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

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FROM 6th to 22d JULY, 1837.

Being the Fifth Session of the Eleventh General Assembly.

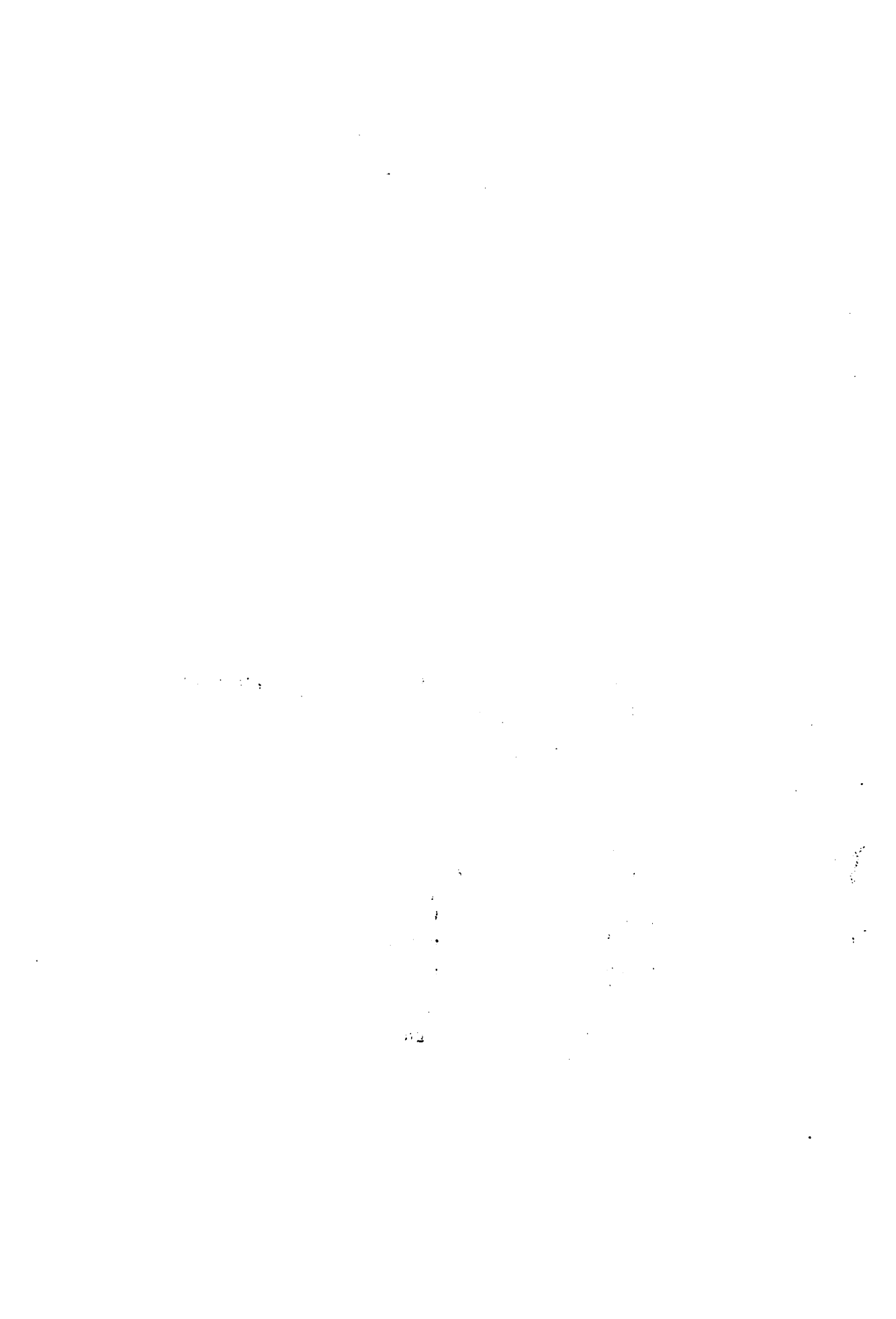
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FREDERICTON, NEW BRUNSWICK.  
PRINTED BY JOHN SIMPSON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.

1837.





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.**

**W**HEREAS the General Assembly of this Province stands prorogued to  
Tuesday the Second Day of May next, I have thought fit further to prorogue  
the said General Assembly, and the same is hereby prorogued to the First Tuesday  
in August next.

Given under my Hand and Seal at Fredericton, the Thir-  
teenth Day of April in the Year of Our Lord One  
thousand eight hundred and thirty seven.

*By His Excellency's Command.*

**WM. F. ODELL.**



By His Excellency Major General Sir JOHN HARVEY,  
K. C. H. and C. B. Lieutenant Governor and Commander  
in Chief of the Province of New Brunswick, &c. &c. &c.

*J. HARVEY, Lt. Governor.*

**A PROCLAMATION.**

**W**HEREAS the General Assembly of this Province stands prorogued to the  
First Tuesday in August next, and I have, for divers weighty reasons, deemed  
it expedient that a meeting of the said General Assembly should sooner take place;  
I do therefore hereby summon the said General Assembly to meet at Fredericton on  
Thursday the Sixth Day of July next, for the despatch of business.

Given under my Hand and Seal at Fredericton, the Second  
Day of June in the Year of Our Lord One thousand  
eight hundred and thirty seven, and in the Seventh 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.

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FIFTH SESSION OF THE ELEVENTH GENERAL ASSEMBLY.

ANNO OCTAVO GULIELMI QUARTI REGIS.

HIS EXCELLENCY MAJOR GENERAL SIR JOHN HARVEY, K. C. H. & C. B. LIEUTENANT  
GOVERNOR AND COMMANDER IN CHIEF.

---

At Fredericton in the Province of New Brunswick.

LEGISLATIVE COUNCIL CHAMBER, Thursday, 6th July, 1837.

THE General Assembly having been by two Proclamations prorogued to this day, the House met—

PRESENT.

THE HON.

*Mr. Chief Justice Chipman, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Baillie.*

*Mr. Peters.*

*Mr. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

*Mr. Attorney General.*

*Mr. Lee.*

*Mr. Chandler.*

PRAYERS.

The House was adjourned during pleasure.

After some time the House resumed.

At

At two o'clock, His Excellency Major General Sir John Harvey, Knight, Commander of the Royal Hanoverian Guelphic Order, and Companion of the Most Honorable Military Order of the Bath, Lieutenant Governor and Commander in Chief of the Province, came to the Council Chamber, and being seated in the Chair on the Throne, the Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know: "It is His Excellency's pleasure they attend him immediately in this House."

Who being come with their Speaker,

His Excellency was pleased to open the Session by a Speech to both Houses.

The House of Assembly having withdrawn, His Excellency was pleased to retire.

The Honorable the President informed the House, that he was in possession of a copy of His Excellency's Speech, which he read, and is as follows:—

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

I have called you together at this unusual season of the year, for the purpose of communicating to you His Majesty's final pleasure in reference to a measure of no ordinary favor and liberality on the part of the Crown—the surrender, to your control and disposal, of the proceeds of all His Majesty's Casual and Territorial Revenues in this Province, upon certain conditions; and the only observation with which I will accompany the important documents, copies of which I have directed immediately to be laid before you, is that I feel an entire conviction that the suggestions of the King's Government will be received by you with the most respectful attention.

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

My connexion with this Province is of much too recent a date to warrant my submitting to you, at present, any suggestions relative to the objects to which it might appear to me advantageous to the interests of the Province to recommend to you to apply any portion of the Revenues to which I have alluded. I will therefore merely express to you the satisfaction which, as His Majesty's Representative, I feel in being authorized and instructed to ratify, on the part of our truly paternal Sovereign, an arrangement with His Majesty's loyal subjects of this Province, of the advantages of which, as respects *their* interests, the King had only to be satisfied in order to insure His Majesty's most willing and gracious assent.

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

I will detain you from the exercise of your Legislative duties only for the purpose of expressing my earnest and confident hope that a spirit of harmony and of wisdom will continue to guide your deliberations upon the very important measures now to be brought under your renewed consideration, and upon which the future welfare and prosperity of this Province so mainly depend.

ORDERED, That a Committee be appointed to draft an Address to the Lieutenant Governor in answer to His Speech at the opening of the Session.

ORDERED.

**ORDERED,** That the Honorable Messrs. Saunders and Botsford be appointed a Committee for the above purpose.

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

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

**FRIDAY, 7th July, 1837.**

**PRESENT.**

**THE HON.**

	<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>		<i>Mr. Shore.</i>
<i>Mr. Baillie.</i>		<i>Mr. Peters.</i>
<i>Mr. Robinson.</i>		<i>Mr. Saunders.</i>
<i>Mr. Botsford.</i>		<i>Mr. Attorney General.</i>
<i>Mr. Chandler.</i>		

**PRAYERS.**

The Honorable Mr. Baillie, by direction of His Excellency the Lieutenant Governor, lays before the House copies of certain Despatches from the Right Honorable Lord Glenelg;

And they were read by the Clerk as follows:—

*Downing Street, 6th April, 1837.*

**SIR,**

I have to acknowledge the receipt of Sir Archibald Campbell's Despatch of the 28th January last, No. 4, on the subject of the proceedings of the Legislative Council and Assembly of New Brunswick, in regard to Civil List Bill. Mr. Street, the Solicitor General of the Province, having been deputed by Sir A. Campbell to proceed to this Country in order to afford the benefit of his oral explanations regarding the questions in dispute between the House of Assembly and the Lieutenant Governor, I have discussed the whole subject with that Gentleman, and have received from him a letter dated the 23d ultimo, of which I inclose a copy for your information. The House of Assembly also having deputed two of their Members, Messrs. Crane and Wilmot, to this country, for the purpose of communicating with His Majesty's Government on this subject, I have received from those Gentlemen an Address from the Assembly to the King, which I have laid before His Majesty. I have also had interviews with Messrs. Crane and Wilmot, and have given due attention to every statement and suggestion which they have thought it necessary to bring under my notice.

I proceed to state to you the result of a deliberate consideration of the various aspects in which the matters controverted between your predecessor and the House of Assembly have thus been presented to His Majesty's Government.

On referring to my Despatch of the 2d March, No. 109, which was written before the arrival of Sir A. Campbell's last Despatches, you will find that I have anticipated many



many of the questions which have more recently come under discussion. In order to avoid as far as possible the risk of any misconception on an occasion of so much importance, I shall disregard the minor inconvenience of repeating some of my former statements and explanations.

First. Sir A. Campbell did not consider himself as in possession of adequate authority, for assenting, on His Majesty's behalf, to the Civil List Bill. His objection to act upon the instructions which I conveyed to him may, as I now understand it, be stated as follows :

The fourteenth clause of those Instructions contained the following passage—" You are not to pass or give your assent to any bill or bills of an unusual and extraordinary nature and importance, until you shall have first transmitted to us, through one of our Principal Secretaries of State, and to the Committee of Privy Council for Trade and Plantations, for their information, the drafts of such bill or bills, and shall have received our pleasure thereupon, unless you take care that there be a clause inserted therein suspending and deferring the execution thereof until our pleasure shall be known concerning the same." But Sir A. Campbell argues that in the present case neither of these conditions had been fulfilled. The draft of the Civil List Bill had not been transmitted by him for the signification of His Majesty's pleasure, nor did it contain a-suspending clause. It was indeed true that the draft had been transmitted to the Lieutenant Governor for his guidance, by the express command of His Majesty signified through me as one of His Principal Secretaries of State; but it was maintained that this was neither a formal nor a substantial fulfilment of the fourteenth article of the General Instructions. The difference between the form literally prescribed and that which was actually observed requires no explanation. The difference of substance is stated by Sir A. Campbell to be, that a draft transmitted from the Province to this country must be accompanied by a report from the Lieutenant Governor, which report must of course be wanting when that order of proceeding is reversed.

It is no longer necessary, with a view to any practical measure, to discuss the distinction which was thus drawn, because I have now had the advantage of receiving the draft from Sir A. Campbell, accompanied by the comments which it appeared to him to require; yet I cannot pass from this question without recording my opinion, that the draft of a bill transmitted by His Majesty's commands to the Lieutenant Governor, with instructions that if adopted by the other branches of the Legislature it should be assented to by him, is precisely of the same authority as if that draft had been drawn up and originally recommended to the King by the Officer administering the Government of the Province. It is true that in such a course of proceeding the benefit of the previous suggestions of that Officer is not obtained; but I cannot admit that it is not competent to His Majesty to dispense with that assistance on any occasion on which he may be so advised by the confidential Ministers of the Crown. The contrary supposition might, on occasions of the utmost urgency and importance, involve the necessity of a delay fatal to the success, not merely of measures founded on a local and particular policy, but of such as may have reference to the general interests of the Empire. The purpose of the fourteenth General Instruction was to place a check on the authority of the Governor—not to fetter the discretion of the King.

Secondly.

Secondly. Sir A. Campbell next objected, that even admitting his obligation to assent to the Civil List Bill, when transmitted to the Province, and not originating with himself, yet it was necessary that the Royal pleasure should be signified, not through His Majesty's Secretary of State, but either in the form of an Order in Council, or in that of Instructions under the Royal Sign Manual. I have not succeeded in my attempts to ascertain the precise grounds on which this opinion rests, and I am therefore unable to controvert them. But on referring to the Commission under which the Government of New Brunswick is administered, you will perceive that it requires the Governor "to execute His Command according to the several powers and authorities granted to or appointed him by that Commission, and the Instructions therewith given to him, and by such further powers, instructions and authorities as shall at any time thereafter be granted to or appointed him under the King's Sign Manual and Signet, or by His Majesty's Order in His Privy Council. *or by His Majesty through one of His Principal Secretaries of State.*" I am not aware of the grounds on which Sir A. Campbell concluded that the last of these methods of signifying the Royal pleasure was insufficient or inapplicable in the present case. The opinion seems to me at variance with the established practice and universal understanding of all the Colonial Possessions of the Crown.

Thirdly. Sir A. Campbell objected to the Civil List Bill because it involved an error in the calculation of the rate at which Dollars are issued from the Receiver General's office, in the payment of Salaries. I have explained the sources of that mistake in my Despatch of the 2d March. If it were necessary to insist on the correction of it, the Assembly have relieved His Majesty's Government from all difficulty on the subject; for on the 7th of January they resolved that "in the event of its being thought necessary or proper by me that there should be a clear surplus of £566 sterling, as stated in my Despatch of 5th September, the House, upon being made acquainted with that fact, should immediately place by a permanent vote or during the continuance of the Civil List Bill, such additional Grant at the disposal of the Crown as would amount to the surplus above stated." They carry still further their frank and liberal confidence in His Majesty's Government, for no stipulation having been made in the Civil List Bill for the expense of the Judges' Circuits, they resolved to provide for that service also during the continuance of that Act.

His Majesty accepts these Resolutions as a fresh and gratifying proof that his solicitude for the welfare of His subjects in New Brunswick has been justly appreciated by the Representatives of the people in that Province. I have His Majesty's commands to state that as far as respects the expenses of the Circuits, the King does not hesitate to ask the fulfilment of this pledge, because every measure which strengthens the security for the independence of the Judges, must contribute to the stability of all the social rights of which they are the guardians. But with regard to the further Grant which is offered to rectify the miscalculation in the Civil List Bill, His Majesty will not avail himself of the offer of the Assembly. In my Despatch of the 2d of March, I pointed out the resource which might be found for supplying the deficiency, by a reduction of official emoluments; and Sir A. Campbell's resignation, by reducing to the extent of £500 per annum the charge upon the Civil List, renders it unnecessary to accept the further aid proffered by the Assembly

with so much cordiality, and in so strict and honorable an adherence to the spirit rather than the letter of the pledges given on their behalf, by Messrs. Crane and Wilmot.

Fourthly. A further question of great importance having been noticed in Mr. Street's letter of the 23d of March, must not be passed over in silence. That Gentleman suggests that it is not competent to the King, with the advice and consent of the Legislative Council and Assembly of New Brunswick, to alienate the Hereditary Revenues of the Crown in such a manner as to bind His Majesty's Royal Successors. On this topic I limit myself to a general statement, declining as unnecessary, and therefore as unadvisable, the discussion of the wide constitutional principles involved in this inquiry. On careful reflection, I am convinced that Mr. Street's opinion is not well founded. I do not think that the cession which during the last century it has been customary to make to Parliament of the Hereditary Revenue of the Crown, for the life of the reigning Sovereign only, is to be understood as an affirmation of the maxim, that the King, Lords and Commons of Great Britain and Ireland are incompetent to conclude a permanent settlement of the question. That the existing practice is founded on the highest grounds of expediency, is indeed indisputable, but I do not perceive that the motives which so urgently forbid a permanent alienation of the Hereditary Revenues of the Crown in this Kingdom, apply to the case of a British Province on the North American Continent. That such a cession may be rendered valid by an Act of General Assembly, assented to by His Majesty, and that the enactment of such a Colonial Law may under some circumstances be judicious and expedient, might readily be shewn from a reference to our Colonial History. I allude especially to the case of the Island of Jamaica. The objection if well founded would of course apply to a settlement for ten years, as distinctly as if it should be made in perpetuity. Understanding that Messrs. Crane and Wilmot and Mr. Street concur in thinking that it would be expedient that the Civil List should be permanently settled, I have His Majesty's Commands to acquaint you that if such should be the opinion of the House of Assembly, you are at liberty to assent to the Civil List Bill with that alteration.

Fifthly. The next in order of the objections made to the Civil List Bill is, that it does not secure to the Crown the right of initiating all votes of public money. Sir Archibald Campbell concludes that the necessary enactment for this purpose was omitted in the draft by an oversight, because my Despatches on the subject had distinctly adverted to such an arrangement as having been agreed upon with Messrs. Crane and Wilmot. The supposition of an oversight is not however well founded. I thought originally, and still retain the opinion, that the great principles by which the mutual rights and obligations of the different members of the Constitution are regulated, do not form the proper subject of a Statutory Law. It is the felicity of our form of Government that it rests on customs and traditions, far more than on written charters and positive enactments. But after a very attentive consideration of the whole subject, I am convinced that it is not practicable, and if practicable would not be wise, to insist upon the observance in New Brunswick of the rules of the House of Commons respecting the initiation of Grants of Money. In the first place this would be a departure from the usage of every other Colony possessing a Representative

Representative Assembly. In the next place, it would be a disturbance of a custom to which the inhabitants of New Brunswick are familiarized and attached. It would engender continued strife between the Executive Government and the Assembly. In the third place, even the rules of the House of Commons in this respect, unless sustained by the judgment of that House and by the opinion of the public at large, would afford no effectual security for reserving to the Crown that initiative of Money Grants which the Crown habitually exercises. There are forms of proceeding in Parliament by which an expenditure may be suggested to the Crown by the Representatives of the people. The establishment of the proposed rule in New Brunswick, in the present state of public opinion on the subject, could have no other effect than that of leaving the Assembly to exercise circuitously that power of originating Money Grants which at present they exercise directly. I therefore have to instruct you not to insist upon this condition.

Sixthly. Mr. Street has objected that any surplus funds which at the expiration of the term of ten years may remain in the Public Treasury, may at that period be claimed by the Assembly, although they would have placed at their disposal all the surplus which has been at present accumulated. I do not perceive the force of this objection. The existing accumulations are surrendered to the House cheerfully; not merely with contentment, but with satisfaction. His Majesty can have no other interest in the matter, than that the funds should be expended in whatever manner may best advance the welfare of the Province; and on that question His Majesty conceives that reliance may, with far greater safety, be placed on the judgment of the Representatives of the people than on any other advice. The cession of the existing fund is, therefore, not regarded by the King in the light of a sacrifice, but rather in that of a direct advantage. If during the next ten years (supposing the Civil List limited to that time) any new accumulation should take place, it will constitute a saving effected by the frugality of the House of Assembly, to the benefit of which they will have the clearest title.

Seventhly. Mr. Street objects, that if the gross proceeds of the Crown Revenue should be paid not as heretofore to the Receiver General, but to the public Treasurer, the law would render it impossible for the Lieutenant Governor in Council to withdraw from the hands of the Treasurer, except in pursuance of an Act of appropriation, that part of the money which would be indispensable for defraying the expenses of collection and management. It does not appear to me that this objection is well founded. The first section of the Bill directs the payment to the Treasury of the proceeds of the Revenues except the monies which shall be expended in the collection and the protection thereof, as specially authorized and provided for by the fourth section. It is then by the fourth section enacted, "that the Lieutenant Governor, with the advice of the Executive Council, may expend out of the gross proceeds such sums of money as they may deem requisite for the prudent management, protection and collection of the said Revenues." Therefore although it be true that the Treasurer can issue no money except under an Act of appropriation, yet it is also true that he will receive not the gross but the net income. Besides the unequivocal intention of the whole arrangement, the spirit in which it has been conducted on behalf of the Assembly, and the manifest interest of the  
Province

Province in enabling the local Government to meet every necessary charge of collection and management may be considered an ample guarantee against any endeavour on the part of the House to create the apprehended embarrassments.

Eighth. Sir A. Campbell and Mr. Street concur in objecting to the enactment, in the same Session, of the fifth clause of the Civil List Bill and of the Act passed to restrain the provisions of that clause. It is certainly not to be denied that there is an apparent if not a real incongruity and contradiction between the two Statutes, and that it is desirable to avoid such a departure from the ordinary mode of legislation. But this is rather a question of style and composition than a substantial difficulty. The meaning is perfectly simple. The second Statute qualifies the general rule laid down in the first; but the first Bill contains no words anticipating the subsequent restriction. This objection may be removed, either by transferring the fifth clause to the second Bill, of which it might form the commencement, or by adding to that clause in the present Bill a few words declaring that it is to be subject to such qualification as may thereafter be enacted.

Ninthly. Sir A. Campbell objected to the Bill for restraining the fifth clause of the Civil List Act, because "it assumes to the House a right to take the whole control and management of the Crown Lands out of the hands of the Governor and Executive Council, and to regulate the prices, quantities and proportions to Military Officers and all the other minutiae in the disposal thereof by Legislative enactment, thereby taking from the King all His Royal Prerogative Rights in the disposal of the Crown Lands and Forests in the Province." After reading the Bill with great attention, I am unable to subscribe to this opinion. The Bill appears to me designed and calculated not to narrow but to enlarge the powers which by the Civil List Bill are reserved to the Executive Government, nor do I perceive any objection to the provisions which it contains.

Tenthly. It was objected to the second Bill that it was passed only for two years. I acknowledge the justice of this objection, and shall be happy if on a review of the subject, the Assembly shall be disposed to render the two Bills of equal duration. If however they shall persist in limiting the second to a period of two years, I do not think the limitation so objectionable as to afford a sufficient ground for the rejection of that measure.

As it appears that both the Bills have been lost by the closing of the Session without the Governor's assent having been given to them, it will be your first duty on assuming the administration of the Government to convene the Legislature, and you will transmit to the Legislative Council and the House of Assembly copies of this Despatch, acquainting the Assembly that I have received His Majesty's commands to address to them this communication, as comprising the answer which His Majesty has been graciously pleased to return to that part of their Address which relates to the proceedings of the House of Assembly and the Lieutenant Governor respecting the Bills in question. To that portion of the Address which adverts to the composition of the Executive Council, I am to offer in reply the following observations.

In my Despatch No. 35, of the 5th of last September, Sir A. Campbell was directed with reference to the desire of the Assembly for the increase of that body,  
to

to report to me without loss of time, the names of such Gentlemen as should appear to him most eligible for seats in His Majesty's Executive Council. The instructions contained in that Despatch I have to desire that you will consider as addressed to yourself. You will accordingly apply yourself without unnecessary delay, to a compliance with them in this important respect. In conformity with my directions, Sir A. Campbell transmitted to me on the 17th December a list of several Gentlemen whom he considered proper objects for the honor of the Executive Council. I request that you will take this list into your consideration in connexion with the whole subject, and will favor me with your observations on the recommendations which it conveys as well as with your suggestions regarding any other Gentlemen in the Province whom you may consider more eligible to be Members of the Executive Council.

I cannot terminate this Despatch without expressing my concern that Sir A. Campbell should at the close of his connexion with the Province have been subjected to the pain of receiving the second, third, fourth, fifth and sixth of the Resolutions adopted by the House of Assembly on the 5th of February last. Without presuming to comment on the terms in which the Representatives of the people of New Brunswick have recorded their solicitude for the interests of their constituents, I cannot but lament that an officer possessing so many claims to public respect and gratitude should have failed to obtain their approbation. I would yet indulge the hope that they might find it consistent with their sense of public duty, by the adoption of such further measures as may be best adapted for the purpose, to relieve that gallant and estimable Officer from reproaches so painful to an honorable mind. I am convinced they will concur with His Majesty's Government in thinking whatever differences of opinion may unfortunately have arisen between the House and the late Lieutenant Governor, the conduct of Sir A. Campbell has been influenced by no motives other than a strict sense of duty, and an earnest zeal for the good of His Majesty's service, and the welfare of the people of New Brunswick.

I have the honor, &c.

(Signed)

GLENELG.

Major General Sir John Harvey, &c. &c. &c.

*Berner's Hotel, 23d March, 1837.*

MY LORD,

In conformity with Your Lordship's desire expressed to me in the course of the interview Your Lordship honored me with on Monday last, I now submit in writing for Your Lordship's consideration, the substance of certain proposed alterations which I am instructed by the Lieutenant Governor of the Province of New Brunswick to bring under Your Lordship's notice, as important to be made in the draft of the Civil List Bill for that Colony, as sent out by Your Lordship to be laid before the Provincial Legislature, in December last.

First. In respect to the amount that is to be granted by the Legislature, Your Lordship will perceive by reference to the Despatch from His Excellency Sir Archibald Campbell, of 25th November last, that the present charges on the Civil List of the

the Province amount in currency to £14,642, to pay which and give to His Majesty's Government the surplus of £566 sterling (equal to £653 1s. 6d. currency, in dollars at 4s. 4d. or to £628 17s. 9d. at the usual rate of exchange), would require a grant from the Legislature in currency of £15,295 or £15,271 per annum, according to the rate of exchange at which the surplus may be calculated; and if it is intended out of that surplus to make provision for an efficient Audit Department in the Province, the expenditure will be probably in salaries, which, if fixed in sterling, will be paid I presume at the same rate as the other salaries on the Civil List of the Province.

It is true that by the resignation of the present Lieutenant Governor, the amount charged on the Civil List will be reduced £500 sterling, and it is expected that future reductions will be made as vacancies occur in other offices, but I beg with great deference to submit for Your Lordship's consideration, whether it is not advisable to retain at His Majesty's disposal any funds that may arise from that source, as the only means in the Province that will be left to His Majesty for affording any relief or assistance to such old and meritorious, but superannuated, servants of that Colony, as may hereafter (without such aid) from accident or other causes, be left in the decline of life destitute, although their long and faithful services might give them strong claims to the consideration of Government.

The funds now about to be surrendered up to the Provincial Legislature by His Majesty are as follow:—

Amount deposited in the Provincial Banks at three and a half per cent. interest, payable at any time on six months notice, - - - - -	£29,000
Do. or loan to the Saint John Bridge Company, at six per cent. interest, payable 1st January, 1838, if required, - - - - -	6,000
Amount already paid by the Land Company, in part of their purchase with the accumulation of interest, about - - - - -	66,000
Amount of unpaid instalments on other lands sold in the Province, part of which are now due and the remainder will become due on the 31st December, 1837 - - - - -	44,795
Do. of do. on do. which will become due 31st December, 1838, - - - - -	25,429
Total,	£171,224

Besides the balance due on the purchase of the Land Company, the amount of which I have have no correct information; but the above amount alone Your Lordship will perceive is sufficient in itself to pay a Grant of £15,295 for ten years, leaving an overplus of £18,274 besides the annual Revenues accruing in the meantime. I cannot therefore suppose that, after His Majesty's Government has so liberally consented to surrender up the whole of these large funds, the House of Assembly will, on a review of the question, object to the granting in lieu thereof such a liberal provision as will enable His Majesty, after payment of the Civil List, to meet any contingent emergency that may hereafter arise.

Secondly. The Despatches from the Lieutenant Governor before alluded to, have already pointed out to Your Lordship that no provision has been made in any part of the arrangements for securing an adherence by the Colonial Legislature to the mode of appropriating the Revenues of the Province, stated by Your Lordship in your  
Despatch

Despatch of the 31st of August last as one of the express conditions upon which His Majesty had consented to make the surrender in question. And I have only to add on this point that I believe, and indeed I have no doubt, that the House of Assembly are under the impression, that as this condition has not been noticed in the Bill it is not your Lordship's intention to insist upon an adherence to it. It therefore is of great importance that this should be fully understood by all parties before the Bill passes, as it will be too late afterwards to raise the question. If, as I am led to believe from what passed in the interview I had with Your Lordship, it is not contemplated by His Majesty's Government to abandon this condition, I with great submission beg leave to suggest that some provision for it should be inserted in the Bill; for although it is, I am aware, unusual to regulate by Act of Parliament the course to be pursued by that power in granting monies to the King, yet if any new mode was to be pursued in regard to the appropriation of any particular fund, differing from what had been the established constitutional law and usage of Parliament, it could only be done, I presume, by some Parliamentary enactment for that purpose; and I respectfully submit for Your Lordship's consideration, that by the same rule a Colonial Legislature would not feel themselves called upon to depart from what had been an established usage with them in their mode of appropriation of the public monies, without some Legislative or Parliamentary enactment for their so doing; and the mode of granting monies that has hitherto been pursued by the Legislature of New Brunswick is not according to the law and usage of the Imperial Parliament, but one that was resorted to many years back by agreement between the Legislative Council and House of Assembly, in the settlement of a long pending dispute upon that subject between those branches; and that since that period instead of the Representatives of the people raising and granting only such monies as might be asked for by the Executive in the name of the King, the King's Representative in fact has no voice whatever on the subject, but the House of Assembly raise and grant what they please, and the Executive must either assent to or reject the whole; and however unconstitutional this mode may appear, it certainly has been found by experience to be the most convenient one for Colonial Legislature, where there is no Minister of the Crown to come down to the House with an estimate for the year; and I feel convinced that any attempt that might now be made to alter this course of proceeding with respect to the ordinary Provincial Revenue which has already been at the disposal of the Legislature, would create a great excitement in the Province, and probably much difficulty and dissension between the Legislative Council and House of Assembly: but with respect to the Crown Revenues now about to be surrendered up, any provision that His Majesty's Government may think it prudent to make, for securing to the Executive as one branch of the Legislature a voice in the disposal thereof, as a check upon its improvident expenditure, could not be considered I conceive any interference with what has been the established usage in regard to the other Revenues of the Province.

Thirdly. I beg to call Your Lordship's attention to the question whether any Act of this nature made by a Colonial Legislature, even with the King's assent, can be binding for any period beyond His Majesty's life. The impression upon my mind is that in Law it cannot; and if I am right in this law, this Act and the provision intended to be thereby made for the Civil List of the Province, might be at an end very  
shortly



shortly after the large amount of Crown Monies now in hand may have been paid over to, and perhaps actually disposed of by the Colonial Legislature; and it would then be equally optional with that body, as it would be with the Ministers of the Crown of that day, whether or not they would renew the Act again upon the same terms. This difficulty, if it is one, does not appear to have been noticed either in the House of Assembly or Legislative Council in their discussions on the Bill, but I respectfully submit for Your Lordship's consideration the propriety of its being brought under their notice in the future proceedings.

Fourthly. In any measure that may be adopted on the subject for securing to the Crown a provision for the Civil List of the Province, it is for Your Lordship to consider the risk His Majesty's Government incurs, by not insisting upon that provision being made a permanent one, for if only made for a limited period, and the Casual and Territorial Revenues should at the expiration of that time be much reduced in amount, which may happen, the Colonial Assembly may not be disposed to renew the Act except upon such a scale of salaries for the officers on the Civil List as they may themselves dictate, in which case the Government might meet with the same difficulty in New Brunswick on that head as has occurred in Lower Canada; and although the surrender of the Casual and Territorial Revenues may not be held valid for any longer period than the present reign, yet the Bill might be so framed as to make the Grant to the Crown so far permanent as to be dependent upon His Majesty's Heirs and Successors not resuming the Royal right to the Revenues in question, and for so long a period as they should respectively continue to surrender the same to the disposal of the Legislature of the Province.

In addition to the foregoing remarks upon the general principle of the Bill, I beg leave now to call Your Lordship's attention to some amendments, which appears to me, it requires in minor points, to prevent difficulty hereafter in carrying the measure into effect.

The first section of the Bill as it now stands, directs that all the Revenues as well what are in hand as also what may hereafter be received (except what may be expended in the collection and protection thereof as authorized by that Act) shall immediately be paid to the Provincial Treasurer. By this the money would not go through the hands of the Receiver General, but the Commissioner of Crown Lands and other officers who collect the same, would be compelled by the Act to pay them over immediately to the Provincial Treasurer, and when once there, the money by the third section of the Act cannot be touched until appropriated by Act of the General Assembly. But Your Lordship perhaps is not aware that the different accounts of the various expenses incurred by Deputy Surveyors and other persons employed in the surveying and laying out of the lands and timber berths in distant parts of the Province cannot be got in, adjusted and paid, or the correct amounts ascertained, until long after the purchase money or tonnage on the timber has been received, and those expenses cannot be paid out of the gross proceeds until the accounts are examined and passed by the proper authorities. I would therefore suggest that an amendment should be made in this section, directing that the accounts should be made up at the end of every quarter by the Receiver General or other proper officer appointed for that purpose, of all monies then in hand, and also of all expenses that have been properly incurred during

during the quarter or any preceding period, and that the net balance in hand after the payment of such expenses be then paid over to the Provincial Treasurer. This arrangement would compel the officers to be regular in rendering their accounts at fixed periods and prevent mistakes in the amount to be paid over.

It will also be perceived that the Bill as it now stands makes no provision for any surplus that may remain of the Revenues at the expiration of the Act, if made only for a limited period; and as lands are sold generally every year on terms of paying for the same by instalments, there may be at the expiration of the Act instalments coming due at a subsequent period for lands sold while the Act was in force; in which case the House of Assembly might claim those sums when received to be paid over as part of the proceeds of sales made under the directions of the Act, although their grant for the Civil List had ceased to be payable; so on the other hand very large sums might have to be paid over to the Treasurer at the end of the quarter preceding the expiration of the Act, and a large surplus undisposed of may be in the Provincial Treasury when the Act expires, while the Government would be left without any provision for the Civil List for the then succeeding year except the uncertain amount that might be derived from the income of that year.

The second section of the Bill provides that the Grant for the support of the Civil Government shall be paid by the Treasurer by warrant from the Lieutenant Governor in four quarterly payments, that is at the end of each quarter in the year, but there is no direction as to the person in whose favor such warrant is to be drawn, or where this quarterly payment when so drawn is to be deposited for the purpose of answering the demands of the Civil Government. It is true that this can be regulated by His Majesty's Government without being inserted in the Act, but Your Lordship may think it worthy of consideration, whether it would not be better that the Act should direct that these quarterly payments should be made to the Receiver General or other proper officer appointed for that purpose, on a warrant drawn in his favor by the Lieutenant Governor or Commander in Chief for the time being, to be applied in the first place so far as may be necessary to the support of the Civil Government of the Province, and any surplus that remains to be expended in the Province in such way as the Lords Commissioners of his Majesty's Treasury may direct.

I now come to the fifth section, upon which so much has been already said in the Despatches of the Lieutenant Governor to Your Lordship, as to the evil effects its operation would have in the Province if allowed to pass into a law. As it now stands it is unnecessary for me to trouble Your Lordship with any further remarks on that head; but I cannot but think the mode adopted by the House of Assembly for providing against such evil by passing another Bill (which is only to have effect for two years) to restrain the provision of this, instead of at once making the necessary alterations in this before it passes into a Law, is a most unprecedented and unparliamentary course of proceeding, and one that will not have the effect intended, for the second Bill has other objects in view relative to the control and management of the Crown Lands and Timber in the Province, and contains provisions on that head which I think Your Lordship will require to be materially altered in several respects before it can go into effect.

But at all events if it is admitted, as it is, that the operation of the fifth section of the Civil List Bill as it now stands should be restrained, it surely would be better to have

have that section altered and modified accordingly before it passes into a law, than to trust to other enactments to correct it.

I therefore beg leave respectfully to suggest that instead of declaring, as the section now does, all grants &c. null and void unless made upon sale &c. at public auction, the enactment be that in future all Crown Lands &c. to be sold or leased in the Province (except as therein after excepted) shall be sold or leased at public auction, after public notice given in the Royal Gazette and other papers for such length of time as the Act may direct, and in which notice the upset price shall be stated, leaving it to the Governor and Executive Council to fix what that shall be, and let the proviso for the exceptions in the Act to be therein after set out, provide in addition to what is now excepted therein, that nothing in this Act shall extend to disable His Majesty, His Heirs and Successors from making any grant or leases of land &c. by private sale or otherwise for the endowment of Churches, Schools or other public institutions in the Province not exceeding        number of acres to any one such institution ; and also the same exception to extend to any person or persons settled in the Province, who may, in the opinion of the Governor and Executive Council, have an equitable claim or preference arising from prior occupancy or improvement to any particular tract of ungranted land, so that the same do not exceed        number of acres to any one person, upon such person or persons paying for the same such price or sum, not less than        shillings per acre, as may be agreed on by the Governor and Executive Council; and also the same exception to extend to any Military, Naval or other officer under the Crown who may be entitled to a commuted allowance in land for his services according to the graduated scale, and upon the terms and conditions now or which may hereafter be established for such grants.

A provision in substance to the above effect in lieu of the present fifth section of the Bill, would I humbly conceive afford all the security that is requisite for the Province that the Lands will not be improvidently granted, and would at the same time relieve the Bill from the present objectionable clause.

I have now to apologize for thus trespassing so long upon Your Lordship's valuable time, but as I feel very anxious that this matter should be so arranged as both to satisfy the House of Assembly, and to protect the just claims of individuals, as also at the same time to afford the requisite security to the Crown, I have ventured thus at length to bring all the points that have occurred to the minds of His Excellency the Lieutenant Governor and the Executive Council under Your Lordship's notice at one view, trusting to Your Lordship's indulgence for so doing. And I have only to add that if the Members of the House of Assembly could have divested their minds of the prejudice they have imbibed against the Executive of the Province, from an erroneous impression that we are opposed to the surrender of these Revenues, and have raised difficulties only to throw obstacles in the way of the measure being carried into effect, many of them, and I think a majority, would coincide in opinion with me as to the propriety of most, if not all of the alterations I have here suggested; and altho' I cannot but think it would be better, after Your Lordship has determined what provisions the Bill must contain for the security of the Government, to leave the rest broadly open for the Legislature of the Province (unshackled by any fixed form of a draft sent from this country) to prepare the Bill there, and to add such provisions of a local nature as they may think the interest of the Province requires, so as they

they do not in effect weaken the security to be provided for the Crown, and to pass the Bill with a suspending clause. Yet if Your Lordship prefers that the draft should be settled here, as Messrs. Crane and Wilmot are now in London, I shall be ready, if they are so disposed, to assist them in making such alterations in the present draft as Your Lordship may on further consideration decide upon; for I am guided solely by a wish to get the matter settled in a way that will be most conducive to the best interests of the Province; and I am quite sure that the same object alone, has directed the proceedings of His Excellency Sir A. Campbell and my brother members of the Executive Council, in every step they have taken on this important subject.

I have, &c.

GEO. FRED. STREET.

The Right Honorable Lord GLENELG,  
&c. &c. &c.

*Downing Street, 2d March, 1837.*

SIR,

I have had the honor to receive your Despatches of the 25th November, 23d December and 6th January last, relative to the arrangements effected in the course of last summer for surrendering to the House of Assembly of New Brunswick in return for a Civil List the Casual and Territorial Revenues of the Province. Your Despatches of the 25th November and 23d December are designed to call my attention to certain parts of my instructions on this subject, which appear to you to have been either indefinitely expressed or founded on incorrect data. Your Despatch of the 6th January encloses the Journals of the House of Assembly up to the 4th of that month, shewing the manner in which the answer of His Majesty to their Address of the 14th March, 1836, had been received. Before noticing the two former Despatches, I am commanded by His Majesty to express His gratification at the cordial manner in which from the Journals of the 26th and 28th December last, His proposals to the Assembly on the subject of the Civil List appear to have been accepted; and the satisfaction which He feels at the prospect of an early and conclusive settlement of this important question.

I now proceed to reply to your Despatches of the 25th November and 23d December last—the former of which had, however, been in a great measure anticipated by my subsequent communication of the 31st October, and by the draft of the Civil List Bill enclosed in it.

1st. In regard to those portions of the Casual and Territorial Revenue which have been invested in various securities, I do not apprehend that any difficulty can arise. Those investments having been effected previously to the surrender of the Revenue to the Assembly, must of course be taken over by that body subject to any existing obligations. If they should disapprove the nature of the investment, which however I see no reason to anticipate, it will be in their power to terminate it at the end of the present year.

2d. You state that a considerable error exists in the calculation by which it is made to appear that after defraying the charges placed on the Civil List, there would remain an available surplus of £566 sterling; that instead of this the whole surplus would amount only to £190 19s. currency, and that if a charge of £300 were

were inserted for contingencies, in conformity with the intention of Lord Stanley in 1834, there would even be a deficiency of £142 7s. 8d. currency. This miscalculation you impute to my having overlooked Lord Ripon's Despatch of the 24th October, 1832, directing that the Civil Officers should be paid in dollars at the rate of 4s. 4d. I much regret that any error of this nature should have occurred; but I do not hold myself responsible for it. In the arrangement of the terms in which the Casual and Territorial Revenue was to be surrendered, I naturally resorted to your correspondence with Lord Stanley on the same subject. In your Despatch of the 24th March, 1834, subsequent to the arrangement for paying the officers at the rate of 4s. 4d. to the dollar, I found the following passage, "It is necessary to observe that £14,000 currency amounts to no more than £12,600 sterling—that all officers borne upon the Civil List are, and ever have been, as the Assembly well know, paid in sterling money, and that as the calculations on which your offer was founded were obviously made with reference to those salaries, no doubt could fairly be entertained with respect to the evident meaning of the Despatch on that head." Nothing having since that time occurred to disturb the proportions between the New Brunswick currency and sterling money, I considered myself entitled to act on your calculation. I trust the error will not be of any serious moment, and that with due economy the surplus of £190 currency will be adequate for the present to meet any unforeseen contingencies. Any inconvenience which might arise could indeed be only temporary, since on the occurrence of any vacancy among the principal officers borne on the Civil List, the emoluments of his successor would as has been already announced undergo some reduction. If however the public service should suffer in the interval from the deficiency of the funds at the disposal of the Executive Government, it would probably be necessary at once to revert to the rate of paying official salaries, which was observed previously to Lord Ripon's Despatch of the 24th October, 1832. It had not been my intention to exclude from the arrangement the usual allowance for contingent expenses, but having as I supposed a considerable surplus, I did not think it necessary to insert a specific item on that account. In regard to the Circuit allowances to the Judges, I did not propose to defray that service out of the Civil List; those allowances were invariably paid by the Province up to the year 1836, and I have no doubt that the Provincial Legislature will again make the necessary provision for them.

3d. The position in which the unauthorized Settlers on the Crown Estate are placed by the proposed Bill is the next subject to which you advert. On this point I see no reason to doubt the propriety of the course which I adopted. Without denying that such persons, acting as the pioneers of civilization, confer in many instances a great benefit on society, I should yet have hesitated in advising His Majesty to interfere between them and the Legislature of the Province. It is scarcely possible for any authority to be so intimately acquainted with the merits and necessities of this class of persons as the Representatives of the People of New Brunswick, nor do I think that there is any danger of the House of Assembly making, or permitting others to make, any harsh use of power in respect to such persons. The titles of these Trespassers, or Squatters as they are commonly called, are no more valid now than they will be after the passing of the enactment in question; and I have no doubt that the Assembly of New Brunswick will adopt effectual

effectual means for protecting such of them as have an equitable claim to consideration, and whom a humane and wise policy shall point out as fit objects for protection.

4th. In regard to Officers of the Army and Navy, I did not think it necessary to make any express stipulation. It will be for the Legislature of New Brunswick to consider whether the advantages accruing to the Province from the resort to it of that class of settlers, are such as to justify the offer to them of peculiar privileges. If the Council and Assembly should decide to continue to naval and military settlers a remission in the purchase money of such Land as they may buy at public auction, His Majesty will cheerfully accede to such an arrangement ; but as this is a question immediately affecting the proceeds of the sales of the Crown Lands, the consideration of it now belongs to the Legislature of New Brunswick alone.

5th. In like manner His Majesty's Government have not reserved the right to grant any future endowments in Land to Schools or Churches. Although they would be most anxious by every means in their power to promote the general dissemination of religious and moral instruction, they yet see much reason to doubt whether that object can be effectually advanced by a reservation to the Crown of the right of granting such endowments to ecclesiastical or scholastic institutions. The arguments which have led them to this opinion are very fully detailed in Lord Aberdeen's Despatch to you of the 27th March, 1835. I cannot doubt that ample provision will be made by the Legislature of the Province for purposes of education. The intimate acquaintance of the Members of the Legislature with the wants of their fellow Colonists, will enable them to judge in what manner this important object may be best attained, while the ample funds at their disposal will afford them the means of carrying their decision respecting it into effect. The subject is one most interesting to every inhabitant of New Brunswick, and cannot be entrusted to better hands than those of the Provincial Legislature.

6th. You observe that by the fifth section of the Bill a new feature will be introduced into all questions respecting titles to real property, and that the rule of law by which the Great Seal is considered as *prima facie* evidence of title will be set aside—that it will hereafter be incumbent on the Grantee in addition to the production of his Grant, to prove that the formalities required by the fifth section of the Civil List Bill have been complied with, and that after the lapse of some years it would be very difficult to procure the necessary evidence for that purpose. I confess that I do not apprehend any serious difficulty on this ground. The rule being once established that no land is to be disposed of except by sale at public auction, the production of a Grant under the public seal would of itself be *prima facie* evidence that this rule had been complied with. The burthen of proving the contrary must, I conceive, fall on the questioning party, and I presume that the official Records of the Land Granting Department would be received as conclusive testimony of the circumstances of the sale. As this point however has been brought to the notice of the House of Assembly, they will doubtless take the necessary steps for guarding against any inconvenience, and obviating any doubts of the nature which you anticipate. But it may perhaps be necessary to take more effectual means than have hitherto been adopted for ensuring the safe custody of the records of the Land Granting Department, and for making it appear on the face of every sale whether

the conditions necessary to its validity have been strictly complied with. These are measures which it will be competent to you in your Executive capacity to effect, and if they are not fully provided for by the Legislature, I would request you to take such steps as may appear to you most likely to be effectual for the object.

7th. You desire in consideration of the responsibility imposed on you, and with reference to your instructions under the Royal Sign Manual, to receive either an authority under the Sign Manual or an order from His Majesty's Privy Council, empowering you to give your assent to the Bill for surrendering to the Assembly the Casual and Territorial Revenue. I do not exactly understand to what part of your instructions you here allude, but I presume it is to the 14th clause in which you are directed not to give your assent to any Bill of an unusual or extraordinary nature or importance, or affecting His Majesty's prerogative, unless a clause be inserted suspending its operation until His Majesty's pleasure shall be known. The object of that instruction however being to prevent the temporary operation of Acts which His Majesty in Council may afterwards see cause to disallow, and His Majesty's concurrence in the draft of the Bill enclosed in my Despatch of the 31st October last having been already announced to you, I do not see any ground for departing in the present instance from the usual course in such matters.

I have the honor to be, &c. &c.

(Signed)

GLENELG.

Major General Sir A. CAMPBELL, Bart. G. C. B.  
&c. &c. &c.

*Downing Street, 4th January, 1837.*

SIR,

Your Despatch of the 6th of June, No. 32, respecting the forms in which Patents should be made for the Grant of Lands in cases where the purchaser does not pay down the full price in ready money at the time of entering into the contract, is so intimately connected with one of the subjects of my recent instructions of the 31st August and 5th September, on the general settlement of the affairs of New Brunswick, that I advert to that Despatch, at present, rather with a view to fill up an apparent chasm in our official correspondence, than for any other purpose. Amongst the questions connected with the settlement of Crown Lands upon which His Majesty's Government desire to act in concert with the local Legislature, and upon their advice, the modes in which conveyances are to be made from the Crown, and all that relates to the forms of such instruments, are to be numbered. By whatever methods simplicity, dispatch and economy can be most effectually secured, this branch of the public service will be most advantageously conducted.

I do not attempt the solution of this problem, but trust that it will engage the attention of the Council and Assembly, to whom you will have the goodness to communicate in the usual manner a copy of this Despatch, and of the correspondence of which it forms a part.

I have the honor, &c.

(Signed)

GLENELG.

Major General Sir A. CAMPBELL, Bart. G. C. B.  
&c. &c. &c.

*Downing*

*Downing Street, 29th April, 1837.*

SIR,

I have received Sir Archibald Campbell's Despatch of the 15th ultimo, No. 16, enclosing a Letter which had been addressed to him by the Collector and Comptroller of His Majesty's Customs at Saint John, in which they express their opinion that in the recent arrangement for the surrender of the Revenue at the disposal of the Crown to the Provincial Legislature, it was not contemplated by His Majesty's Government to include in that surrender the Duties of Customs received under the Acts prior to 18 Geo. 3, C. 12.

It appears scarcely necessary for me to say that the arrangement made between His Majesty and the Legislature of New Brunswick, cannot embrace any of the Revenues of the Crown received in that Province from Duties imposed by Acts of Parliament, of which Parliament may have confided the appropriation to the Lords of the Treasury; because without an express Parliamentary sanction it would not be within the power of His Majesty to alter or to assent to the alteration of the Law regulating the appropriation of such Duties. The cession is co-extensive with the powers of the Crown, but must necessarily be limited by them.

I have the honor, &c.

(Signed)

GLENELG.

Sir J. HARVEY.

The Honorable Mr. Saunders, from the Committee appointed to prepare an Address to His Excellency the Lieutenant Governor in answer to his Speech at the opening of the Session, reported a draft thereof, which he read in his place.

ORDERED, That the report be received, and the said draft was again read by the Clerk; and it was

ORDERED, That the House be put into a Committee of the whole presently, to take the same into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said draft into consideration, and recommended the same without amendment to the adoption of the House.

The said Address having been read, was approved of by the House, and it is as follows:—

*To His Excellency Major General Sir John Harvey, Knight Commander of the Royal Hanoverian Guelphic Order, and Companion 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 LEGISLATIVE COUNCIL  
IN GENERAL ASSEMBLY.

MAY IT PLEASE YOUR EXCELLENCY,

In approaching Your Excellency with our thanks for your Speech at the opening of the Session, our minds are impressed with no ordinary feelings of gratitude to  
our



our august Sovereign for the announcement, which he has commanded Your Excellency to make, of his final pleasure as to the surrender of the proceeds of His Casual and Territorial Revenues in this Province—a measure in which we recognize the same spirit of munificence—the same deep feelings of paternal solicitude which has ever so signally characterized the enlightened policy of our Gracious Sovereign towards His North American Colonies; and we assure Your Excellency that we deem it no slight mark of the peculiar interest which His Majesty's personal acquaintance with this portion of his dominions has ever led him to entertain towards us, that He has selected Your Excellency to succeed to the Government of this Province, at a period so momentous to its welfare, when those high qualifications displayed by Your Excellency in the discharge of the arduous duties of Civil Government in other places are so essentially necessary to aid us in maturing able measures for the increase of our Revenues, a wise system for the arrangement of our finances, and a sound policy in promoting the rapid developement of the resources of the Province.

We thank Your Excellency for your promptness in calling us together; and we beg to assure Your Excellency that the contents of the important documents which Your Excellency has been pleased to lay before us shall receive the most respectful attention on our part.

We feel the importance of the wise and earnest recommendation of Your Excellency, that a spirit of harmony should continue to guide our deliberations upon the great measure to be brought again under our consideration, upon which, we fully concur with Your Excellency, will mainly depend the future welfare and prosperity of this Province.

**ORDERED,** That the Honorable Messrs. Saunders and Botsford be appointed a Committee to wait upon His Excellency the Lieutenant Governor to know when this House would be received with their Address in answer to His Excellency's Speech at the opening of the Session.

The Honorable Mr. Peters, by leave, presented a Petition from the Overseers of the Poor of the Parish of Saint Andrews in the County of Charlotte, praying for Legislative aid to enable them to enlarge the alms and work house in the said Parish.

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

The Honorable Mr. Saunders, from the Committee appointed to wait upon His Excellency the Lieutenant Governor to ascertain when this House would be received with their Address in answer to His Excellency's Speech at the opening of the Session, reported, that they had done so, and His Excellency was pleased to say he would receive the Address to-morrow at twelve o'clock, at the Government House.

*Adjourned until To-morrow at 11 o'clock.*

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**SATURDAY,**

**SATURDAY, 8th July, 1837.**

PRESENT.

THE HON.

	<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>		<i>Mr. Shore.</i>
<i>Mr. Baillic.</i>		<i>Mr. Peters.</i>
<i>Mr. Saunders.</i>		<i>Mr. Botsford.</i>
<i>Mr. Attorney General.</i>		<i>Mr. Chandler.</i>

PRAYERS.

The Honorable Mr. Peters, by leave, presented a Petition from Stockholders in the Saint Stephen Bank, praying that an amendment may be made in the second section of the Act incorporating the said Bank.

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

The Honorable Mr. Chandler, by leave, presented a Petition from Thomas C. Everitt, and others, Magistrates and inhabitants of the City of Saint John, praying that an Act may pass for the incorporation of a Company by the name of "The Saint John Mill and Manufacturing Company."

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

At twelve o'clock the House proceeded to the Government House with their Address, and having returned—

The Honorable the President reported, that His Excellency had been pleased to receive the same, and to return an answer thereto, of which he had obtained a copy which he read ;

And it was again read by the Clerk as follows :—

*" Mr. President, and Honorable Gentlemen,*

*" The terms on which you have expressed your sense of the paternal solicitude which has on all occasions been evinced by our Gracious Sovereign, towards His Majesty's North American Subjects, it is highly satisfactory to me, as His Majesty's Representative in this Province, to acknowledge and to thank you for;—those in which you have been pleased to notice my appointment to this Government, are most gratifying to my feelings, as embodying a pledge, the only one which I can desire to receive, that you will act cordially with me in the furtherance of the object common to us all—the general welfare."*

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

**MONDAY, 10th July, 1837.**

PRESENT.

THE HON.

	<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>		<i>Mr. Shore.</i>
<i>Mr. Peters.</i>		<i>Mr. Saunders.</i>
<i>Mr. Botsford.</i>		<i>Mr. Chandler.</i>

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PRAYERS.

## PRAYERS.

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

A Petition from the Saint John Water Company, praying a loan of five thousand pounds : and

A Petition from the Chamber of Commerce for the City of Saint John, praying for a Charter.

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

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

TUESDAY, 11th July, 1837.

PRESENT.

THE HON.

*Mr. Chief Justice Chipman, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Baillie.*

*Mr. Peters.*

*Mr. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

*Mr. Chandler.*

## PRAYERS.

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

The Honorable the President read the same;

And it was again read by the Clerk as follows :—

NEW BRUNSWICK.

*Message to the Legislative Council,  
10th July, 1837.*

J. HARVEY.

The Lieutenant Governor directs to be laid before the Legislative Council, accounts of the receipt and expenditure of the Casual Revenue, so far as relates to the Crown Land Office, from the first of January to the thirtieth of June one thousand eight hundred and thirty seven.

J. H.

The said Message was accompanied by the accounts therein mentioned, and the following Letter :—

*Crown Land Office, Fredericton, 5th July, 1837.*

SIR,

I have the honor to transmit herewith, detailed accounts in duplicate, of all receipts and payments of this Department for the two quarters ending the thirtieth of June last, and numbered from one to four inclusive, together with the proper vouchers, to be laid before the two branches of the Legislature, in accordance with a Despatch from the Right Honorable Lord Glenelg to Sir A. Campbell, and I  
confidently

confidently trust the same will meet the approval of Your Excellency and of the Legislature.

I have the honor to be, &c.

(Signed)

T. BAILLIE, C. C. L.

Major General Sir J. HARVEY,  
&c. &c. &c.

The Honorable Mr. Baillie, by leave, presented a Petition from William Stephens, praying protection in a Mineralogical exploration.

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

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

A Petition from Robert Rankin and others, of the Parish of Portland, for an alteration in the law for laying out Roads :

A Petition from Robert Rankin and others, of the Parish of Portland, praying that an Act may pass authorising the appointment of Firewards and Engine men, and the making regulations for the government of Firemen and others attending at fires :

A Petition from the Justices of the Peace for the City and County of Saint John, for an advance of one thousand pounds on account of the great influx of Emigrants : and

A Petition from sundry inhabitants of the Parish of Moncton, praying for relief in certain cases of destitution arising from the loss of crops in that Parish.

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

The Honorable Mr. Saunders, by leave, presented a Petition from Leonard R. Coombes, Francis Rice and C. L. Beckwith, praying relief for the inhabitants of Carleton, in their present destitute condition.

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

The Honorable Mr. Peters, by leave, presented a Petition from William Porter and others, inhabitants of Saint Stephen, praying that the second section of the Act to incorporate the Saint Stephen's Whale Fishing Company may be amended.

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

Message from the Assembly, by Mr. L. A. Wilmot, with the following Resolution:—

*House of Assembly, Monday, 10th July, 1837.*

Whereas the North Eastern Boundary between the United States of America and this Province remaining so long unsettled, is highly injurious to the interests and prosperity of His Majesty's subjects, and it is desirable that the same should be brought to as speedy an issue as possible; therefore

RESOLVED, That an humble Address be presented to His Majesty upon the subject, and that the Legislative Council be requested to join this House in such Address.

ORDERED, That Mr. L. A. Wilmot communicate the said Resolution to the Council.

CHAS. P. WETMORE, CLERK.

On

On motion made and seconded,

**RESOLVED**, That this House will join the Assembly in the proposed Address to His Majesty on the subject of the Boundary Line between this Province and the United States of America.

**RESOLVED**, That the Honorable Messrs. Botsford and Chandler be a Committee to join such Committee as may be appointed by the Assembly, to prepare the same.

**ORDERED**, That the Master in Chancery do go down to the Assembly, and communicate the foregoing Resolutions.

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

**WEDNESDAY, 12th July, 1837.**

PRESENT.

THE HON.

*Mr. Chief Justice Chipman, President.*

*Mr. Black.*

*Mr. Baillie.*

*Mr. Saunders.*

*Mr. Chandler.*

PRAYERS.

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

A Bill to incorporate "The Saint John Mill and Manufacturing Company :"

A Bill in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Saint Stephen's Bank, in the County of Charlotte."

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

A Petition from Charles Lee, Aaron Hartt, and fifty five other persons, praying that the proposed alteration in the great road from Fredericton to the Canada line may be disapproved of by the Legislature, and for a further exploration by Commissioners :

A Petition from the Firewards and other inhabitants of Fredericton, praying that the Fire Club may be exempt from Statute Labour, and have equal privileges with the Engine Companies : and

A Petition from the Central Fire Insurance Company of New Brunswick, praying an Act may pass to exempt the Members of the Fredericton Union Fire Company from Statute Labour.

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

Read a first time, the Bill to incorporate "The Saint John Mill and Manufacturing Company."

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

Read

Read a first time, the Bill in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Saint Stephen's Bank, in the County of Charlotte."

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

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

**THURSDAY, 13th July, 1837.**

PRESENT.

THE HON.

<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>	<i>Mr. Shore.</i>
<i>Mr. Peters.</i>	<i>Mr. Botsford.</i>
<i>Mr. Chandler.</i>	

PRAYERS.

Pursuant to the order of the day, the Bill to incorporate "The Saint John Mill and Manufacturing Company," was read a second time; and it was

On motion—RESOLVED, That the further consideration of the said Bill be postponed until the next sitting of the Legislature.

Pursuant to the order of the day, the Bill in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Saint Stephen's Bank, in the County of Charlotte," was read a second time; and it was

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

Message from the Assembly, by Mr. L. A. Wilmot, with a Bill, intituled "A Bill for the support of the Civil Government in this Province," 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 until To-morrow at 12 o'clock.*

**FRIDAY, 14th July, 1837.**

PRESENT.

THE HON.

<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>	<i>Mr. Shore.</i>
<i>Mr. Baillie.</i>	<i>Mr. Peters.</i>
<i>Mr. Robinson.</i>	<i>Mr. Saunders.</i>
<i>Mr. Botsford.</i>	<i>Mr. Attorney General.</i>
<i>Mr. Chandler.</i>	

PRAYERS.

Message from the Assembly, by Mr. Hill, with a Bill, intituled "A Bill in addition to and in amendment of an Act, intituled 'An Act to incorporate the Saint Stephen's Whale Fishing 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.

Pursuant to the order of the day, the Bill for the support of the Civil Government in this Province, was read a second time; and it was

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

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into consideration the Bill in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Saint Stephen's Bank, in the County of Charlotte."

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received; and that the Bill be read a third time.

Read a third time and passed the said Bill.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Message from the Assembly, by Mr. L. A. Wilmot, that Mr. L. A. Wilmot, Mr. Johnston, Mr. Weldon and Mr. Partelow, have been appointed a Committee from the Assembly, to join the Committee appointed by this House, for the purpose of preparing an Address to His Majesty on the subject of the North Eastern Boundary line between this Province and the United States of America.

The Honorable Mr. Shore, by leave, presented a Petition from Samuel M'Farlane, and sixty eight other inhabitants of Saint Patrick's Parish, in the County of Charlotte, praying that the line of road from Fredericton to Saint Andrews as by law established should not be altered.

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

The Honorable the President moved for leave to bring in a Bill to remedy the failure of the annual courts or meetings of the Corporation of the Madras School in this Province.

Leave granted.

The said Bill being brought in, was read a first time.

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

Message from the Assembly, by Mr. Woodward, with a Bill, intituled "A Bill to grant a loan of five thousand pounds to the Saint John Water Company," to which they desire the concurrence of this House.

Read

Read the said Bill a first time.

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

*Adjourned until To-Morrow at 11 o'clock.*

**SATURDAY, 15th July, 1837.**

PRESENT.

THE HON.

*Mr. Chief Justice Chipman, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Baillie.*

*Mr. Peters.*

*Mr. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

*Mr. Attorney General.*

*Mr. Chandler.*

PRAYERS.

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

A Bill to prevent the issue of private Bank notes in this Province : and

A Bill to provide for the greater safety of passengers on board steam boats.

Pursuant to the order of the day, the Bill in addition to and in amendment of an Act, intituled "An Act to incorporate the Saint Stephen's Whale Fishing Company," was read a second time ; and it was

ORDERED, That the House be put into a Committee of the whole on Monday next, to take the same into consideration.

Pursuant to the order of the day, the Bill to remedy the failure of the annual courts or meetings of the Corporation of the Madras School in this Province, was read a second time ; and it was

ORDERED, That the House be put into a Committee of the whole on Monday next, to take the same into consideration.

Pursuant to the order of the day, the Bill to grant a loan of five thousand pounds to the Saint John Water Company, was read a second time ; and it was

ORDERED, That the House be put into a Committee of the whole on Monday next, to take the same into consideration.

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into consideration the Bill for the support of the Civil Government in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read a third time.

Read a third time and passed the said Bill.

ORDERED,



ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill.

Read a first time, the Bill to prevent the issue of private Bank notes in this Province.

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

Read a first time, the Bill to provide for the greater safety of passengers on board steam boats.

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

*Adjourned until Monday next at 11 o'clock.*

MONDAY, 17th July, 1837.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>		<i>Mr. Baillie.</i>
<i>Mr. Peters.</i>		<i>Mr. Robinson.</i>
<i>Mr. Saunders.</i>		<i>Mr. Botsford.</i>
<i>Mr. Attorney General.</i>		<i>Mr. Chandler.</i>

PRAYERS.

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

A Bill to amend an Act, intituled “An Act for the commutation of His Majesty’s Quit Rents in the Province of New Brunswick :” and

A Bill to appropriate a part of the Emigrant fund to the purposes therein mentioned.

Message from the Assembly, by Mr. Weldon, with a Bill, intituled “A Bill to establish Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts,” to which they desire the concurrence of this House.

Message from the Assembly, by Mr. G. D. Robinson, with a Bill, intituled “A Bill to alter and amend ‘An Act to repeal all the laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same,’ so far as the same relates to the Parish of Portland, in the County of Saint John,” to which they desire the concurrence of this House.

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

A Bill to authorise the extension of the Gaol limits in the City and County of Saint John :

A Bill in further amendment of the law relating to nuisances in the Parish of Portland, in the County of Saint John : and

A

A Bill to alter and amend an Act to provide for opening and repairing Roads and erecting Bridges throughout the Province.

Read a first time, the Bill to amend an Act, intituled "An Act for the commutation of His Majesty's Quit Rents in the Province of New Brunswick."

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

Read a first time, the Bill to appropriate a part of the Emigrant Fund for the purposes therein mentioned.

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

Read a first time, the Bill to establish Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts.

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

Read a first time, the Bill to alter and amend an Act to repeal all the laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same, so far as the same relates to the Parish of Portland, in the County of Saint John.

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

Read a first time, the Bill to authorize the extension of the Gaol limits in the City and County of Saint John.

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

Read a first time, the Bill in further amendment of the law relating to nuisances in the Parish of Portland, in the County of Saint John.

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

Read a first time, the Bill to alter and amend an Act to provide for opening and repairing Roads and erecting Bridges throughout this Province.

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

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into consideration the Bill to grant a loan of five thousand pounds to the Saint John Water Company.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read a third time.

Read a third time and passed the said Bill.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into consideration the Bill in addition to and in amendment of an Act, intituled "An Act to incorporate the Saint Stephen's Whale Fishing Company."

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read a third time.

Read a third time and passed the said Bill.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into consideration the Bill to remedy the failure of the annual courts or meetings of the Corporation of the Madras School in this Province.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

Pursuant to the order of the day, the Bill to prevent the issue of private Bank notes in this Province, was read a second time; and it was

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

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and leave granted.

Pursuant to the order of the day, the Bill to provide for the greater safety of passengers on board of Steam Boats, was read a second time; and it was

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

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read a third time.

Read a third time and passed the said Bill.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

The Honorable Mr. Peters, by leave, presented a Petition from Peter Smith, Miles S. Hannah, Thomas Sime and others, Depositors of money in the Charlotte County

County Saving's Bank, praying that an Act may pass to remunerate them for losses sustained by the failure of the said institution, and for other purposes therein mentioned.

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

The House adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and being seated in the Chair on the Throne, the Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know : " It is His Excellency's pleasure they attend him immediately in this House."

The House attended accordingly.

His Excellency then gave his assent to  
A Bill to provide for the Civil Government in this Province.

The House of Assembly thereupon withdrew, and His Excellency was pleased to retire.

Message from the Assembly, Mr. Wyer, with a Bill, intituled " A Bill to provide for the relief of poor Emigrants in the Town of Saint Andrews, in the County of Charlotte," 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 until To-morrow at 11 o'clock.*

TUESDAY, 18th July, 1837.

PRESENT.

THE HON.

*Mr. Chief Justice Chipman, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Baillie.*

*Mr. Peters.*

*Mr. Saunders.*

*Mr. Botsford.*

*Mr. Attorney General.*

*Mr. Chandler.*

PRAYERS.

Pursuant to the order of the day, the Bill to remedy the failure of the annual courts or meetings of the Corporation of the Madras School in this Province, was read a third time and passed; and it was

ORDERED, That the title be " An Act to remedy the failure of the annual courts or meetings of the Corporation of the Madras School in this Province."

ORDERED, That the Master in Chancery do take the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed this Bill, and desire their concurrence thereto.

Pursuant to the order of the day, the Bill to appropriate a part of the Emigrant fund for the purposes therein mentioned was read a second time; and it was

ORDERED,

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the report be received, and the Bill be read a third time.

Read a third time and passed the said Bill.

**ORDERED,** That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill.

Pursuant to the order of the day, the Bill to alter and amend an Act to provide for opening and repairing Roads and erecting Bridges throughout the Province, was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the report be received, and the Bill be read a third time.

Read a third time and passed the said Bill.

**ORDERED,** That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill.

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

A Bill relating to the late Charlotte County Savings Bank :

A Bill relating to Landlord and Tenant : and

A Bill to empower the Justices of the County of Sunbury to make regulations for driving Timber and Logs down the several Rivers and Streams in that County.

Pursuant to the order of the day, the Bill to provide for the relief of poor Emigrants in the Town of Saint Andrews, in the County of Charlotte, was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the report be received, and the Bill be read a third time.

Read a third time and passed the said Bill.

**ORDERED,**

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**ORDERED,** That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill.

Pursuant to the order of the day, the Bill to amend an Act, intituled "An Act for the commutation of His Majesty's Quit Rents in the Province of New Brunswick," was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the report be received, and that the Bill be read a third time. Read a third time and passed the said Bill.

**ORDERED,** That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the order of the day, the Bill to establish Circuit Courts in this Province and to provide for the travelling expenses of the Judges holding such Courts, was read a second time; and it was

**ORDERED,** That the House be put into a Committee of the whole to-morrow, to take the same into consideration.

Pursuant to the order of the day, the Bill to alter and amend an Act to repeal all the laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same, so far as the same relates to the Parish of Portland, in the County of Saint John, was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the report be received, and that the Bill be read a third time. Read a third time and passed the said Bill.

**ORDERED,** That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the order of the day, the Bill to authorize the extension of the Gaol limits in the City and County of Saint John, was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read a third time.

Read a third time and passed the said Bill.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the order of the day, the Bill in further amendment of the Law relating to nuisances in the Parish of Portland, in the County of Saint John, was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Read a third time and passed the said Bill.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into further consideration the Bill to prevent the issue of private Bank notes in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and made some amendments thereto, which they recommend to the adoption of the House.

ORDERED, That the report be received.

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

At A. in Section I. expunge the words "other writing or security for money," and insert the words "undertaking for the payment of money."

At B. expunge the words "as a circulating medium or for the purpose of carrying on private banking," and insert the words "as and for or to serve the purposes of bank notes, or a circulating currency."

At C. expunge the words "to any incorporated banking Company or to any joint stock banking Company, sanctioned by any Act of the Imperial Parliament or by any Act of the Legislature of this Province, although not incorporated."

At D. insert the words "in the Province or."

At E. insert the words "or of any joint stock banking Company sanctioned by any Act of the Imperial Parliament or of the General Assembly of this Province, although not incorporated."

At F. insert the words "from passing or transferring."

At

At G. expunge the words "his, her or their," and insert the words "any banking Company or."

At H. expunge the words "a circulating medium or as private Bank notes," and insert the words "and for, or to serve the purposes of Bank notes or a circulating currency."

At I. in Section II. expunge the words "the notes of private Bankers," and insert the words "any notes."

At K. expunge the word "March," and insert the word "July."

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

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

Read a first time the Bill relating to the late Charlotte County Savings Bank.

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

Read a first time the Bill relating to Landlord and Tenant.

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

Read a first time the Bill to empower the Justices of the County of Sunbury to make regulations for driving Timber and Logs down the several Rivers and Streams in that County.

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

*Adjourned until To-Morrow at 11 o'clock.*

WEDNESDAY, 19th July, 1837.

PRESENT.

THE HON.

*Mr. Chief Justice Chipman, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Baillie.*

*Mr. Peters.*

*Mr. Saunders,*

*Mr. Botsford.*

*Mr. Attorney General.*

*Mr. Chandler,*

PRAYERS.

Pursuant to the order of the day, the Bill to prevent the issue of private Bank notes in this Province, as amended, was read a third time and passed; and it was

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

Message from the Assembly, by Mr. Weldon, with a Bill intituled "A Bill for the appointment of Commissioners to examine and report upon the Casual Revenue accounts," 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



Message from the Assembly, by Mr. Woodward, with a Bill, intituled "A Bill for the appointment of Firewards, and the better extinguishing of Fires which may happen in the 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 stand for a second reading to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into consideration the Bill to establish Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read a third time.

Read a third time and passed the said Bill.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the order of the day, the Bill relating to the late Charlotte County Savings Bank, was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and leave granted.

Pursuant to the order of the day, the Bill relating to Landlord and Tenant was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had made an amendment thereto, which they recommend to the adoption of the House.

ORDERED, That the report be received.

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

At A. at the end of Section V. insert the word, "and bodies corporate as well as individuals."

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

ORDERED,

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

Pursuant to the order of the day, the Bill to empower the Justices of the County of Sunbury to make regulations for driving Timber and Logs down the several Rivers and Streams in that County, was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED**, That the report be received; and it was thereupon

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

The Honorable Mr. Botsford, by leave, presented a Petition from James Kirk, and other persons in the City of Saint John, local Directors of the Bank of British North America, recently established in London, praying an Act may pass to give facility to their operation in this Province.

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

Message from the Assembly, by Mr. Allen, with a Bill, intituled "A Bill to enable the proprietors or shareholders of a Company, called 'The Bank of British North America,' to sue and be sued in this Province, in the name of the manager or of any one of the local directors for the time being of the said 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.

Message from the Assembly, by Mr. L. A. Wilmot, with a Bill, intituled "A Bill to restrain the provisions of the fifth section of an Act, intituled 'An Act for the support of the Civil Government in this Province,' and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases," 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 until To-Morrow at 12 o'clock.*

**THURSDAY, 20th July, 1837.**

**PRESENT:**

**THE HON.**

*Mr. Chief Justice Chipman, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Baillie.*

*Mr. Baillie.*  
*Mr. Robinson.*  
*Mr. Botsford.*  
*Mr. Chandler.*

*Mr. Peters.*  
*Mr. Saunders.*  
*Mr. Attorney General.*

**PRAYERS.**

Message from the Assembly, by Mr. Weldon, that they have agreed to the Bill to remedy the failure of the annual courts or meetings of the Corporation of the Madras School in this Province, without any amendment;  
 and

That the Assembly had agreed to the amendments made by this House to the Bill to prevent the issue of private Bank notes in this Province.

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into further consideration the Bill relating to the late Charlotte County Savings Bank.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommend that the further consideration of the same should be postponed until the next sitting of the Legislature; and it was thereupon

**RESOLVED**, That the further consideration of the said Bill be postponed until the next sitting of the Legislature.

Message from the Assembly, by Mr. End, with the following Resolutions:—

*House of Assembly, Wednesday, 19th July, 1837.*

The House in Committee on the report from the Select Committee of the 14th instant, on the Petition of William Stevens, relative to a Mineralogical exploration in the County of Gloucester, passed the following Resolution:—

**RESOLVED**, as the opinion of this Committee, That the House should approve of the report of the Select Committee; and further, that the Legislative Council be requested to concur in the recommendation of the said Select Committee.

The House having resumed, and the report being accepted,

On motion—**RESOLVED**, That the report of the Committee of the whole House, together with the report of the Select Committee on the Petition of William Stevens, be communicated to His Majesty's Legislative Council, and that they be requested to concur in the recommendation of the said Select Committee.

**ORDERED**, That Mr. End do communicate the same to the Council.

*CHAS. P. WETMORE, Clerk.*

The Committee to whom was referred the Petition of William Stevens, respecting a Mineralogical exploration in the County of Gloucester, having had the same under consideration, and also having examined the Petitioner on the subject, are of opinion that the objects contemplated by him are likely to open a new and productive source of trade, and therefore recommend that an humble Address be presented to His Excellency the Lieutenant Governor, praying that the right to all mines within

within the County of Gloucester, for the term of fifty years, be exposed to sale at public auction at an early day, under the following conditions and restrictions, viz. :

That the purchaser shall have five years to explore and select his mining ground and open any shaft or shafts; that after the expiration of the said five years the purchaser be confined to such mines only as he may have opened and worked, and shall then have in operation; and should it happen that during the said term of fifty years any mine should not be worked for the space of twelve consecutive months, the said mine so remaining unworked should revert to the Crown; and further, that the said right be sold for an amount in gross as preference money, and that a per centage equal to one twentieth of the produce of the mine or mines to be opened and worked under the authority thereof, be exacted from and paid by the lessees or lessees after the expiration of ten years from the date of the sale or lease.

Respectfully submitted,  
(Signed)

WM. END,  
J. A. STREET,  
L. A. WILMOT.

*Committee Room, 14th July, 1837.*

A true copy of the report from the Select Committee on the Petition of William Stevens, submitted to the House of Assembly on the 14th of July instant.

*CHAS. P. WETMORE, Clerk.*

*19th July, 1837.*

Pursuant to the order of the day, the Bill relating to Landlord and Tenant, as amended, was read a third time and passed; and it was

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

Pursuant to the order of the day, the Bill to restrain the provisions of the fifth section of an Act, intituled "An Act for the support of the Civil Government in this Province," and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases, was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made certain amendments thereto, which they recommend to the adoption of the House.

**ORDERED,** That the report be received.

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

At A. in Section I. insert the word "contained."

At B. expunge the words "before the first day of January in the year of our Lord one thousand eight hundred and forty," and insert the words "during the continuance of this Act."

At C. insert the word "General."

At

At D. in Section II. expunge the word "aforesaid," and insert the words "of the Executive Council, if they shall see fit."

At E. expunge the words "at one time," and insert the words "on the same day."

At F. insert the words "if the said Lieutenant Governor or Commander in Chief, by and with the advice and consent aforesaid, shall see fit to dispose of the same."

At G. in Section III. insert the words "and provided also, that such excess shall have been cut within the limits of his licence."

At H. in Section IV. expunge the word "and."

At I. in Section V. insert the words "or Commander in Chief."

At K. insert the word "General."

At L. expunge the remainder of the Section.

At M. in Section VI. expunge the words "for the purpose of actual settlement," and insert the words "and shall make it appear to the satisfaction of the Lieutenant Governor or Commander in Chief for the time being, that the same is for the purpose of actual settlement by such officer, that then."

At N. expunge the remainder of the Section.

At O. in Section VII. expunge the words "of the above in part recited Act or any of the provisions thereof," and insert the words "of any of the provisions of the said in part recited Act or of this Act."

At P. expunge the remainder of the Section, and insert the words "that all the requisitions of the said in part recited Act or of this Act, as the case may be, in regard to the mode and terms of disposing of the lands, tenements or hereditaments in such grants, leases or assurances contained, have been duly observed and complied with."

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

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

Pursuant to the order of the day, the Bill for the appointment of Commissioners to examine and report upon the Casual Revenue accounts, was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the report be received, and leave granted.

Pursuant to the order of the day, the Bill to enable the proprietors or shareholders of a Company, called "The Bank of British North America," to sue and be sued in this Province, in the name of the manager or of any one of the local directors for the time being of the said Company, was read a second time; and it was

**ORDERED,**

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED**, That the report be received, and the Bill be read a third time.

Read a third time and passed the said Bill.

**ORDERED**, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the order of the day, the Bill for the appointment of Firewards and the better extinguishing of Fires which may happen in the Parish of Portland in the County of Saint John, was read a second time; and it was

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED**, That the report be received, and the Bill be read a third time.

Read a third time and passed the said Bill.

**ORDERED**, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

The Honorable the Attorney General, by leave, presented a Petition from Francis Peabody, Henry Cunard, William Lock, and one thousand other persons, praying for a reduction in the rate of timber duties.

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

*Adjourned until To-morrow at 11 o'clock.*

**FRIDAY, 21st July, 1837.**

**PRESENT.**

**THE HON.**

*Mr. Chief Justice Chipman, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

*Mr. Attorney General.*

*Mr. Chandler.*

**PRAYERS.**

L

Pursuant

Pursuant to the order of the day, the Bill to restrain the provisions of the fifth section of an Act, intituled "An Act for the support of the Civil Government in this Province," and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases, as amended, was read a third time and passed; and it was

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

Message from the Assembly, by Mr. Allen, that the Assembly had agreed to the amendments made by this House to the Bill relating to Landlord and Tenant.

The Honorable Mr. Botsford, from the joint Committee of the Legislative Council and Assembly appointed to prepare an Address to His Majesty on the subject of the Boundary line between this Province and the United States of America, reported a draft, which he read; and it was

On motion—RESOLVED, That the report be received.

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

### To the King's Most Excellent Majesty.

The joint Address of the Legislative Council and Assembly of the Province of New Brunswick, in General Assembly convened.

MAY IT PLEASE YOUR MAJESTY,

We, Your Majesty's loyal subjects, the Legislative Council and Assembly of New Brunswick, respectfully beg leave again to call the attention of Your Majesty's Government to the highly important question of boundary between this Province and the United States of America.

The Council and Assembly would earnestly press upon the consideration of Your Majesty's Government, the incalculable value of the territory in dispute to Your Majesty's North American Possessions generally, and to this Province particularly.

The Council and Assembly entertain the most unlimited confidence in Your Majesty's Government, and feel assured that the integrity of this growing appendage of Your Majesty's Empire will be duly preserved.

The Council and Assembly deem it unnecessary to enter into a minute statement of the circumstances connected with the history of the above mentioned territory, but they would respectfully and anxiously represent to Your Majesty that further delay is on every account to be deprecated, for while the question remains open and unadjusted, every year will invest it with additional embarrassments.

The Council and Assembly therefore humbly pray that Your Majesty would be graciously pleased to take this matter into your Royal consideration, and to direct such proceedings to be adopted as may lead to an early settlement of this long pending and important question.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Address.

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into further consideration the Bill for the appointment of Commissioners to examine and report upon the Casual Revenue accounts. The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had made certain amendments thereto, which they recommend to the adoption of the House.

ORDERED, That the report be received.

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

At A. insert the words “the production from any public office or department of.”

At B. expunge the words “as to them shall think fit touching all such matters and things as shall be necessary to the execution of the powers vested in the said Commissioners by this Act.”

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

ORDERED, That they be engrossed, and the Bill as amended read a third time this day.

On motion made and seconded, it was

ORDERED, That the House be put into a Committee of the whole presently, to take into consideration the Message of the Assembly communicating the report of the Select Committee of that House on the Petition of William Stevens, relative to a Mineralogical exploration in the County of Gloucester.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the subject matter of the said Message, and recommended the following Resolution to the adoption of the House:—

RESOLVED, That this House do concur in the recommendation of the Select Committee of the House of Assembly in regard to the Petition of William Stevens, relative to a Mineralogical exploration in the County of Gloucester.

ORDERED, That the report be received;

And then the question was put upon the Resolution from the Committee of the whole House, and the House concurred therein; and it was

ORDERED, That the Master in Chancery do go down to the Assembly, and communicate the Resolution.

Pursuant to the order of the day, the Bill for the appointment of Commissioners to examine and report upon the Casual Revenue accounts, as amended, was read a third time and passed; and it was

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

The Honorable Mr. Saunders, by direction of His Excellency the Lieutenant Governor, lays before the House a general account from the Province Treasurer, from the first January to thirtieth June one thousand eight hundred and thirty seven.

Message from the Assembly, by Mr. G. D. Robinson, that they had agreed to the amendments made by this House to the Bill to restrain the provisions of the fifth section



section of an Act, intituled "An Act for the support of the Civil Government in this Province," and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases.

Message from the Assembly, by Mr. Weldon, that they had agreed to the amendments made by this House to the Bill for the appointment of Commissioners to examine and report upon the Casual Revenue accounts;

and

That the Assembly have agreed to the joint Address to His Majesty on the subject of the Boundary line between the United States and this Province.

ORDERED, That the Honorable Mr. Botsford be appointed a Committee on the part of this House, to join such Committee as may be appointed by the Assembly, to wait upon His Excellency the Lieutenant Governor, to request that His Excellency will be pleased to transmit the said Address to His Majesty.

ORDERED, That the Master in Chancery do go down to the Assembly, and communicate the same.

Message from the Assembly, by Mr. Weldon, that Mr. Weldon and Mr. L. A. Wilmot have been appointed by the Assembly a Committee on the part of the Assembly to join the Committee appointed by this House to wait upon His Excellency the Lieutenant Governor, to request His Excellency will be pleased to transmit to His Majesty the joint Address on the subject of the Boundary line between this Province and the United States of America.

*Adjourned until To-Morrow at 11 o'clock.*

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SATURDAY, 22d July, 1837.

PRESENT.

THE HON.

*Mr. Chief Justice Chipman, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Baillie.*

*Mr. Peters.*

*Mr. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

*Mr. Attorney General.*

*Mr. Chandler.*

PRAYERS.

The Honorable Mr. Botsford, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, to request that His Excellency would be pleased to transmit the joint Address of this House and the Assembly to His Majesty, on the subject of the Boundary line between this Province and the United States of America, reported, that they had attended to that duty, and His Excellency was pleased to say he would transmit the same.

The House adjourned during pleasure.

After some time the House resumed.

His

His Excellency the Lieutenant Governor came to the Council Chamber, and being seated in the Chair on the Throne, the Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know : " It is His Excellency's pleasure they attend him immediately in this House."

Who being come with their Speaker, His Excellency gave his assent to the following Bills :—

A Bill to restrain the provisions of the fifth section of an Act, intituled " An Act for the support of the Civil Government in this Province," and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases :

A Bill to appropriate a part of the Emigrant fund for the purposes therein mentioned :

A Bill to alter and amend an Act to provide for opening and repairing Roads and erecting Bridges throughout the Province :

A Bill to provide for the relief of poor Emigrants in the Town of Saint Andrews, in the County of Charlotte :

A Bill in addition to an Act, intituled " An Act to incorporate sundry persons by the name of the President, Directors and Company of the Saint Stephen's Bank, in the County of Charlotte :"

A Bill in addition to and in amendment of an Act, intituled " An Act to incorporate the Saint Stephen's Whale Fishing Company :"

An Act to remedy the failure of the annual courts or meetings of the Corporation of the Madras School in this Province :

A Bill to grant a loan of five thousand pounds to the Saint John Water Company :

A Bill to prevent the issue of private Bank notes in this Province :

A Bill to provide for the greater safety of passengers on board Steam Boats :

A Bill to establish Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts :

A Bill to alter and amend an Act to repeal all the Laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same, so far as the same relates to the Parish of Portland, in the County of Saint John :

A Bill to authorize the extension of the Gaol Limits in the City and County of Saint John :

A Bill in further amendment of the Law relating to nuisances in the Parish of Portland, in the County of Saint John :

A Bill relating to Landlord and Tenant :

A Bill for the appointment of Commissioners to examine and report upon the Casual Revenue accounts :

A Bill for the appointment of Firewards, and the better extinguishing of Fires which may happen in the Parish of Portland, in the County of Saint John :

A Bill to enable the proprietors or shareholders of a Company, called " The Bank of British North America," to sue and be sued in this Province, in the name of the manager or of any one of the local directors for the time being of the said Company : and

A Bill to amend an Act, intituled " An Act for the commutation of His Majesty's Quit Rents in the Province of New Brunswick," (*with a suspending clause.*)

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,*

My thanks, and in my opinion those of the Province, are due to you for the alacrity with which you assembled for the performance of your Legislative duties at this unusual and inconvenient season of the year, for the zeal and assiduity with which you have attended to those duties, and above all, for the spirit of harmony and unanimity in which they have been conducted.

Upon the successful result of your joint labours, as regards the public interests, I offer you and the Province my sincere congratulations,—to which permit me to add the expression of an earnest hope, that the great object by which the minds of the inhabitants of this Colony have been so long engaged having been brought to so satisfactory a conclusion, any feelings of irritation which may have connected themselves with the discussions to which it has given rise may now subside, and mutual good will—wherever that feeling may have been unhappily interrupted—be renewed and re-established betwixt all classes of His Majesty's subjects in this Province.

In now releasing you from further attendance upon your Legislative duties, I beg to assure you that I look forward with the utmost confidence and satisfaction to again meeting you, in your Legislative capacities, at the period usually appointed for that purpose, or whenever the interests or the exigencies of the public service may appear to me to render it expedient to call for your advice and assistance.

In the mean time I do not allow myself to doubt, that those sentiments of loyalty to the King, and of unshaken attachment to British connexion, for which the people of this Province have always been distinguished, will be (if possible) strengthened by feelings of gratitude for the recent proofs which His Majesty has given them of His paternal regard and solicitude for their welfare.

After which, the President of the Council, the Honorable Mr. Chief Justice Chipman, by His Excellency's command, declared the Assembly to be prorogued to the third Tuesday in September next.

WM. TYNG PETERS, *Clerk.*

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# INDEX.

S<sup>o</sup> GULIELMI IV. FIFTH SESSION OF THE ELEVENTH GENERAL ASSEMBLY, A. D. 1837.

	Page.
ACCOUNTS—Treasurer's. Presented by the Honorable Mr. Saunders, by direction of His Excellency the Lieutenant Governor,	237
ACCOUNTS—Commissioner of Crown Lands, Presented by the Honorable Mr. Baillie, by direction of the Lieutenant Governor,	216
ADDRESSES to the Lieutenant Governor, Praying him to transmit to His Majesty the Joint Address of this House and the Assembly, on the subject of the Boundary Line between this Province and the United States of America, 238; his reply,	236.
ASSEMBLY—House of, Bills from the, ( <i>See Bills.</i> )	
<b>B</b>	
BANK of British North America, ( <i>See Bills.</i> )	
BILLS originating in the Legislative Council. <i>Madras School Remedial Bill, entitled, An Act to remedy the failure of the annual Courts or Meetings of the Corporation of the Madras School in this Province.—Brought in by the Honorable the President, 220; read first time, 220; read second time, 221; committed, reported, adopted, 224; read third time and passed, 225; title ordered, 225; sent down for concurrence, 225; acceded to, 232; assent given,</i>	239
BILLS from the House of Assembly. <i>Saint John Mill and Manufacturing Company Bill, entitled, A Bill to incorporate the Saint John Mill and Manufacturing Company.—Brought up, 218; read first time, 218; read second time, 219; further consideration postponed until the next sitting of the Legislature, 219</i> <i>Saint Stephen's Bank amendment Bill, entitled, A Bill in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Saint Stephen's Bank, in the County of Charlotte."—Brought up, 218; read first time, 219; read second time, 219; committed, reported, adopted, 220; read third time and passed, 220; Assembly acquainted, 220; assent given,</i>	239
<i>Civil List Bill, entitled, A Bill for the support of the Civil Government in this Province.—Brought up, 219; read first time, 219; read second time, 220; committed, reported, adopted, 221; read third time and passed, 221; Assembly acquainted, 221; assent given,</i>	225
<i>Saint Stephen's Whale Fishing Company amendment Bill, entitled, A Bill in addition to and in amendment of an Act, intituled "An Act to incorporate the Saint Stephen's Whale Fishing Company."—Brought up, 220; read first time, 220; read second time, 221; committed, reported, adopted, 223; read third time and passed, 224; Assembly acquainted, 224; assent given,</i>	239
<i>Saint John Water Company Loan Bill, entitled, A Bill to grant a loan of five thousand pounds to the Saint John Water Company.—Brought up, 220; read first time, 221; read second time, 221; committed, reported, adopted, 223; read third time and passed, 223; Assembly acquainted, 223; assent given,</i>	239
<i>Private Bank Note Bill, entitled, A Bill to prevent the issue of Private Bank Notes in this Province.—Brought up, 221; read first time, 222; read second time, 224; twenty third rule dispensed with, committed, 224; progress reported, 224; further committed, 228; amended, reported, adopted, 228; read third time as amended and passed, sent down for concurrence, 229; acceded to, 232; assent given,</i>	239
<i>Steam Boat Passengers Bill, entitled, A Bill to provide for the greater safety of passengers on board Steam Boats.—Brought up, 221; read first time, 222; read second time, 224; twenty third rule dispensed with, committed, reported, adopted, 224; read third time and passed, 224; Assembly acquainted, 224; assent given,</i>	239

BILLS from the House of Assembly—Continued.	Page.
<i>Quit Rent Commutation amendment Bill, entitled, A Bill to amend an Act, intituled "An Act for the commutation of His Majesty's Quit Rents in the Province of New Brunswick."—Brought up, 222; read first time, 223; read second time, 227; twenty third rule dispensed with, committed, reported, adopted, read third time and passed, 227; Assembly acquainted, 227; assented to with a suspending clause,</i>	239
<i>Emigrant Fund Appropriation Bill, entitled, A Bill to appropriate a part of the Emigrant Fund to the purposes therein mentioned.—Brought up, 222; read first time, 223; read second time, 225; twenty third rule dispensed with, committed, reported, adopted, 226; read third time and passed, 226; Assembly acquainted, 226; assent given,</i>	239
<i>Circuit Court Bill, entitled, A Bill to establish Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts.—Brought up, 222; read first time, 223; read second time, 227; committed, reported, adopted, read third time and passed, 230; Assembly acquainted, 230; assent given,</i>	239
<i>Highways and Roads amendment Bill, entitled, A Bill to alter and amend an Act to repeal all the Laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same, so far as the same relates to the Parish of Portland, in the County of Saint John.—Brought up, 222; read first time, 223; read second time, 227; twenty third rule dispensed with, committed, reported, adopted, read third time and passed, 227; Assembly acquainted, 227; assent given,</i>	239
<i>Saint John Gaol Limit extension Bill, entitled, A Bill to authorize the extension of the Gaol Limits in the City and County of Saint John.—Brought up, 222; read first time, 223; read second time, 227; twenty third rule dispensed with, 227; committed, reported, adopted, read third time and passed, 223; Assembly acquainted, 228; assent given,</i>	239
<i>Parish of Portland Nuisance amendment Bill, entitled, A Bill in further amendment of the Law relating to nuisances in the Parish of Portland, in the County of Saint John.—Brought up, 222; read first time, 223; read second time, 223; twenty third rule dispensed with, committed, reported, adopted, read third time and passed, 228; Assembly acquainted, 228; assent given,</i>	239
<i>Roads and Bridges amendment Bill, entitled, A Bill to alter and amend an Act to provide for opening and repairing Roads and erecting Bridges throughout the Province.—Brought up, 223; read first time, 223; read second time, twenty third rule dispensed with, 226; committed, reported, adopted, read third time and passed, 226; Assembly acquainted, 226; assent given,</i>	239
<i>Emigrants in the Town of Saint Andrews Bill, entitled, A Bill to provide for the relief of poor Emigrants in the Town of Saint Andrews in the County of Charlotte.—Brought up, 225; read first time, 225; read second time, 226; twenty third rule dispensed with, 226; committed, reported, adopted, read third time and passed, 226; Assembly acquainted, 226; assent given,</i>	239
<i>Charlotte County Savings Bank Bill, entitled, A Bill relating to the late Charlotte County Savings Bank.—Brought up, 226; read first time, 229; read second time, 230; twenty third rule dispensed with, committed, reported, leave asked to sit again, 230; further committed and further consideration postponed until the next sitting of the Legislature,</i>	239
<i>Landlord and Tenant Bill, entitled, A Bill relating to Landlord and Tenant.—Brought up, 226; read first time, 229; read second time, 230; twenty third rule dispensed with, 230; committed, amended, reported, 230; read third time as amended, 233; Assembly acquainted, 233; acceded to, 236; assent given,</i>	239
<i>Sunbury County Timber driving Bill, entitled, A Bill to empower the Justices of the County of Sunbury to make regulations for driving Timber and Logs down the several Rivers and Streams in that County.—Brought up, 226; read first time, 229; read second time, 231; twenty third rule dispensed with, committed, reported, adopted, further consideration postponed for three months,</i>	231
<i>Casual Revenue Accounts Bill, entitled, A Bill for the appointment of Commissioners to examine and report upon the Casual Revenue Accounts.—Brought up, 229; read first time, 229; read second time, twenty third rule dispensed with, committed, reported, and leave asked to sit again, 234; further committed, 236; reported, amended, adopted, 237; read a third time as amended and passed, 237; sent down for concurrence, 237; acceded to, 238; assent given,</i>	239
<i>Portland Firewards Bill, entitled, A Bill for the appointment of Firewards, and the better extinguishing of fires which may happen in the Parish of Portland, in the County of Saint John.—Brought up, 230; read first time, 230; read second time, 235; twenty third rule dispensed with, committed, reported, adopted, read third time and passed, 235; Assembly acquainted, 235; assent given,</i>	239

**BILLS from the House of Assembly—Continued.**

<i>Bank of British North America Bill, entitled, A Bill to enable the Proprietors or Shareholders of a Company called the Bank of British North America to sue and be sued in this Province, in the name of the Manager or of any one of the local Directors for the time being of the said Company.—Brought up, 231; read first time, 331; read second time, 234; twenty third rule dispensed with, 235; committed, reported, adopted, read third time and passed, 235; Assembly acquainted, 235; assent given.</i>	239
<i>Civil List restraining Bill, entitled, A Bill to restrain the provisions of the fifth section of an Act, intituled "An Act for the support of the Civil Government in this Province, and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases."—Brought up, 231; read first time, 231; read second time 233; twenty third rule dispensed with, 233; committed, amended, reported, adopted, 234; read a third time as amended, 236; sent down for concurrence, 336; acceded to, 238; assent given,</i>	239

C

D

E

F

G

**GOVERNOR, the Lieutenant**

Comes to the House and commands the attendance of the Assembly,	196
The Honorable the President acquaints the House that he is in possession of a copy of His Excellency's Speech, the same read, 196; Committee appointed to draft an Address in answer thereto, 196; Members composing the same, 197; draft reported, 213; presented, read first and second times, 213; committed, reported, read, adopted, 213; Committee appointed to ascertain when it would be received, 214; Members composing the same, 214; their report, 214; Address presented at the Government House, 215; His Excellency's reply,	215
Commands the attendance of the Assembly, 225,	239
Bills assented to by the, 225,	239
His Speech at the Prorogation.	210
Replies from the ( <i>See Replies.</i> )	
Addresses to the ( <i>See Addresses.</i> )	
Messages from the ( <i>See Messages.</i> )	

H

I

J

**JOURNALS, ordered to be printed daily,**

197

K

L

M

**MESSAGES from the Lieutenant Governor,**

Transmitting copies of certain Despatches from the Right Honorable Lord Glenelg,	197
Transmitting accounts of the receipt and expenditure of the Casual Revenue,	216

**MESSAGES from the House of Assembly,**

With resolution of the Assembly, on the subject of the North Eastern Boundary between the United States of America and this Province, 217; the House join in a proposed Address to His Majesty, 218; Committee appointed to prepare the Address, 218; Members composing the same, 218; Assembly acquainted, 218; Assembly acquaint this House of a Committee having been appointed by the Assembly, 220; Committee report draft of Address, 236; agreed to, 236; Assembly acquainted, 236; agreed to by the Assembly, 238; Committee appointed to join the Committee of the Assembly to wait upon His Excellency the Lieutenant Governor, 238; Assembly acquainted, 238; Committee appointed from the Assembly, 238; report of Committee,	233
With Resolutions relative to a Mineralogical exploration in the County of Gloucester 232; House put into Committee on Message, 237; resolution reported, adopted, 237; Assembly acquainted,	237

N

N

O

P

PETITIONS—Presented and ordered to lie on the Table,	
From the Overseers of Poor of the Parish of Saint Andrews, in the County of Charlotte, praying for Legislative aid for the Alms House in the said Parish,	214
From the Stockholders in the Saint Stephen's Bank, praying an amendment of the Act incorporating the said Bank,	215
From Thomas C. Everitt and others, praying that an Act may pass for incorporating the Saint John Mill and Manufacturing Company,	215
From the Saint John Water Company, praying a loan of five thousand pounds,	216
From the Chamber of Commerce for the City of Saint John, praying for a Charter,	216
From William Stephens, praying protection in a Mineralogical exploration,	217
From Robert Rankin and others, of the Parish of Portland, praying for an alteration in the Road Law,	217
From Robert Rankin and others, praying an Act may pass regulating Firemen,	217
From the Justices of the Peace in Saint John, praying an advance of one thousand pounds to aid Emigrants,	217
From certain Inhabitants of Moncton, in Westmorland, praying for Legislative aid,	217
From Leonard R. Coombes and others, Inhabitants of Carleton, with a similar prayer,	217
From William Porter and others, praying that the Act incorporating the Saint Stephen's Whale Fishing Company may be amended,	217
From Charles Lee and others, praying for an alteration in the Great Road from Fredericton to the Canada Line, and to be made by Commissioners,	218
From the Firewards of Fredericton, praying the Members of the Fire Club may be exempted from Statute Labour,	218
From the Central Fire Insurance Company, praying the Members of the Union Fire Company may be exempted from Statute Labour,	218
From Samuel M'Farlane and others, praying that a line of Road from Fredericton to Saint Andrews, as by Law established, shall not be altered,	220
From Peter Smith and others, praying to be remunerated for losses sustained by the Charlotte County Savings Bank,	224
From James Kirk and others, praying that an Act may pass to give facility to the operation of the Bank of British North America,	231
From Francis Peabody and others, praying for a reduction in the rate of Timber Duties,	235

Q

R

REPLIES of the Lieutenant Governor,	
To the Address of the House in answer to His Excellency's Speech at the opening of the Session,	215
To the Joint Address of this House and the Assembly, requesting him to transmit a Petition to His Majesty on the subject of the Boundary Line between this Province and the United States of America,	238

S

T

U

V

W

X

Y

Z

