mr. Hewitt, and altered his own figures in the columns of the book of cross sections to correspond with the corrections made by Mr. Hewitt, and thereby made the sums what they ought to be according to the true quantities.

We examined a detailed statement of the errors thus discovered by Mr. Hewitt and acknowledged by Mr. Smellie. This shews them to be eighty-two in number, all in excess of the true quantities; and that the amount of Mr. Cameron's work as returned by Mr. Smellie represented 14,708 cubic yards more than the true quantities, and that these errors, if not discovered and corrected, would have given to Mr. Cameron £2,022 7s. 0d. more than he was entitled to. They are peculiar in their nature, being, with very trifling exception, additions to the correct quantities made in round numbers, from 10 to 1000, viz.: one instance being of 10 added, several of 20, of 30, and of 40, seventeen of 50, one of 60 and of 70, nineteen of 100, ten of 200, nine of 300, ten of 500, one of 600 and one of 1000,—the only exception to numbers of this character being in the three first errors in which the true amounts were exactly doubled, and in two instances in which the additions made were 29 and 11.

It was admitted that the calculations were simple, and Mr. Smellie said he could make pages of them without making a mistake.

It was evident that the errors detected by Mr. Hewitt were not the alterations which had been made when the calculations were checked. Mr. McHefey stated that after discovering an error he went a second time carefully over the calculation before he ventured to alter a figure; and that he did the work in the same office with Mr. Smellie, where, had serious errors been alleged in the calculations, it was impossible but that Mr. Smellie's attention would have been called to their examination at the time; and he declared that the mistakes he rectified, were not of the same extent or kind as those afterwards discovered. Mr. Smellie also stated that it was not possible that he would have allowed such errors to have been imputed to his calculations by so junior a clerk as Mr. McHefey without his having carefully tested the accuracy of his corrections. And, on the question being distinctly put to Mr. Smellie, he said that the erroneous quantities in the cubic yards discovered by Mr. Hewitt could not have been the result of accident or mistake—their number and nature made that incredible; and they must have been intentionally introduced into the book of cross sections by whomsoever that act might have been done: but that he could give no information or afford any explanation in elucidation of the circumstances.

It was admitted that the erroneous quantities had been entered by Mr. Smellie in ink in the ruled columns of the book of cross sections, and by him returned to Mr. Laurie, and his statement was that he had copied them from the pencil entries after Mr. McHefey had checked them. Some of these pencil entries, although greatly obliterated, are yet discernable. Mr. Smellie said they were not his writing. Mr. Hewitt declared they were not his, and said that he merely

minuted in pencil the correct quantities, within the ruled column immediately above the erroneous quantities he detected (and of those the traces remain on the paper), and that he wrote nothing outside of the ruled column where the figures in question are found. Mr. McHefey did not recognize them as his writing. Both Mr. Hewitt and Mr. McHefey stated as regards some of the least obliterated figures, that they were like Mr. Smellie's writing.

These sums in pencil represent the correct quantities; and the sums entered in the ruled columns on the same lines or immediately adjoining, as now corrected, are of the same amount, but before they were corrected by Mr. Hewitt, these entries in the ruled columns were of increased and erroneous amounts. Mr. Smellie, it is obvious, could not have been misled into making these errors by these pencil figures. As far as these pencillings can be deciphered, had they been copied unaltered into the columns the true quantities would have been entered and returned, and the false and increased quantities would not have appeared.

7th JANUARY, 1860.

The foregoing statements being read to Mr. Smellie and Mr. McHefey, they say they are substantially correct — except that Mr. Smellie did not calculate the areas, that work having been done by Messrs. Uniacke and McHefey, and Mr. Smellie making all the computations of the quantities of cubic yards from the areas given by them, but as regards the areas no errors were imputed.

The following explanations were also now given by Mr. Smellie: Mr. Laurie was absent in Boston while the work was going on, and when he returned all the calculations of quantities had been completed and checked by Mr. McHefey, and Mr. Smellie had entered in ink in the ruled columns the greater part of the quantities as they were subsequently returned by him to Mr. Laurie, and soon after Mr. Laurie's return the whole quantities had been inked in. Mr. Hewitt was not employed in the office — his engagements kept him in the country, and he visited Halifax only occasionally or about once a month.

(Signed)

J. W. JOHNSTON,  
C. TUPPER,  
STAYLEY BROWN,  
JAMES McNAB,  
ARCH'D. SCOTT.  
S. L. SHANNON.

PROVINCIAL SECRETARY'S OFFICE, January 7, 1860.

SIR,—I have it in command from His Excellency the Lieutenant Governor to inform you that the Executive Government having carefully investigated the evidence connected with the recent falsification of the returns of the measurement of Mr. Cameron's work on Contract No. 4, are fully convinced of the culpability of Mr. Smellie; and I am further commanded to direct you to remove Mr. Smellie without delay from all connection with the Railway Department.

I have the honor to be, sir, your obedient servant,

(Signed)

CHARLES TUPPER.

Hon. JAMES McNAB, Chairman Railway Commissioners.

MR. SMELLIE'S ORIGINAL STATEMENT OF D. CAMERON'S ACCOUNT.

NOVA SCOTIA RAILWAY—CONTRACT No. 4, WINDSOR BRANCH.

Statement of Work executed by Mr. Donald Cameron.

Description of Work.				<i>Excavations.</i>	
				Quantities.	
				Rock.	Earth.
Cutting No.	1....	....	....	1253.....	376
do.	" 2....	....	....	37	
do.	" 3....	....	....	668.....	1675
do.	" 4....	....	....	3542.....	689
do.	" 5....	....	....	20	
do.	" 6....	....	....	4602	
do.	" 7....	....	....		8660
do.	" 8....	....	....	3089.....	13827
do.	" 9....	....	....	3837.....	1525
do.	" 10....	....	....	10617.....	11548
do.	" 11....	....	....		4690
do.	" 12....	....	....	3193	
do.	" 13....	....	....	8147	
do.	" 14....	....	....	5715.....	5465
do.	" 15....	....	....	3681.....	7552
do.	" 16....	....	....		36197
do.	" 17....	....	....		11226
do.	" 18....	....	....		18322
do.	" 19....	....	....	2424.....	61903
do.	" 20....	....	....	9403.....	29928
do.	" 21....	....	....		14567
				60228	228150
Add a half to rock excavations	....	....	....	30114.....	90342
					318492
Side cut. to embk. No.	1....	....	....		286
do.	do. " 2....	....	....		138
do.	do. " 4....	....	....		76
do.	do. " 5....	....	....		89
do.	do. " 6....	....	....		519
do.	do. " 15....	....	....		11214
do.	do. " 17....	....	....		8715
do.	do. " 18....	....	....		3959
do.	do. " 19....	....	....		1996
					26992
					345484
Deduct.					
Shrinkage on 228150 c. yds. earth from cuttings					
Shrinkage on 26992 c. yds. earth from side cuttings.					
Total 255142 c. yds. at 8 per cent.....				20411	
Little Meadow Brook Emb. substituted per agreement.....				45370	
Ballasting, as entered in "Finishing".....				19442	
Ballasting in siding in cutting No. 19.....				300	
Ballasting, taken to Contract No. 3.....				2970	
Earth removed from cut'gs by Commissioners.....				3072	
Rock	do.	do.	do.	do.	432
					91997
					253487

		Amount.	Totals.
224,082 c.yds. Schedule quantity, at 2s. 9d.	.....	£20,811 5 6	
23,031 " Reducing slopes, at 2s. 9d.	.....	3,166 15 3	
6374 " Extra excavations, at 2s. 0d.	.....	637 8 0	
253,487 c. yds.....	.....	.....	34,615 8 9

Grubbing and clearing away trees,	chs.475 ..40s... ..950 0 0 ..	950 0 0	
			35,565 8 9

*Culverts and Drains.*

4 feet x 3 feet....	.....	l. yds. .... 88½...5s. ....	22 3 4
3 " x 3 " ....	.....	" .... 48...1s. ....	2 8 0
3 " x 2½ " ....	.....	" .... 39½...1s. ....	1 19 4
3 " x 2 " ....	.....	" .... 39½... 9d....	1 9 9
2½ " x 2 " ....	.....	" .... 4.... 9d....	0 3 0
Side ditches on top of slopes..	.....	" ....2244.... 6d....	56 2 0

*At peg No. 30:*

Masonry in walls	.....	c. yds. .... 19...40s. ....	38 0 0
Pine girders	.....	c. ft. .... 80...2s. 6d....	10 0 0
Planking..	.....	s. yds. .... 15...1s. 4d....	1 0 0
Spikes....	.....	lbs. .... 15.... 6d....	0 7 6

*At peg No. 115:*

Cutting foundations	.....	c. yds. .... 57...1s. 6d....	4 5 6
Masonry in walls	.....	" .... 14½...40s. ....	29 0 0
Pine girders	.....	c. ft. .... 224...2s. 6d....	28 0 0
Planking..	.....	s. yds. .... 49...1s. 4d....	3 5 4
Iron work..	.....	lbs. .... 49.... 6d....	1 4 6

199 8 3

*Drain in Cutting No. 6.*

Earth excavations ..	.....	c. yds. .... 141	
Rock " ..	.....	" .... 460	
		c. yds. .... 601..5s. 6d	165 5 6

*Drain across Cutting No. 19.*

Earth excavations....	.....	c. yds 441	
Rock " ..	.....	" 106	
		c. yds. .... 547....5s. 6d..	150 8 6
Rubble drain, 2½ ft. x 1½ ft..	.....	l. yds. .... 84...15s. ....	63 0 0
Timber beams	.....	c. ft. .... 30...2s. 6d....	3 15 0

382 9 0

*Bridges.*

Big Bog Brook—			
Cutting foundations,	.....	907.... 1s. 6d... 68 0 6	
Foundation Stones,	.....	6130.... " ....459 15 0	
Block and Course,	.....	2226....40s. ....4452 0 0	
Dry Stone,.....	.....	93.... 5s. .... 23 5 0	
Backing Abutments,	.....	250.... " .... 62 10 0	
Coping.....	.....	370.... 6s. ....111 0 0	
Timber in beams,..	.....	1660.... 2s. 6d...207 10 0	
Hand-rail.....	.....	623.... 6s. ....188 8 0	
Planking.....	.....	564.... 1s. 4d... 37 13 4	
Tarring and gravelling	.....	565.... 6d. .... 14 2 6	
Iron work, bolts, &c.,	.....	2230.... " .... 55 15 0	
Painting, 3 coats....	.....	say .... 20 0 0	
Erecting girders .....	.....	" .... 50 0 0	
Cutting rivets and felt used,	.....	" .... 14 0 0	

5763 19 4

Carried forward..... £41,911 5 4

ACCOUNTS AND CLAIMS OF MR. DONALD CAMERON.

55

Description of work.	Quantities.	Rate.	Amount.	Totals.
Brought forward.....			£41,911	5 4
<b>Little Meadow Brook—Embanked per agreement:</b>				
Schedule amount.....			4484	2 7
Cost of girders.....			657	5 5
Freight.....			26	15 0
Insurance.....			25	17 0
Erection.....			154	0 0
			<u>5348</u>	0 0
<b>Siding in Cutting No. 19—</b>				
Excavation, included in measurement of cut. 19,				
Ballasting, .....	c.yds. 300.....	3s. ....	45	0 0
Rail Laying, .....	l.yds. 162.....	1s. ....	8	2 0
Sleepers.....	No. 189.....	1s. 6d.....	14	3 6
Points and crossings .....	sets. 1.....	100s.....	5	0 0
			<u>72</u>	5 6
<b>St. Croix Station.</b>				
Excavation included in measurement Cut. No. 21.				
<i>Finishing.</i>				
Ballasting .....	c.yds. 19442.....	3s. ....	2,916	6 0
Rail laying .....	l. yds. 10450.....	1s. ....	522	10 0
Sleepers....	No. 12207.....	1s. 6d.....	915	10 6
Carriage of material. ....	miles....	$5\frac{75}{80}$ ... £80....	475	0 0
Upholdence for 12 months....	" .....	$5\frac{75}{80}$ ... £150....	890	12 6
			<u>5,719</u>	19 0
				<u>£53,051 9 10</u>

## LEGISLATIVE ACTS.

*At the Court at Windsor, the 29th day of November, 1859.*

PRESENT :

The Queen's Most Excellent Majesty,  
&c., &c., &c.

Whereas the Lieutenant-Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did, in the month of March, 1859, pass ninety Acts, which have been transmitted, entitled as follows, viz :

No. 3635. An Act for the better equalizing the Elective Franchise in certain Counties.

No. 3637. An Act in addition to the Act to regulate the Mines of this Province.

No. 3638. An Act to amend Chapter 27 of the Revised Statutes, "Of the Coal Mines," and the Act in amendment thereof.

No. 3639. An Act for escheating Lands that have been forfeited to the Crown.

No. 3640. An Act to extend the operation of Chapter 15 of the Acts of 1858.

No. 3641. An Act to amend Chapter 88 of the Revised Statutes, "Of Weights and Measures."

No. 3642. An Act to amend the Act to authorize assessments to procure Fire Engines.

No. 3643. An Act to facilitate the taking of Evidence and the Registry of Deeds.

No. 3644. An Act to continue the Law Imposing Light House Duties.

No. 3645. An Act to continue and amend the Law to regulate Distilleries.

No. 3646. An Act further to amend Chapter 60 of the Revised Statutes, "Of Public Instruction."

No. 3647. An Act relating to County, District, and Township Lines.

No. 3648. An Act concerning Indian Reserves.

No. 3649. An Act to extend the Provisions of the New Practice Act.

No. 3650. An Act to amend the Act relating to Trusts and Trustees.

No. 3651. An Act to regulate the Tare on Sugar.

No. 3652. An Act relating to Fees to be taken in the Crown Land Office.

No. 3653. An Act to regulate the manner of conducting Elections in Electoral Divisions.

No. 3654. An Act to alter and establish the bounds of Electoral Districts in certain Counties in this Province.

No. 3655. An Act to alter certain Electoral Districts in the County of Cape Breton.

No. 3656. An Act concerning Trespassers to Crown Property.

No. 3657. An Act to amend Chapter 68 of the Revised Statutes, "Of Supervisors of Public Grounds."

No. 3659. An Act to continue and amend the Laws relating to Education.

No. 3661. An Act to continue the Act to authorize a Provincial Loan.

No. 3662. An Act to amend Chapter 11 of the Acts of 1858.

No. 3663. An Act further to amend Chapter 89 of the Revised Statutes, "Of the Settlement and Support of the Poor."



No. 3664. An Act to amend the Act to regulate Licenses for the Sale of Intoxicating Liquors.

No. 3665. An Act to amend the Law relating to Road Damages.

No. 3666. An Act concerning Sheriffs.

No. 3667. An Act further to amend Chapter 126 of the Revised Statutes, "Of the Supreme Court and its Officers."

No. 3668. An Act to continue the Act to amend Chapter 136 of the Revised Statutes, "Of Juries."

No. 3669. An Act to amend the Jury Law.

No. 3670. An Act to amend the New Practice Act.

No. 3671. An Act in further amendment of the New Practice Act.

No. 3672. An Act in addition to an Act to amend Chapter 168 of the Revised Statutes, "Of the Administration of Criminal Justice."

No. 3673. An Act relative to the administration of Criminal Justice.

No. 3674. An Act further to amend Chapter 147 of the Revised Statutes, "Of Petty Trespasses and Assaults."

No. 3675. An Act to amend the Act for the Management of the Hospital for the Insane.

No. 3676. An Act further to amend Chapter 73 of the Revised Statutes, "Of Commissioners of Sewers, and the regulation of Dyked and Marsh Lands."

No. 3678. An Act to Legalize certain proceedings relative to Assessments.

No. 3679. An Act further to enforce the making of Assessments.

No. 3680. An Act to amend Chapter 48 of the Revised Statutes, "Of Townships and Township Officers."

No. 3682. An Act for applying certain monies therein mentioned for the service of the year One thousand eight hundred and fifty-nine, and for other purposes.

No. 3683. An Act for naming Port Mulgrave, in the county of Guysborough.

No. 3684. An Act to Legalize the appointment of Commissioners of Streets for the town of Liverpool.

No. 3685. An Act for the regulation of Truckmen and Truckage in the town of Pictou.

No. 3686. An Act to amend the Act to constitute Argyle, in the county of Yarmouth, a separate District.

No. 3687. An Act to Legalize certain proceedings of the Overseers of the Poor for the township of Barrington.

No. 3688. An Act to alter the time of holding the Sessions for the district of Shelburne.

No. 3689. An Act to authorize the Sale of the Court House and Jail at Shelburne.

No. 3690. An Act to provide for the construction of a Bridge over Jordan River, in the county of Shelburne.

No. 3691. An Act relating to the Town Hall at Upper Stewiacke.

No. 3692. An Act to provide funds for defraying the expense of completing Cornwallis Bridge.

No. 3693. An Act for the building and improvement of certain bridges and roads within the county of Pictou.

No. 3694. An Act to provide for building a bridge over the Liverpool River, in Queen's County.

No. 3695. An Act relating to the Roman Catholic Cemetery, at Dartmouth.

No. 3696. An Act to confirm certain proceedings of the Sessions of the County of Halifax, with reference to Railway Damages.

No. 3697. An Act in amendment of the Act concerning the City of Halifax.

No. 3699. An Act to prohibit the erection of wooden buildings within a certain portion of the city of Halifax.

- No. 3700. An act to facilitate the perfecting of titles in the Island of Cape Breton.
- No. 3701. An Act to amend chapter 38 of the Acts of 1857.
- No. 3702. An Act to facilitate the division and management of property by certain Presbyterian churches and congregations in Cornwallis.
- No. 3703. An Act to authorise the sale of the old Presbyterian Church at Guy's River.
- No. 3704. An Act to enable John Barry to obtain Letters Patent.
- No. 3705. An Act to enable Charles Dickson Archibald and Moses S. Salter to obtain Letters Patent.
- No. 3706. An Act to enable Edward Hunt and Henry Davis Pochin to obtain Letters Patent.
- No. 3707. An Act to incorporate the Trustees of the Temperance Hall and School House at Hammonds Plains.
- No. 3708. An Act to incorporate the Digby Sea Wall Pier Company.
- No. 3709. An Act to incorporate the Laurel Hill Cemetery Company.
- No. 3710. An Act to incorporate the Chipman Brook Pier Company.
- No. 3711. An Act to incorporate the Protestant Orphans' Home.
- No. 3712. An Act to alter and amend the Act to incorporate the Trustees of St. Matthew's Church in Halifax.
- No. 3713. An Act to incorporate the Digby Union Wharf Company.
- No. 3714. An Act to incorporate the Little River Wharf Company.
- No. 3715. An Act to revive the act to incorporate the Pictou Cemetery Company.
- No. 3716. An Act to incorporate the Trustees of Wolfville Division of the Order of the Sons of Temperance.
- No. 3717. An Act to incorporate the Halifax Cricket Club.
- No. 3718. An Act to amend the Act to incorporate the Nova Scotia Electric Telegraph Company.
- No. 3719. An Act to incorporate the Digby Fishing Company.
- No. 3720. An Act to incorporate Keith Lodge of Freemasons at Hillsburg.
- No. 3721. An Act to incorporate Unity Lodge of Freemasons at Lunenburg.
- No. 3722. An Act to incorporate the North Spring Hill Coal Mining Company.
- No. 3723. An Act for the relief of and in further amendment of the Act to incorporate the Inland Navigation Company.
- No. 3724. An Act to incorporate the Bank of Yarmouth, Nova Scotia.
- No. 3725. An Act to incorporate the Halifax Fire Insurance Company.
- No. 3726. An Act to authorise the sale of the Presbyterian Church at Guysborough.
- No. 3727. An Act to authorise the sale of two Presbyterian Meeting Houses at Barney's River.
- No. 3728. An Act to enable Charles Dickson Archibald to obtain Letters Patent.
- No. 3729. An Act for amending and altering two Acts entitled respectively, "An Act to incorporate the Acadian Iron and Steel Company," and "An Act to amend the Act to incorporate the Acadian Iron and Steel Company."
- No. 3730. An Act to naturalize certain Aliens.

And, whereas, the said Acts have been laid before Her Majesty in Council, together with a letter to the Lord President of the Council from the most noble the Duke of Newcastle, one of Her Majesties principal Secretaries of State, recommending that the said acts should be left to their operation : Her Majesty was thereupon this day pleased, by and with the advice of her Privy Council, to approve the said recommendation ; Whereof, the Governor, Lieutenant Governor, or Commander-in-Chief for the time being of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

W. L. BATHURST.

## CORRESPONDENCE ON CONSTITUTIONAL QUESTIONS.

*Halifax, 9th June, 1859.*

As it may be interesting to your Excellency to know the general results of the late election, I beg leave to notice some of the particulars.

Twenty-six of the Members returned are known supporters of the Government. Of the twenty-nine who remain, seven were by law disqualified to be elected, owing to holding office; of whom five appear to come so directly within the operation of the act that it is difficult to anticipate their taking the oath of qualification in the house. The disability of the other two is subject to some question. Of the twenty-six supporters of the Government, I know of but two who it is pretended, on the other side, are disqualified. The alleged grounds are too trivial, I should suppose, to prevail; but should their seats be vacated, their return is not matter of question, each having succeeded at the late election by a majority of about one thousand. Some seats also are objected against for alleged illegality, and some scrutinies will be prosecuted. I make no estimate of the result in these cases; but I believe the Government will lose no strength through them. Two of the elections which the Opposition papers profess to believe will be set aside,—West Halifax and Annapolis,—are objected against on grounds the most inconsiderable.

It is fact of some significance, that all the members who in 1857 left the late and joined the present Government, have been sustained by large majorities, with the exception of Mr. Fuller, and he was opposed at the recent election in consequence of his latterly having failed in his support of the Government—while his old colleague, who was among those who came over in 1857, and steadily supported the Government since, was returned with a colleague, who ran the election with him on the Government interest,—both having large majorities.

All or a majority of the members returned by ten out of the eighteen counties support the Government—Halifax, Cumberland, Richmond, Cape Breton, Inverness, Annapolis, Digby, Yarmouth, Queen's, Sydney, and a member for each of the counties of Pictou and Hants;—while taking all the votes polled over the whole Province, there is found a majority of over twelve thousand in favor of the Government, and this after making the most liberal allowance in favor of our opponents.

The most important feature of the election is, that on the only issue raised before the country—that of Protestant against Catholic—on the exclusion of Catholics from equal political power and privileges,—a considerable number of the twenty-nine returned candidates mentioned before, publicly, at the hustings, disavowed the cry, and declared themselves opposed to the principle of proscription; and as leading members of the opposition avow the basis of Catholic exclusion, it is not easy to understand how these parties can unite, when thus opposed on the leading principle which divides the present Government and the Opposition.

On a calm review of the state of parties and existing circumstances, my colleagues and myself entertain a strong belief that the Government will be sustained at the meeting of the Legislature next winter.

(Signed)

J. W. JOHNSTON.

HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.

MAY IT PLEASE YOUR EXCELLENCY,—

We, the undersigned, members of the House of Assembly, having observed that your Excellency's present advisers claim that they have secured a majority to sustain them in the new Parliament, deem it our duty to undeceive your Excellency and to assure you that we have been returned expressly to oppose the present Administration ; that we intend unitedly to do so, and shall avail ourselves of the first public opportunity afforded us to declare that they do not possess the confidence of the people of Nova Scotia.

The undersigned deem it their duty also to state, that they consider it but just to your Excellency, to the new House, and to the country at large, that the earliest opportunity should be afforded for testing the opinions of Parliament, in order that your Excellency may be surrounded by those who enjoy that measure of public confidence so indispensable to a wise administration of affairs.

(Signed)	Wm. Young,	Thos. F. Morrison.	W. Ross.	Robt. Robertson.
	John Esson.	A. W. McLelan.	H. Blanchard.	W. B. Webster.
	W. Annand.	R. P. Grant.	B. Wier.	S. Chipman.
	Joseph Howe.	George McKenzie.	Hy. Moseley.	W. Burgess.
	W. Chambers.	A. C. McDonald.	Hy. Bailey.	J. L. Brown.
	A. M. Cochran.	W. O. Heffernan.	Lewis Smith.	
	A. G. Archibald.	S. Campbell.	Thos. Coffin.	
	A. Campbell.	H. Munro.	John Locke.	

Halifax, 30th June, 1859.

To His Excellency the EARL OF MULGRAVE.

MAY IT PLEASE YOUR EXCELLENCY,—

We, the undersigned Members of the Executive Council, having had our attention directed by your Excellency to the Memorial of twenty-nine gentlemen, who claim to be Members of the House of Assembly, beg to assure you that it has obtained our careful consideration.

We cannot advise your Excellency to recognise this document, as we consider it introduces an unprecedented and unconstitutional innovation, derogatory alike to the prerogative of the Crown, the functions of Parliament, and the rights of the people.

The only mode known to the constitution, either here or in Great Britain, of definitively ascertaining the relative position of parties after a General Election, is by a vote of the House, after due deliberation and discussion ; and we know of no principle or precedent that gives to the private opinion of individual members of Parliament the weight that belongs to decisions of the collective body, arrived at under the observation of the country, and the responsibility of public opinion ; while, in the present instance, the gentlemen who would thus early constrain your Excellency by their opinion and advice, have not even reached the position of members of Assembly entitled to act, nor have they as yet observed the solemnities required to clothe them with the functions of office.

In the aspect of advisers of the Lieutenant-Governor, the memorialists can, we believe, as little find constitutional authority for the course they have adopted—the principles of responsible government not sanctioning those in opposition in approaching the head of the Government with unsolicited advice.

The existing circumstances give point and illustration to these remarks.

While our opponents are unable to deny that we possess the confidence of twenty-six of the members elect, it is well known that but twenty-one of the memorialists

can occupy the seats in the Assembly which they claim, unless, as we have no right to assume, all law and constitutional practice are to be trampled under foot; for, at least six of their number are legally disqualified to be elected, by plain and positive enactment, and two others are not entitled to seats, as the return of the writ for the Eastern division of Halifax carries on its face its own illegality.

It is also matter of notoriety that several of the memorialists have obtained their return by publicly declaring that they would not sustain any party upon the proscriptive policy avowed by the leaders of the Opposition, and which alone now divides the parties in the Province; and the only information which the memorialists give your Excellency of the object for which they were elected, is, that they were chosen to oppose the present Government; but this statement offers no assurance that they would be prepared to unite in the principles on which to form a new Administration; nor does the public service call for an extra session.

Your Excellency cannot have failed to remark that the memorialists propose no measure of importance which would make their immediate advent to power, or an early meeting of the Assembly, essential to the public welfare; and however legitimate the desire of office, for its own sake, may be, it is not the recognised principle of action, according to the constitutional theories under which Great Britain and her colonies are governed.

Your Excellency also is aware that, possessing the confidence of a decided majority, and in conformity with the established Colonial practice, the present Government at the last session disposed of the business of the country for the current year, and made provision for every emergency likely to arise before the usual period, when it has been found from long experience, most conducive to the interests of the country that the Legislature should be assembled.

The full term of the House having expired, a General Election necessarily ensued, and it cannot be controverted that of all the votes then thrown in the Province, an immense majority were in favor of those gentlemen who publicly declared their determination to sustain the present Administration.

Under these various considerations, we feel, as the constitutional advisers of your Excellency, that we should be wanting in our duty to the country and your Excellency, and unworthy of the high position we have been called to fill, were we to advise a meeting of the Legislature at an unusual period of the year, uncalled for by any public necessity, and necessarily involving a large and useless expenditure, or, were we to advise your Excellency to recognise an unwarranted interference, at variance with the principles and usages of the Constitution, and calculated to set a detrimental example, and establish a dangerous precedent.

J. W. JOHNSTON,  
MICH. TOBIN,  
CHARLES TUPPER,  
JOHN MCKINNON,  
JOHN J. MARSHALL.  
JOHN CAMPBELL.  
W. A. HENRY.

Halifax, 20th July, 1859.

*Provincial Secretary's Office, Halifax, 21st July, 1859.*

GENTLEMEN,—I have it in command from His Excellency the Lieutenant Governor to inform you that your Memorial, announcing to his Excellency your intention to oppose the present Government, and offering your views upon the proper period for assembling the Legislature, has received the careful consideration of His Excellency and the Executive Council; and I am further commanded to state that, while the Lieutenant-Governor will at all times be ready to give due weight to the sentiments of gentleman holding the influential position of the memorialists, His Excellency cannot, he conceives, accept advice on the subject of the memorial from any other than his Constitutional advisers, without disregarding the Royal instructions, infringing upon the system of Responsible Government established in this Colony, and compromising the position of strict impartiality between political parties, which it is His Excellency's firm determination ever to preserve.

I have the honor to be, Gentlemen,

(Signed)

Your obedient servant,

CHARLES TUPPER.

The Honorable William Young, and the 28 other Gentlemen, Members elect of the House of Assembly, whose names are attached to a memorial, dated 30th June, 1859.

*Halifax, 26th July, 1859.*

MY LORD,—I beg leave to enclose, in duplicate, a letter to the Right Honorable the Colonial Secretary, which your Excellency will greatly oblige me by transmitting to London by the first steamer.

I have the honor to be, my Lord

Your most obedient servant,

(Signed)

WM. YOUNG.

His Excellency the Right Honorable the EARL OF MULGRAVE, &c. &c. &c.

*Halifax, 25th July, 1859.*

MY LORD DUKE,—When the British Colonies, which have established Responsible Government, determined to adopt that system in preference to the written constitutions of the United States, their choice was influenced by a sincere belief that if the modes of Administration which obtain in the Mother Country, could be secured to the Colonies, vigorous Executives sustained by popular sentiment, would everywhere infuse energy and vitality into Provinces rendered lifeless and inert by the benumbing torpor of the old colonial system.

The contrast which Nova Scotia presents to the British Islands at the present moment would seem to indicate the necessity for some security against the abuse and utter abnegation of the privileges assumed by her people to have been secured by many sacrifices, and which, since the power of the Representative Branch was successfully asserted over the Government in 1848, have been regarded as sufficiently ample.

The Parliament of England was dissolved on the 23rd April. The writs were returnable, and the new Parliament was assembled on the 31st May, and within a few days a hostile vote was passed, a new Cabinet was formed, the Ministers were re-elected, and the practical value of British institutions and the vital power of public opinion were happily illustrated, in the presence of contending armies and the des-

otic powers of the European continent, unaccustomed to freedom, and of many provinces of the Colonial Empire, which would speedily become republics, but for their belief in the applicability of British Constitutional guards and usages to the wise administration of their affairs.

In Nova Scotia, Parliament was dissolved on the 15th April. On the return of the writs on the 1st of June, it was apparent that the Administration had been beaten at the polls—that public opinion had condemned their policy—that their defeat, taking into consideration all the circumstances under which the elections had been run, was palpable, decisive, and humiliating. The points which have been decided, upon issues formally raised and amply debated in the Assembly and at the hustings, were :

1st. That the public works of Nova Scotia, upon which nearly a million of money has been expended, and large sums are continually being disbursed, should be replaced in the charge of those by whom they were designed ; and rescued from the control of persons who were hostile to their inception, and are believed to have no great anxiety for their successful development.

2nd. That traitors to the Queen's Government, who thwart its policy and correspond with its enemies in time of war, shall not, after proof of the fact, be patronized by the Provincial Administration.

3rd. That no religious body, combining for political purposes, shall control the Government in Nova Scotia, or if they do, that a higher combination shall control them.

4th. That public officers, of unblemished reputation, should not be summarily and unjustly dismissed from the public service.

Upon each and all of these questions there was a solemn decision, by the people of this country, on the 12th of May, yet on the 25th of July I am compelled to enquire of Her Majesty's Government why an Election should be utterly fruitless in Nova Scotia, which in England, under similar circumstances, is followed by the assembling of Parliament and the re-construction of the Cabinet.

As leader of the successful Opposition, I assume that I have a right to make this enquiry of Your Grace, having exhausted, as you will perceive by the correspondence enclosed, every legitimate resource presented by the anomalous and peculiar posture of affairs in Nova Scotia.

Finding that the Earl of Mulgrave did not assemble Parliament or reconstruct his Cabinet, and perceiving that the organs of his Government claimed for the Administration a majority as a reason why neither was done, on the 30th June the memorial, signed by myself and twenty-eight other gentlemen comprising a clear majority of the new Parliament, was prepared and presented. It may be said there is no precedent for such a step, but I humbly submit to Your Grace whether it should not have been rendered unnecessary by the action of the Queen's Representative, and whether the ordinary sources of intelligence, open to all the world, should not have been found sufficient here, as they would have been in England, to relieve a Parliamentary majority from the necessity of establishing its existence.

In that memorial Your Grace will perceive we state a most important fact, which it was proper that His Excellency should know from an authentic source, and we respectfully offer an opinion which we should have failed in our duty to the country, whose feelings we represent, if we had not expressed.

In the answer which, after three weeks of deliberation, has been returned, we are informed that His Excellency has no power under his "instructions" but to "accept advice" from those who have lost the confidence of this country. If this be so, then have the instructions been strangely misunderstood. And if the prerogative is so utterly powerless, and the Royal Commission places the Queen's Representative in this and the other North American Colonies in the helpless position from which Co-

lonial reformers had fondly hoped they had rescued all Governors by their struggles and sacrifices from 1837 to 1848, then it is manifest all parties have been deceived, and that Responsible Government is but a delusion and a snare. If a defeated administration have the right, in defiance of public opinion, to misgovern a British Province for nine months, after the "well understood wishes of its people" have been expressed at the polls—if they will neither retire nor assemble parliament—and if the Governor, knowing they are no longer sustained by the people, permits them to expend funds which they have no majority to vote, and to dispense patronage for the advantage of the minority, your Grace will not be surprised that I respectfully desire to know whether such a violation of Responsible Government, such an entire disregard of all the principles which in the mother country guard the rights of public men and secure the liberties of the people, has the sanction of her Majesty's Government. If it has, then your Grace must not be surprised should the incoming administration decline to pay monies which have been squandered without the consent of parliament, by an Executive that has forfeited public confidence, and claim from the Queen's representative the cancelling of appointments made at the instance of men who are in no condition to advise him. Nor will your Grace be surprised if British subjects seek to guard themselves by every constitutional means, from the possible recurrence of a state of things against which I deeply regret that the exigencies of my public position make it my imperative duty to protest.

The present administration went to the country with a majority of eight, equal to a majority of ninety in the House of Commons. This majority was lost, and the Cabinet found themselves in a minority of three, equal to a minority of thirty-six in the House of Commons, and the disproportion will probably be increased by the restoration of seats given to the Government by palpable violations of the law. May I not respectfully ask your Grace whether any administration would in England hesitate, under such circumstances, to assemble parliament, or to tender their resignations.

But your Grace should be informed that this Election was run under a law hurried through both Houses in the last Session, in the face of the most strenuous opposition, never submitted to the country nor reserved for the signification of her Majesty's approval, and by which the entire representation of the Province was changed in such a manner as to secure, to an unpopular Government, every advantage that they could desire. The Opposition had to meet them under their own law, and, with all the advantages it gave them, they were honorably and fairly defeated. Every leading member of the Opposition was triumphantly returned. I threw myself into the county represented by the Provincial Secretary, and came in at the head of the poll. The Financial Secretary and another member of the Cabinet were thrown out by large majorities; and, for nearly three months, the officer who is our Chancellor of the Exchequer has been without a seat in Parliament. The Leader of the Administration only obtained a seat by a majority of seventeen, in a fine county, where for fifteen years his majorities were counted by hundreds. Such a defeat as this, no Ministry in any country, taking all the circumstances into account, perhaps ever sustained. It is apparent to all British America, except to those who desire to obstruct the course of regular Government by clinging to their places, after they have ceased to enjoy public confidence.

I may be told that some of the members elect are disqualified, because they did not resign paltry offices never contemplated by our Legislature, nor regarded as offices of "emolument." Such an objection would apply to members on both sides, but it is a mere device. The men have been returned by the several Sheriffs, as elected. Nothing can debar them from being sworn in and taking their seats, and their qualifications are to be judged by the House and by its Committees, which alone, in this country as in England, can adjudicate upon such questions; and I protest against the right of the Executive Government to speculate upon the issue of decisions of which the British Cabinet never ventures to take cognizance.



It may be thought that it is safe to try this experiment in Nova Scotia, as it was tried in 1847 by the same party who are attempting it now; but it will scarcely be contended that it is to be received as the Colonial rule, and to extend to larger and more influential Provinces.

The expense of a summer Session has been urged as an objection, but the additional cost will be trifling; and the majority of the House, who are willing to incur it, are the parties most competent to judge of its propriety.

The practice of holding the annual sessions of Assembly only at stated periods in the winter, is much better adapted to the old system, in which the representatives of the people had little or no authority, than to the new, in which they are the source of power. It has been departed from, besides, in this Province on three occasions—in 1844, 1851, and 1854, when extra sessions were held on the questions of the annexation of Cape Breton, the Inter-colonial Railway, and the Reciprocity Treaty with the United States. It has ceased, in fact, to be the rule; nor in any case of any future emergency is it likely to be observed.

There is a reason, founded upon courtesy and convenience, which I humbly conceive ought to induce Lord Mulgrave to assemble parliament without delay. Whenever the Government is re-constructed, several gentlemen must, under the law, vacate their seats and go back for re-election. To say nothing of the hardship and danger to health to which they must be exposed in canvassing large counties in mid-winter—I humbly ask your Grace whether it is reasonable that thousands of electors should be exposed to the inclemencies of the season in a North American climate, when the elections might be run at a more favorable period of the year?

I deeply regret, my Lord, the necessity for this appeal. It has been forced upon me. The twenty-eight gentlemen who honor me with their confidence, would instantly withdraw it were I to accept as a just exposition of Responsible Government, the answer which, by his Excellency's command, has been given to their memorial. This letter has been submitted to those of them who are within my reach, and, but for the inconvenience of assembling them, would be cheerfully signed by them all.

I have the honor to be, my Lord Duke,

Your most obedient servant,

WM. YOUNG.

To the Right Honorable the DUKE OF NEWCASTLE,  
Colonial Secretary, &c., &c., &c.

MY LORD,—

We have read the copy of a paper prepared by Mr. Young, for transmission to His Grace the Duke of Newcastle, which Your Excellency has communicated to us.

Much that it contains may be considered as already answered in the memorandum of the Attorney General, of the 9th of June, and the Minute of Council of the 20th July, to which we beg his Grace's consideration.

There is much, also, which we think does not require reply. The cry of Responsible Government in danger, has been too well understood for even the masses to be misled by unmeaning platitudes, comparisons where no just analogies exist, and involved or high sounding phraseology, ending in conclusions inane and inapplicable. But we cannot pass with the same disregard, the threats which appear in different parts of Mr. Young's paper. Of the indecorum of such a tone, on the occasion on which it is used, it may not be our business to speak, but it is our duty to vindicate the people of this and the neighbouring provinces from the unmerited imputations on their loyalty and sense of constitutional propriety, which Mr. Young has ven-

tured to express or insinuate. No such tendencies to republicanism exist, as his letter is designed to intimate; and Nova Scotians would reject with indignation, the supposition that, for the weak and insufficient reasons Mr. Young has assigned, their attachment to their Sovereign and to British institutions would be subverted or weakened; or that they would sanction or permit the retrospective interference with the necessary exercise of the Executive functions, which he has the hardihood to threaten. Such influences may operate where Responsible Government is looked upon but as an instrument for the attainment of office and its principles are held liable to be violated whenever self-interest demands the violation.

We beg here to observe, that while Mr. Young talks of Responsible Government, and professes to be jealous of protecting the system, the course he has pursued is in direct violation of its fundamental principle, and, if sanctioned, would render it inoperative and contemptible.

In advising the Lieutenant-Governor to assemble parliament, or in offering any advice whatever, Mr. Young interferes with the functions of the Executive Council, and would leave the Queen's representative personally responsible for acts of administration, or which is worse, would drive him to seek shelter under the advice of irresponsible counsellors unknown to the constitution. And Mr. Young ought to have known that such a precedent, widening and enlarging as it would naturally do, would, in time, introduce the back stairs influences so dangerous and injurious to sound government, and take from the responsible system its vitality and vigor.

But Mr. Young has taken another step equally repugnant to the principles of government which he and his party are proud, when it suits, to claim as of their introduction, but which they are singularly indifferent to maintain in their integrity. Responsible Government was not only to relieve the Lieutenant Governor from personal responsibility in local affairs, but it was to withdraw the necessity of appeals to the Colonial Secretary on Provincial disputes. Here, however, we see revived what Mr. Young and his party were accustomed to represent as a great grievance—the reference of a domestic difference to a tribunal three thousand miles off—with very inadequate means of learning the facts in their various phases, and of understanding those motives and aspects which, growing out of many, perhaps, minute circumstances, local usages, or continued action, may nevertheless materially influence the character of events. Again, we say, that Mr. Young with his experience and knowledge of the course of Colonial politics, ought not to have been the agent in establishing a precedent which, if followed, would bring back a practice burdensome to the Imperial authority, unsatisfactory in its results, and destructive of the energy of Provincial Executive administration. When private individuals complain of personal wrong, such a high-minded and disinterested tribunal between them and the local Government may be requisite and valuable,—but political differences may more suitably, with our present Constitution, be left to the Provincial parliament and the people, to decide and mould into form.

Mr. Young, however, claims to approach the Lieutenant Governor with the authority of Parliament. He forgets that Members of Parliament have not the sanction, responsibility, or authority, of advisers of the Crown, and can only influence the Executive by parliamentary action. Still less may they claim such authority before they have yet been sworn and become qualified to vote; and emphatically is this the case with those who notoriously labor under personal disqualification to be elected, and who could not take the qualification oath without perjury, or vote without a bold and open defiance of law.

According to the uniform and established practice of Colonial parliaments, the public services of the year are provided for at the annual Session, and during the recess little is to be done beyond carrying out the provisions of the Legislature which may require Executive attention, and the ordinary routine business of the offices. Long

experience has established as the period most convenient for the meeting of the Legislature, the end of January or beginning of February, when the public accounts to the end of the year may be prepared and presented; and the calling of an extra Session has never taken place, except when emergent business make it necessary—as when the British Government required the Province to decide whether to take part in a cause before the Privy Council, for the separation of Cape Breton, and which was set down for a hearing before the ordinary time for the meeting of the Legislature.

The only cases within a great number of years, are the three mentioned by Mr. Young, and they were so exceptional in their circumstances as clearly to establish the rule.

The present Government was sustained in the late Session by an efficient majority, and made the requisite provisions for the year. The General Election was necessary from efflux of time, but it might have taken place at any period of the recess, and was brought on early chiefly with a view to the convenience of Fishermen, who in large numbers leave the Province early in the season to pursue their avocations.

A special Session would be attended with a heavy expense and a good deal of inconvenience. To call it, as must be the case, for no object but to ascertain the strength of parties, at the bidding of men invested with no constitutional authority, appears to us to be unwarranted by constitutional principle, and the precedent, we think, would be injurious, both as respects the cause assigned and the parties moving. Motives of interest or resentment, operating on one or two individuals, would be sufficient, in the case of small majorities, to change a majority in recess; or members, if sanctioned to act individually in recess, would be encouraged to cabal without the restraints that control collective and open deliberation. Yet such cases would come within the precedent sought to be established by Mr. Young—a precedent which would be found sufficiently broad to encourage irregularity, and change understood principles and practice; and we do not feel justified in sanctioning the counsel tendered by Mr. Young, at least until we discover motives and reasons more entitled to consideration than any we can yet perceive in the present movement.

The imputation that the public funds are in danger of being squandered in our hands, is scarcely worthy of notice. The monies required to be disbursed for the public service, are appropriated by Legislative enactment. No sums beyond these can be advanced, except by the express order of your Excellency, and on no occasion have these advances exceeded a comparatively small amount.

During the present year we believe not over One hundred pounds has been thus required, nor is more likely to be needed, exclusive of emergencies for the road service, the appropriations for which never reach a large amount, and are more than sufficiently checked to prevent any cause of anxiety on Mr. Young's part.

Mr. Young's statement of the issues presented to the country at the late Election, and their results, we beg leave to contradict.

The only issue raised between the Government and Opposition, touching the public works, was on a proposition advocated by Mr. Howe in the Assembly, to expend nearly half a million in extending the Railway to Pictou.

This the Government successfully resisted, and it is well known that their views have been sustained by a decided majority of the members elect—several of the Opposition, including Mr. Young, having been obliged to pledge themselves on the hustings to the views of the Government. Your Excellency does not require to be reminded of the great inefficiency from which we have retrieved the public works, as it is a matter of public notoriety.

2. We cannot conceal our surprise that Mr. Young should venture the unworthy imputation that we have patronized traitors to the Queen's Government, well knowing,

as he does, that the gentleman alluded to entirely exonerated himself from any such charge; and that Mr. Young, when leader of the Government, sustained him in office for many months after all the facts had been made public, only sacrificing him ultimately to the threats of Mr. Howe, with whom that individual had a personal quarrel.

3. Mr. Young thought it right to obtain and retain power for many years, by the united action of the Catholic body, and only discovered that such combination was reprehensible when their support was withdrawn. Mr. Young went to the country on the declaration that he would form a Government on a purely Protestant basis, and on that issue he has been beaten—several of the twenty-nine supporters he claims having been returned by the votes of a large number of Catholics, upon their pledges to oppose the proscriptive policy avowed by him.

4. No public officer has been unjustly dismissed, at our instance, from the public service. So strong were the circumstances against the two persons to whom we presume he alludes, that the Opposition did not require us to bring down the papers connected with their cases, nor raise any distinct issue upon them. Mr. Young seems to have forgotten that he sustained a Government who summarily and unjustly dismissed, without cause assigned, over one hundred Justices of the Peace, and that he subsequently announced it as his settled policy, in a public manifesto, that subordinate officers who opposed his Government must resign or lose their places.

On the only two issues, therefore, before the country, viz.—the extension of the Railway, and the proposal to exclude the Roman Catholic body from all influence in the State, on account of their religious views—the Government are in an undoubted majority, unless a number of members elect violate the public pledges upon which they obtained their seats.

We are at a loss to imagine the grounds on which Mr. Young asserts that the Government has sustained a “palpable, decisive, and humiliating defeat.” While the Opposition claim only a majority of three, it is not denied that an immense majority of all the votes thrown in the Province at the late election were in favor of the Government.

Twenty-six pledged supporters of the Government have been elected, whose seats are free from any legal disqualification. Yet no less than six of the memorialists are clearly ineligible to be elected under the operation of a bill brought in by one of their number; and, unless the law and the constitution are alike disregarded, they can not continue to sit in the Legislature, in the face of positive enactment which declares them ineligible.

Mr. Young's remark that the offices are too insignificant to disqualify them, is at variance with his own conduct, as in resigning the office of notary public, he significantly exhibited his sense of the extensive operation of the law, and the act in question specially exempts from its operation even Justices of the Peace.

We cannot pass over, without remark, the unfounded assertions touching the bill of last Session, for equalizing the elective franchise. That broad and comprehensive measure was founded upon just principles which had been recognized and advocated by the leading members of all parties in the Province, and was made of universal application, although, as we were well aware, it would, in many instances, favor the interests of the Opposition in the approaching elections. Under that bill, every elector in Nova Scotia enjoys the same franchise as every other elector within the county in which he resides,—whereas, previously, there existed the greatest inequality—one elector having three or four votes, while others, in an equal or superior social position, had but one. The general scope and principle of the bill were admitted to be good, but it was opposed mainly on the pretext that it would largely increase the power of the Catholics, who would, it was asserted, send sixteen members to the new house, whereas they had but nine in the former. The deceptive character of these arguments is best illustrated by the fact that under the operation

of the act alluded to, but seven members elect are of the Roman Catholic persuasion. No proposition was made in the House during the passage of the bill to refer it for the signification of her Majesty's pleasure, nor was that course adopted, when, under the late Government, the franchise was lowered to universal suffrage.

Mr. Young thinks it worthy of self-gratulation that he succeeded in securing a seat, together with two of his opponents, in a county where parties have long been closely balanced; but he has omitted to state that he went thither in consequence of his having forfeited the confidence of his former constituency, and that, with one solitary exception, the votes which placed him above the Provincial Secretary have been proved before the proper tribunal to be worthless. But two members of the administration failed to secure their election, and Mr. Young cannot have forgotten that, at the previous general election, his Government was not more fortunate. The Financial Secretary and another prominent member of the Government having lost their seats, as also Mr. Howe, the Chairman of the Railway Board. Notwithstanding which, Mr. Young's "Chancellor of the Exchequer" continued in office,—no reconstruction of the Government taking place until many months after, when the Legislature met at the usual period; and Mr. Howe was allowed to remain at the head of the Railway Board without the seat in the Assembly which had been contemplated by the law. Under these circumstances, we think the taunt of "clinging to places" might have been spared by the leader of an opposition who have shewn that their eagerness to obtain power has induced them not only to disregard all the decorum of parliamentary precedent, but also to outrage the very principles of Responsible Government which they have pretended so much to revere, by endeavoring to force upon the Queen's Representative their advice in opposition to that of an Executive Council with whom he has been provided in a constitutional manner.

(Signed)

J. W. JOHNSTON,  
MICH. TOBIN,  
CHARLES TUPPER,  
J. J. MARSHALL.  
JOHN CAMPBELL.

Halifax, 28th July, 1859.

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*Government House, Halifax, N. S., 28th July, 1859.*

MY LORD DUKE,—

1. Circumstances having arisen, which are without precedent in this, or, as far as I am aware, in any other Colony, I deem it my duty at once to lay the whole matter before your Lordship, and to detail the steps which I have taken in order to meet the rather embarrassing position in which I have been placed.

2. The year before my arrival in this Colony, the party of which Mr. Johnston is the leader, succeeded to power in consequence of the Government, of which Mr. Young was the head, having lost the confidence of nine members of the Assembly, who, up to that period, had supported his Government.

3. From that time to the present, Mr. Johnston has uniformly secured majorities in the Assembly on all important questions.

4. At the close of last session, a dissolution was rendered necessary, in consequence of the expiration of the time, by law established, for the duration of the Assembly.

5. In the election that ensued, the contest was severe, and in many instances the majorities were extremely small.

6. Being aware that the elections had not been favorable to my Government, I called on Mr. Johnston, to give me in writing the view which he took of the result of the contest, a copy of which I now enclose, marked "C."

7. On the 1st of July I was waited upon by Mr. Young, who handed to me the enclosed Memorial, marked "A."

8. I told him that I believed the presentation of such a Memorial was without precedent in this Colony or in England—that it was a subject on which I could then give him no answer—that I would summon my Executive Council, and submit the Memorial to them, and require from them, as my Constitutional advisers, their advice upon the subject.

9. I informed him at the same time that some little delay would arise before an answer could be given, as it would take some days before I could collect my Council, several of those gentlemen being in the country.

10. I at once placed the Memorial in the hands of Mr. Johnston, the leader of my Government, and directed that the Council should be summoned.

11. On Tuesday last, the Council met, only one gentleman being absent. I brought the subject formally under their notice, and requested that they would give me, in writing, the advice which they would tender me; a copy of which, marked "B," I now forward, together with the answer which I directed should be sent by the Provincial Secretary to the Memorialists, marked "D."

12. My Council maintain that it is their duty neither to resign nor to assent to an extra session, on the grounds that there is no public necessity for such an unusual course; while Mr. Young, the leader of the Opposition, has handed to me a letter, which he has requested me to forward to your Lordship, marked "E," appealing to you against the answer which, by the advice of my Council, I returned to the Memorialists.

13. Thus far, I am happy to say, I have been able to maintain the most friendly relations with the leaders of both parties, and though, under existing circumstances, and the height to which party feeling is carried in these Colonies, it will be most difficult to do so, I trust I may be able to continue in this position by showing that my sole object is to carry out in the strictest manner the principles of Responsible and Constitutional Government, without favor or partiality to either party.

14. I submitted Mr. Young's Letter to my Council, in order that they might, in the shape of a Minute of Council, make any remarks or explanations upon it that they thought necessary, which Minute I also enclose, marked "F."

15. My difficulty is this, and I am aware of no precedent by which to guide my course.

16. My Council, who are, by the Constitution, supposed to command a Parliamentary majority, decline to advise me to call the House together, while a majority of the Assembly have requested me to do so.

17. I can assure your Lordship that it has been a matter of grave consideration in my own mind whether this was a position in which I ought to step in and interpose the Royal Prerogative.

18. But, feeling as I do, that it is generally unwise, and except under very extreme circumstances, against the principle of Responsible Government, for the Governor of a Colony to act in direct opposition to the deliberate opinion of his Executive Council, who are responsible to the country for the advice they tender,—and, feeling also that the only constitutional mode by which it can be proved that they have lost the confidence of the people, is by a vote of the House, I do not think that in the present instance I should be justified in taking such a course, which, consider-

ing the strong feelings my Council entertain on the subject of an extra session, would be tantamount to demanding their resignation.

19. I have entered into this subject at some length, because, I doubt not that my conduct in this matter will be much commented upon, and perhaps my motives misunderstood, and I trust, that after laying the subject thus fully before you, I may receive your Lordship's approbation of the steps I have taken.

I have, &c.,

(Signed)

MULGRAVE.

HIS GRACE THE DUKE OF NEWCASTLE.

*Downing Street, 1st Sept., 1859.*

MY LORD,—

I have to acknowledge the receipt of your Lordship's Despatch of the 28th of July, No. 78, forwarding several documents, and amongst them a letter addressed to myself by Mr. Young, which I have to request you to acknowledge on my part, explanatory of a demand which has been preferred by twenty-nine members of the House of Assembly of Nova Scotia, to your Lordship, to be afforded "the earliest opportunity of testing opinions of Parliament, with a view to your being surrounded by those who enjoy that measure of public confidence so indispensable to a wise administration of affairs."

I can readily understand the difficulty in which this application placed your Lordship, your situation being, as you observe, a novel one; nor am I myself aware of any precedents to guide you.

Under these circumstances, I can only say that, in my opinion, you acted with judgment, and that no fault can be found in a constitutional point of view with your decision.

You will, however, easily understand that the Secretary of State can only lay down certain rules for the guidance of a Governor, in delicate cases like this, with much caution, and subject to modification from causes more appreciable by the authorities on the spot than by himself.

I have, &c.,

(Signed)

NEWCASTLE.

Lieut.-Governor,

THE RIGHT HONBLE. THE EARL OF MULGRAVE.

MEMORANDUM FOR THE ATTORNEY GENERAL.

Observing in the Minute of Council of the 28th July that certain members elect of the House of Assembly are therein alleged "to labour under personal disqualification to be elected, and that they could not take the qualification oath without perjury, or vote without a bold and open defiance of law."—I have to request that you will furnish me, with as little delay as possible, with the joint opinion of yourself and the Solicitor General on the effect and scope of the Acts now in force, by which persons holding office under the Provincial Government are disqualified from sitting in either branch of the Legislature, and your opinions on the position in which those gentlemen stand, who, holding certain offices, have been elected to serve in Parliament.

(Signed)

MULGRAVE.

Government House, Halifax, N. S., 26th Aug., 1859.

*Halifax, N. S.*

MY LORD,—

In obedience to the request contained in your Lordship's memorandum, dated 26th August, 1859, we have the honor to submit for your Excellency's consideration the enclosed statement of the case therein referred to, together with our legal opinion on the points in question. We have the honor to be, my Lord,

Your most obedient servants,

(Signed)

J. W. JOHNSTON,  
*Attorney General.*

W. A. HENRY,  
*Solicitor General.*

His Excellency the Right Honorable  
THE EARL OF MULGRAVE, &c. &c. &c.

C A S E.

In the schedules herewith, the papers marked A, B, C, are copies of Acts of the Legislature of Nova Scotia, which were in force at the dissolution of the late House of Assembly, and are still in force.

At the General Election in the month of May last, all the Sheriffs' Courts for the nomination of Candidates were held on the fifth day of May, after the notice required by law; and the polls were taken on the twelfth day of May.

At the Courts for the nomination of candidates, gentlemen were nominated, and afterwards received a majority of votes, who stood in the following circumstances, that is to say—

1. One was a way office keeper, which office he still holds, and exercises and receives its emoluments.
2. One was a way office keeper, which office he held, and did its duties and received its emoluments until the tenth day of June last, when he resigned the office.
3. One was a Commissioner of Sewers, and has not yet resigned the office.
4. One was Health Officer, and has not yet resigned the office.
5. One was Coroner, and has not yet resigned the office.
6. One was Commissioner for taking Affidavits, to hold to Bail, &c., &c., and has not yet resigned the office.
7. One was Surveyor of Shipping, which, if resigned at all, was not resigned till the 26th April.

Several members of the Legislative Council are also affected from holding the office of Commissioner for taking Affidavits, &c., which they either did not resign, or did not resign in the time prescribed by the law.

As regards notice given to the Electors of the ineligibility of candidates, the circumstances are different.

It is understood that in one case notice was given publicly at the Nomination Court, and the candidate there protested against as ineligible; and there being a printing press in the County, the notice was also given in a local newspaper between the Nomination Day and Polling Day, and hand-bills were printed and put up through the Electoral District, and notice verbally given, at the time of polling, to the Electors, until prevented by violence.

In another case, the notice of disqualification was publicly given at the Nomination Day, and the candidate protested against as ineligible.

On both these occasions there is understood to have been a large assemblage of Electors present, of whom there voted for the candidates whom they there had heard objected against as disqualified, so many, that if they were now struck off, he would be left in a minority.



In some of the cases it is understood that no notice of the disqualification was given before polling.

In the schedules herewith, the papers marked D, E, F, G, H, I, K, L, are respectively extracts from the Provincial Acts, then and now in force, relating to the appointment to the said several offices, and the remuneration of the officers.

The holders of all these offices, except the first (Way Offices) receive their appointment directly from the Lieutenant Governor in Council. These appointments are gazetted, and they receive Commissions under the hand and seal of the Lieutenant Governor, and subscribed by the Provincial Secretary.

Way Office keepers are appointed under Commission from the Post Master General, at Halifax, who holds his office at the pleasure of the Provincial Government. The Post Master General makes appointments to Way Offices in subordination to and under the direction of the Provincial Government, always appointing such persons as are nominated or approved by the Provincial Government, and never making an appointment in opposition to its desire.

Schedule D B is a copy of the instructions given by the Provincial Government to the Post Master General for the appointment of Way Office keepers, among whom is Mr. McLellan, one of the candidates at the late election, who has been returned as having a majority of votes.

Schedule D A is the copy of the Report officially made by the Post Master General to the Government, of the circumstances connected with the appointment and offices of that gentleman, and Mr. Lewis Smith, also returned as having a majority of votes at the late Election.

The Way Office keepers, besides a small fixed allowance, receive a commission on the amount of postage, as collected by them. They are paid out of the Post Office funds. The Post Office is a Provincial establishment, maintained at the expense of the Province, in the revenues, expenses, control, and management of which the Province is alone concerned. The Provincial Legislature annually votes (to a large amount) the amount necessary to defray the expenses beyond the income of the establishment, and the Post Master General at Halifax draws, what he requires for conducting the Department, from the Receiver General (or Treasurer) of the Province, and accounts for the whole of the receipts and expenditures of his department to the Government and Legislature in the same manner as is practised by the other public Provincial offices.

It has been intimated that some, or perhaps all, of the offices which the members elect held who have been referred to, are for this supposed insignificance of the emoluments excluded from the operation of the disqualifying acts, and that the keeper of a Way Office is not included because he receives his commission direct from the Post Master General. The intimation has also been thrown out, that, if necessary, the House of Assembly, by resolution, or the Legislature by act, would relieve the ineligible parties from their disqualification.

#### QUESTIONS :

I. Do all, any, and which of, the officers above named, viz :—

Way Office Keepers,  
Commissioners of Sewers,  
Health Officers,  
Surveyors of Shipping,  
Coroners,

Commissioners for taking Affidavits to hold to Bail, &c.,

come within the operation of the Acts for securing the independence of the Legislature, copied in Schedule A, B, C, and are they disqualified from being elected as members of the House of Assembly, and from sitting and voting in the Provincial Parliament ?

II. In the case of an officer disqualified, what is the legal effect of his resignation, when made as follows ?

As regards the House of Assembly :

1. Less than ten days before the Court for nomination of candidates.
2. After nomination and before the election.
3. After the election.

As regards the Council :

4. More than thirty days after the day of the dissolution.

III. In the case of a person disqualified being returned by the Sheriff as having been elected by a majority of votes, ought in law his seat to be declared vacant merely, or is the person having at the election the next greatest number of votes, legally entitled to the seat, in the case and under the different circumstances before stated ?

IV. Can the House of Assembly, under the clause of the act copied in the schedule K, constitutionally and legally prevent the oath of qualification from being put to persons so disqualified—whom the sheriff may have returned—and more especially if the ineligible parties shall vote with the majority of the House, thus protecting them and by their votes create the majority ?

V. Would parties indisputably holding such offices as disqualified them and taking the qualification oath copied in schedule K, after being admonished of the law, be legally subject to prosecution and conviction for wilful and corrupt perjury, or false swearing? In the event of the disqualified parties taking the qualification oath or being protected from taking it by a majority, are they liable to any prosecution or penalties for sitting and voting, and of what nature? And what are the constitutional means of expelling them from the House, and of rendering effective the law ?

VI. In the event of a majority made up by the aid of the disqualified parties—suppose a majority of two or three, in which majority are included the votes of five or six ineligible persons—passing a resolution or an act for giving the disqualified parties an ex post facto eligibility, by what measures should such a procedure be resisted? And according to constitutional principles ought the Government to be changed upon a vote of want of confidence passed by such a majority? And what would be the constitutional course to pursue in the event of such a vote, or the obstruction of the public business by a majority so constituted ?

VII. The poll, in consequence of riot and murder, was closed in one of the wards or polling districts in a large electoral division, some hours before the term until which the law absolutely required it to be held open. The sheriff has returned the fact on the writ. Is the election for that electoral division invalid? And is it so, irrespective of any influence which the premature closing of the poll in that ward might or could have had on the general result? Can the candidates returned as having the majority of votes, take their seats on that return? Should they do so, what is the proper method of unseating them ?

## SCHEDULES.

## A

REVISED STATUTES, CHAP. 2. *Of Executive and Legislative Disabilities.*

1. The following persons, holding the situations hereinafter mentioned, within the Province, by themselves or deputies, or by others in trust for them, or for their benefit, shall be incapable of being appointed to, or of holding seats in, the Executive Council; or of being appointed to or of sitting or voting in the Legislative Council; or of being elected as Members of, or sitting or voting in, the House of Assembly, viz.: Judges of the Supreme Court; the Master of the Rolls; the Judge of the Court of Vice Admiralty; officers and clerks of the Customs and of Colonial and Light duties; and persons concerned in the receiving or managing of any monies to be collected, under any of such departments; the Postmaster General, and persons having a general control or superintendence over the department; the deputy Postmaster in Halifax, and persons employed about the department there.

2. The appointment, election or return of persons disabled as hereinbefore mentioned, shall be void; and every person so disabled, who shall take his seat as a Member of the Executive Council, or shall sit or vote as a Member of the Legislative Council or of the House of Assembly, shall forfeit ten pounds for every day in which he shall so sit or vote: to be recovered in the Supreme Court. [31st March 1851.]

## B

21 VICTORIA, CHAP. 43. *An Act to amend chapter 2 of the Revised Statutes, "Of Executive and Legislative Disabilities." Passed the 7th day of May 1858.*

Be it enacted by the Governor, Council, and Assembly, as follows:

1. In addition to the persons named in the said chapter, the following persons holding the situations hereinafter mentioned, within the Province, by themselves or deputies, or by others in trust for them or for their benefit, shall be incapable of being appointed to or holding seats in the Executive Council; or of being appointed to or of sitting or voting in, the Legislative Council; or of being elected as members of, or sitting or voting in, the House of Assembly, that is to say: Judges of Probate and Prothonotaries, and such persons disabled as aforesaid, shall be subject to the operation of the second section of the said chapter.

2. This act shall not come into operation until the dissolution of the present House of Assembly shall have been notified by proclamation in the Royal Gazette, and thereafter no person holding either of the offices mentioned in the preceding section, shall continue to hold a seat in the Legislative Council, unless within one month after the issuing of such proclamation he shall resign such of the above offices as he may then hold, and shall signify his resignation to the Provincial Secretary; and no person shall thereafter be capable of being nominated or returned at any election of members to serve in General Assembly, unless he shall within twenty days previously to his being nominated a candidate at such election, resign such of the above named offices as he may then hold, and shall signify such resignation to the Provincial Secretary.

## C

21 VICTORIA, CHAP. 36. *An Act for securing the Independence of the Legislature. Passed the 7th day of May, 1858.*

Be it enacted by the Governor, Council, and Assembly, as follows:

1. After the dissolution of the present House of Assembly, no person holding any office of profit or emolument under the Provincial Government shall be eligible as a member of the General Assembly, unless within ten days previously to the holding of the Sheriff's Court for the nomination of members to serve in such general assembly, he shall resign such office of profit or emolument, and signify such resignation to the Provincial Secretary.

2. After the dissolution of the present House of Assembly, no person holding any office of profit or emolument under the Provincial Government shall continue to hold a seat in the Legislative Council, unless within thirty days after such dissolution he shall resign such office of profit or emolument, and signify such resignation in writing to the Provincial Secretary.

3. Any member of the House of Assembly or Legislative Council accepting any such office after the dissolution of the present House of Assembly, shall vacate his seat thereby.

4. Nothing in this act contained shall extend to any one who shall fill any of the following offices, that is to say: Provincial Secretary, Financial Secretary, Receiver General, Commissioner of Crown Lands, Attorney General, Advocate General, Solicitor General, Queen's Council, or one member of the Railway Board in each branch of the Legislature, nor shall it extend to Justices of the Peace.

5. Whenever any person holding the office of Receiver General, Provincial Secretary, Financial Secretary, Attorney General, Solicitor General, Commissioner of Crown Lands, and being at the same time a member of the House of Assembly, shall resign his office, and within one month after his resignation accept of any other of such offices, he shall not thereby vacate his seat in such Assembly.

D A

*General Post Office, Halifax, 3rd Sept., 1859.*

SIR,—With reference to your letter of yesterday's date, I beg to acquaint you, for the information of his Excellency the Lieutenant Governor, with respect to the nomination and appointment of A. Woodbury McLelan and Lewis Smith, Esquires, that McLelan's nomination as Way Office Keeper at Great Village was approved on the 11th of May, 1853, appointed the 16th June, 1853. His annual salary is £4 10s., paid quarterly by the Post Master of Londonderry. A Commission of 20 per cent. upon all sums collected is also allowed to each Way Office Keeper throughout the Province. The amount of Mr. McLelan's Commission, on the 31st December, 1858, was £8 6s. 8½d., which was paid by me to that gentleman, a few days before the closing of the Assembly.

A. Woodbury McLelan, Esq., is the present Way Office Keeper at Great Village, which is situated in the County of Colchester, near the Post Office at Londonderry. With respect to Mr. Smith, he was appointed on the 7th November, 1856, nominated on the recommendation of E. D. Davison, Esq., M.P.P. for County of Queen's. His annual salary is £2 10s., paid quarterly by the Post Master of Liverpool. The Commission for the year ended 31st December, 1858, was £2 9s. 9d., paid by the Post Master of Liverpool. Lewis Smith, Esq., resigned on the 10th of June last. I herewith enclose copy of his resignation.

These gentlemen receive the salaries and commissions from the funds of the Post Office department, and have received their salaries up to the end of the quarter from the Post Master, to whom they are subordinate, with the exception of the Commission, which is paid at the expiration of the year.

Before the transfer of the office, the nomination for Way Office Keepers in this Province were submitted for the approval of the Post Master General in London. Since the transfer, they have been subject to the Provincial Government entirely.

Mr. McLelan's appointment was made under the written directions of the Provincial Government, in a letter from the Provincial Secretary to me, of which I enclose a copy.

Mr. Smith was verbally named to me for his office by E. D. Davison, Esq., then M. P. P. for Queens, when the appointment was required, and I acted on that nomination on the general understanding I had with the Provincial Secretary at that time, to refer such small appointments to members supporting the Government, for the County or Township where the appointment was to take place.

I beg also to enclose for the information of the Government, copy of a printed form of Commission, also a printed letter sent to a Way Office keeper, enclosing his Commission, and printed letter forwarded to a Postmaster notifying him of the appointment of a Way Office keeper.

In transmitting these papers, I beg to observe that I cannot state positively the date these printed Commissions were first issued, whether Mr. McLelan had one forwarded to him on his appointment as Way Office keeper, at "Great Village." I have not a doubt, however, that Mr. Smith received one of these Commissions. The Postmaster of Liverpool was also notified of the appointment of this gentleman, by one of the printed letters being sent to him, with (I believe) the words, "*His Excellency the Lieutenant Governor*" being erased, as the nomination was on the recommendation of Mr. Davison, the member for Queens, and not on the approval of the Government direct.

I have, &c.,

(Signed)

A. WOODGATE.

D B

*Provincial Secretary's Office, Halifax, 11th May, 1853.*

SIR,—By the command of the Lieutenant Governor, I have the honor to acquaint you that his Excellency in Council has been pleased to approve the following appointments in the Post-office department. *To be Way Office Keepers*: Mr. Robert Currie, for Lewis Head, Shelburne; Mr. Hiram Milier, for Miller's Creek, Newport; Mr. George Atkinson, for Maccan; Mr. Francis Kennedy, for Falmouth; Mr. Wm. Buchanan, English Town, Victoria; Mr. Joseph V. McKinnon, North Side, East Bay; Mr. John Finlayson, Merigomish; Mr. Archibald McGillvray, Morristown, Sydney; Mr. John Carland, Pubnico Harbor; Mr. George McAdams, Port Mouton; Mr. George McKay, Brookfield, Cape Breton; Mr. John McPherson, Aspy Bay, Cape North,

Cape Breton; Mr. Wm. Davison, Berwick; Mr. Alfred Skinner, Cornwallis; Mr. Sylvanus Whitney, Hall's Harbor; Mr. C. R. Bill, Bill Town; Mr. ——— McPhail, Sheffield's Mills, King's Co.; Mr. George Middlemas, Caledonia, Lower Queen's Co.; Mr. Alexander McKay, Bay St. Lawrence, Victoria. His Excellency having been pleased to establish way offices at the places mentioned respectively. I have, &c., (Signed) JOSEPH HOWE.

P. S.—The following appointments have also been approved to be added to the foregoing list of Way office keepers:—Mr. Thomas Baird, at or near J. D. Baird's, Colcheser (Onslow); Mr. Philip Fullmore, River DeBert; Mr. John Goudge, Acadian Mines; Mr. A. Woodbury McLellan, Great Village, Londonderry.

A. WOODGATE, Post Master General.

D c

*Brookfield, Queen's County, June 10, 1859.*

Sir,—My business is such, that it is not convenient for me to attend to the duties of Way office keeper in this place. I therefore now resign such office.

I will see that the business of the office is attended to until the end of the present quarter, if you wish me to do so. I am, &c.

(Signed)

LEWIS SMITH.

To Arthur Woodgate, P. M. G., Halifax, N. S.

D d

*General Post Office, Halifax, Nova Scotia,*

To all to whom these Presents shall come, Greeting:

Know YE, That I, Arthur Woodgate, Postmaster General of the Province of Nova Scotia, by and under the authority in me vested, and reposing great trust and confidence in the knowledge, care, and ability of \_\_\_\_\_ to execute the office and duties required of a Way Office Keeper, have authorized and appointed, and by these presents do authorize and appoint the said \_\_\_\_\_ to be Way Office Keeper at \_\_\_\_\_ in the Province of Nova Scotia, to have, hold, use, exercise, and enjoy (during pleasure) the said office, with all and every the rights, privileges, benefits, and advantages, to the same belonging, from the day of the date of this Commission, under such conditions, covenants, provisoes, payments, orders, and instructions, to be faithfully observed, performed, and done, by the said \_\_\_\_\_ as he shall from time to time receive from me, or by my order.

In witness whereof, I, the said Arthur Woodgate, have hereunto set my hand, and caused the seal of my office to be affixed. Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_ in the year of Her Majesty's Reign.

D E

*General Post Office, Halifax, 185 .*

Sir,—His Excellency the Lieutenant Governor having been pleased to appoint Mr. \_\_\_\_\_ to the situation of Way Office Keeper at \_\_\_\_\_ I request you will on and after the open an account with that Office—and at the expiration of each quarter, pay the Way Office Keeper the amount of his Salary at the rate of Two Pounds per year. Books of Instructions, &c., have been forwarded to that gentleman, who has been requested to apply to you for any further information he may require, and which I trust you will afford him.

I am, Sir, your obedient servant,  
The Postmaster of \_\_\_\_\_

A. WOODGATE, P. M. G.

D F

*General Post Office, Halifax,*

Sir,—Enclosed I beg to hand you your appointment as Way Office Keeper at \_\_\_\_\_ and I request that you will assume the duties of that office on the \_\_\_\_\_ rendering due and faithful account of all Postage collected by you to the Postmaster of \_\_\_\_\_ to whom your office shall be subordinate.

The accompanying Forms of the declaration of office to be taken by all persons, who are employed in sorting or delivering Letters, to qualify them for the employment, I desire may be executed by yourself, and assistant, (should you employ one) and returned to me immediately.

An account book is herewith forwarded; also a book of instructions for your information and guidance, which I trust you will peruse with care and attention, and by this means make yourself an efficient officer of the department.

I am, sir, your obedient servant,

A. WOODGATE, P. M. G.

## D

*Extracts from Provincial Enactments. (WAY OFFICE KEEPERS.) Revised Statutes, Chapter 23. Sections 1, 2, 25, 46.*

1. The exclusive right of establishing posts and of carrying and delivering letters and collecting postage within the Province, and the power and authority heretofore vested in the Lords of her Majesty's Treasury, by virtue of the acts of the Imperial Parliament, passed in such behalf to order and establish rates of postage herein, are hereby vested in the Governor in Council.

2. The Governor in Council may establish, alter, discontinue, or extend any posts, or post communications, or post offices, and may appoint, suspend, or remove the Post Master General, and all or any Post Masters, Officers, Deputies, Agents, and Servants connected therewith.

25. The Post Master General, with the approbation of the Governor in Council, may establish Way Offices over and above the regular Post Office, and every person employed at a Way Office shall be liable to all the penalties imposed by this Chapter, on Post Masters, and other officers of the Post Office.

46. \* \* \* \* Way Office Keepers shall receive Forty shillings a year in full, and the practice of charging two pence, on the receipt or delivery of letters, shall be discontinued.

NOTE.—They, Way Office Keepers, now receive a commission besides an annual salary.

## E

(COMMISSIONERS OF SEWERS.)—*Revised Statutes, Chapter 73. Sections 2 & 7.*

The Governor in Council, at the request of any of the proprietors of any marsh, swamp, or meadow lands, may appoint one or more Commissioners of Sewers for the county, township, or place, where such lands lie, who shall be sworn into office by a Justice of the Peace; and such swearing shall be entered in the commissioner's book of record, which shall be evidence of the fact; and the commissioners shall appoint a clerk, who shall be sworn into office by one of the commissioners; and the swearing shall be entered in the book of record, which shall be evidence of the fact.

7. The commissioners so chosen may assess the owners or occupiers of such lands for any expenses incurred by them or their predecessors whose accounts remain unsettled, for dikes, wears, drains, aboteaux, or breakwaters, including seven shillings and sixpence per day for every commissioner while actively employed, and a reasonable sum for payment of the clerk, overseers, and collector, having regard to the quantity and quality of the land of each owner or occupier, and the benefit to be by him received.

## F

(HEALTH OFFICERS.)—*Revised Statutes, Chap. 54. Sections 2 and 3.*

2. The Governor in Council may appoint persons at the several ports of this Province to act as Health Officers therefor; may establish in any place a Board of Health for carrying such sanitary orders into effect, and may prescribe the duties of such Health Officers and Boards of Health, and in case of vacancies, may supply the same by new appointments.

3. No vessel, subject by such sanitary orders, to be examined, shall be admitted to entry inwards at any Custom House, or office of entry, until a certificate for such examination, signed by the Health Officer, shall be exhibited; nor shall such vessel be admitted to entry or clearance until the master, owner, or consignee, shall have first paid to the officer appointed in that behalf all fees and charges authorized by such sanitary orders, to be duly accounted for and paid over, as therein directed.

*Extract from Sanatory Orders. Passed by the Lieutenant Governor in Council, on the 20th day of October, 1852.*

“10th. That the table of fees payable to Health Officers in all parts of the Province, Halifax excepted, shall be as follows:

For visiting all vessels above 100 tons burden, liable to be examined.....	£0 15 0
Of and under 100 tons .....	0 7 6
Certificate of release .....	0 5 0

Fees at Halifax payable by the vessel—

For visiting a vessel having emigrants or more than ten steerage passengers on board, coming from an infected place.....	£1 10 0
For inspecting passengers.....	0 10 0
For each subsequent visit, made necessary either by sickness or request.....	0 15 0
For Certificate of release .....	0 6 3

*At a Council held at the Government House, on the 2d day of August, 1854.*

PRESENT:—His Excellency the Lieutenant Governor, &c., &c., &c.

It is ordered, that at all the Ports in this Province, except Halifax, each Health Officer shall be entitled to demand, in addition to the fees prescribed by the Sanatory orders established for this Province, on the 20th October, 1852, six pence currency for every mile of distance from the residence of the Health Officer to the vessel required to be visited, if the distance shall exceed two miles.

### G

(SURVEYORS OF SHIPPING.)—*Acts 1855. 18 Victoria, chap. 11, Sections 2, 3, and 4.*

2. The Governor in Council may appoint at every such port, and every other port or ports in the Province, an officer to superintend the survey and admeasurement of ships, in conformity with the said act, and the same person may be appointed both the Registrar and Surveyor at any such registry port.

3. Such Registrars and Surveyors shall receive for their services, in addition to any fees by law allowed, such sums as may be annually granted by the Legislature.

4. Such surveyor shall be entitled to fees for the measurement of every vessel about to be registered for the first time, or requiring measurement for the purpose of registry, which fees shall be paid by the registered owner, as follows: Ten shillings for vessels under one hundred tons; fifteen shillings for vessels from one hundred to two hundred tons; and twenty shillings for vessels over two hundred tons; threepence per mile travelling fees going and returning.

### H

(CORONERS.)—*Revised Statutes, chap. 41, Sections 1 and 4.*

1. Coroners may be appointed by the Governor in Council, and shall be sworn into office before a Judge of the Supreme Court, or the Custos of the county.

4. Upon the certificate of such Clerk of the Crown being filed with the Provincial Secretary, the Governor may draw a warrant on the Receiver General in favor of the Coroner, for fifty shillings in full for each inquisition, twelve shillings thereof to be paid to the Jury, and two shillings and six pence to the constables for fees.

### I

COMMISSIONERS FOR TAKING AFFIDAVITS TO HOLD TO BAIL, &c.—*Rev. Statutes, chap. 126, sec. 13.*

13. The Commissioners for taking Affidavits to hold to Bail and Recognizances of Bail in the several Counties, shall be appointed by the Governor in Council.

(COMMISSIONERS' FEES.)—*Rev. Statutes, Chap. 154, page 432.*

For administering Oath and marking Writ.....	£0	2	0
Taking Recognizances of Bail, or bail piece.....	0	5	0
Taking Depositions of Witnesses, each witness.....	0	5	0
And for taking Depositions, per folio.....	0	0	6
Travelling Fees, when necessary, 3d. per mile..			

### K

REVISED STATUTES, CHAP. 9.—*Of Controverted Elections.*

Every Member, before he assumes his seat, or shall presume to vote in the House of Assembly, if required by order of the house, shall deliver to the Clerk a schedule containing the particulars of his qualification, and at the foot thereof shall subscribe the following oath, to be administered by the Clerk.

“I, A B, do swear that I am by law qualified to be elected for the House of Assembly, and that the foregoing schedule doth contain a full, true, and particular account, to the best of my knowledge and belief, of the property in respect whereof I claim a right to be elected and of my title thereto, and that the same hath not been conveyed or granted to me fraudulently; on purpose to qualify me to be so elected.”

### L

REVISED STATUTES, CHAP. 7.—*Of the manner of conducting Elections.*

11. When a poll shall have been granted, it shall be opened in the different districts, at or near the polling place, at eight o'clock in the morning of the day appointed, and be kept open until five o'clock in the afternoon, when it shall finally close.

## OPINION.

On the questions which arise on these statements, we have the honor to express our opinions, in obedience to your Excellency's desire.

*First.*—We have no doubt that all persons holding any of the offices before mentioned, are ineligible to sit in either branch of the Legislature, that is to say :

Way Office Keepers—See schedules D

Commissioners of Sewers—See schedule E

Health Officers—See schedule F

Coroners—See schedule H

Commissioners for taking Affidavits, &c.—See schedule I

Surveyors of Shipping—See schedule G

These are all offices held under the Provincial Government, and they are offices of profit or emolument, as appears by the extracts to which we have referred in the accompanying schedules from D to I.

The objection, that the Post Master General appoints the Way Office Keepers, is, we think, trivial and unsubstantial.

The whole Post Office department is exclusively Provincial. The Provincial Government and Legislature alone manage and control it. The Province alone is entitled to, and does receive, its revenues, and is alone answerable for the excess of the expenses in maintaining the service over the monies received for postages, and which the Legislature every year makes provision for to a large amount, and which is paid out under authority of the Receiver General to the Post Master General, and accounted for by him, in the same manner as is practised by the other Provincial public departments. The Governor in Council is expressly authorized, by the act, to appoint, suspend, or remove, the Post Master General, and all Post masters, officers, deputies, agents, and servants, connected with the service, and in fact they do exercise the whole patronage of the department. The Post Master General can only establish Way Offices with the approbation of the Governor in Council, and he appoints Way Office Keepers, as appears in schedules D, in subordination to the will and authority of the Provincial Government, which exercises the patronage in the nomination and selection of Way Office Keepers, to the same extent as it exercises the patronage in the case of all the other officers of the department. The Way Office Keepers are liable to the same penalties, and receive their remuneration from the same Provincial source, as the other officers; and whether viewed as principal appointments, or as deputies of the Post Master General, are subject to the terms of the act, as indeed they would be on general principles, to be appointed, suspended, or removed, by the Governor in Council.

The argument that the several offices under consideration are of trifling value, has certainly no weight. The most of them are offices earnestly sought for, and held in estimation; but were it otherwise, the law would be equally applicable to their holders, as to the incumbents of the most valuable, because the Legislature, having seen fit to include every office of profit or emolument, except some specially named, we know of no authority that has power to exclude any others from its operation. The act, in making a special exception in favor of Justices of the Peace, shews the extensive application which the Legislature understood the law would have; and the fact that every lawyer, whatever his politics, who offered as a candidate, resigned the office of notary public, is a practical illustration of the opinion, in that particular, entertained by the profession.

We do not think there is room for reasonable doubt on the subject; and are clearly of opinion that all the offices above named are within the operation of the act for securing the Independence of the Legislature, and that their incumbents are not eligible for seats in the Provincial Parliament, or legally capable of sitting or voting therein.



II. In relation to the resignation designed by the act to protect against the ineligibility it declares, it may be observed that the act was passed when the house was approaching the period of its natural death. And the Legislature seems to have had in view the case of existing office holders in contemplation of the impending general election; and adopted the policy of requiring them to remove their ineligibility before they could become candidates for the Assembly; and to preclude evasion or mis-information, named a period previous to the holding of the court for nomination of candidates (by law held on the same day over the whole Province), before which period they must do so by resigning. It appears, therefore, clear, that resignations, as relating to the House of Assembly, made after the nomination day; and, as relates to the Legislative Council, made more than thirty days after the dissolution of the Assembly, are, under the express terms of the act, too late; and we also think that the act, construed according to its spirit and object, places on the same footing resignations made less than ten days before nomination day.

III. Whether the seat shall be deemed vacant and a new election be ordered, or the candidate standing next on the poll shall obtain the seat, is a question to be decided by the nature and degree of the notoriety of the ineligibility which existed before the election. An element in this question would be the knowledge generally entertained by the electors of the possession and exercise by the candidate of the disqualifying office, and they would be bound to know the law which attached Parliamentary ineligibility to the possession of the office. The special objects of the nomination court being to propose the candidates and to test their qualification—the question arises, whether notice of ineligibility, given there, should not be held in itself to be notice to all electors sufficient to annul the votes given for the ineligible candidates. But it is not necessary to press this enquiry, as in the instances under consideration, it is stated that there were present at nomination day, and heard the notice for ineligibility, more electors who afterward voted for the ineligible candidate than the number of his majority, and that in one of the cases, the notice was renewed by printed hand bills and verbal notices at the polling.

These facts, we think, would entitle the candidate next on the poll to the seat in each case. In the cases where the disqualification existed, but was neither notified at the nomination court, nor at the polling, and the exercise of the office by the candidate within the period before which his resignation should have been made, was not of sufficient notoriety to bring the knowledge home to the electors, the election is void and can only be run over.

IV. We have no doubt that the House of Assembly cannot constitutionally and legally prevent the oath of qualification from being put to ineligible parties whom the Sheriffs may have returned. The condition in the act [see Sch. K.] “if required by order of the house,” being merely intended to prevent the necessity which exists in England of all members giving in and affirming their qualification as a matter of course. But when the ineligibility shall be made known and the taking of the oath required—the intervention of the House to screen the party and defeat the law, would be an outrage of propriety and against right; and this would be aggravated if accomplished through the aid of the votes of the ineligible parties,—it being an established rule, that members shall not remain in the house while questions are discussed which affect themselves or their seats.

V. The question of fact connected with the charge of ineligibility arising from possession of office, is so plain, and the law arising from it so inevitable, that any one thus ineligible who would venture to take the oath of qualification, we believe, would be liable to prosecution and conviction for false swearing.—[See *Rex v. De Bennvaisi*, 7, C. & P. 17.

VI. A party exercising the functions of a member of the House of Assembly by reason of the oath of qualification falsely taken, would, on principle, be liable to prosecution for the wrongful usurpation. On the other hand, such a procedure would bring into controversy before the legal tribunals questions, over which Parliament has jealously claimed exclusive jurisdiction. We feel this enquiry, therefore, to be one of difficulty and doubt.

The ordinary mode of trying disputed rights to seats in Parliament is by committee. The case of personal ineligibility, such as we are considering, presents some aspects different from the ordinary cases in which elections are controverted for bribery or unqualified votes, and we find instances in England, when, on the personal ineligibility of the party returned, a new writ has been ordered by the act of the House without the intervention of a committee; nor do we believe that cases would there often occur of persons ineligible by law, in consequence of having held offices of which there was the simplest proof and manifest notoriety claiming or seeking to maintain a seat in Parliament. Here, where the same powerful influences of public opinion and recognized law and precedent do not prevail, such cases may occur and be referred to the uncertain determination of a committee chosen on the principle of the Granville act now abandoned in England,—a mode of decision in a small assembly strongly divided by party lines, under which uniformity of judgment on cases of similar nature might not be attained, and the law consequently be exhibited in a manner not calculated to maintain its vigor or credit.

VII. Should a majority of the House—more especially if in that majority should be comprised the ineligible parties—go the length of removing the disqualifications by ex post facto Legislation or resolution, we think that so great a violence done to the law and constitution, and wrong to the electors and candidates interested in the seats affected, would demand decisive resistance, and would call for the dissolution of the House and an appeal to the people, in vindication of the principles and rights attempted to be overborne; and we do not think that a vote of want of confidence, passed by a majority so constituted, ought to be regarded as a just exposition of the sentiments of the people, or the opinion of their representative, and therefore ought not to effect a change of Government, in which larger interests than those of the holders, or the aspirants of office, are concerned.

A marked difference exists between the position of members of the Legislative Council, whose seats have become vacant by their neglect to resign, or to resign in time, the offices they held, and of candidates for seats in the House of Assembly, who failed to resign, or to resign in time, their offices. The vacancies in the first, the Legislative Council, can only be filled by the Executive, and no rights of constituencies or rival candidates exist. The Lieutenant Governor, in filling these, must either reinstate or make a new selection; and in exercising his judgment, reasons may be imagined ordinarily to exist to induce reinstatement.

In the Assembly, on the contrary, the power of election is solely in the people, and the rights, legal and defined rights, of the constituencies and opposing candidates, exist; and neither the Executive, the Legislature, nor the Assembly, possess, constitutionally, the authority to violate the rights of the opposing candidates, and the electors who supported them, by denying them the seats to which by law and precedent they shall be entitled—or to disregard the right of the whole constituency to the exercise of their franchise, when law and precedent shall declare the former election to have been void.

On the questions relating to the Election for East Halifax, we beg to remark that it has been settled that the mere fact of a poll not having been kept open for the whole time required by law, will not of itself vacate an Election. (See the case of the City of Limerick, 1 Cockburn and Rowe's election cases, page 535.

As to riots and their effect on Elections—(See Wordsworth on Elections, 240–241,

coventry case, 1 Cockburn and Rowe 260; Roxburgh case, 1 Falconer and Fitzgerald, election cases 467.

Interruptions of Elections by riots are looked upon with great reprehension by the House of Commons, and dealt with severely. Many instances are reported of Elections set aside on this ground, and the general rule, as laid down in Mall's law of Elections, page 125, and Wordsworth's law on the same subject, page 240, is, that "wherever there has been an interruption of the proceedings, by riot and tumult, notwithstanding that the returning officer has been able to continue and finish the poll, and to comply with the exigency of the writ by the return of members, the election has been holden totally void."

From this it would appear that an interruption of the proceedings by riot vacates the Election, although the result could not have been affected. But we have not, in the limited range of authorities on the law and decisions in Election cases within our reach, found any authority going the extent that riot interrupting the proceedings has been held to vacate the Election, when it was clear that the general result of the election could not have been altered by it, as is the fact in the East Halifax case; and therefore we abstain from giving a decided opinion on that point until we have had means of further enquiry into the more recent doctrines and precedents in England.

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*Government House, Halifax, N. S., 6th Sept., 1859.*

MY LORD DUKE,—

In the Minute of Council which was handed to me by my Government in answer to Mr. Young's letter to your Lordship, and which I had the honor to enclose in my despatch No. 78, of the 28th of July last, it is stated that certain Members of the Opposition are disqualified, by positive enactment, to sit in the House of Assembly, in consequence of holding offices under the Provincial Government, and that they cannot "take the qualification oath without perjury, or vote without a bold and open defiance of law."

These expressions are so strong, and the question is one which bears so directly upon the present position of parties in the Assembly, that I have thought it right to call upon the Attorney and Solicitor General to give me their opinion upon the scope and bearing of the laws relating to this question, which Report I now enclose to your Lordship.

You will thus perceive that I have availed myself of the highest legal opinion at my command in this country; but as it is one which may be looked upon with suspicion by the Opposition, and may be considered biased by party feeling, I should feel greatly obliged to your Lordship if you will submit the case to the Law Officers of the Crown, in order that I may have the advantage of their opinion on the subject.

I have, &c.,

(Signed)

MULGRAVE

HIS GRACE THE DUKE OF NEWCASTLE

*Downing Street, 23rd December, 1859.*

MY LORD,—

In compliance with the request contained in your Lordship's Despatch of the 6th September last, I have referred to the Law Officers of the Crown the case therein enclosed: with opinion by the Attorney and Solicitor General of Nova Scotia, relative to the disqualification of certain persons for seats in the Legislature, in consequence of their holding offices under the Provincial Government.

I transmit to you herewith a copy of the opinion which Her Majesty's Attorney and Solicitor General have given on this subject.

I have, &c.,

(Signed)

NEWCASTLE.

Lieut.-Governor the Rt. Honble.

THE EARL OF MULGRAVE, &c., &c.

Nova Scotia.

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#### THE LAW OFFICERS TO THE DUKE OF NEWCASTLE

*Lincoln's Inn, 7th December, 1859.*

MY LORD DUKE,—

We are honored with your Grace's commands signified in Mr. Merivale's letter of the 6th October ultimo, in which he stated that he was directed by your Grace to transmit to us the copy enclosed of a Despatch from the Lieutenant Governor of Nova Scotia, forwarding, with a view to their being submitted to us, a Case with Opinion by the Attorney and Solicitor General of Nova Scotia, relative to the disqualification of certain persons for seats in the Legislature of the Province; and to request that we would take these papers into our consideration and have the honor to report.

That it will be convenient to consider the questions submitted to us, in the order in which they have been answered by the Colonial Law Officers.

*First.* We agree in the answer given by these Gentlemen to this question, and generally with the reasons in support of that opinion.

*Second.* We do not concur in thinking that the true construction of the Provincial Act C, requires that the resignation which should render a Candidate eligible, must take place not less than ten days before the nomination. It is not so expressed. Whilst we agree that a resignation after the nomination would not qualify the Candidate, we think that a resignation sent in and signified to the Provincial Secretary, though less than ten days before, would have that effect.

*Third.* Considering this question by analogy to the proceedings of the British House of Commons, it would be for the House, either on a report of a committee or otherwise, to pronounce the Election void or declare the Candidate next upon the poll duly elected, according to the circumstances; but it has been more usual to declare the Election void.

*Fourth.* There is nothing in the Act referred to which precludes a Member returned to the General Assembly from sitting and voting until he has been decided by the House to have been ineligible. The Act marked K, seems to apply to the property qualification of the Member, not to his holding any office. Such a proceeding

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on the part of the Assembly, as that suggested, would no doubt be highly unconstitutional, but there seems no remedy for such conduct except the exercise of the Crown's prerogative to dissolve.

*Fifth.* In our opinion perjury could not be assigned upon the qualification oath set out in the Act marked K, on the grounds that the Member taking it held an office rendering him ineligible. That oath, as we have already observed, appears to us in terms to be pointed exclusively to the want of a property qualification, and not to the holding of an office. The Acts marked A and B, provide that a person holding any of the offices therein mentioned (not being any of those in question) shall not only be incapable of being elected, but shall incur a penalty for sitting or voting: to be recovered in the Supreme Court.

A similar clause in the Act marked C, would have avoided the difficulty now apprehended; its omission places the power of dealing with such cases in the hands of the Assembly, subject to the exercise of the power of the Crown before referred to.

*Sixth.* As before observed, we see nothing to prevent a Member (returned by the Sheriff as duly elected) from sitting and voting, although holding one of the offices in question, until he has been unseated by the Assembly; but we think that such an attempt by that body, as that suggested, deliberately to set the law at defiance, would deprive its acts of that consideration they would otherwise be entitled to, and render it necessary for the Crown to put an end to its existence.

*Seventh.* We think in a similar case occurring in the Mother Country, the election would be held void by the House of Commons.

In thus answering the questions put to us, we would observe that we have done so with reference only to the documents laid before us, and on the assumption that there is nothing in the Law of the Province of Nova Scotia qualifying or at variance with the extracts furnished to us.

We have, &c.

(Signed)

RICHARD BETHELL,  
HENRY S. KEATING.

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**MILITIA.**


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(No. 10.)

*Government House, Halifax, N. S.,  
20th January, 1859.*

SIR,—

By Circular from your office, dated 8th December, 1856, I observe that I am directed to report each year upon the number and efficiency of any Local Force maintained in this Colony.

2. I regret, however, to state that the Militia still remains in the same unsatisfactory state in which it was described by my predecessor, in a Despatch No. 22, 1857.

3. In consequence of which, I deem it my duty to bring the subject under your consideration, as I am anxious to devise, if possible, some means by which this Province may be relieved from the imputation, to which it is now undoubtedly liable, of neglecting, in time of peace, the preparation necessary for its defence against aggression in the event of War, and of thus becoming a source of weakness instead of strength to the Mother Country, should hostilities occur in the North American territory.

4. The Militia of Nova Scotia, I am sorry to say, still exists only on Paper; nor do I believe that, under the existing circumstances of the country, it would be feasible to reëstablish it on the old footing.

5. By the present Militia Law, the force consists of two classes—the first including every man from 18 years of age to 45, the second from 16 to 18, and from 45 to 60—thus comprising the entire male population; the second class, however, being liable to be called out only in the event of invasion or emergency.

6. Should such an event unfortunately arrive, I have no doubt that the loyal spirit which animates the hearts of Nova Scotians, together with the natural impulse of self-preservation, which is inherent in every man, would enable the Lieutenant Governor, for the time being, to command the services of this force.

7. The difficulty, however, which exists in a country like this, where labour is scarce and wages are high, is so to arrange the Militia as to ensure its efficient training without rendering the Service obnoxious to the people, or interfering to an injurious extent with the Commercial and Agricultural pursuits of the Province, which could not fail to be the case were the Militia called out even for three days' training in the year, under the old system.

8. It appears to me, therefore, that it would be desirable, if possible, to enlist the services of a smaller body of men than now compose the Militia of the country, and who, being willing to devote a certain time in each year to drill, might at any rate form a nucleus of well trained men on which a large force might soon be created in the event of any emergency.

9. This, I believe, might be accomplished by the formation and encouragement of Volunteer Rifle Corps.

10. It has been represented to me that in many Districts in this Colony there has been a strong wish expressed by the inhabitants for the formation of such Corps or Companies, and judging from the efficiency attained by the Halifax Company of Volunteer Artillery, I have little doubt that in a short time a considerable and very effective force might be obtained by this means.

11. The Finances of this Province are unfortunately so heavily taxed at the present moment, on account of the Railway operations now in progress, that it would be utterly impossible for the Government to bring forward any measure that would require large expenditure.

12. This constitutes another reason in favor of the system of Volunteer Companies, who would, I understand, be willing not only to give their services gratuitously, for the purpose of training, but would also be willing to furnish their own uniform, provided they were supplied with their arms and accoutrements.

13. I would propose, therefore, at first to authorize the formation of a Company, 60 strong, from each of the existing Regiments and Battalions, 48 in number, which would give a force of 2880 men.

14. I do not suppose that, in the first instance, any thing like this number could be raised; and it is probable that, in many of the outlying districts, where the population is scattered, there might be no disposition to adopt the measure, but in the Towns and more thickly inhabited portions of the country, I have reason to think that it would soon become popular, and that even more than the required number would be anxious to volunteer; and though in the commencement it would be necessary to make the measure a general one, and to fix the same number for each Regiment, in order to prevent any feeling of jealousy, it would be easy afterwards to increase the numbers, or to form extra Companies, wherever the applications for appointment became most numerous.

15. The formation of such a force as I propose must of course depend on the amount of military spirit which may exist in the country; and it would be necessary, as far as possible, to encourage and promote this feeling, which even now exists to a considerable extent in the Colony.

16. The habits of the people are such that there is hardly a man who is not well acquainted with the use of firearms; and if they were supplied with really good rifles, I believe that so much emulation would soon arise between the different Companies as would induce them to devote such an amount of time to drill and exercise as would render them a most efficient body of men.

17. The purchase of arms is the great difficulty which presents itself to the formation of these Companies. Those belonging to the Militia of the Colony have long been utterly unserviceable, and were condemned before my assumption of the Government, and I believe that much of the success of the scheme would depend on their being of the best description, as the men would then be induced to exert themselves to the utmost, in order that they might obtain the greatest amount of proficiency in the use they made of them.

18. I have little doubt that the Legislature would see the advantage and propriety of encouraging the formation of Volunteer Companies, and would be willing, by an annual vote, to meet the necessary expense which it would entail; but I fear, in the present state of the Finances, they would not be willing at one time to vote so large a sum as would be required by the purchase of arms.

19. Before proceeding farther in this matter, therefore, I am anxious to know whether the formation of such a local force as I have named, would meet with the approbation of her Majesty's Government, and whether, in the event of its being formed, they would be willing to lend the Arms to the Province, security being given for their safe keeping, and for their being returned at any time when demanded.

20. Since the present state of the Militia first came under my notice, I have given the matter my best consideration, and have lost no opportunity of ascertaining the opinion of those who were most conversant with the feelings and habits of the people, and I have generally found that their impression was that a system of Volunteer Companies would work well and be acceptable in the Colony.

21. In carrying out a scheme of this kind, however, I should wish merely to engraft it upon the existing Militia Laws, without in any material degree altering them, by which means I should hope to secure a small body of well trained men, retaining at the same time the power, in the event of necessity, of commanding the services of every portion of the population which might be required to repel invasion.

22. The Legislature will meet on the 3rd of next month, and should I be fortunate enough to obtain your approbation, I will lose no time in bringing the matter under their consideration.

I have, &c.,  
(Signed)

MULGRAVE

The Right Honorable Sir E. B. LYTON, Bt., &c. &c. &c.

(No. 12.)

*Downing Street, 24th March, 1859.*

MY LORD,—

I have to acknowledge the receipt of your Lordship's despatch, No. 10, of the 20th of January, reporting on the Militia of Nova Scotia, and suggesting the formation of Volunteer Rifle Corps.

I communicated your despatch to the Secretary of State for War, and Major General Peel has expressed his opinion, that, pending the adoption of measures for reëstablishing the Militia on a footing suited to the requirements of the Province, much benefit may be expected to accrue from the formation of Volunteer Rifle Companies, even on the limited scale proposed by your Lordship.

But General Peel has informed me that he is under the necessity of declining to grant the Arms for which you have applied, as the supply of Rifles of the latest and most approved pattern, such as those required in the present case, is barely sufficient to meet the demands of the Army; and because, irrespectively of this obstacle to a compliance with your request, he considers that in a large and prosperous Colony such as Nova Scotia, the cost of arming its Militia is not a charge which should be defrayed from the Imperial Treasury.

I have, &c.,  
(Signed)

E. B. LYTON.

Lieutenant Governor the EARL OF MULGRAVE, &c. &c. &c.

(No. 59.)

*Government House, Halifax, N. S., 16th June, 1859.*

SIR,—

1. After a careful re-consideration of the subject of the Militia, I am still of opinion that the only practical mode of re-organizing this force will be by the formation of Volunteer Companies, attached to each Battalion, in the manner I proposed in my Despatch No. 10 of the 20th of January last.

2. I have therefore addressed a letter, a copy of which I enclose, calling upon each of the Commanding Officers to use their best exertions to raise a Volunteer Company for this purpose.

3. I have every hope that before long I shall be able to secure the services of a considerable force.

4. I propose also to endeavour to raise a Volunteer Regiment at the Coal Mines at Sydney, C. B., and at the Albion Mines, Pictou.

5. In the event of any hostile movement in this neighbourhood, there is little doubt that these Mines would be the first object of attack, on account of the injury that their destruction would inflict upon the British Navy; and I am therefore anxious to secure as large a local force in those districts as possible.

6. I trust that if I can obtain the cordial coöperation of the Mining Association for this purpose, there will be no difficulty in raising such a body of men at each of these, as would prove a serious impediment to any sudden attack upon the Mines.



7. Should nothing occur to prevent it, it is my intention to proceed to Sydney in about a fortnight, in order that I may ascertain on the spot the best mode of organizing such a force.

8. I regret to say that Mr. Cumard, who is the Chief Agent of the Association in this country, is now in England; and I would suggest that, as so much depends on my receiving the cordial coöperation of the Mining Association, it would be well if a communication should be made to them by Her Majesty's Government, asking them to give me all the support in their power.

9. I trust that before long I shall be able to report to you favourably of the manner in which Volunteers come forward, and in that case I hope Her Majesty's Government will re-consider their decision about the Arms, as the number which I should be able to purchase, with the means at my disposal, would be very limited; and I fear that should there be any difficulty about supplying those who came forward with arms, it would give a check to the movement, which it would be very difficult hereafter to overcome; and I would suggest whether, if rifles of the latest pattern cannot be supplied, there are not others in store of an older pattern which, though not now in use by Her Majesty's Forces, would prove more efficient than the muskets now in store here.

I have, &c.,

(Signed)

MULGRAVE.

The Right Honorable Sir E. B. LYTTON, Bt., &c. &c. &c.

*Government House, Halifax, N. S., June 1859.*

SIR,—

A length of time having elapsed since the Militia of this Province has been embodied, and the force having thus become disorganized and useless for any practical purpose of defence, it is my intention to adopt measures for the purpose of its re-organization.

Being aware, however, of the difficulty and inconvenience which would attend the calling out and embodying the whole Militia of the Province, I am desirous of engrafting on each Battalion a Volunteer Company, 60 strong, in order that I may secure a nucleus of well trained men on which to form the Regiments, should it be necessary at any future time to call them out.

It is the undoubted duty of every country to prepare in time of peace for its defence in the event of aggression, and though I trust and hope that, by the blessing of Providence, it may be long before the peace of this Province is disturbed, I am unwilling to suffer the local forces of the Colony longer to remain in their present state.

The War which has unfortunately broken out in Europe has attracted the attention of the people of England to this subject, and I would fain hope that the feeling which is there expressed, and the exertions which are now being made to place the local forces on a more satisfactory footing in the Mother Country, may find a response in the hearts of Her Majesty's loyal subjects in Nova Scotia, and that numbers may be found willing to enrol themselves, and to devote a certain portion of time in each year to drill and exercise.

By Chapter 10 of the Statutes of 1855 (to which I beg to refer you), I am authorized to invite the formation of Volunteer Companies. I have therefore to direct that you will, without loss of time, ascertain what number of men would be likely to volunteer in the Regiment under your command, and report the same, for my information, to the Quarter-Master General of Militia, in order that I may take the necessary

steps for their organization, arming, and drill. And I have further to request that you will use every possible exertion to secure the services of at least 60 men; and should you find that a larger number can be obtained, you will report this also to me through my Quarter Master-General.

(Signed)

MULGRAVE,  
Lieutenant-Governor,  
Commanding-in-Chief.

To the OFFICER COMMANDING.

(No. 4.)

*Downing Street, 30th June, 1859.*

MY LORD,—

On Major-General Sir Fenwick Williams recently leaving England to assume the command of the Forces stationed in the North American Provinces, he favored her Majesty's late Government with the full communication of his views on certain questions connected with their local defences.

These opinions derive their weight from the high reputation and abilities of the distinguished officer from whom they proceed, and also from his peculiar knowledge of the circumstances of that part of the British Empire, of which he is himself a native, and with which he has maintained a familiarity.

Sir Fenwick Williams expressed himself anxious to receive instructions from her Majesty's Government to land at Halifax on his way to the Upper Provinces, in order that, by placing himself in communication with the Governor-General of Canada, and also with her Majesty's Representatives in New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland, he might be able to devise, in conjunction with those functionaries, and under their immediate auspices, a system for assembling in the Counties and Townships of these Colonies the youth of seaboard and interior districts.

He further stated, that before repairing to the Upper Provinces, he hoped to be able to inspect and report to his Royal Highness the General Commanding-in-Chief, the state of the harbor defences of those regions, and to make such suggestions as the result of his observations might produce with reference to possible events.

Sir F. Williams also added that knowing the nature of these counties, and habits of the people, he should prefer the short rifle (now thrown aside by the Army), as the arm for these new series of Rifle Companies or Clubs.

These rifles, he stated, would carry a ball 300 yards, which Sir F. Williams believes to be the extent of vision in the wooded and partially cleared colonies of North America, and the spherical bullet which is used can be easily cast by the Militia man himself, who will thus be induced to practice with his rifle against the deer and bear which abound in the woods.

The late Secretary of State for War informed Sir F. Williams verbally that he approved generally of his scheme; he added, however, that the particular class of weapon for which he applied was not at present at hand, and available in this country, nearly the whole having been issued to the Militia.

My object in now writing is to make you officially acquainted with the views of Sir F. Williams, and with the concurrence of her Majesty's Government in those views, in order that you may co-operate with that eminent officer, as I have no doubt you will readily do, should he place himself in communication with yourself and the local authorities.

I have, &c.,

(Signed)

NEWCASTLE

The Right Honble. the EARL OF MULGRAVE, &c., &c.

(No. 74.)

*Government House, Halifax, N. S., 20th July, 1859.*

MY LORD DUKE,—

I have the honor to forward for your Lordship's information, a copy of a Despatch which has been addressed by Lieut.-General Sir F. Williams, to his Royal Highness the Commander-in-Chief, and which was handed to me according to the instructions contained in the Circular from your office, dated 9th of March last.

2. It is unnecessary for me to comment upon the suggestions contained in this Despatch, as I entirely concur with them in every particular, and can only express in the strongest terms my hope that her Majesty's Government may see fit to comply with the recommendation so strongly urged by Sir Fenwick Williams.

3. The formation of Volunteer Companies progresses favorably, though, perhaps, not so fast as I could wish; five companies are already formed and organized, and four of them have commenced drill.

4. I am most anxious to have rifles to place in their hands as soon as possible, as I fear any delay in doing so may give a check to the movement, which it would be difficult hereafter to overcome.

5. Whereas I feel confident that when once it is known that these companies have been supplied with arms, and are advancing towards proficiency, it will give a great impetus to the operation, and will induce parties to come forward more readily.

6. The Militia force of this Province has been so long neglected, that I find considerable difficulty in persuading the people generally of the necessity for its re-organization, and fear much, if the present opportunity is suffered to pass by without any thing effectual being done, it would be impossible at any future time to induce them to come forward, as they would then think that, by holding back, the question would be suffered to drop.

7. In my Despatch No. 10, 20th of January last, I informed your Lordship's predecessor of the inability of this Colony, in the present state of its finances, to expend any large sum in the purchase of arms, and it certainly does not appear to me unreasonable, provided the Colonists are ready to volunteer their services, that the Imperial Government should be asked to furnish arms, since it is more than probable that, in the event of England being at war with any power which would render such a force necessary, the cause of quarrel may be one of Imperial and not Colonial interest.

8. Under these circumstances, I trust that your Lordship will see the propriety of pressing upon her Majesty's Government the necessity of complying with the recommendations contained in Sir Fenwick Williams' Despatch.

I have, &amp;c.,

(Signed)

MULGRAVE.

His Grace the DUKE OF NEWCASTLE.

(No. 96.)

*Government House, Halifax, N. S., 22d September, 1859.*

MY LORD DUKE,—

I have the honor to inform your Lordship that I have received a private letter from Lieutenant-General Sir Fenwick Williams announcing to me his intention of at once forwarding to this place 3000 rifles, being a portion of those which were sent to Canada after the Crimean war, and which I believe were intended at the time for distribution among the different Provinces.

This timely supply will relieve me from considerable difficulty, and will at once enable me to arm those Volunteer Corps which have already been formed; and, I

trust, that when it is known that these corps have received their arms, a great impulse will be given to the movement, which, I am sorry to say, is not at the present moment progressing as rapidly as I could wish.

I cannot refrain from availing myself of the present opportunity of expressing to your Lordship the feelings which I entertain towards the General Mining Association for their very liberal and patriotic conduct on this occasion.

Not only have I received every possible co-operation and assistance from the local authorities at the Sydney and Albion Mines, by which means I have been enabled to raise a corps of about 170 men at the former and 120 at the latter, but the Association in England, generously backing up the exertions of their agents on the spot, have, at their own expense, provided uniforms for the whole of these men.

Such liberality cannot, of course, fail to promote good feeling among the men, and I doubt not, that, as soon as I am able to provide them with arms, they will use their utmost exertions to become proficient in the use of them.

I shall feel greatly indebted to your Lordship if you will express to the Association my thanks for the assistance which they have given me.

I have, &c.,

(Signed)

MULGRAVE.

HIS GRACE THE DUKE OF NEWCASTLE, &c. &c. &c.

(No. 15.)

*Downing Street, 10th September, 1859.*

MY LORD,—

I have to acknowledge the receipt of your Lordship's Despatch of the 16th of June last, No. 59, on the subject of the organization of the Militia of Nova Scotia, and expressing your hope that her Majesty's Government may be able to reconsider the decision conveyed to you in my predecessor's Despatch of the 24th March, respecting the grant of arms to the force.

I have much satisfaction in acquainting you that the Secretary of State for War has apprized me that it has been ascertained, since the date of that Despatch, that there are a considerable number of Enfield rifles now in store at Montreal and Quebec, a portion of which might be made available for the Nova Scotia Volunteers, and that instructions have therefore been given for the dispatch of three thousand stand of these arms to Halifax to be placed at your disposal for this purpose.

I have, &c.,

(Signed)

NEWCASTLE.

Lieutenant-Governor the EARL OF MULGRAVE, &c., &c., &c.

(No. 108.)

*Government House, Halifax, N. S., 2d November, 1859.*

MY LORD DUKE,—

I have the honor to inform your Lordship that the 3000 Enfield rifles referred to in your despatch No. 15, 10th September last, arrived from Canada on Tuesday, the 1st instant.

I am now engaged in drawing up such regulations as I trust will ensure their safe keeping, and as soon as these are completed, I shall lose no time in arming such Volunteer Corps as are already organized.

I have, &c.,

(Signed)

MULGRAVE.

HIS GRACE THE DUKE OF NEWCASTLE, &c. &c. &c.

(No. 23.)

*Downing Street, 18th November, 1859.*

MY LORD,—

I have received from the Secretary of State for War two letters, of which I enclose herewith copies, explaining the measures which would be requisite in order to give effect to the recommendations of Lieutenant-General Sir Fenwick Williams for the defence of the Provinces of Newfoundland, Nova Scotia, and Prince Edward Island.

These measures, as you will perceive, would consist, first, of an addition of 16 Officers and Non-Commissioned Officers and about 80 gunners to the Coast Brigade of Artillery, with a view to placing small parties of artillerymen in these Provinces to assist and instruct any Volunteer Artillery Corps that may be formed for their defence; and, secondly, an addition of two companies to the Newfoundland Companies so as to admit of stationing detachments in Nova Scotia and Prince Edward Island.

I shall delay replying to the enquiry addressed to me by Mr. Secretary Herbert,—whether the Provinces would be prepared to pay their respective shares of the expense of these measures,—until I receive an answer from you to the present Despatch; but I do not doubt the readiness of the Government, of each of her Majesty's Provinces in North America, to contribute to any well considered undertaking which may seem necessary for the security of that portion of the Empire.

I have, &amp;c.,

(Signed)

NEWCASTLE.

To the Lieutenant-Governor

The EARL OF MULGRAVE, &amp;c. &amp;c. &amp;c.

Sir C. Yorke to the Under Secretary of State for War.

*Horse Guards, 26th October, 1859.*

SIR,—

With reference to the Report of Lieut-General Sir W. F. Williams, Bart., of the 20th July last, respecting the necessity of a small number of Artillerymen being allotted to Newfoundland, and Prince Edward Island, and the Coal Mines at Sydney, in Cape Breton, and Pictou in Nova Scotia, with a view to assist any Volunteer Artillery Corps that may be formed for the defence of those places, I am directed by the General Commanding-in-Chief to state that it would be very inexpedient to detach young soldiers of the Royal Artillery to those Stations; and the two Batteries allotted to Nova Scotia and New Brunswick having beside no men to spare for these detachments. His Royal Highness is desirous of recommending to the consideration of Mr. S. Herbert that an addition be made to the Coast Brigade of Artillery for this service.

His Royal Highness considers that about 20 men at each Station would be sufficient, and he would therefore recommend that the addition should consist of the following detail, viz.:

- 1 Captain.
- 1 Lieutenant.
- 6 Sergeants.
- 4 Corporals.
- 4 Bombadiers, and
- 80 Gunners.

I have, &amp;c.,

(Signed)

C. YORKE

H. R. H. the Duke of Cambridge to the Right Hon. Sydney Herbert.

*Horse Guards, October, 1859.*

SIR,—With reference to Sir Edward Lugard's letter of the 12th inst., with its enclosure, from the Colonial office, relative to the defenceless state of the Coal Mines at Sydney in Cape Breton, and also to the Reports of Lieut.-General Sir Fenwick Williams, of the 19th of July last, respecting the defences of Nova Scotia and Newfoundland, which I forwarded for your consideration on the 12th of August, I am induced to submit to you the expediency of adding immediately two companies to the Royal Newfoundland Companies, in conformity with the suggestion of Sir Fenwick Williams, with a view to some protection being afforded from this corps to the Coal Mines in Cape Breton, and at Pictou, in Nova Scotia, and Prince Edward Island.

It is very desirable that a service of this nature should be provided for by a Local corps like the Newfoundland Companies, composed of men of above 10 years service, who may have re-engaged to complete their 21 years, and are not likely to desert, than by detachments from Regiments of the Line in Nova Scotia, which should be kept assembled as much as possible.

The subject is so fully entered into in Sir Fenwick Williams' Reports, that I need only state my entire concurrence in the opinions which he has expressed, and that this addition to the Newfoundland Companies is very desirable, whatever may be the determination with regard to any works of defence for these Provinces.

I am anxious, therefore, to recommend the measure to your early consideration, and, should her Majesty's Government be pleased to sanction the augmentation of the corps in question, I should hope that the appointment of a Lieutenant Colonel to command it may be sanctioned.

It is at present commanded by a Major, but I think it quite reasonable, and indeed essential, with a view to the necessary inspections, that a corps of four companies, and employed abroad on detached services, should have a second Field Officer, in which case the senior should be a Lieutenant-Colonel.

I am, &c.,

(Signed)

GEORGE.

The Right Hon. SYDNEY HERBERT, &c. &c. &c.

Sir Edward Lugard to Mr. Merivale.

*War Office, 2d November, 1859.*

SIR,—

The Lieutenant-General commanding the Troops in the North American Provinces having, in reports which he has addressed to the General Commanding-in-Chief, recommended that small parties of artillerymen should be allotted to Newfoundland, Prince Edward Island, and the coal mines at Sydney and Pictou in Nova Scotia, with a view to instruct and assist any Volunteer Artillery Corps that may be formed for the defence of those places: I am directed by Mr. Secretary Herbert to transmit to you, for the information of the Duke of Newcastle the enclosed copy of a letter received from the Military Secretary to his Royal Highness, from which his Grace will perceive that the only means by which this object can be accomplished, will be by adding 16 officers and non-commissioned officers, and about 80 gunners to the Coast Brigade of Artillery.

The pay, clothing, and subsistence of these officers and men being calculated to amount to about £5,100 per annum exclusive of arms, barrack accommodation, and other incidental expenditure, Mr. Sydney Herbert will be glad to be informed before taking any steps in furtherance of His Royal Highness' suggestion, whether the Duke

of Newcastle has reason to believe that the Colonial Governments concerned will be ready to provide so much of the expense as will devolve on them respectively by a distribution of the force in the manner proposed, that is, in the proportion of about 20 men to each station.

I have, &c.,

(Signed)

EDWARD LUGARD.

Sir E. Lugard to Mr. Merivale.

*War Office, 7th November, 1859.*

Sir,—

With reference to my letter of the 12th ult., I am directed by the Secretary of State for War to transmit to you the enclosed copy of a letter from the Horse Guards, containing the recommendation of the General Commanding-in-Chief, that two Companies should be immediately added to the Newfoundland Companies, so as to admit of detachments being stationed in Prince Edward Island, and in Nova Scotia (for the defence of the Coal Mines at Sydney and Pictou in the latter.)

The expense which this increase would occasion would amount to about £7840 a year, exclusive of the cost of providing Barrack accommodation, Passages, Arms, and Pensions.

I am to request that you will move the Duke of Newcastle to take this proposition into his consideration, in connexion with that submitted in my letter of the 2nd inst., in regard to an increase of the Coast Brigade of Artillery, Mr. S. Herbert being equally unable to authorize any such augmentation of the establishment of the Newfoundland Companies, as is further proposed, until informed whether the Governments of Nova Scotia, and Prince Edward Island, would be likely to make provision for the expenditure involved.

I have, &c.,

(Signed)

EDWARD LUGARD.

H. MERIVALE, Esq., C.B., &c. &c. &c.

## EXECUTIVE CORRESPONDENCE.

*Halifax, 4th February, 1860.*

To His Excellency the Right Honorable  
**The Earl of Mulgrave,**

*Lieutenant-Governor and Commander in Chief in and over  
Her Majesty's Province of Nova Scotia and its  
Dependencies, &c. &c. &c.*

Your Lordship having, in the interview we had with you this forenoon, expressed your desire that we should present to you in writing the advice we tendered to Your Excellency in relation to the condition in which the House of Assembly was brought last night by the votes then taken, and the reasons by which we sustained that advice:

We, the undersigned Members of the Executive Council, are happy to adopt your suggestion of placing before you in this permanent form the views we entertain of the course which the interests of the Province demand should be adopted by the Executive Government in the existing state of public affairs.

We have advised Your Excellency that the immediate dissolution of the Assembly is, in our opinion, imperatively demanded. We believe that step to be necessary in order to maintain the authority of the Law—the independence of the House, and the respect for its proceedings which is essential for the welfare of the Country; and we proceed to offer to Your Lordship the reasons which induce this strong belief.

By an Act of the Legislature, passed by the late House, it was enacted that persons who held offices of profit or emolument under the Provincial Government at the dissolution of that House should not be eligible to serve in the Assembly unless they resigned such offices within ten days before Nomination Day,—and that if Members of the Legislature should afterwards accept such offices, their seats should become vacated.

Soon after the last Election it was brought to Your Lordship's notice that a number of Members elect held offices at the time of the Election which rendered them ineligible, and at your desire the Attorney and Solicitor General of Nova Scotia made out a case, stating at large the Laws under which these offices were created, and the nature of the appointments to them, on which they gave their opinion that the incumbents of the offices in question were within the scope and terms of the Act, and therefore ineligible to serve in Parliament. This case and opinion Your Excellency transmitted to the Right Honorable the Colonial Secretary, who obtained thereon and sent out to Your Excellency the opinion of the Attorney and Solicitor General of England. This opinion differed in two particulars from that of your Law Officers; the Attorney and Solicitor General of England thinking that the Qualification Oath in our Statute was directed alone to the Property Qualification, and therefore was not applicable to the case of ineligibility from holding office, and that resignations were available although made within ten days of Nomination Day, provided they were made before that day. In both these particulars we deferred to the opinion of the Crown Law Officers in England, and abandoned our purpose of putting the Qualification Oath to those Gentlemen whom we deemed ineligible for holding office, and also gave up the intention we had entertained of urging the objection which arose in one case that a resignation had been made (if made at all) less than ten days before nomination day.

On the more essential points, the English Law Officers agreed in opinion with your Excellency's Attorney and Solicitor General. In terms altogether unreserved and unequivocal, they stated their concurrence with the opinion of your Law Officers that Way Office Keepers, Health Officers, Coroners, Surveyors of Shipping, Commissioners for taking Bail, &c., came under the operation of the Act, and were ineligible to serve in Parliament; and that although there existed no means to prevent them taking their seats and voting, till removed by the House, yet, that were they to be maintained in their seats by the votes of a majority created by their combination with a party in the House, a wrong would be committed which would deprive the Acts of the Assembly of the consideration to which otherwise they would be entitled, and which would render it necessary for the Crown to put an end to the existence of the House.

This opinion your Excellency sought, as you stated in your despatch to the Duke of Newcastle, in order that you might have the advantage of the opinion of the Law Officers of England on the subject, and if this opinion is to have weight, the time has arrived when a number of ineligible persons, combined with what otherwise would be a minority of the House, have created a majority which has shut out a prompt and certain investigation of the question of the ineligibility of those persons, and seizing an advantage obtained by means so unwarrantable, they have pressed on to a vote of want of confidence, and thus have created the necessity we are under of advising, and your Excellency of deciding, on the alternative of accepting the vote of such a majority as the views of the Representatives of the people, or of ter-



minating the existence of a House which, under a rash and reckless guidance, has commenced its course by an utter disregard of law, and by ignoring the independent exercise of the privileges of the House, and by a violation of right and justice.

We shall not inquire whether the opinion of the Law Officers of England can justly bear any construction more limited; we believe it cannot, and that the most critical interpretation cannot lower its tone or reduce its meaning below that we have given. Respecting as we do this opinion for its high toned sentiment and manly vindication of British principle, and greatly prizing its bearing on the present inquiry, we are happy that while it commends itself to our own sense of legal and constitutional right, we believe it will be accepted by the intelligence and right feeling of the people.

There are a number of persons whom we deem to be ineligible, but the Amendment of the Attorney General was purposely confined to five, whose ineligibility was shewn from official papers, without aid of other evidence. In this paper, in placing the facts before Your Excellency, we shall confine ourselves to three of those cases, because for our present purpose three are as effective as more would be, and the evidence in these three cases is so clear and so simple as to leave no doubt nor room for question on the fact of ineligibility.

We select the cases of Lewis Smith, A. W. McLellan, and A. McNutt Cochran, Esquires. We invite your attentive consideration of those cases as stated in the Amendment moved by the Attorney General; and we put into your hands with this paper the original documents read in the House, regarding the incumbency of these Gentlemen. Your Excellency will perceive that the evidence is of the simplest nature, and capable of being presented in official form before the Assembly, without inducing material delay in its decision, and we confidently ask whether it does not establish the fact that those three Gentlemen held the Offices named in the Amendment at the time of the Election, and that these were Offices of profit and emolument. That they were held under the Provincial Government is unquestionable, not only under the legal opinion of the Law Officers of the Crown alike in England as in Nova Scotia, but from the entirely Provincial character of the Post Office Department, and the provisions of the Post Office Acts, together with the Return of the Postmaster General, and the Letter of Mr. Howe, when Provincial Secretary, as illustrative of the source of the appointment.

With the knowledge of the ineligibility of these three persons exhibited by Official Papers from the Offices of the Public Functionaries of your own Government made public to the whole Province, we are unable to discover any principle by which the responsibility imposed by this knowledge can be diverted from Your Excellency or your advisers.

If Your Excellency is to be viewed as standing alone in place of the Sovereign, then on us devolve the privileges and the duties which Her Majesty's Constitutional Advisers exercise in England, and in that relation we claim the right and assume the responsibility, on the facts supported by the evidence referred to, of advising Your Excellency that the Acts of the Assembly are not entitled to the consideration they otherwise would merit, and that it is necessary that the Prerogative should be exercised, and the question be referred to the judgment of the people, who, as they are the parties affected, are also the final arbiters in an issue so vitally affecting their interests.

If, on the other hand, Your Excellency is to be considered, not only in the light of the Queen's Representative, but also as clothed with some of the functions of a Prime Minister in England, then must this authority bring with it corresponding responsibilities, and imperatively requires that Your Excellency should know and judge and act in every case in which you withdraw from your Constitutional Advisers the duty and responsibility of judging and acting.

If Your Excellency, either in the exercise of your own functions, or through your advisers, is, as we respectfully submit to be the case, bound to know and to consider the course pursued in the Assembly on this occasion, then Your Excellency cannot fail to notice that the Amendment of the Attorney General proposed the immediate inquiry and investigation, and after inquiry and deliberation, the decision by the House in a case of easy and ample proof which demanded immediate action to avoid consequences unjust, incongruous, and mischievous; and that the Gentlemen who were charged with ineligibility united in voting down this just and reasonable proposal, and created the majority that screened them from investigation and inquiry; and that the majority that claims to control the Legislature and govern the Country would cease to be a majority were those withdrawn who have been incontrovertibly shewn to be ineligible to serve in Parliament.

The House knew that these Gentlemen were exercising functions in violation of Law, because the evidence was read to them, and the opportunity to present it in official form was asked and refused.

Your Excellency knows the same facts, because the evidence of ineligibility is in your hands while you read this Paper, and the Journals give you the names on the divisions in the House.

The people of Nova Scotia are informed on the subject, and multitudes are at this moment waiting with the most intense interest to know whether illegal assumption of office, and daring defiance of Law, with all their consequences, are to be ratified and adopted by the highest authority, or whether the Prerogative of the Crown will be exercised to check the bold attempt, and in vindication of Law and right to give to the people the decision of the question affecting, as it does, their highest interests.

If THEY shall ratify the usurpation, on them will rest the responsibility, as they must bear the consequences.

If, on the contrary, as we believe will be the case, the people shall condemn as arbitrary, unjust, and unconstitutional the conduct that a majority in the House has pursued, thus will Law and order be vindicated, and the Institutions of the Country be preserved from the consequences of a baneful example. But, in either case, Your Lordship will stand in the position which should ever be maintained by the Sovereign's Representative—using the Prerogative for the people's welfare, preserving the highest Institution of the Country from contempt, and sustaining the majesty of the Law.

We stop not to investigate the excuses attempted in the House by the Opposition. These have been debated, and their fallacy, as we believe, clearly exposed. But were there weight in the technical objections raised by the Opposition to the course we proposed, they would yet not justify, under the peculiar circumstances, the measures THEY have adopted. Reflect, my Lord, upon the fact.

Men known to be ineligible, because shown to be ineligible by certain and unanswerable evidence, by their own votes created a majority which has attempted to change the Government. There must be a time and a mode by which such men shall be removed from a position they occupy only in violation of Law, otherwise the Constitution must be absurdly deficient in the means of maintaining the Institutions of the Country,—but reason, justice, and the exigencies of public business forbid that in the meanwhile they should exercise functions, which it is known now as well as it can be known hereafter, they do not possess—if by such exercise rights should be violated, the public business obstructed, and great mischiefs entailed.

Let us trace the consequences of changing the Government on the vote of a majority made up of ineligible parties. The Officers of Public Departments are changed, and the duties of several of them suspended; four Elections are run, and the business of Legislation retarded.

After a time the ineligible persons by whose means all this has been effected are removed, the present Government are then in a majority, and again the Offices change hands, four Elections are again to be run, and again the Legislation of the Country is obstructed. Here Your Excellency beholds the inevitable result of accepting the present votes, as the acts of a legitimate majority, assuming that the question of ineligibility in whatever mode determined, will be decided according to Law.

But this is not all. Suppose—what indeed we have no reason to believe—that all the ineligible Members, having removed the ground of ineligibility by resignations, should be returned to the House. A majority would then be created based on Law, and not as the present—on its violation. To the views of such a majority we would instantly bow with the respect ever due to the opinion of the majority of the Representatives of the people while exercising their high functions within the restraints of Law and reason, and a third time the offices change hands,—a third time the business of the House is retarded,—and a third time four Elections have to be run.

Can Your Excellency believe that an intelligent people will or can accept such a mass of incongruities, inflicted at such an enormous cost, as the necessary consequences of Parliamentary Law, or that they will not look, where only they can look, to the Head of the Government to save the Country from absurdity so gross and so mischievous, by the exercise of that Prerogative which is now recognised as being held for the welfare of the people, to be used in cases of emergency for the prevention of mischief, not otherwise to be averted.

It may be said that the ineligible persons may be retained permanently by the action of the Election Committee, or some other means. To anticipate such an objection we have confined ourselves to the three cases named, of Messrs. Smith, McLellan, and Cochran, because the evidence in these cases is unanswerable, and its effect can be evaded only by violation of the Law.

It can be no answer to urge that the injurious consequences which would result from the course pursued by the Opposition, in the event of the Law being ultimately maintained, and the ineligible parties being removed, may be averted by preserving them in their seats, if that result can only be attained by violating the Law.

If all that can be offered to Your Excellency be incongruities monstrous and mischievous, on the one hand, and escape from them on the other, by anticipating a violation of Law, and in that violation an overbearing alike of the rights of a large section of the House, and of the people, teaching an example of wide and deleterious influence, of which no estimate can well be formed, we believe that the emergency which calls for the firm exercise of the Prerogative is at least not weakened.

It has been said that Members on the Government side were also ineligible. The answer was promptly given—Bring forward the case in such form that it may be met, and the rule we seek to apply to the one side, will be cheerfully submitted to on the other.

Again, it has been said that Members on the Government side, though not personally ineligible may yet be unseated on objections urged against their Election or their Majorities. Such results none have a right to anticipate, and their possibility cannot reasonably justify the protecting in their seats and using the votes of persons who are clearly shewn to have been, at the time of Election, and now, ineligible to serve in Parliament.

We beg to remind Your Lordship that we speak the views of no mean portion of the people of Nova Scotia, when we ask Your Lordship to respect the rights of parties in the House and Country.

The Members of Government, and those who sustained them in the House, received over Ten Thousand votes more than all the other votes given at the last Election, and so closely balanced were parties, that a change of twenty-five votes would

have given the Government a majority of three in the whole House. But it is not to the interest of parties that we would seek to confine Your Lordship's attention,—the welfare of the whole Province demands, we believe, earnest consideration in the present crisis, for on no question can a people's welfare be more at stake than on one, the solution of which is to determine whether in the highest tribunal of the Country—the House of the People's Representatives—the violation of Law is to meet not only with immunity, but to secure high reward, and the Government of the Country is to be achieved by means which, if attempted in any of the many associations by which men in society unite for the prosecution of mere private interests, would be met with scorn, and repelled with reprobation.

We are not insensible to the inconvenience of a General Election to the people, and to Candidates, and it is no small evidence of the feeling of a large portion of the Country, that with these in view, all the Members of the House who support the Government, and voted for the Attorney General's Amendment, without one exception, have united in a resolution expressing their opinion that the action of the majority in the House had made an immediate dissolution necessary, to enable the people to express their opinion upon the unconstitutional course pursued by that majority.

Nor are we insensible to the responsibility of the advice we give Your Excellency, and in view of that responsibility we wish Your Lordship to do what we believe the Colonial Constitution requires should be done in the present case, that you should leave with us, as your Constitutional Advisers, that responsibility. We will assume it cheerfully, and take it with us to the hustings, and there ask the sense of the people on the soundness and propriety of our advice.

But if Your Excellency will not leave with us that responsibility, but *will* assume its exercise yourself, then we are bound on behalf of the people Nova Scotia, respectfully but firmly to say to Your Excellency that it is one in the exercise of which you can not, upon any ground, ignore officially the existence of facts which you know individually, nor avoid the necessity of considering and judging the conduct of the House, and according to that judgment deciding.

It must ever be kept in mind that the Gentlemen in the Opposition might in many ways have avoided the emergency that now presses, had they been content that Law and right should prevail; and that they have intentionally placed the House in the position it occupies. They, therefore, are alone responsible for the dissolution which we are compelled to seek as the only protection against the wrong they would perpetrate, and on them only must rest the consequences.

In screening from present inquiry ineligible parties, and making use of them in order to wrest the Government into their own hands, it is not surprising that, as they committed a wrong of unprecedented character, they should have made necessary for its remedy a measure also out of the usual course. By the exercise of the Prerogative in such a case, Your Excellency does not encroach on the privileges or dignity of the House: on the contrary, you but maintain both by rescuing the House from a condition inconsistent alike with its just privileges and true dignity; nor do you constitute yourself the judge of the eligibility of its Members as that would ordinarily be understood—but knowing as Your Excellency does, the case and the evidence, the suppression of present inquiry, and use the made of that suppression, with the consequences that must follow, you are aware that a course has been pursued unjust and injurious in itself, and that cannot fail to be followed by consequences detrimental in no ordinary degree to the public interests, and for which no remedy exists but the exercise of the Prerogative.

We believe that if the Prerogative were allowed in such a case to remain inert and ineffectual, Your Excellency would fail to use the means which the Constitution places in your hands for protecting the people's rights, and would thus adopt and aggravate the wrong.

We send with this Paper the original Documents read by the Attorney General in the cases of ineligibility, which have been principally referred to, and also copies of the Resolution and Amendments moved in the House on the subject.

We have the honor to be,

Your Excellency's Most obedient servants,

(Signed,)

J. W. JOHNSTON,  
CHARLES TUPPER,  
STAYLEY BROWN,  
W. A. HENRY,  
JOHN MCKINNON,  
JOHN CAMPBELL,  
W. A. BLACK.

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#### MEMORANDUM FOR THE EXECUTIVE COUNCIL.

I have carefully considered the Minute of Council submitted to me, as well as the verbal arguments urged by the Council in favor of an immediate Dissolution of the Assembly in consequence of the vote passed on the 3rd instant, which, it is stated, was passed with the assistance of the votes of certain Members alleged to be disqualified from being elected, in consequence of holding Office under the Provincial Government.

Did I consider that the duty devolved upon me of determining the eligibility or ineligibility of Members returned to sit in the Assembly, the arguments advanced would be unanswerable, and I should feel bound (having first ascertained that the disqualifications alleged were clearly proved) to exercise the Royal Prerogative and appeal to the Country, before regarding a vote which was passed by Members not qualified to sit in the Assembly.

Such, however, is not the case. Parliament has always asserted its exclusive right to judge of the eligibility of its Members, and except in cases where the Law has affixed penalties to be recovered in a Court of Justice for sitting and voting contrary to its provisions, this power has always been most jealously maintained, and such is the practice which has been uniformly followed in this Colony.

Did I now permit myself to decide whether these Members were eligible or not, I should feel that I was usurping a power which does not belong to me.

The House, while I believe it has the undoubted right to judge in these matters, is bound by the Law, and like a Court of Justice, has little discretion left to it, beyond interpreting the Law and executing its provisions.

The Prerogative of the Crown, under any circumstances to dissolve, is undoubted; but its exercise is a question which must at all times demand the gravest deliberation, and in a case, such as the present, of an Assembly only just elected, when the opinion of the Electors has been so recently expressed, I think should only be resorted to under the pressure of absolute necessity, either in consequence of the impossibility of carrying on the public business, or on account of the House itself having committed some act so grossly illegal and unconstitutional as to render such a course unavoidable.

Had the House passed a Resolution, or an Act, giving an ex post facto eligibility to the Members in question, as suggested in the case submitted by the Attorney General and Solicitor General, it would by that Act or Resolution have set the Law at

defiance; and such a step would undoubtedly have called for the exercise of the Royal Prerogative.

But I do not consider that the House, in resolving to leave the decision of the question of ineligibility in the hands of its Committees appointed according to Law, where the evidence can be taken on Oath, and where the Members of Committees are sworn "Well and truly to try the matter of the Petition referred to them, and a true judgment to give according to evidence," have acted in an illegal and unconstitutional manner; and I have every confidence that the Members of the Committees acting under the solemn obligation of an Oath, will give their decisions according to Law and evidence.

I admit that inconvenience will arise from the delay that must take place in thus arriving at a decision. The House has, however, adopted this course, and the whole of the Members of the Assembly having been returned by the Sheriffs as duly elected, I consider that I am bound to regard their votes until they are unseated by the House, unless I were to usurp the privilege of the Assembly and constitute myself judge of their eligibility.

The inconvenience which may arise from the course adopted by the Opposition in passing a Vote of want of Confidence before the questioned eligibility of Members voting was settled, is one to which Parliamentary Government must always be liable when contending parties press their rights to extremes.

I have reviewed this question with calmness and deliberation; and I regret that I cannot, under present circumstances, agree to a Dissolution.

I regret this decision, because I feel, from the opinions on Saturday expressed in Council, that it must, at any rate for a time, terminate that official intercourse which has now existed for two years between the Members of my Council and myself,—an intercourse which has always been most gratifying to me, and one which, if circumstances change, I shall always be happy to renew.

I thank the Members of the Council, both individually and collectively, for the manner in which they have at all times coöperated with me in carrying on the public business, and for the courtesy with which they have uniformly received any suggestion I have made to them; and I trust that they on their part will feel that I have ever been ready to accord to them every constitutional assistance and support in my power; and that it is only a sense of duty that obliges me to refuse their request in the present instance.

MULGRAVE.

*Government House, Halifax, N. S., 6th February, 1860.*

*Halifax, February 7th, 1860.*

MY LORD,—

We, the undersigned Members of the Executive Council, hasten to acknowledge the receipt of Your Excellency's refusal to accept our advice tendered on Saturday last, in which we proposed a Dissolution of the Assembly, and an immediate appeal to the people, on the flagrant violation of Law exhibited by a majority of the House.

Having thus conscientiously discharged the duty which we imperatively owed to our Country and to Your Excellency, it only remains for us respectfully to request Your Excellency to accept the resignation of our Seats at the Council Board, and the Offices we respectively hold.

In thus asking to be relieved from a position which we can no longer occupy with honor to ourselves, or advantage to the Country, permit us to add our united thanks for the courteous consideration we have ever received from Your Excellency during the period we have had the honor of holding the position of the Constitutional Advisers of Your Excellency.

(Signed,)

J. W. JOHNSTON,  
CHARLES TUPPER,  
W. A. HENRY,  
STAYLEY BROWN,  
JOHN MCKINNON,  
JOHN CAMPBELL,  
W. A. BLACK.

*Government House, Halifax, N. S.,  
February 7th, 1860.*

GENTLEMEN,—

I beg to acknowledge the receipt of your Communication of this day's date, tendering to me the resignation of your Seats at the Council Board, and the Offices you respectively hold. And I have now only to request that you will continue to hold them until I am able to appoint your successors.

In accepting your resignations I again express my regret at the termination of our official intercourse.

(Signed,)

MULGRAVE.

To the Members of the Executive Council.

## PATENT LAW COMMISSION.

(COPY.)

No. 102. (Miscellaneous.)

*Government House, Halifax, N. S.,  
18th October, 1859.*

MY LORD DUKE,—

I have the honor to inform Your Lordship that my Government have commissioned Mr. Cunard to make application for the delivery to him, for the purpose of conveyance in one of the Royal Mail Steamers of the two hundred Volumes published by the Patent Law Commissioners, offered to this Colony in a Circular from your Department, dated 24th December, 1855, and accepted in my predecessor's Despatch, No. 11, 17th January, 1856.

He has also been authorized to defray any incidental expenses which may attend their delivery.

I have to apologize for the length of time which has elapsed between the acceptance of these Works, and this application for their transmission ; but as the presentation was made previously to my assumption of the Government, the subject did not earlier come under my notice.

I have, &c.,

(Signed,)

MULGRAVE.

His Grace the DUKE OF NEWCASTLE, &c. &c. &c.

No. 25.

*Downing Street, 23rd November, 1859.*

MY LORD,—

With reference to Your Lordship's Despatch, No. 102, of the 18th October, I enclose the copy of a Letter which I have received from the Great Seal Patent Office, shewing the steps that are being taken to forward to Nova Scotia the publication of the Commissioners of Patents.

I have, &amp;c.,

(Signed,)

NEWCASTLE.

Lieutenant-Governor the EARL OF MULGRAVE, &amp;c. &amp;c. &amp;c.

Mr. Woodcroft to Mr. Fortescue.

*Great Seal Patent Office,  
25 Southampton Building, Chancery Lane,  
18th November, 1859.*

SIR,—

In reply to your Letter of the 15th instant, I beg to inform you that a complete set of the Commissioners of Patents Publications shall be packed as soon as possible, and forwarded to Messrs. D. & C. McIver of Liverpool for transmission to the Lieutenant-Governor of Nova Scotia agreeably to your request.

I beg to add that the publications have increased so greatly in number since 1855, that the specifications if bound would now form more than 1400 Octavo Volumes.

I am, &amp;c.,

(Signed,)

B. WOODCROFT.

C. FORTESCUE, Esq., M. P., &amp;c. &amp;c. &amp;c.

## LEGISLATIVE COUNCIL.

(COPY.)

No. 106. (Executive.)

*Government House, Halifax, N. S.,  
22d October, 1859.*

MY LORD DUKE,—

It having been represented to me by my Government that Six Members of the Legislative Council,

Robert Mollison Cutler, Esq.,  
Alexander Keith, Esq.,  
Henry G. Pineo, Esq.,  
William McKeen, Esq.,  
Richard A. McHefley, Esq., and  
John Holmes, Esq.,

had, under the 2d Section of the 36th Chapter of the Acts passed in 1858, vacated their Seats by not resigning within the specified time certain Offices under the Pro-



vincial Government held by them, and these Gentlemen having since rendered themselves eligible by resigning their Offices, I have, with the concurrence of my Government, provisionally re-appointed them to their former position in the Legislative Council.

All these Gentlemen are persons of the highest respectability, have long held Seats in that Branch of the Legislature, and are connected with both the Political parties in this Province.

I trust, therefore, that Your Lordship will think proper to advise Her Majesty to confirm these appointments.

I have, &c.,

(Signed,)

MULGRAVE.

His Grace the DUKE OF NEWCASTLE, &c. &c. &c.

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*Downing Street, 19th December, 1859.*

SIR,—

With reference to your Despatch, No. 106, of the 22nd October last, I transmit to you herewith Six Warrants under the Royal Sign Manual for the appointment of Messrs. Robert Mollison Cutler, Alexander Keith, Henry G. Pineo, William McKeen, Richard McHeffey, and John Holmes, to be Members of the Legislative Council of Nova Scotia.

I have, &c.,

(Signed,)

NEWCASTLE

Lieutenant-Governor the EARL OF MULGRAVE, &c. &c. &c.

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INTER-COLONIAL FREE TRADE.

(COPY.)

*Spencer Wood, Quebec,  
24th November, 1859.*

MY LORD,—

On the recommendation of my Executive Council I have the honor to enclose, for Your Excellency's consideration, a copy of a Report of a Committee of Council approved by myself.

I have, &c.,

(Signed,)

EDMUND HEAD.

His Excellency the EARL OF MULGRAVE, &c. &c. &c.

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*Copy of a Report of a Committee of the Executive Council, dated 22d November, 1859, approved by His Excellency the Governor-General.*

On a Communication, dated 21st instant, of the Honorable the Minister of Finance, stating that it is desirable to extend the arrangements whereby certain productions

of the several British North American Provinces are reciprocally admitted free, so as to include all articles, either produced or manufactured within the said Provinces.

That it would also be important to ascertain how far it might be practicable to assimilate the Tariffs of the several Provinces, so as to permit entire Free Trade between them; and he recommends that Your Excellency be requested to communicate with the Lieutenant-Governors of New Brunswick, Nova Scotia, Newfoundland, and Prince Edward's Island, for the purpose of ascertaining whether the Governments of those Provinces are prepared to unite with Canada in recommending Legislation for the purpose of establishing the reciprocal free interchange of all productions and manufactures of the respective Provinces; and further to enquire how far it might be practicable to assimilate the Tariffs of the several Provinces, so as to permit entire Free Trade between them.

The Committee concur in the recommendation of the Minister of Finance, and submit the same for Your Excellency's approval.

Certified,

(Signed,)

WM. H. LEE, C. E. C.

His Excellency the EARL OF MULGRAVE, &c. &c. &c.

*Government House, Halifax, N. S.*

*13th December, 1859.*

SIR,—

I have the honor to acknowledge the receipt of Your Excellency's Despatch of the 24th November, enclosing the Report of a Committee of your Council suggesting the propriety of establishing the reciprocal free interchange of all productions and manufactures of the different North American Colonies, and as far as practicable to assimilate the Tariffs of the different Provinces.

Although undoubtedly considerable difficulty would exist in the practical arrangement of this proposal I have much pleasure in assuring Your Excellency that there is every disposition on the part of my Government to coöperate as far as possible in carrying out so desirable an object.

I have, &c.,

(Signed,)

MULGRAVE.

His Excellency SIR E. W. HEAD, Bt., &c. &c. &c.

## CHIEF JUSTICE HALLIBURTON.

(COPY.)

*Government House, Halifax, N. S.,*

*30th December, 1858.*

SIR,—

I beg to bring under your consideration the services of the Chief Justice of this Province, whose official career has extended over so many years, and, who is a man so universally respected and esteemed that I cannot help believing, should you think it advisable to recommend Her Majesty to confer some mark of Royal favor upon him, such a course could not fail to be most gratifying to every individual in this Colony, as marking her approbation of the conduct of a Gentleman who,

throughout a life, now prolonged beyond the ordinary age of man, has ever proved himself a faithful servant of the Crown.

The Chief Justice commenced life as an Officer in the 7th Royal Fusiliers, then under the command of His Royal Highness the Duke of Kent. In this Corps he remained six years, and attained the rank of Captain; serving in it during the time that His Royal Highness was Commander-in-Chief in North America, whose confidence and favor he was then, I believe, fortunate enough to obtain.

Mr. Halliburton retired from the Army on his marriage with the daughter of the first Bishop of Nova Scotia, the Right Reverend Charles Inglis, and devoted himself to the study of the Law with so much industry and ability, that in the year 1807 he was elevated to the Bench of the Supreme Court.

In the year 1833 he was appointed Chief Justice.

Before the appointment of a Master of the Rolls he was the chief judicial adviser of the Lieutenant-Governor, as Chancellor, and performed duties for many years of an onerous nature in connection with the business of the Court of Chancery. He also served the Province for a long period as Chancellor, when the functions of the Executive and Legislative Councils were united.

I trust after thus briefly detailing the services of this Gentleman, you will not think that I am asking too much in requesting that you will submit his name to Her Majesty for some mark of Her Royal favor, as I am sure there are few more deserving of such distinction; and I feel confident that in doing so, you will afford the greatest satisfaction, not only to my Council, the Bench, and the Bar, but to almost every individual in this Colony where he is so universally esteemed, and where, I believe, he has never made an enemy.

I have the honor to be,

Sir,

Your most obedient servant,

(Signed,)

MULGRAVE.

The Right Honorable SIR E. B. LYTTON, Bt., &c. &c. &c.

No. 15.

*Downing Street, 9th April, 1859.*

MY LORD,—

I have the honor to acknowledge the receipt of Your Lordship's Despatch of the 22nd of February, and have much satisfaction in acquainting you that the Queen has been graciously pleased to command that Letters Patent be issued for raising the Chief Justice of Nova Scotia to the dignity of Knighthood.

I have the honor to be,

My Lord,

Your Lordship's most obedient humble servant,

(Signed,)

E. B. LYTTON.

Lieutenant-Governor the Right Honorable the EARL OF MULGRAVE, &c. &c. &c.

*Government House, Halifax, N. S.,  
6th May, 1859.*

MY DEAR CHIEF JUSTICE,—

It gives me much pleasure to enclose, for your information, the copy of a Despatch which I have received from the Secretary of State for the Colonies, by which you will see that the Queen has been graciously pleased to command that Letters Patent be issued for raising you to the dignity of Knighthood, as a mark of Her Majesty's appreciation of your long and faithful services.

In conveying to you this information, permit me to add my sincere and hearty congratulations, and to express to you the gratification which I feel in announcing to you this mark of Her Majesty's favor. Your services have been so long, and the manner in which you have discharged the duties of your office has been so faithful, honorable, and impartial, and has secured to you so large a portion of the esteem, regard, and affection of your fellow-colonists, that I feel sure that the announcement of the honor which has been conferred upon you will be received with the greatest satisfaction by all classes in this Province.

Believe me,

My dear Sir Brenton,

Yours very truly,

(Signed,)

MULGRAVE.

SIR BRENTON HALLIBURTON, &c. &c. &c.

MY LORD,—

*Halifax, May 6th, 1859.*

Allow me to return you my best thanks for the kind and flattering manner in which you have conveyed to me Her Majesty's gracious intentions of raising me to the dignity of Knighthood. Although in my 85th year my mind ought to be directed more to another world than this, yet I cannot but feel grateful to my Sovereign for this mark of Her approbation of my services.

To Your Excellency, for your unsolicited kindness in bringing those services under Her Majesty's consideration, I feel greatly obliged, and beg of you to accept of my warmest thanks.

Wishing to you and yours all happiness both here and hereafter.

I remain, &c.,

(Signed,)

BRENTON HALLIBURTON.

His Excellency the EARL OF MULGRAVE, &c. &c. &c.

## LEGISLATIVE ACTS.

*At the Court at Buckingham Palace, the 23rd day of January, 1860.*

PRESENT:

The Queen's Most Excellent Majesty,

&c., &c., &c.

Whereas the Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did, in the months of March and April, 1859, pass six Acts, which have been transmitted, entitled as follows viz :

No. 3636. An Act to regulate Customs Duties.

No. 3658. An Act to establish the Decimal System of Accounting.

No. 3660. An Act in addition to Chapter 21 of the Revised Statutes, "Of Light House Duties."

No. 3677. An Act to amend the Laws relative to the Militia.

No. 3681. An Act relating to Destitute Seamen.

No. 3698. An Act relating to the Signal Station at Halifax.

And whereas the said Acts have been laid before Her Majesty, in Council, together with certain Letters to the Lord President of the Council, from the most noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, recommending that the said Acts should be left to their operation—Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said recommendation; whereof the Governor, Lieutenant-Governor, or Commander-in-Chief, for the time being, of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed,)

WM. L. BATHURST.

## CROWN LANDS.

DEPARTMENT OF CROWN LANDS, }  
16th January, 1860.

SIR,—

Upon reviewing the proceedings of this Department during the past year, I have the satisfaction of being able to communicate, for the information of His Excellency the Lieutenant-Governor, that the result exhibits a very favorable contrast with that of any former year. The aggregate receipts do not amount to so large a sum, but this is to be attributed to the absence of all appearance of speculation rather than to the fall short in the number of applications.

For several years very large tracts of land were sold to the Iron Mining Companies and to companies united for the manufacture of Lumber, which swelled the receipts far beyond the ordinary average. The anticipations of those who embarked in these enterprises have not been fully realized, and, consequently, nearly all the applications for the past year have been for lots varying from one to two hundred acres, and with a view to settlement.

The important measures which proceeded from the Legislature during its last session in aid of the operations of this Department have, under the instructions of the Government, been generally acted upon; and some of these, I trust, will shortly assume such a form as cannot fail to prove their necessity, and tend to quiet the minds of many of the inhabitants whose interests are deeply involved in the result.

The Act concerning the Indian reserves merits particular notice, as it was the first which received the attention of the Government, and the occasion of my visiting those portions of the Island of Cape Breton where these rights had been interfered with. The particulars of my interview with the settlers, and the views entertained with reference to the subject, have been so fully detailed in my Report to His Excellency, it is unnecessary that I should again recapitulate them. Before the termination of the approaching Legislative Session, I trust that I shall be in a position to report a final settlement, and be enabled to carry out the policy which is in future to regulate the disposition and management of these very large and valuable tracts of land.

The measure authorizing the running out and permanently fixing the lines and bounds of such Counties and Townships as were in controversy, has received every consideration. Some of these lines have been run out, and others are in progress. The preparatory communications with the Sessions in different Counties, required by the Act, have worked some delay, and I have not thought it prudent to urge too many surveys in one year, partly to avoid the accumulation of expense, and partly owing to other and more pressing engagements of the Surveyors. I regret to state that former inattention to these Division Lines is causing, in the present day, much perplexity, and it is indispensable, for the avoiding of controversies, that as early a settlement as possible of them should be effected.

The Act relating to the Settlement of the titles in Cape Breton, owing to the pressure of other business and the necessity for disposing of the large accumulation of controverted cases in the Office, has not as yet received that attention which its importance demands. A large amount of these disputed Petitions — and principally arising in Cape Breton — have been disposed of, and, I have reason to believe, satisfactorily to most of the parties. The information I have derived from personal enquiries in the Island, will enable me to enter upon the task this year with greater facilities; and I hope, as soon as the season will permit, to have the permission of the Government to avail myself of the provisions of the Act, and to proceed in perfecting the work.

Besides these measures, I have likewise to notice another, which promises to be of great advantage in promoting the settlement of a valuable district in the Island of Cape Breton.

The discovery of a Mineral Spring on the borders of Salmon River, and in the heart of the forest, six miles from any road, notwithstanding the difficulties of access, attracted to the spot last year a great number of people from various quarters within and without the Island. Its beneficial effects upon the health of visitors soon gave to it publicity, and a scientific analysis of its properties increased their numbers. These facts having been brought to my notice, accompanied with the statement that there was no shelter for the visitors, many of whom were invalids, and that, the neighborhood being Crown Property, none were willing to incur the risk of erecting buildings, I considered it my duty to invite the attention of the Government to the subject, and to urge the propriety of opening up a line of road through the forest in the direction of the Spring, so as to connect with other roads, and to block out for sale, in lots of one and two hundred acres, the tract of land it would intersect, with other suggestions as to the land surrounding the Spring. The ready sanction of the Government to the course proposed was followed by the appointment of a competent Surveyor, who is now carrying out my instructions; and I have reason to believe, from the partial report already received, that the discovery will tend to results of great and permanent advantage to the Island generally. The land through which a large portion of the road will pass is represented to be of very good quality, and well covered with wood. The necessity for opening this road is urgent: there are a good many settlers at no great distance, who have no grants, and have not paid for their lands. The employment of these men in cutting out and making the road would be of mutual advantage to the Province and to themselves. The prospect of payment for their lands in any other way, I fear, is very remote.

The work of the Department has experienced a large increase in being charged with the duty of carrying out the regulations of Government in reference to the disposal of the Mines and Minerals. I have found this duty often very troublesome and perplexing; but it is consequent upon the introduction of a system with which the Department had no previous knowledge or experience. It could hardly be expected that entire satisfaction would be afforded to every applicant. It will be perceived from the Financial Statement, forming part of this Report, how large a

number have availed themselves of the late compromise, and are now either prosecuting their searches, or profiting by their discoveries. The struggle to get possession of favored localities has, in a few instances, raised the question of priority; and it has been matter for grave consideration how far the proprietors of lands where minerals have been found, and who were disposed to work them, were entitled to a preference over other applicants. Without enumerating the various questions which have been raised by parties, I may generally observe that there has been the greatest desire to settle them in accordance with those principles of equity which would be approved by disinterested persons. I have no particular measure to recommend as an improvement upon the present system. Every precaution will be taken to prevent interference of the applicants with each other, and at the same time to guard against an evil which is apprehended,—the accumulation of too many rights in the hands of one company,—and thus renewing a monopoly prejudicial to the public interests and obnoxious to public feeling. I am aware that capital will not be embarked unless there be a considerable field for its employment and the prospect of a liberal remuneration, and that every encouragement should be afforded for the introduction of foreign skill and capital into the country; and knowing the efforts that are making for this purpose, liberal privileges should be granted; at the same time any attempt to accumulate these privileges through individual applications, if discovered, ought to be discountenanced. The large number of applications, and the interest created in this branch of national wealth, proves the wisdom and importance of the measure which opened them up to public competition.

Various enquiries have been made upon the subject of Emigration, and a desire expressed to introduce a class of farmers from England and Scotland who, up to a recent period, have occupied small tenancies, but have been dispossessed to add to the size of larger farms. Every information which the Office could supply has been furnished to the enquirers, and in some instances I have supplied maps and various publications illustrative of the agricultural capabilities and mineral features of the Province. I have especially urged the facility as well as the moderate price at which small farms might be purchased, with a view to the great advantage that would result from the introduction of a class of emigrants trained to the skilful working of the soil and experienced in the various pursuits of agriculture, and whose example would impart a beneficial influence to any neighborhood where they might settle.

I have thus afforded a brief outline of some of the labors of this Department during the year. Though not of very great importance, I trust they will be considered as evidence that, besides the ordinary work, such prominent measures as are calculated to produce a general benefit have not been overlooked.

Before I proceed to exhibit in detail the ordinary and daily operations of the Department as well as the financial results, I think it necessary—as I am sure it would be acceptable in a document which usually has a general circulation—to give some account of the system of disposing of the Crown Lands, the price at which they are sold, and of the duties of the office in dealing with the applications that come before it. The policy of the Legislature has determined that the true interest of the Province is better served by putting the lands at a moderate price,—and thus encourage settlement,—rather than look to the sales as a source of revenue. Acting upon this principle, the price for one hundred acres is eleven pounds; and so in proportion for a greater quantity. For a Water Lot, large or small, the price is twelve pounds ten shillings in ordinary cases. The price is increased when the Lot is of extraordinary value. Upon payment of this sum into the office of the Receiver General, and presenting a petition describing the land, the work of the Office commences; the necessary record is made, and an order of Survey forthwith issues to the Deputy Surveyor in the County where the land is situate: it is his duty to proceed with the Survey, and, in further compliance with his instructions, to report

every particular descriptive of the Lot, whether improved or otherwise, whether occupied or vacant, as well as any objections that exist to the passing of a Grant, together with such observations of his own as would aid in forming a just decision in case of controversy. The Order of Survey gives but an incipient right to the applicant, and the Report is for the information of the Office and the Government. Upon a return of the Survey and Report, the papers are first submitted to the Surveyor attached to the office, who compares the Plan with the general Plan in the office, to ascertain how far it agrees, or if any previous Grant had passed; his certificate is followed by a strict examination by myself of all the proceedings, and a Report upon every application to the Government. Should no impediment exist, the Report is approved, and a Grant issues. A controverted case requires a more protracted and different proceeding. I make it a practice to afford the fullest opportunity to parties to establish their respective claims. A correspondence frequently ensues, evidence is obtained, the parties sometimes heard before the Committee, and a decision given at the earliest possible period. In following this course, delays are unavoidable; parties are often unreasonable and obstinate, the evidence not always reliable, the nature of the dispute complicated and perplexing, and hence the cause of occasional murmurs that Grants are unreasonably delayed. I know of no remedy for this; it is inseparable from the many evils which flow from the unauthorized entry upon Crown Lands, and will only yield to time and patience and the zealous exertions of the Officer in charge of this Department. In all cases where the application is finally rejected, the money is repaid, but without interest. The cost of Survey is always borne by the Province; there is frequently a loss therefore in cases of rejected petitions, which may be fairly made an offset to any claim for interest.

In the preparing of the Grants and Plans a large portion of time is occupied; the former are prepared in duplicate, the latter in triplicate, the original grant, with an extra copy of the plan, is transmitted to the Registrar of Deeds in each County, where it is recorded at the expense of the Province, and then delivered to the Grantee. Many nice and difficult questions arise in the progress of this work, which require particular caution on my part. The just and equitable as well as legal rights of parties are to be protected, and the consequences of an illegal or improvident Grant to be avoided. Claims for remuneration from the Province in the latter case are not unfrequent.

The mode of application and procedure to obtain a license to search for or work the mines and minerals are fully detailed in the printed regulations issued by the Government; there does not, therefore, exist the same necessity for me to enter into particulars, as in the case of the Crown lands.

A revised edition of Instructions to Surveyors has been issued in the course of the year, in which I have profited by the practice and experience of other Colonies, and in many respects I think it will be found an improvement. I am indebted to the labor of Mr. Hendry for this Manual.

Having thus adverted to the various matters which have engaged my attention, and given a brief exposition of the system, I proceed to notice the ordinary labors of the Department, and to exhibit the results under such divisions as will give to the Government and the Legislature a knowledge of the extent of our business with each County.

A Tabular Statement is prepared quarterly of the number of applications for land, the names of the applicants, and the number of Grants, with the Grantees' names; these have already been furnished, and I beg leave to refer to them.

I annex to this Report a Statement, marked A, shewing the applications, as well as the Grants for the different Counties; the former amounts to four hundred and ten, and the latter to five hundred and ten. The number of acres applied for amounts to forty-eight thousand eight hundred and two, and the number of acres granted, to sixty-five thousand three hundred and forty-four.



The difference, both in the number of acres applied for, and granted, is considerable, as compared with the last year; but the reason assigned will, I think, be satisfactory: It is not desirable to make too rapid a sale of the lands, nor in two large quantities; the number of acres at which they range the past year is, I think, the best evidence that the lands are generally intended for settlement, and not for speculation.

As the Act for Settling Titles to Land in Cape Breton requires a distinct account to be kept of the monies received from that Island, I have carried the same principle into all the other Counties; and I beg leave to refer to the Statement annexed, marked B, as shewing the amount received for lands from all the Counties of the Province, collectively and separately.

It will be perceived from this Statement, that the Island of Cape Breton, has paid £1785, and the Counties of Nova Scotia proper £3715, making a total of £5500 7 4 as the gross receipts.

The gross revenue, for the causes previously mentioned, has fallen short the sum of £765, as compared with last year, and the applications have diminished about one hundred in number.

A new item, however, stands to the credit of the Province in the amount received for licenses in connection with the mines and minerals. I have followed the same rule in crediting to the different Counties the amount received from this source as I have done with the proceeds of the Crown lands; and I beg leave to refer to the Statement annexed, marked C, as shewing the particulars; the aggregate amounts to £395.

The settlement of a number of long pending controversies required the repayment of a large amount upon rejected petitions. Surveys in connection with the mines and minerals, and for settling division lines between Counties, and determining the bounds of some ancient Grants, have somewhat increased the amount paid to Surveyors; and the general expenditure, included under the head of incidental expences, have, from various causes, overrun the amount for last year. All these particulars are given and explained in the Accounts rendered by the Department; the aggregate items of each expenditure are as follows:

Amount repaid on Rejected Petitions.....	£562	3	3
Do. do. to Surveyors .....	1659	10	8
Do. do. to Registrars of Deeds.....	77	8	8
Do. do. Incidental Expences.....	372	14	6
Do. do. Rejected Mining Petitions.....	25	0	0
		£2696 17 0	

Amounting together to the sum of Two thousand six hundred and ninety-six pounds seventeen shillings, which, deducted from the receipts as before enumerated, leaves a balance to the credit of the Province for the year 1859, of £3198 10 4.

I should also add to this balance the sum of £4 2s. 1d. paid over to the Receiver General for searches received in the office.

For the clearer elucidation of the whole financial aspect of the Department, I have annexed hereto a comparative statement for the years 1858 and 1859, which shews a nett revenue for the latter of £3202 12s. 5d., and an excess over the former of £111 2s. 4d.

Before I pass from this branch of my Report, I may add, that although by the existing regulations all payments are made direct to the Receiver General, all the accounts against the Crown Land Department are audited and disbursed within the office from monies drawn from the Treasury as the exigencies of the service require, and for this purpose a sufficient amount is always held to the credit of the Province.

and applied from time to time as the work requires, or the accounts are rendered. The cash account is at present kept with the Bank of Nova Scotia.

#### GENERAL REMARKS.

It is with regret that I cannot report a greater progress with some of the measures recommended by me last year and sanctioned by the Legislature. There has been full occupation for every officer in the Department. It is a work of time to overcome the accumulation of controverted claims, and it is great labor to supply plans and other necessary information to enable the Surveyors to proceed with their work. The Surveyors in some instances do not possess those qualifications calculated to lessen the responsibility and labor of the department, and it is difficult to supply their places or give them assistance. I am endeavoring to overcome this imperfection by inviting young men to devote a few months to their improvement under the directions of the Surveyor and myself in the office, where they would have the opportunity of taking copies of all the plans relating to their own Counties, and of profiting by the instruction generally which would most cheerfully be afforded them. I am happy to say the experiment has been partially successful. I hope soon to have such assistance as will enable me to contend effectually with the difficulties in Cape Breton. It is chiefly through the aid of Surveyors that I can expect to grapple with an evil which is becoming more aggravated the longer it is delayed. Two visits to the Island the past year has added to the interest I feel in this matter, and afforded information which will enable me to deal with it more effectually, and I look forward to the coming season as the commencement of a work which, with proper assistance, I trust will soon be accomplished.

In the early settlement of the Province too little attention was paid either to the surveys or the forms in which the grants of some of the Townships were passed. As I remarked in a former Report, large tracts of land within those Townships remain unappropriated, and under a mistaken interpretation of the terms of the grants, are taken possession of and held as private property. These imaginary rights are neither sustained by the grants or plans of sub-division; the Crown is thus prevented from granting them, and embarrassment and confusion prevails as regards the titles, which must increase unless some Executive or Legislative measure is promptly taken to correct the evil. I again respectfully urge this subject, and refer to the views I have expressed in my Report of last year.

I would also invite attention to the lands lying ungranted each side of the Railway. Applications are occasionally made for grants in the neighborhood, and there appears to be a strong impression prevailing that the public interest would be promoted by authorizing the disposal, either at public or private sale, of a portion of these lands in reasonable sized lots as purchasers may require.

I would likewise remark that the Act for protecting Surveyors in the performance of their duties was rendered in a great measure inoperative by the alteration made the last Session. I consider this act as absolutely required in dealing with the numerous controversies as to lines and bounds, and the necessary information cannot be obtained for the Government unless the Surveyors appointed by the Department are, under proper restrictions, permitted to pass over private property to effect their measurements.

I have not considered myself authorized to incur the expense of laying out new roads through tracts of ungranted land, and thus affording an opportunity for forming new settlements. The subject, however, has been frequently urged upon me as necessary to give to young men the opportunity of purchasing for the purpose of settlement. The labor in opening and completing such roads might be paid for in part out of the sales. The only instance in which I have otherwise acted has been under the authority of the Government — the opening of a road in the direction of the Mineral Spring in Cape Breton.

There are other points to which I might profitably refer, but I do not know that they would require Legislative sanction, and I fear that my Report has already taken too wide a range.

I beg, in conclusion, to state that I have every reason to be satisfied with the aid afforded me by the several officers of the Department in the work which has been accomplished.

I have the honor to be, Sir,

Your obedient servant,

SAMUEL P. FAIRBANKS,

*Commissioner Crown Lands.*

The Honorable the Provincial Secretary.

A.

*STATEMENT of the Quantity of Crown Lands applied for and granted in Nova Scotia during 1859.*

COUNTY.	NO. OF ACRES APPLIED FOR.	NO. OF ACRES GRANTED.	
Annapolis .....	3850	6954	In addition to Water Grants.
Colchester .....	1200	1901	
Cumberland .....	6265	6923	
Digby .....	1500	1200½	
Guysboro .....	3125	4635	
Halifax .....	2635	1585	
Hants .....	1000	1000	
Kings .....	600	325	
Lunenburg .....	3554	6811	
Pictou .....	1240	1275	
Queens .....	3660	4913	
Shelburne .....	1425	1689	
Sydney .....	243	396	
Yarmouth .....	1020	740	
	<b>31317</b>	<b>40347½</b>	<i>Applications.</i>
			Nova Scotia.....263
			Cape Breton.....147
			<u>Total.....410</u>
			<i>Grants.</i>
			Nova Scotia.....295
			Cape Breton.....215
			<u>Total.....510</u>
			<i>Applied For.</i>
			Nova Scotia...31317 acres.
			Cape Breton..17485 "
			<u>Total....48802 acres.</u>
			<i>Granted.</i>
			Nova Scotia..40347½
			Cape Breton.24997
			<u>Total...65344½ acres.</u>
Cape Breton .....	2183	3274	
Inverness .....	6828	8725	
Richmond .....	4074	6825	
Victoria .....	4400	6163	
	<b>17485</b>	<b>24997</b>	

SAMUEL P. FAIRBANKS,  
*Commissioner Crown Lands.*

## B.

*STATEMENT, exhibiting monies received on account of Crown Lands from the different Counties.*

Cumberland County	£713	11	11
Annapolis	519	14	3
Queens	423	17	1
Halifax	341	9	8
Lunenburg	335	12	6
Guysborough	333	11	3
Colchester	203	19	6
Digby	172	13	2
Shelburne	158	17	10
Pictou	131	15	0
Yarmouth	121	8	0
Hants	121	0	0
Kings	90	5	4
Sydney	47	9	3
			£3715 4 9

## ISLAND OF CAPE BRETON.

Inverness	£547	19	4
Richmond	507	12	4
Victoria	471	2	2
Cape Breton	258	8	9
			£1785 2 7
			£5500 7 4

SAMUEL P. FAIRBANKS,  
*Commissioner Crown Lands.*

## C.

*STATEMENT, exhibiting monies received from the different Counties for Mining Licences.*

Pictou	£135	0	0
Cumberland	60	0	0
Colchester	5	0	0
Sydney	47	10	0
			£247 10 0

## CAPE BRETON.

Inverness	£10	0	0
Richmond	25	0	0
Cape Breton County	112	10	0
			£147 10 0
			£395 0 0

SAMUEL P. FAIRBANKS,  
*Commissioner Crown Lands*

**CROWN LAND DEPARTMENT.**

*Comparative Statement for the years 1858 and 1859.*

	Acres.
Applications, 1858.....	521....61620
Do. 1859.....	410....48802
Short.....	<u>111....12818</u>
Grants, 1858.....	551....78231
Do. 1859.....	520....65344
Short.....	<u>31....12887</u>
Gross Receipts for Crown Lands, 1858 .....	£6265 19 2
Do. do. do. 1859 .....	£5500 7 4
Do. do. Mines and Minerals .....	395 0 0
Do. do. Searches .....	4 2 1
	<u>£5899 9 5</u>
Short .....	<u>£366 9 9</u>
Advances, 1858.....	£3174 9 1
Do. 1859.....	2696 17 0
Expenses reduced.....	£477 12 1
Deduct as above.....	366 9 9
Gain.....	<u>£111 2 4</u>
Gross Receipts Crown Lands, 1858 .....	£5899 9 5
Deduct Advances .....	2696 17 0
Nett Receipts, 1859 .....	£3202 12 5
Nett Receipts, 1858 .....	3091 10 1
Surplus Nett Revenues over 1858.....	<u>£111 2 4</u>

SAMUEL P. FAIRBANKS,  
*Commissioner Crown Lands.*

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**HOSPITAL FOR THE INSANE.**


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**MAY IT PLEASE YOUR EXCELLENCY :**

The Commissioners of the Hospital for the Insane respectfully submit to Your Excellency their Second Annual Report.

Accompanying it is the Report of the Medical Superintendent, the Treasurer's Accounts, and an Inventory of all the Provincial property under their charge.

The expenditure for the year has been unavoidably large, and is more than it is likely to be again, until there is a very considerable increase in the number of Patients. It is attributable in part to the fact that large sums have been required for the Water Supply, the purchase of Furniture, and other necessary material, which will not for a long time require renewal. By referring to the Treasurer's Abstract, you will perceive that £438 5 10 is chargeable to the Water Account, £1430 0 7 to the Furniture Account, and £4191 9 6 to Hospital and incidental expenses. In the latter is included the expenditure for labor, which, during the past year, has been, comparatively speaking, a large item,—larger than it will probably be for some years to come,—as much of the heavy work connected with the Grounds and Agricultural Department is now so far advanced, that the Patients and permanent staff of men employed by the Institution will, we trust, be able to carry it on to completion. In this connection we may quote a remark from last year's Report, as still applicable to the circumstances of the Institution: "It will be evident to Your Excellency that the cost of support will decrease as the number of Patients increase. With a limited number, the expense of sustaining them individually will be large; but, when in full operation, it will be considerably decreased, from the fact that the Executive Officers and staff of Attendants will be nearly the same for fifty as for one hundred inmates, and the expenditure, as regards Fuel and some other necessary items, will be almost as great for a partially filled building, as when all the apartments are occupied."

The receipts from the various classes of patients have amounted in the year to £538 11s. 3d., and £500 1s. 5d. is still due, principally on the Bonds of Commissioners and Overseers of the Poor; the whole of which will probably be collected in a short time, and passed to the credit of the Institution for the year 1860.

The revenue to be derived from this source will, we think, be considerably increased during the year upon which we have now entered.

The agricultural resources of the Hospital property are as yet but limited. The land, when freed from rock, is good; but it is hard and expensive to prepare for use, and it will be long before the Farm can be made very productive or profitable. A lot of twelve acres in the rear of the Institution has been cleared by Contract, and will be prepared for pasturage early in the ensuing season. Hitherto we have been obliged to rent a pasture at a very inconvenient distance from the Hospital. The liberal grant made by the Legislature at its last Session for building purposes, will, ere the close of the present year, we hope, put us in possession of the wing now in course of construction for violent and noisy patients. The want of this portion of the Hospital has been a serious drawback to it, for situated as the other wards are, in relation to each other, it has rendered a proper classification of the patients impossible. As soon as the noisy and violent patients are removed from the main building, the Superintendent will be able to receive and treat a class of patients who will require and be able to pay for additional accommodation and attendance, and from whom we may expect, eventually, to have our revenue considerably increased.

The Commissioners are not yet in a position to report the final settlement of the question relating to the water supply. Since our last report other appraisers have been appointed, and we are in the daily expectation of receiving their award; after

which we hope speedily to obtain legal possession of the water, and in a limited sense, of the source from whence the supply is derived. The difficulties which surrounded this question, and prevented an earlier settlement, are briefly detailed in the commencement of our last Report.

While generally very comfortable as regards temperature, the elevated and unprotected situation of the building, together with the imperfect condition of the window sashes, renders it difficult to keep some parts of the building warm in very cold weather. This the Commissioners hope soon to effectually obviate by placing double windows in the parts most exposed to cold winds. A comparatively small outlay for this object will not only add to the comfort of the inmates, but it will effect such a saving to the Institution, as regards expenditure for fuel, as to make it desirable also on the score of economy.

Referring to the Report of the Medical Superintendent, we have first to call Your Excellency's attention to the statistics of the year. Out of seventy patients admitted, thirteen are paid for by their friends, twenty-six by townships, and the remainder are classed as transient paupers, and, as such, are sustained at the expense of the Province. Fifteen have been discharged; and of these, eight have been cured—a large per centage. This result must be gratifying to all who have the interest of the Institution and the welfare of the insane at heart. The appropriate observations contained in this Report, in reference to the following subjects, should, in our opinion, have the most extended publicity.

1st.—*Early Admission of Patients.*—This is not only desirable as regards the interests of the institution, but it is an imperative duty devolving upon those who have the charge of the insane to give them the advantage of early hospital treatment. Heretofore, in many cases, a reasonable excuse existed (in the absence of a suitable institution) for the retention at home of insane relations and friends. Now, no such excuse can be pleaded. Not only is the Hospital in efficient operation, but generous legislation has opened its doors, and prescribed a course by which all classes can obtain admission and enjoy its advantages.

The Commissioners have to regret that more applications have not been made. The number admitted bears but a small proportion to the whole insane population of the Province, and many facts in relation to individual cases of this unfortunate class, which have been recently brought to their knowledge, make them regret, for the sake of humanity, that we have not in Nova Scotia a Lunacy Law, somewhat analogous in its enactments to that of the Mother Country. No stronger argument need be adduced in favor of the early admission of patients than the fact alluded to by the Medical Superintendent, in reference to the cases discharged during the past year, as cured. *All these, he says, were recent cases.*

Humanity and economy alike dictate the necessity of early admissions. The longer the patients continue insane, the greater the burden to their friends, as all experience goes to prove that the chances of recovery decrease, just in proportion as hospital treatment is delayed. Looking to the interest of society, as well as the Institution, the Commissioners feel anxious that this important matter should be generally understood and appreciated. If the suggestions of the Medical Superintendent are not acted upon as regards this subject, the result will be that our limited Institution will ere long have its usefulness impaired by being overcrowded with chronic and incurable cases.

2d.—*Early removals.*—The Commissioners desire to endorse the statements of the Medical Superintendent in reference to this matter. They fully appreciate the objections he urges to the too early removal of patients, and concur with him in thinking that provision should always be made for the full time specified, viz.—twelve months.

*3rd.—Visits of friends.*—The Commissioners feel it their duty to urge upon those who have relatives or friends under treatment at the Hospital, to be guided entirely in reference to their visits and interviews by the advice of the Medical Superintendent. As he remarks, he can have no other motive in refusing to grant such interviews than the welfare of those entrusted to his charge. When obliged to refuse such applications, he does it as a duty, and is acting in accordance with the regulations of this and every other well conducted Hospital.

With regard to the visits of convalescents to their friends, before being finally discharged, as recommended in his Report for the approval of the Commissioners, we feel that the Medical Superintendent must act in this matter, as the experience of other medical officers and his own discretion dictate. A very satisfactory circumstance recorded in this Report, is the almost entire absence of personal restraint. Ever since the Institution has been opened, all parts of it have been inspected weekly by one or more of our Board, and we have been struck with this pleasing feature of the modern and humane system of treatment, which is being thoroughly and practically tested by Dr. DeWolf, with, as he remarks, the most happy results.

By referring to the Act for the management of the Provincial Hospital, Your Excellency will observe that the indigent insane—not transient paupers—are to be supported in the Institution, at the expense of the Overseers of the Poor of the Townships where they may have obtained a legal settlement. Difficulty has arisen in several cases, from the fact, that in districts where there were indigent insane persons, there were no Overseers or Commissioners of the Poor; and in some instances, even had such officers existed, the Townships in all probability would have been unable, from their poverty, to have raised this additional tax. Several insane patients have been brought to us from such districts, and under these circumstances to have refused them admission, would have been to have acted according to the laws of the land, but it would have been doing violence to the laws of humanity, and we assumed the responsibility of admitting and giving them the benefit of the Institution, until such time as the matter could be brought officially before the Legislature. The Province, already heavily taxed for the construction and annual support of the Hospital, should not, we think, be asked to sustain such indigent insane persons, especially as in several of these cases, the Townships where they have their legal settlements are quite able to support them, only they lack the required organization. The Commissioners take the liberty of suggesting to Your Excellency the desirableness of having the present law so amended, as that the Counties instead of the Townships shall be responsible for the support of such persons, and that the County Treasurer be the party to whom the Commissioners shall in future look for the liquidation of such Hospital accounts. In some cases, insane persons are in possession of sufficient property to provide for their support at the Asylum, but difficulties are experienced in making it available for such purpose. The Commissioners would suggest whether it might not be desirable for the Legislature to provide a summary and inexpensive mode of effecting this object.

To recapitulate, we have to suggest to Your Excellency, that additional legislation is required on humane, social, and economical grounds, so that all persons who shall have the charge of the Insane shall be compelled to send them, with the least possible delay, to the Provincial Hospital for treatment, so soon as it shall be apparent to some constituted local authority that these insane persons are not receiving such humane care and treatment as shall tend to restore them to mental health; and also to enable the Commissioners to receive any insane persons who are likely to be relieved by Hospital treatment, with power to make their property, if they have any, available for their support, and if not, the County to which they belong responsible for their maintenance. The Commissioners take this opportunity of thanking those persons—and they are many—who have, during the past year, contributed to the comfort and happiness, spiritual or general, of the inmates of the Institution.



In conclusion, the Commissioners have much pleasure in bearing testimony to the zeal and unabated interest in the welfare of the Institution evinced by the Medical Superintendent. Though some difficulties in the management of the establishment have arisen, — which, indeed, were to be expected, when none of the officers had enjoyed the advantages of previous experience, — yet the Commissioners have reason to hope that in future these difficulties will gradually disappear. The comfort and cleanliness which pervade the whole interior of the Hospital, give very satisfactory evidence that the Matron and attendants have discharged their respective duties faithfully, while the Steward has been equally attentive and careful in the duties appertaining to his office.

The Commissioners cannot close their Report without rendering their grateful acknowledgments to Miss Dix for the continued and unabated interest she takes in the welfare and prosperity of the Institution.

All of which is respectfully submitted.

D. McN. PARKER,  
GEO. H. STARR,  
DANIEL CREAMER,  
SAMUEL A. WHITE,  
D. FALCONER,  
JOHN. A. BELL,  
JOHN DOULL,  
D. FARRELL,  
J. W. RITCHIE.

Halifax, 18th January, 1860.

#### SECOND REPORT OF THE MEDICAL SUPERINTENDENT, 1859.

At the close of every year it becomes, by custom as well as by law, the duty of the Superintendent to present a report upon the state of the Hospital, past, present, and prospective.

Before entering into the statistics which usually form a portion of every such report, I beg to return my warmest thanks, both personally and on behalf of the Institution, to those kind friends whose sympathy and encouragement have enabled me to surmount the difficulties and embarrassments incident to my present sphere of life.

During the past twelve months scarcely a week has elapsed without some persons having given us substantial proof of their interest in our welfare, together with heartfelt expressions of good will, which, while memory lasts, will afford the most cheering reminiscences.

In contrasting the apathy and indifference of former days, and even of a recent date, with the lively interest and thoughtful regard with which the insane throughout the Province are *now* looked upon, one cannot fail to acknowledge that in establishing this Hospital the Legislature of Nova Scotia has not only conferred a lasting boon upon the afflicted, but has by so doing strengthened the growing feeling of sympathy for the insane, and encouraged an exhibition of charity towards them, beneficial alike to the donors and recipients.

Seventy patients have been under treatment during the past year—thirty-nine males and thirty-one females. Of these, fifteen have been discharged — eleven males and four females, of whom eight were “restored,” and seven “improved,” leaving fifty-five in hospital—twenty-eight males, and twenty-seven females. Of those “restored,” all were cases of recent occurrence, while of those discharged “improved,” the duration of the insanity had been less than twelve months, in three cases only, (two of whom were only a fortnight in hospital,) the remaining four having been from two to four or more years insane.

## AGE OF PATIENTS.

Six years .....	1
From 15 to 20 .....	3
"    20 " 30 .....	22
"    30 " 40 .....	15
"    40 " 50 .....	17
"    50 " 60 .....	8
"    60 " 70 .....	3
75 .....	1
	70

With a very limited number of patients, we have in this Hospital the extremes of childhood and old age. Among our inmates is a very interesting little girl, only six years old, who in addition to her insanity was afflicted with deafness. Her present illness followed an attack of scarlet fever last winter—she is now gradually recovering.

We have several patients advanced in years—one aged seventy-five. He has for upwards of forty years had an anchylosed hip joint. His insanity is supposed to have been caused by a dread of poverty.

Thirty-nine patients have been admitted resident in the City or County of Halifax—twelve of whom are for the present classed as transient paupers, the number properly belonging to this class being still undetermined.

Twenty-one patients—ten males and eleven females—have been transferred here from the Poor's Asylum. Seven have been received who were formerly in the Provincial Lunatic Asylum in New Brunswick—three from the McLean Asylum, Boston, and one from Taunton, Mass. Six have been admitted from Hants County, six from Colchester, five from Pictou, two each from Annapolis, Guysborough, Kings, and Queens Counties, and one each from Yarmouth, Richmond, Cape Breton, Victoria, Shelburne, and Cumberland.

From this it appears that, while the majority of our patients are from Halifax, the most remote districts of the Province have shared the benefits of the Institution, and (as was anticipated when this Hospital was first opened) several persons belonging to Nova Scotia, who were formerly maintained abroad, are now placed with us.

A considerable portion of the revenue of the Hospital is derived from paying patients. This would not be the case to the same extent, were the several Counties of the Province relieved from the duty of supporting their insane poor. Objections are urged against the present law, but a due consideration of the subject will satisfy any disinterested person, that the Province ought not to be called upon annually for a large grant of money to support the Hospital, which it has so nobly built.

The transient poor alone are entitled to Provincial aid, and each County ought, as a matter of course, cheerfully to contribute towards the care and cure of the insane poor. Were the Legislature to assume the maintenance of all paupers, many would be sent to us as belonging to this class, whose friends under the present arrangement would not consent to have them made a county charge.

From the remote districts this might often be done with impunity, and we know it has been done elsewhere, as the reports of other hospitals clearly show. Besides, if the Province pays for *all* the poor, Halifax and the adjacent Counties will reap more than their proportion of the advantage, as will appear from the relative number already admitted.

It becomes, after all, only a question of direct or indirect taxation, and there are many reasons why the greatest portion of the expense should fall directly upon those

who are most benefitted. It will ensure the closest scrutiny into the management of the Institution, and will awaken the deepest interest in all that concerns it.

There is a large class of patients who are intermediate between paupers and those in independent circumstances,—many who have been reduced in their means by reason of their insanity. For this “indigent” class the amended law now makes provision, by giving power to the Board of Commissioners to regulate the scale of charges according to the ability to pay in each case.

CIVIL CONDITION OF THE PATIENTS.

<i>Males</i> ,—Single 31, Married 8 .....	39
<i>Females</i> ,—Single 16, Married 10, Widows 5.....	31
Total .....	70

The “Former Occupation” of those admitted, so far as could be ascertained, was as follows :

<i>Males.</i>	<i>Females.</i>
9 had been Farmers.	7 had been Domestic Servants.
3 “ Fishermen.	2 “ Sailors’ Wives.
2 “ Laborers.	2 “ Washerwomen.
2 “ Sailors.	2 “ Farmers’ Widows.
1 “ Farmer’s Son.	1 “ Farmer’s Wife.
1 “ Teacher.	1 “ Sailor’s Widow.
1 “ Merchant.	1 “ Sailor’s Wife.
1 “ Barber.	1 “ Governess.
1 “ Stevedore.	1 “ Dress Maker.
1 “ Painter.	1 “ Coachman’s Wife.
1 “ Shoemaker.	1 “ Laborer’s Wife.
1 “ Printer.	1 “ Laborer’s Daughter.
1 “ Cabinet Maker.	
1 “ Wheelwright.	
1 “ Miller.	

In common with all other Medical Superintendents, I have to regret the too early removal of convalescent patients. So soon as their friends are aware that a decided improvement has taken place, they are urgent to have them under their own more immediate care. If they knew the danger of a relapse in such cases, and the great probability of it in many instances, they would doubtless pursue a different course ; but their minds are made up, and their arrangements completed, before they receive any advice on the subject. It is only through the influence of my professional brethren that this evil can be effectually remedied ; and I take this opportunity of making my appeal to the Faculty, that they will urge upon the friends of patients the absolute necessity of leaving all such cases entirely to the discretion of the Superintendent. He can have no possible interest in detaining them a week or a day longer than is desirable for their good.

Three of the patients were removed after only a fortnight’s residence, as if a disease of many months duration—and complicated, as two of the cases were, with strong suicidal tendencies,—was to be overcome in so many days. Some act in the matter with so little judgment, as to render this appeal on my part something more than a mere formality. I am well assured that, if better informed, the friends of convalescent patients will readily agree in the propriety, desirableness, and necessity of leaving them under the shelter and protection of the Hospital roof until their restoration is complete.

Provision ought to be made in every case for at least a year's residence, if found to be necessary. Many, it is true, are restored in less time; but they bear a small proportion to the whole.

A plan has been adopted in some Institutions, and is found to be advantageous, occasionally to allow those patients who are convalescent to spend a short time with their friends "on trial," before being discharged from Hospital. It obviates the difficulty of obtaining new bonds and new certificates, in the event of its being necessary to re-admit the patient; and I should be glad to have the sanction of the Board of Commissioners to follow this plan in certain cases.

A serious hindrance to successful treatment of the Insane, is too the frequent visits of relatives and friends, especially soon after the patient's admission, or at the beginning of their convalescence. One of the great advantages offered by Hospital treatment, is the separation of the invalid from friends and relatives, from home and its associations. The benefit of the change is soon apparent in very many cases, and is no sooner recognized, than the friends wish to see for themselves the improvement they have ascertained to have taken place. The idea of being refused an interview whenever they present themselves at the Hospital, does not occur to them; and when (as in some instances,) this refusal is absolute, their indignation knows no bounds. They are loud in their declarations that they will not submit to such arbitrary treatment,—not they,—they will at once remove their friends where they can see them when they call for the purpose. Some have actually carried out this threat, and taken their friends home for this reason, who, had they known the injury their visits were likely to occasion, would have been the last to ask an interview. Once that they have travelled to the Hospital, and asked to see their friends, they are in no temper to be either refused or reasoned with. Of course there are exceptions to this; but up to the present time they are comparatively few in number, while the majority are urgent in their demands for an unconditional compliance with their wishes.

The novelty of the Institution may serve as some palliation for this course of procedure, and I live in hope that a more enlightened and less selfish view of this subject will gradually prevail. As a counterpart to this, I have to own the entire willingness of the educated and intelligent portion of the community, that their friends should remain as long here, and as much secluded from intrusion as the Superintendent judges to be for their best interest. Without this cordial support from the class alluded to, irksome indeed would be my position; but with their sympathy and kind encouragement, all the little annoyances of every day occurrence are lost sight of and forgotten. The golden rule will here as everywhere apply to our several cases, and if friends will only act with reference to the patients, as they themselves would wish to be treated if placed in similar circumstances, no one will be disposed to complain.

In last year's Report, allusion is briefly made to the advantages of *early admission*. The subject is deserving of further consideration. In a very able and interesting memorial to the Legislature of this Province, so far back as 1850, Miss Dix states, "The malady of insanity when brought under *early efficient treatment*, is (except there be organic disease) equally manageable and curable as a fever or a cold.

"*The mischiefs of delay in securing hospital care cannot be too strongly insisted on.* Hundreds and thousands of incurable cases within the range of my own observation alone attest the inhumanity and cruelty of procrastination."

"Entirely to disconnect the Insane from their accustomed intercourse with relatives and friends, associates and servants, is the indispensable and imperative plan for commencing a course of treatment which may promise favorable results." (1)

"Few recover under any course of *domestic* treatment." (2)

(1) Pinal, quoted by Miss Dix.

(2) Halloran, (as above.)

"In many cases," (in the Hospital at Staunton, Virginia,) "the selfish and morbid sentiments of friends led them to reject Hospital aid till too late to secure its first and highest benefits: they are maniacs for life,—the unhappy victims of false pride and mistaken affection on the part of their relatives." (3)

As a matter of economy, too, the friends or guardians of patients ought to seek their early admission; since the cost of maintaining recent cases, say for about a year, falls far, very far, short of the expense of supporting, probably for a lifetime, those who have been allowed to become incurable.

On the plea of humanity, as well as economy, it is essential that all cases of mental malady be sent without delay to an Hospital, where their bodily wants will be carefully attended to, and an opportunity be given for the restoration of their reasoning powers.

As yet, scarcely one fourth of the estimated number of the Insane within the Province have been placed under Hospital treatment; the remainder are, many of them, suffering hardships and cruelties that would, if generally known, harrow up the feelings of the community.

We have heard during the past year of one insane convict being incarcerated in a County Jail *in chains*. Others are wandering about exposed to every danger.

We may judge of the state of those throughout the country, by the pitiable condition in which many have been brought to us. We have seen patients tied hand and foot, who needed no such galling restraint. Several have arrived here hand-cuffed like felons, when the power of persuasion was the only force required to control them. But witnessing, as we have, the not unfrequent exhibition of these cruel practices, we were not prepared for such a display of old-timed barbarity as met our view on one occasion this autumn. Two men were brought here by water from a distant part of the Province, confined in low rough plank boxes or coops. They were exposed on the deck of the vessel for nine days to the inclemency of the weather, and fed through a small opening, say five inches square. One was secured by iron fetters on his ankles, and his swollen feet testified the severity of the punishment. This patient had no clothing upon his person, except a coarse canvas sack,—he was "sans culotte," "sans everything." Both were hand-cuffed and chained besides; their handcuffs, too, of the coarsest description, *were rivetted on*; and their gratitude, when we carefully filed these off, was truly affecting. It has led to such an attachment for us, as will induce them to do almost anything we desire. These men, when fed and bathed and clad in decent apparel, presented a very different spectacle. For a day or two one was disposed to tear his clothing, but this was prevented by watchfulness; and neither of them, ever since their admission, has required any personal restraint. They are for the most part cheerful and happy; and one of them (who had been about two years under this galling confinement,) is now already very much improved, and bids fair to go on steadily recovering.

The system of treatment adopted at this Hospital, is that which now obtains in all the new institutions in England and America, namely, government by moral, instead of physical control. The abolition of bodily restraints is carried out to the utmost of our power; no straps, muffs, straight-waistcoats, or the like, are permitted to be used without the express sanction and approval of the Superintendent, and when necessarily applied, are removed with the least practicable delay.

Without attempting to decide the question of the *entire disuse* of restraint, so ably advocated by Dr. Conolly, I am quite of the opinion that the cases requiring mechanical coercion are becoming less frequent every year, as their treatment improves, and will ultimately be altogether exceptional. On this side of the Atlantic, a different climate, acting conjointly with other causes peculiar to the country, produces a

(3) Dr. Stribling, as quoted by Miss Dix.

state of excitability and resistance to all authority and discipline as well in the sane as in the insane, that is happily unknown in England. Granting that in Great Britain one case only in a thousand required restraint, here the proportion would be ten-fold.

The appliances in aid of the non-restraint system and to prevent self injury, introduced into the British Asylums, are well worthy of imitation. I have recently had occasion to have one of our single dormitories fitted up as a "padded room," and with the best result. The patient had commenced to beat his head forcibly against the walls and flooring; nor could this be prevented otherwise than by securing him to his bed. Since the room has been padded, he has been enabled to move freely about, and scarcely attempts his former violence.

The law of kindness is the law of the Hospital, from which no deviation is permitted. No rough usage or violent language towards the patients would, in any case, be tolerated. Every effort is made to sooth and pacify the turbulent, and great pains are taken to prevent the patients from quarrelling with each other.

The numerous advantages to be derived from industrial occupation, render it important that as far as may be practicable, all those who are insane should be encouraged to follow daily some useful employment. In view of this acknowledged fact, we have endeavored to win over to some light labor all our inmates who are able to engage in it, varying the occupation in each instance so as to insure the greatest benefit. By gratuities and indulgencies, by a succession of little favors, many otherwise obstinately indolent in their habits, are induced to engage occasionally in useful pursuits, advantageous not only to the Hospital, as saving to some extent the necessity for hired labor, but far more so to the patients themselves as a means of restoration.

While advocating the constant endeavor on the part of the attendants to induce those under their charge, who are able to engage in useful employments, I have no desire to exact from any patient *compulsory labor*, nor do I believe it to be either practicable or desirable. To have a beneficial tendency, the work, whatever it be, must be *voluntarily done*; and in order to induce a *willingness* to work, every reasonable motive ought to be held out by way of encouragement.

Not the least of these is a pecuniary compensation, and whether it be given during their stay in hospital, or what, perhaps where better, when they leave the Institution, to fight once more the battle of life,—still, at some period, or in some shape, it certainly ought to be granted.

It has been our constant aim to encourage the patients and attendants to spend a portion of every day (weather permitting) in the open air. The good effect of this is so well known, and so readily acknowledged, that it were superfluous to dwell upon it; but the deleterious consequences of confinement within doors, and of the want of activity which flows from such confinement, are not yet fully recognized. Want of appetite, loss of sleep, languor, debility, and despondency, are some of the many evils attending the constant seclusion within the building of those who ought to enjoy the bracing and exhilarating effects of healthful and refreshing breezes.

To secure the benefits of daily out-door exercise, we are already, with the patients' labor alone, preparing a convenient gravel walk near the building, and hope in another season to have verandahs, &c. erected for open-air promenade in all weathers.

Connected with this subject is one scarcely less important, namely—the amusements and recreation of the patients. Unless broken in upon by occasional variety, hospital life would be almost unendurable, so monotonous and unchanging is the daily routine. It were enough to make the attendants themselves gloomy and sad if no amusement, no relief, were ever afforded them from a duty that at best is exceedingly harrassing. Nor are the patients less susceptible of the benefits arising from a well regulated series of pleasing recreations. Shut up necessarily for many hours of

every day, it becomes essential to provide for our entire household, not only such kinds of employment as will keep up their interest in what they undertake, but also such a succession of varied entertainments as can be indulged in occasionally without causing any injurious excitement.

During the year that is past we have had five or six evening parties. The music on these occasions has been variously provided for, but in no instance has it involved the Institution in any additional expense.

Those of the Board of Commissioners, and other friends of the insane, who have witnessed these entertainments, are fully convinced of their beneficial tendency. They are well calculated to develop the social and finer feelings, and are always looked forward to throughout the house as pleasurable and gratifying.

That amusements and recreations are essential as a means of cure is admitted by all who have given the subject their consideration. If deprived of these they are thrown back, as it were, upon their own resources, some of which are not of the fittest kind. By providing what is suitable, we divert into the proper channels the tendencies which would otherwise be manifested in mischievous pranks, annoying alike to the other patients and to the attendants.

The habits and disposition of nearly all our inmates are such, that if left to themselves, they would naturally go on from bad to worse. If gloomy and taciturn, they would become still more so—if gay and joyous, they would run on in the exuberance of mirth—if crafty and suspicious, they would become still more sly and cunning—if disposed to be mischievous, they would exhibit an amount of destructive ingenuity that would astonish their intimate friends. All these tendencies are best counteracted by the supervision of cheerful and vigilant attendants, having the means at their disposal to amuse, to gratify, and to engage the attention of those under their care.

In kindred Institutions, the best effects have been observed from such amusements as call for some degree of muscular exertion. Billiards, bagatelle, battledoor, nine pins, and archery, are some of the best examples of these. They are useful not only to those engaged in them, but usually excite the attention and awaken the interest of the lookers-on.

Of all the means of recreation promising beneficial results, none ranks higher than music, for the susceptibility to its influence is wide-spread, and the soothing effects of melody is almost universal. Convinced of its great importance, we have employed it so far as our means would allow, and have borrowed from kind friends the instruments we could not afford to buy. In this way we have had for months, the use of a large hand-organ playing from forty to fifty tunes, and other musical instruments, which have delighted many happy listeners.

Among the recreations that are past, I must not omit to notice a Dramatic Reading, by Mrs. Macready, to whom we hold ourselves greatly indebted for this intellectual treat; and of those in anticipation, I may mention an expected Concert by the Harmonic Society.

These pleasing evidences of good-will and kindness are not only gratifying and servicable to the patients, but encouraging to the officers and employees of the Institution. It is no small satisfaction to those whose constant aim is to aid in the restoration of reason and to lighten the burden of life's saddest affliction, to find their efforts appreciated and ably seconded by the intelligent, benevolent, and discerning community, in whose midst we are situated.

Since the date of my former Report, the detached building has been made available for the purposes for which it was erected. The cooking and baking are now carried on there, as well as the washing and ironing. We have an excellent Shaker washing machine driven by steam power, a hydro-extractor for wringing the clothes,

a steam closet for drying them in wet or stormy weather, and a self-acting mangle. In the kitchen we have a hot-plate, two large jacket boilers, and one of Price's Circular Roasters, such as are used in the American Hospitals. It is probable that an Open Range will soon be required, although for the present we are able to dispense with it.

Our heating arrangements now comprise three steam boilers, placed in the rear of the detached building, and we are enjoying the safety, cleanliness, and comfort of the very best mode that could be adopted for warming so large a building. We need (as stated in last year's Report) double windows on the more exposed parts of the Hospital, standing, as it does, on a bleak and unsheltered elevation.

The gas for lighting the Hospital is made under the same roof, and attended to by the same fireman. We could not have known its full value, in imparting cheerfulness through our lengthy corridors, had we not began without it. The difference between this winter and last is more than we could have anticipated; on the occasion of its first introduction the whole building was brilliantly illuminated.

The steam engine which drives the wringer, mangle, washing machine, and ventilating fan, is of twelve-horse power, and works admirably.

The machinery is all under the charge of Mr. Douglas Dickson, our resident Engineer, to whose activity and zeal it affords me pleasure to testify.

A root house, a piggery, and an ice house, have been built on as small a scale as could be made to answer our purposes, and are conveniently situated near the barn.

A picket fence in front of the Hospital encloses a spacious airing court, without anything of the prison aspect that high walls or close fences would give.

The coach house, workshop, and fowl house, stated to be wanting last year, remain still to be provided. We feel the need of them, as well as another airing-court, and trust, whenever the finances of the Institution will admit of the expenditure, the want will be remedied.

The new wing for the more excited patients is now being roofed in, and will probably be finished early next season. It is much wanted even now, in order to make a proper classification of the patients. In order that there may be no delay in occupying it, when taken off the Contractor's hands, it would be advisable that early steps be taken to obtain the furniture required for it. It is expected to afford accommodation for about twenty-five additional patients.

When this section is completed, we will have but four wards for each sex, making eight in all, instead of sixteen, the usual number. At present, we have only six for both sexes, and *all under one roof*, adding very materially to our anxieties and responsibilities. It needs no argument to prove that if the Hospital be intended as a place of cure, and not merely an Asylum of refuge; the violent, noisy, and filthy patients ought not to be associated with those who are neat, calm, and quiet.

Many of our paying patients will be materially benefitted, and their comfort promoted, by this extension of the building, which enables the Superintendent to effect a better classification. While every attention is bestowed on the poorer members of our afflicted family, whose best care is our highest privilege, it is essential to establish for the Hospital a reputation as a place of desirable resort for those who have the means of contributing, not only for their own support, but in part towards the maintenance of those in less affluent circumstances.

By encouraging the wealthier classes to avail themselves of our advantages, we lay the foundation for much future good. Legacies and donations would then probably continue and increase, until, eventually, the truly charitable nature of the Institution would be clearly developed, and the Provincial Treasury relieved to a great extent from the present call for annual aid.

In the Memorial already quoted, Miss Dix states, that "The Institution should be established on such a basis as to receive all classes of patients, and on no considera-



tion be ranked as a pauper Institution. It is time that people should have learnt that to be insane is not to be disgraced, that sickness is not to be ranked with crime, and that mental disability is almost invariably the result of mere bodily ailments."

## ACKNOWLEDGMENTS.

It is with no small degree of pleasure, that I record for the second time the increasing evidences of a kindly feeling towards this Institution and its helpless inmates. The gratitude of the whole household can find expression through this only, and I should fail in my duty, if I neglected to convey to the numerous body of benefactors and contributors, the cordial acknowledgments of the patients, attendants, and officers.

Among the first to whom we hold ourselves indebted, are the Ministers of the Gospel, who, since early in the summer, have kindly favored us with religious services regularly every Sunday afternoon. The following Clergymen have officiated for us at the Hospital in the order named, viz.: Rev. Mr. Phinney, Rev. J. C. Cochran, Rev. Mr. Hobbs, Rev. Dr. Twining, Rev. Mr. McKnight, Rev. Mr. Duff, Rev. J. C. Stuart, the Bishop of Nova Scotia, Rev. J. Sprague, Rev. Geo. Hill, Rev. Dr. Shreve, Rev. J. Brewster, Rev. Mr. Dymock, Rev. Mr. Rand, Ven. Archdeacon Willis, and Rev. Mr. Humphrey.

We have had occasional visits from other Clergymen, and in cases of dangerous bodily illness occurring among our inmates, they have always responded cheerfully to our call to minister the consolations of religion to those of their respective flocks who could at all appreciate them.

His Excellency the Earl of Mulgrave, from the time of his accession to the Governorship of this Colony, has evinced the most lively interest in this Institution. He has paid us frequent visits, has minutely inspected all our arrangements, and has caused his approval to be recorded in the Minute-book of the Hospital.

The Countess has been no less interested. To her Ladyship we are, in the first instance, indebted for bound volumes of the "Illustrated London News," and other very acceptable presents, with such manifestations of real sympathy for our afflicted inmates, as can only here be duly appreciated.

The Executive Government have, with kind consideration, granted us the Provincial Exhibition Tents, which form the only out-door shelter for our patients from the burning rays of the mid-summer sun.

To several of the members of your Board, we are indebted for very acceptable presents; — to D. Falconer, Esq., for a quantity of Lawn-grass seed for our enclosure, for appropriate enlivening music for one of our pleasantest evening entertainments, and for numerous and handsome boquets of flowers; to John A. Bell, Esq., for similar boquets, and for three neat flower vases; to John Doull, Esq., for an excellent Accordeon, and to the entire Board for your punctual weekly visits and ready attendance on other occasions. These frequent visits have made you personally familiar with the habitual condition and daily requirements of the Hospital, and afford the strongest proof of your zealous attachment to the Institution.

I have already acknowledged the valuable present of a semi-grand rosewood Pianoforte of very superior tone and finish, from Edward Binney, Esq., whose princely liberality flows through many a hidden channel. This very handsome donation will doubtless be noticed in your own Report, but I take the present opportunity of stating my conviction, that so well were the Furnishing Committee of your Board aware of the necessity for such an instrument, that they were only deterred from buying one last year by the fear of incurring for the Hospital the *reputation* of extravagance. A Pianoforte is now supplied to almost every Institution of this class, and many have several of them. They certainly contribute far more to the welfare of

the patients than is generally supposed, and are, at the present day, looked upon as "requisites" in every well-appointed Hospital for the Insane.

We are under obligations to Miss Cogswell for several Canary Birds, with cages, for both the men's and women's wards, affording great delight to the patients. Besides this, she has contributed patterns of fancy work and colored wools for our convalescents, as well as pamphlets and puzzles to gratify and amuse.

Lady Stewart, Mrs. Williamson, Mrs. Thomas R. DeWolf, and John Richardson, Esq., have each sent us bound volumes of the "Illustrated London News," and the latter as well as Thomas Mott, Esq., about two years' numbers unbound. There are perhaps no other books so generally acceptable as those with illustrations, for the pictures serve to entertain both those who can and those who cannot read.

Miss Sarah Mott has presented with a large and handsome crayon drawing, framed, and Mrs. J. B. Fay gave us series of fourteen colored engravings, varnished, with a number of smaller pictures.

Lewis P. Fairbanks, Esq., has sent us two handsome French engravings, framed, a large view of the City of Halifax, varnished, and several books and magazines. James L. Woodill, Esq., has given us several series of interesting views. George E. Morton, Esq., has frequently sent us late numbers of illustrated English papers; and A. J. Ritchie, Esq., has favored us with foreign papers and magazines.

The Religious Tract Society of London has recently sent us, through the kindness of their Secretary, George Henry Davis, Esq., (who visited us last summer,) a library of the Society's publications, value ten pounds sterling, numbering one hundred and twenty-four volumes judiciously selected. Honorable H. Bell, besides sending us large and handsome bouquets of flowers, has kindly presented a lot of books, consisting of reports of other Institutions, and of standard works on the construction and management of this class of Hospital, especially valuable to us at the present time. We have received books and pamphlets also from Mrs. Hague, Mrs. Shanks, Mr. Bowes, Mr. Edward Wilson, John C. DeWolf, Esq.; Dr. Slayter and other friends.

From the Nova Scotia Branch of the British and Foreign Bible Society, through the kindness of Mrs. S. N. Binney, we have received a donation of Bibles and Testaments, and from the Bishop of Nova Scotia, from Reverend J. C. Cochran, and Rev. Dr. Twining, a number of prayer books.

To Alexander James, Esq., we are recently indebted for a series of the Reports of the House of Assembly for several years back.

We are under continued obligations to all the Halifax publishers for copies of the weekly and tri-weekly papers, which are as heretofore very acceptable and highly appreciated. The "Western Recorder," of Carleton, N. B., has been added to our list—Mr. Willis will please accept our thanks. The "Christian Instructor," published in Pictou, comes to us regularly. As we have patients from all parts of the Province, the papers published throughout the several counties would be eagerly read and indirectly might be of essential service.

Messrs. Fraser & Sons, and Messrs. Boggs & Co., made liberal deductions from their bills, because of the charitable nature of the Hospital. Messrs. Thompson & Esson presented us with about twelve dollars worth of gilt moulding for picture frames. Messrs. G. & J. Drillio made a suit of sails for our boat, without charge.

Dr. Waddell has kindly continued to manifest his interest in this Institution, favoring us with his valuable advice, and has presented us with a number of cedar trees for our ground, and flower roots for the garden.

From Messrs. Harris & Sons we received a dozen of Norway spruce, from the Halifax Nursery, which were set out last summer, and have taken well; and from G. A. S. Creighton, Esq., a large number of strawberry plants. We are indebted to James Wilson, Esq., for the loan of a large hand-organ for the winter, and for other favors.

Miss Smith, J. P. Hagarty, Esq., and Mr. Drake, have severally afforded our patients rich musical treats.

Messrs. H. Y. Mott & Sons have given us lime for compost in any quantity as before, and during the summer furnished us with flowers from their grounds in great variety.

Mrs. McMinn very kindly granted the use of her grounds for a picnic.

Messrs. Harrington & Co., Messrs. Lordly & Stimpson, and other Halifax friends, as well as our immediate neighbors, have put us under obligations for very considerable favors.

One of our recovered patients, a young sailor, could not refrain from expressing his gratitude on the first opportunity. On returning from a West India voyage he brought us a parrot to show that he had not forgotten us. Others of our patients have visited the Institution since their recovery, and have acknowledged their grateful recollections of the kindness with which their attendants invariably treated them.

Before closing this Report, I desire to make special reference to the acknowledgements due to the noble-hearted Miss D. L. Dix of world-wide celebrity. Her zealous efforts to found and establish this Hospital were not alluded to in last year's Report, because the particulars were to a great extent unknown to me at the time. That her elaborate and impressive memorial to the Legislature, (published in the Journals of Assembly for 1850,) should have escaped my notice, is only to be accounted for on the ground of my not having been able last year to secure a complete set of these public documents at any one time for reference.

Miss Dix's powerful appeal was followed by good results, as indeed her efforts always are; and on a subsequent visit to Nova Scotia she was solicited to express her opinion on the relative merits of different locations for this building. Her choice fell on that where the Hospital now stands, itself a monument of her zeal and discretion.

Within the past year we have been favored with another visit from Miss Dix, and it was most opportune. Owing to the narrowness of the lot of land on which the building is situated, I had advised and obtained permission to have the position of the extreme wing altered; but so clearly did this benevolent Lady make it appear to everyone interested, that the original plan, (which she had been instrumental in furnishing,) ought to be adhered to,—that orders were given to that effect, and the wing now in the course of erection is evidently better placed than if the quadrangular plan had been adopted. The great object was to secure a cheerful view for the patients, and to prevent those situated in different parts of the Hospital from overlooking one another. Through her energetic and praiseworthy efforts this has been attained, and we have reason to be thankful. On the occasion of her last visit, Miss Dix, with her characteristic generosity, gave us an additional lot of pictures. She took the trouble to bring us presents from others, from a great distance, for our convalescent ward, and kindly presented us with a pair of peacocks.

Her ample experience has been of great benefit to us, not only in organizing the Institution, but also in finishing the interior of the detached building. Since her return to her native land, her interest has been manifested by kind letters, containing useful and important information for our guidance.

In the course of this Report I have had occasion to make several extracts from the memorial already alluded to, which, while convincing in themselves, carry with them the weight of her powerful influence.

It now remains that our devout gratitude be expressed to the Great Ruler of events, for the mercies of the past. Commenced in the deepest affliction, it has been a memorable year to your Superintendent. That out of his own family no death should have occurred in the Institution is however a cause of thanksgiving to God, to whose fostering care the Hospital and all within it are confidently committed.

JAMES R. DEWOLF, M. D., Edin., *Superint't.*

*Mount Hope, 31st December, 1859.*

## APPENDIX.

## RECREATION FUND.

In Dr. Lindsay's Report of the James Murray Royal Asylum for Lunatics, near Perth, in Scotland, it is stated "that the introduction of *recreations* among the Insane can no longer be regarded as an experiment; that their success has been fully established by the experience of the best institutions in this Country, on the Continent, and in America; and that they are not to be looked upon as mere transient gratifications."

The evidently beneficial effect of Music (incidentally witnessed, in the first instance, from the playing of the large hand organ alluded to in this Report), the satisfaction and delight with which the patients enjoyed the evening entertainments, and the lasting gratification afforded by the pictures, birds, and other presents sent to us by kind friends, led to a determined effort on the part of some members of our household, to raise a special fund, for the purpose of providing musical and other recreations for all our inmates. The intention was communicated to a young lady of Dartmouth, well known for her active benevolence and practical christianity, who immediately responded to the appeal, and by whose timely assistance a handsome sum has been realized for present and future use. The ladies who have taken the initiative in this matter have, in all cases, met with such unbounded kindness, as to render their self-sought mission one of the happy events on which to look back in after years. They desire to record their grateful acknowledgments to the donors, some of whom have had an opportunity of witnessing personally the salutary and happy effects produced by their benevolence.

A bagatelle board of good size, backgammon and chess boards, draughts, solitaire boards, dominoes, and nine pins have already been provided, and are in use every evening. Miss Celia Black and friends have kindly contributed a very handsome revolving stereoscope with numerous views, value £5 10 0.

A Melodeon, or a small organ, a musical box, a magic lantern, a microscope, an aquarium, picture frames, and if practicable, a billiard table, are among the articles it is proposed to purchase when a sufficient amount shall have been sent in.

The list of Contributors to the present time includes the following names, viz:—Sir Brenton Halliburton, and family £5; W. Murdoch, Esq. £12; a friend, each £5, £1, 7s. 6d., and 5s.; Archbishop Conolly £3; the Misses Anderson, and John Gibson, Esq., each £2; the Misses Black, and M. G. Black, Esq., £1 15s.; D. Farrell, Esq., and Lady, Hon. E. Kenny, E. Albro, Esq., H. Lawson, Esq., and F. Charman, Esq., each £1 5s.; Mrs. Geo. H. Starr, Mrs. J. W. Ritchie, Mrs. Sawyer, Mrs. Bliss, Mrs. H. Binney, Mrs. Robie, Mrs. S. Caldwell, Hon. Judge Stewart, C. B., Hon. S. Brown, Rev. Prof. King, John Tobin, Esq., M. P. P., W. Lawson, Esq., Wm. Cunard, Esq., W. Langley, Esq., J. C. Cogswell, Esq., James Donaldson, Esq., James Forman, Esq., Thos. Kenny, Esq., H. D. Frost, Esq., and Messrs. D. Starr & Sons, each £1; Mrs. Geo. Mitchell, Mrs. S. F. Barss, M. P. Black, Esq., J. W. Merkel, Esq., Wm. Rennels, Esq., J. B. Bennett, Esq., E. Billing, Jr., Esq., Samuel Gray, Esq., and John Lithgow, Esq., each 12s. 6d.; Mrs. Hume, Mrs. E. Tupper, Mrs. J. W. Johnston, Jr., Mrs. Van-Buskirk, Mrs. S. S. B. Smith, Miss Stairs, Hon. A. Keith, and Messrs. Salter & Twinning, each 10s.; Mrs. A. M. Uniacke, A. McLeod, Esq., ——— Cleverdon, Esq., each 7s. 6d.; Mrs. W. B. Fairbanks, Mrs. Coleman, Mrs. Shannon, Mrs. Hunter, Mrs. Hudson, Miss Hamilton, Dr. Avery, D. Murray, Esq., Geo. Anderson, Esq., Thos. Durney, Esq., and C. Kinnear, Esq., each 5s.;—smaller sums 8s. 1½d.

It is gratifying to state that many of the donations to this "Recreation Fund" are made without solicitation, as were also very many of the generous gifts mentioned in the preceding pages.

Since the date of my Report, the Harmonic Society, with praiseworthy liberality, have favored us with one of the best Concerts at the Hospital it has ever been my lot to attend in this or any other Country.

“It was certainly a musical entertainment of a high order,”—*Westegan*. “In their usual style of excellence,”—*Journal*. “One of the most pleasing Concerts the Society has ever given,”—*Sun*. “Admirably sustained from beginning to end,”—*Chronicle*.

The Members of the Society will please accept the united and grateful thanks of our entire household.

#### CONSTRUCTION AND ORGANIZATION OF HOSPITALS.

*Report on the construction of Hospitals for the Insane, made by Standing Committee of the Association of Medical Superintendents of American Institutions for the Insane, at its meeting in Philadelphia, May 21st, 1851.*

At the meeting held at Boston, June 18th, 1850, the standing committee on the construction of hospitals for the insane, was instructed to report to the next meeting a series of propositions relative to the structure and arrangements of American Institutions for the Insane that would embody the well ascertained views of the body in reference to many points in regard to which there was no difference of opinion.

The twenty-six now reported are of that character, entire unanimity in reference to them was expressed, and they are important as embodying the views of those who have a practical knowledge of the subject. Many other points might have been introduced, but from a conviction that some diversity of sentiment still existed in reference to them. (*American Journal of Insanity*.)

1. Every hospital for the insane should be in the country, not within less than two miles of a large town, and easily accessible at all seasons.

2. No hospital for the insane, however limited its capacity, should have less than fifty acres of land, devoted to gardens and pleasure grounds for its patients. At least one hundred acres should be possessed by every State hospital, or other institution for two hundred patients, to which number these propositions apply, unless otherwise mentioned.

3. Means should be provided to raise ten thousand gallons of water, daily, to reservoirs that will supply the highest parts of the building.

4. No hospital for the insane should be built without the plan having been first submitted to some physician or physicians who have had charge of a similar establishment, or are practically acquainted with all the details of their arrangements, and received his or their full approbation.

5. The highest number that can with propriety be treated in one building is two hundred and fifty, while two hundred is a preferable maximum.

6. All such buildings should be constructed of stone or brick, have slate or metallic roofs, and, as far as possible, be made secure from accidents by fire.

7. Every hospital, having provision for two hundred or more patients, should have in it at least eight distinct wards for each sex,—making sixteen classes in the entire establishment.

8. Each ward should have in it a parlor, a corridor, single lodging rooms for patients, an associated dormitory, communicating with a chamber for two attendants, a clothes room, a bath room, a water closet, a dining room, a dumb waiter, and a speaking tube leading to the kitchen or other central part of the building.

9. No apartments should ever be provided for the confinement of patients, or as their lodging rooms, that are not entirely above ground.

10. No class of rooms should ever be constructed without some kind of window in each, communicating directly with the external atmosphere.

11. No chamber for the use of a single patient should ever be less than eight by ten feet, nor should the ceiling of any story occupied by patients be less than twelve feet in height.

12. The floors of patients' apartments should always be of wood.

13. The stairways should always be of iron, stone, or other indestructible material, ample in size and number, and easy of access, to afford convenient egress in case of accident from fire.

14. A large hospital should consist of a main central building with wings.

15. The main central building should contain the offices, receiving rooms for company, and apartments entirely private, for the superintending physician and family in case that officer resides in the hospital building.

16. The wings should be so arranged, that if rooms are placed on both sides of a corridor, the corridors should be furnished at both ends with moveable glazed sashes for the free admission of both light and air.

17. The lighting should be by gas, on account of its convenience, cleanliness, safety, and economy.

18. The apartments for washing clothing, &c., should be detached from the hospital building.

19. The draining should be under ground, and all the inlets to the sewers should be properly secured to prevent offensive emanations.

20. All hospitals should be warmed by passing an abundance of pure fresh air from the external atmosphere, over pipes or plates containing steam under low pressure, or hot water, the temperature of which does not exceed 212 degrees F., and placed in the basement or cellar of the building to be heated.

21. A complete system of forced ventilation, in connection with the heating, is indispensable to give purity to the air of a hospital for the insane; and no expense that is required to effect this object thoroughly, can be deemed either misplaced or injudicious.

22. The boilers for generating steam for warming the building should be in a detached structure, connected with which may be the engine for pumping water, driving the washing apparatus, and other machinery.

23. All water closets should, as far as possible, be made of indestructible materials, be simple in their arrangements, and have a strong downward ventilation connected with them.

24. The floors of bath rooms, water closets, and basement stores, should, as far as possible, be made of materials that will not absorb moisture.

25. The wards for the most excited class should be constructed with rooms on but one side of a corridor, not less than ten feet wide, the external windows of which should be large, and have pleasant views from them.

26. Wherever practicable, the pleasure grounds of a hospital for the insane should be surrounded by a substantial wall, so placed as not to be unpleasantly visible from the building.

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*Report "On the Organization of Hospitals for the Insane," made by the Standing Committee of the Association of Medical Superintendents of American Institutions for the Insane, at its meeting in Baltimore, May 10th, 1853.*

The "Propositions relative to the construction of hospitals," having met with so universal an approval from all connected with or interested in the subject, and a want seeming to the association still to remain unsatisfied, a committee was appointed at the meeting held in New York last year, to draw up a series of propositions that should in like manner embody the well ascertained views of its members in reference to the "Organization of Hospitals for the Insane," in regard to which there was no

difference of opinion. As is stated in our Report of the meeting at Baltimore, postea, "each proposition was taken up in detail and minutely and fairly discussed before it was finally accepted." As now laid before our readers, the "propositions" may be received as the authorized exponents of the views of the above association "on the organization of hospitals for the insane." (*American Journal of Insanity.*)

1. The general controlling power should be vested in a Board of Trustees or Managers: if of a State Institution, selected in such a manner as will be likely most effectually to protect it from all influences connected with political measures, or political changes; if of a private corporation, by those properly authorized to vote.

2. The Board of Trustees should not exceed twelve in number, and be composed of individuals possessing the public confidence, distinguished for liberality, intelligence, and active benevolence; above all political influence, and able and willing faithfully to attend to the duties of their station. Their tenure of office should be so arranged, that where changes are deemed desirable, the terms of not more than one-third of the whole number should expire in one year.

3. The Board of Trustees should appoint the Physician, and on his nomination, and not otherwise, the assistant Physician, steward and matron. They should, as a Board, or by Committee, visit and examine every part of the Institution, at frequent stated intervals, not less than semi-monthly, and at such other times as they may deem expedient, and exercise so careful a supervision over the expenditures and general operations of the hospitals, as to give to the community a proper degree of confidence in the correctness of its management.

4. The Physician should be the Superintendent and chief executive Officer of the establishment. Besides being a well educated physician, he should possess the mental, physical, and social qualities to fit him for the post. He should serve during good behavior, reside on, or very near the premises, and his compensation should be so liberal as to enable him to devote his whole time and energies to the welfare of the hospital. He should nominate to the board suitable persons to act as assistant physician, steward, and matron; he should have the entire control of the medical, moral, and dietetic treatment of the patients, the unreserved power of appointment and discharge of all persons engaged in their care, and should exercise a general supervision and direction of every department of the institution.

5. The assistant physician, or assistant physicians, where more than one are required, should be graduates of medicine, of such character and qualifications as to be able to represent and to perform the ordinary duties of the physician during his absence.

6. The steward, under the direction of the superintending physician and by his order, should make all purchases for the institution, keep the accounts, make engagements with, and pay and discharge those employed about the establishment; have a supervision of the farm, garden, and grounds, and perform such other duties as may be assigned him.

7. The matron, under the direction of the superintendent, should have a general supervision of the domestic arrangements of the house, and, under the same direction, do what she can to promote the comfort and restoration of the patients.

8. In institutions containing more than 200 patients, a second assistant physician and apothecary should be employed, to the latter of whom, other duties, in the male wards, may be conveniently assigned.

9. If a chaplain is deemed desirable as a permanent officer, he should be selected by the superintendent, and like all others engaged in the care of the patients, should be entirely under his direction.

10. In every hospital for the insane, there should be one supervisor for each sex, exercising a general oversight of all the attendants and patients, and forming a medium of communication between them and the officers.

11. In no institution should the number of persons in immediate attendance on the patient be in a lower ratio than one attendant for every ten patients; and a much larger proportion of attendants will commonly be desirable.

12. The fullest authority be given to the superintendent to take every precaution that can guard against fire or accident within an institution, and to secure this an efficient night-watch should always be provided.

13. The situation and circumstances of different institutions may require a considerable number of persons to be employed in various other positions, but in every hospital, at least all those that have been referred to, are deemed not only desirable, but absolutely necessary, to give all the advantages that may be hoped for from a liberal and enlightened treatment of the insane.

14. All persons employed in the care of the insane should be active, vigilant, cheerful, and in good health. They should be of a kind and benevolent disposition, be educated, and in all respects trustworthy, and their compensation should be sufficiently liberal to secure the services of individuals of this description.

EXPENDITURE AND RECEIPTS OF THE PROVINCIAL HOSPITAL FOR THE  
INSANE, FROM 1ST JANUARY TO 31ST DECEMBER.

1859.				
Jan'y.	3.	To paid A. Black's order to Dellatorre & Rayner .....	£2	10 0
"	"	" " D. Farrell .....	35	0 0
"	"	" " for beef, pork, &c. ....	4	16 11
"	4.	" " to J. M. Dewolf & Co. ....	8	0 0
"	6.	" " T. A. S. Dewolf. ....	11	3 3
"	"	" " Wages at Hospital .....	14	9 10
"	"	" " to Black, Brothers & Co. ....	3	3 10
"	"	" " B. O'Neill & Co. ....	28	18 8
"	10.	To paid James Greig, for cistern for pipe house .....	48	0 0
"	12.	" " Jonathan Elliott & Sons, for pipe house .....	42	1 5
"	13.	" " Steward and Matron, 1 month's salary to 1st inst. ....	12	10 0
"	"	" " A. Black's order to Thomas Willcocks. ....	2	1 8
"	"	" " " " W. Chase. ....	2	10 0
"	14.	" " " " Dechezeau & Crow. ....	2	10 6
"	15.	" " " " William Sowers. ....	3	10 0
"	"	" " McEwan & Reid, for Furniture .....	51	9 0
"	17.	" " A. Black's order to W. M. Harrington & Co. ....	5	14 9
"	18.	" " " " J. L. Woodill. ....	2	2 9
"	19.	" " " " Jost, Knight & Co. ....	0	15 0
"	"	" " " " Hall & Beamish .....	0	17 1
"	20.	" " " " for coal .....	142	7 6
"	"	" " " " S. & W. Caldwell, for lead and drilling machine. ....	48	7 8
"	21.	" " " " Water Company, for sundries furnished .....	77	10 9
"	"	" " " " J. H. Liddell, to 31st December .....	75	0 0
"	"	" " " " James Gossip, for ledger .....	2	15 0
"	24.	" " " " W. Fraser & Son, for Furniture. ....	53	0 0
"	26.	" " " " A. Black's order, for sleigh .....	12	10 0
"	27.	" " " " Remit'd. A. & S. Henry & Co., for damask floor cloth, &c., and charges, Stg. £90 2 2, at sight, a 14 p. c. ....	114	2 9
"	29.	" " " " Thomas Cumming, for furniture .....	37	19 2
"	31.	" " " " Wages at Hospital. ....	29	1 9
"	"	" " " " A. Black's order to H. D. Frost. ....	2	3 6



Feb'y.	1.	To paid McEwan & Reid, for furniture	£28	15	0
"	5.	" J. D. Nash, "	33	16	8
"	"	" A. & W. McKinlay, for stationery for office	4	1	4
"	"	" " " for Hospital	9	6	11
"	8.	" D. Farrell, for lumber for Water Works	2	15	9
"	"	" Harrington & Co., for sugar, &c.	7	7	8
"	"	" A. Black's order to J. L. Woodill.	2	15	5
"	11.	" " F. F. Bacon.	3	7	6
"	"	" Folson & Eastwood, for blankets, (1st inst.)	50	0	0
"	12.	" W. J. Fenton, contract for bedsteads	116	12	0
"	"	" Cleverdon & Co., for Crockery	4	5	0
"	16.	" Alex. Scott & Co., carpeting, &c.	10	12	1
"	"	" Amos Black, for use of Hospital	20	0	0
"	17.	" Thompson & Esson, furniture	362	3	8
"	"	" Dellatorre & Rayner, do.	3	2	6
"	"	" W. & C. Silver, do.	56	12	4
"	"	" Bell & Anderson, do.	9	13	1
"	"	" Murray & Co., do.	20	5	6
"	"	" Chas. Robson & Co., do.	6	6	4
"	"	" Creighton & Wisswell, do.	6	12	0
"	"	" Jost & Knight.	17	17	5
"	"	" James Donaldson.	19	0	9
"	"	" Doull & Miller, do.	44	18	3
"	"	" John Stairs, lead for Water Works.	26	19	11
"	18.	" James Black, for furniture.	1	2	4
"	"	" Black, Brothers & Co.	11	17	0
"	21.	" E. G. Fuller, for stationery for Hospital.	0	16	3
"	22.	" J. Doull, for sewing done by Mrs. Scott.	4	8	9
"	23.	" Johnston, Hunter & Co., Boston, furniture \$217 <sup>68</sup> / <sub>100</sub> , a 3½ p. c.	56	6	6
"	24.	" D. McKenzie, for straw	1	12	4
"	"	" Peters, Blaiklock, Peters, cornice moulding.	1	7	6
"	25.	" Dellatorre & Rayner, combs, &c.	1	1	3
"	"	" Bowes & Sons, printing bye-laws, &c.	11	5	0
"	"	" Advertizing to 31st December, 1858.	16	0	9
"	"	" James Hunter, for Water Works.	4	5	0
"	26.	" William Fish, for a cow.	12	0	0
"	28.	" Amos Black, wages at Hospital to date	42	16	5
"	"	" Willcocks, for bread, (1st inst.)	2	2	8
"	"	" P. Walsh, for hardware.	1	12	4
"	"	" William Newcomb, for poultry, &c.	4	6	6
March	7.	" Furniture for office.	57	13	6
"	"	" J. W. Johnston & Sons, for law expenses.	23	0	0
"	10.	" A. & S. Henry & Co., Manchester, balance of account, £7 0 2 Stg., a 15 p. c.	9	2	8
"	17.	" J. C. Lawlor, for lamps.	0	14	6
"	24.	" Freight of coals from George's Island	13	10	0
"	29.	" Tolson & Eastwood, on account, blankets.	25	0	0
"	31.	" Steward & Matron, one quarter to date.	37	10	0
"	"	" Wages at Hospital to date.	50	15	7
"	"	" Wages repairing dam at Lake	2	4	0
"	"	" Petty charges from August, 1858, to date.	3	1	10
April	1.	" Wm. Evens, Contractor, for meat to 31st March.	42	13	2

April	1.	To paid	W. & J. Coombs, for furniture	£11	5	0
"	4.	"	Gammell & Tupper	2	14	5
"	"	"	W. Annand, 3 months' rent to 1st inst.	8	15	0
"	"	"	Treasurer, &c., 3 months' salary to 1st inst	50	0	0
"	6.	"	Thomas Mitchell, for pipes, &c., for Water Works.	3	16	0
"	7.	"	Dr. DeWolf, 3 months' salary to 1st inst	75	0	0
"	9.	"	Peter Moser, for straw	2	0	0
"	"	"	DeBlois & Merkel, 60 chaldrons coal, at 25s.	75	0	0
"	13.	"	A. Knight & Son, for harness, &c	12	12	6
"	"	"	Lordly & Stimpson, contract to 1st inst.	183	19	3
"	18.	"	Robert Woodill, for harness, &c	18	11	6
"	19.	"	Remitted Shand & Mason, for leather hose, &c., stg. £29 19s. 8d., a 13½ p. c.	37	16	3
"	27.	"	Steam Boat Co., for conveyance across Harbor.	4	13	4
"	"	"	D. & E. Starr & Co., for hardware &c.—D. Starr & Sons.	23	16	9
"	30.	"	Wages at Hospital to date.	45	6	6
May	2.	"	Fred. J. Bacon, for rep. cart, truck, &c.	3	16	9
"	4.	"	Robert Brander, for contract.	68	9	2
"	7.	"	Tolson & Eastwood, balance for blankets.	43	12	6
"	11.	"	Alex. Stephen, balance of contract with J. McBain	100	0	0
"	"	"	L. Davidson, for waggon and cart.	36	10	0
"	"	"	H. D. Frost, for carpet shoes.	1	16	0
"	13.	"	Amos Black, for casual expenses.	20	0	0
"	"	"	Wages for setting out hedge, &c	20	4	0
"	"	"	Do. do. rep. water pipes, &c.	12	18	8
"	18.	"	Refunded for unexpired time of Alex. Dill.	8	6	8
"	20.	"	T. Roche, for 60 chaldrons coal a 21s. 3d.	63	15	0
"	21.	"	B. Pentz, for 134 bush. potatoes, a 2s. 3d.	15	1	6
"	"	"	Digging garden, and setting out hedge	30	17	0
"	31.	"	Monthly wages to date	47	11	11
"	"	"	Labor at garden and farm.	12	14	3
"	"	"	Do. water pipes	1	7	8
June	3.	"	W. Fraser & Son, for side table.	3	10	0
"	7.	"	George York, for hand cart.	3	0	0
"	10.	"	Antigonish "Casket," for advertizing.	0	13	2
"	"	"	Amos Black, for casual expenses.	10	0	0
"	11.	"	Out-door wages to date	25	7	0
"	18.	"	James Malcolm, for superintending contracts	4	12	6
"	22.	"	George Keys, for load of straw	5	12	1
"	24.	"	R. G. Fraser, for oil, &c.	0	18	0
"	"	"	Law. Warren, for painting, &c.	5	13	5
"	27.	"	W. Cunnabell, advertising tenders for coal.	0	8	9
July	1.	"	Monthly wages to date.	54	5	10
"	"	"	Steward and Matron, 3 mos. to date.	37	10	0
"	"	"	Dr. DeWolf, 3 mos. to date	75	0	0
"	2.	"	W. Wildman, for shoes, &c.	5	14	3
"	4.	"	Wm. Evans, contractor, to 1st inst.	41	18	7
"	12.	"	Treasurer, 3 mos. to 1st inst.	50	0	0
"	"	"	Contractor, for 105½ chs. coals, a 28s.	147	9	4
"	14.	"	Steamboat Co's account to 1st inst.	12	10	0
"	15.	"	Hall & Beamish, for stationery.	0	15	3
"	16.	"	Lordly & Stimpson, for supplies to 1st inst.	217	11	10
"	"	"	J. L. Woodill, sundries, March to June.	13	10	5

July	16.	To pay	B. O'Neil & Co., for earthenware, &c.....	£8	19	0
"	22.	"	Rent of office for 3 months to 1st inst.....	8	15	0
"	23.	"	F. F. Bacon, for light waggon.....	15	10	0
"	"	"	Do., hand-cart, work, &c.....	10	19	4
"	"	"	J. L. Woodill, for medicine, Dec., 1858, to June, 1859..	11	3	4
"	30.	"	M. Mansfield, for garden chairs.....	5	4	0
Aug.	1.	"	G. P. Lawson, for 79 chaldrons coal, a 28s.....	110	12	0
"	"	"	Monthly wages and extra labor to date.....	73	11	2
"	"	"	Labor at dam, and rep'g. road.....	7	4	0
"	4.	"	G. P. Lawson, for 71 chaldrons coal, a 28s.....	99	8	0
"	10.	"	Patrick Walsh, for hardware.....	4	6	9
"	"	"	Edwd. Keefe, for cow and calf.....	7	11	9
"	15.	"	Allowance for extra work at water works.....	33	6	6
"	18.	"	Expenses of Miss Dix to Annapolis and back.....	5	4	9
"	20.	"	Freight of gas coal from gas works.....	0	15	0
"	"	"	Gammel & Tupper, for sundries ..	2	8	10
"	"	"	W. Fraser & Son, for library table.....	2	10	0
"	"	"	T. Boggs, Jr. & Co., for sundries.....	20	9	3
"	25.	"	Bell & Anderson, for carpeting.....	7	11	3
"	31.	"	Wages at Hospital to date.....	82	18	2
"	"	"	Amos Black, for casual expenses.....	20	0	0
"	"	"	Filtering bed for water works.....	2	8	0
Sept'r.	14.	"	Thos. Keating, for a cow.....	10	0	0
"	20.	"	James Gossip, for stationery.....	2	17	4
"	24.	"	Wm. Cunnabell, for advertising.....	0	7	6
"	29.	"	Charles P. Allen, for 20 settees.....	24	0	0
"	30.	"	Wages at Hospital to date.....	83	1	2
"	"	"	Steward and Matron, 3 months to date.....	37	10	0
Oct'r.	1.	"	Dr. DeWolf, 3 months' salary to date.....	75	0	0
"	"	"	William Evens, contractor, to date.....	90	11	7
"	10.	"	Lordly & Stimpson, supplies to 1st inst.....	248	18	2
"	11.	"	W. Kidston & Sons, for gas coal.....	41	4	4
"	"	"	S. F. Barss, for freight of do.....	23	10	9
"	12.	"	W. Annand, 3 months' rent to 1st inst.....	8	15	0
"	"	"	J. H. Liddell, 3 months' salary do.....	50	0	0
"	"	"	Thomas Holloway, for blocks, &c.....	2	0	6
"	13.	"	Dellatorre & Rayner, clock, &c.....	4	2	0
"	22.	"	Contractor, for clearing land, on account.....	7	10	0
"	24.	"	H. Lawson, for 50 bus. pollen.....	4	7	6
"	"	"	Do., clock.....	2	10	0
"	31.	"	Wages at Hospital to date.....	104	16	5
Nov'r.	5.	"	Contractor, for clearing land, on account.....	7	10	0
"	8.	"	J. D. Nash, for copper coal scuttle, buffalo robes, &c....	5	13	3
"	11.	"	George Mason, for pigs.....	3	0	0
"	14.	"	J. E. Lawlor, for ham and bacon.....	2	4	5
"	"	"	Do. lamps.....	2	2	11
"	15.	"	R. Waddell, for freight of gas coal.....	2	10	0
"	"	"	Amos Black, for casual expenses.....	20	0	0
"	17.	"	Martin Lapier, for kelp.....	5	0	0
"	"	"	James Stanford, for leather, &c.....	2	9	7
"	23.	"	Contractor, for clearing land.....	20	0	0
"	28.	"	J. F. White, for potatoes.....	10	16	0
"	"	"	Ebenezer Isner, for hauling wharf logs.....	5	5	0



April	21.	By Cash on account David G. McDonald	£8	2	6
"	"	" " P. Behan	2	10	0
May	2.	" from S. S. Thorne	400	0	0
"	5.	" on account Angus Graham	8	2	6
"	7.	" Adele Cote	6	10	0
"	10.	" M. Kelly, 1 month	2	14	2
"	20.	" Jonathan Collins, 3 months adv.	8	2	6
"	26.	" from S. S. Thorne	400	0	0
"	28.	" " Overseers of Poor, Windsor, on account Mrs. McDonald	6	10	0
June	2.	" " Halifax C. T. A. Society on acc't. P. Behan	3	15	0
"	22.	" on account Charles Smullen	12	10	0
"	24.	" " Robt. Thomson	8	2	6
"	"	" " Margaret McPhie	6	10	0
July	2.	" " John Jost	12	10	0
"	5.	" from S. S. Thorne	500	0	0
"	9.	" on account Samuel Cupples to 9th Oct.	12	10	0
"	"	" " Andrew McLeve	10	0	0
"	14.	" " the Brown Fund in't. to 7th July	37	10	0
"	18.	" " David L. Hagar	12	10	0
"	19.	" " Miss Leggett	3	15	0
"	"	" " Catherine Wilson	12	10	0
"	29.	" " P. Behan from Halifax T. A. Soc'y	5	0	0
Aug.	2.	" from S. S. Thorne	500	0	0
"	3.	" on account Mrs. Kelly	5	8	4
"	12.	" " Martha Hadley	12	10	0
"	13.	" " Isabel Mackie	12	10	0
"	25.	" " P. Behan	2	10	0
Sept'r.	4.	" " Amie Cote, balance	2	10	0
"	12.	" " John Stewart	8	2	6
"	"	" " Abraham Landry	8	2	6
"	"	" " Johanna Collins	8	2	6
"	16.	" " D. G. McDonald	8	2	6
"	21.	" " Margaret McPhie	6	10	0
"	27.	" " P. Behan	2	10	0
"	29.	" " Jasper Crowe	12	10	0
Oct'r.	1.	" " James Hogg	8	2	6
"	6.	" from S. S. Thorne	500	0	0
"	3.	" on account Robert Troop	12	10	0
"	10.	" " Samuel Cupples	12	19	0
"	"	" " Chas. Smullen clothing and damage	0	6	11
"	12.	" " Celia McDonald	6	10	0
"	20.	" " P. Behan	2	10	0
"	26.	" " Robert Thompson	8	2	6
"	27.	" " James Angevine	28	6	1
Nov'r.	1.	" " John Jost	12	10	0
"	3.	" " Bridget Henderson	2	0	0
"	"	" " Amelia D. Leggett	3	15	0
"	"	" " Angus Graham, and for clothing	8	17	4
"	"	" " Wesley Caldwell	8	2	6
"	7.	" " Mrs. Kelly	8	2	6
"	11.	" " P. Behan, for clothing	0	11	1
"	"	" " Do.	1	17	5

Nov'r. 12.	By Cash on account	Bridget Henderson	£5	0	0
" 19.	"	" Mrs. Cody, 1 week	0	10	0
" 25.	"	from S. S. Thorne	500	0	0
" "	"	on account P. Behan	2	10	0
Dec'r. 7.	"	" Walter Wilson and Sophia O'Connor	33	2	11
" "	"	" C. Smullen	2	17	9
" 9.	"	" Abraham Landry	8	2	6
" 12.	"	" Bridget Henderson	5	0	0
" 14.	"	" Andrew McLeve	17	10	0
" 20.	"	" Johanna Collins	8	2	6
" 21.	"	" P. Behan	2	10	0
" 23.	"	" Miss Mackie	2	17	9
" 29.	"	" Catherine Wilson	12	10	0
			<u>£6098</u>	<u>5</u>	<u>10</u>

*Abstract Account, from 1st January to 31st December, 1859.*

Balance on hand 1st January, 1859	£118	4	4
Cash from Board of Works	5400	0	0
" Patients, and interest from the Brown Fund	580	1	6
	<u>£6098</u>	<u>5</u>	<u>10</u>

**EXPENDITURE.**

Water Works	£438	5	10
Furniture	1430	0	7
Hospital, including Treasurer's Salary, Office Charges, and Printing	4191	9	6
Repaid unexpired time of a discharged patient	8	6	8
Balance on hand 31st December, 1859	30	3	3
	<u>£6098</u>	<u>5</u>	<u>10</u>

Bonds in force at 31st December, 1859. . . . . £1121 10 0

**JAMES H. LIDDELL,**

*Treasurer of Hospital for Insane.*

Examined, and found correct.

**GEO. H. STARR,**  
**SAML. A. WHITE.** } *Auditors.*

Halifax, 31st December, 1859.

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**RAILWAY.**


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*Nova Scotia Railway Office, February 8th, 1860.*

SIR,—

We have the honor to submit to you, for the information of His Excellency the Lieutenant-Governor, and both branches of the Legislature, the following Report on the state and progress of the Provincial Railway, for the year ending 31st December, 1859.

The usual balance-sheet required by law, containing the receipts and expenditures for the year, has been filed in the office of the Financial Secretary, together with the accounts and vouchers.

From these papers it will be seen that there has been expended—

To 31st December, 1859.....	£1,049,400	13	11
Add to this cash in hand to 31st Dec., 1859..	£80	18	0
And cash in Bank of Nova Scotia .....	930	15	3
		<hr/>	
		1,011	13 3
		<hr/>	
		£1,050,412	7 2

being total amount received from the Honorable Receiver General to said date.

The expenditure, as classified under the respective heads, is exhibited by the statement hereto annexed, marked A.

The accompanying Report of the Chief Engineer, will show the state of the road at present, and what has been done in the department under his control during the past year.

The Report of the Superintendent of Working Department, which is also hereto annexed, enters fully into the working of the road during the year, giving the results, and also details of the works done on the Main Line and the Windsor Branch, subject to his supervision, during the year. From his Report, and the documents thereto annexed, it will be seen that the revenue of the road amounted to the sum of £25,719 7s. 10d., and the expenditure to the sum of £27,818 14s. 5d., which leaves a deficiency of £2,099 6s. 7d.

The number of passengers conveyed over the road during the year was 71,214, and the amount realized from passengers £15,051 4s. 3d., and from freight £10,668 3s. 7d.

The Reports of the Chief Engineer and the Superintendent are so full as to leave but little for the Board to add, unless it be the fact that the whole road, including both the Main Line and the Windsor Branch, is now in fair working order; and the Board confidently trusts that the serious difficulties which have heretofore occurred, in consequence of the action of the frost upon the embankments and slopes, will be to a great extent obviated in the future.

The Board has given its best attention to revising the tariff, so as to insure the greatest amount of travel and freight over the road, and they consider that the rates as now fixed are upon the lowest possible scale compatible with a due regard to the revenue.

The supply of timber, cordwood, plaister, bricks, &c., carried over the road, has been considerably increased during the year; and although additional accommodation has been made at Richmond for the traffic of the road, it will probably have to be further extended in consequence of the increase of business.

Under the direction of the Chief Engineer a new Engine House was commenced at Richmond, and has been partly completed, but the Board have to regret that,

owing to circumstances over which they had no control, it has not been finished, but they have every confidence that it will be completed early in the ensuing season. The turntable, forming a part of this building, is completed, and is now in excellent working order, thus avoiding the delay and labor which was constantly experienced in working the former one, and also the disadvantageous position in which the old one was placed.

In closing this Report the Board deem it proper to state that, in order to bring down the expenses of the Railroad as low as possible, the employees over the whole line, including also the mechanists, have been as much reduced as a due regard for the safety of the road would justify, so as to bring the working expenses as near the probable amount of revenue as could possibly be done. The Board have also the gratifying statement to make, that during the year the trains have run with great regularity and safety, and that not a single casualty has happened among the passengers, notwithstanding there have been on the line during the greater part of the season from six to eight engines employed in ballasting and repairing the road.

JAMES McNAB,  
ARCHIBALD SCOTT,  
S. L. SHANNON.

To the Honorable the PROVINCIAL SECRETARY.

A.

*STATEMENT exhibiting amount expended to 31st December, 1859, referred to in Report.*

Construction .....	£673,178	1	1½
Permanent Way .....	173,990	11	5
Rolling Stock .....	112,031	6	8
Stations .....	53,321	6	0
Engineering .....	17,741	10	4
Salaries .....	13,548	1	3
Cash .....	1,011	13	3
Miscellaneous .....	992	13	3½
Pier at Parrsboro' .....	4,597	3	10
	<u>£1,050,412</u>	<u>7</u>	<u>2</u>

Construction includes Earth Work, Drainage, Ballasting, Fencing, Bridging, Sleepers, and all other work connected therewith.

Permanent Way includes Rails, Chairs, Side Keys, and Switches and Crossings.

Rolling Stock includes Engines and Carriages of all descriptions.

Stations includes Buildings, Wharves, Platforms, Loading Ground, &c.

*Nova Scotia Railway, Engineer's Office,  
January 17th, 1860.*

GENTLEMEN,—

I have the honor to submit the following Report on the progress of the Railway works, and the operations of the Engineer Department during the past year.

At the date of the last Annual Report the Railway was in operation to Windsor and Truro; but to the latter place, thirty miles had been so recently opened, the works had not had time to become properly consolidated, and in the course of the winter the use of the road was maintained with considerable difficulty.

A portion of the Windsor Branch also, where there are heavy clay cuttings, was very troublesome.



By the indefatigable exertions of the Superintendent and Road Masters, both roads were kept open without material interruption to the traffic.

Had any doubts previously existed, the experience of last spring proved conclusively, that clay cuttings in Nova Scotia will not stand at a slope of 1 to 1,—many of them having run down and assumed inclinations of from  $1\frac{1}{2}$  to 1 to 2 to 1.

Local circumstances determine in a great measure the requisite slope. The same kind of material requiring to be much flatter in a wet than in a dry situation. The more or less exposure of the banks to the rays of the sun, and consequent thawing and freezing, has also a material influence. On sidelong ground, and along the vallies of streams, it is generally observable that the side of the cutting next the highest ground is that most liable to slip, caused by the natural springs issuing from that side keeping the banks always saturated with water.

In the course of the winter and spring it became evident that a large amount of additional work, by widening the cuttings and flattening the slopes, would be necessary to render the road secure; and as this work could be done more cheaply and satisfactorily by using the locomotives and cars belonging to the Province, it was considered advisable that it should be executed under the superintendence and management of the employees of the Commissioners. The Contractors therefore were settled with, and the upholdance of the works taken off their hands. During the past season six to eight ballast trains have been employed under the direction of the Superintendent and management of the Road Masters; and a large amount of material has been removed from the cuttings, so that many of them have now a slope of nearly 2 to 1.

The rock embankment through Grand Lake, near Schultz's, has been a source of large expenditure. This embankment continued to settle or subside during the summer, so that there was danger at times of interruption to the travel.

More than 9,000 cubic yards of rock have been used, at a cost of £2,228 8s. 3d. For this expenditure there is nothing to show but a small increase of width on the top of the embankment, the rock having passed entirely out of sight under the surface of the water. The depth to hard bottom, on the lake side of the road, is nearly 140 feet, and consequently there is required a large amount of material to effect a small increase in width.

A severe freshet occurred on the 8th January, 1859, by which considerable damage was done to the Railway. One of the piers of the Beaver Bank bridge, on contract No. 5, was injured, also a number of culverts and drains on various parts of the line. The principal damage, however, was on contract No. 11. Here the openings of the bridges and culverts were too small to pass the water, and a number of them were undermined, or sustained other serious damage. The embankments also along Mill Brook were submerged,—some of them not only during this freshet, but on two subsequent occasions during the spring. As the Contractors could not be called upon at their own cost to repair these damages, and as they asked extravagant prices for work not embraced on their contract, it was deemed advisable to take it out of their hands.

The masonry was subsequently contracted for at the same rates as had previously been paid.

The embankments have been raised from one to three-and-a-half feet at such places as the freshet proved they were of insufficient height. About one hundred chains have been raised from six inches to two feet, and one hundred and ten chains from two to three-and-a-half feet.

The water-way of most of the bridges has been increased fully two-fold, by removing one of the abutments and adding another span.

Brook diversions have also been made so as to give the flood waters free scope alongside of the Railway, without passing through two of the bridges which have not been enlarged, the excavation being used for raising the embankments.

Had these diversions been made originally, the bridges would not have been required. The expenditure on account of this work has been large, but was necessary for the permanent and safe use of the road. The work done by contract amounts to £5,589 18s. 2d.

An arch culvert under a twenty feet embankment which withstood the freshet, although sustaining some damage, has been repaired. To have enlarged it properly would have cost say £1,000. It will pass the water until a higher freshet occurs than the last, but a slight increase beyond will involve its being carried away.

Some repairs have been found necessary to one of the bridges on No. 3, W. B. One of the piers had to be taken down and rebuilt, and some temporary support is now being placed to one of the abutments. The failure of this work is partly due to the foundations not having been laid deep enough, and partly to imperfect workmanship. The timber-work of Nine Mile River bridge, also proving too slight for the heavy locomotives, has been strengthened. A number of new culverts, both on the Main Line and Windsor Branch, have been constructed, and others which were injured have been repaired. These works have been executed under the supervision of the Road Masters and Superintendent.

The station buildings at Richmond have been erected from time to time as the necessities of the business required. No general plan had been adopted with a view to future extensions, and as a consequence few of the buildings are now in the positions it would be desirable to have them, if the station arrangements were to be planned anew. Some buildings have already been moved twice since they were first erected.

The present engine house being too small to accommodate the number of locomotives now on the road, it became necessary that further accommodation should be provided. In the present building there is a want of sufficiency of light, and too little space for men to work. There is also the serious inconvenience arising from there being four locomotives on one track, rendering it often necessary, at considerable delay and expense, to move several engines to get at the one that may be required. And as there was no car house for the storage of passenger cars, which suffer greatly from constant exposure to the weather, it was decided upon in May last to erect another engine house of sufficient capacity to hold the locomotives in daily use, while the spare and disabled ones could be stored in a portion of the present building and the rest of it be appropriated for a car house.

The new building which will hold ten locomotives, and allow of any one of eight of the number being removed without disturbing the others, was contracted for to be completed in December last, but the supply of brick having failed the contractor, and there being none to be procured of the same size and color, its completion, of necessity, must be postponed until spring. The walls are completed with the exception of the gable ends, and are ready for the roof. The amount paid on account of the building, up to the present time, is £2,141 10s. 8d.

A general plan has been made out for enlarging the station accommodation, of which the new engine house forms a part. The other buildings can be added from time to time as may be found necessary. The blacksmiths' shops are at present at a very inconvenient distance from the machine shop: they are buildings of little value, and it may be found expedient to remove or rebuild them at an early day where they will be more accessible, and be brought under the oversight of the Superintendent of Machinery. A wheel furnace, for which the castings were imported some two years ago, should also be erected in connection with the blacksmith's shop.

In the event of much plaister or other heavy materials being brought down the Railway to be shipped, it would be desirable to lay down a siding to the present wharf, so that they could be unloaded directly from the cars into the vessels, or deposited upon the end of the wharf convenient for loading. The cost would be about £250.



Return No. 1 shews the mileage of trains, the number of passengers carried, and details of traffic receipts, both on the Main Line and on the Windsor Branch.

Return No. 2 gives the corresponding working expenses for the past year.

Return No. 3 shews the particulars of traffic for each month during the year 1859.

Return No. 4 exhibits details of works done by Road Masters, chiefly in sloping cuttings and ballasting the road from Halifax to Brookfield, and on the Windsor Branch, from 1st May to 30th November, inclusive.

Return No. 5 gives the classification and amounts of all works belonging to Construction, with details of masonry executed under the Superintendent during the past year.

From 1st to 24th January, and from 4th April to 31st December, 1859, two trains daily ran each way between Halifax and Truro, sixty-one miles, and between Halifax and Windsor, forty-five miles; while during the winter months, from 24th January to 4th April, there was only one train each way per day over either of these lines.

For the greater accommodation of through passengers, and of the Eastern Mails, the time for mail train between Halifax and Truro was on first July last put at three hours, including stoppages, equaling a speed of fully twenty-five miles per hour while running, which is still maintained.

The freight train to Truro has occupied usually four hours, averaging a speed, including numerous stoppages, of fifteen miles per hour.

The usual speed of trains on the Windsor Branch, carrying both passengers and freight, has been sixteen and one-half miles per hour, including several stoppages.

It is much to be regretted that the business on the Windsor Branch will not warrant running trains solely for passengers; indeed the number carried during the last half year has been nine hundred and fifty-eight less than for the corresponding period of 1858, and the passenger receipts have consequently decreased by £945 0s. 3d.

The horse, waggon, and freight receipts on the Windsor Branch have, on the other hand, increased during the last half year by £1062 1s. 0d., shewing a total increase of receipts on the Windsor Branch of £117 0s. 9d., as compared with the half year ending 31st December, 1858.

As the Railway was not fully opened to Truro till 15th December, 1858, this year's receipts of the Eastern Line cannot be fairly compared with those of the corresponding half year. The following, however, are the general results:—

	No. of Pas'ng'rs.	Passenger.	Horse and Waggon.	Freight.	Total.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
Half year ending 31st Dec., 1858.	35,702	7,584 17 1	1,466 5 4	2,550 17 11	11,602 0 4
Half year, 31st Dec. 1859.	42,622	9,095 8 0	1,685 0 5	4,815 13 7	15,596 2 0
Increase in half year 31st Dec., 1859.	6,920	£1,510 10 11	£218 15 1	£2,264 15 8	£3,994 1 8

The receipts per mile of Railway for the year 1859, amount to £278 1s. 0d. nearly; and the working expenses per mile of Railway for the same period equal £300 14s. 10d.

The traffic receipts per train mile run during the past year are 4s. 4d., and the working expenses per mile run for the same period amount to 4s. 8d.

When it is remembered that the expense of working a small undertaking, especially in a thinly settled country, is always much greater as compared to the receipts than in large undertakings doing a heavy business, and that while the receipts per mile of Railway in the States are double those in Nova Scotia, our expenses per mile run are *under the general average of American lines*, it will be evident that the deficiency arises from the small amount of business done, and not from unnecessary expenses in conducting it. The general depression of business during the past year has naturally effected the Railway receipts.

Owing to better facilities the working expenses this year have been generally reduced about *thirty* per cent. as compared with the expenses for the half year ending 31st December, 1858,—the chief increase being that of £4,000 in the repairs of the permanent way, which was then in the hands of the contractors, and the large expenditure of £1,189 for clearing snow and ice, greatly attributable to the want of drainage, and the unfinished state of the road. I trust that this item will in future be reduced by one half.

The quarterly statement of Receipts, Return No. 1, shews that the business of the last half year of 1859 is more than 50 per cent. greater than that of the first half year, while the receipts of the last quarter are double those of the first quarter. Indeed passenger travel during the winter in this country is so small that a loss may generally be anticipated. Facilities should, however, be offered, for the sake of increasing business at this season,—the receipts during last winter having, in my opinion, suffered greatly from running but one train each way daily.

In order to develope business, and bring as much as possible on the Railway, the Nova Scotia freight tariff has been put, especially as regards agricultural produce and articles of general consumption, about twenty per cent. lower than tariffs in the adjacent Provinces; and as regards carriage of horses and waggons, it is *fifty* per cent. lower than in New Brunswick. As this team traffic is unremunerative, it is not taken on Railways generally, nor encouraged on the European and North American Line.

I am glad to report that advantage has been taken of the Railway to send to Richmond this season 712 tons of bricks from Truro; also 1432 tons brick and 664 tons plaister from Elmsdale to Halifax.

Freight trains are also frequently sent to collect timber and cordwood deposited on the Railway for transportation to Halifax.

Although 71,214 passengers have been carried during the past year, I have the satisfaction of reporting that not one of them has received the slightest injury. Owing to a great freshet which rose near the level of the rails on an embankment near Shubenacadie, followed by intense frost, the road on 13th January, 1859, became unusually rough, and the engine and tender consequently ran off the rails; the fireman having unfortunately jumped from tender was fatally injured; the other carriages remained on the track, none of the passengers were in the least hurt or shaken, and had the fireman remained on the engine, where some others were standing, no accident would have befallen him.

The above is the only casualty which has occurred to any one employed on passenger or freight trains during the past year.

#### STATE OF THE RAILWAY WORKS.

The heavy freshet which occurred on 8th January, 1859, overflowed several of the embankments between Brookfield and Truro from one to three feet, and washed away the ballast for considerable distances. The culverts being insufficient to pass the water, several gaps were made in the embankments, over which temporary structures having been erected, the trains ran as usual after four days. These works have since been reconstructed, and the road placed beyond similar contingencies, under the direction of the Chief Engineer.

Heavy slips occurred last spring on two large cuttings on the Windsor Branch, which covered the rails some five feet deep, prevented the trains passing through them for about four days. So heavy and general were the slips on most of the excavations, that in the months of May, June, and July, from seven to eight locomotives, about seventy flat cars, and some five hundred men, were required to clear out these cuttings, and it was only by very strenuous exertions that the trains were kept running during last spring.

The slopes which were originally specified to be made at the ratio of one to one, will generally require two to one, and in some cases even a flatter slope, to prevent their being effected by the frost, which will, I fear, still bring down some portions of certain cuttings for the next three or four years.

The embankments on the Windsor Branch, which, by original specification, were ordered *fifteen* feet wide, have in many cases never been made out to this width. The embankments through the lakes are still settling considerably, and these, as well as many others, will require for the safety of the road to be widened next spring.

The frost causes all earth embankments insufficiently sloped to run so much, that fifteen feet is narrow for these works; and considering the curvature and steep grades of the Windsor Branch, it will be safer for these embankments to be completed at the width specified for those on the Main Line, *eighteen* feet.

By Return No. 4 it will be seen that 123,029 cube yards of excavation have been removed by the Road Masters from slips of cuttings, at an average rate of 14½d. per cube yard,—the cost of which amounts to £7,479 14s. 10d.

New ballast to the extent of 74,047 cube yards, at an average rate of 11½d., costing £3,471 12s. 3d., has been spread, the old ballast being deficient in quantity, and greatly deteriorated by mixture of clay from the cuttings which fell upon it. £2,506 2s. 5d. have been spent in raising, re-ballasting, and adjusting the permanent way. The total sum expended on Construction by Road Masters, under the Superintendent, from 1st May to 30th November, being £14,471 7s. 5d., or at the rate of £171 5s. per mile.

The sum charged to the revenue for repairs of permanent way amounts to £8,702 3s. 8d., equal to £103 per mile per annum. As a considerable portion of the works are still unconsolidated, the above cannot be deemed a large sum for their maintenance last year. These expenses will be reduced as the road becomes more settled.

The mileage of the ballast trains running over the road being about two-thirds of the mileage of the passenger trains, and the expense of maintenance increasing with the mileage, a portion of these expenses (£8,702) might fairly be charged to Construction; but as the revenue derived advantage while the repairs of the permanent way was in the hands of contractors, I think it better now to debit the whole to the revenue.

It affords me much satisfaction to report the present good condition of the permanent way and works generally. Owing to the new ballast spread last summer, the rails have as yet been but slightly affected by the frost. The condition of the road last winter rendered it imperative to run slowly, and had the trains been then sent at the speed which is now safe, fatal accidents would doubtless have resulted.

Considering that no accident has occurred from the number of ballast engines which have been working between passenger trains all the summer, I have pleasure in expressing my appreciation of the care and energy shewn by the Road Masters and other parties in charge of these operations.

Return No. 5 gives classification of expenditure on Construction, with details of masonry—sheet 5 A. This return includes the works done by Road Masters,—the particulars of which, given on Return No. 4, have been already noticed; and it also includes some contract works, such as masonry, &c., the details of which will appear in the above sheet.

Without recapitulating the particulars of masonry shewn in these returns, it may suffice to explain, that in many instances, the culverts being built of insufficient dimensions to pass the water in the spring, have been undermined, the walls have consequently given way, and gaps in several cases have been made through the embankments. Many culverts have also been lengthened this summer, the slopes of embankments having previously blocked them up at both ends, and several new culverts have been built where much needed. The cost of lengthening old culverts has been £830 16s. 8d., and of building new culverts £1,038 3s. 10d.

The piers of Jordon's Bridge on contract No. 3, Windsor Branch, having considerably settled, one of them dangerously, it was deemed advisable to take down and rebuild it; the masonry was found very defective, having no internal bond, and additional repairs will be requisite next summer to secure this work. The present repairs and additions to this bridge have cost £320 8s.

The ice last winter having much injured the piling of bridge over Nine Mile River, cutwaters formed of strong timbers have this summer been erected, and plank-ing placed so as to preserve the structure. It was also found necessary to put additional braces under the rails, in order to obviate the previous deflection. The cost of these additions has been £213 8s. 3d.

The works shewn on Return No. 5, are—

Grading .....	£13,917	10	7
Permanent Way .....	349	4	7
Ballasting .....	4,696	8	4
Widening Embankments by Road Masters .....	396	10	4
Clearing Mud from Sleepers, Lifting and Levelling Road, &c. . . . .	2,506	2	5
Bridges and Masonry .....	3,307	10	9
Station Buildings .....	1,920	4	9
Fencing .....	537	6	0
Engines .....	1,297	6	5
Passenger Carriages .....	137	3	1
Freight Cars .....	1,652	13	4
Machinery .....	679	10	7
Road Stock and Tools .....	16	16	2
Office Furniture .....	93	10	8
Miscellaneous .....	232	1	6
<b>Total .....</b>	<b>£31,730</b>	<b>19</b>	<b>6</b>

#### RICHMOND STATION.

The two hundred feet of additional platform made early in the spring, has provided accommodation for a considerable brick traffic, which has since been carried on. The new Turntable is now in good working order, and when the brick Engine House shall be completed, the inconvenience long and seriously felt in the present Engine Shed for want of better light, and from the trouble of getting out any particular engine wanted, will be remedied. A shed will also be provided for the passenger carriages, which at present sustain much damage from exposure to the weather.

The disadvantages arising from the site of the Richmond terminus are daily experienced: unfortunately it will entail great expense to provide suitable accommodation. A new siding and wharf, so arranged that vessels could load at once from the cars, is much needed,—the present wharf being so placed that a car can scarcely get on to it from the Main Line.

If it be decided that Richmond shall be the permanent terminus, better passenger

accommodation, waiting rooms, and the like, will be requisite; but as the traffic generally has suffered so much from the inconvenient distance of this station from the city, I think the advantages of bringing the traffic further into the town, either by a horse railway or otherwise, are worthy of the serious consideration of the Board.

During the past year, woodsheds with tanks attached, have been erected at Windsor Junction, Polly Bog, and Mount Uniacke; and a long through siding having been laid at the latter station, the delay previously entailed for want of this accommodation has been obviated.

At Truro station the rails should be continued for about two hundred yards, and about one hundred and fifty feet of platform erected, so that horses and waggons, which are properly carried ahead of the passengers, could be unloaded there. By this much time now lost in shifting the trains would be saved.

I regret that after much negotiation last summer with the N. S. Telegraph Company, for the erection and working of a wire over both lines of the Railway, nothing material has yet been accomplished.

The safety and facilities afforded by a telegraph to the working of a road, have been so constantly urged by me upon the consideration of the Commissioners, that it is needless here to repeat them,—suffice it to say, that the telegraph would prevent most of the detentions to which a single line of Railway is subject, and limit the longest of them to about two hours.

The Rolling Stock is as follows:—

10	Passenger and Freight Locomotives from Neilson & Co.
5	“ “ “ “ Portland Locomotive Works.
5	Ballast “
—	
20	
10	First class passenger Carriages.
8	Second class “ “
5	Mail Vans.
21	Freight Cars.
19	Horse and Cattle Cars.
1	Sheep Car.
101	Platform Cars, of which about sixty-five have been chiefly used in Construction and Maintenance.
3	Snow Ploughs.
3	Break Vans.
14	Side-tip Ballast Cars.
1	Scotch “ “
14	Trolleys for repair men.
7	Pumping Engines, of which five are on hand.
2	Small Fire Engines.
1	Sawing Engine.
2	Stationary Engines.

I beg to enclose the Report of the Superintendent of Locomotives, and his Return No. 6, which gives the particulars of the engines, the number of miles run by passenger and ballast trains, the consumption by each of wood, oil, and other stores, and the cost of running them both as to wages and repairs.

From this Return it appears that—

41.1	miles have been run to 1 cord of wood.
90.9	“ “ “ “ to 1 gallon oil.



The cost of Wood per mile run is.....	D. 4.0
“ “ of Oil, Tallow, and Waste.....	1.2
“ “ of Wages of Enginemen, &c. . . . .	4.0
“ “ of Repairs . . . . .	3.2
	12.4

The total cost of motive power being about one shilling, currency, per mile run, a sum below the usual average.

Since November last, when the ballast engines ceased working, the locomotive staff has been strictly reduced to the requirements of the revenue. During the past summer, when from six to eight engines were ballasting, while only five were engaged with the traffic, a much larger staff was requisite than is now, or will in future, be employed.

With the cessation of the autumn freight, the number of porters and others engaged in the traffic business has been also reduced,—the object being to enforce in each department every possible economy consistent with the safety and efficiency of the road.

The general depression of business during the past year has doubtless affected the Railway receipts. Usually the first year's business on a road is doubled in about three years, but the small population of Nova Scotia, and the barren districts through which much of the Railway passes, are very unfavorable for the developemnt of traffic.

When it is remembered that the expense of running trains is much the same, whether they be full or empty, that double the amount of business might be done with scarcely any increased cost, I think the Railway operations the past year should be judged by the facilities which have been given to the public, and by a fair comparison of our working expenses with other roads, and not as to whether the Railway has proved directly remunerative.

Having stated the disadvantages under which the Nova Scotia Railway labors,—the improved condition of the works,—the freedom from any passenger accident,—and the favorable comparison which our working expenses will bear with American roads,

I have the honor to be, Sir,  
Your obedient servant,

J. R. MOSSE,  
*Superintendent.*

*Richmond, 25th January, 1860.*

J. R. Mosse, Esq., Superintendent of the N. S. R.  
SIR,—

I beg to submit for your information the accompanying table, shewing the expense of the Locomotive Engines for the past year, with a few remarks on the present state of the department under my charge.

During the past year the four large engines ordered from Scotland have been received and erected, which makes the stock of engines twenty in number; four of these, however, are of a class not suited for the traffic of this road—these are Nos. 2, 3, 4, and 5—so that the actual number of efficient working engines is reduced to sixteen.

From the table it will be seen that all our engines have been employed in the past year, with the exception of Nos. 2 and 20, the latter being the only engine that we had not occasion to turn out as soon as erected.

I am happy in being able to state that, excepting Nos. 1 and 2 (which require a thorough repair) our locomotives are in such order as to meet all the requirements of the road.

The new machine shop, which was started for the first time on the 6th April last, has given great facilities for the repair of locomotives; the tools are second to none, and the building is well adapted for its intended purpose. A blacksmith shop convenient to this building is a great desideratum, as our present temporary smiths' forges are ill adapted for any description of the heavy work required at times.

The erection of a furnace will eventually be necessary for the proper repairs of wheels and tyres: the iron mountings for a few of this description are on hand, as well as fans, anvils, and forges, suitable for a new smith shop.

In conclusion, I am happy to state that, by some little alterations and improvements in some of our engines, and by the care and attention of the drivers and firemen, together with a proper system of checking and delivering stores, &c., we have made a considerable decrease in the quantity of wood, oil, &c., &c., as heretofore used by locomotives doing the same amount of work, which will stand a fair comparison with other Railroads.

I am, Sir,

Your most obedient servant,

A. MOIR,

*Superintendent of Locomotives.*

(Return No. 2.)

*Working Expenses of Traffic for the year 1859.*

Running Expenses—Wages of Conductors, Brakemen, Engine Drivers, Firemen, &c. . . . .	£5,146	3	5
Traffic Charges, Wages, Porters . . . . .	1,190	5	1
Office Expenses, Stationery, &c. . . . .	235	0	5
Printing and Advertising . . . . .	372	5	9
Repairs of Locomotives . . . . .	856	0	2
Repairs of Passenger Carriages . . . . .	303	18	11
Repairs of Freight Cars . . . . .	327	13	6
Salaries—Superintendent's Office and all Station Agents . . . . .	3,249	0	0
Wood . . . . .	3,062	14	6
Coal . . . . .	254	2	9
Oil and Tallow . . . . .	1,308	18	9
Cotton Waste . . . . .	121	12	4
Repairs of Permanent Way . . . . .	8,702	3	8
“ Road Bed . . . . .	7	2	6
“ Bridges . . . . .	20	9	3
“ Station Buildings . . . . .	228	15	2
“ Fencing . . . . .	532	13	11
Repair Shop and Tools . . . . .	150	0	0
Gratuities and Damages . . . . .	38	10	5
Casualties . . . . .	158	17	4
Clearing Snow and Ice . . . . .	1,189	6	2
Road Stock . . . . .	145	10	2
Miscellaneous . . . . .	217	5	8
<b>Total . . . . .</b>	<b>£27,818</b>	<b>14</b>	<b>5</b>

NOVA SCOTIA RAILWAY.

Return No. 1.

ABSTRACT shewing Mileage of Trains, Number of Passengers and Quarterly Receipts, for Year ending 31st December, 1859.

MAIN LINE.

QUARTER ENDING	MILEAGE OF TRAINS.	NO. OF PASSENGERS.			AMOUNT RECEIVED FOR				TOTAL.							
		1ST.		2D.	TOTAL.	PASSENGERS.	HORSES AND WAGGONS.	FREIGHT.								
		1ST.	2D.													
March . . . . . 31	10754	3038	3863	6901	1355	18	0½	258	19	11	931	4	10	2546	2	10
June . . . . . 30	18788	4424	6481	10905	1963	7	0½	103	13	2	1231	5	4	3298	5	6½
September . 30	19276	6200	6802	13002	2543	16	8	165	12	8	1282	9	9	3991	19	1
December . . 31	19426	4469	7858	12327	2512	0	9½	419	11	9	1577	11	3	4509	3	9½
	68244	18131	25004	43135	8375	2	6½	947	17	6	5022	11	2	14345	11	3

WINDSOR BRANCH.

March . . . . . 31	8389	2003	2051	4054	942	9	2	83	14	6	531	4	3	1557	7	11
June . . . . . 30	13860	3746	2986	6732	1694	1	11½	65	16	5	961	11	2	2721	9	6½
September . 30	14220	5152	3999	9151	2178	8	0	412	7	4	860	5	10	3451	1	2
December . . 31	14220	3813	4329	8142	1861	2	6½	687	8	8	1095	6	9	3643	17	11½
	50689	14714	13365	28079	6676	1	8	1249	6	11	3448	8	0	11373	16	7

SUMMARY.

QUARTER ENDING	MILEAGE OF TRAINS.	NO. OF PASSENGERS.		TOTAL.	PASSENGERS.	HORSES AND WAGGONS.	FREIGHT.	TOTAL.								
		1ST.	2D.													
March . . . . . 31	19143	5041	5914	10955	2298	7	3	342	14	5	1462	9	1	4103	10	9
June . . . . . 30	32648	8170	9467	17637	3657	9	0	169	9	7	2192	16	6	6019	15	1
September . 30	33496	11352	10801	22153	4722	4	8	578	0	0	2142	15	7	7443	0	3
December . . 31	33646	8282	12187	20469	4373	3	4	1107	0	5	2672	18	0	8153	1	9
	118933	32845	38369	71214	15051	4	3	2197	4	5	8470	19	2	25719	7	10

J. R. MOSSE,

Superintendent.

31st Jan'y, 1860.



*MONTHLY RETURN of Passenger, Horse, Waggon, and Freight Traffic, for the year 1859.*

**MAIN LINE AND WINDSOR BRANCH.**

	NO. OF TRAINS RUN.	PASSENGERS.			AMOUNT RECEIVED FOR				TOTAL AMOUNT.
		1ST CLASS.	2D CLASS.	TOTAL.	PASSENGERS.	HORSES AND WAGGONS.	FREIGHT.		
January	169	2126	2487	4613	£890 15 2	142 12 10	386 7 7	7	1419 15 7
February	96	1500	1414	2914	658 6 9	115 11 3	378 12 4	4	1152 10 4
March	98	1415	2013	3428	749 5 4	84 10 4	697 9 2	4	1581 4 10
April	200	2082	3001	5083	926 4 11	50 19 11	619 13 3	1	1596 18 1
May	208	2412	2594	5006	1042 2 5	48 10 6	685 17 3	2	1776 10 2
June	208	3676	3872	7548	1689 1 8	69 19 2	887 6 0	10	2646 6 10
July	208	3705	3513	7218	1552 14 8	59 6 10	665 7 1	7	2277 8 7
August	216	3600	3393	6993	1494 3 5	117 17 5	596 13 10	8	2208 14 8
September	208	4047	3895	7942	1675 6 7	400 15 9	880 14 8	0	2956 17 0
October	208	3286	3611	6897	1432 5 3	371 1 10	944 19 9	8	2748 6 10
November	208	2440	3844	6284	1353 17 0	318 14 3	771 19 5	8	2444 10 8
December	218	2556	4732	7288	1587 1 1	417 4 4	955 18 10	3	2960 4 3
Totals	2245	32845	38369	71214	15051 4 3	2197 4 5	8470 19 2	7	25719 7 10

Return No. 3.—Continued.

NOVA SCOTIA RAILWAY.

*MONTHLY RETURN of Passenger, Horse, Wagon, and Freight Traffic, for the year 1859.*

## MAIN LINE AND WINDSOR BRANCH.

	Horses	Empty Wagons or Sleighs	Loaded Wagons or Sleighs	Hds. and Pms	Barrels	Boxes	Bnds & Pkgs	Bundles Iron	Bars Iron	Quintals Fish	Chests Tea	Feet of Lumber	Bags	Baskets	Cows and Oxen	Calves
Jan.	226	125	142	67	2020	974	869	50	216	74	170	1300	749	30	308	19
Feb.	188	82	99	67	1580	902	808	155	675	52	120	38500	1151	46	167	42
March	136	63	75	454	1631	1292	1311	178	681	106	95	36000	2759	25	279	49
April	121	60	48	124	2191	1490	2223	174	685	143	116	51280	1778	15	301	103
May	126	87	38	131	2411	2115	1919	73	303	148	189	99730	1622	71	294	194
June	175	117	50	755	3391	2647	3150	56	490	193	224	41280	2161	76	335	251
July	132	106	40	100	2979	1984	1179	79	537	197	127	33650	1349	152	257	153
August	279	158	147	155	2611	1608	892	149	284	215	136	63500	750	29	300	45
Sept.	752	257	267	130	3460	4992	1223	100	344	151	112	40995	2365	29	354	18
Oct.	659	256	304	111	3379	2909	1146	118	248	86	122	89670	3870	20	348	18
Nov.	652	239	244	117	2944	5736	1214	175	494	111	134	101530	1867	39	318	20
Dec.	773	268	241	85	2994	2390	1062	112	366	127	215	120650	2072	29	488	23
<b>Totals.</b>	<b>4219</b>	<b>1818</b>	<b>1695</b>	<b>2296</b>	<b>31591</b>	<b>29539</b>	<b>16996</b>	<b>1419</b>	<b>5323</b>	<b>1603</b>	<b>1760</b>	<b>718085</b>	<b>22493</b>	<b>561</b>	<b>3749</b>	<b>935</b>

Return No. 3.—Continued.

MAIN LINE AND WINDSOR BRANCH.

	Pork in Carcasses	Sheep	Cordwood in cords	Wharf Logs	Spars and Mastts	Castings	Coils of Rope	Pieces Furniture	Car Pds Plaster	Bals Shingles	Bundles Hay and Straw	Sundry Packages	Bricks, Carloads	Rail'y. Materials in Car loads	Iron Rails	Railway Chairs	Spikes & Knets	
Jan	393	55	100	29	17	5	8	72	651									
Feb	71	40	193	106	2	120	6	133	516									
March	43	76	96	40	3	27	40	331	376									
April	16	52	50	134	120	16	100	688	191	458	2						526	
May	2	77	10	75	24	400	656	84	567	9								
June	7	578	88	6	21	22	1364	184	519	14	1						247	
July	1	2298	20	64	47	116	13	724	12	643	29						500	
August	5	3238	36	58	200	62	326	2	259	434	71						500	
Sept.	7	2379	36	41	62	47	102	162	555	59								
Oct	75	1480	48	104	110	92	144	270	559	68	1							
Nov	328	417	68	7	12	263	40	129	23	691	165	1158	21					
Dec	1027	287	43	97	34	115	34	106	42	1474	1	2	32000					
Totals	1975	10977	768	479	540	688	671	1176	83	5032	1648	8218	274	10			32773	1400

J. R. MOSSE, Superintendent.  
31st Jan'y, 1860.

Return No. 4.

NOVA SCOTIA RAILWAY.

STATEMENT shewing Description, Quantities, and Cost of Work done by Roadmasters from May 1st to November 30th, 1859.

MAIN LINE.

NAME OF ROADMASTER.	DATE.	CONSTRUCTION DEPARTMENT.														
		No. of Miles.	No. Eng's. employed.	No. of Cars.	No. of Mon.	HOOK AND EARTH EXCAVATION.			BALLAST.							
		No. of C. Yds.	Cost per C. Yd.	Total Cost.	No. C. Yds.	Cost per C. Yd.	Total Cost.	No. C. Yds.	Cost per C. Yd.	Total Cost.						
ABRAM TEETHAM. RICHMOND TO TRURO ROAD.	May	31½	2	12	86.	3967	2s.	397	2	6.	360	1s.	18	0	0	
	June	31½	2	13	112.	5902	1s. 5d.	396	18	1.	820	1s.	41	0	0	
	July	31½	2	13	106.	10288	1s.	515	19	9.	147	1s.	7	0	0	
	August	31½	2	13	97.	7272	1s.	355	1	4.	3955	8d.	136	5	0	
	September	31½	2	13	74.	2226	1s. 3d.	139	18	0.	4510	1s.	224	10	0	
	October	31½	1	8	64.	5070	11d.	231	6	4.	360	10½d.	15	15	0	
	November	31½			18.											
	Averages and Totals	31½	2	12	80.	34725	1s. 2d.	2058	12	11.	10152	10½d.	452	0	11	
	WILLIAM MEIKLE. TRURO ROAD TO BROOKFIELD.	May	21½	2	19	171.	12204	1s. 4d.	802	18	11.	872	1s.	43	12	4
June		21½	2	24	182.	8340	1s. 3d.	521	5	0.	3000	1s. 2½d.	180	0	0	
July		21½	2	18	180.	8347	1s. 2d.	476	8	4.	5321	1s. 5d.	363	12	8	
August		21½	2	19	167.	6899	1s. 4d.	431	19	3.	4688	1s. 3d.	298	5	0	
September		21½	2	18	165.	7345	1s. 3d.	446	5	0.	2799	1s. 6d.	214	0	0	
October		21½	2	12	113.	2555	1s. 3d.	160	6	6.	5268	1s. 4d.	354	6	7	
November		21½			30.											
Averages and Totals		21½	2	18	144.	45600	1s. 3d.	2839	3	0	23904	1s. 3½d.	1551	2	11	

\* Making Road to New Engine Shed.

WM. FAULKNER, }  
BROOKFIELD }  
TO }  
TRURO. }

..... 8..... 1..... 10 In charge of Chief Engineer.



Return No. 4.—Continued.

WINDSOR BRANCH.

J. J. TURNBULL. WINDSOR JUNCTION TO MOUNT UNIACKE.	May	13	9	75	3300	1s. 9d.	288	15	0	889	1s. 5d.	63	0	
	June	13	7	79	2380	1s. 3d.	144	0	2	2352	1s. 2d.	142	0	
	July	13	8	76	4536	1s. 3d.	290	14	11	1470	1s. 3d.	78	15	
	August	13	7	71	2800	1s.	141	13	2	3626	1s. 2d.	210	0	
	September	13	7	70	6572	11d.	300	10	1	2016	8fd.	73	19	
	October	13	7	64	3556	1s.	175	5	0	2976	11fd.	141	10	
	November	13	8											
	Averages and Totals	13	7½	63	23144	1s. 2d.	1340	18	4	13329	1s. 1d.	709	4	2

WILLIAM YOULD. MOUNT UNIACKE TO WINDSOR.	May	18½	1	14	2921	2s. 1d.	298	3	9	2254	9d.	84	10	
	June	18½	1	16	1622	10d.	70	0	0	4655	9d.	161	15	
	July	18½	1	14	rek 500	3s. 10d.	96	8	0	3927	7d.	119	10	
	August	18½	2	18	8016	9fd.	323	1	3	5019	6d.	125	10	
	September	18½	2	18	2244	1s. 5d.	155	0	0	4487	6d.	109	17	
	October	18½	2	18	1911	1s. 7d.	160	16	3	4304	6d.	107	12	
	November	18½	1	8	2346	1s. 3d.	147	11	4	2016	6d.	50	8	
	Averages and Totals	18½	1½	15	19560	1s. 3d.	1241	0	7	26662	6fd.	759	4	3

Main Line	61	5	40	80325	1s. 2fd.	4897	15	11	34056	1s. 2d.	2003	8	10
Windsor Branch	31½	2½	22½	42704	1s. 2fd.	2581	18	11	39991	9d.	1468	8	5
Totals	92½	7	62½	123029	1s. 2fd.	7479	14	10	74047	11fd.	3471	12	3

Return No. 4.—Continued. **NOVA SCOTIA RAILWAY.**  
*STATEMENT shewing Description, Quantities, and Cost of Work done by Roadmasters from May 1st to November 30th, 1859.*

**MAIN LINE.**

CONSTRUCTION DEPARTMENT.

Date	Name of Roadmaster.	Widening Embankments.	Permanent Way	Bridges and Trestles.	Clean & Mud from Sleepers and setting Platformers, Lifting and Levelling Road, &c.	Ditching.	Road Crossings, Carriage Guards, and Fencing.	Station Buildings.	Breaking Rock in Cuttings.	Miscellaneous.	TOTAL CONSTRUCTION.
May		15	0	0							480
June		30	0	0							491
July		39	3	9	21	0					588
Aug		42	9	0							533
Sep.		4	2	6							393
Oct.		19	10	0	5	0	10	0		16	295
Nov.		3	1	3	15	5	11	62	5	0	112
Averages & Totals		99	2	9	101	4	8	81	16	0	2845

Date	Name of Roadmaster.	Widening Embankments.	Permanent Way	Bridges and Trestles.	Clean & Mud from Sleepers and setting Platformers, Lifting and Levelling Road, &c.	Ditching.	Road Crossings, Carriage Guards, and Fencing.	Station Buildings.	Breaking Rock in Cuttings.	Miscellaneous.	TOTAL CONSTRUCTION.
May		73	14	5			10	10	0		980
June		115	9	8						3	841
July		125	4	0				3	3	0	968
Aug		165	18	9							904
Sep.		167	11	11		10	10	0			838
Oct.		156	10	3		1	15	0			672
Nov.		30	5	0				8	15	0	141
Averages & Totals		13	0	0	834	14	0	12	5	0	5297

Return No. 4.—Continued.

WINDSOR BRANCH.

CONSTRUCTION DEPARTMENT.

Name of Road- Master.	Date.	Widening Exp. Demolition.	Permanent Way.	Bridges and Drains.	Clearing and Grading Slopes and Cuttings Retaining Walls and Trenches for Laying Roads.	Ditching.	Road Crossings and Fencing, Cattle Guards, Station Buildings, Breaking Rock in Cuttings.	Miscellaneous.	TOTAL CONSTRUCTION.
J. J. TURNBULL WINDSOR JUNCTION MOUNT UNICAKE	May				65 16 1				417 11 1
	June				90 5 0				876 5 2
	July		3 3 9		50 18 7				428 12 8
	Aug				45 7 1				397 0 8
	Sep								374 9 8
	Oct				36 12 0				358 9 0
Nov				42 2 6				42 2 6	
<b>Averages &amp; Totals</b>			3 3 9	288 18 9	42 2 6				2884 7 6

Name of Road- Master.	Date.	Widening Exp. Demolition.	Permanent Way.	Bridges and Drains.	Clearing and Grading Slopes and Cuttings Retaining Walls and Trenches for Laying Roads.	Ditching.	Road Crossings and Fencing, Cattle Guards, Station Buildings, Breaking Rock in Cuttings.	Miscellaneous.	TOTAL CONSTRUCTION.
WILLIAM YOULD MOUNT UNICAKE WINDSOR	May				116 11 2		0 18 8		500 4 1
	June	33 15 7			253 7 6		4 0 0		621 18 1
	July			13 0 0	196 7 0		0 12 6		688 10 1
	Aug	172 19 6		35 5 0	297 13 9		1 0 0		642 6 9
	Sep	68 15 0	33 10 0	5 8 9	207 11 3	37 5 0	8 12 6		628 16 3
	Oct			3 17 6	210 14 0	65 5 0	28 11 3		576 1 0
Nov				74 5 0	14 0 0			286 4 4	
<b>Averages &amp; Totals</b>	275 10 1	33 10 0	57 11 3	1356 9 8	116 10 8	6 11 2	47 7 6	18 10 7	8943 15 7
Main Line	121 0	3 101 4	8 94 16	0 860 14	0 22 5	0 10 10	0 11 18	0	8148 4 4
Windsor Branch	275 10 1	33 10 0	60 15 0	1645 8 5	158 12 6	6 6 11	2 47 7	6 18 10	6328 3 1
<b>Totals</b>	396 10 4	134 14 8	155 11 0	2506 2 5	180 17 6	17 1 2	59 5 6	18 10 7	14471 7 5

Return No. 4.—Continued.

NOVA SCOTIA RAILWAY.

STATEMENT shewing Description, Quantities, and Cost of Work done by Roadmasters from May 1st to November 30th, 1859.

MAIN LINE.

WORKING DEPARTMENT.

Name of Roadmaster.	Date	Wages per day.		Repairs Put on Way.	Wood.	Repairs of Repairs of Road.	Traffic.	Repairs of Bridges.	Scotia Buildings.	Miscellaneous.	TOTAL WORKING DEPARTMENT.	TOTAL PAY ROLL.															
		No. of Men employed on Road.	Laborers.																								
ABRAHAM TERREHAN RICHMOND TERRA ROAD.	May	48	6s. 3d.	298	6	3	16	3	0	0	301	18 9	..732	1 3													
	June	40	6s. 3d.	254	1	7	17	11	1	0	271	12 8	..763	10 9													
	July	43	6s. 3d.	271	0	9	15	12	6	0	286	13 3	..875	7 9													
	Aug	44	6s. 3d.	292	8	6	7	10	0	3	303	11 0	..837	6 4													
	Sept.	45	6s. 3d.	290	1	9	8	13	9	0	298	15 6	..692	2 8													
	Oct.	48	6s. 3d.	311	16	6	4	16	4	0	316	12 10	..611	19 2													
	Nov.	42	6s. 3d.	257	7	6	1	15	0	0	259	2 6	..371	12 6													
	Averag's & Totals												44	6s. 3d.	1974	19	1	59	14	11	3	12	6	2038	6 6	4884	0 5
	WILLIAM MERLE TOURO ROAD BROOKFIELD.	May	38	6s. 3d.	232	15	11	0	0	0	0	232	15 11	..1168	11 7												
		June	38	7s. 6d.	244	19	9	8	0	0	0	252	19 9	..1094	11 11												
		July	36	7s. 6d.	241	16	3	3	3	0	0	244	19 3	..1213	7 3												
Aug		37	7s. 6d.	255	5	9	4	12	1	0	259	17 10	..1164	0 10													
Sept.		34	6s. 3d.	235	11	9	3	10	0	0	239	1 9	..1077	8 8													
Oct.		33	6s. 3d.	228	18	0	0	12	6	0	229	10 6	..902	8 10													
Averag's & Totals												36	6s. 3d.	1679	14	11	34	7	7	3	12	6	1714	2 6	7011	12 11	

7s. 6d.



NOVA SCOTIA RAILWAY.

Return No. 5.

*Classification of EXPENDITURE ON CONSTRUCTION, with Details of Masonry, &c.—(Sheet No. 5A.)*

Date of Payment.	Grading.	Permanent Wsy.	Ballasting.	Bridges and Masonry.	Widening Embankment by Roadmasters.	Clearing Mud from Sleepers, Lifting and Leveling Road &c. &c.	Station Buildings	Fencing.
1859. January.	£104 2 11.	£40 11 5.	£5 3 9.	£611 13 5.	£0 17 7			
February.	110 15 6..	2 10 9.		229 4 4				
March	304 11 11..	95 7 0..	£69 14 4..	272 10 2.	150 14 7			
April	3108 16 4..	18 12 6..	174 7 2.		256 17 1			
May	3142 5 9..	55 2 8..	459 3 11.		£256 1 8...	6 1 0..	57 1 9	
June	1572 3 9..	10 0 0..	524 15 9..	519 12 0.	£85 13 1..	459 2 2...	86 5 1..	21 17 6
July	1810 18 1..	43 7 9..	764 11 7..	420 1 7.		393 9 7...	70 10 10..	152 6 0
August	931 4 5..		984 7 5..	175 1 0..	215 8 6..	508 19 7...	202 13 11..	12 0 0
Sept.	1299 6 0..	45 11 7..	622 6 8..	136 19 7..	72 17 6..	375 3 2...	27 19 8..	79 13 11
October.	1017 4 11..	13 15 0..	812 10 3..	11 8 6..	19 10 0..	408 16 3...	53 1 2..	100 9 8
Nov.	286 15 11..	15 5 11..	162 5 3	1145 7 10..	3 1 3..	104 10 0...	148 8 7..	110 4 7
Dec.	229 5 1.		122 6 0..	721 6 4.			77 5 1..	2 15 0
V 608, Pd Jan '60				3407 10 9				
				Less paid by Mr. Stanford...	100 0 0			
Total	£13917 10 7	£340 4 7	£4696 8 4	£3307 10 9	£396 10 4	£2506 2 5	£1920 4 9	£537 6 0

Return No. 5.—Continued.

Date of Payment.	Engines.	Passenger Carriages.	Freight Cars.	Machinery.	Road Stock and Tools.	Office Furniture.	Miscellaneous.	Total.
1859. January.....	£55 4 0.	£60 8 6..	£74 18 7.	£28 14 0..	.....	£38 7 11.	£22 10 11.	£1042 18 0
February.....	24 13 3..	29 19 1..	282 13 5..	50 6 1.....	.....	.....	2 2 6..	782 4 11
March.....	.....	6 16 9..	599 8 6..	160 6 11.....	.....	47 10 5.....	.....	1707 0 7
April.....	151 0 1..	13 3 3..	422 6 4..	109 5 10..	£16 16 2..	0 10 0..	2 8 9..	4278 18 6
May.....	66 13 11.....	.....	33 3 1..	212 3 10.....	.....	.....	19 5 0..	4307 2 7
June.....	15 12 8.....	.....	52 1 11..	48 0 11.....	.....	.....	22 5 0..	3417 9 10
July.....	243 11 5..	25 11 3..	58 19 8..	26 7 6.....	.....	5 6 4..	33 15 0..	4045 16 7
August.....	92 9 6... ..	.....	36 4 4..	20 2 0.....	.....	.....	23 0 6..	3201 11 2
September ...	141 19 3.....	.....	20 5 8..	8 15 2.....	.....	1 16 0..	39 14 2..	2872 8 4
October.....	166 10 1..	1 4 3..	18 14 2..	4 16 7.....	.....	.....	25 10 0..	2653 10 10
November.....	47 16 9.....	.....	.....	12 4 3.....	.....	.....	26 10 11..	2062 11 3
December.....	291 15 6.....	.....	53 17 8..	1 7 6.....	.....	.....	14 18 9..	1514 16 11
V. 608, Paid Jan., '60.								
Total.....	£1297 6 5	£137 3 1	£1652 13 4	£679 10 7	£16 16 2	£93 10 8	£232 1 6	£81780 19 6
Less paid by Mr. Stanford....								100 0 0
								3180 19 6

J. R. MOSSE, Superintendent,  
31st January, 1860.

DETAILS OF MASONRY.

Messrs. Sutherland No. 6, Main Line		MAIN LINE. — NEW CULVERTS.		
Voucher.				
608.	at Grand Lake	104½ C. Yds. at 26s.		£185 17 0
“	“	81½ “ at 26s.		£105 19 0
“	near Kenty's	13 “ at 15s.		9 15 0
		91 C. Ft. at 2s.		9 2 0
<hr/>				
No. 8, Main Line				124 16 0
“	at Yeoman's	135 C. Yds. at 26s.		175 10 0
		Excavation	at 2s.	25 12 0
		Timber	at 2s.	7 18 0
<hr/>				
566.	near Shanty Town	59 yds. 22 ft. at 26s. 6d.		79 5 0
		Timber	at 2s.	7 12 0
<hr/>				
“	at Shanty Town	22 C. Yds. at 26s. 6d.		29 8 0
		Timber	at 2s.	6 12 0
<hr/>				
No. 9, Main Line				86 17 0
“	at Parker's Mill	44½ C. Yds. at 26s. 6d.		59 5 11
		Timber	at 2s.	8 6 0
<hr/>				
“	2d from Parker's	20½ C. Yds. at 26s. 6d.		27 7 8
		Timber	at 2s.	7 6 0
<hr/>				
“	3d from Parker's	23 C. Yds. at 26s. 6d.		30 9 6
		Timber	at 2s.	6 12 0
<hr/>				
“	4th from Parker's	24 C. Yds. at 26s. 6d.		31 16 0
		Timber	at 2s.	6 12 0
<hr/>				
No. 10, Main Line				38 8 0
“	1st near Ramsay's	28 C. Yds. at 26s. 6d.		37 2 0
		Timber	at 2s.	6 12 0
<hr/>				
“	2d from Ramsay's	18 C. Yds. at 26s. 6d.		28 17 0
		Timber	at 2s.	6 12 0
<hr/>				
Total . . . . . 11 Culverts . . . . . Cost . . . . .				£844 8 1





Sheet 5A.—Continued.

WINDSOR BRANCH. — NEW CULVERTS.

Voucher.

Thomas Caudle, No. 1, Windsor Br. } .....550.....	At Beaver Bank	.....	10½ C. Yds. at 17s. 6d.....	£9 3 9
“	At Fenerty's Siding	.....	15 “ at 2s. ....	1 10 0
“	At Fenerty's Siding	.....	12 “ at 17s. 6d.....	10 10 0
No. 2, Windsor Br. ....	Near Sackville River } Bridge.....	.....	25 “ at 2s. ....	2 10 0
Messrs. Bragdon & } Guild, and } No. 4, Windsor Br. } .....498 } .....540 }	At Still Water	.....	21 “ at 30s. ....	81 10 0
“	Excavation	.....	20 “ at 2s. ....	2 0 0
“	Timber	.....	48 Ft. lin'l. at 1s. 8d.....	4 0 0
“	Near Still Water	.....	35 C. Yds. at 25s. ....	48 15 0
“	Excavation	.....	105 “ at 2s. ....	10 10 0
“	Near Still Water	.....	14 “ at 30s. ....	21 0 0
“	Timber	.....	28 Ft. lin'l. at 1s. 8d.....	2 6 8
“	Iron Bolts	.....	52 Lbs. at 4½d. ....	0 19 6
“	At Newport Station	.....	30 C. Yds. at 25s. ....	87 10 0
Total.....6 Culverts....Cost.....				£194 0 9
Main Line.....	11 Culverts	.....	£844 3 1	
Windsor Branch.....	6 Culverts	.....	194 0 9	
				<u>£1088 3 10</u>

SUMMARY OF MASONRY.

NEW CULVERTS.

43	11....on Main Line .....	£844	3	1
	6....on Windsor Branch.....	194	0	9
		£1038	3	10

CULVERTS LENGTHENED.

6....on Main Line.....	726	5	0
6....on Windsor Branch.....	104	11	8
	830	16	8

£1869 0 6

BRIDGES. (NEW WORK.)

(As per Statement.).....920 17 9

£2789 18 8

CATTLE GUARDS. (CLASSIFIED AS FENCING.)

1....on No. 10, Main Line .....	84	13	9
1....on No. 4, Windsor Branch .....	44	12	11

129 6 8

Total.....£2919 4 11

J. R. MOSSE,  
Superintendent.  
31st January, 1860.

NOVA SCOTIA RAILWAY.

LOCOMOTIVE DEPARTMENT.

STATEMENT of Mileage, Consumption of Stores, and Cost of Repairs of Locomotives, for the year ending December 31, 1859.

Return No. 6.

No. of Engine.	Diameter of Cylinders in inches.	Length of Stroke in feet.	No. of Drivers.	Weight in tons of 2000 lbs.	Name of Builder, &c.	MILES RUN.				Consumption of Wood.				
						Passengers and Freight.	Wood.	Constructing Road.	Shunting.		Total.	Cords.		
1	15	20	4	22	E., Bridgewater, Mass.	.....	.....	3306	448	3754	93.6	64	8	4
2	12	18	2	17½	Neilson & Co., Glasgow, Scotland.	.....	50	1585	100	1735	34.5	24	14	4
3	12	18	2	17½	Do.	.....	100	6845	40	6985	174.4	119	19	8
4	10	18	4	10	Do.	.....	.....	4685	1285	5970	141.4	97	4	8
5	10	18	4	10	Do.	.....	671	7492	90	8476	150.4	109	13	1
6	16	21	4	28	Do.	.....	680	4970	200	6125	173.4	119	4	10
7	16	21	4	28	Do.	.....	8106	.822	475	9403	213.4	146	16	1
8	14	22	4	22½	Portland Co., Portland, Maine.	.....	19605	.....	.....	19605	514	353	8	1
9	16	22	4	28	Do.	.....	1170	6475	335	8039	213	146	14	9
10	16	21	4	28	Neilson & Co., Glasgow, Scotland.	.....	8397	4444	445	13446	312.7	214	19	5
11	16	21	4	28	Do.	.....	20510	.....	.....	20510	554.6	381	8	4
12	16	22	4	28	Portland Co., Portland, Maine.	.....	25715	.....	.....	25715	582	400	8	0
13	14	22	4	22½	Do.	.....	20822	.....	30	21257	499.3	343	6	0
14	16	22	4	28	Do.	.....	330	8148	100	8628	217.3	149	9	3
15	16	21	4	28	Neilson & Co., Glasgow, Scotland.	.....	960	11924	50	13964	339.3	233	8	3
16	16	21	4	28	Do.	.....	944	702	6028	7874	212.1	145	16	10
17	16	21	4	28	Do.	.....	10978	.....	378	11356	301.5	207	5	6
18	16	21	4	28	Do.	.....	45	6230	180	6490	114.3	78	12	2
19	16	21	4	28	Do.	.....	.....	.....	.....	.....	.....	.....	.....	.....
20	16	21	4	28	Do.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals.....						118933	2684	72984	4731	199332	4850.2	3336	12	2

Return No. 6.—Continued.

No. of Mile.	CONSUMPTION OF										Enginemen, Firemen, and Cleaner's Wages.	REPAIRS.		TOTALS.														
	Galls.	Oil.	Lbs.	Tallow.	Lbs.	Waste.	Miscellaneous Stores.	Wages.	Material.																			
1	59.2	17	15	6	14.7	0	9	2	96	3	0	0	2	19	2	112	16	5	134	5	4	162	16	9	498	10	8	
2	13.5	4	1	0	8	0	5	0	31	0	19	4	1	13	0	68	4	5	106	1	1	53	5	5	249	3	7	
3	60.7	18	4	6	4.2	0	2	7	120.5	3	15	3	3	11	11	192	18	9	25	18	10	12	4	2	376	15	3	
4	52	15	12	0	2	0	1	3	101	3	3	1	3	14	4	178	5	0	62	18	7	16	19	2	377	18	1	
5	76.4	22	18	4	183.2	5	14	5	238.7	7	9	1	3	5	11	165	19	9	167	18	0	35	9	7	518	8	2	
6	95.5	28	13	0	53	1	13	1	124	3	17	6	1	9	3	137	5	11	283	11	11	102	19	5	678	14	11	
7	81.5	24	8	1	261.8	8	3	8	212	6	12	7	2	19	4	148	8	0	68	3	10	39	4	5	444	16	0	
8	206.7	62	0	6	594.4	18	11	8	366.4	11	9	0	3	18	5	254	19	9	131	2	0	85	6	1	920	15	6	
9	166.4	49	18	8	208.2	6	10	1	368	11	10	0	6	14	3	205	4	8	115	3	7	23	13	6	565	9	6	
10	191.1	54	7	0	361.4	11	5	10	323	10	1	9	4	15	10	208	14	10	115	16	9	42	8	4	662	9	9	
11	169.3	54	15	10	603.6	18	17	3	499	15	11	10	1	11	2	259	5	1	106	1	11	47	10	0	885	1	5	
12	196.3	58	13	1	512.6	16	0	5	589	18	8	1	3	6	2	291	13	2	62	15	6	41	11	6	892	15	11	
13	154.8	46	8	9	630	19	13	9	340.4	10	12	8	2	12	4	245	8	4	39	14	5	19	5	11	727	2	2	
14	147.5	44	5	0	45	1	8	1	249.5	7	15	10	3	6	8	206	10	1	139	12	7	23	18	8	576	6	2	
15	186.1	55	16	7	496.1	15	10	0	288	9	0	0	4	18	11	226	14	10	76	6	11	23	9	11	645	5	5	
16	154	46	4	0	90.7	2	16	9	181	5	13	1	1	6	7	190	1	10	48	11	10	8	8	9	448	19	8	
17	86.2	25	17	3	404.2	12	12	8	232.7	7	5	6	2	15	9	116	5	9	139	2	11	60	11	11	571	17	3	
18	94.7	28	8	6	236.2	7	7	8	113	3	10	7	1	10	0	86	13	0	29	18	7	22	4	9	258	5	3	
19																												
20																												
Totals	2191.9	658	12	7	4709.3	147	3	4	4473.2	139	15	2	56	9	0	3285	9	7	1853	4	7	821	8	3	10298	14	8	

Running Expenses per Mile, including Wages, Repairs, &c. . . . Is. 0½d.

*Proportion of the above chargeable to Revenue and Construction.*

REVENUE.		CONSTRUCTION.	
Cost of Wood .....	£2015 7 0	Cost of Wood .....	£1321 5 2
“ Oil .....	300 5 2	“ Oil .....	358 7 5
“ Tallow .....	102 13 1	“ Tallow .....	44 10 3
“ Waste .....	76 10 0	“ Waste .....	63 5 2
“ Miscellaneous Stores.....	17 3 2	“ Miscellaneous Stores.....	39 5 10
Enginemen, Firemen, and Cleaners' Wages.....	1643 19 3	Enginemen, Firemen, and Cleaners' Wages.....	1641 10 4
Wages and Materials used in the Repairs.....	856 0 2	Wages and Materials used in Repairs.....	1818 12 8
Amount .....	£5011 17 10	Amount .....	£5286 16 10

Amount of Revenue.....	£5011 17 10
“ Construction.....	5286 16 10

Whole Amount.....£10298 14 8

E. E.

A. MOIR,  
Locomotive Superintendent.  
RICHMOND, Jan. 27, 1860.

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**LIGHT HOUSES, P. E. ISLAND.**


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(COPY.)

*Government House, Prince Edward Island,  
January 27th, 1860.*

MY LORD,—

I have to invite Your Lordship's attention to the absence of Light Houses on the East and North Capes of this Island, and to urge the expediency of placing lights on these two points, the danger of which might be thus materially lessened by their position being indicated to the many vessels passing up and down the Gulf of St. Lawrence.

From the principal harbors of this Island being those of Charlottetown and Georgetown, and from their trade being almost exclusively confined to countries lying to the southward, the establishment of Light Houses on the Capes I have mentioned is, as regards the vessels of this Colony, a matter of much less importance than to those of strangers.

Many vessels belonging to the adjoining Colonies having been wrecked in the neighborhood of these head lands within the last few years, my Government is desirous of ascertaining the willingness of the Governments of the other North American Provinces to contribute to placing and maintaining efficient Light Houses on the East and North Capes of this Island, and it is with this view I now address Your Lordship.

Should this proposal meet with Your Lordship's approbation, and should you recommend to your Council that a small sum of money be granted towards the erection and maintenance of these Light Houses, my Government is prepared to ask the Legislative Assembly of this Island to vote a sum of money for the same purpose.

In this event, the details of the work and the amount of the respective shares of the expense to be borne by each Province would be settled by Commissioners.

I have, &amp;c.,

(Signed,)

GEORGE DUNDAS,

Lieutenant-Governor.

His Excellency the EARL OF MULGRAVE, &amp;c. &amp;c. &amp;c.

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*Government House, Halifax, N. S.,  
1st February, 1860.*

SIR,—

I have the honor to acknowledge the receipt of Your Excellency's Despatch of the 27th ult., inviting my attention to the absence of Light Houses on the East and North Capes of Prince Edward's Island, and urging the expediency of placing lights on these two points.

The immediate attention of my Government shall be directed to this subject, and Your Excellency's Despatch at once submitted to the Legislature now in Session.

I have, &amp;c.,

(Signed,)

MULGRAVE

His Excellency GEORGE DUNDAS, Esq., &amp;c. &amp;c. &amp;c.

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## REVENUE ACT.

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No. 7.

(COPY.)

*Downing Street, 11th. February, 1860.*

MY LORD,—

Her Majesty's Government have had under their consideration the Act of the Provincial Legislature of Nova Scotia, No. 3636, of 1859, entitled, "An Act to regulate Custom Duties."

By the 8th Section of this Act, the Governor in Council is empowered to declare by Proclamation what articles the produce of Canada, New Brunswick, Prince Edward's Island, and Newfoundland, may be imported free of Duty.

Similar enactments being in force in the other British possessions in North America, I am unwilling to advise Her Majesty to disallow this Act, but I cannot refrain from placing on record the grave objections entertained by Her Majesty's Government to a provision of this nature, which confers the power of imposing discriminating duties, and is therefore opposed to those principles on which the Legislation of this country is based.

I have the honor to be,

My Lord,

Your obedient servant,

(Signed,)

NEWCASTLE.

Governor the Right Honorable the EARL OF MULGRAVE, &c. &c. &c.  
Nova Scotia.

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## EDUCATION.

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(COPY.)

EDUCATIONAL REPORT, 1859.

MAY IT PLEASE YOUR EXCELLENCY :

In submitting to Your Excellency my fifth Annual Report on the state of Education in the Province, I shall first of all make a few remarks on the Tables appended ; secondly, present a brief statement of proceedings in my own special field of labor ; and, lastly, offer a few suggestions with a view to our educational improvement, such as the observation and experience of five years may seem to warrant.

### STATISTICAL TABLES.

All Statistical Tables are founded on registration, and can therefore be relied upon, only in so far as this matter is carefully and accurately attended to. Such a registration in the cause of Education has not, we fear, received that measure of attention which its importance demands, and consequently in not a few cases have the most erroneous conclusions been drawn in reference alike to the matter of quantity and quality.

To secure a thoroughly reliable table of statistics on Education, the first thing to be done is the construction of a register, that shall embrace the time of the admission



and of the withdrawal of the scholars, their attendance and progress; and the next thing is the providing of an agency by which these points shall be carefully and accurately taken down and recorded. Tables drawn up from such a registration are vastly more valuable in giving sound views of a nation's education, and thereby furnishing a surer guide either in the supply of deficiencies, or in the correction of abuses, or in its general improvement, than all the vague speculations of the theorist or the eloquent, yet conjectural statements of the philanthropist and educationalist. Ever since my appointment to office I have been expecting some alterations in our Provincial educational enactment, and have therefore continued to use the registers and blank returns of my predecessor. As the law now stands they are sufficiently minute and comprehensive, and, were proper provision made for a thorough agency, they would furnish abundant data for drawing sound conclusions in reference to our educational state, whether as one of advance or retrogression. This, however, is not the case,—there being some hundreds of districts from which there are no returns at all, and these, generally speaking, are in a much worse condition than those from which reports have been obtained. The only legitimate use, then, we can make of these Tables is to compare them with the past and to guide ourselves accordingly.

Looking at the Tables in this light there is little worthy of notice. In so far as the figures are concerned, there is scarcely any sensible difference. The sum raised by the people for educational purposes exceeds that of the previous year by upwards of £1300. This is one of the most encouraging symptoms. If the allowance made by the Province on behalf of common education is considerably less in proportion to the population than that of any surrounding Colony or State, it is pleasing to observe that the people at large are testifying their appreciation of education by their steadily increasing contributions.

Last year, as may be seen from Table A, the people raised nearly three times the amount contributed by the Province, a circumstance this, of utmost importance, not merely as furnishing strong ground for the imposition of direct educational assessment, but as pointing out, according to the present rate of attendance at school, the amount of assessment that ought to be levied.

Another fact worthy of observation, as presented to us by the Tables, is the increased number of children receiving instruction.

In the summer of 1858, there were 33,430 children at school, and last summer there were 37,844—nearly 4000 more. Supposing the population of the Province to be 300,000, this makes nearly an eighth of the population in the act of receiving education during the summer months; though the proportion is much less, when we take the average attendance of the whole year. Probably, when we consider all the private schools, and all the more advanced seminaries of learning, not included in the foregoing statement, this proportion of our population actually receiving education may be a pretty close approximation to the truth.

The number of teachers, male and female, employed last summer, was 1140, making thereby the average salary of each £44 per annum, being a considerable advance on the previous year.

This is another favorable symptom of our educational condition, and shows that, as the teachers prepare and qualify themselves for a right discharge of the duties of their office, will the people respond by providing a suitable remuneration.

The number of grammar schools in operation during the past year was 56, being an increase of five on the preceding. The sum paid by the Province towards this object was £962 1 1, being several hundreds less than the grant made; and that contributed by the people was £3038 13 9, being more than three times the amount by the people,—about the same proportion as in the common school education. There is scarcely a half of the average attendance in the advanced branches of learning, and even this, we fear, is considerably over-rated.

I regret that so few of the returns of the Colleges and Academies have come to hand. Something ought to be done by the Legislature to secure greater punctuality in the forwarding of these returns, that they may all appear in the tabular statement.

In my last report, I stated it to be my intention, in pursuance of the terms of the present legislative enactment, to visit the Academies and higher seminaries of learning receiving public money, and this intention I have been able, to a certain extent, to carry into effect.

In the City of Halifax I visited the Free Church Academy, the High School taught in Dalhousie College, and the Halifax Grammar School. I also visited Pictou Academy, the Collegiate School, Windsor, and Wolfville Academy. The present legislative enactment does not empower me to visit the Colleges, properly so called, and, therefore, except in one case, where I was refused admission in my official character, I did not proffer a visit.

I may state, first of all, that these institutions seem to occupy different positions in the matter of their support, as well as of their relation to the denomination of professing Christians with which some of them stand connected. Dalhousie College High School, Halifax Grammar School, and Pictou Academy, are, properly speaking, under the auspices of no Christian denomination, though they all receive public money. The Free Church Academy, Halifax, and the Baptist Academy, Wolfville, though under the control and management of these bodies, respectively, yet they have the entire use of the Provincial grant. Not a penny is expended on the Theological Institutions or Colleges with which these Academies may be said in some measure to be associated. With the grant made to King's College, Windsor, it is otherwise. Here the Collegiate School, as I was informed by the head master, is left entirely to its own resources, and the endowment of £250 goes to the general funds of the College. Being apprised of this fact, and feeling that I had no right to visit this Institution officially, I merely glanced over the establishment, but was informed on all hands that it is at present in a very flourishing condition. Neither had I an opportunity of witnessing an examination of Wolfville Academy. The day I happened to visit it, the head master was confined to his bed-chamber with a severe illness, and I felt that it would be uncourteous, on my part to, examine the Institution in his absence. I was informed, however, that this Academy was largely attended, and in a prosperous condition.

The only advanced Seminaries in the Province I heard formally examined, and in each of which I spent the greater part of a day, were Free Church Academy, High School, Dalhousie College, Halifax Grammar School, and Pictou Academy. The average attendance of all these, on occasion of my visit, scarcely amounted to 55; the attendance at the Free Church Academy and Pictou Academy being considerably larger than the others. In all these Schools, scarcely a third of the pupils were engaged in the higher branches of learning, that is, in Classics and Mathematics, and the remaining part in the purely elementary branches. There are certainly not more in these Academies studying the more advanced branches of education than are to be found at the well conducted Grammar Schools of the Country; nor, with one or two exceptions, did I see any thing superior either in their style or management.

My visit to these Institutions has but confirmed me in the opinion I have long entertained, and to which I have again and again given expression, that neither will our Grammar Schools, nor our Academies, take the position they ought in the educational scale, till we have graded Schools on the one hand, and a Provincial University of literature and philosophy of high standing on the other. But as I discuss these subjects in a subsequent part of my report, I need say no more regarding it at present.

Before leaving this subject, however, I may state that I also visited the educational Institutions at Sackville, New Brunswick, under the auspices of the Wesleyan Methodist Conference of these Lower Provinces. I happened to arrive there very opportunely, at the close of the first Term after the summer holidays, and was present at the review of the work done during its Course. I was Cordially received by the Principals, both of the male and female Academy, and was pleased with their whole general appearance and management.

The educational enthusiasm of the Reverend Principal of the Ladies' department and that of his accomplished partner was to me particularly refreshing and I was not at all surprised to find the scholarship of their pupils characterised, by accuracy, mental activity, and practical application. The fine moral tone that seemed to pervade the female department was to me one of its most important and attractive features.

#### NORMAL AND MODEL SCHOOLS.

Appended to this Report will be found an accredited list of all the students who have obtained first class certificates since the commencement of the Normal School. To each name there is affixed a mark shewing who have taught and who have not. A few are dead, and a few of the young ladies are married; but, with the exception of some three or four, all the rest have taught for a longer or shorter period, some having completed their engagement of three years.

This is a matter of no small moment. Not a few of the friends of this institution were afraid that the obligation come under by the pupils—to teach three years in the Province, in lieu of their gratuitous education—was not sufficiently stringent, and that some penalty should have been attached. I deemed it more advisable to leave this matter entirely to the honor of these young persons themselves, and the result has shewn the soundness of the course adopted. The fact that, out of upwards of a hundred who obtained first class diplomas, all have taught a longer or shorter time, with the exception of three or four, and these having valid reasons, either on the score of health, or of some circumstance in Providence over which they had no control, is, we think, in every way creditable to the parties themselves, and, we trust, has already, to a certain extent, refunded the Province for the outlay incurred by the Normal School.

The attendance at this Institution is still on the increase. Two sessions have passed over since my last Report. At the former of these, the Winter Term of 1858-59, the number enrolled was seventy-two, and one paying pupil. Of these, at the close of the Term, three obtained Grammar School diplomas; nineteen, first class diplomas; and twenty-four second class. At the latter, the Summer Term of 1859, there were enrolled sixty-six, of which, at its close, two obtained Grammar School diplomas; sixteen, first class; and twenty-seven, second class. At the present session, there are in attendance twenty more than at any preceding one. The providing of seats and desks for this number has occasioned additional expense. The building does not provide for more than seventy-two students. It was supposed by its designer, that the attendance would not average more than thirty, or at most thirty-five; and, on this supposition, the number of seats and desks was sufficiently large. Under the sanction of the directors, twenty new seats and desks were erected, an account of which will be rendered to the Legislature by the Secretary. This has also considerably increased the current expenses. One hundred pounds per annum is the whole sum allowed for this purpose, paying the servant in charge, providing fuel, text-books, and stationery for students, repairs, &c. Heretofore, this sum has barely met the expenditure, and this year there are several pounds in arrears, and, withal, there is not nearly an adequate supply of books. In preceding Reports, I have again and again called attention to the advantages that would

arise from the establishment of a small consulting library for the students, consisting of books on the profession or business of teaching, a good assortment of choice school text books, &c., &c. In writing exercises on any branch of their future calling, the students have no books for consultation, or even for reading, with a view to their general improvement. They have, generally speaking, nothing but the teacher's notes to refer to, and every one at all acquainted with the working of such Institutions must perceive the disadvantageous position in which such a state of things places the students. Besides, it is exceedingly desirable that, along with a well equipped apparatus, the Institution be provided with a Museum on a small scale. This would be of vast utility to the student, not only in a professional point of view, but in cultivating and diffusing throughout the Province a taste for the various branches of natural science, and thereby enhancing largely our resources of national prosperity. This project I have had in view ever since the opening of the Institution, and, in my various perambulations throughout the Province, I have succeeded in collecting a very fair proportion of the natural products of the country, both inorganic and organic; but they are all huddled together in boxes, instead of being arranged in glass cases, where they might be seen and inspected by the students as occasion required; and the reason why these cases have not been erected, is entirely owing to a want of funds. Were the amount of £25 annually added to the £100 allowed for current expenses, it would enable me gradually to meet and supply these deficiencies, and thereby to provide the materials indispensably necessary for the full accomplishment of the objects for which the Institution was erected.

There is another matter on which I would here say a few words. I refer to the Teacher of Music in the Normal School. Apart from the direct advantages which flow from a knowledge of music, or the many avenues of real enjoyment it opens up, or the use to which it ought to be turned in matters strictly religious and devotional, there are some aspects in which its presence in a school may be rendered very beneficial. In a very juvenile school it is an indispensable requisite, and an individual might as soon think to govern a kingdom without laws, as a juvenile school without music. But its soothing or exhilarating effects may be used as a powerful instrument of discipline in more advanced schools. Much of the restlessness which characterises children in school results from their being kept for too long a time at one particular subject. They are naturally fond of variety, and more harm than good will flow from continued application, on their part, to any one branch. It is a common sight to see a teacher putting forth great efforts to secure attention, but with very little effect. The reason is, that the minds of the children are fatigued; they have been kept too long on the stretch, and desiderate a change of employment. In such cases,—and they are of daily occurrence,—a few minutes devoted to the singing of some favorite song will do more to enliven the pupils, and to rouse their flagging interest in the lesson, than any amount of threatening or of punishment. Music may be still further employed as a sedative. When the children are taking their places, and arranging themselves previous to the commencement of any lesson, it will be found that there is comparatively little risk of confusion or disorder, if they are allowed to do so to the music of some soothing melody. In moral education the power of music is great. Truths and sentiments of the highest importance may find a lodgment in the heart, upon being associated with some pleasing tune, and there may thus be accomplished what could never be effected by direct appeals, or by wordy exhortations.

With such views of the vast importance of vocal music in every educational establishment, I have exerted myself to the uttermost to impart to the future teachers of the Province a knowledge of the theory and practice of this art. One of the masters has, in the course of the past year, compiled a manual on the subject, with a great variety of hymns well adapted for schools, and which, I hope, ere long, to see in use

all over the Province. I have, also, ever since the opening of the Normal School, secured the services of an efficient teacher of music. The gentleman now employed is Mr. Williams, in every way qualified for the office. He gives instruction twice a week to the pupils in attendance at the Normal School, for which he receives the sum of £20 per annum. There is no provision made by Legislature for the payment of this sum, and I have been under the necessity of meeting it, partly by the proceeds of the paying pupils, which, however, do not now amount to more than £5 or £6, partly by drawing on the sum allowed by the Province for the current expenses, and partly on my own resources in the hope of being some time or other refunded.

In my second Report, about three years ago, I applied to the Legislature for the small endowment of £25 for this purpose, but this application was not attended to. I trust, however, that on this occasion it will receive a more favorable consideration.

In my judgment the equipment of the Institution would then be complete, with the exception of the grant for scholarships, for whose renewal I applied to the Legislature last session, but without effect. It may be said that the withdrawal of the £100 granted to the Institution for three years for the above mentioned purpose has not affected the attendance of the pupils. I never supposed it would for one term. My great anxiety has always been to endeavor to secure the attendance of the most promising pupils, if possible, for two consecutive terms. In Britain, the pupils in the great proportion of Normal Schools, are obliged to attend for two or three years before they can graduate. In Nova Scotia they can graduate in five months, and with the small average amount of scholarship they possess on entering, no one at all acquainted with the subject can fail to perceive how little can be done for them in such a short period. The £100 granted for scholarships in the way in which these scholarships were dispensed by the Commissioners of the Institution, were exceedingly beneficial in the furtherance of this object, in securing the attendance of the pupils for two consecutive sessions. Accordingly I believe that never has the number of first class certificates been so few as they will at the termination of the present term, in proportion to the number of the pupils; and this, because of the very few attending who obtained, during the preceding term, second class certificates, thereby verifying to the very letter the fears to which I gave expression in my last Report.

#### MODEL SCHOOLS.

The Model Schools continue pretty much in the same condition as heretofore. The number enrolled is 193, and the average attendance 169. The number of pupils in classics 27, in modern languages 26, and in algebra and mathematics 29. The receipts and expenditure of this branch of the Normal School establishment will be found among the other Tables at the end of the Report.

If the Normal School of a Country is, or ought to be, the exponent of the education of the Country in principle, so ought the Model Schools to be in practical exemplification. But the visible and sensible representation of a system is far more attractive, powerful, and convincing than the best conceived, the best illustrated verbal description; and it is on this very account that we have ever felt the deepest interest in the prosperity of the Model School at Truro. And, notwithstanding all the difficulties to be encountered in the introduction of a new system, the want of suitable appliances on the one hand, and the strong prejudices of the people on the other, I see no reason for disappointment or discouragement, either with the system, as to its practical efficiency, or with the teachers, as to their competency for the work in which they are engaged. With every disadvantage, I think the state of the Model School will compare favorably with any similar Institution I have inspected, either on this or the other side of the Atlantic. The system may be perfect, just because it is founded on the very nature of the recipients, the soundest philosophy.

and the plainest dictates of revelation ; but the system is one thing, its practical application is quite another thing. When we reflect on the imperfections that cleave to the best, the most skilful and experienced teachers, and still more, when we reflect upon the nature of the materials with which he has to deal, we may say, that, so long as this state of things remains, we never expect to see absolute perfection in the embodiment of any system of education. Nevertheless, this ought not to prevent us from aiming high, and day after day to forget what is behind, and to press forward to higher attainment. It may be stated, before leaving this branch of our subject, that Mr. Webster, one of the masters of the Model School, has been appointed by the Governor in Council of P. E. Island to the head mastership of the Normal School in that Colony, and that his place has been supplied by Mr. J. R. Miller, who holds a Grammar School diploma from the Provincial Normal School.

In the discharge of my functions as Superintendent of Education, I have visited during the past year, all the counties in Nova Scotia proper, with the exception of South Pictou, Guysborough, and Sydney.

I have met the teachers in the various School Boards in all these counties, and addressed public audiences in every town, village, and important settlement. In these addresses, I have called attention to some branch of the two grand views that may be taken of the subject of education,—the external and the internal;—dwelling on direct assessment as essential for the full carrying out of the former; and on the cultivation of mind, in the imparting of sound knowledge as essential to the latter.

To these periodical visitations, I attach, in a great measure, the success of the Normal School, in so far at least as the attendance is concerned ; and I trust, too, that some little good is thereby effected in the furtherance of the general interests of education. The great desideratum to give full effect to these visitations, is a thorough system of local inspectorship. The usual amount of £600 has been expended in the purchase of books. The Irish National series is gradually becoming more widely diffused. Great complaints are made against the superficiality of the binding of these books, a state of things evidently forced on by the extreme cheapness of the series. I have requested the publishers to make the binding more substantial, even though it should add a little to the expense of each copy. The vouchers for the appropriation of these £600 amongst the various School Boards will be found among the other papers.

The Journal of Education and Agriculture is still in circulation, and I trust doing some service in the diffusion of enlightened views of the subjects of which it treats. I have appended a statement of the receipts and expenditures connected with this publication, from which it will be seen that it is in arrears to the publishers not less than £103. Not a few seem to imagine that this is to me or the publishers a money making speculation. Such individuals will see from the accounts appended, that unless it be speedily enlarged in circulation, it will involve the publishers in considerable loss, and of course must be discontinued. It says but little for the Provincial literature in education and agriculture, that a home periodical, costing only a dollar in the year can scarcely be sustained—a periodical whose pages are open to the contributions of the representatives of both these public interests. It costs me, every month, a week's hard toil of every moment of my leisure time,—what, in fact, I should devote to relaxation,—in preparing the materials; and I believe it is not inferior either in matter, or in style of execution, to any similar publication.

All this labor, however, I am quite prepared to continue to undergo, believing, as I do, that it is one important means of advancing the interests of both these pursuits ; but this, of course, can only be so long as it does not subject the publishers and proprietors to any pecuniary loss. Why should not every teacher receiving public money be compelled not only to take a copy, but to read it with the view of reducing the principles advocated to practice? Why should not every agricultural society

be required to take a certain number of copies for distribution among its members? The present terms of the grant of £600 for books contemplates the devotement of a certain amount towards the circulation of pamphlets, periodicals, and other tracts upon the subject of education; and my predecessor, Dr. Dawson, issued and circulated a monthly paper gratuitously amongst the school commissioners and teachers, defraying the expenses out of this fund. I have not, however, touched a penny of that fund for such an object; but it appears to me that, if the publication is to be continued, we must resort to the one or the other of these alternatives,—either to compel the teachers to take a copy, or to draw to a certain amount from said fund.

Such is a brief outline of the state of education, as exhibited in the Tables appended to this Report, and of my official proceedings during the past year.

In conformity with my instructions as Superintendent of Education, I now go on to make a few suggestions with a view to the improvement of our educational condition, which suggestions I beg to offer as the calm result of my observation and experience for now nearly five years. During the time I have held office, I have labored to make the best of existing circumstances. Feeling satisfied that no Legislative educational enactment, however well concocted and adapted to the case, would prove of any real benefit without a well equipped living agency—without a well qualified class of teachers,—I devoted by far the greater portion of my time and energies, for the first two years, to the furtherance of the interests of the Normal School, and, I trust, not without some measure of success. Since then, I have endeavored, both in the pages of the Journal of Education, and in my oral addresses throughout the length and breadth of the Province, to diffuse enlightened views on the subject of education, and the various appliances required to give effect to these views. To what extent I may have succeeded in this, it is not for me to say. This one thing, however, appears to me indubitable, and forces itself upon my attention from all quarters: that Nova Scotia has reached a crisis in its educational history, and is now rife for great, if not for organic, changes.

The grounds of this belief I now beg leave shortly to state, and, perhaps, the simplest and best way of doing this is, first of all, to advert to the defects of our present system, and then to their removal,—in other words, to the disease, and the remedy.

And, in introducing this subject to your Lordship's notice, it may scarcely be necessary for me to allude to the vast amount of ignorance and indifference that still prevails respecting the education of the young. As just hinted, I have been using the means within my reach for the elevation of the popular sentiment in reference to this branch of the public service, and, I believe, my labors have not been altogether in vain; but there are other appliances which may and ought to be called in by every state that looks to its truest interest, for the removal of this sore evil—this heavy incubus on a nation's prosperity. We may, by the power of the press and the viva voce address, obtain the ear and the understanding, and the conscience—aye, and the sympathy of the well-conditioned parents and a few others of the more intelligent in our community; but without and beyond this circle, there is always a large proportion in every population—sometimes a majority,—who remain proudly and independently aloof from all share in this matter, and that on the simple ground, that they have no children to educate, or if they have, they are so ignorant themselves as to be utterly unconcerned about their education. Could we obtain but an hour's audience of such parties, we might, in glowing strains, set before them the advantages of the education of the young in the community around them; we might appeal to their benevolence, their patriotism, and philanthropy; and failing by all this to produce the wished for impression, we might then knock at the door of their selfishness, and prove to a demonstration that, by their encouraging the cause of educa-



tion, they are but advancing their own temporal welfare,—they are but enhancing and perpetuating their social enjoyments,—nay, they are indirectly accumulating their own stores of wealth. We might take higher ground still, and show that it is infinitely cheaper to build commodious school houses, and adequately to support a staff of well qualified teachers, than it is to maintain a constabulary establishment, with all its retinue of penitentiaries, reformatories, hospitals, and jails; but they have no faith in the principle “prevention is better than cure,” or, it may be, they are so absorbed in their own selfishness that they give little or no heed to anything that does not minister to their own immediate and sensible wants. And yet, are not these very individuals bound by the most solemn obligations as men, as members of the social compact, as professing Christians, to contribute according to their ability for the support of this branch of the public service? And how are they to be reached? How are they to be roused to take an interest in this important work? In no other way that we know, than direct educational taxation. Compel the most niggardly to contribute a fair proportion of his means towards this object, and, from the moment he pays his ten or fifteen dollars a year—from that moment does his mind undergo a complete revolution on the whole subject.

We have no intention of discussing here the subject of direct assessment for the support of schools. We have done so in former reports, and since our last report we have, in every public address which we have delivered on the subject of education, pleaded its claims, and urged its adoption.

Never, we believe, will the Province be in a more favorable position for its introduction. The intelligence of every settlement is on its side; in not a few cases, also are its wealth and its influence. So strong and so decided are our views upon this point, that we hesitate not to avow that every session of the Legislature that refuses the impost of such a tax, is placing an arrestment on the progressive advancement of education, and thereby, in our opinion, incurring a fearful amount of responsibility. And yet, withal, we are far from sympathising with those who imagine that this constitutes the panacea for the cure of every ill connected with education. Whilst we regard it as one essential element for the advancement of education, it is but one, and one of many. We believe that, to secure a universal education, a compulsory attendance must follow in its wake; and even after that, that many other measures must be resorted to, for the purpose of elevating its quality, both intellectually and morally, ere it fully serves the high and important end for which it is destined, both in reference to man’s temporal and eternal existence.

But we must leave this general topic, and pass on to notice another defect in our educational condition,—

And that is the state of our school houses, with all their appurtenances.

In former reports this subject has received a certain measure of our attention. We have pointed out the improvement that has taken place in a few localities,—stated some general principles that ought to regulate their construction, both in point of size, architecture, and furniture. We have introduced the subject here not for a general, but a specific object,—to call the attention of your Excellency to the condition of all our towns and villages in connection with this matter. Though towns and villages have, in several respects, their drawbacks, as contrasted with purely rural districts, they enjoy, also, special advantages in reference to all those matters where the sympathy of numbers comes into operation, and the education of the young is one of these. It ought, accordingly, to be there in a higher state of efficiency. There, that is in towns, the schools should be much more numerous attended, the sympathy of numbers vastly more powerful, the pupils graded, and the teacher better remunerated, and carrying on his operations with far greater spirit and efficiency. In short, the schools in our towns and densely peopled hamlets, ought to be a pattern for the imitation of all the surrounding country. Instead of



this being the case in Nova Scotia, it is quite the reverse. The state of common education in Halifax, Windsor, &c., is, we believe, worse than it is in all the neighboring country. And to what is this to be traced? It is mainly to be traced to the clamant deficiency of public school houses in too many of these places.

In Halifax, properly speaking, there are but two public school houses, that is, school houses belonging to the public, or public property, viz.: the Acadian School and the Halifax Grammar School. In Windsor, there is one Grammar School house, with four or five schools taught in private houses, or houses belonging to private individuals; in Kentville, one public school house; Lawrencetown, none at all; Bridgetown, one public school house, with three or four private school houses; Annapolis, one academy, no common public school house; Digby, one Grammar school house, and two or three private school houses; Yarmouth, an academy belonging to the public, with some dozen of private school houses; Shelburne, one Grammar school, with two or three private school houses; Liverpool, one academy, with some private school houses; Lunenburg, one Grammar school house, with three or four private school houses; Amherst, no public school house at all; Pugwash, no public school house at all; Picton, one academy, and four or five private school houses; Guysborough, one public, with two or three private school houses; Sydney, Cape Breton, none at all,—there was once an academy here, but it was sold.

In almost all these places, I have again and again, in my public addresses, exposed this deplorable state of things, showing that, with the exception of Halifax, these private schools, or schools taught in private houses, have not the shadow of a claim on the public funds for support, that they are doing vast injury to the general cause of education, encouraging not only an inferior kind of schools, but of teachers; yea, that this system of things is not only sealing and perpetuating the carelessness and indifference of the people in reference to all educational effort, but that it is taxing many of the poor teachers, compelling them to pay a rent for the possession of these private dwellings, in order that they, the people, might be allowed to sleep on in their supineness and torpid security.

I have also strenuously urged the propriety and advantage of erecting graded schools in all these towns and villages, either under the same roof, or apart, as securing at once the best and the cheapest education; and, though in several places meetings have been held, and steps taken for the purpose of erecting such school houses, and of carrying into effect such a proposal, in no one case, I believe, has any such movement been productive of the desired result.

Now the only remedy that we know that will effectually meet and cure this state of things, is the passing of a compulsory Legislative enactment, ordaining all these towns and villages to assess themselves for the erection of commodious school houses, or else making an *interim* declaratory law, by which all the Boards of School Commissioners shall be prohibited from granting any public money to towns or villages that do not provide themselves with school houses adapted to the number and circumstances of the population.

Another great defect in our present educational condition, appertains to the matter of the amount, or quantity. By this we do not refer to the number or variety of branches taught in our common, or Grammar, or academic seminaries. Neither do we refer to the number of children receiving instruction. This last is a vastly important point, demanding the most grave and earnest consideration of every philanthropist, patriot, and statesman. That every child of school age,—that is, every child between five and fifteen years of age,—ought to receive an education in accordance with his rank and circumstances, is a position which none in this age of progress and enlightenment will venture to call in question. That it is the duty and interest not only of parents and guardians, but of communities and nations as such, to see that all the young within their border are actually receiving such an education, is also specula-

tively admitted, however grievously it may be neglected in practice. As to the exact proportion of any population attending school, so as to secure this desirable object, considerable diversity of opinion seems to exist amongst writers on education and political economy. In older countries, where a national system has existed for centuries, and where the educational machine is accordingly more nicely and delicately adjusted, it is generally supposed that one-sixth of the population, or one out of every six constitutes a very fair proportion, and may be regarded as a good standard. This is about the proportion in Prussia, Saxony, and some of the smaller German principalities, and Holland and Scotland come next. In some of the New England States, the proportion of school-going children is even greater. In this respect Nova Scotia occupies a pretty respectable position, there being about one in seven and a half receiving education, including all schools, private as well as public.

But, whilst this fact is satisfactory, it does not, in so far as Nova Scotia is concerned, bring out the actual quantity or amount of education given. It may present a sufficiently correct estimate of the number of children that may attend the school in the course of the year; but a fourth of these may not have attended more than three months; a third, not more than six, and a half not more than eight,—and it is when regarded in this aspect that our real educational condition is fully evolved, in so far as the matter of quantity is concerned. It is a notorious fact, that the utmost irregularity exists as to the time in which the schools generally are in session.

It is a comparatively rare occurrence to find a teacher in the same school for more than a twelve month, and, where he does remain that time, in four cases out of five are these schools vacant for three months or more before a successor is appointed. We know that we are considerably below the reality when we assert that in half of our schools the teacher does not continue for more than six months, and in a fourth, not more than three months; and, in by far the greater proportion of these cases there is an interval of some months, more or less, before the situation is filled up. It is well known, moreover, that in the counties of Shelburne, Yarmouth, Digby, and Annapolis, there is an almost complete change from males to females, and from females to males every half year,—the males teaching in winter, and the females in summer.

To a certain extent the same practice prevails in the counties of Queens, Kings, and Lunenburg. We cannot go farther into particulars on this point. We would, in confirmation of all these statements, simply refer to the returns of the Clerks of the different Boards of School Commissioners.

Surely it requires no argumentation to shew that such a state of things, wherever it exists, cannot fail to be in every way injurious to the cause of Education, and almost sets at defiance the carrying out of any systematic, consecutive plan; at all events, it deeply affects the whole matter of the quantity or the amount of education given. It is our decided conviction, a conviction to which we have hundreds of times given utterance in the audience of those more immediately concerned, that no teacher can do justice to himself, or his system, or his scholars, in less a period than three years; and if this assertion is sound, how very imperfect and limited in no inconsiderable number of cases, must be the character of the education of too many of our youth. They are able to read, write, and figure after a fashion, but it is so partial, so full of imperfection, that it is like climbing a rugged precipice to engage in the one or other of these exercises. They may, and they do not unfrequently, resolve with themselves to persevere, and, for a time, they struggle on, determined to surmount every difficulty, but such is the amount of toil and self-sacrifice they encounter, that they gradually fall from their purpose, and, except when roused by sheer necessity, they discontinue these exercises altogether. And of what service either to themselves, or their fellow creatures, or to the Province, is the education they have thus received? But even in the case of those whose schol-

arship is more respectable, there is oftentimes the greatest inaccuracy and want of thoroughness in the most elementary branches. Their education is like the mushroom, forced in its growth, and partakes also of its unsubstantiality and rapidity. And what is the remedy for this state of things, less or more prevalent over all the Province? It is not one or two remedies, but a number, that will remove it. And even with the appliances of the best adapted means, no small period of time will be required. The first thing we would propose, is the equalizing of the emoluments of teachers according to their professional rank and experience. This would unquestionably impose a check upon their nomadic character. Then there is the time of the term of agreement. As the law now stands, the Trustees are at liberty to engage the teacher for the space of three months. This ought to be changed to six, or even to twelve months, with the bonus of a certain increase of salary for every additional six months the teacher may remain in the same school. But the most effectual remedy is direct assessment. This will not only vastly increase the number of scholars, but secure constant teaching in the district. Paying for education by compulsion will constrain parents and others to avail themselves of its benefits.

Another deficiency in our present educational condition, is the all but total want of grading in our schools. The grading of schools is a matter of primary importance, and is daily rising in the estimation of all enlightened educationists, and sound-thinking philanthropists. It affects not a part merely, but the whole of the educational process—its external condition, and inner life—the parents of the scholars, and the scholars themselves—the teacher and his constituents—the means and the end. How helpless and inefficient is the teacher in the school-room without classification? He can neither secure order, nor serve the end of his vocation. He accordingly, as if by instinct, first of all proceeds to the work of classifying the pupils under his charge, certain that without this he can make but little progress. And what is the grading of schools but classification on a grand scale? Instead of arranging and methodizing some twenty-five or thirty scholars according to their age, their endowments and attainments, it is to take all the children of our densely peopled districts, and still more, of our towns and villages, to divide them into two or three classes according to their number, and to provide for them separate schools and separate teachers; to place those from five to eight in the primary department under the care of a female teacher, those from eight to ten or eleven under the intermediate, and, from that and upwards, in the High school or academic department.

These schools in towns and villages may be built together, and carry on their operations under one head, or they may be independent of one another, and yet carry on substantially the same system, the younger paving the way for the more advanced, so that the education of the whole shall be consecutive and progressive. This plan is vastly the most advantageous, alike to the teacher and the scholar, to the parent and the state. To the teacher it brings along with it immediate benefit. Instead of requiring to travel over all the branches of a common education in all their degrees of advancement,—and, it may be to range over all the classics, mathematics, and the sciences,—his whole time and energy will be devoted to one, or at most, to two sections, and these pretty much in the same stage of progress, and in the same development of mind. Then he will really be in a position to unfold the subject that forms the exercise for the day, and to unfold it in such a way that the minds of the pupils shall be expanded, instead of being barely able to hear them go through their recitation exercises. Then he will be able, thoroughly, to study his subject, and, when he presents it to the pupils, to be capable of borrowing illustration upon illustration until he succeeds in bringing it home to the understanding even of the most doltish and stupid. Then he will be able to discover the diversity of endowment and the temper in his scholars, and to adapt himself to the same, both in the selection and treatment of the subject. This plan is advantageous to the scholars.

A great many children being brought together, and engaging in the same mental and moral conflict, the power of the sympathy of numbers will come into full, vigorous, and healthful operation. The immense diversity in the phase of endowment of so many children of the same age will be productive of the most beneficial results upon the whole section, and thereby stimulating and influencing largely both their intellectual and moral advancement. Instead of receiving but an inconsiderable portion of the teacher's time and energy, they will receive his undivided attention as much in one day as in the ordinary miscellaneous schools they would in a week. It is surely then no exaggeration to maintain that the children in these circumstances will make as much progress in three months as in an ungraded school they would in six. And what is done, *is done*, and will prove of permanent and lasting benefit. But this mode is equally advantageous to the parent and the state. According to its principles, fifty children can be as easily taught as twenty-five,—a hundred as fifty, and a hundred and fifty as seventy-five, provided the school-room is sufficiently commodious and adapted to the purpose. It will thus vastly diminish the charge of education, seeing that one individual can just as efficiently teach fifty as twenty-five, a hundred as fifty.

But we cannot enlarge upon this theme. We think we have said enough to satisfy every reasonable mind, that this method is pre-eminently calculated to advance the highest ends of education, even the strengthening of all the powers and energies of our nature by the communication of sound wholesome knowledge, and that, from the very nature of things, it must be infinitely the cheapest. And what more could be desired? Now it is well known that, with one or two exceptions, there is nothing of this kind in existence in the Province, and that education, especially in the towns and villages, is suffering egregiously in consequence; suffering not merely in point of quantity and quality, but still more in point of expense.

To remedy this state of things is a very easy matter. Let a Legislative enactment declare, that wherever seventy-five children of a school-attending age can be mustered within an area of three miles,—and this might even be extended,—a primary and more advanced school should be established, either under one roof, or separately; or, where there are one hundred and fifty children in the same compass, there should be established a Primary, Intermediate, and High school, said High school embracing all the branches usually taught in our Grammar schools or Academies. Along with this enactment there should also go forth a graded schedule of qualifications for the teachers of these departments, so that there would be no difficulty in assigning to each his proper position, or in apportioning his share of the public funds. In some cases Commissioners of Schools have refused to make any grant out of the public fund to those who have acted as assistants in numerously attended schools. This system, instead of being discountenanced and frowned upon, ought to be encouraged in every possible way. But to render this system of gradation complete, and to raise our Province to the highest educational standard, there should also be established a Provincial University for literature, philosophy, and science. To stop at the High school or Academy is to finish our Provincial educational fabric without a keystone. This university would form a befitting keystone; and if, instead of standing out in an isolated position, from all other educational institutions of the land, it constituted part and parcel of the whole, conducted according to the same principles, and guided and controlled by the same agency, it would contribute largely—not only in stimulating the subordinate schools of learning in the land, but in imparting stability and symmetry and beauty to the whole. Then would our educational tree be perfect, possessing not merely roots and stem and leaves, but flowers and fruit, and all in meet dependence, all in full subserviency, the one to the other. To serve this end, such a university would require to be no mere semblance, no flimsy superficiality, with professors ranging over the whole circle of literature, philo-

sophy, and science, but thoroughly equipped with each of the professors, *facile princeps*, in his own special department; such a university, in fact, as would command the respect and confidence of the intelligent and enlightened in the community, founded on the principles of our common Christianity, and yet, entirely free from sectarianisms. In addition to the branches of learning taught in colleges in Great Britain and the United States, where there is no theological faculty, such as classics, mathematics, natural philosophy, and the various branches of natural science, including chemistry, logic, mental and moral philosophy, there ought to be a special course of instruction adapted to the agricultural, mechanical, manufacturing, and commercial pursuits and interests of Nova Scotia, and thus prove the best preparative, not only for any one of the learned professions, but for all the actual pursuits of our youth. Such an institution might, in our apprehension, be established without any additional expenditure to the Province for educational purposes, and would be productive of transcendent results.

Another grand defect in our educational machinery relates to the teacher. Next to the system comes the teacher; you may adopt the best possible system, and may make every requisite provision for its execution, but unless you have a thoroughly equipped living agency to carry out in all its details, it must prove a comparative failure. The first thing in all educational movements is to select the best possible system, and that system will ever be found to be the best which makes the nearest approximation to the principles of our nature; and then to use every means for the purpose of encouraging the teachers to qualify themselves for carrying it out into living, actual embodiment. And the question here meets us at the outset: Are the means employed by the province really fitted to accomplish this end? Do they secure to the teacher that position and remuneration to which his capabilities comparatively entitle him? Do they present sufficiently powerful motives to stimulate him to the acquisition of yet higher qualifications in his profession. Every tradesman expects, and is entitled to expect, a remuneration equivalent to the worth of his labor. Every merchant looks for a price for his goods, corresponding to the marketable value. And so is it with the teacher; and the moment he is disappointed in this respect, and learns from experience that there is no provision made for securing to him a *quid pro quo*, that moment are his energies paralyzed, and it may be, he resolves to seek out some other sphere of exertion which he knows will infallibly yield him a more adequate recompense for his labor, skill and experience. Now, it is well known, that this end, according to present Legislative enactment, is intended to be secured by the granting of what is called licenses to the teachers, which licenses, not only entitle them to a certain amount from the public fund, but, generally to regulate the amount received from the people. This duty devolves upon the thirty-three Boards of School Commissioners throughout the Province, appointed by the Government. And here the question meets us: Are these Boards, as at present constituted, competent to discharge this duty? For the last five years we have investigated and pondered this matter, and the conclusion at which we have calmly arrived, is, that they are not. Far be it from us to bring any charge of unfaithfulness or dereliction of duty against these Boards. We believe that, generally speaking, they have done the best they could in the circumstances in which they were placed; and a few of them have exerted themselves very praiseworthily in classifying the teachers, and in placing them in the position which their qualifications entitle them to occupy. The incompetency to which we refer, arises, first of all, from the disunited character of these Boards, from their being left according to law at the most full and free liberty to transact their business as each Board may think fit; and the result is, that there are not two Boards that pursue exactly the same course in this matter. Some leave this matter to a committee of their number, others to the whole Board, and others in a great measure, if not altogether, to the

Clerk, who possesses neither status nor responsibility as a constituent member of the Board. Some attempt to classify their teachers, and some do not. Some examine the candidates for licenses before they commence teaching within their bounds, and others do not till they have taught for a season, whether they possessed a license beforehand or not. In fact, there is nothing in the shape of a uniformity of proceeding amongst them in connection with this matter; and so long as the present law continues, so long as each Board is left absolutely to its own discretion, there can be not uniformity, and, by consequence, no general appliance to raise teachers from a lower to a higher grade.

But the incompetency of these Boards to decide this matter rests upon still more important grounds. They want, generally speaking, the requisite qualifications. They require, first of all, to sit in judgment on the moral character of the candidates for license. This they are perfectly able to do, and it is satisfactory to observe the improvement that has taken place in reference to the moral character of teachers during the last ten or fifteen years. They require still further to decide on the amount of scholarship the applicants possess. This some of the Boards are in a position to do. There are Ministers of the Gospel amongst their number, possessed of superior scholarship, and who can perfectly test their qualifications in this respect, but these gentlemen may be absent at the very time when their presence is most needed; and besides, oftentimes, with all their scholarship, and that is undoubted, they may be in a great measure destitute of that kind of knowledge which is most essential for the teacher. Good general scholars may be in a great measure ignorant of those very points most required by teachers, both in common and more advanced schools. There are, however, Boards where there are no such gentlemen as members, where ministers are for some reason or other excluded, and such Boards, with all their desire to do their duty, are altogether without the requisite qualifications.

But these Boards require also to test the teaching capabilities of the candidates for license. The moral and literary character of the teacher is necessary, but there is something more necessary still, and that is his professional character. The candidate may be perfectly irreproachable in his moral conduct, and he may be in every sense of the term a learned man, and yet he may be utterly destitute of a knowledge of the business of teaching; and of what worth will all his qualifications be? As a professed teacher, he ought to be well acquainted with all matters connected with his calling, such as organization of a school, its management and discipline, and the best and most approved methods of carrying on the different branches of education. And how few in all the Boards of School Commissioners are qualified to examine on these and similar topics, and which, after all, are of vastly greater importance to the teacher than either of those to which we have already adverted.

The Province supports an Institution called a Normal School at a cost of £800 per annum, for what purpose? Is it to impart scholarship merely? Any other educational seminary could have furnished a due amount of this. It no doubt aims at imparting to the future teachers of the Province a greater amount of scholarship, but its grand business is to impart a knowledge both of the theory and practice of of the art of teaching; in other words, of teaching as a business. This institution has sent forth upwards of one hundred first class teachers, who are engaged in carrying on their educational labors in the Province; and are these, after they have spent a year or more of the best of their days, and £50 or £60 of their means in qualifying themselves for the business of teaching,—after the Province has expended so much yearly in the upholding of this Institution,—are these, after all, to be placed in exactly the same category with those who have come fresh from school themselves, and who, with all their scholarship, may be ignorant of the very way of arranging the seats and desks in a school room? And this state of things must inevitably follow from consigning such a function to the Boards of School Commis-

sioners. And now, it may be asked, what is to be done to remedy this defect, so to classify teachers that they shall receive that remuneration alike from the Province and people to which their qualifications respectively entitle them,—that they shall, in all their grades, receive that encouragement and support which will stimulate them to re-animated diligence, to cease not in the professional attainment till they reach the highest possible point? To effect all this, there ought, in my opinion, to be a distinct County or District Board of Examiners, consisting of three practical men, of which the local inspector shall, *ex officio*, be a member, and a regular schedule of qualifications for each class of teacher drawn out for the guidance of all these examining Boards. These Boards should meet at stated times, to suit the convenience of teachers, and use every means in their power to stimulate generally to the better discharge of their arduous professional duties; and a list of the graded teachers of this Province should be regularly filed and deposited in the educational office. This, or something like this, is the method pursued in other countries. In Britain this constitutes one of the principal functions of Her Majesty's Inspectors of Schools, and not only so, but all the papers and documents connected with these examinations, the questions and answers, are submitted to the inspection of the Lords of the Privy Council on Education. This not only operates powerfully in stimulating teachers to aim at yet higher attainments in their professional pursuits, but in giving them a status and rank which no increase of remuneration could of itself impart.

Another grand defect in our educational machinery is that of the local inspection of schools. In all my reports I have called the attention of the Legislature to this subject. I have dilated on the duties of the office, and its unspeakable benefits. I have often and again adverted to the serious disadvantages under which I labor as Superintendent of Education without inspectors, and the impossibility of my arriving, without their assistance, at anything like an accurate knowledge of the state of education throughout the Province. I have introduced the subject here mainly for the purpose of guarding the minds of some against a notion that seems to prevail, that any person, if he happen to possess a larger amount of scholarship than the generality of teachers, is perfectly competent for the discharge of its duties. This is a grievous misapprehension. It requires out and out a practical man, a man that can devote all his time and energies to its duties. Merely to call at one school after another, put a few statistical questions to the teacher, and perhaps, hear a specimen of one or two classes, and note the result in his memorandum book, would be little better than nothing,—would be a mere trifling with the whole subject. To do this work efficiently would require a person of superior scholarship, of educational enthusiasm, and of considerable practical experience, one who would have weight with the teacher, and whose suggestions would be appreciated and carefully reduced to practice. To visit all the schools in the Province at least three times in the course of the year, and to report specifically on the condition of every school, would require the undivided attention at least of three energetic men, two for Nova Scotia proper, and one for Cape Breton. I presume the main difficulty in the way of the appointment of such officers would be the additional cost; but we would, with all respect, beg to suggest a plan by which such an agency might be employed without incurring almost any additional expense. It is well known that the Clerks of the present Boards of School Commissioners receive £5 per cent. commission on the money actually disbursed by them, amounting to upwards of £600. This is a pretty large amount, without almost any direct educational return. Not but the clerks perform their duty faithfully; but all this consists in their attending two or three or four meetings of the Board in the year, dispensing the funds to the teachers according to the directions of the Commissioners, and transmitting returns to the Superintendent. Now, why not disburse all this money directly from the treasury, or rather, we should say, from the educational office? Let the teachers be all thoroughly graded



and classified, and let them receive a remuneration proportioned to the number of children taught and the rank they hold; and let their certificates to this effect be properly authenticated, and forwarded to the educational office, and the business is done. This is the method pursued in Upper and Lower Canada, in New Brunswick and Prince Edward Island, and, we believe, in all the States of the Union. This is the case, too, in Britain. Were this plan pursued in this country, it would save these £600, which would afford a fair remuneration to the three inspectors. All the additional expense would be the employment of a clerk in the educational office, which would not cost more than £150 per annum, and such an officer should exist at any rate. We believe there is not one educational office on the whole of this Continent without a Clerk, but the one at Truro, thereby devolving an immense amount of routine work on the Superintendent of Education, of which he ought to be entirely divested, save in the employment of a Clerk. By this arrangement, three thorough inspectors might be procured without much additional outlay, and the whole educational establishment be conducted according to a thorough systematic plan.

Another, and the only other defect in our educational machinery, which we can notice, is the want of uniformity in the conducting of its affairs. It is well known that the present enactment commits the whole local management of educational affairs to thirty-three Boards of School Commissioners. These Boards are charged with the responsibility of the settlement of all matters connected with the division of the territory placed under their inspection into School districts, the licensing of teachers, and the distribution of the public funds, as well as the books. In the management of all these matters, these Boards are left entirely to their own discretion. There is no general code of regulations to direct and guide them in their deliberations and decisions on one or other of these matters. Every Board is thus compelled to act in every particular case, as it believes to be most conducive to the general interests of education within its bounds, and the result of all this is the most complete want of uniformity in all the forementioned particulars, there being scarcely two Boards that act exactly alike. And so long as the present state of things remains, this diversity of acting will exist. And surely I need not dwell on the injurious results of all this to the general interests of education. By this mode of procedure, little or nothing is done to stimulate districts to a sense of their duty in educational matters; the teachers have little or no encouragement to prosecute their studies or more fitly to qualify themselves; the utmost diversity exists on the part of the School Boards in the distribution of their funds, some allowing a first class teacher £20, others £15, so that a teacher, on leaving one Board and going to another, may find the difference of his share of the public money to be £7, or even £10.

And now, it may be asked, what is the remedy proposed to meet this state of things, and, if possible, to bring about a uniformity of acting throughout the Province? We have long and calmly pondered this question, and come to the decided conclusion, that the only effectual remedy is the appointment of a Central Board of Education, such as exists in Upper and Lower Canada, and in all the sister Colonies, and, in fact, in every country where a system of national education exists. There are innumerable matters of detail in every national system of education that can only be carried out by such a Board. Whatever be the constitution of this Board, whether it is composed of gentlemen versant in educational matters, or of the Executive Council, it is clear that the Superintendent of Education must be, *ex officio*, a member of the same. It is his special province to prepare the business to be brought before it, and to carry out its instructions and deliverances. It might still be necessary that County Local Boards exist, for the purpose of deciding all matters connected with the division of the County into school districts, stimulating to the



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erection of commodious school houses, looking after the matter of local assessment, certifying the reports of Trustees, &c. It appears to me, however, that it would be more conducive to the interests of education that these Boards be selected and appointed by the people themselves, and not by the Government.

Such are the suggestions I would with all respect, submit to the consideration of your Excellency, and the two branches of the Legislature. They are not rashly or inconsiderately come to, but the calm and deliberate result of the observation and experience of five years. If, then, the evils referred to really exist, and if the remedies proposed seem well fitted to effect their removal, it appears to me to be alike expedient and dutiful that these suggestions be carried into execution with as little delay as possible.

I have the honor to be, my Lord,

Your lordship's most obed't. and humble serv't.,

(Signed,)

ALEX. FORRESTER.

TABLE A. Number of Schools and Districts—Support of Schools.

SCHOOL BOARDS.	Number of Schools.		SUPPORT FROM DISTRICT.						SUPPORT FROM PROVINCE.						Total Support.	Amp. & Pro- p. for every £1 of Province.	Cost per Pupil to People.	Cost per Pupil to Prov.										
	Districts		Support in Winter.			Support in Summer.			Sup't. in Winter.			Support in Sum'mr.																
	W.	S.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.					£	s.	d.							
1 Halifax city	20	19	474	11	9½	370	5	3½	844	17	1	347	10	0	330	10	0	678	0	0	1	4	11	4	8	8	8½	
2 Do., East..	11	23	177	13	9	341	18	1½	519	11	10½	114	2	4	115	7	0	229	9	4	2	5	8	7	8½	3	5	
3 Do., West.	31	39	619	13	1	754	3	0	1373	16	1	206	17	6	206	7	5	413	4	11	3	6	5½	9	11½	3	0	
4 Do., Shore.	16	18	193	15	4	269	9	0	463	4	4	87	19	3	89	19	6	177	18	9	2	12	0½	9	7	3	8	
5 Chester ...	13	16	134	4	0	113	17	4	248	1	4	85	11	0	89	10	0	175	1	0	1	8	4	5	10½	4	1½	
6 New Dublin	15	18	165	14	6	133	13	7	299	8	1	76	1	0	75	8	0	151	9	0	1	19	7	9	5½	4	9½	
7 Lauenburg	35	26	445	7	6	330	12	10	776	0	4	145	5	0	133	9	0	278	14	0	2	15	8	8	10½	3	1½	
8 Queens ...	27	34	564	8	6	545	4	1	1109	12	7	273	3	11	238	15	0	511	18	1½	2	3	4	12	10	5	9	
9 Shelburne	18	21	257	0	0	227	7	11½	484	7	11½	118	6	1	116	7	6	234	13	7	2	1	3½	9	5½	4	7	
10 Barrington	21	28	273	16	10	221	10	8	599	3	0	100	0	0	123	0	0	223	0	0	2	13	6	8	6	3	1	
11 Argyle....	20	19	284	13	10	221	10	8	506	4	7	83	13	9	69	18	10	153	12	7	3	5	10½	10	8½	3	8	
12 Yarmouth.	28	39	574	6	0	543	1	0	1117	7	0	144	19	8	133	19	1	278	18	9	4	0	1	10	0½	2	6	
13 Clare ....	12	20	117	5	7	161	18	1	275	3	8	72	1	0	74	10	0	146	11	0	1	18	1½	7	1½	3	9½	
14 Digby....	32	42	566	14	10	600	7	1	1167	1	11	185	0	7	190	3	4	375	3	11	3	2	2½	11	5½	3	2½	
15 An'polis, W	23	33	412	12	11	525	12	3	938	5	2	140	10	0	142	3	7	282	13	7	3	6	4½	13	7½	4	1½	
16 Do., E....	34	40	700	18	8	776	18	9	1537	17	5	175	15	0	189	1	3	364	16	3	4	4	9	9½	13	11½	3	5½
17 Kings ...	51	67	1390	5	2½	1500	8	11	2890	14	1½	307	10	0	271	13	4	579	3	4	4	4	10	9	13	11½	2	6½
18 Hauts, W..	23	36	632	6	9	915	0	10	1547	7	7	219	3	4	218	10	0	187	13	4	3	10	9	13	0	2	10½	
19 Do., East..	22	27	432	15	0	434	0	0	866	15	0	132	13	4	116	0	0	284	13	4	3	9	8½	10	2	2	4½	
20 Colchester.	48	64	870	18	0	1007	18	10	1878	16	10	226	14	8	221	0	10	247	15	6	4	3	10½	10	0	2	10½	
21 Stirling ...	15	21	239	13	5	312	12	6	552	5	11	67	4	0	67	3	9½	134	7	9½	4	2	2½	7	9½	1	10½	
22 Cumb'land	51	61	980	12	6	1042	17	8	2023	10	2	238	15	5	244	5	0	483	0	5	4	2	0½	11	4½	2	8½	
23 Parrisboro'.	8	9	171	8	6	155	11	3	326	19	9	51	6	0	51	6	0	102	12	0	3	8	9½	12	1½	3	9½	
24 Pictou, N..	49	52	874	3	8	941	0	0	1815	3	3	299	13	4	295	14	6½	595	19	6	10½	3	0	11½	9	0½	2	10
25 Do., S.....	50	64	730	14	0	888	15	5½	1619	15	5½	291	13	10	342	5	8	633	19	6	2	10	1½	6	2½	2	5	
26 Sydney....	54	64	643	9	3½	736	6	3½	1379	15	7	347	13	3	334	2	10½	681	16	1½	2	2	0	5½	7	10½	3	7
27 St. Marys..	12	13	184	11	10	168	7	7	352	19	5	69	11	6	73	3	4	142	14	10	2	8	10	9	7½	3	10½	
28 Guysboro'.	26	37	235	0	8	267	0	1	502	0	9	140	0	0	152	10	0	292	10	0	1	14	8½	7	4	4	4	
29 Inverness, S	48	47	497	7	0	492	17	10	990	4	10	281	8	0	285	15	0½	567	4	0½	1	14	11	6	10½	3	11½	
30 Do., N.....	30	27	337	18	5	353	16	8½	691	15	1½	128	7	6	130	6	7½	258	14	1½	2	13	4	7	8½	2	10½	
31 Victoria ..	32	32	382	7	6	340	8	0	722	15	6	181	0	6	176	4	6	357	5	0	2	0	5½	7	8½	3	9½	
32 Cape Breton	69	56	780	1	2½	704	17	9	1484	18	11½	320	3	0	352	19	0	673	2	0	2	4	1½	4	7	1½	3	0½
33 Richmond .	39	41	405	16	4	448	17	0	854	13	4	205	13	8	205	13	11	411	7	7	2	1	6½	6	7	6	7	
	981	1136	16808	6	0	16952	2	0	33760	8	0	5865	10	5	5857	4	11½	11722	15	4½	2	17	7	9	5½	8	3½	

Total Average Cost of each Pupil....£0 12 9½ | Total Average Salary of each Teacher....£44 0 0

TABLE B. Number, Age, and Sex of Scholars—Number of Children.

SCHOOL BOARDS.	Paid Pupils.				Free Pupils.				Total No. of Pupils.				AGE OF PUPILS.				SEX OF PUPILS.				No. of Pupils from 4 to 16.
	W.		S.		W.		S.		W.		S.		Under 8.		Over 8.		W.		S.		
	W.	S.	W.	S.	W.	S.	W.	S.	W.	S.	W.	S.	W.	S.	W.	S.	W.	S.	W.	S.	
1 Halifax city	975	990	651	998	1631	1988	354	436	1246	1538	921	977	679	1032	998	993	998	998	998	998	998
2 Do, East	477	839	13	14	490	853	120	248	369	569	264	457	225	396	993	993	993	993	993	993	993
3 Do, West	1076	1291	160	229	1236	1520	304	394	928	1066	735	811	493	709	1888	1888	1888	1888	1888	1888	1888
4 Do, Shore	394	493	35	44	429	537	98	160	332	379	232	271	198	269	840	840	840	840	840	840	840
5 Chester	355	387	46	53	400	440	113	169	296	281	234	222	173	218	374	374	374	374	374	374	374
6 N. Dublin	304	268	36	23	340	291	52	102	284	183	197	135	143	156	764	764	764	764	764	764	764
7 Lunenburg	940	573	132	107	1072	680	182	171	890	509	629	352	443	328	328	328	328	328	328	328	328
8 Queens	678	859	108	130	786	989	126	202	660	727	703	486	283	503	503	503	503	503	503	503	503
9 Shelburne	444	387	51	87	549	474	66	141	483	334	360	246	189	268	617	617	617	617	617	617	617
10 Barrington	607	624	80	87	687	721	72	246	615	475	513	345	174	1040	1040	1040	1040	1040	1040	1040	1040
11 Argyle	441	359	80	64	521	423	64	121	457	311	367	252	157	213	875	875	875	875	875	875	875
12 Yarmouth	806	894	249	281	1055	1175	125	383	930	792	740	526	315	649	2543	2543	2543	2543	2543	2543	2543
13 Olare	213	378	70	111	283	488	37	81	246	407	148	212	134	276	1103	1103	1103	1103	1103	1103	1103
14 Digby	858	889	121	170	979	1059	102	221	777	814	675	518	304	589	1308	1308	1308	1308	1308	1308	1308
15 An polis, W.	587	617	100	75	687	692	106	262	575	611	487	397	300	444	804	804	804	804	804	804	804
16 Do, E.	920	974	100	121	1020	1095	134	284	803	841	557	507	297	618	1609	1609	1609	1609	1609	1609	1609
17 Kings	1638	1934	235	341	1873	2275	217	627	1656	1648	1343	1043	530	1230	3002	3002	3002	3002	3002	3002	3002
18 Hants, West.	814	1312	97	155	911	1467	137	330	736	1421	646	623	329	734	2134	2134	2134	2134	2134	2134	2134
19 Do, East	752	867	41	52	793	909	129	246	585	579	469	441	292	346	880	880	880	880	880	880	880
20 Colchester	1504	1969	114	164	1618	2133	324	592	1507	1657	1085	1129	746	1136	1819	1819	1819	1819	1819	1819	1819
21 Stirling	563	786	36	34	599	820	72	187	527	633	368	418	231	402	1203	1203	1203	1203	1203	1203	1203
22 Cumberland	1502	1711	146	192	1648	1903	329	461	1319	1442	906	959	742	964	964	964	964	964	964	964	964
23 Parrsboro'	244	257	18	20	262	278	28	73	230	205	165	129	93	149	443	443	443	443	443	443	443
24 Pictou, N.	1748	2060	92	128	1840	2188	350	534	1490	1654	1013	1190	827	1010	3502	3502	3502	3502	3502	3502	3502
25 Do, S.	2194	2786	113	137	2307	2923	363	742	1944	2181	1356	1623	951	1300	2121	2121	2121	2121	2121	2121	2121
26 Sydney	1358	1742	189	209	1547	1951	147	357	1400	1594	968	1111	579	840	840	840	840	840	840	840	840
27 St. Mary's	321	322	53	36	374	358	54	101	310	260	209	198	169	160	449	449	449	449	449	449	449
28 Guysboro'	559	559	114	134	673	693	114	180	569	513	493	384	234	309	309	309	309	309	309	309	309
29 Inverness, S.	1243	1283	151	196	1394	1479	125	216	1269	1203	945	890	449	583	1946	1946	1946	1946	1946	1946	1946
30 Do. N.	846	789	72	88	918	877	109	167	809	710	560	504	358	373	1261	1261	1261	1261	1261	1261	1261
31 Victoria	905	785	102	80	1007	865	107	185	900	680	578	479	429	386	1022	1022	1022	1022	1022	1022	1022
32 Cape Breton	1944	1740	270	193	2214	1933	325	369	1889	1564	1285	1151	1929	782	782	782	782	782	782	782	782
33 Richmond	894	1034	335	333	1229	1367	246	334	983	1033	705	700	524	657	1293	1293	1293	1293	1293	1293	1293
	39104	32758	4215	5086	33319	37844	5231	9322	28004	28874	20656	19586	13919	18505							

TABLE C. *Duration of Schools—Sex of Teachers—Character of Schools—School Houses.*

SCHOOL BOARDS.	Schools in Weeks.		SEX OF TEACHERS.				SCHOOLS HOUSES.	LIBRARY BOOKS.			SCHOOL BOOKS.			APPARATUS.							
	W.	S.	Male.		Female.	Type		Log	Good	Bad	W.	S.	W.	S.	Globe	Maps	Black Boards	Other Apparatus			
			W.	S.																	
1 Halifax, City	22	23	10	9	10	10	2	13	5	2	518	168	295	516	2	90	25				
2 Do., East	17½	18½	6	12	5	9	22	1	1	13	170	168	295	179	2	146	15				
3 Do., West	24	23	23	23	8	16	3	25	9	30	253	111	259	98	20	115	25				
4 Do., Shore	22	21½	9	7	7	9	10	10	17	12	81	191	134	67	103	7	2				
5 Chester	23½	21½	8	7	5	9	1	8	3	15	95	85	155	43	25	4	4				
6 New Dublin	17½	23	8	2	7	11	8	1	1	11	63	14	146	83	14	8	1				
7 Lunenburg	19½	21	24	13	11	13	6	3	3	35	163	157	355	123	2	32	21				
8 Queens	22	20½	18	11	9	23	8	8	34	34	125	96	132	136	2	36	12				
9 Shelburne	19	21	14	6	4	15	1	10	2	20	174	189	27	22	2	48	9				
10 Barrington	15	24	19	5	2	23	8	3	3	28	297	254	214	240	4	113	26				
11 Argyle	16	19	17	6	3	19	12	1	1	20	203	84	202	96	6	64	24				
12 Yarmouth	19	21½	23	9	5	30	1	35	16	39	243	262	260	132	5	106	54				
13 Clare	20½	20½	6	4	6	16	3	3	20	20	102	102	145								
14 Digby	19	22	18	19	14	23	2	33	12	42	85	85	70	38	3	67	9				
15 Annapolis, West	23½	24	15	14	8	19	19	8	8	33	61	111	120	139	2	51	20				
16 Do., East	23	22	22	15	12	25	2	34	12	38	64	117	220	133	3	74	36				
17 Kings	21	23	41	26	10	41	67	3	3	66	151	191	85	189	7	100	59				
18 Hants, West	22	23½	14	18	9	18	4	27	8	36	207	168	210	210	2	72	27				
19 Do., East	16	20½	16	7	6	18	18	2	2	22	109	24	113	107	3	84	21				
20 Colchester	20	20	29	26	19	38	2	56	8	64	35	58	112	64	3	173	62				
21 Stirling	22	21	9	11	6	10	20	1	1	20	76	114	111	61	3	58	25				
22 Cumberland	21	21	33	31	18	30	46	12	59	2	478	100	217	76	4	66	42				
23 Parrsborough	21	21	5	5	3	4	7	2	9	9	37	37	37	5	10	4	4				
24 Pictou, North	22	21	35	34	14	18	8	45	4	43	841	386	386	5	104	46	46				
25 Do., South	21	20½	35	42	15	22	6	53	5	57	98	141	190	237	2	105	50				
26 Sydney	21	20	40	42	14	22	8	41	9	54	93	95	491	308	2	132	24				
27 St. Mary's	17	17	9	7	3	6	2	10	1	11	200	154	149	120	2	29	9				
28 Guysborough	21	21	19	13	7	14	10	10	22	1	142	46	211	187	2	81	7				
29 Inverness, South	24½	21	43	42	5	5	6	27	12	34	94	185	281	146	2	93	10				
30 Do., North	22	23	27	24	3	8	20	10	16	14	168	118	239	314	1	51	16				
31 Victoria	22	17	29	27	3	5	29	13	9	23	194	204	301	82	5	58	13				
32 Cape Breton	21	22	49	36	20	20	3	29	8	39	328	208	634	61	92	15	15				
33 Richmond	20	21	30	32	9	9	4	20	7	16	1014	1120	232	188	3	57	17				
Average	20½	21	703	587	280	553	45	779	156	968	141	826	175	16360	4797	6301	4430	99	2456	742	15



Abstract of Grammar School Returns.

TABLE D.—Continued.

SCHOOL BOARDS.	TEACHERS.	Number of Pupils.		Average Attendance.		No. in Higher Branches.		Support from People.		Support from Province.		Globe	No. of Schools	BRANCHES TAUGHT.			
		W.	S.	W.	S.	W.	S.	£	s.	d.	£				s.	d.	
Cumberland	Jacob McLellan	74	43	11	38	0	0	0	0	0	0	0	0	Latin and Mathematics.			
	Don. McCauley	60	32	41	80	0	0	0	0	0	0	0	0	.....Do.			
	Israel Blair	40	20	20	110	0	0	0	0	0	0	0	0	Mathematics.			
Parrsboro'	D. B. Barkley	46	32	30	28	12	10	45	0	0	0	0	0	Latin and Mathematics.			
Pictou, N...	W. Johnson	50	22	30	11	15	3	9	0	0	0	0	0	.....Do.			
	W. Fraser	35	22	10	40	0	0	0	0	0	0	0	0	.....Do.			
Do, S.....	Thos. Harrison	46	35	28	13	80	0	0	0	0	0	0	0	Classics, French, and M'atics.			
	G. McKenzie	72	74	31	35	7	15	80	0	0	0	0	0	Classics and Mathematics.			
	Thos. Cummings	51	34	34	16	20	0	0	0	0	0	0	0	.....Do.			
Sydney ...	J. Willoughby	72	68	31	32	12	12	50	0	0	0	0	0	Latin and Mathematics.			
	John McDonald	40	21	10	20	0	0	0	0	0	0	0	0	Classics and Mathematics.			
	W. Patrick	29	22	10	12	10	0	0	0	0	0	0	0	.....Do.			
St. Mary's	Alex. McDonald	37	21	10	17	14	0	0	0	0	0	0	0	.....Do.			
	And'w. McGilvery	46	21	10	20	0	0	0	0	0	0	0	0	Latin and Mathematics.			
	Duncan McPhale	51	30	15	22	0	0	0	0	0	0	0	0	Mathematics.			
Guysboro'	R. A. Sinclair	40	31	11	12	0	0	0	0	0	0	0	0	.....Do.			
	Thos. G. Taylor	30	23	11	20	0	0	0	0	0	0	0	0	Mathematics and French.			
	Angus McDonald	35	30	6	18	0	0	0	0	0	0	0	0	Latin and Mathematics.			
Inverness, N	Angus McIsaac	54	27	11	22	10	0	0	0	0	0	0	0	.....Do.			
	Edw'd. Blanchard	46	34	12	11	40	0	0	0	0	0	0	0	Classics and Mathematics.			
	Donald McMillan	43	51	23	10	22	0	0	0	0	0	0	0	.....Do.			
Do, S. ....	Miles Thunekin	51	20	11	21	0	0	0	0	0	0	0	0	Latin and Mathematics.			
	David Forbes	27	35	10	22	10	0	0	0	0	0	0	0	.....Do.			
	Donald McRea	56	30	8	20	0	0	0	0	0	0	0	0	Mathematics.			
Victoria ...	A. Munro	39	30	34	12	18	42	0	0	0	0	0	0	Latin and Mathematics.			
	John McLeod	40	47	30	34	12	20	0	0	0	0	0	0	.....Do.			
	Alex. Farquharson	44	43	12	20	0	0	0	0	0	0	0	0	.....Do.			
C. Breton ..	Duncan Buchanan	85	43	18	0	0	0	0	0	0	0	0	0	Classics and Mathematics.			
	W. H. Waddle	37	42	24	15	13	40	0	0	0	0	0	0	.....Do.			
	John McDonald	112	70	19	46	15	0	0	0	0	0	0	0	Classics and Mathematics.			
Richmond																	
													1951. 2083. 1199. 1225. 508. 569. 8059	5	8. 920	6	9. 37. 379. 87

NORMAL SCHOOL, TRURO.

List of Grammar and First Class Common School Graduates.

TERM.	NAMES.	CLASS.	COUNTY.	TERM.	NAMES.	CLASS.	COUNTY.
1st	Mr. Joseph H. Webster.....	1st	Kings.	3d	Mr. Robert Colquhoun .....	1st	Inverness, C. B.
"	* William Parker .....	"	Halifax.	"	John Morrison .....	"	Victoria, C. B.
"	Henry Waddell.....	"	Pictou.	4th	John R. Miller .....	Grammar.	Kings.
"	Jere'h. Willoughby .....	"	Halifax.	"	Miss Georgiana Carlisle .....	1st	Yarmouth.
2d	Miss Mary Kelly.....	"	Colchester.	"	Harriet Dickson .....	"	Colchester.
"	Elizabeth Tupper.....	"	Colchester.	"	Eliz'th. H. Donkin. ....	"	Colchester.
"	Sophia Christie.....	"	Colchester.	"	Susan Chisholm .....	"	Cumberland.
"	Rachael Tupper.....	"	Colchester.	4th.	Amelia Fleming .....	"	Colchester.
"	Christiana Ross.....	"	Colchester.	"	Rosanna Layton .....	"	Colchester.
"	Mary A. Stephens.....	"	Colchester.	"	Rosanna Bentley.....	"	Colchester.
"	Eliza McCurdy.....	"	Colchester.	"	Mr. John McIntosh .....	"	Pictou.
"	Rebecca O'Brien.....	"	Hants	"	Donald McRea .....	"	Victoria, C. B.
"	Mr. J. B. Calkin .....	"	Kings.	"	Charles L. Cox .....	"	Colchester.
"	Hugh McEwen.....	"	Kings.	"	Gilbert W. Dakin .....	"	Annapolis.
"	John Forbes.....	"	Guysborough.	"	Robt. O. B. Johnston.....	"	Colchester.
"	Donald McAuley .....	"	Victoria, C. B.	5th	Miss Margaret Archibald.....	"	Colchester.
3d	Miss Mary Parker .....	"	Halifax.	"	Georgiana McCurdy.....	"	Colchester.
"	Ellen Layton .....	"	Colchester.	"	Isabella McCurdy.....	"	Colchester.
"	Sarah Scott.....	"	Guysborough.	"	Jane Waddell .....	"	Pictou.
"	Chris'a. McDonald.....	"	Sydney.	"	Annie McKenzie.....	"	Pictou.
"	Sarah Johnston .....	"	Colchester.	"	Elizabeth Archibald.....	"	Guysborough.
"	Annie Archibald.....	"	Halifax.	"	Mr. Eliakim Archibald.....	"	Colchester.
"	Jessie Archibald .....	"	Colchester.	"	Murdoch McGregor .....	"	O. Breton, C. B.
"	Elizabeth McCurdy.....	"	Colchester.	6th	Somerville Dickie .....	Grammar.	Kings.
"	Mr. William Richan.....	"	Yarmouth.	"	Miss Janet Crockett.....	1st	Sydney.
"	Thomas Taylor.....	"	Guysborough.	"	Jane Fleming .....	"	Colchester.
"	Jonathan R. Borden.....	"	Kings.	"	Mary A. Waugh .....	"	Colchester.
"	William Morse .....	"	Lunenburgh.	"	Susan Bentley.....	"	Colchester.
"	Robert G. Irwin .....	"	Shelburne.	"	Sarah Bentley .....	"	Colchester.

\* Dead. || Married, but never taught. ¶ Never taught.

TABLE E.—Continued.

NORMAL SCHOOL, TRURO.

List of Grammar and First Class Common School Graduates.

TERM.	NAMES.	CLASS	COUNTY.	TERM.	NAMES.	CLASS.	COUNTY.
6th..	Miss Amelia Archibald.....	1st	Halifax.	7th..	¶ Miss Nancy Barnhill.....	1st	Colchester.
"	" Mary E. Delaney.....	"	Colchester.	"	Mr. Alexander McKay.....	"	Colchester.
"	" Martha Dickie.....	"	Colchester.	"	" George Ross.....	"	Colchester.
"	" Susan Johnstone.....	"	Colchester.	"	" Duncan McPhail.....	"	Inverness, C. B.
"	" Caroline McKenzie.....	"	Pictou.	"	" Malcom McKinnon.....	"	Inverness, C. B.
"	" Thirza Dodson.....	"	Colchester.	"	" Roderick McNeil.....	"	Inverness, C. B.
"	¶ Mr. Samuel F. Raymond.....	"	Yarmouth.	"	" Angus Ross.....	"	Colchester.
"	" Caleb Phinney.....	"	Digby.	"	" Peter Campbell.....	"	Inverness, C. B.
"	" James H. Doane.....	"	Shelburne.	"	" Campbell Stuart.....	"	Halifax.
"	" Jacob Layton.....	"	Colchester.	8th.....	" Nicholas Smith.....	Grammar.	Queens.
"	" James Little.....	"	Colchester.	"	" Samuel F. Raymond.....	"	Yarmouth.
"	* " John D. Bruce.....	"	Pictou.	"	Miss Jane Gow.....	1st	Lunenburg.
"	" John Gunn.....	"	Inverness.	"	" Emma Homer.....	"	Shelburne.
"	" Charles Archibald.....	"	Halifax.	"	" Elizabeth Thompson.....	"	Hants.
7th....	" Daniel McDonald.....	Grammar.	Sydney.	"	¶ Letitia Crowell.....	"	Shelburne.
"	" Charles Pitblado.....	"	Colchester.	"	¶ Mrs. Hill.....	"	Digby.
"	" William Elder.....	"	Hants.	"	Miss Mary Revette.....	"	Halifax.
"	Miss Sarah McLeod.....	1st	Colchester.	"	Mr. A. Hiltz.....	"	Lunenburg.
"	" Emma Page.....	"	Cumberland.	"	" Donald McLeod.....	"	Cumberland.
"	" Mary Annand.....	"	Colchester.	"	" Duncan Duff.....	"	Hants.
"	" Nancy Archibald.....	"	Colchester.	"	" Charles Kehnth.....	"	Lunenburg.
"	" Martha Campbell.....	"	Colchester.	"	" Frederick Lawrence.....	"	Inverness, C. B.
"	" Mary J. Campbell.....	"	Colchester.	"	" John C. Blackadar.....	"	Yarmouth.
"	" Mary Jane Cox.....	"	Colchester.	"	" Charles Darby.....	"	Yarmouth.
"	" Marg'et. C. O'Brien.....	"	Hants.	"	" Samuel Archibald.....	"	Colchester.
"	" Lizzie Walker.....	"	Lunenburg.	"	" Nathaniel Hebb.....	"	Lunenburg.
"	" Bessie Steele.....	"	Halifax.	"	" Richmond McCurdy.....	"	Colchester.

\* Dead. || Married, but never taught. ¶ Never taught.

N. B.—About 50 of the Second Class Graduates have taught, or are engaged in teaching. The names of these do not appear in the above List.



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**FISHERIES, MARGAREE RIVER.**

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(COPY.)

*Sydney, Cape Breton, July 18, 1859.*

MY LORD,—

I have the honor of stating that, during the past week I had occasion to ascend the South-West Branch of the Marguerite River to Lake Ainslie, with three canoes, and in doing so I found that branch of the Marguerite greatly obstructed by fish wiers and other contrivances which had been used for taking gasperaux during their ascent from the sea early in the season. In general, these fish-traps when in use, appear to have occupied fully one-half of the River; and now that the water is low, several extended across the whole channel, obliging my party to cut away portions in order to get through with the canoes.

In some places the wiers overlapped each other completely, especially where there was a shallow bar in the middle of the stream, with a channel on either side. In such cases it was noticed that in the bar between the mouths of the fish-traps, there was generally an accumulation of drift stuff and rubbish which, whether it came there accidentally or otherwise, must have driven a great portion of the fish ascending into the traps on either side.

The number of these fish-traps were so great as to induce me to believe, that besides being fished in a most improper and unfair manner, the River was greatly over-fished. The traps were too many for the extent of water to be fished, and calculated to take too large a proportion of the fish which ascended the River.

By the regulations of Sessions in the County of Inverness, it is forbidden to turn the mouths of the fish-traps upwards in order that they may take gaspereaux after spawning (then termed "slinks,") on their return to the sea.

At the land of McFarlane, about two miles below Lake Ainslie, I met traps with the wings turned upward. The first three were with stakes and brush—the fourth was of heavy stones—the wings extending from bank to bank, and conducting the water down to a narrow passage in the centre of the stream where the trap was placed. It would be difficult for any fish descending to escape this trap, which seemed to have been constructed carefully and with much labor.

The fifth wier was of brush and stakes, so obstructing the channel that it had to be cut away. The sixth, seventh, and eighth were not completed, and at these I saw a man at work driving stakes, who fled at my approach. I saw him afterwards, and he said his name was Campbell.

The ninth, tenth, and eleventh were above a piece of still water—they were nearly or quite finished. A man at work on them fled; afterwards he gave his name as Allan McKay, and said the people there put up the wiers, and did not think they were against the law. He evidently knew they were illegal, as he left his shoes and stockings in the hurry of his flight.

The Twelfth wier was at the first swift water below the Lake, and occupied the breadth of the River, having several channels laid up with stones on either side to head the fish to two or more traps. If kept in order, few fish could escape this reversed wier.

But few gaspereaux have been taken in Lake Ainslie this season; and those that did reach the excellent spawning ground, at the outlet of the Lake, would scarcely be able to return to the sea again owing to the reversed wiers. Besides preventing the return of these useful fish to the sea, the reversed wiers are said to destroy large

quantities of fry on their first decent to salt water from the spawning grounds. The gaspereaux fishery on the south-west Marguerite this season exhibited a great falling off from that of last year, and it may readily be believed, that if the River continues to be fished as it has been this season, that fishing will very shortly be extinct in it.

The gaspereaux fishery is valuable in itself, and it must also be borne in mind that the care and preservation of that fishery is most important as regards the cod fishery on the coast. The mouths of all rivers frequented by gaspereaux are resorted to by cod at the proper season, thus affording profitable occupation to the coast fishermen, and wherever the gaspereaux have been allowed to be exterminated (as I am sorry to say they have been in several Rivers of these Colonies,) the codfishery has ceased to exist in that vicinity. No fish that ascends rivers from the sea in order to spawn is of so much consequence to the cod fishermen as the gaspereaux.

I was informed that there was a Fishery Warden for the North-west Branch of the Marguerite appointed by the Sessions. The state of that branch during the past week proves most clearly his neglect or incapacity, and that instead of being paid, he ought to be punished for the non-performance of his duties.

The matters alluded to in this letter, having fallen immediately under my observation, I feel it my duty to bring them to Your Lordship's notice, in the full hope that measures will be taken by the Government of Nova Scotia to preserve the valuable fisheries of the River Marguerite, and punish the parties attempting to destroy them.

I have, &c.,

(Signed,)

M. H. PERLEY,

*H. M. Comm'r. under the Reciprocity Treaty.*

His Excellency the EARL OF MULGRAVE, Lieutenant-Governor.

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## STATISTICAL CONGRESS.

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(Circular—Nova Scotia.)

*Downing Street, 10th February, 1860.*

SIR,—

28th January, 1860.

I transmit to you the copy of a Letter which has been addressed to this department, by order of the Lords of the Committee of Privy Council for Trade, suggesting the expediency of procuring the more important of Her Majesty's Colonies to be represented at the approaching Congress of Statistical Science, which will be held in London in July this year.

Should the Local Government of your Colony be disposed to accede to the invitation which this Letter conveys, either by deputing some one to represent the Colony, or by authorizing any gentleman who may visit England on his own account, or who may be now there to act as its representative on this occasion, Her Majesty's Government will readily afford him any assistance which may be in their power.

I have the honor to be, Sir,

Your most obedient humble servant.

(Signed,)

NEWCASTLE.

Lieutenant-Governor the Right Honorable the EARL OF MULGRAVE, &c. &c. &c.

*Office of Committee of Privy Council for Trade,  
White Hall, 28th January, 1860.*

SIR,—

It will probably be within the recollection of the Duke of Newcastle that public attention having been called to the incomplete state of the official statistics compiled by the Governments of the various nations of the world, and the absence of such uniformity in the manner in which even those incomplete Statistical Returns are published by the respective countries as would facilitate comparisons between them, an International Statistical Congress was a few years ago organized for the purpose of taking steps for remedying these evils, with the sanction and coöperation of the Governments of many of the leading states of Europe, that Congress has already assembled, on three separate occasions, in the several capitals of Belgium, France, and Austria, and considerable advantage has already been derived from its labors.

On the occasion of the last meeting of the Congress at Vienna, in the year 1857, it was arranged, with the concurrence of the then Government of this country, that its next meeting should take place in this metropolis, an intention which Her Majesty's Government now propose to cause to be fulfilled in the course of the ensuing summer.

With this object in view, the Lords of the Committee of Privy Council for Trade have recently appointed a Committee for the purpose of making the necessary preparations for that meeting, and it has already been decided that it shall take place in the week commencing on the 16th July next.

It appears to their Lordships to be desirable, that the Colonies of the British Empire should not be left unrepresented on an occasion on which the representatives of so many foreign countries may be expected to attend, in accordance with the invitations to that effect now being despatched by the Foreign Office, and which presents so favorable an opportunity of facilitating the realization of the important object already referred to.

I am therefore directed to request that you will suggest to his Grace the expediency of procuring such of the colonies named in the margin, as his Grace may approve to be so represented at the Congress, either by invitations addressed to the Local Governments and communities, or (if they are too distant) through the agency of distinguished gentlemen connected with them now in Europe.

Any gentleman who may be thus deputed, or whose attendance may be thus sanctioned, should be requested previously to the assembling of the Congress, to place himself in communication with the Committee above spoken of, which is now meeting under the directions of this department, with reference to the subjects for discussion.

I have, &c.,

(Signed,)

JAMES BOOTH.

The Under Secretary of State, Colonial Office.

Canada, and the other  
North American  
Provinces.  
Malta,  
Ionian Islands.  
The Australian Colo-  
nies,  
Cape of Good Hope,  
Mauritius,  
West Indies, such as  
Jamaica and Trini-  
dad.

## FISHERIES—FRENCH COD FISH.

No. 14.

*Downing Street, 31st March, 1859.*

MY LORD,—

I transmit to you herewith the copy of a note addressed to the Earl of Malmesbury by the French Ambassador at this Court, and I have to request that your Lordship will inform me whether it is the intention of the Legislature of Nova Scotia, as stated by the Duc de Malakoff, to prohibit the importation into the Province of the produce of the French Cod Fisheries.

I have, &amp;c.,

(Signed,)

E. B. LYTTON.

Lieut.-Governor THE EARL OF MULGRAVE.

The Duc de Malakoff to the Earl of Malmesbury.

*Londres, de 17th Mars, 1859.*

M. LE COMTE,—

Il semble résulter de renseignements recueillis par la Chambre de Commerce de Bordeaux que, pour écarter complètement les morues de pêche Française des marchés de la Nouvelle Ecosse, le Parlement d'Halifax serait à la veille de les frapper d'une prohibition absolue. Une pareille mesure si elle venait à se produire serait aux yeux du Gouvernement Français d'autant plus inattendue qu'en ce moment l'importation de toutes les marchandises est permise dans le Colonie de St. Pierre et Miquelon au simple droit de 1 per cent, ce qui semble nous autoriser à compter sur un traitement pareil pour les marchandises Françaises dans les Colonies Anglaises d'Amérique.

Je vous serais infiniment obligé, M. le Comte, de vouloir bien me mettre en mesure de fixer mon Gouvernement sur le degré de foi qu'il doit ajouter aux assertions de la Chambre de Commerce de Bordeaux.

Dans le cas où elle serait fondée, je suis chargé d'appeler sur ce fait l'attention du Gouvernement de la Reine et de solliciter de lui les démarches nécessaires pour empêcher, s'il est possible, l'exécution d'une mesure qui menacerait sérieusement notre commerce de la Nouvelle Ecosse.

Veuillez, &amp;c.,

(Signé)

M<sup>AL</sup>. PELISSIER.

No. 38.—(Fisheries.)

*Government House, Halifax, N. S.,  
22d April, 1859.*

SIR,—

I have the honor to acknowledge the receipt of your Despatch, No. 14, of the 31st ult., and, in reply, have to inform you that a Petition was presented to the Legislature during its late Session, from the inhabitants of Pubnico, N. S., stating that they were largely engaged in the Cod fishery, and praying that whereas so large a bounty was enjoyed by the French fishermen, as to enable them to bring their fish to the

Halifax market, on terms disadvantageous to the natives of this Province, a duty might be imposed on fish imported from the French possessions of St. Pierre and Miquelon.

As, however, this would have involved a deviation from the previous system of Free Trade, which has been so largely beneficial to these Colonies, and could have been looked upon only as a protection duty, I am happy to inform you that this Petition was reported against by the Committee to whom it was referred, and no action was taken on the subject.

It is right, however, that I should inform you that this question is one which is exciting considerable dissatisfaction among the fishing population of this Province.

The French Government giving a bounty of eight shillings per quintal on all fish exported from St. Pierre and Miquelon, it is felt that those connected with the fishery trade of this country cannot compete on equal terms.

Until very lately this bounty was confined to fish exported to French settlements and to Europe, and so long as this was the case, but very little French appeared in these markets.

Now, however, that the bounty is extended to this continent, the case is entirely altered, and it is natural that the fishermen of this Province should feel the difficulty of competing with those who receive a bounty from their Government, which amounts to more than half the sum at which fish has been for some time selling in these markets.

There is, I believe, no disposition whatever in this Province to interfere with the rights of the French; neither would there be any fear of entering into fair competition with them. But there is no doubt that, under present circumstances, the fishermen of this Province labor under considerable disadvantages; and if Her Majesty's Government could induce the French Government to re-consider the question of bounty, I believe, that they would confer a great benefit on a large hard-working and deserving portion of the population of this colony.

I have, &c.,

(Signed,)

MULGRAVE.

The Right Honorable Sir E. B. LYTON, Bt., &c. &c. &c.

## RAILWAY ACCOUNTS.

DR. *The Provincial Railway in Account with the Receiver General to the 1st January, 1860.*  
1859.

March 31.	To Cash paid the Commissioners in the Quarter ending at this date. . . . .	£24000	0	0
June 30.	To Cash paid them Quarter end'g this day.	31000	0	0
Sept'r. 30.	To Cash paid them Quarter end'g this day.	30500	0	0
Dec'r. 31.	To Cash paid them Quarter end'g this day.	23000	0	0
Sept'r. 8.	To Amount paid them, transfer by Baring, Brothers & Co., No. 8 . . . . .	10472	18	2
		£118972 18 2		
Dec'r. 31.	To Cash paid Salaries, per Statement No. 3. . . . .	2585	0	0
"	To Cash paid Expense Account, No. 7. . . . .	5	19	7
"	To Cash paid Interest, (coupons due in 1858,) 6. . . . .	45	0	0
1860.				
Jan'y. 1.	To Interest, per Statement No 1 . . . . .	83021	10	2
		£204630 7 11		

1859.				CR.
Dec'r. 31.	By Cash received from Provincial Funds on account of Interest, No. 9. . . . .	£12000	0	0
"	" " " for Bonds sold in Nova Scotia, year ending this day, Statement No. 5. . . . .	7500	0	0
"	" " " Premium on Exchange, and Bonds sold in Halifax in 1859, No. 10. . . . .	717	0	5
"	" Amount received from Baring, Brothers & Co., for Bills of Exchange sold in 1859, No. 8. . . . .	£94612	10	0
"	" " " credited Railway Com'rs. . . . .	10472	18	2
"	" " " in interest on Bonds in Jan'y. and July, 1859, and 1st Jan., 1860, per Stat. No. 1. . . . .	71790	5	2
"	" " " in Bill of charges for Post- ages, &c., in 1858. . . . .	5	4	7
		176880 17 11		
"	" Amount due Bond holders in Nova Scotia, interest due 1st Jan., 1860 6. . . . .	3701	5	0
"	" Cash received from Bank of Nova Scotia, balance of payments between 1st Jan. and this date, No 11 . . . . .	3831	4	7
		£204630 7 11		

STAYLEY BROWN, *Receiver General.*

*Receiver General's Office, Halifax, 1st January, 1860.*

## No. 1.

## INTEREST.

1859.							
Jan'y. 1.	To amount paid to this date .....	£67610	10	0			
" 3.	" Bondholders in Nova Scotia, Interest on £92,000 Stg., Bonds due 1st inst .	£3450	0	0			
"	" Baring, Brothers & Co., interest due 1st Jan., on £602,000 Stg., of Bonds Stg £18060	0	0				
"	Commission 1 per cent.	180	12	0			
		£18240	12	0			
"	Less pd. Bishop of N. S. ...	255	0	0			
		Stg £17985	12	0			
					22482	0	0
"	" Paid the Bishop of Nova Scotia.....	318	15	0			
July 1.	" Bond holders in Nova Scotia, Interest on £93000 Stg. of Bonds due this day...	3487	10	0			
"	" Baring, Brothers & Co., Interest due on £637,- 700 Stg., Bonds ....	£18951	0	0			
"	Commission 1 per cent ...	189	10	2			
		£19140	10	2			
"	Less pd. the Bishop of N.S. 255	0	0				
		£18885	10	2			
					23606	17	8
" 3.	" Paid the Bishop of Nova Scotia .....	318	15	0			
1860.							
Jan'y. 1.	To Bond holders in Nova Scotia, Interest on £97,500 Stg., of Bonds due this day .....	3656	5	0			
"	" Baring, Brothers & Co., Interest due on £687,- 000 Stg. Bonds ....	£20610	0	0			
	Commission 1 per cent.....	206	2	0			
		£20816	2	0			
"	Less to pay the Bishop of N. S., ...	255	0	0			
		£20561	2	0	25701	7	6
					83021	10	2
					£150632	0	2
1859.							
Feb'y. 26.	By Amount received from Baring, Brothers & Co., of In- terest Account, 1858.....	2786	14	5			
		£147845	5	9			

## No. 2.

## PROVINCIAL RAILWAY.

1858.				
Dec'r. 31.	To amount advanced to this date.....	£928854	8	11
1859.				
Dec'r. 31.	To paid the Commissioners .....	£118972	18	2
"	" Salaries .....	2585	0	0
			121557	18
"	" Expense Account .....		428	0
				4
			£1050840	7
"	By Working Account, (a credit in 1855).....		901	18
				3
			£1049938	9
				2

## No. 3.

## SALARIES.

1859,				
March 31.	To paid the Chief Engineer to date ....	£386	5	0
"	" Chief Commissioner .....	175	0	0
"	" Two Commissioners .....	100	0	0
			£661	5
June 30.	" Engineer and Commissioners to date.....		661	5
Sept. 30.	" Do.....Do .....		661	5
Dec'r. 31.	" Chief Engineer to date .....	326	5	0
"	" the three Commissioners .....	275	0	0
			601	5
				0
			£2585	0
				0

## No. 4.

## ACCOUNT OF BONDS SOLD IN LONDON.

1858.				
Dec. 31.	Am't. sold at this date, Stg £602,000 0 0 .....	£752500	0	0
1859.				
Jan. 28.	Am't. sold between the 1st and 28th Jan.....	5000	0	0
		6250	0	0
Aug. 10.	Am't. sold between the 3rd June and 4th July.....	50000	0	0
		62500	0	0
Dec. 31.	Am't. sold between the 23d August and 30th Dec. ....	38400	0	0
		48000	0	0
			116750	0
				0
		£695400	0	0
			£869250	0
				0

## No. 5.

## ACCOUNT OF BONDS SOLD IN NOVA SCOTIA.

1858.				
Decr. 31.	Amount sold at this date, £92000 0 0.....	£115000	0	0
1859.				
Mar. 31.	Amount sold in Quarter ending this day.....	Stg. 1000	0	0
		1250	0	0



Sept. 30.	Amount sold in Quarter ending this day.....	4000	0	0	0	5000	0	0
Dec'r. 31.	Amount sold in Quarter ending this day.....	1000	0	0	0	1250	0	0
								<u>£7500</u> 0 0
								<u>£122500</u> 0 0

## No. 6.

## NOVA SCOTIA BOND HOLDERS IN ACCOUNT WITH THE RECEIVER GENERAL.

1859.								
Dec'r. 31.	To Cash paid interest Coupons between the 1st January, 1859 and this date.....					£6937	10	0
1860.								
Jan'y. 2.	" Balance due Coupons.....					3701	5	0
1858.								
Dec'r. 31.	By Balance due Coupons unpaid at this date .....					45	0	0
1859.								
Jan'y. 1.	" Interest payable this day .....					3450	0	0
July 1.	" Interest payable this day .....					3487	10	0
1860.								
Jany. 1.	" Interest payable this day .....					3656	5	0
						<u>£10638</u>	<u>15</u>	<u>0</u>
						<u>£10638</u>	<u>15</u>	<u>0</u>
	Balance brought down. ....					£3701	5	0

## No. 7.

## EXPENSE ACCOUNT.

1858.								
Dec'r. 31.	To amount paid to this date .....					£422	0	9
1859.								
Feb'y 26.	" Paid Baring, Brothers & Co., Advertiz- ing, Postages, &c. ....					5	4	7
June 15.	" Paid Graham & Son, for a Book of Ex- change.....					0	15	0
1859.								
Dec'r. 31.	By amount carried to Railway Account .....					428	4	0
						<u>£428</u>	<u>0</u>	<u>4</u>
						<u>£428</u>	<u>0</u>	<u>4</u>

## No. 8.

## MESSRS. BARING, BROTHERS &amp; Co. IN ACCOUNT WITH THE RECEIVER GENERAL.

1858.								
Dec'r. 31.	To Balance due at this date .....					£52365	9	7
1859.								
Jan'y. 28.	" Interest, balance of Interest Acct., 1858.....					2786	14	5
"	" Bonds sold between 1st January and this date .....					6250	0	0
"	" Premium on Bonds sold.....					578	2	6

Aug. 10.	To Bonds sold between 1st June and this date.....	62500	0	0	
"	" Premium on Bonds sold.....	3382	16	3	
Nov. 18.	" Bonds sold between 10th August and this date .....	37500	0	0	
"	" Premium on Bonds sold.....	3325	12	6	
Dec'r. 31.	" Bonds sold between 1st Dec'r. and this date.....	10500	0	0	
"	" Premium on Bonds sold.....	761	5	0	
1859.					
Jan'y. 1.	By Interest payable this day .....	£23482	0	0	
" 13.	" Charges, Postages, Advertisements 1858 .. .. .	5	4	7	
July 1.	" Interest payable this day .....	23606	17	8	
Dec. 31.	" Cash received for Bills of Exchange, 1859.....	94612	10	0	
"	" Amount to Railway Commissioners, transfer .....	10472	18	2	
1860.					
Jan'y. 1.	" Interest payable this day.....	25701	7	6	
"	" Balance.....	3069	2	4	
		<u>£179950</u>	<u>0</u>	<u>3</u>	<u>£179950 0 3</u>
To Balance brought down.....		£3069	2	4	

## No. 9.

## GENERAL REVENUE IN ACCOUNT WITH THE RAILWAY.

1858.					
Dec'r. 31.	By amount received to this date.....	£166752	5	8	
1859.					
Dec'r. 31.	" Cash on account of Interest.....	12000	0	0	
			<u>£178752</u>	<u>5</u>	<u>8</u>

## No. 10.

## PREMIUM ACCOUNT.

1858.					
Dec'r. 31.	By Amount, received at this date .....	£24233	19	7	
1859.					
Dec'r. 31.	By Cash received Premium on Bonds sold in Nova Scotia in 1859.....	463	1	0	
"	" Exchange sold in 1859 .....	233	19	5	
"	" Amount received from Messrs. Baring, Brothers & Co. for Premium on £93,400 Stg., Bonds sold.....	8047	16	3	
			<u>£32998</u>	<u>16</u>	<u>3</u>

## No. 11.

## BANK OF NOVA SCOTIA IN ACCOUNT WITH THE RECEIVER GENERAL.

1859.

Jan'y. 1.	To Balance at this date .....	£10180	14	9
Mar. 31.	" Cash paid Quarter ending this day ....	22851	7	9
June 30.	" .... Do... . . . do.....do.....	13065	18	11
Sept. 30.	" .... Do..... do. ....do.....	52558	0	6
Dec'r. 31.	" .... Do..... do.....do.....	26354	3	3

1859.

Mar. 31.	By Cash received Quarter ending this day .....	£28415	0	0
June 31.	" ... Do.....do.....do.....	31060	15	0
Sept. 30.	" ... Do.....do.....do.....	35583	15	0
Dec'r. 31.	" ... Do.....do.....do.....	23601	5	0
"	" Balance .....	6349	10	2
		£125010	5	2
		£125010	5	2

To Balance Brought down..... £6349 10 2

## BALANCE.

1860.

Jan'y. 1.	To Railway Account.....	£1049938	9	2
"	" Interest .....	147845	5	9
"	" Baring, Brothers & Co .....	3069	2	4
"	" Bank Nova Scotia.....	6349	10	2
Jan'y. 1.	By Bonds sold in London, Stg. £695400 .....	£869250	0	0
"	" Bonds sold in Nova Scotia, £98000.....	122500	0	0
"	" Premium Account .....	32998	16	3
"	" General Revenue .....	178752	5	8
"	" Dividends Coupons unpaid in Nova Scotia.....	3701	5	0
		£1207202	6	11
		£1207202	6	11

## PUBLIC ACCOUNTS.

*The Province of Nova Scotia in Account Current with the Receiver General from 1st January to the 31st December, 1859.*

DR.

To Cash paid Advances, per Abstract.....	£2286	4	0
" Cashier Board of Works, do .....	32218	15	0
" Criminal Prosecution, do .....	263	19	2
" Coroner's Inquests, do .....	265	0	0
" Drawbacks of Duties, do .....	4415	7	10
" Erection of Oat Mills, do .....	0	0	0
" General Education, do .....	16466	14	6
" Judiciary Expenses, do .....	332	10	0



To paid Shelburne .....	£1213	2	0	
“ Victoria .....	1017	17	11	
“ Yarmouth.....	1196	5	4	
				<u>£27944 8 10</u>
				<u>£172648 18 9</u>
Balance .....				3308 17 10
				<u>£175957 16 7</u>

CR.

By Balance at this date .....£1223 2 5

Cash received for Colonial Duties, viz.:

From Halifax .....	£124250	0	0
Annapolis.....	754	12	4
Amherst.....	1095	4	10
Antigonishe .....	144	15	5
Arichat.....	816	17	0
Advocate Harbor.....	46	1	0
Barrington .....	495	14	5
Baddeck.....	178	10	3
Beaver River .....	43	17	7
Bridgeport.....	29	0	0
Bridgetown .....	452	10	2
Bear River.....	230	11	5
Cornwallis .....	1023	15	8
Chester.....	32	10	3
Cape Canso .....	60	5	0
Canada Creek .....	300	11	8
Clementsport.....	129	4	3
Church Point, Clare .....	189	16	3
Digby.....	833	11	10
French Cross.....	106	14	8
Guysborough.....	13	13	3
Great Bras d'Or.....	7	12	0
Horton .....	113	0	0
Hantsport.....	167	6	1
Harbor Buchie.....	17	0	0
Ingonishe .....	0	0	0
Joggins.....	230	19	2
Lunenburg.....	64	16	11
Liverpool .....	1191	19	11
Londonderry .....	699	19	8
Little River .....	13	11	6
La Have.....	45	10	3
Maitland.....	217	1	4
McNair's Cove.....	86	0	0
Margaree .....	11	5	6
Mainadieu .....	2	8	6
North Sydney .....	1074	16	5
Pictou .....	3961	16	3
Pugwash .....	338	5	1
Port Hood .....	9	13	1
Parrsborough.....	148	0	1

From Pubnico .....	£90	10	10
Port Medway.....	291	9	4
Ragged Islands .....	323	14	0
Sydney, C. B.....	248	4	2
Shelburne .....	101	14	11
St. Mary's River .....	39	6	9
Ship Harbor.....	51	1	7
Sheet Harbor.....	0	0	0
Sandy Cove .....	43	4	1
St. Ann's.....	16	12	1
Truro .....	574	12	11
Tatamagouche.....	32	6	8
Thorne's Cove.....	105	3	2
Tusket .....	209	10	0
Windsor.....	1112	2	9
Westport .....	218	5	5
Weymouth.....	180	12	1
Wilmot.....	698	1	1
Wallace .....	11	10	1
Walton.....	55	5	0
Yarmouth .....	4246	0	4

£148278 6 3

Strait of Canso, (Bigelow) £499	7	9
Do. (Purcell) ..609	7	1
Halifax Light Duty.....2007	5	7
Shelburne.. ..61	4	6
White Haven.....10	0	0

£3187 4 11

£151465 11 2

By Cash received from			
Canada, for their proportion of expense of St. Paul's and Scattarie Light Houses .....	734	5	1
New Brunswick, for their proportion of expense of St. Paul's and Scattarie Light Houses .....	564	13	3
Prince Edward Island, for their proportion of expenses of St. Paul's and Scattarie Light Houses.....	44	1	1
Distilleries, for Licenses granted .....	2738	0	0
Casual Revenue.....	5032	2	7
Crown Land Department, for Land sold .....	5500	7	4
For Fees from the Secretary's Office.....	935	3	1
From Savings' Bank .....	0	0	0
Board of Revenue.....	0	0	0
The Lords of the Treasury, towards support of Sable Island.....	502	4	5
Sable Island.....	444	0	3
Fines and Forfeitures .....	38	0	0
Treasury Notes .....	0	0	0
Miscellaneous.....	7	3	6
Wreck Money .....	0	0	0
Copper Coinage.....	0	0	0
Advances .....	59	6	7
To Cash paid Copy Right.....	24	19	8
" Interest.....	0	0	0



(including the amount due by Collectors removed or deceased,) £7955 17 0, of which sum they have since paid £6410 2 5, leaving still in their hands the sum of £1545 14 7 or \$6182<sup>91</sup>/<sub>100</sub>.

In the Returns from the Strait of Canso, it appears that there has been collected by James Purcell in cash and orders the sum of £1123 4 0; of this sum there remained unpaid by that officer on the 31st December £519 18 10, which he sets off by an account, with vouchers, against the Schooner "Lady Vivian," for supplies and wages, amounting to £234 15 6, his salary for 1859, an order not yet collected, commissions on orders collected in 1859, and payments made during the present year—in all amounting to £196 5 1, shewing a balance still due from that officer, 31st March, 1860, of £88 18 3.

In 1858, 70 per cent. of the duties collected were absorbed in the expense of collection; in 1859, over 33 per cent. The detection, by the Clerk of the Financial Secretary, of omissions in the Return of the Collector in the year 1859, is proof of great inaccuracy, and the collection of so large a revenue at so important a post, where there is so little opportunity for checking the amount collected, ought to be most vigilantly supervised. Your Committee think the attention of the Government cannot be too soon turned to the necessity of some change in the system, as formerly recommended.

(See Appendix A.)

The proceeds from the Casual and Territorial Revenue are as follows:

The amount paid into the Treasury was .....	£5967	5	8
Received from the Prov. Secretary's Office .....	£935	3	1
Received from Mining Association for 1858 .....	5032	2	7
			<u>5967 5 8</u>

(See Appendix B.)

The gross proceeds of Lands, &c., sold and applied for during 1859 amount to .....	£5500	7	4
Received for Mining Licenses .....	382	10	0
Received for Searches ... ..	4	2	1
			<u>Gross Proceeds.....£5886 19 5</u>
Deduct charges—			
To paid Deputy Surveyors .....	£1659	10	8
" on rejected Petitions.....	562	3	2
To Registration of Deeds .....	77	8	8
" Post Office and other incidental charges.....	372	14	6
" Repaid on rejected Petitions.....	25	0	0
			<u>2696 17 0</u>
Nett Proceeds of Lands sold in 1859.....	£3190	2	5
The Commissioner of Crown Lands has received from the Treasury towards payment of the above charges .....	£2750	0	0
Balance in hand 31st December, 1858 .....	25	18	7
			<u>£2775 18 7</u>
From which deduct charges above .....	2696	17	0
			<u>£79 1 7</u>
Shewing a balance in hands of Commissioner of.....	£79	1	7



The Receiver General's Account shews a credit on account of Mines of .....	£414 10 6	
Should be deducted and transferred to Casual Revenue ..	32 0 6	
		382 10 0
Com'r. of Crown Lands, credited for Licenses, 1859 .....	395 0 0	
Of this sum paid and credited in account of 1858.....	12 10 0	
		382 10 0

By this Statement it appears that there is an increase over 1858 of £98 4 8 in the receipts of the Crown Land Department.

The whole revenue for 1859, received from all sources, is, viz.:

Impost, Excise, and Distilleries .....	£148002 16 7
Light Duties.....	7274 14 0
Casual Revenue, collected in 1859.....	5967 5 8
Crown Land, including Mining Licenses. ....	£5886 19 5
Less expenses .....	2696 17 0
	3190 2 5

	£164434 18 8
Revenue of 1858 .....	156451 8 9
	£7983 9 11

Increase for 1859.....£7983 9 11

ST. PETER'S CANAL.

Your Committee find the balance as reported last year in the Bank of Nova Scotia say £117 12s. 7½d. They recommend that this balance should be withdrawn, and placed to the general credit of the Province.

PROVINCIAL RAILWAY.

The Railway Expenditure ending 31st Dec., 1856, amounted to...	£466752 3 5
" " " 31st Dec., 1857, for that year was ..	265272 4 11
" " " 31st Dec., 1858,.. "..... " ..	201069 2 7½
" " " 31st Dec., 1859... "..... " ....	116307 2 11½

Total Expenditure to 31st December, 1859.....	£1049400 13 11
The Commissioners had in hand, in cash. 31st Dec., 1859.	£80 18 0
Balance in Bank of Nova Scotia .....	930 15 3
	1011 13 3

Total amount received from Receiver General to date ....£1050412 7 2

Sources of money received for Railway, and disposition thereof—

Received for Bonds sold in London, per General Account to 31st December, 1859 .....	£869250 0 0
Received for Bonds sold in Nova Scotia, per General Account to 31st December, 1859.....	122500 0 0
Received from Premium and Discount Account.....	32998 16 3
Working Account for Road in 1856.....	901 18 3
Received from Savings' Bank for this service.....	£75000 0 0
Received from Treasury Notes, new issue .....	52000 0 0
Received from General Revenue, from Duties, &c.....	51752 5 8
	178752 5 8
	£1204403 0 2

Expenditure in Construction as above, and Cash in hands of Commissioners and Bank, 31st December, 1859..	£1050412	7	2
Interest Account to 1st January, 1860 .....	£147845	5	9
Less unpaid coupons 1st January, 1860.....	3701	5	0
		144144	0 9
Expense Account paid by Receiver General.....	428	0	4
Cash in hands of Baring, Brothers, London, 1st January, 1860 .....	3069	2	4
Cash in Bank of Nova Scotia.....	6349	10	2
		£1204403	0 9

The construction of the Railway having now been completed as far as Windsor and Truro, your Committee would beg to recommend that the system pursued in the other public departments shall be adopted in respect of the Railway; and that all sums of money derived from the revenue of the road shall be paid weekly into the office of the Receiver General, and that such sums of money as may be from time to time required by the Railway Board shall be paid by the Receiver General on the same principles which apply to the General Post Office and Board of Works. If this system be pursued, the Receiver General's account will exhibit all sums paid or received in respect of all the public departments.

#### SAVINGS' BANK.

In reference to the Savings' Bank, the Committee of Public Accounts in 1859 detected some errors in the statement submitted to them by the Cashier, which, in their opinion, rendered a searching investigation into the state of that institution absolutely necessary, and recommended the Government to undertake it. During the recess that service has been performed by Mr. Archibald Scott, who reports that he has gone over the books from 1854 to 1858, inclusive, and that he has found a series of errors in the accounts running over the whole of that period.

A subsequent investigation conducted by the late Financial Secretary and Mr. Henry, brings the accounts down to the 12th December, 1859; and these gentlemen report that there should have been in the hands of Mr. Duckett, at that date, a sum exceeding the balance that officer admitted to be due, by £813 9s. 5d.

Mr. Duckett was removed from his office on the 21st December, and Mr. Lawson put in his place. Since his appointment, Mr. Lawson has discovered a number of additional errors, some for and some against Mr. Duckett. The general result of which is so far favorable as to reduce the balance alleged to be due by him to the sum of £725 5s. 5d.

But as the only effectual check upon the accuracy of the accounts is afforded by a comparison of the pass books of the depositors with the books in the office; the balance so ascertained can be considered only as approximating to a correct result.

Your Committee subjoin a statement of the present condition of the Bank, as gathered from the accounts and books of the office, up to the 31st december last.

#### *Statement of Savings Bank.*

To amount due 1651 Depositors, with Int. made up to 31st Dec. 1859,	£126181	18	9
“ Balance due Bank from Interest accruing to date.....	494	14	2
		£126676	12 11
CR.			
By amt. due by Province, pd. into the Gen. Revenue.	£125000	0	0
“ Balance of cash on hand 31st Dec., 1859.....	1676	12	11
		126676	12 11
By balance of Surplus Fund in favor of the Bank this date.....	£494	14	2

*Statement of Surplus Fund.*

To amount of gain by Bank, as stated by Mr. Scott's Report, to 31st December, 1858 .....	£1303	10	5	
To surplus gain in 1859.....	176	9	2	
Less—				£1479 19 7
By amt. refunded, overp'd. by the Fin. Sec., for Int., 1858.	£260	0	0	
By deficiency in late Cashier's cash, on dismissal fr. office..	725	5	5	
				985 5 5
Balance of surplus in hand to credit of the Bank. ....	£494	14	2	

In reference to the system of accounting, your Committee have made enquiries, and are inclined to believe that that originally adopted and now in use in the office, if properly carried out and superintended, affords all the checks and guards which are necessary for the efficient working of the Institution, They would, however, urge it as a duty upon the Cashier, to count and balance his cash daily, and upon the Receiver General, to count it and make a record of the amount once every month, and once in each quarter to compare the cash so found on hand with a check balance sheet to be prepared to the first of each quarter by the Cashier, exhibiting the exact state of the Bank at that date.

*(See Reports and General Account, Appendix C.)*

The sum of £19,000 of old and defaced Province Notes, handed to your Committee by the Provincial Secretary, has been destroyed. £11,000 of this amount has been replaced by new notes, and £8000 has been withdrawn, leaving the whole amount of Provincial issue at £111,682.

The Receiver General's books have been examined—the coupons for interest counted—and all has been found correct.

Your Committee have received from the Receiver General, damaged Postage Stamps, amounting to £8100, which they have destroyed; leaving in his hands, on the 2d April, 1860, Postage Stamps of various denominations, amounting to £30,500.

## POST OFFICE.

Your Committee have examined the accounts of the Post Office Department, and find them correct.

The excess of expenditure over the revenue of that branch of the public service during the past year amounts to £8700 18 3.

Your Committee suggest that a separate charge should in future be made in the Annual Account Current of the Postmaster General for postage paid by the Receiver General for the Public Departments, so that the transactions with that officer may appear on the face of that account, and be thus more readily checked.

*(See Appendix to Postmaster General's Report.)*

## BOARD OF WORKS.

The accounts and vouchers of this department of the public service have been checked, and found correct and satisfactory.

There has been expended for the different services under the control of the Board, the sum of £34039 14 5. There is a balance due the Board to the 31st December, 1859, of 44 3 1.

They have received from the Treasury during the past year, £32,218 15 0, and from other sources, £1776 16 4; of the latter sum, they have paid over to the Receiver General, £1004 5 9, and the balance, £772 10 7, has been credited in account with the several services.

There is yet remaining unpaid for the services of this department to the 31st December, 1859, £2393 9 4.

In reference to the Hospital for the Insane, your Committee beg leave to report that the accounts of all expenditures connected with the erection of the building have been duly returned into the office of the Board of Works, accompanied by vouchers, which have been duly checked in that department, and at the office of the Financial Secretary. But your Committee observe, that the Commissioners of the Asylum have received in the year 1859 at different times in all the sum of £5400, of the expenditure of which no account is returned to the Board of Works, or has been placed before your Committee. Your Committee consider it right that the expenditure of all sums passing through the Board of Works should appear in the accounts of that department, and should, after being checked by the Financial Secretary, be submitted to the Committee of Public Accounts.

In the absence of the information to be supplied by such accounts, your Committee have no means of knowing how the sum, so drawn by the Commissioners, has been appropriated.

(For Accounts and General Abstract, see Appendix D.)

Your Committee report a list of undrawn monies for Roads, to 31st December, 1859, amounting to £982 7 11.

(See Appendix E.)

INDEBTEDNESS OF THE PROVINCE OF NOVA SCOTIA.

DR.

Amount of Province Notes, old issue .....	£59682	0	0
“ “ new issue .....	52000	0	0
Borrowed from Savings Bank .....	125000	0	0
Undrawn for Road and Bridge Service .....	982	7	11
“ other services .....	15487	3	8
Due Board of Works .....	£44	3	1
“ for unpaid Bills .....	2393	9	4
		2437	12 5
Railway Damages, due to Counties .....	519	6	3
Provincial Bonds sold .....	991750	0	0
Railway Coupons unpaid .....	3701	0	0

CR.

		£1251559	10	3
Balance in Receiver General's hands .....	3308	17	10	
Due from Collectors of Excise .....	7941	6	2	
Casual Revenue .....	6436	0	0	
Due from Canada, New Brunswick, and P. E. Island ..	1104	12	2	
In hands of Baring, Brothers & Co., Jan'y. 2d, 1860...	3069	2	4	
In Bank of Nova Scotia .....	6349	10	2	
Dalhousie College .....	5000	0	0	
Inland Navigation Company .....	5000	0	0	
Counties, for advances for Road service .....	2479	13	6	
County of Hants, advance for Railway Damages .....	500	0	0	
In hands of Railway Com'rs., 31st Dec., 1859—				
In Cash .....	£80	18	0	
In Bank of Nova Scotia .....	930	15	3	
	1011	13	3	
		42200	15 5	
		£1209358	14 10	

Your Committee report a list of monies undrawn for various services on the 31st December, 1859.

(See Appendix F.)

Your Committee report the estimate furnished by the Financial Secretary of the probable assets and expenditure of the Province for the present year.

(See Appendix G.)

All which is respectfully submitted.

T. D. ARCHIBALD, <i>Chairman</i> ,	}	<i>Legislative Council.</i>
ALFRED WHITMAN,		
JOHN CREIGHTON,		
JOHN ESSON, <i>Chairman</i> ,	}	<i>House of Assembly.</i>
MOSES SHAW,		
R. P. GRANT,		
CHARLES TUPPER,		

Committee Room, April 5th, 1860.

A.

*Balances due by Collectors of Light, Impost, and Excise Duties, 31st December, 1859.*

Ports.	Due 31st December, 1859.	Since Paid.
Advocate Harbor .....	£9 15 0	\$39 00..... \$43 00
Amherst.....	466 7 9	1865 55.....1336 00
Annapolis.....	310 14 10	1242 96.....1244 13
Antigonish.....	38 13 2	154 63.....110 00
Arichat.....	335 13 11	1342 79.....1342 78
Barrington.....	120 10 8	482 13.....235 05
Do. Former Collector.....	24 16 10	99 36
Beaver River.....	26 13 10	106 76.....104 46
Bear River.....	112 16 3	451 25.....452 00
Bridgetown .....	278 14 5	1114 88.....1114 88
Bridgeport.....	6 8 4	25 66.....25 65
Canada Creek .....	73 3 7	292 71.....292 71
Canso Cape, (Norris).....	18 9 4	73 86.....74 95
Do. (Bigelow).....	279 18 11	1119 79.....840 00
Cape North .....	0 13 9	2 75.....2 87
Canso Strait.....	519 18 10	2079 76.....211 33
Chester.....	44 7 11	177 58.....86 25
Church Point.....	105 17 10	423 56.....423 56
Clementsport.....	52 1 7	208 31.....208 40
Cornwallis .....	84 10 1	338 01.....338 01
Do. Former Collector.....	174 18 1	699 61.....699 85
Digby.....	512 19 7	2051 91.....1463 65
French Cross.....	49 15 4	199 06.....199 06
Great Bras d'Or.....	10 6 11	41 38.....26 26
Halifax .....	61 7 10	245 56.....245 56
Do. Light.....	100 9 10	401 96.....401 96
Harbor au Bouche.....	14 5 3	57 05.....57 05
Hantsport.....	23 1 0	92 20.....92 21
Horton.....	195 4 7	780 91.....200 00
Joggins.....	155 11 0	622 20.....622 20
Little River .....	46 18 2	187 63.....187 63
Liverpool .....	388 0 7	1552 11.....1511 45

LaHave .....	£69	4	10	\$276	96.....	\$276	96
Do. Former Collector.....	62	11	5	250	28		
Londonderry .....	280	17	9	1123	55.....	1123	10
Lunenburg.....	5	10	5	22	08		
Maitland .....	61	9	7	245	91.....	245	36
McNair's Cove.....	80	3	8	320	73.....	320	73
Parrsborough.....	45	5	3	181	05.....	181	81
Do. Former Collector .....	374	2	0	1496	40		
Pictou.....	228	4	1	912	81.....	912	80
Port Hood .....	29	19	1	119	81.....	119	81
Port Medway.....	36	4	11	144	98.....	144	98
Do. Former Collector .....	101	2	8	404	53		
Port Williams .....	28	1	3	112	25.....	112	25
Pubnico .....	14	15	1	59	01.....	59	01
Pugwash .....	90	2	8	360	53.....	368	76
Ragged Islands .....	19	6	1	77	21.....	77	21
Sandy Cove .....	23	1	1	92	21.....	65	86
Shelburne.....	51	16	4	207	26.....	207	26
Sheet Harbor.....	13	1	0	52	20.....	52	20
Sherbrook or St. Mary's .....	14	10	1	58	01.....	48	51
Shelburne Harbor, Light.....	0	3	6	0	70		
Ship Harbor.....	32	16	6	131	30.....	120	00
St. Ann's.....	4	18	9	19	75.....	19	61
Sydney.....	181	14	8	726	93.....	726	90
Sydney, North .....	320	8	3	1281	65.....	1136	90
Tatamagouche .....	27	13	6	110	70		
Thorne's Cove .....	25	4	3	100	85.....	100	85
Truro .....	240	16	10	963	36.....	962	05
Tusket .....	81	19	1	327	81.....	327	00
Walton ..	10	10	6	42	10.....	40	10
Wallace .....	4	11	3	18	25.....	18	25
Westport .....	61	13	10	246	76.....	246	85
Weymouth.....	156	7	3	625	45.....	514	71
White Haven.....	33	17	3	135	45		
Wilmot. ....	228	19	9	915	95 .....	915	95
Windsor.....	33	5	7	133	11.....	150	00
Yarmouth.....	238	2	0	952	40.....	952	40
	£7955	17	0	\$31823	17....	\$25640	49

## B.

*Abstract of Monies received by the Receiver General on account of Casual Revenue, between the 1st January and 31st December, 1859.*

1859.							
Jan'y. 29.	Received from the Sec'ys. office, on acct. of fees collected...	£328	4	10			
Feb'y. 2.	Rec'd. from S. & W. Cunard, on acct. of Coal raised and sold at the Pictou, Joggins, Sydney, Lingan, & Pt. Aconi, for year 1858 ..	5032	2	7			
May 11.	Received from Sec'ys. office on acct. of fees collected.....	200	0	0			
July 27.	Do.....Do.....Do.....	200	0	0			
Oct 31.	Do.....Do.....Do.....	200	0	0			
Dec'r. 31.	Do.....Do.....Do.....	6	18	3			
		£5967	5	8			

*Receiver. General's. office, Halifax, 31st Dec., 1859.*

## C.

(Reports and General Account Savings' Bank—not printed because incomplete.)

(See Appendix to Post Master General's Report in House of Assembly Journals.)

## D.

The Province of Nova Scotia in Account with the Board of Works.

## DR.

1859.

Jan'y. 1.	To Balance as per Account current for 1858 . . . . .	£198	9	2
Dec'r. 31.	“ Disbursed on Acct. Governm't. House. . . . .	£1462	10	5
	“ “ Province Building . . . . .	614	13	1
	“ “ Penitentiary . . . . .	1723	2	6
	“ “ Hosp'l. for Insane . . . . .	15636	15	8½
	“ “ Sable Island . . . . .	1180	6	7
	“ “ Schr. “Daring” . . . . .	1300	2	10
	“ “ Schr. “Lady Vivian” . . . . .	235	3	4
	“ “ Light Houses . . . . .	9834	3	10½
	“ “ Board of Works . . . . .	850	1	2
	To Paid over to Receiver General . . . . .	1004	5	9½
			33841	5 3½
			£34039	14 5½
Dec'r. 31.	To Balance brought down . . . . .	£44	3	1

## CR.

1859.

Dec'r. 31.	By Cash from Receiver General at various times . . . . .	£32218	15	0
	“ Government House . . . . .	£0	19	6
	“ Penitentiary . . . . .	137	1	0½
	“ Hospital for Insane . . . . .	699	16	3
	“ Sable Island . . . . .	448	10	3
	“ Schr. “Daring” . . . . .	41	9	3
	“ Schr. “Lady Vivian” . . . . .	8	16	8
	“ Light Houses . . . . .	440	3	5
			1776	16 4½
	By Balance carried down . . . . .	44	3	1
			£34039	14 5½

S. S. THORNE,

Chairman.

Office of Board of Works,  
Halifax, December 31st, 1859.

*STATEMENT of Monies paid on account of the various services under control of the Board of Works for 1859, credits to the various services, payment of arrears for 1858, and net cost for 1859.*

SERVICES.	Paid in 1859.	Credits in 1859.	Arrears due in 1858.	Paid on acct. of 1859.	Unpaid Accts., Dec. 31, 1859.	Total Cost for 1859.
Government House	£1462 10 5	0 19 6	1001 15 11	460 14 6	347 0 11	807 15 5
Province Building	614 13 1		305 1 4½	309 11 8½	239 17 6	549 9 2½
Penitentiary	1723 2 6	137 1 10½	136 1 2	1587 1 4	188 5 2	1775 6 6
Hospital for Insane	15636 15 8½	699 16 3	867 1 3½	14769 14 5	164 4 4	14933 18 9
Sable Island	1180 6 7	448 10 3	170 19 2	1009 7 5	197 1 1½	1206 8 6½
Sch. Daring	1300 2 10	41 9 3	198 0 7	1102 2 3	102 9 7½	1204 11 10½
Sch. Lady Vivian	235 3 4	8 16 8	4 14 5	230 8 11	5 19 3	236 8 2
Light Houses	9834 3 10½	440 3 5	1508 1 6½	8326 2 4	925 19 3½	9252 1 7½
Board of Works	850 1 2		5 15 1	844 6 1	22 12 2	866 18 3
	£32336 19 6	1776 16 4½	4197 10 6½	28639 8 11½	2193 9 4½	30832 18 4

To this amt. add accts. not presented, say, £20.

Including £400 8 10 for 1858.



## E.

*Undrawn Road Monies, 31st December, 1859.*

## ANNAPOLIS COUNTY.

No.	1 G.	Jacob Dukshire	Grant 1859	£6	0	0
	19 G.	W. Milner	"	13	0	0
	25 G.	Unappropriated	"	4	0	0
	56 A.	Andrew Williams	"	3	0	0
	86 A.	Alfred Stoddard	"	5	0	0
	87 A.	John Stoddard]	"	5	0	0
	105 A. A.	Valentine Munro	"	0	3	11
	116 A.	D. Eason	"	3	0	0
	120 A.	M. Sypher	"	0	10	0
	138 A.	John Ritchie	"	5	0	0
						£44 13 11
		Less error in Road Scale, 1859				6 0 0
						£38 13 11

## CAPE BRETON COUNTY.

No.	2	John McDonald		£1	10	0
	6	Donald Campbell		1	0	0
	9	Neil McPherson		1	5	0
	46	Duncan McIsaac		0	1	3
	48			17	10	0
	49 I.	Ronald McDonald		5	0	0
	49 M.	Donald and Angus McDonald		5	0	0
	53	Charles Andrews		4	13	0
	64	John McDonald		0	2	6
	67	John McKenzie		7	10	0
	87	James Peach		5	0	0
	93	John Ryan		0	11	0
	103	Thomas Whalen		7	10	0
	111	Unappropriated		5	6	3
						£61 19 0

## COLCHESTER COUNTY.

No.	3	Samuel Archibald		£0	5	0
	10	Thomas Morrison		0	0	6
	41			6	5	7
	48	Lynds		5	0	0
	59	Robert McCallum		4	0	0
	65			17	5	0
	66	John Irvine		5	0	0
	67	Ob. Blair		3	0	0
	69	Barry Hamilton		10	0	0
	81	James Benjamin		15	0	0
	93	W. F. Putnam		5	0	0
	116			3	0	0
	117			3	0	0
	118			2	0	0
	126	John Tooker		2	10	0
	138	W. Mathewson		2	0	0
	145	John McGeorge		0	5	6
	148	Oliver		4	0	0

No. 163.	Philip Burke	£2	0	0
168.	John McDormont	0	1	6
173.	Daniel Chisolm	2	0	0
175.	Philip Reed	3	0	0
193.	Thomas Carr	0	4	9
195.	David Fulton	10	0	0
199.	James Densmore	0	7	6
207.	Alexander McBurnie	0	3	6
217.	William McKim	20	0	0
	Old Roads	0	8	10
<hr/>				
£125 17 8				

## CUMBERLAND COUNTY.

No. 40½.	Francis Carroll	£4	0	0
40½.	James Robertson	5	0	0
40½.	William Moore	6	0	0
40½.	Unappropriated	5	14	8
81.	Patrick Baird	15	0	0
91.	Unappropriated	1	0	0
<hr/>				
£36 14 8				

## DIGBY COUNTY.

No. 2.	Holmes Saunders	0	0	9
9.	Colin Campbell	3	0	0
16.	John Kenney	0	0	6
17.	Joseph Tidd	0	3	3
23.	Benjamin Dugan	0	10	0
28.	G. Cooke, Sen	0	6	7
37.	Robert Foster	0	7	6
45.	Marcel Dumbroise	0	2	0
62.	William Mumford	9	0	0
63.	Stephen Marshall	10	0	0
66.	Robert Foster	1	0	0
67.	Henry Bonnell	0	13	0
71.	Joseph Abbott	0	5	3
76.	John Hains	9	0	0
77.	William Thomas	0	11	5
118.	Mundie Comeau	8	0	0
127.	Stephen Thibideau	6	0	0
132.	Frederick Belliveaux	6	0	0
<hr/>				
£55 0 3				

## GUYSBOROUGH COUNTY.

No. 32.	Duncan Cameron	0	2	6
49.	W. Tory	0	0	0½
57.	John H. Torey	0	0	0½
77.		1	7	9
80.	Samuel Pyle	6	19	6
	Old Roads, Grant 1858.	6	16	3
<hr/>				
£15 6 1				

## HALIFAX COUNTY.

No. 32.	William Shea	0	2	6
53.	William Anderson	5	0	0
69.	D. Hattie	4	4	0
<hr/>				
£9 6 6				

HANTS COUNTY.

No.	19..James Frizel.....	£0	1	6	
	20..Gideon Reid.....	3	3	6	
	23..James Shand.....	10	0	0	
	48..Alexander Densmore .....	0	0	0½	
	49..Donald McDonald.....	0	0	0½	
	65..John Faulkner, 2d .....	5	0	0	
	67..John Barren.....	5	0	0	
	79..J. and W. Cleverdon.....	24	10	2	
	83..Abel Harvie.....	5	0	0	
	86..Joseph Thompson.....	5	0	0	
		£58	11	3	
	Less error in road Scale .....	0	0	4	
					£58 10 11

INVERNESS COUNTY.

No.	19.....	£5	0	0	
	22..Samuel McLean.....	0	1	6	
	36.....	5	0	0	
	84..D. Cameron.....	5	0	0	
	85..D. Cameron, Esq.....	5	0	0	
	89..John Wright.....	8	0	0	
	105..John Kennedy .....	0	1	0	
	131.....	5	0	0	
	137..J. McLean and D. McInnis.....	0	3	1	
	143..James Murphy.....	0	0	7	
	148.....	4	0	0	
	153.....	5	0	0	
	Old Roads .....	91	9	10	
					133 16 0

KINGS COUNTY.

No.	10..Ephraim Patterson.....	£7	0	0	
	30..John Power.....	0	0	3	
	41..Caleb Powell.....	0	1	3	
	45..Joseph C. Kinsman.....	5	0	0	
	46.....	5	0	0	
	87..Joseph M. Taylor .....	0	1	0	
	114..Edward Hamilton.....	0	2	7	
	118..John L. Pelton.....	5	0	0	
	123..Henry Farrell .....	0	1	0	
	Unappropriated .....	200	0	0	
	Old Roads .....	4	15	7	
					227 1 8
					£762 6 8

LUNENBURG COUNTY.

No.	1.....	£0	0	0½	
	14..Reuben Eisenhaur .....	0	3	0	
	26..Jacob Jennings .....	3	10	0	
	69..Jacob Lohnas.....	0	2	0	
	102..Peter Parks .....	4	0	0	
	112..Frederick Lohnas .....	2	10	0	
	129..Thomas Fisher.....	0	5	10	

	156.. Isaac Zwicker .....	0	0	11	
	162.. Nathan Borgelt .....	1	0	0	
	168.. John Hininger .....	0	0	11½	
					£11 12 9
	PICTOU COUNTY.				
No.	10 .....	£9	14	3	
	24.. Alex. Sutherland .....	0	3	6	
	43.. David Smith .....	0	15	0	
	46.. John McKay .....	4	0	0	
	Unappropriated .....	5	0	0	
	Old Roads .....	0	4	6	
					£19 17 3
	QUEENS COUNTY.				
No.	1.. John Park .....	£0	6	8	
	12.. Rob. McKay .....	10	0	0	
	39.. Henry Wolf .....	10	0	0	
	40.. John Wolf, Jr. ....	7	10	0	
	66.. Joe Hanlen .....	5	0	0	
	68 .....	5	0	0	
	Old Roads .....	6	11	8	
					£44 8 4
	RICHMOND COUNTY.				
No.	1.. John McLeod .....	£1	0	0	
	5.. William McLeod .....	0	4	0	
	17.. James McKenzie .....	30	0	0	
	27.. Josiah Hooper .....	0	1	9	
	40.. Rodk. Morrison .....	7	10	0	
	70.. Matthew Hill .....	2	0	0	
	107.. Peter Morrell .....	12	0	0	
	108.. Charles Lattimore .....	0	1	8	
	109.. Unappropriated .....	0	0	1½	
	Old Roads .....	5	10	6½	
					£58 8 1
	SHELburnE COUNTY.				
No.	41.. Alexander Morrison .....	0	3	0	
	42.. Jonathan Perry .....	4	0	0	
	51.. Charles Allen .....	0	1	0	
	62.. Robert Lewis .....	6	0	0	
	64.. William McMillan .....	8	0	0	
	85.. Josiah Reynolds .....	5	0	0	
					£23 4 0
	SYDNEY COUNTY.				
No.	1.. A. Smith and A. McDonald .....	£0	11	4	
	19.. Alex. McDonald .....	0	2	0	
	51.. Stephen Crispo .....	4	0	0	
	53.. John McDonald .....	0	4	0	
	66.. James Henefen .....	5	0	0	
	70.. A. Chisholm and J. McDonald .....	10	0	0	
	71.. Julian Landrie .....	8	0	0	
	87.. Archibald Chisholm .....	0	10	0	
	89.. D. Fraser and Val. McKenzie .....	0	6	1	
	91.. Duncan Grant .....	5	0	0	
	Old Roads .....	6	15	8	
					£40 9 1

VICTORIA COUNTY.

No.	20..Duncan Ferguson .....	£0	6	0	
	27..Francis McKenzie .....	0	1	2	
	33..... Do .....	0	10	0	
	41..F. W. McKenzie.....	0	0	10	
	46..R. McKenzie.....	0	3	0	
	58..Jas. McDonald .....	0	3	7	
	70..P. Jones .....	0	0	2	
	74..Francis McKenzie .....	0	14	0	
	82..F. W. McKenzie.....	0	3	4	
	Old Roads.....	1	6	7	
					£3 8 8

YARMOUTH COUNTY.

No.	1..Samuel Holmes.....	£0	1	7	
	80..Lewis D'Entremont.....	0	2	0	
	121.....	17	9	6	
	Old Roads.....	1	0	0	
					£18 13 1
					£982 7 11

F.

*Undrawn Monies, 31st December, 1859.*

Steamboats, Packets, and Ferries .....	£2306	10	0
Salaries .....	3966	16	1
Education.....	2251	15	6
Revenue Expenses.....	4650	0	0
Navigation Securities .....	80	0	0
Post Communication.....	1502	11	4
Agriculture .....	399	0	0
Public Printing .....	5	10	9
Miscellaneous.....	325	0	0
	£15487	3	8

G.

*Estimate for 1860.*

Assets remaining on hand 31st December, 1859—				
Balance in Receiver General's hand .....	£3308	17	10	\$13235 56
Due from Casual Revenue.....	6436	0	0	25744 00
Collectors of Colonial Duties .....	7941	6	2	31765 23
Canada, New Brunswick, and Prince Edward				
Island, for Light Houses .....	1104	12	2	4418 44
Counties, for Advances for Road Service.....	2479	13	6	9918 70
County of Hants, advance for Railway Damages....	500	0	0	2000 00
	£21770	9	8	\$87,081 93

Liabilities of the Province 31st December, 1859—			
For undrawn monies, Roads and Bridges.....	£982	7 11	\$3929 58
Ditto Ditto, other services..	15487	3 8	61948 73
For Railway Damages be- longing to Counties, de- posited in the Treasury ...	519	6 3	2077 25
			<u>16988 17 10</u>
			67955 56
<i>Probable Receipts of Year 1860—</i>			<u>£4781 11 10</u>
			\$19126 37
Excise and Light Duties.....	170000	0 0	680000 00
Casual Revenue, including Crown Lands, Mines, Fees of Office, &c .....	9500	0 0	38000 00
			<u>£184281 11 10</u>
			\$737,126 37
Estimate of probable ordinary and Legislative appropriations, viz.:			
Salaries of Lieut. Governor and Public Officers .....	£15715	0 0	\$62860 00
Legislative Expenses .....	10000	0 0	40000 00
Revenue department at Hali- fax, salaries of outport Col- lectors, and commissions ..	10600	0 0	42400 00
General Education.....	16500	0 0	66000 00
Interest on funded debt.....	5000	0 0	20000 00
Interest to be provided for			
Railway Bonds.....	60000	0 0	240000 00
Support of Light Houses ....	8000	0 0	32000 00
Do. Sable Island ....	600	0 0	2400 00
Provincial Penitentiary.....	1600	0 0	6400 00
Hospital for Insane .....	5063	0 0	20252 00
Public Buildings.....	2300	0 0	9200 00
Schooner Daring .....	1100	0 0	4400 00
Schooner Lady Vivian.....	250	0 0	1000 00
Board of Works.....	850	0 0	3400 00
Poor Asylum.....	2025	0 0	8100 00
Rations to Troops .....	50	0 0	200 00
Transient Paupers .....	200	0 0	800 00
Halifax Dispensary .....	50	0 0	200 00
Indians .....	350	0 0	1400 00
Post Communication .....	7700	0 0	30800 00
Drawbacks .....	3500	0 0	14000 00
Packets and Ferries.....	2350	0 0	9400 00
Road Compensation.....	500	0 0	2000 00
Criminal Prosecutions.....	265	0 0	1060 00
Inquests .....	265	0 0	1060 00
Judiciary expenses.....	325	0 0	1340 00
Agriculture .....	455	0 0	1820 00
Navigation Securities.....	300	0 0	1200 00
Miscellaneous and advances ..	5000	0 0	20000 00
Militia expenses.....	2000	0 0	8000 00
Printing .....	1250	0 0	5000 00
			<u>£164173 0 0</u>
			\$656692 00
			<u>£20108 11 10</u>
			\$80434 37

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TO THE  
**JOURNALS**  
OF THE  
**LEGISLATIVE COUNCIL.**

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**1860.**

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