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JOURNAL

OF

THE LEGISLATIVE COUNCIL

OF

THE PROVINCE

OF

NEW BRUNSWICK.

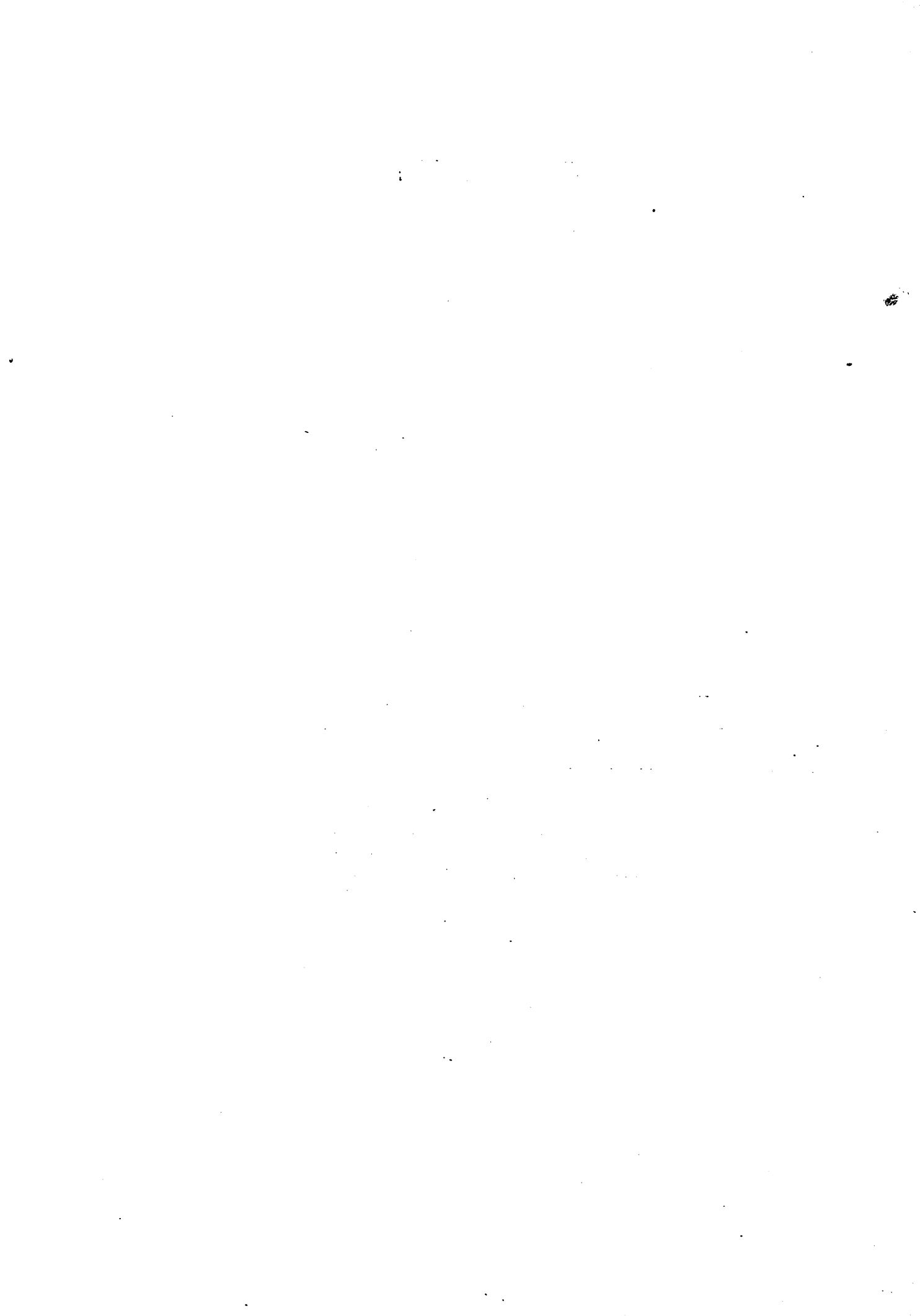


FROM 29th JANUARY to 19th MARCH, 1833,
Being the Fourth Session of the Tenth General Assembly.



FREDERICTON, NEW BRUNSWICK.
PRINTED BY JOHN SIMPSON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.

1833.





By His Excellency Major General Sir ARCHIBALD CAMPBELL, Baronet, G. C. B., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

ARCHIBALD CAMPBELL.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the Twenty fourth Day of July instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the Fourth Tuesday in October next.

Given under my Hand and Seal, at Fredericton, the Nineteenth Day of July, in the year of Our Lord One thousand eight hundred and thirty two, and in the Third Year of His Majesty's Reign.

By His Excellency's Command,

WM. F. ODELL.



By His Excellency Major General Sir ARCHIBALD CAMPBELL, Baronet, G. C. B., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

ARCHIBALD CAMPBELL.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the Twenty third Day of October instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the Third Tuesday in December next.

Given under my Hand and Seal, at Fredericton, the Twenty second Day of October, in the Year of Our Lord One thousand eight hundred and thirty two, and in the Third Year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.



*By His Excellency Major General Sir ARCHIBALD
CAMPBELL, Baronet, G. C. B., Lieutenant Govern-
nor and Commander in Chief of the Province of New
Brunswick, &c. &c. &c.*

ARCHIBALD CAMPBELL.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to the Third Tuesday in December instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to Tuesday the Twentyninth Day of January next ensuing, *then to meet at Fredericton for the despatch of business.*

*Given under my Hand and Seal, at Fredericton, the First
Day of December, in the year of Our Lord One thou-
sand eight hundred and thirty two, and in the Third
Year of His Majesty's Reign.*

By His Excellency's Command.

WM. F. ODELL.

JOURNAL

OF

THE LEGISLATIVE COUNCIL

OF THE

Province of New-Brunswick.

FOURTH SESSION OF THE TENTH GENERAL ASSEMBLY.

ANNO TERTIO GULIELMI QUARTI REGIS.

HIS EXCELLENCY MAJOR GENERAL SIR ARCHIBALD CAMPBELL, BARONET, G. C. E.
LIEUTENANT GOVERNOR AND COMMANDER IN CHIEF.

At Fredericton, in the Province of New Brunswick.

COUNCIL CHAMBER, Tuesday, 29th January, 1833.

THE General Assembly having been, by Three Proclamations, prorogued to this day, the Council met—

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Robinson.

Mr. Simonds.

The President acquainted the Council that by a Commission bearing date the
twenty

twenty fifth instant, under the Great Seal of the Province, William Tyng Peters, Esquire, is appointed Clerk of the Council in General Assembly.

Read the said Commission.

ORDERED, That Mr. Peters taken his seat as Clerk accordingly.

The Council was adjourned during pleasure.

After some time the Council was resumed.

His Excellency Major General Sir Archibald Campbell, Baronet, Knight Grand Cross of the Most Honorable Military Order of the Bath, Lieutenant Governor and Commander in Chief of the Province, came to the Council Chamber, and, by Message, commanded the attendance of the House of Assembly.

The House of Assembly attended accordingly, and His Excellency opened the Session by a Speech.

The House of Assembly withdrew, and His Excellency retired.

The President reported a copy of His Excellency's Speech, which he read as follows:—

“ Mr. President, and Honorable Gentlemen of His Majesty's Council,

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

IT gives me much satisfaction to meet you again in General Assembly, and I rejoice that press of business has not obliged me to call you together before the period which I was led to suppose, on a former occasion, would be the best suited to the convenience of the Members of both Houses.

“ In thus meeting you for the second time, it was my wish to have avoided a repetition of any of the subjects adverted to in my address at the opening of the last Session; but I feel myself most reluctantly called upon again to draw your attention to the state of the Great Roads throughout the Province, the unfinished and ruinous condition of many of the lines so termed, evinces, after the liberal appropriations made from time to time for the attainment of an object of such paramount importance to the settlement and prosperity of the Province, (amounting to no less a sum than one hundred thousand pounds since the year eighteen hundred and fifteen,) that some radical defect exists in the system, the remedying of which, will, I confidently trust, be deemed of sufficient moment to merit your most serious consideration: It is to be feared that the same remark may be found applicable to the Bye Roads, notwithstanding the expenditure, within the same period, of the sum of about fifty thousand pounds.

“ The Act for regulating the Statute labour expiring this Session, I am convinced that it is quite unnecessary for me, in a matter of such importance to the Country, to call, in its renewal, your most mature and deliberate attention to the different interests of the public.

“ I regret to state that that important source of our Commerce, as well as of our domestic comfort, the Fisheries, has of late become nearly a failure, particularly,

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on the rivers—owing either to the insufficiency of the existing Laws for their protection, or the impunity with which those Laws are permitted to be transgressed. It is therefore desirable that measures should be adopted for the correction of this evil from whatever cause it may proceed.

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

“I have directed the Treasurer’s Accounts and all the documents connected therewith to be immediately laid before you, from which it is gratifying to find that there is a considerable improvement in the last year’s Revenue compared with that of the former ; yet it is to be regretted that those of both years leave a heavy deficiency to meet your appropriations for the same period, which has already given rise to much inconvenience and obstruction to the public service, as well as loss to individuals, and must, I fear, for a time, lead to still further evils. I therefore feel it my duty to call your most serious attention thereto, relying upon your wisdom to provide such means for their removal, as your experience may suggest.

“Since the close of the last Session, expenses to some small extent have been incurred in various parts of the Province, by the Commissioners of the Boards of Health and other Authorities, in the establishment of sanitary precautions against the introduction of Cholera. Those outlays for a purpose so incalculably important to the community at large, will, I am convinced, be cheerfully provided for.

“ Mr. President, and Honorable Gentlemen of His Majesty’s Council,

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

“That we have hitherto remained untouched by that awful visitation, by which so many other lands have been filled with mourning and distress, ought, indeed, to awaken in our hearts, feelings of the deepest and most fervent gratitude towards that gracious Providence which has so mercifully spared us ; but it ought not to be forgotten that the day of our visitation may yet come. The disease still lurks in our neighbourhood, and although we must be sensible that we cannot depend upon any merely human means for our continued preservation from this dreadful malady, or for arresting its march, should it unfortunately break out, yet it would be presumptuous in us to neglect those precautions, and that preparation which wisdom and experience recommend, and which, if they cannot avail to prevent its introduction, or its spread among us, may at least do much to mitigate its horrors.

“I appeal with confidence to the humane feelings of this Legislature, in behalf of the poor and needy portion of the community, who are ever the greatest sufferers on such occasions. I am persuaded that you will see how necessary it is, on their account, that effective Boards of Health should be established in every populous neighbourhood, and enabled to meet with promptitude the first inroad of the disease.

“The whole Country will doubtless regard it as one of the chief duties of the Legislature, at this time to provide, so far as they are able, against the danger which threatens all alike, and I rely upon your making such wise and cautious enactments as will oblige all to acknowledge that your duty has been done, whatever it may please Divine Providence to order for us.

“I have it in command to acquaint you that His Majesty has been graciously pleased,

pleased, on account of the late much encreased, and still encreasing Judicial Duties of the Province, to relieve, at their own request, the Puisne Judges from their Seats in the Executive and Legislative Councils, and at the same time to express to those honorable and distinguished Individuals His Majesty's thanks and approbation, for the uniform and highly important services hitherto rendered by them, as Members of those bodies. And it is His Majesty's further pleasure to direct, that the present Judges do retain the rank and privileges appertaining to Members of Council.

"In compliance with an Address of the House of Assembly, made last Session, I caused the appointment of a Commission to be issued, for investigating the Forms and Proceedings of the Common and Civil Law Courts, and other Judicial Institutions of the Province; its Report I shall direct to be laid before you."

ORDERED, That an humble Address be presented to His Excellency the Lieutenant Governor, in answer to his Speech; and that Mr. Shore and Mr. Baillie be a Committee to prepare the same.

Adjourned till Thursday next.

THURSDAY, 31st January, 1833.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Saunders, President,</i>	
<i>Mr. Shore.</i>		<i>Mr. Baillie.</i>
<i>Mr. Peters.</i>		<i>Mr. Robinson.</i>
<i>Mr. Simonds.</i>		

PRAYERS.

Mr. Baillie from the Committee appointed to prepare an Address in answer to the Speech of His Excellency the Lieutenant Governor, reported a draft which he read.

The said Address being read at the Clerk's Table, paragraph by paragraph, was approved of, ordered to be engrossed and is as follows:—

"To His Excellency Major General Sir Archibald Campbell, Baronet, Knight Grand Cross of the Most Honorable Military Order of the Bath, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

"THE HUMBLE ADDRESS OF HIS MAJESTY'S COUNCIL IN GENERAL ASSEMBLY,

"MAY IT PLEASE YOUR EXCELLENCY,

"**W**E thank Your Excellency for your Speech at the opening of the present Session.

"Aware of the importance of Great Roads throughout the Province, without which
the

the vast resources of the Country cannot be developed, we shall feel it our duty to give such attention to the subject, and to concur in such alterations in the present laws, as we trust will insure the judicious outlay of any future appropriations for that service.

“ The state and condition of the Bye Roads will also receive our due consideration.

“ Fully impressed as we are with the necessity of such legal provision regulating the statute labour, as will bear with equity and justice upon the different classes of society, and tend to a judicious and proper application of labour, under an improved system, we shall be ready to give such mature consideration to the subject as its importance demands.

“ The decay of the Fisheries is a subject which shall receive such attention as upon proper investigation it shall be found to require, and we will concur in such regulations as will tend to promote and secure that important source of our commerce and of our domestic comfort.

“ We join with Your Excellency in fervent gratitude to that beneficent Providence which has, up to the present moment, so mercifully spared us from the baneful effects of that dreadful disease which has spread its terrors over so large a portion of the earth; and while we are sensible of the inefficacy of all human efforts unaided by the Divine Will, yet we are fully aware of the obligation upon us not to neglect such means as have elsewhere proved beneficial, either in arresting or mitigating so dreadful a scourge; and we shall therefore feel it our duty to make such regulations of a sanitary character as experience has pointed out.

“ Your Excellency having informed us, that on account of the increasing duties of the Puisne Judges, they had, at their own request, been permitted by His Majesty to withdraw from the Executive and Legislative Councils, we cannot but acknowledge to Your Excellency, the able assistance this Board has invariably received from their extensive knowledge of the Country and their eminent abilities; and we cannot permit so important a measure to be communicated to us, without expressing the regret we feel at losing the assistance of men so well qualified to render important services to the Country.

“ We thank your Excellency for directing to be laid before us the Report of the Law Commission, and we anticipate much good to the Public from so wise and necessary a measure.”

ORDERED, That Mr. Baillie, as a Committee of this House, do wait upon His Excellency, to know when His Excellency will be pleased to receive the Address.

Mr. Simonds presented a Petition from Ralph M. Jarvis, Esquire, and others, Merchants in the City of Saint John, praying for an Act of Incorporation for the establishment of another Bank in the said City.

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

Adjourned till To-morrow.

FRIDAY, 1st February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.
Mr. Shore. *Mr. Baillie.*
Mr. Robinson. *Mr. Simonds.*

PRAYERS.

Mr. Baillie reported that he had waited upon His Excellency the Lieutenant Governor, according to order, and that His Excellency had been pleased to say that he would receive the Address at the Council Chamber, this day, at one o'clock.

Message from the Assembly by Mr. Partelow with the following Resolution :

“HOUSE OF ASSEMBLY, Thursday, 31st January, 1833.

“ On motion of Mr. Partelow,

“ WHEREAS by recent advices from England apprehensions were entertained by the great interests connected with the North American Wood Trade, that attempts would be made in the present Session of the Imperial Parliament to reduce the existing duties on Foreign Wood, or to increase them on the production of the North American Colonies : And whereas any such alteration would be destructive of the best Interests of this Colony, and involve in ruin a large portion of His Majesty's subjects resident therein ;

“ Therefore Resolved, That Addresses be prepared to be presented to His Majesty and the Imperial Parliament on this all important subject : And further Resolved, That His Majesty's Council be requested to join in such Addresses.”

RESOLVED, That the Council do agree to the proposed Addresses ; and that Mr Simonds be a Committee on the part of this House, to join such Committee as may be appointed by the Assembly, to prepare the same.

ORDERED, That the Master in Chancery do inform the House thereof.

His Excellency the Lieutenant Governor came to the Council Chamber, and being in the Chair, the Council presented their Address, to which His Excellency was pleased to return the following Answer :

“ *Mr. President and Honorable Gentlemen of His Majesty's Council,*

“ I THANK you for this Address, affording me, as it does, the very gratifying assurance of your cordial co-operation in carrying into effect the different subjects recommended in my Address at the opening of the present Session.”

Adjourned till Monday next.

MONDAY,

MONDAY, 4th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Shore.

Mr. Baillie.

Mr. Robinson.

Mr. Simonds.

PRAYERS.

Mr. Simonds presented the following Petitions :

A Petition from the President, Directors and Company of the Bank of New Brunswick, praying that an Act may pass authorizing them to increase their Capital Stock, and to extend their Charter of Incorporation for the term of Twenty years in addition to that already granted : and,

A Petition from the Clergymen, Ministers, Magistrates and Grand Jury of the City and County of Saint John, praying that certain amendments may be made to the Act of 1st William 4, c. 24 regulating Taverns, and 1st William 4, c. 38 against the profanation of the Lord's Day.

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

Adjourned till To-morrow.

TUESDAY, 5th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Shore.

Mr. Baillie.

Mr. Robinson.

Mr. Simonds.

PRAYERS.

Mr. Simonds presented the following Petitions :

A Petition from the Honorable John Saunders and others, praying that an Act may pass for the Incorporation of a Company for Mining purposes, with a Capital of £10,000 : and

A Petition from sundry Merchants, Farmers and others, in the County of Westmorland, praying to be incorporated for the purpose of establishing another Bank in the City of Saint John.

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

Adjourned till to-morrow.

WEDNESDAY,

WEDNESDAY, 6th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Shore.

Mr. Baillie.

Mr. Robinson.

Mr. Simonds.

PRAYERS.

A Message from His Excellency the Lieutenant Governor, was delivered by Mr. Acting Secretary Shore.

The President read the same as follows :

“NEW BRUNSWICK.

“*Message to His Majesty's Council.*

“*5th February, 1833.*

“*ARCHIBALD CAMPBELL.*

“THE Lieutenant Governor directs to be laid before the Council an Extract from a Dispatch from Viscount Goderich, on the subject of a claim of Messrs. Henry G. Clopper and Henry E. Dibblee, for remuneration for services performed by them as Sub-Collectors of Customs, and recommends the same to the favorable consideration of the Council.

“A. C.”

“*Extract from Lord Goderich's Dispatch of the 29th July, 1832.*

“Having referred to the consideration of the Lords Commissioners of the Treasury a Memorial of Messrs. Clopper and Dibblee, praying for remuneration for their services in having acted as Sub-Collectors of the Customs, I have now the honor to acquaint you, that their Lordships having also had before them a letter from Sir Howard Douglas, explaining the circumstances under which he was induced to appoint these persons to the offices in question, and recommending them for a gratuity of fifty pounds each, their Lordships are of opinion that it is a charge which ought properly to be defrayed from the Colonial Revenue. You will therefore recommend the case of Messrs. Clopper and Dibblee to the favorable consideration of the Legislature.”

Mr. Acting Secretary Shore, by command of His Excellency the Lieutenant Governor, also delivered an abstract statement of expenditure by Boards of Health, and other Authorities, for the erection of buildings &c. on account of Cholera.

Mr. Robinson presented a Petition from sundry Inhabitants in the Parish of Douglas, praying for aid towards building a Bridge over the Madam Keswick Creek.

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

Message from the Assembly, by Mr. Partelow, notifying the appointment of Mr. Partelow and Mr. Cunard as a Committee, to meet the Committee of the Council, to prepare the joint Addresses to His Majesty and the Imperial Parliament on the subject of the Wood duties.

Adjourned till To-morrow.

THURSDAY,

THURSDAY, 7th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.
Mr. Robinson. *Mr. Simonds.*

There not being five Members present,
Adjourned till To-morrow.

FRIDAY, 8th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.
Mr. Shore. *Mr. Robinson.*
Mr. Simonds.

PRAYERS.

There not being five Members present,
Adjourned till Monday at 12 o' Clock.

MONDAY, 11th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.
Mr. Baillie. *Mr. Peters.*
Mr. Robinson. *Mr. Simonds.*

The President acquainted the Council, that by a Commission recently received from England, His Majesty has been pleased to organize anew the Councils of this Province; and that several additional Members have been appointed to this House.

Read the said Commission as follows :

“ William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

“ To our Right Trusty and Well-beloved, MATTHEW LORD AYLMER, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant-General of Our Forces,

GREETING :—

“ WHEREAS by Letters Patent bearing date at Westminster, on the Sixth Day of July One thousand eight hundred and thirty one, in the Second Year of Our Reign,

C

We

We did constitute and appoint you to be Our Captain-General and Governor-in-Chief, in and over Our Province of New-Brunswick, and did, by Our said Letters Patent, give, grant and commit to you certain powers and authorities to be by you exercised in manner therein mentioned, with the advice and consent of Our Council of Our said Province, as by reference to the said Letters Patent will more fully and at large appear: -And Whereas We have deemed it expedient that there should henceforward be two distinct Councils in Our said Province for the purposes herein-after mentioned; Now, therefore, Know Ye, that We of Our special Grace, certain Knowledge, and mere Motion, have thought proper to grant, provide and declare, and do hereby grant, provide and declare that there shall henceforward be within Our said Province of New-Brunswick two distinct and separate Councils, to be respectively called the Legislative Council and the Executive Council of Our said Province; and We do hereby further direct, and declare Our pleasure to be, that all and every the powers and authorities in the Letters Patent aforesaid contained, and thereby conferred on and vested in Our Council therein mentioned, so far as respects the enactment of any Laws to be made within Our said Province, shall henceforth be and the same are hereby vested in the said Legislative Council, and that all other powers and authorities whatsoever in the Letters Patent aforesaid contained, and thereby conferred on and vested in Our Council therein mentioned, shall henceforth be and the same are hereby vested in the said Executive Council: And We do further direct, and declare Our pleasure to be, that all and every the provisions, clauses, matters and things in the said Letters Patent contained, or which are or shall be contained in the general or other Instructions therein referred to, with reference to the constitution of the Council therein mentioned, and to the number of the members thereof, and to the nomination, appointment, suspension, or removal of such members, shall be and the same are hereby made applicable to the said Legislative Council as fully as if the same and every of them were here repeated: And We do further declare that the said Executive Council shall consist of five members and no more, and that three of such members shall constitute and be a quorum of Our said Executive Council; and that such persons shall be the members of the said Executive Council as are for that purpose nominated and appointed by the additional Instructions under Our Signet and Sign Manual accompanying these Presents, and bearing even date herewith, or as shall be so nominated and appointed by any further Instructions to be by Us for that purpose addressed to you under Our Signet and Sign Manual, or by order in Our Privy Council, or through one of Our principal Secretaries of State: And We do further direct and require that every member of Our said Executive Council of Our said Province shall take and subscribe such and the same Oaths, to be by you for that purpose administered, as by the said recited Letters Patent are required to be taken by the members of Our Council therein mentioned: And We do hereby authorize you, subject nevertheless to the rules and regulations in that behalf contained in the Instructions aforesaid, to suspend any member of the said Executive Council from his place therein until Our pleasure shall be known: And We do hereby declare that the respective members of the Executive Council shall respectively hold their places therein during Our pleasure. In Witness whereof, We have caused these Our Letters to be made Patent.

tent. Witness Ourselves at Westminster the Third day of December, in the Third Year of Our Reign.

“By Writ of Privy Seal,

“BATHURST.”

The Honorable Mr. Joseph Cunard enters and produces a Mandamus, under the Royal Sign Manual, dated 21st November, 1832, and having been previously sworn takes his seat.

Read the said Mandamus.

The Honorable Mr. William Robinson enters and produces a Mandamus, under the Royal Sign Manual, dated 23d November, 1832, and having been previously sworn takes his seat.

Read the said Mandamus.

The Honorable Mr. John Simcoe Saunders enters and produces a Mandamus, under the Royal Sign Manual, dated 24th November, 1832, and having been previously sworn takes his seat.

Read the said Mandamus.

Mr. Simonds presented the following Petitions :

A Petition from the Mayor, Aldermen and Commonalty of Saint John, praying for an act to pass to alter and amend the Charter of the City of Saint John :

A Petition from the Justices of the Peace for the City and County of Saint John, praying that the Overseers of the Poor in the Parish of Portland may be reimbursed for expenses incurred in relieving indigent Emigrants in the said Parish :

A Petition from the Justices of the Peace for the City and County of Saint John, praying that a sum may be granted to reimburse the Cholera Committees in Saint John and Portland :

A Petition from the Justices of the Peace for the City and County of Saint John, praying aid to reimburse the Overseers of the Poor of Portland for expenses incurred in the support of Black Refugees :

A Petition from Thomas Wood, praying for an allowance for teaching a School in the County of Westmorland :

A Petition from Thomas L. Langan and others, praying legislative aid to erect a bridge over the Oromocto River :

A Petition from Alexander Grant, praying relief from the payment of duty on eight puncheons of Canada Whiskey, imported by him, and afterwards exported to Halifax :

A Petition from Cadwallader Curry, of Campo Bello, praying for a drawback on two hogsheads and two quarter casks of Wine, exported by him to Bermuda : and

A Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying that they may be relieved from the performance of duties as Commissioners of Highways for the County of Saint John.

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

Message

Message from the Assembly, by Mr. End, with a Bill, intituled "A Bill for altering the time of holding one of the additional terms of the Inferior Court of Common Pleas of the County of Gloucester," to which they desire the concurrence of this House.

Read the said Bill a first time.

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

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

A Bill to alter and amend the Charter of the City of Saint John : and

A Bill to amend the Act for the appointment of Town or Parish Officers in the several Counties in this Province.

Read a first time, the Bill to alter and amend the Charter of the City of Saint John.

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

Read a first time, the Bill to amend the Act for the appointment of Town or Parish Officers in the several Counties in this Province.

ORDERED, That the said Bill be committed to Mr. Peters to report upon.

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

A Bill to continue an Act, intituled "An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash and their branches :"

A Bill to continue an Act, intituled "An Act for the better and more effectual securing the navigation of the River Saint Croix, in the County of Charlotte :"

A Bill to amend an Act, intituled "An Act to provide for maintaining Light Houses within the Bay of Fundy."

Read a first time, the Bill to continue an Act, intituled "An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the River Saint Croix, Magaguadavic, Digdeguash and their branches."

ORDERED, That the said Bill be committed to Mr. Cunard to report upon.

Read a first time, the Bill to continue an Act, intituled "An Act for the better and more effectual securing the navigation of the River Saint Croix, in the County of Charlotte."

ORDERED, That the said Bill be committed to Mr. Cunard to report upon.

Read a first time, the Bill to amend an Act, intituled "An Act to provide for maintaining Light Houses within the Bay of Fundy."

ORDERED, That the said Bill be committed to Mr. Simonds to report upon.

The Honorable Mr. Secretary Odell, by command of His Excellency the Lieutenant Governor, delivered a copy of the Report made to His Excellency by the Commissioners appointed to inquire into the Judicial Institutions of the Province.

Adjourned till To-morrow.

TUESDAY,

TUESDAY, 12th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Shore.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. W. Robinson.

PRAYERS:

Mr. Peters presented a Petition from Rebecca Guiou, praying for an allowance for teaching a School in the Parish of Sussex, King's County, from July 1829 to July 1830.

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

Adjourned till To-morrow.

WEDNESDAY, 13th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Shore.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

A Message from His Excellency the Lieutenant Governor was delivered by Mr. Acting Secretary Shore.

The President read the same as follows :

“NEW-BRUNSWICK.

“ *Message to the Legislative Council.*
12th February, 1833.

“ARCHIBALD CAMPBELL.

“THE Lieutenant Governor informs the Council that he has received a dispatch from Lord Goderich, in which his Lordship expresses his opinion that the Members of the Legislative Council should have their expenses paid in the same manner as the Members of the Assembly. The Lieutenant Governor, therefore, in obedience to the commands of His Lordship, recommends to the Council the passing of a Law providing for the attendance and expenses of the President and the Members of the Legislative Council, in the same manner as has been provided for the Speaker and Members of the House of Assembly.

“A. C.”

Message from the Assembly, by Mr. Wyer, with a Bill, intituled "A Bill to alter and amend an Act passed in the third year of His late Majesty's reign, intituled 'An Act for the better securing of the navigation of the inner Bay of Passamaquoddy, and to indemnify the Deputy Province Treasurer at Saint Andrews against any demands for monies collected for Tonnage Duties since the former Acts for that purpose expired,'" to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Mr. Peters presented a Petition from Peters Yeamans and others, praying that an Act of Incorporation may not pass for mining purposes.

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

The Honorable Mr. Black enters.

Mr. Peters presented a Petition from Susannah Guimarian, praying for an allowance for teaching a School for one year, ending 3d of December 1832, in the Parish of Maugerville.

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

Mr. Peters, to whom was committed the Bill to amend the Act for the appointment of Town or Parish Officers in the several Counties in this Province, reported the same.

ORDERED, That the report be received, and that the said Bill stand for a second reading to-morrow.

Mr. Shore presented a Petition from Leonard R. Coombes, praying to be reimbursed for a sum paid by him to Anthony Joliette, for teaching a School in the Madawaska settlement.

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

Adjourned till To-morrow.

THURSDAY, 14th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Peters.

Mr. Cunard.

Mr. Saunders.

ORDERED, That the order for the second reading of the Bill for altering the time of holding one of the additional terms of the Inferior Court of Common Pleas of the County of Gloucester be discharged, and that the said Bill be committed to Mr. Saunders to report upon.

ORDERED, That the order for the second reading of the Bill to alter and amend the

the Charter of the City of Saint John be discharged, and that the said Bill be committed to Mr. Saunders to report upon.

Read a second time, the Bill to amend the Act for the appointment of Town or Parish Officers in the several Counties in this Province.

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

Mr. Cunard, to whom was committed the Bill to continue an Act, intituled "An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash and their branches," reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

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

Mr. Cunard, to whom was committed the Bill to continue an Act for the better and more effectual securing the navigation of the River Saint Croix in the County of Charlotte, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

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

Adjourned till to-morrow.

FRIDAY, 15th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Simonds.

Mr. Cunard.

Mr. Saunders.

PRAYERS.

Read a third time, and passed the Bill to continue an Act, intituled "An Act for the better and more effectual securing the navigation of the River Saint Croix, in the County of Charlotte."

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill to continue an Act, intituled "An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash and their branches."

ORDERED,

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a second time, the Bill to alter and amend an Act passed in the third year of His late Majesty's reign, intituled "An Act for the better securing of the navigation of the inner Bay of Passamaquoddy, and to indemnify the Deputy Province Treasurer at Saint Andrews against any demands for monies collected for Tonnage Duties since the former Acts for that purpose expired."

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

A Message from His Excellency the Lieutenant Governor was delivered by Mr. Acting Secretary Shore.

The President read the same as follows :

"NEW BRUNSWICK.

"Message to the Legislative Council.

"12th February, 1833.

"ARCHIBALD CAMPBELL.

"THE Lieutenant Governor communicates to the Council a Memorandum from the Secretary of the Province respecting his claim to a fee of five shillings upon all warrants for temporary services issued from his office, of which description those on the Treasurer, for payment of money, are considered; and as there can be no doubt of the legality of the charge, the Lieutenant Governor recommends to the Council the making of provision for this service, in order to avoid the alternative of charging the parties interested, with the fee payable on the Warrants so issued.

"A. C."

[COPY]

"MEMORANDUM submitted by the Provincial Secretary for the consideration of His Excellency the Lieutenant Governor.

"By the provisions of the several Acts of Assembly that appropriate public money, the money is to be paid by the Governor's Warrant, to be issued by and with the advice and consent of the Council. Hence it becomes necessary to submit to the Council applications for Warrants, and, of course, to record the orders made thereon.

"The Warrant is then prepared for the Governor's signature, and a docket entered in a book kept for that purpose; which docket contains the substance of the Warrant.

"The Warrant is then transmitted to the Treasurer.

"By the Ordinance of Fees the Secretary is authorized to charge a fee of five shillings 'for all Warrants for temporary services,' of which nature Warrants for payment of money are considered; but as it would bear hard on many persons who have demands on the Treasury, to pay for their Warrants, this fee has never been charged to individuals.

"An Account was for several years submitted to the Assembly, who admitted the right

right to the Fee and paid the Account; but latterly they have declined making any allowance for this service.

“ Between the 1st January 1832 and the 2d of February 1833, there were issued 1193 Warrants, which occupied a very large portion of the time of one Clerk, for which no compensation has been received, and no allowance is made to the Office for Clerks’ wages.”

ORDERED, That the order for the third reading of the Bill to amend the Act for the appointment of Town or Parish Officers in the several Counties in this Province, be discharged, and stand as the order of the day for Monday.

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

A Bill to prevent the importation and spreading of Infectious Distempers in the City of Saint John : and

A Bill to provide for more effectually repairing the streets and bridges in the City of Saint John.

Read a first time, the Bill to prevent the importation and spreading of Infectious Distempers in the City of Saint John.

ORDERED, That the said Bill be committed to Mr. Black and Mr. Simonds to report upon.

Read a first time, the Bill to provide for more effectually repairing the streets and bridges in the City of Saint John.

ORDERED, That the said Bill be committed to Mr. Peters and Mr. Saunders to report upon.

Mr. Simonds from the joint Committee of the Council and Assembly, appointed at the last Session of the Legislature, to examine during the recess the proceedings and vaults of the Bank of New-Brunswick, submitted the following report :

The Committee appointed at the last Session of the Legislature, for the purpose of examining into, during the recess, the books, vaults and proceedings of the Bank of New Brunswick, having attended thereto, beg leave to report, that on the 19th October last, the affairs of the Bank were as follows :

	BANK,	DR.	
Amount of Capital Stock paid in,	-	-	£50,000 0 0
Bank Notes in Circulation,	-	-	70,106 0 0
Amount of Discounts due Stockholders, which have accrued } since the declaration of the last dividend,	-	-	404 0 3
Amount of individual Deposits, not bearing Interest,	-	-	14,856 18 6
			£135,366 18 9
			£135,366 18 9

P

CR.

CR.			
By the following Assets :—			
Amount due the Bank for Notes discounted on personal security, (none doubtful,)	}	£119,403 19 0	
Real Estate, viz : Bank Building, Furniture, &c.	}	- 3,242 16 1	
Gold and Silver Coin in Vaults,	-	10,122 7 5	
Bank Notes of Charlotte County Bank,	-	881 0 0	
Bills of Exchange on London,	-	£410 0 0	
Amount deposited in London,	-	1,000 0 0	
Sterling,	£1,410 0 0		
Exchange and Premium,	306 16 3	£1,716 16 3	£135,566 18 9

Of the above Amount of £119,403 19 0 due the Bank for Notes discounted, the thirteen Directors were collectively			
Promissors to the amount of	-	-	£10,093 11 6
Endorsers,	-	-	15,549 4 8
			Total, £26,242, 16 2

They hold 426 Shares of the Stock, which amount to £21,300, upwards of forty two *per cent.* of the Capital, while their liabilities as promissors, are not eleven *per cent.* of the debts due the Bank.

It will therefore be observed that the Directors have not availed themselves of the accommodation to which they were justly entitled; and from a general inspection of the Discount Sheets, and the Books for the last few years, your Committee are of opinion, that the Institution has been conducted in a sound, discreet and impartial manner, and that every convenience has been afforded to the Public, consistently with the means in their power, and a due regard to the interests of the Stockholders.

The average amount discounted per week has been about £10,000, and the semi-annual dividend five *per cent.*

The money in the Vaults has not varied much for the last two or three years, and great difficulties have been experienced, to keep a supply equal to the demand, owing to the constant drain to the United States.

All which is respectfully submitted.

(Signed) R. SIMONDS,
J. R. PARTELOW,
E. B. CHANDLER.

Mr. Peters from the joint Committee of the Council and Assembly, appointed at the last Session of the Legislature, to examine during the recess the proceedings and vaults of the Charlotte County Bank, submitted the following Report :

The Committee appointed at the last Session of the Legislature, for the purpose of examining into, during the recess, the books, vaults and proceedings of the Bank.

Bank of Charlotte County, having attended thereto, beg leave to report, that on the 27th September last, the affairs of the Bank were as follows:

	BANK,	DR.	
Amount of Capital Stock,	£15,000	0 0	}
Dollars at 5s. 4d. should be	14,062	10 0	}
Credited in Books,			£14,007 17 0
Bank Notes in circulation,			17,992 15 0
Amount of Discount Account, due Stockholders			}
since declaration of last dividend,			835 7 1
Profit and Loss Account,			180 15 10
Amount of individual Deposits, not bearing Interest,			1,045 4 2
			<u>£34,061 19 1</u>

CR.

By the following Assets :—			
Amount due the Bank for Notes discounted on	}	£26,484	13 5
personal security, (none doubtful,)			
Contingent Expenses Account,		163	11 7
Gold and Silver Coin in Vaults,		1,703	6 5
United States Bank Notes,		6	5 0
Drafts on Boston and New York, at 10 days' sight,		2,670	18 5
New-Brunswick Bank Notes,		2,984	12 0
Drafts on Saint John,		48	12 3
			<u>£34,061 19 1</u>

Of the above sum of £26,484 13 5 due the Bank for Notes discounted, the nine Directors were collectively

Promissors to the amount of	£5,396	9 6
Endorsers,	7,609	11 0
Total	<u>£13,006</u>	<u>0 6</u>

They hold 83 Shares of the Stock, which amount to £4,150, nearly twenty eight *per cent* of the Capital; and their liabilities as Promissors are about twenty *per cent*. of the debts due the Bank.

The Weekly discounts average £2,000, and the semi-annual dividend from three to four *per cent*.

The institution appears to have been managed with good judgment, and a proper regard to the interests of the Stockholders and the Public, and your Committee are of opinion, that their proceedings have been conducted with impartiality.

It may be proper to observe that an exchange of paper between the Bank of New-Brunswick and the Charlotte County Bank, took place immediately after the inspection of the latter, to the extent of about £2,200, thereby reducing the amount
of

of Charlotte County Bank Notes in circulation to £15,792 15 0, and decreasing the claim to £784 12 0 on the New-Brunswick Bank.

All which is respectfully submitted.

Signed

HARRY PETERS,
J. R. PARTELOW,
THOS. BARLOW.

Mr. Cunard presented the following Petitions :

A Petition from Members of the Presbyterian Church in Miramichi, in connexion with the Presbyterian Church in Nova Scotia, praying an Act may pass, incorporating the Minister, Elders and Committee of the said Church :

A Petition from the Justices of the Peace in Northumberland, praying for a grant of money to reimburse them in certain sums expended by them on account of Cholera :

A Petition from the Magistrates and Inhabitants of Northumberland for an Act to pass regulating the Bass Fishery in the said County :

A Petition from John Clark, praying for time for the payment of a balance of money due from him as one of the Commissioners of Buoys and Beacons in the River and Harbour of Miramichi :

A Petition from Joseph Bouchette, Esquire, Surveyor General of Lower Canada, accompanied by a set of his maps of Lower Canada, and a work, entitled "The British Dominions in North America," praying for aid from the Legislature of this Province, either in the shape of taking a number of sets of said Maps and Works, or in any other mode : and

A Petition from Alexander Davidson, of Miramichi, praying to be relieved from payment of duty Bonds entered into by him with William Ledden and Charles Mills.

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

Mr. Simonds presented a Petition from sundry Magistrates, Freeholders and Inhabitants of the County of Northumberland, complaining of certain proceedings of the Crown Land Office, with respect to that section of the Province, and praying that an inquiry into the powers and practices of that department may be instituted.

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

Adjourned till Monday.

MONDAY,

MONDAY, 18th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Mr. Shore presented a Petition from Thomas P. Marter, Provincial Tide Surveyor for the Port of Saint John, praying for an allowance for services.

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

Mr. Simonds presented a Petition from Charles Seymour, late a School Master in the Parish of Portland, praying a sum to be allowed him for teaching a School in the said Parish.

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

Mr. Cunard enters.

On motion—Went into consideration of the Petition from sundry Magistrates, Freeholders and Inhabitants of the County of Northumberland, complaining of certain proceedings of the Crown Land Office, with respect to that section of the Province, and praying that an inquiry into the powers and practices of that department may be instituted.

Whereupon, Ordered, That the order for receiving the said Petition be rescinded; and that the said Petition be delivered to Mr. Simonds, the Honorable Member who presented the same.

On motion—Went into consideration of the Bill to amend the Act for the appointment of Town and Parish Officers in the several Counties in this Province, and amended the same as follows :

At A. Dele the words "or persons."

ORDERED, That the Amendment be engrossed.

Read a third time, and passed the said Bill as amended.

ORDERED, That the Master in Chancery do return the said Bill to the House of Assembly, and inform that House that the Legislative Council have agreed thereto, with an amendment, to which they desire their concurrence.

On motion of Mr. Simonds,

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he would be pleased to inform this House, whether any, and if any, what Instructions have been received, relative to the rank respectively to be held by Members of the Legislative and Executive Councils of this Province, and especially as relates to the succession to the Administration of the Government in the event of the death or absence of the Lieutenant-Governor for the time

time being : for although this House entertain no doubt that the administration of the Government, would in such case devolve upon the Senior Member of either of the said Councils, agreeably to the dates of their respective appointments, yet they deem it indispensibly necessary, in order to prevent the possibility of collision in a matter of so great importance, that this question should be settled so as to preclude all doubt or difference of opinion, with as little delay as possible.

ORDERED, That Mr. Peters and Mr. Simonds be a Committee to present the same.

Read a third time, and passed the Bill to alter and amend an Act passed in the third year of His late Majesty's reign, intituled "An Act for the better securing of the navigation of the inner Bay of Passamaquoddy, and to indemnify the Deputy Province Treasurer at Saint Andrews against any demands for monies collected for Tonnage Duties since the former Acts for that purpose expired."

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill.

Message from the Assembly, by Mr. End, with a Bill to authorize the Justices of the Peace of the County of Gloucester to assess the said County for the erection of lock-up-houses at Campbelltown and Dalhousie in the said County, to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Mr. Peters presented the following Petitions :

A Petition from David Polley, as agent and on behalf of Eber Sweet, praying to be relieved from payment of duty on forty eight oxen shipped to Bermuda from Saint Andrews in the year 1832 : and

A Petition from the Commissioners of the Poor House in Saint Andrews, praying to be reimbursed for money expended for the support of poor and disabled Emigrants.

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

Mr. Simonds presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying on behalf of themselves and the Citizens whom they represent, that no Act may pass relative to Tavern keepers and Retailers of spirituous liquors within the City, abridging the rights granted to the Petitioners by the Charter of the City.

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

Mr. Peters presented a Petition from Elizabeth Beek praying compensation for teaching a School in the Parish of Fredericton.

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

Adjourned till To-morrow.

TUESDAY,

TUESDAY, 19th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. W. Robinson.

PRAYERS.

Mr. Peters presented a Petition from John Inch and others, praying for a sum to enable them to build a bridge across the Nerepis stream.

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

Mr. Simonds presented the following Petitions :

A Petition from the Justices of the Peace for the City and County of Saint John, praying for a sum to reimburse the overseers of the Poor in Saint John, for expenses incurred in the support and relief of Emigrants : and

A Petition from Jane Danforth, praying compensation for teaching a School in Carleton in the City of Saint John.

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

Mr. Simonds, to whom was referred the Bill to amend an Act, intituled, "An Act to provide for maintaining Light Houses within the Bay of Fundy," reported the same.

ORDERED, That the report be received.

Read the said Bill a second time, and amended the same as follows :

At A. dele the Preamble, and insert as follows :

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That the second section of an Act passed in the second year of His Majesty's reign, intituled "An Act to provide for maintaining Light Houses within the Bay of Fundy," be and the same is hereby repealed.

II. And be it further enacted, That there be and is hereby granted to His Majesty, His Heirs and Successors, for the support of the Light Houses now erected, or which may be hereafter erected upon any of the Coasts of the Bay of Fundy, or upon any of the Islands or Rocks in or adjacent thereto, a duty of four pence per Ton for each and every Ton which each and every Vessel (excepting Coasters and Fishing Vessels, new Vessels not registered, and Vessels proceeding to or coming from any of the Ports of the United States within the Bay of Passamaquoddy) shall admeasure agreeably to the Registers, which may arrive in any Port or Place within the Bay of Fundy; and for registered Coasters and Fishing Vessels under Thirty five Tons, a duty of Twelve shillings per annum; from Thirty five to Fifty Tons, Twenty five shillings per annum; from Fifty to Seventy five Tons Thirty shillings per annum; and for all such Vessels over Seventy five Tons, Thirty five shillings per annum.

At B. insert "III."

At

At C. dele the word "therefore," and insert the word "further."

ORDERED, That the amendments be engrossed.

Message from the Assembly, by Mr. Taylor, with a Bill to amend the Act relating to the several Churches in this Province in connexion with the Church of Scotland, to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Message from the Assembly, by Mr. Kinnear.

Mr. Kinnear informed the Council, that the House of Assembly have agreed to the amendment made to the Bill to amend the Act for the appointment of Town or Parish Officers, in the several Counties in this Province; and also,

That they have passed the following Bills, to which they desire the concurrence of this House.

A Bill in addition to an Act for making process in Courts of Equity effectual against persons who reside out of this Province, and cannot be served therewith: and

A Bill further to amend the Act relating to the support and relief of confined Debtors.

Read the two last mentioned Bills a first time.

ORDERED, That the said two last mentioned Bills stand for a second reading to-morrow.

Message from the Assembly, by Mr. Hayward, with a Bill, intituled "A Bill for the Incorporation of the New-Brunswick Mining Company," to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Adjourned till To-morrow.

WEDNESDAY, 20th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Read a second and third time, and passed the Bill to authorize the Justices of

the

the Peace of the County of Gloucester to assess the said County, for the erection of Lock-up-houses at Campbelltown and Dalhousie in the said County.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, with the amendments, the Bill to amend an Act, intituled "An Act to provide for maintaining Light Houses within the Bay of Fundy."

On the question whether the said Bill do pass, it was resolved in the negative.

Read a second time, the Bill further to amend the Act relating to the support and relief of confined debtors.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

Read a second time, the Bill in addition to an Act for making process in Courts of Equity effectual against persons who reside out of this Province, and cannot be served therewith.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

Read a second time, the Bill for the Incorporation of the New Brunswick Mining Company.

ORDERED, That the said Bill stand for a third reading on Friday.

Mr. Peters, from the Committee to whom was committed the Bill to provide for more effectually repairing the streets and bridges in the City of Saint John, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

ORDERED, That the said Bill stand for a third reading on Friday next.

Mr. Saunders, to whom was committed the Bill for altering the time of holding one of the additional terms of the Inferior Court of Common Pleas of the County of Gloucester, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

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

Mr. Saunders, to whom was committed the Bill to alter and amend the Charter of the City of Saint John, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

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

Mr. Peters, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the 18th instant, reported, that the Committee had waited upon His Excellency, according to order, and His Excellency was pleased to say he would communicate with this House by Message.

Message from the Assembly, by Mr. Humbert, with a Bill to prevent Pedlars travelling and selling within this Province without licence, to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Mr. Black presented a Petition from Thomas Millidge and others in the City of Saint John, praying an Act may pass to authorize the issuing of Letters Patent to any person or persons who may discover or disclose any Art, Science, or new Invention beneficial to Trade or Manufactures.

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

Mr. F. P. Robinson presented a Petition from sundry Inhabitants and Freeholders of the Parish of Kingsclear, praying for an alteration in the Road from Fredericton to Bourgoins Ferry.

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

Message from the Assembly, by Mr. Connell, with a Bill to authorize the Justices of the Peace for the County of Carleton to assess the said County for erecting a Court House and Gaol therein, to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Adjourned till To-morrow.

THURSDAY, 21st February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

A Message from His Excellency the Lieutenant Governor was delivered by Mr. Acting Secretary Shore.

The President read the same as follows :

“NEW BRUNSWICK.

“*Message to the Legislative Council.*

“*20th February, 1833.*

“ARCHIBALD CAMPBELL.

“THE Lieutenant Governor informs the Council, in answer to their Address of the 18th instant, that he has not received from His Majesty's Government any Instructions relative to the rank to be respectively held by Members of the Legislative and Executive Councils, nor as relates to the succession to the administration of the Government, in the event of the death or absence of the Lieutenant Governor.

He

He will, however, transmit a copy of the Address of the Council, by the first mail, to England, and will, in the mean time, take measures for ascertaining, for the information and guidance of His Majesty's Executive Council, in the event of such a contingency arising as stated in the Address, what orders have been received, or what customs have obtained in other Colonies similarly situated.

“ A. C.”

On motion of Mr. Simonds,

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to cause to be laid before this House, for the guidance of its Members, copies of all the instructions which have been received from His Majesty's Government relating to the enacting of Laws.

ORDERED, That Mr. Black and Mr. W. Robinson be a Committee to present the same.

Mr. F. P. Robinson presented the following Petitions :

A Petition from Sarah V. Whitwell, praying for Legislative aid for teaching a School in the Parish of Fredericton :

A Petition from Catherine Dayton, praying for Legislative aid for teaching a School in the Parish of Fredericton.

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

Mr. Baillie enters.

Read a second time, the Bill to amend the Act relating to the several Churches in this Province in connexion with the Church of Scotland.

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

Read a second time, the Bill to authorize the Justices of the Peace for the County of Carleton to assess the said County for erecting a Court House and Gaol therein.

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

Read a third time, and passed the Bill for altering the time of holding one of the additional terms of the Inferior Court of Common Pleas of the County of Gloucester.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill to alter and amend the Charter of the City of Saint John.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Adjourned till to-morrow.

FRIDAY

FRIDAY, 22d February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Baillie.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard,

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Mr. Black, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of yesterday, reported, that he had waited upon His Excellency, according to order, and that His Excellency had been pleased to say, he would direct that the documents asked for should be furnished this House.

Mr. Simonds presented the following Petitions :

A Petition from Gabriel Herbert, praying for an allowance for keeping a School in the County of Westmorland, for one year ending 4th April 1832 :

A Petition from Abner Theodore, praying for an allowance for keeping a School in Shediac, for one year ending 15th September 1832 : and

A Petition from Robert Hawks, praying aid for rebuilding an Oat Mill and Kiln, destroyed by fire in Westmorland.

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

Read a third time, and passed the Bill for the Incorporation of the New Brunswick Mining Company.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill to provide for more effectually repairing the streets and bridges in the City of Saint John.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill to authorize the Justices of the Peace for the County of Carleton to assess the said County for erecting a Court House and Gaol therein.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill to amend the Act relating to the several Churches in this Province in connexion with the Church of Scotland.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

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

A

A Bill to divide the Parish of Kent in the County of Carleton into five Towns or Parishes: and

A Bill to alter the names of Two Parishes in the County of York.

Read the said Bills a first time.

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

Message from the Assembly, by Mr. Brown, with sundry Resolutions of Appropriation dated 8th and 15th of February 1833, to which they desire the concurrence of this House.

Read the said Resolutions a first time.

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

A Bill to authorize the Justices of the Peace for the County of Northumberland to make rules and regulations respecting the Bass fishery in that County: and

A Bill to continue and amend the Acts relating to statute labour on roads.

Read the said Bills a first time.

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

Message from the Assembly, by Mr. Weldon, with sundry Resolutions of Appropriation dated 16th February 1833, to which they desire the concurrence of this House.

Read the said Resolutions a first time.

Mr. Saunders presented a Petition from Stephen Humbert, praying compensation for services performed in the Treasury Department at Saint John.

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

Mr. Cunard presented a Petition from Margaret Ann Ogden, praying for compensation for teaching a School in Charlotte County.

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

Adjourned till Monday.

MONDAY, 25th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Simonds.

Mr. Cunard.

Mr. Saunders.

PRAYERS.

Mr. Shore, Acting Secretary, by command of His Excellency the Lieutenant Governor, delivered Extracts from the Royal Instructions referred to in His Excellency's answer to the Address of this House of the 21st instant.

Message

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

A Bill to continue the Act to provide for the expenses of the Judges holding the Circuit Courts and Courts of Oyer and Terminer in this Province, and of the Clerk in those Courts : and

A Bill to continue and amend the Act for regulating Assessments in this Province ;

And also,

With sundry Resolutions of Appropriation dated the 19th of February, to which they desire the concurrence of this House.

Read a first time, the Bill to continue the Act to provide for the expenses of the Judges holding the Circuit Courts and Courts of Oyer and Terminer in this Province, and of the Clerk in those Courts.

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

Read a first time, the Bill to continue and amend the Act for regulating Assessments in this Province.

ORDERED, That the said Bill be committed to Mr. Simonds and Mr. Saunders to report upon.

Read a first time, the Resolutions of Appropriation of the 19th February.

Message from the Assembly, by Mr. Kinnear, with a Bill, intituled " A Bill to prevent Nuisances within the City of Saint John and Parish of Portland, in the County of Saint John," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill be committed to Mr. Black and Mr. Simonds to report upon.

ORDERED, That the Order of the Day for the second reading of the Bill to prevent Pedlars travelling and selling within this Province without licence, be enlarged till to-morrow.

ORDERED, That the Order of the Day for the second reading of the Bill to alter the names of Two Parishes in the County of York, be enlarged till Wednesday next.

Read a second time, the Bill to divide the Parish of Kent in the County of Carleton into five Towns or Parishes.

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

Read a second time, the Bill to authorize the Justices of the Peace for the County of Northumberland to make rules and regulations respecting the Bass Fishery in that County.

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

Mr. Simonds from the Committee appointed to report upon the Bill to prevent the importation and spreading of Infectious Distempers in the City of Saint John, reported the same.

ORDERED, That the report be received.

Read

Read the said Bill a second time.

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

Message from the Assembly, by Mr. Chandler, with a Bill, intituled "A Bill to authorize the Justices of the Peace for the County of Northumberland to levy an assessment upon the inhabitants of the said County to discharge the debts due from the said County," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill be committed to Mr. Cunard to report upon.

Message from the Assembly, by Mr. Vail, with a Bill for the further amendment of the Acts relative to the great roads of communication, to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Mr. Simonds presented the following Petitions :

A Petition from Alexander Goodfellow, praying to be allowed certain travelling charges stated in his former accounts :

A Petition from the Chamber of Commerce in Saint John, praying that measures may be adopted which will lead to repeal an Act by which a duty is imposed on wheat flour and tobacco :

A Petition from E. D. W. Ratchford, praying for a return of duty on a pipe of Wine: and

A Petition from the Chamber of Commerce in Saint John, praying that there shall not be an increased rate of Pilotage.

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

Mr. Shore presented a Petition from Jeremiah Smith, praying for a return of duty on two Horses.

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

Adjourned till To-morrow.

TUESDAY, 26th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Read a third time, and passed the Bill to prevent the importation and spreading of Infectious Distempers in the City of Saint John.

ORDERED

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill to divide the Parish of Kent in the County of Carleton into five Towns or Parishes.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill to authorize the Justices of the Peace for the County of Northumberland to make rules and regulations respecting the Bass fishery in that County.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Mr. Peters presented a Petition from John Elliot, a School Master in Charlotte County, praying for compensation for teaching a School.

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

On motion of Mr. Simonds,

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to order to be laid before this House a copy of any additional Instructions that may have accompanied His Majesty's Royal Commission of 3d December, 1832, appointing two separate and distinct Councils in this Province.

ORDERED, That Mr. F. P. Robinson and Mr. W. Robinson be a Committee to present the same.

Read a third time, and passed the Bill in addition to an Act for making process in Courts of Equity effectual against persons who reside out of this Province and cannot be served therewith.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill further to amend the Act relating to the support and relief of confined debtors.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a second time, the Bill to continue and amend the Acts relating to statute labour on roads.

ORDERED, That the said Bill be committed to Mr. Peters and Mr. Simonds to report upon.

Mr. Cunard, from the Committee appointed to report upon the Bill to authorize the Justices of the Peace for the County of Northumberland to levy an assessment upon the inhabitants of the said County to discharge the debts due from the said County, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

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

Read

Read a second time, the Bill to continue the Act to provide for the expenses of the Judges holding the Circuit Courts and Courts of Oyer and Terminer in this Province and of the Clerk in their Courts.

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

Message from the Assembly, by Mr. Weldon, with a Bill to alter and amend the Militia Law, to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Read a second time, the Bill to prevent Pedlars travelling and selling within this Province without licence.

ORDERED, That the further consideration of the said Bill be postponed until to-morrow.

Message from the Assembly, by Mr. Taylor, with a Bill to repeal an Act, intituled "An Act to provide for the erection of an Alms House and Work House within the County of York, and for making rules and regulations for the management of the same," so far as respects the Parish of Queensbury, to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Read a second time, the Bill for the further amendment of the Acts relative to the great roads of communication.

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

Message from the Assembly, by Mr. Miles, with a Bill to authorize the Justices of the Peace for the County of Sunbury to levy an assessment to enable them to erect a Court House in said County, to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Mr. Peters presented a Petition from the Magistrates and others, Freeholders of the County of Sunbury, praying that an Act may pass authorizing an assessment upon the inhabitants of the said County, for building a Court House, and that a sum may be granted to assist in defraying the expenses of the said building.

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

Adjourned till To-morrow.

WEDNESDAY, 27th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

F

Mr.

Mr. Cunard.
Mr. Saunders.

Mr. W. Robinson.

PRAYERS.

Mr. F. P. Robinson, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of yesterday, reported, that the Committee had attended to that duty according to order, and His Excellency was pleased to say he would direct the additional Instructions required, to be immediately laid before this House.

Mr. Acting Secretary Shore, by command of His Excellency the Lieutenant Governor, delivered a copy of the additional Instructions prayed for by the Address of yesterday.

The President read the same as follows:

[COPY]

WILLIAM R.

An additional Instruction to Our right trusty and well beloved, **MATTHEW, LORD AYLMER**, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant General of Our Forces, Our Captain General and Governor in Chief in and over Our Province of New Brunswick in America, or in his absence to Our Lieutenant Governor or Officer administering the Government of Our said Province for the time being.

Given at Our Court at Saint James' this 3d day of December 1832, in the third year of Our Reign.

WHEREAS by Our Commission under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing even date herewith, We did grant, provide and declare that there should henceforward be within Our said Province of New Brunswick two distinct and separate Councils, to be respectively called the Legislative Council and the Executive Council of Our said Province, and We did further declare that the said Executive Council should consist of five Members and no more, and that such persons should be the Members of Our said Executive Council as should be for that purpose nominated and appointed by the additional Instruction under Our Signet and Sign Manual accompanying Our said Commission; Now Know Ye, that We reposing especial trust and confidence in the loyalty, integrity and ability of Our trusty and well beloved Thomas Baillie, Frederick P. Robinson, William Franklin Odell, George F. Street and John Simcoe Saunders, Esquires, do hereby constitute and appoint them the said Thomas Baillie, Frederick P. Robinson, William Franklin Odell, George F. Street and John Simcoe Saunders, to be the Members of Our said Executive Council, and do hereby empower you to summon them to Our said Council accordingly; and We do further declare Our will and pleasure, that in your absence, or in the absence of Our Lieutenant Governor of Our said Province, or of the Officer administering the Government, for the time being, the Member of Our said Council whose name shall be first placed on the List shall preside in Our said Council.

Message from the Assembly, by Mr. Slason, with a Bill, intituled "A Bill to empower

power the Rector, Church Wardens and Vestry of Christ's Church, in the Parish of Fredericton, to assign certain mortgages and mortgaged premises," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

Mr. Simonds presented a Petition from William Napier and others, in the County of Gloucester, complaining of certain proceedings in the Crown Land Department, affecting the interests of the Petitioners.

ORDERED, That the said Petition be not received.

Message from the Assembly, by Mr. Weldon, with a Bill, intituled "A Bill to alter and amend the Laws relating to Parish Schools," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill be committed to Mr. Peters and Mr. Cunard to report upon.

Read a third time, and passed the Bill to continue the Act to provide for the expenses of the Judges holding the Circuit Courts and Courts of Oyer and Terminer in this Province and of the Clerk in those Courts.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill to authorize the Justices of the Peace for the County of Northumberland to levy an assessment upon the inhabitants of the said County, to discharge the debts due from said County.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill for the further amendment of the Acts relative to the great roads of communication.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

ORDERED, That the Order of the Day for the second reading of the Bill to alter and amend the Militia Law, be discharged; and that the said Bill be committed to Mr. Shore and Mr. Cunard to report upon.

ORDERED, That the Order of the Day for the second reading of the Bill to alter the names of two Parishes in the County of York, be discharged.

Went into consideration of the Bill to prevent Pedlars travelling and selling within this Province without licence.

On motion that the further consideration of the said Bill be postponed for three months, the Council divided—

CONTENT.

Mr. Chief Justice,
Mr. Shore.

NON CONTENT.

Mr. Black.
Mr. Peters.

Mr.

Mr. Baillie.
 Mr. F. P. Robinson.
 Mr. W. Robinson.
 Mr. Saunders.

Mr. Simonds.
 Mr. Cunard.

And it passed in the affirmative.

Read a second time, the Bill to repeal an Act, intituled, "An Act to provide for the erection of an Alms House and Work House within the County of York, and for making rules and regulations for the management of the same," so far as respects the Parish of Queensbury.

On motion—Resolved, that the further consideration of the said Bill be postponed for three months.

Adjourned till To-morrow.

THURSDAY, 28th February, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Simonds.

Mr. Cunard.

PRAYERS.

Read a second time, the Bill to authorize the Justices of the Peace for the County of Sunbury to levy an assessment to enable them to erect a Court House in the said County.

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

Message from the Assembly, by Mr. End, with a Bill, intituled "A Bill for regulating the Salmon Fisheries in the County of Gloucester," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill be committed to Mr. Cunard to report upon.

Mr. Shore, from the Committee to whom was referred the Bill to alter and amend the Militia Law, reported the same.

ORDERED, That the report be received.

Went into the consideration of the said Bill.

On motion—Resolved, that the further consideration of the said Bill be postponed for three months.

Adjourned till To-morrow.

FRIDAY,

FRIDAY, 1st March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Simonds.

Mr. F. P. Robinson.

Mr. Cunard.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Read a third time, and passed the Bill to authorize the Justices of the Peace for the County of Sunbury to levy an assessment, to enable them to erect a Court House in said County.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Mr. Simonds presented a Petition from Hugh M'Diarmid, a School Master in King's County, praying for compensation for teaching a School in the Parish of Hampton.

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

Message from the Assembly, by Mr. J. Humbert, with the following Bills, to which they desire the concurrence of this House :

A Bill for the establishment and regulation of Boards of Health in the several Counties of this Province: and,

A Bill to amend the law relative to retail and tavern licenses in the County of Saint John and for the prevention of drunkenness.

Read a first time, the Bill for the establishment and regulation of Boards of Health in the several Counties of this Province.

ORDERED, That the said Bill be committed to Mr. Black and Mr. Simonds to report upon.

Read a first time, the Bill to amend the law relative to retail and tavern licenses in the County of Saint John and for the prevention of drunkenness.

ORDERED, That the said Bill be committed to Mr. F. P. Robinson and Mr. W. Robinson to report upon.

Read a third time, and passed the Bill to continue and amend the Acts relating to statute labour on roads.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Adjourned till Monday.

MONDAY,

MONDAY, 4th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Mr. Peters, from the Committee to whom was referred the Bill to alter and amend the laws relating to Parish Schools, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

On motion—Resolved, That the further consideration of the said Bill be postponed for three months.

Mr. Simonds moved the following Resolution :

RESOLVED, That a Committee be appointed to prepare an Address to His Majesty on the subject of the recent appointment of two separate and distinct Councils in this Province.

On the question whether the Resolution be passed, the House divided.

CONTENT.

Mr. Chief Justice.

NON CONTENT.

Mr. Baillie.

Mr. Black.

Mr. F. P. Robinson.

Mr. Shore.

Mr. Saunders.

Mr. Peters.

Mr. Simonds.

Mr. Cunard.

Mr. W. Robinson.

And it passed in the affirmative.

ORDERED, That Mr. Peters and Mr. Simonds be a Committee to prepare the said Address.

Mr. Saunders, to whom was referred the Bill to empower the Rector, Church Wardens and Vestry of Christ's Church, in the Parish of Fredericton, to assign certain mortgages and mortgaged premises, reported the same.

ORDERED, That the report be received.

Mr. Cunard, to whom was referred the Bill for regulating the Salmon Fisheries in the County of Gloucester, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

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

Mr.

Mr. Simonds, from the Committee to whom was referred the Bill for the establishment and regulation of Boards of Health in the several Counties of this Province, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

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

Mr. Saunders, from the Committee to whom was referred the Bill to continue and amend the Act for regulating assessments in this Province, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

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

Message from the Assembly, by Mr. Wyer, with a Bill, intituled "A Bill to amend an Act to provide for maintaining Light Houses within the Bay of Fundy," to which they desire the concurrence of this House.

Mr. Shore presented the following Petitions :

A Petition from sundry inhabitants of Saint George and Saint Andrews in the County of Charlotte, praying for assistance to rebuild a Bridge across the lower Falls of the Magaguadavic River : and

A Petition from Michael Dwyer, praying for remuneration for teaching a School in the Parish of Saint George in the County of Charlotte.

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

Message from the Assembly, by Mr. Scott, with a Bill, intituled "A Bill to explain an Act passed the eighth day of March in the year one thousand eight hundred and thirty, for the more summary punishment of persons guilty of maliciously killing, maiming, disfiguring or otherwise injuring Cattle;"

And also,

With sundry Resolutions of Appropriation dated the 26th of February 1833, to which they desire the concurrence of this House.

Read a second time, and agreed to the several Resolutions of Appropriation, dated the 8th, 15th, 16th, and 19th February 1833, with the exception of the Resolution of the 8th February, granting to the Clerk of the Council in General Assembly the sum of Fifty Pounds and Twenty Shillings *per diem* during the present Session; which is not concurred in.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Resolutions of Appropriation with the exception above entered.

Adjourned till To-morrow.

TUESDAY,

TUESDAY, 5th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Simonds.

Mr. Cunard.

Mr. Saunders.

PRAYERS.

Read a third time, and passed the Bill to continue and amend the Act for regulating assessments in this Province.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill for regulating the Salmon Fisheries in the County of Gloucester.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a third time, and passed the Bill for the establishment and regulation of Boards of Health in the several Counties of this Province.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Mr. Baillie and Mr. F. P. Robinson enter.

On motion of Mr. Simonds,

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to cause to be laid before this House a copy of the Instructions relating to the Council in this Province which are contained in His Majesty's Letters Patent, dated 6th July 1831, appointing Lord Aylmer, Captain General and Governor in Chief in and over this Province.

ORDERED, That Mr. F. P. Robinson and Mr. Cunard be a Committee to present the same.

Read a first time, the Bill to amend an Act to provide for maintaining Light Houses within the Bay of Fundy.

ORDERED, That the said Bill be committed to Mr. Simonds to report upon.

Read a first time, the Bill to explain an Act passed the eighth day of March in the year one thousand eight hundred and thirty, for the more summary punishment of persons guilty of maliciously killing, maiming, disfiguring or otherwise injuring cattle.

ORDERED, That the said Bill be committed to Mr. Peters to report upon.

Message from the Assembly, by Mr. Kinnear, with a Bill, intituled "A Bill to incorporate sundry persons by the name of the President, Directors and Company of the Commercial Bank of New Brunswick," to which they desire the concurrence of this House.

Read

Read a second time, and agreed to the Resolutions of Appropriation of the 26th of February.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Resolutions.

Message from the Assembly, by Mr. Hayward, with sundry Resolutions of Appropriation dated the 25th of February.

Read the said Resolutions a first time.

Adjourned till To-morrow.

WEDNESDAY, 6th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Mr. F. P. Robinson, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of yesterday, reported, that the Committee had attended to that duty, according to order, and His Excellency was pleased to say, he believed he had the Instructions, and he would cause such extracts to be made from the same as relate to the Legislative Council, and immediately cause them to be laid before this House.

Read a second time, and agreed to the Resolutions of Appropriation of the 25th of February last.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Resolutions.

The President acquainted the House, that by a Mandamus under the Royal Sign Manual, dated 22d November 1832, James Allanshaw, Esquire, is appointed a Member of this House, and desires to be admitted.

ORDERED, That Mr. Peters and Mr. F. P. Robinson be a Committee to attend Mr. Allanshaw and see him qualified.

Mr. Peters, from the Committee appointed for that purpose, reported, that they had, according to order, attended Mr. Allanshaw who took the oaths in the presence of the Lieutenant Governor.

The Honorable Mr. Allanshaw was then introduced between Mr. Peters and Mr. F. P. Robinson, and took his seat.

G

Mr.

Mr. F. P. Robinson, from the Committee to whom was referred the Bill to amend the law relative to retail and tavern licences in the County of Saint John and for the prevention of drunkenness, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

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

Mr. Simonds, to whom was committed the Bill to prevent nuisances within the City of Saint John and Parish of Portland, in the County of Saint John, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time, and amended the same as follows :

Dele the whole of the second Section and insert as follows :

* II. And be it further enacted, That from and after the passing of this Act no person or persons whatsoever shall be permitted to coast or ride down any of the hilly parts of the said City of Saint John, or such parts of the Parish of Portland within the County of Saint John, as may be prohibited by the Justices of the Peace for the said City and County, at any General or Special Sessions, on any hand sled or sleds or other vehicle or vehicles; and in case any person or persons whatsoever shall be found coasting on any such sled or sleds, vehicle or vehicles down such hilly parts of the said City or Parish as shall be prohibited by the said Justices as aforesaid, it shall and may be lawful for the Mayor or any one of the Aldermen or Assistants of the said City, or any one of the Justices of the Peace for the said City and County, or any person or persons to be appointed or authorized by them or either of them, or any Constable of the said City or City and County, to seize, take and destroy the said sled or sleds, or vehicle or vehicles on which such person or persons may be found coasting as aforesaid.

" III. And be it farther enacted, That no person or persons whatsoever shall sell or expose to sale any bad or unwholesome dead meats, poultry or other provisions, within the said City or County; and in case any such bad or unwholesome dead meats, poultry or other provisions, shall be sold or exposed to sale as aforesaid, it shall and may be lawful for the said Mayor, or any One of the Aldermen or Assistants of the City aforesaid, within the said City, or any one of the Justices of the Peace for the City and County aforesaid, within the said County, or any person or persons to be authorized or appointed by them or either of them, to seize, take and destroy the said bad or unwholesome dead meats, poultry or other provisions aforesaid."

ORDERED, That the amendments be engrossed.

Read a first time, the Bill to incorporate sundry persons by the name of 'the President, Directors and Company of the Bank of New Brunswick.'

Adjourned till To-morrow.

THURSDAY,

THURSDAY, 7th March, 1833

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. Allanshaw.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Read a third time, as amended, the Bill to prevent nuisances within the City of Saint John and Parish of Portland in the County of Saint John.

ORDERED, That the Master in Chancery do return the said Bill to the House of Assembly, and inform that House, that the Legislative Council have agreed thereto with amendments, to which they desire their concurrence.

Read a third time, and passed the Bill to amend the law relative to retail and tavern licences in the County of Saint John, and for the prevention of drunkenness.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Mr. Simonds, from the Committee to whom was referred the Bill to amend an Act to provide for maintaining Light Houses within the Bay of Fundy, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

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

ORDERED, That the Bill to incorporate sundry persons by the name of 'the President, Directors and Company of the Commercial Bank of New Brunswick,' be committed to Mr. Cunard and Mr. Allanshaw to report upon.

Message from the Assembly, by Mr. Partelow, with a Bill, intituled "A Bill to provide for the further increase of the Capital Stock of the Bank of New Brunswick, and to amend and continue the Act for incorporating the said Bank," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill be committed to Mr. Cunard and Mr. Allanshaw to report upon.

Message from the Assembly, by Mr. Vail, with sundry Resolutions of Appropriation dated 2d March instant, to which they desire the concurrence of this House.

Mr. Simonds moved the following Resolution :

RESOLVED, That this House not having been officially informed of the new arrangement of the Legislative Council, and of the appointment of an Executive Council

Council in this Province, until the 11th February, (more than a week after the receipt of the despatches which announced to His Excellency the Lieutenant Governor the completion of these great changes in the constitution of this Colony); and not having received any information as to the rank respectively to be held by the Members of those bodies, or as related to the succession to the administration of the Government in the event of the death or absence of the Lieutenant Governor; and believing that the possibility of such a contingency arising, must have been contemplated and provided for, by the wisdom, foresight and paternal care of His Majesty, did, on the 18th February, address His Excellency, praying "that he would be pleased to inform this House whether any, and if any, what Instructions have been received relative to the rank respectively to be held by Members of the Legislative and Executive Councils of this Province, and especially as relates to the succession to the administration of the Government, in the event of the death or absence of the Lieutenant Governor for the time being;" in answer to which Address, His Excellency, by message dated the 20th February, informed this House that he had not received from His Majesty's Government any Instructions relative to the rank respectively to be held by Members of the Legislative and Executive Council, nor as relates to the succession to the Administration of the Government, in the event of the death or absence of the Lieutenant Governor—that he would transmit a copy of the Address of the Council, by the first mail, to England—and that he would, in the mean time, take measures for ascertaining, for the information and guidance of His Majesty's Executive Council, in the event of such a contingency arising as stated in the Address, what orders have been received, or what customs have obtained in other Colonies similarly situated: And whereas this House, believing that the orders which have been received, or the customs that have obtained in other Colonies, could not be a safe, sufficient or proper authority or precedent for proceeding, in case of a vacancy occurring in the administration of the Government of this Province; and having moreover heard of the existence of additional Instructions which accompanied His Majesty's Royal Commission—did on the 26th February, again address His Excellency, praying that "he would be pleased to order to be laid before this House a copy of any additional Instructions that may have accompanied His Majesty's Royal Commission of 3d December 1832, appointing two separate and distinct Councils in this Province;" in compliance with which last mentioned Address, His Excellency ordered to be transmitted to this House a copy of His Majesty's additional Instructions dated 3d December 1832, by which, viewed in connexion with His Majesty's Royal Commission of the same date, it appears that the Administration of the Government of this Province would, in the event of the death, absence or removal of the Lieutenant Governor for the time being, devolve upon the person first mentioned in the said additional Instructions, or, in other words, upon the senior Executive Councillor;

RESOLVED, That this House deeply regrets that His Excellency should have been advised to send the said Message of the 20th February, regarding which, from feelings which it is hoped will be rightly appreciated, this House forbears further to remark.

Upon the question whether the Resolution should pass, the Council divided.

CONTENT.

CONTENT.

Mr. Chief Justice.
Mr. Black.
Mr. Shore.
Mr. Peters.
Mr. Simonds.
Mr. W. Robinson.

And it passed in the affirmative.

NON CONTENT.

Mr. Baillie.
Mr. F. P. Robinson.
Mr. Cunard.
Mr. Allanshaw.
Mr. Saunders.

Adjourned till to-morrow.

FRIDAY, 5th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Baillie.

Mr. F. P. Robinson.

Mr. Cunard.

Mr. W. Robinson.

Mr. Shore.

Mr. Peters.

Mr. Simonds.

Mr. Allanshaw.

Mr. Saunders.

PRAYERS.

Read a third time, and passed the Bill to amend an Act to provide for maintaining Light Houses within the Bay of Fundy.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Dissentient to the Resolution of yesterday, whereby it was "Resolved that this House deeply regrets that His Excellency should have been advised to send the said Message of the 20th ult. regarding which, from feelings which it is hoped will be rightly appreciated, this House forbears further to remark,"

Because the Address of this House of the 18th February, to His Excellency, having been solely confined to an Address to him for information, whether any, and if any, what Instructions had been received relative to the rank respectively to be held by Members of the Legislative and Executive Councils of this Province, and especially as relates to the succession to the Administration of the Government, in the event of the death or absence of the Lieutenant Governor for the time being—His Excellency's Message of the 20th of February, informing this House that he had not received from His Majesty's Government any Instructions relative to the rank respectively to be held by Members of the Legislative and Executive Council, nor as related to the succession of the Administration of the Government, in the event of the death or absence of the Lieutenant Governor, but that he would transmit a copy of the Address of the Council by the first Mail to England, and that he would, in the mean time, take measures for ascertaining for the information and guidance

guidance of His Majesty's Executive Council, in the event of such a contingency arising as stated in the Address, what orders have been received or what customs have obtained in other Colonies similarly situated—was the most correct and proper answer that could have been returned by His Excellency, in the absence of any instructions fixing the relative rank of the respective Councils, and pointing out on whom the Administration of the Government would devolve. That regulating the succession to the Government by the "orders received or the customs that had obtained in Colonies similarly situated," was a course the most prudent and consonant to justice, that could have been pursued; as, in a case unprovided for by specific Instructions, the adopting a general rule or order which had been received in a Colony similarly situated to ourselves, would not only be most wise in itself, but would remove the possibility of the exercise of favor or preference to any individual. That the additional Instructions communicated by His Excellency in answer to the Address of the 26th ult. merely state "that in the absence of Our Lieutenant Governor of Our said Province, or of the Officer Administering the Government for the time being, the Member of Our said Council whose name shall be first placed on the list shall preside in Our said Council;" and that nothing appears therein to prevent His Excellency from concluding that he had no Instructions fixing the relative rank of the Members of the two Councils, and in determining who was to administer the Government on the contingency referred to; and that as no information had been asked by this House, except in reference to the respective rank of the Members of the two Councils and the succession to the Government, he was perfectly justified in not communicating it to the House in answer to their Address of the 15th ult. as His Excellency may not consider that it does determine either of those points. That the censure and imputation cast against His Excellency, in the concluding part of the Resolution of this House of the 7th instant is uncalled for, unjustifiable and highly tending to subvert and destroy the good understanding which ought to subsist between this House and the Head of the Executive Government.

JOHN SIMCOE SAUNDERS,
THOMAS BAILLIE,
F. P. ROBINSON.

Mr. Cunard, from the Committee to whom was referred the Bill to incorporate sundry persons by the name of 'the President, Directors and Company of the Commercial Bank of New Brunswick,' reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

Mr. Cunard, from the Committee to whom was referred the Bill to provide for the further increase of the Capital Stock of the Bank of New Brunswick, and to amend and continue the Act for incorporating the said Bank, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

Message from the Assembly, by Mr. Brown, with a Bill, intituled "A Bill relating to Parish Schools," to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Read

Read a first time, the Resolutions of Appropriation dated 2d March 1833.

Mr. Peters, to whom was committed the Bill to explain an Act passed the eighth day of March in the year one thousand eight hundred and thirty, for the more summary punishment of persons guilty of maliciously killing, maiming, disfiguring, or otherwise injuring Cattle, reported the same.

ORDERED that the report be received.

Read the said Bill a second time, and amended the same as follows :

At A. dele the word "said," and insert the words "the Act made and passed in the tenth and eleventh years of the reign of His late Majesty King George the Fourth, intituled 'an Act for the more summary punishment of persons guilty of maliciously killing, maiming, disfiguring, or otherwise injuring Cattle.'"

At B. in the title, dele the words "passed the eighth day of March in the year one thousand eight hundred and thirty," and insert the words "intituled an Act."

ORDERED, That the amendments be engrossed.

Adjourned till Monday.

MONDAY, 11th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Read a third time, as amended, and passed the Bill to explain an Act passed the eighth day of March in the year one thousand eight hundred and thirty, for the more summary punishment of persons guilty of maliciously killing, maiming, disfiguring, or otherwise injuring Cattle.

ORDERED, That the Master in Chancery do return the said Bill to the House of Assembly, and inform that House that the Legislative Council have agreed thereto with amendments, to which they desire their concurrence.

Message from the Assembly, by Mr. Wyer, with a Bill, intituled "A Bill to make provision for the support of establishments in and near the Gulph of Saint Lawrence, for the relief of shipwrecked Mariners, and for erecting Light Houses in and near the same," to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Read a second time, the Bill to alter the names of two Parishes in the County of York.

On.

On motion—Resolved, That the further consideration of the said Bill be postponed for three months.

Read a second time, and agreed to the Resolutions of Appropriation dated 2nd March instant.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Resolutions.

Read a second time, the Bill relating to Parish Schools.

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

Message from the Assembly, by Mr. Ward, with sundry Resolutions of Appropriation dated 7th March instant, to which they desire the concurrence of this House.

Read the said Resolutions a first time.

Mr. Peters, from the Committee appointed to prepare an Address to His Majesty on the subject of the recent appointment of two separate and distinct Councils in this Province, reported a draught thereof, which he read in his place.

ORDERED, That the House do go into consideration of the same to-morrow.

Adjourned till To-morrow.

TUESDAY, 12th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. Allanshaw.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Read a third time, and passed the Bill relating to Parish Schools.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Mr. F. P. Robinson presented a Petition from the Rector, Church Wardens and Vestry of Christ's Church Fredericton, praying that an Act may pass to enable them to assign certain securities.

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

Read a second time, the Bill to make provision for the support of establishments in and near the Gulph of Saint Lawrence for the relief of shipwrecked mariners, and for erecting Light Houses in and near the same.

ORDERED, That the said Bill stand for further consideration to-morrow.

Message

Message from the Assembly, by Mr. Kinnear, that they have agreed to the amendments made to the Bill to prevent nuisances within the City of Saint John and Parish of Portland in the County of Saint John.

Message from the Assembly, by Mr. Miles, with sundry Resolutions of Appropriation dated the 9th March instant, to which they desire the concurrence of this House.
Read the said Resolutions a first time.

Message from the Assembly, by Mr. Smith, with a Bill, intituled "A Bill to appropriate a part of the public revenue to the payment of the ordinary services of the Province."
Read the said Bill a first time.

Went into consideration of the Bill to incorporate sundry persons by the name of 'the President, Directors and Company of the Commercial Bank of New Brunswick.' Whereupon, On motion that the further consideration of the said Bill be postponed for three months, the House divided.

CONTENT.

Mr. Chief Justice.
Mr. Black.
Mr. Shore.
Mr. Peters.
Mr. F. P. Robinson.
Mr. Simonds.
Mr. Allanshaw.
Mr. W. Robinson.

NON CONTENT.

Mr. Baillie.
Mr. Cunard.
Mr. Saunders.

And it therefore passed in the affirmative.

Went into consideration of the Bill to provide for the further increase of the Capital Stock of the Bank of New Brunswick, and to amend and continue the Act for incorporating the said Bank.

Whereupon, On motion that the consideration of the said Bill be postponed for three months, the House divided.

CONTENT.

Mr. Chief Justice.
Mr. Black.
Mr. Shore.
Mr. Peters.
Mr. F. P. Robinson.
Mr. Simonds.
Mr. Allanshaw.
Mr. W. Robinson.

NON CONTENT.

Mr. Baillie.
Mr. Cunard.
Mr. Saunders.

And it therefore passed in the affirmative.

ORDERED, That the Order for taking into consideration the draught of the Address to His Majesty, on the subject of the recent appointment of two separate and distinct Councils in this Province, be enlarged till to-morrow.

H

Message

Message from the Assembly, by Mr. Chandler, with a Bill, intituled "A Bill for raising a revenue," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill be committed to Mr. Peters and Mr. Simonds to report upon.

Read a second time, and agreed to the Resolutions of Appropriation dated the 7th March instant.

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

Adjourned till To-morrow.

WEDNESDAY, 13th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Simonds.

Mr. Cunard.

Mr. Allanshaw.

PRAYERS.

Resumed the consideration of the Bill to make provision for the support of establishments in and near the Gulf of Saint Lawrence, for the relief of shipwrecked mariners, and for erecting Light Houses in and near the same, and amended the same as follows :

At A. insert "IV. And be it enacted, That this Act shall not go into operation until similar provision shall be made by the Legislature of Lower Canada for the purposes contemplated by this Act."

ORDERED, That the amendment be engrossed.

Read a third time and passed the said Bill as amended.

ORDERED, That the Master in Chancery do return the said Bill to the House of Assembly, and inform that House that the Legislative Council have agreed to the said Bill with an amendment, to which they desire their concurrence.

Read a second time, and agreed to the Resolutions of Appropriation dated the 9th March 1833.

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

Message from the Assembly, by Mr. Hill, with a Bill, intituled "A Bill to authorize the Justices of the Peace for the County of Charlotte to assess the inhabitants

tants of Saint Stephen in the said County for the purpose therein mentioned," to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Message from the Assembly, by Mr. Vail, with sundry Resolutions of Appropriation dated 12th March instant, to which they desire the concurrence of this House.

Read the said Resolutions a first time.

Mr. Saunders enters.

Went into consideration of the Address to His Majesty, on the subject of the recent appointment of two separate and distinct Councils in this Province, and amended the same.

Read the said Address as follows :

“To the King's Most Excellent Majesty.

“The Humble and Dutiful Address of His Majesty's Legislative Council of the Province of New Brunswick, in General Assembly convened.

“MAY IT PLEASE YOUR MAJESTY,

“THAT Your Majesty by Your Royal Commission under the Signet and Sign Manual, bearing date the 3d day of December 1832, was pleased to declare that there should be two distinct and separate Councils in this Province, to be respectively called the Legislative Council and the Executive Council; and did further direct and declare that all the powers and authorities, so far as respects the enactment of laws, should be vested in the said Legislative Council, and that all other powers and authorities whatsoever, should be vested in the said Executive Council; but as Your Majesty was not pleased to signify your pleasure as to the rank which the Members of those Councils should respectively bear to each other; and as doubts have arisen upon that subject, as also upon the right of succeeding to the administration of the Government, in case of a vacancy; and as we must necessarily be materially affected thereby; and as we, Your Majesty's most loyal and faithful subjects, the Members of the Legislative Council, are, from our great distance from England, induced to believe that Your Majesty could not have been fully informed of the local interests and duties of the respective Councils, and the political situation in which they stand towards Your Majesty's other subjects in this Province, We therefore most humbly pray leave to approach Your Majesty, and to offer for Your most gracious and benevolent consideration, the following brief statement of facts and observations in elucidation and support of the prayer of this Address. Acknowledging that Your Majesty has the sole power of conferring honors and dignities, but as we know that Your Majesty is also the fountain of Justice, we rely, with the most unbounded confidence, that Your Majesty will not bestow them, when fully informed, upon any but such as deserve them, always weighing the respective merits of Your subjects, in the even scales of impartiality.

“We therefore most respectfully proceed to state, that upon the erection of this Province by Your Majesty's Royal Father of glorious memory, He was graciously pleased

pleased to appoint a Council consisting of twelve Members, as had been accustomed upon similar occasions from a remote period, investing them with the powers, and enjoining upon them the performance of the Executive and Legislative duties, both of which we can confidently, but in the most respectful manner, declare to Your Majesty, have been constantly and faithfully performed by the different persons who have been successively Members of that Council, with zeal and fidelity, from its first erection to the time when Your Majesty's said Commission and Instructions were promulgated, (for the truth of this declaration we are conscious that we could safely appeal to all those honorable personages who have successively administered the Government of this Province); till which period, except in time of War, it was clearly and distinctly understood that the Members ranked according to the dates of their respective appointments, and that the administering of the Government, in case of a vacancy, devolved, except in the case of one of the Judges, as matter of course, upon the senior Member of the Council. But as Your Majesty has been pleased by the said commission to divest the old Council of some of its powers and duties, and to invest them in the new or Executive Council, thereby materially changing the political constitution of the Province, we humbly hope that we shall be excused in making a few observations as to how this change will affect us, particularly upon the two points before mentioned.

And first, as to rank: If the Legislative Council is, as we conceive it is intended to be, analogous to the House of Lords in the United Kingdom, or if perhaps to speak more correctly, we are considered as the miniature or representation of that august body in this Province, the importance and usefulness of our duties must necessarily raise us to a corresponding dignity and rank, and consequently give us similar precedence here, as is established by the table of precedence in England.

As to the rank of the Executive Council, we have carefully looked into the table of precedence as established in England, and also into that as settled for and acted upon in Your Majesty's American Colonies, but do not find that the Members of an Executive Council, as such, are in any way recognised in either of them. Moreover if the duties of the Members of this Council be considered relatively to Your Majesty's Cabinet Council in England, they will be found to be of so subordinate and limited a nature, that they can bear a very slight resemblance to the duties of that most dignified and important Council, the Members of which Your Majesty is pleased to invest with adequate authority and powers to conduct the Executive duties of Your Majesty's Government, but who must possess sufficient power and influence to enable them to perform the important duties of the Government, both in its domestic arrangements and foreign relations. As this cannot be the case with any Executive Council in Your Majesty's American Provinces, we therefore humbly conceive that the Members of such Councils are not entitled to corresponding rank.

“ We beg leave further to observe, that it has been doubted whether the expression used in the additional Instruction, ‘ That the Member of Our said Council whose name shall be first placed on the list shall preside in Our said Council,’ can imply that the person so presiding would be entitled in such an event to administer the Government, as we assimilate the duty of such person, upon such an event,

to

to that of the President of Your Majesty's Privy Council in England, who, we may conclude from the precedent recorded in the case of King James the Second, when he had withdrawn from the Kingdom, would not succeed to the Government.

"As the Member now placed at the head of the Executive Council is junior to two of the Legislative Council, and as a collision might take place if he should claim to administer the Government in case of a vacancy, notwithstanding the seniority of those two Gentlemen, who have faithfully served Your Majesty both as Legislative and Privy Councillors, one of whom has also heretofore so conducted himself in the administration of this Government as to induce Your Majesty to convey to him Your Majesty's entire approbation of the manner in which he administered the same; We, therefore, the Members of Your Majesty's Legislative Council, most humbly pray that Your Majesty will, in Your wonted goodness, be graciously pleased to take into Your benevolent consideration, and to view with favor the merits and services of those two Gentlemen and of other Members of the same Council, and to order that the rank between the Members of the two Councils should be determined by the seniority of their respective appointments; and that the administering the Government, in case of a vacancy, should, as heretofore for a long time accustomed, devolve upon the senior Member of either Council, according to the date of their respective appointments, which we most humbly conceive would be attended with the most happy results, by preserving harmony between the two Councils, and thereby essentially promoting Your Majesty's interests, and insuring the quiet administration of Your Majesty's Government in this Province. And as in duty bound will ever pray."

And on the question whether the said Address be agreed to, the House divided.

CONTENT.

Mr. Chief Justice.
Mr. Black.
Mr. Shore.
Mr. Peters.
Mr. Simonds.
Mr. Cunard.
Mr. Allanshaw.

NON CONTENT.

Mr. Baillie.
Mr. Saunders.

And it was decided in the affirmative.

ORDERED, That the said Address be engrossed.

Dissentiet to the Address as now passed:

Because the Legislative Council, with the exception of four of its Members, is not affected by the alteration of the constitution, and therefore it is inexpedient to sustain the present Petition, as the persons who feel themselves aggrieved have the power of petitioning His Majesty on the subject, and thereby receiving every redress to which they may consider themselves entitled, and because it is to be presumed that His Majesty, previous to signing the Royal Commission, was fully informed on the subject.

THOS. BAILLIE.

Message from the Assembly, by Mr. Taylor, with a Bill, intituled "A Bill to enable

enable the Chancellor, President and Scholars of King's College at Fredericton in the Province of New Brunswick to assign a certain mortgage and mortgaged premises therein mentioned," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill be referred to Mr. Saunders to report upon.

Message from the Assembly, by Mr. Street, with a Bill, intituled "A Bill in addition to and in amendment of an Act to repeal an Act for the better security of the navigation of certain harbours in the County of Northumberland, and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent and Gloucester," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill be committed to Mr. Cunard to report upon.

Message from the Assembly, by Mr. Scott, that they have agreed to the amendments made to the Bill to explain an Act passed the eighth day of March in the year one thousand eight hundred and thirty, for the more summary punishment of persons guilty of maliciously killing, maiming, disfiguring or otherwise injuring cattle.

Read a second time, the Bill to appropriate a part of the public revenue to the payment of the ordinary services of the Province.

ORDERED, That the said Bill stand for further consideration to-morrow.

Adjourned till To-morrow.

THURSDAY, 14th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. Allanshaw.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Message from the House of Assembly, by Mr. Smith, with sundry Resolutions of Appropriation dated 13th March instant, to which they desire the concurrence of this House.

Read the said Resolutions a first time.

Mr. Baillie enters.

Read a second and third time, and passed the Bill to authorize the Justices of the Peace for the County of Charlotte to assess the inhabitants of Saint Stephen in the said County for the purpose therein mentioned.

ORDERED,

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read a second and third time, and passed the Bill to enable the Chancellor, President and Scholars of King's College at Fredericton, in the Province of New Brunswick, to assign a certain mortgage and mortgaged premises therein mentioned.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Mr. Cunard, to whom was committed the Bill in addition to and in amendment of an Act to repeal an Act, intituled "An Act for the better security of the navigation of certain harbours in the County of Northumberland, and to make more effectual provisions for the security of the harbours in the Counties of Northumberland, Kent and Gloucester," reported the same.

ORDERED, That the report be received.

Went into the consideration of the said Bill, and amended the same as follows :

At A. dele the words "while any ship or vessel intending to sail during the autumn shall remain in the harbour," and insert the words, "until the twentieth day of November in each and every year, or so soon after as the said Commissioner or Commissioners or a majority of them shall deem expedient."

ORDERED, That the amendment be engrossed.

Read a second time, the said Bill as amended.

Read a third time, and passed the said Bill as amended.

ORDERED, That the Master in Chancery do return the said Bill to the House of Assembly, and inform that House that the Legislative Council have agreed thereto with an amendment, to which they desire their concurrence.

Read a second time, and agreed to the Resolutions of Appropriation dated 12th March 1833.

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

Read a second and third time, and passed the Bill to empower the Rector, Church Wardens and Vestry of Christ's Church, in the Parish of Fredericton, to assign certain mortgages and mortgaged premises.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Read, as engrossed, the Address of this House to His Majesty, upon the subject of the recent appointment of two separate and distinct Councils in this Province.

ORDERED, That Mr. Cunard and Mr. Allanshaw, be a Committee to wait upon His Excellency the Lieutenant Governor, and request that he will be pleased to transmit the said Address to be laid before His Majesty.

Mr. Peters, from the Committee to whom was referred the Bill for raising a Revenue, reported the same.

ORDERED,

ORDERED, That the report be received.

Read the said Bill a second time.

ORDERED, That the said Bill stand for further consideration to-morrow.

ORDERED, That the Order of the Day for the further consideration of the Bill to appropriate a part of the public revenue to the payment of the ordinary services of the Province, be discharged.

Adjourned till To-morrow.

FRIDAY, 15th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr. Baillic.

Mr. Peters.

Mr. Simonds.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

PRAYERS.

Read a second time, and agreed to the Resolutions of Appropriation dated 13th March instant.

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

Message from the Assembly, by Mr. Vail, with a Bill, intituled "A Bill to provide for opening and repairing roads and erecting bridges throughout the Province," to which they desire the concurrence of this House.

Read the said Bill a first time.

Message from the Assembly, by Mr. W. Taylor, with a Bill, intituled "A Bill to alter the names of certain parts of three Parishes in the County of York, and to erect two separate Parishes therein," to which they desire the concurrence of this House.

Read the said Bill a first and second time.

Mr. Simonds, from the joint Committee of the Legislative Council and Assembly appointed to prepare an Address to His Majesty's Government relative to the reduction of duties on foreign wood, and their increase on Colonial productions, reported a draught, which he read as follows :

"To the King's Most Excellent Majesty.

"The Humble Petition of Your Majesty's Legislative Council and Assembly of the Province of New Brunswick, in General Assembly convened :

"MAY IT PLEASE YOUR MAJESTY,

"WE, Your Majesty's faithful Subjects, the Council and Assembly of New Brunswick,

Brunswick, being apprehensive that the question of altering the wood duties, would again come under the consideration of Your Majesty and the Imperial Parliament, conceive it to be our duty, most humbly to call Your Majesty's attention to our Address of February, in the year 1831, on this subject.

" Deeming it unnecessary to repeat the arguments which have again and again been reiterated, showing the effect that would be produced on the trade of this country and the British Empire in general, by any alterations in the scale of duties on Timber and Deals, we have little else to add, than to give it as our deliberate opinion, that the adoption of such a scale as was proposed in Parliament, in the year 1831, would nearly, if not entirely, annihilate the trade of this Province in these articles, and would inevitably lead to all the evil consequences detailed in the Address annexed, and to which we beg leave most humbly to refer.

" If by the adoption of the proposed alteration of duties, the trade should be destroyed or rendered altogether unprofitable, the lumberers would be driven to seek out other avocations, and perhaps other countries; the establishments for carrying on the Timber and Deal trade would be broken up; and in the event of the ports of the Baltic being again shut against British commerce, and the requisite supplies of wood being then obtainable only from the British North American Colonies, a long time must elapse before a sufficient number of workmen skilled in the manufacture of timber, could be collected to furnish that supply; and it hardly could be expected that the lumberers would return to an employment, or that merchants would re-invest capital in a trade so uncertain in its duration, as was that out of which they had been thrown by an act that had ruined or deeply injured them, and increased the profits of Foreigners.

" We earnestly implore Your Majesty to take this our Petition into Your most gracious consideration, assuring Your Majesty, that it is only by a rigid adherence to the present protective policy in favor of the North American Colonies, a great portion of Your Majesty's subjects resident therein, will be preserved from inevitable ruin.

" And as in duty bound will ever pray &c. &c."

Address referred to in, and annexed to the foregoing.

"To the King's Most Excellent Majesty.

"The Humble Petition of Your Majesty's Council and House of Assembly of the Province of New Brunswick, in General Assembly convened.

"MAY IT PLEASE YOUR MAJESTY,

"YOUR Majesty's most faithful subjects, the Council and Assembly of New Brunswick, being greatly alarmed at a report which has reached this country, of an intention entertained by Your Majesty's Ministers, so to alter the duties upon wood imported into the United Kingdom, as to destroy the protection afforded to colonial over foreign wood by the existing system of duties—a measure (if carried into operation) fraught with consequences ruinous to all Your Majesty's North American Colonies, and to New Brunswick more extensively than to any other, beg leave to lay at the foot of the Throne, this our humble representation.

I

" Under

“Under this protecting system, originally adopted for the purpose of rendering the Mother Country independent of foreign nations for a supply of wood, a trade of vast magnitude has grown up, in which British Capital alone is engaged, and British interests alone are promoted.

“We have not at command the documents from which we can accurately ascertain the actual extent of this trade, but from the information we possess we are induced to believe, that the number of vessels employed in the whole trade with the Canadas and these lower Provinces, does not fall short of two thousand annually, and that the number of sailors required for navigating them amounts to twenty five thousand.

“This is the staple trade of New Brunswick. In its two branches of Ton Timber and Deals, nearly the whole commercial industry of the country is interested, while the commercial establishments and outlay of capital are altogether arranged with a view to its prosecution.

“We have as yet no articles of export which would find a market in the United Kingdom but the produce of the forests; and if our means of paying for British manufactures cease, the importation of these manufactures must cease also.

“With a sinking commerce, our credit with the British merchant must wear away—the revenues of the country must dwindle—internal improvements be stopped—and the settlement of the wilderness lands in a great measure suspended.

“That the commercial intercourse between the United Kingdom and these Northern Colonies, especially this Province of New Brunswick, would be very greatly reduced, if not altogether annihilated, by withdrawing the protecting duties on our wood, and the consequent increase of supply of this article to the Mother Country from the Northern Powers of Europe, we fear, is too evident to need any proof; and we therefore contemplate the disastrous consequences of such a measure, with no small degree of discouragement and dismay.

“But the commercial evils which would ensue to these Colonies, are not the only ones which we apprehend; we very much fear that the ruin of the wood trade with the United Kingdom, following so soon after the opening of the West India Colonies to the United States, would be viewed, by all the North American Colonists, as such an abandonment of their interests in Your Majesty’s Councils, as could not fail to excite discontent, and have a strong tendency to shake the loyal affection which they have hitherto cherished with such honest zeal towards the Parent State; and there is no political evil which the inhabitants of this Province would more seriously deprecate than a weakening of their ties to that country, which they, and their fathers before them, have so steadfastly adhered to, throughout every change of fortune, prosperous or adverse.

“We forbear to enlarge upon the effects which a change of the existing policy with regard to the Colonial wood trade would have upon the general interests of the Empire, in its bearing upon the shipping interests, and as a nursery for British seamen; these are topics upon which Your Majesty’s Ministers must have far more extended means of information, than are within our reach. But there is one most important consideration connected with this trade, which we cannot refrain from, distinctly bringing to notice, and that is, the facility which it affords for the emigration to these

these Colonies of the surplus population of the United Kingdom, and the means of employment which it lays open to the emigrant after his arrival in the Colony; circumstances which we do not hesitate to declare are both of them absolutely essential to the continuance of that tide of emigration, which now so fortunately both for the Mother Country and the Colonies, is directing its course to these British American shores. If the Colonial wood trade cease, there will be neither ships to bring out the emigrants, nor business in the Colonies to give them wages for their labour, until they can clear and cultivate their lands, nor a market for the produce of the soil, after their cultivation of it has rendered it productive.

“The Council and Assembly, therefore, most humbly implore Your Majesty to take the foregoing circumstances into Your most gracious consideration, and earnestly pray, that Your Majesty’s Government may not be induced to alter the present system of protection to the Colonial wood trade, which is so vitally important to the interests of these North American Provinces, as constituent parts of the British Empire.

“And as in duty bound will ever pray, &c.”

RESOLVED, That the Legislative Council do agree to the joint Address prepared by the Committee of the Council and Assembly, relative to the reduction of duties on Foreign wood, and their increase on Colonial productions; and that Mr. Curnard be a Committee, with such Committee as the House of Assembly shall appoint, to wait upon His Excellency the Lieutenant Governor, and request that he will be pleased to transmit the same to be laid before His Majesty.

ORDERED, That the Master in Chancery do communicate this Resolution to the House of Assembly.

Read a third time, and passed the Bill to alter the names of certain parts of three Parishes in the County of York, and to erect two separate Parishes therein.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill without any amendment.

Message from the Assembly, by Mr. Street, that they have agreed to the amendments made to the Bill in addition to and in amendment of an Act to repeal an Act, intituled “An Act for better security of the navigation of certain harbours in the County of Northumberland, and to make more effectual provision for the better security of the harbours in the Counties of Northumberland, Kent and Gloucester.”

ORDERED, That the Order of the Day for the further consideration of the Bill for raising a Revenue, be enlarged till to-morrow.

Adjourned till To-morrow.

SATURDAY, 16th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Black.

Mr. Shore.

Mr.

Mr. Baillie.
Mr. F. P. Robinson.
Mr. Cunard.
Mr. Saunders.

Mr. Peters.
Mr. Simonds.
Mr. Allanshaw.

PRAYERS.

Read a third time, and passed the Bill to appropriate a part of the public Revenue to the payment of the ordinary services of the Province.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill.

Read a second and third time, and passed the Bill to provide for opening and repairing roads and erecting bridges throughout the Province.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill.

Read a third time, and passed the Bill for raising a Revenue.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill.

Message from the Assembly, by Mr. Taylor, with a Bill, intituled "A Bill to appropriate a part of the Public Revenue for the services therein mentioned," to which they desire the concurrence of this House.

Read a first, second and third time, and passed the said Bill.

ORDERED, That the Master in Chancery do inform the House of Assembly, that the Legislative Council have agreed to the said Bill.

Mr. Baillie moved the following resolution :

RESOLVED, That this House in concurring to the Bills for appropriating the Public Revenue, and which severally contain a clause affecting the privileges of this House, as well as private rights, doth so concur in order to prevent the injury, distress and difficulties which would arise to the Province from their rejection; such concurrence is nevertheless not to be drawn into a precedent for the future.

On the question whether the Resolution do pass, the House divided :

CONTENT.
 Mr. Chief Justice.
 Mr. Shore.
 Mr. Baillie.
 Mr. Peters.
 Mr. F. P. Robinson.
 Mr. Cunard.
 Mr. Saunders.

NON CONTENT.
 Mr. Black.
 Mr. Simonds.
 Mr. Allanshaw.

It therefore passed in the affirmative.

ORDERED, That the Master in Chancery do communicate the said Resolution to the House of Assembly.

Adjourned till Monday.

MONDAY.

MONDAY, 18th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Simonds.

Mr. Cunard.

Mr. Allanshaw.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Mr. Cunard, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the 13th instant, reported, that they had waited upon His Excellency, according to order, and that His Excellency had been pleased to say, he would with pleasure transmit the Address by the first mail.

Message from the Assembly, by Mr. Partelow, that they have appointed Mr. Partelow and Mr. Street, a Committee, to join the Committee appointed by the Legislative Council, to wait upon His Excellency the Lieutenant Governor, with the joint Address of the Legislative Council and Assembly to His Majesty, upon the subject of the wood duties, and to request that His Excellency will be pleased to transmit the same to be laid before His Majesty.

Adjourned till to-morrow.

TUESDAY, 19th March, 1833.

PRESENT.

THE HON.

Mr. Chief Justice Saunders, President.

Mr. Shore.

Mr. Baillie.

Mr. F. P. Robinson.

Mr. Cunard.

Mr. W. Robinson.

Mr. Saunders.

PRAYERS.

Mr. Cunard, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the joint Address of this House and the House of Assembly, relative to the wood duties, reported, that the Committee had waited upon His Excellency, according to order, and that he had been pleased to say, he would transmit the same by the first Mail.

The House was adjourned during pleasure.

After some time the House was resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and, by Message, commanded the attendance of the House of Assembly.

The House of Assembly attended accordingly.

His

His Excellency gave his assent to the following Bills :

A Bill for raising a Revenue.

A Bill to appropriate a part of the public Revenue to the payment of the ordinary services of the Province.

A Bill to appropriate a part of the public Revenue for the services therein mentioned.

A Bill to provide for opening and repairing roads and erecting bridges throughout the Province.

A Bill to continue an Act, intituled "An Act for the better and more effectual securing the navigation of the River Saint Croix in the County of Charlotte."

A Bill to continue an Act, intituled "An Act to empower the Justices of the County of Charlotte to make regulations for driving timber and logs down the Rivers Saint Croix, Magaguadavic, Digdeguash, and their branches."

A Bill to alter and amend an Act passed in the third year of His late Majesty's reign, intituled "An Act for the better securing of the navigation of the inner bay of Passamaquoddy, and to indemnify the Deputy Province Treasurer at Saint Andrews, against any demands for monies collected for tonnage duties since the former Acts for that purpose expired."

A Bill to amend the Act for the appointment of Town or Parish Officers in the several Counties in this Province.

A Bill to authorize the Justices for the Peace of the County of Gloucester to assess the said County for the erection of Lock-up-Houses at Campbelltown and Dalhousie in the said County.

A Bill for altering the time of holding one of the additional Terms of the Inferior Court of Common Pleas of the County of Gloucester.

A Bill to alter and amend the Charter of the City of Saint John.

A Bill for the incorporation of "The New Brunswick Mining Company."

A Bill to provide for more effectually repairing the streets and bridges in the City of Saint John.

A Bill to authorize the Justices of the Peace for the County of Carleton to assess the said County for erecting a Court House and Gaol therein.

A Bill to amend the Act relating to the several Churches in this Province in connexion with the Church of Scotland.

A Bill to authorize the Justices of the Peace for the County of Northumberland to make rules and regulations respecting the Bass Fishery in that County.

A Bill to divide the Parish of Kent, in the County of Carleton, into Five Towns or Parishes.

A Bill further to amend the Act relating to the support and relief of confined debtors.

A Bill in addition to an Act for making process in Courts of Equity effectual against persons who reside out of this Province, and cannot be served therewith.

A Bill to continue and amend the Acts relating to Statute Labour on roads.

A Bill to prevent the importation and spreading of infectious distempers in the City of Saint John.

A Bill to continue the Act to provide for the expenses of the Judges holding the Circuit

Circuit Courts and Courts of Oyer and Terminer in this Province, and of the Clerk in those Courts.

A Bill to authorize the Justices of the Peace in the County of Northumberland to levy an assessment upon the inhabitants of the said County to discharge the debts due from the said County.

A Bill for the further amendment of the Acts relative to the great roads of communication.

A Bill to authorize the Justices of the Peace for the County of Sunbury to levy an assessment to enable them to erect a Court House in said County.

A Bill to continue and amend the Act for regulating assessments in this Province.

A Bill for regulating the Salmon Fisheries in the County of Gloucester.

A Bill for the establishment and regulation of Boards of Health in the several Counties of this Province.

A Bill to amend the Law relative to the sale of spirituous liquors by tavern-keepers and retailers within the County of Saint John, and for the more effectual prevention and punishment of drunkenness.

A Bill to amend an Act to provide for maintaining Light Houses within the Bay of Fundy.

A Bill relating to Parish Schools.

A Bill to prevent nuisances within the City of Saint John and Parish of Portland in the County of Saint John.

A Bill to explain an Act, intituled "An Act for the more summary punishment of persons guilty of maliciously killing, maiming, disfiguring or otherwise injuring Cattle."

A Bill to authorize the Justices of the Peace for the County of Charlotte to assess the inhabitants of Saint Stephen in the said County for the purpose therein mentioned.

A Bill to enable the Chancellor, President and Scholars of King's College at Fredericton in the Province of New Brunswick, to assign a certain mortgage and mortgaged premises therein mentioned.

A Bill to empower the Rector, Church Wardens and Vestry of Christ's Church in the Parish of Fredericton to assign certain mortgages and mortgaged premises.

A Bill in addition to and in amendment of an Act, intituled "An Act to repeal an Act, intituled 'An Act for the better security of the navigation of certain harbours in the County of Northumberland, and to make more effectual provision for the better security of the harbours in the Counties of Northumberland, Kent and Gloucester.'" and

A Bill to alter the names of certain parts of three Parishes in the County of York, and to erect two separate Parishes therein.

His Excellency was then pleased to deliver the following Speech :

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

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

IT has afforded me satisfaction to have been enabled to give my assent to all the Bills passed during the present Session.

"Mr.

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

“In His Majesty’s name, I have to thank you for the provision you have made for the services of the current year, which, so far as may depend upon me, I shall endeavour to render most available for the purposes intended.”

After which the President of the Council, the Honorable Mr. Chief Justice Saunders, by His Excellency’s command, declared the General Assembly to be prorogued to the first Tuesday in June next.

