



**JOURNAL**  
OF THE  
**HOUSE OF ASSEMBLY**  
OF THE  
**PROVINCE**  
OF  
**NEW-BRUNSWICK,**

FROM THURSDAY THE 14TH DAY OF FEBRUARY, TO SATURDAY THE 5TH  
DAY OF APRIL, 1828.



**FREDERICTON :**

PRINTED BY GEORGE K. LUGRIN,

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.

1828.



(L. S.) *By His Excellency Major-General Sir HOWARD DOUGLAS,  
Baronet, Lieutenant-Governor and Commander-in-Chief  
of the Province of New-Brunswick, &c. &c. &c.*

HOWARD DOUGLAS.

**A PROCLAMATION.**

**W**HEREAS the General Assembly of this Province, which stands prorogued to the second Tuesday in June next, has nearly completed the period of its constitutional existence, and it is expedient now to call a new Assembly; I have thought fit to dissolve this General Assembly, and the same is hereby accordingly dissolved, of which all persons whom it may concern will take due notice.

Given under my Hand and Seal at Fredericton, the 24th day of May, in the year of our Lord one thousand eight hundred and twenty-seven, and in the eighth year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

(L. S.) *By His Excellency Major-General Sir HOWARD DOUGLAS,  
Baronet, Lieutenant-Governor and Commander-in-Chief  
of the Province of New-Brunswick, &c. &c. &c.*

HOWARD DOUGLAS.

**A PROCLAMATION.**

**W**HEREAS the General Assembly of this Province has been summoned to meet at Fredericton on the second Tuesday of this instant July; I have thought fit to prorogue the said General Assembly, and the same is hereby prorogued to the second Tuesday in October next ensuing.

Given under my Hand and Seal at Fredericton, the sixth day of July, in the Year of our Lord one thousand eight hundred and twenty-seven, and in the eighth Year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

(L. S.) *By His Excellency Major-General Sir HOWARD DOUGLAS,  
Baronet, Lieutenant-Governor and Commander-in-Chief  
of the Province of New-Brunswick, &c. &c. &c.*

HOWARD DOUGLAS.

**A PROCLAMATION.**

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

Given under my Hand and Seal at Fredericton, the sixth day of October, in the Year of our Lord one thousand eight hundred and twenty-seven, and in the eighth year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

(L. S.) *By His Excellency Major-General Sir HOWARD DOUGLAS,  
Baronet, Lieutenant-Governor and Commander-in-Chief  
of the Province of New-Brunswick, &c. &c. &c.*

HOWARD DOUGLAS.

**A PROCLAMATION.**

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

Given under my Hand and Seal at Fredericton, the tenth day of December, in the Year of our Lord one thousand eight hundred and twenty-seven, and in the eighth Year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

(L. S.)

By His Excellency Major-General Sir HOWARD DOUGLAS,  
Baronet, Lieutenant-Governor and Commander-in-Chief  
of the Province of New-Brunswick, &c. &c. &c.

HOWARD DOUGLAS.

**A PROCLAMATION.**

**W**HEREAS the General Assembly of this Province stands prorogued to the second Tuesday in January next; I have thought fit further to prorogue the said General Assembly, and the same is hereby further prorogued to Thursday the twenty-fourth day of the same month of January; *then to meet at Fredericton for the Despatch of business.*

Given under my Hand and Seal at Fredericton, the twenty-fourth day of December, in the Year of our Lord one thousand eight hundred and twenty-seven, and in the eighth Year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

(L. S.)

By His Excellency Major-General Sir HOWARD DOUGLAS,  
Baronet, Lieutenant-Governor and Commander-in-Chief  
of the Province of New-Brunswick, &c. &c. &c.

HOWARD DOUGLAS.

**A PROCLAMATION.**

**W**HEREAS the General Assembly of this Province stands prorogued to Thursday the twenty-fourth day of this instant January; I have thought fit further to prorogue the said General Assembly, and the same is hereby further prorogued to Thursday the fourteenth day of February next; *then to meet at Fredericton for the Despatch of Business.*

Given under my Hand and Seal at Fredericton, the fifth day of January, in the year of our Lord one thousand eight hundred and twenty-eight, and in the eighth Year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

**JOURNAL**  
 OF THE  
**HOUSE OF ASSEMBLY**  
 OF THE  
**PROVINCE OF NEW-BRUNSWICK.**

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*Major-General Sir* **HOWARD DOUGLAS**, *Baronet, Lieutenant-Governor.*

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**F R E D E R I C T O N,**

THURSDAY, 14th February, 1828.

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**H**IS Excellency the Lieutenant-Governor, having been pleased to dissolve the late General Assembly and Writs having been issued from the Chancery for electing Members to form a House of Assembly to meet in General Assembly on the fifth day of July last, and the same having been by several Proclamations, hereunto prefixed, prorogued to this day, the Clerk of the Crown delivered to the Clerk of Assembly a Roll containing the names of the several Members returned by the several Sheriffs to be duly elected, which are as follow, to wit:

<p> <i>William Taylor,</i>  <i>John Allen,</i>  <i>John Dow,</i>  <i>Richard Ketchum,</i>  <i>Edward B. Chandler,</i> </p>	}	<p>Esquires, for the County of York.</p>	<p> <i>Samuel Freeze,</i>  <i>John Humbert,</i> </p>	}	<p>Esquires, for Kings County.</p>
<p> <i>Philip Palmer,</i>  <i>William Crane,</i>  <i>Robert Scott,</i>  <i>Colin Campbell,</i> </p>	}	<p>Esquires, for the County of Westmoreland.</p>	<p> <i>Henry Peters,</i>  <i>Charles Harrison,</i> </p>	}	<p>Esquires, for Queens County.</p>
<p> <i>Thomas Wyer,</i>  <i>Joseph N. Clarke,</i>  <i>Hugh MacKay,</i> </p>	}	<p>Esquires, for the County of Charlotte</p>	<p> <i>John R. Partelow,</i>  <i>Charles Simonds,</i>  <i>John Ward, Jun.</i> </p>	}	<p>Esquires, for the County of St. John.</p>
<p> <i>Thomas O. Miles,</i>  <i>George Hayward,</i> </p>	}	<p>Esquires, for the County of Sunbury.</p>	<p> <i>Robert Parker,</i>    <i>John W. Weldon,</i> </p>	}	<p>Esquire, for the County of Kent.</p>
<p> <i>Richard Simonds,</i>  <i>Alexander Rankin,</i> </p>	}	<p>Esquires, for the County of Northumberland.</p>	<p> <i>Hugh Munro,</i> </p>	}	<p>Esquire, for the County of Gloucester.</p>
			<p> <i>Hugh Johnston, Jun.</i>  <i>Gregory Van Horne.</i> </p>	}	<p>Esquires, for the City of St. John.</p>

A Commission under the Great Seal, appointing the Honorable John Saunders, John Murray Bliss, Ward Chipman, and William Botsford, Esquires, or any one or more of them, Commissioners for the purpose of administering the Oaths prescribed by Law, being produced, when the Honorable John Murray Bliss, one of the Commissioners named therein, attending, the following Members took the Oaths and subscribed the Declarations, to-wit: William Taylor, John Allen, John Dow, Richard Ketchum, Edward B. Chandler, Philip Palmer, William Crane, Robert Scott, Colin Campbell, Thomas Wyer, Joseph N. Clarke, Hugh M. Kay, Thomas O. Miles, George Hayward, Richard Simonds, Alexander Rankin, Samuel Freeze, John Humbert, Harry Peters, Charles Harrison, John R. Partelow, Charles Simonds, John Ward, Jun., Robert Parker, John W. Weldon, Hugh Munro, Hugh Johnston, Jun., Gregory Van Horne, Esquires: who took their seats.

Xenophon Jouett, Esquire, Gentleman Usher of the Black Rod, delivered a Message from His Excellency the Lieutenant-Governor, requiring the immediate attendance of the House in the Council Chamber.

The House attended accordingly, when the Honorable John Saunders, Chief Justice, spoke as follows:

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

“His Excellency has been pleased to command me to acquaint you, that he doth not think fit to declare the causes of summoning this General Assembly, until there shall be a Speaker of the House of Assembly: It is therefore His Excellency’s pleasure that you, Gentlemen of the Assembly, do repair to the place where the Assembly usually sit, and there choose a fit person to be your Speaker; and that you present the person who shall be so chosen, to His Excellency for his approbation.

The House being returned,

Mr. Parker, a Member for the County of Saint John, addressed the Clerk, and said, Mr. Wetmore,

“Having been commanded by His Excellency the Lieutenant-Governor to choose a fit person for our Speaker, and present him for His Excellency’s approbation, I propose that Richard Simonds, Esquire, be elected to that important station.

“If, Sir, the intimate acquaintance with the orders and usages of this House, which we well know that Gentleman’s experience and attention have given him; if integrity and independance of character on which we may place full reliance, joined to great ability and assiduity in the discharge of public duties, are qualifications for that office, I think we shall do right in placing Mr. Simonds in the Chair. And although it is unnecessary for me so say any thing further to those who are so well acquainted with that Honorable Member, I cannot but add, that I feel satisfied, if elected, he will firmly maintain the rights and privileges of this House, and discharge the high trust reposed in him, in a manner creditable to himself, and satisfactory to the Country.”

“I therefore move that he may take the Chair.”

Which motion was seconded by Mr. Johnston.

Mr. Scott then rose, and addressing himself to the Clerk, proposed Mr. Peters, which motion was seconded by Mr. Allen.

The question being then put, whether Richard Simonds, Esquire, be elected Speaker,

The House divided. Yeas 15, Nays 11.

It was therefore decided in favor of Mr. Simonds.

Mr. Simonds was then taken from his Seat and conducted to the Chair, and when on the steps, expressed his grateful acknowledgements for the confidence reposed in him, and continued—“My experience, however, as a Member of this House, tends rather to convince me of the arduous nature of the duties of the high station to which you have elected me, than to inspire confidence in my ability to discharge those duties to your satisfaction; I therefore trust, that upon further consideration, you will choose a member of more experience and ability.”

But the House persisting, Mr. Simonds said, “I submit to your commands, in full confidence that my deficiencies will be viewed with indulgence, and that I shall receive that constant aid and support which I shall earnestly and unceasingly endeavor to merit.”

Mr.

Mr. Simonds then took the Chair.

A message from His Excellency the Lieutenant-Governor by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

Whereupon Mr. Speaker elect, with the House, attended His Excellency the Lieutenant Governor,

And being returned, Mr. Speaker informed the House that he had addressed His Excellency to the effect following :

“ May it please your Excellency :

“ The House of Assembly in obedience to your Excellency’s command, and in the exercise of their undoubted right, have proceeded to the choice of a Speaker ; and now humbly attend your Excellency to present me as the person chosen. Conscious, however, of my inability to discharge the duties of this high office, I trust that your Excellency will be pleased to disapprove of their choice, and command them to elect a more fit person.”

The Honorable Mr. Chief Justice Saunders then spoke as follows :

“ Richard Simonds, Esquire :

“ I am commanded by His Excellency the Lieutenant-Governor, to acquaint you that he hath so good an opinion of your integrity, diligence, and sufficiency for executing the important office into which you are elected, that His Excellency is perfectly satisfied with the choice which the House of Assembly have made, and doth allow and confirm you to be their Speaker.”

That the Speaker then said,

“ Since your Excellency has been pleased to approve of the choice the House have made of me for their Speaker, I have in their name, and on their behalf, to claim all their ancient privileges, particularly that they may enjoy liberty of Speech, and have free access to your Excellency’s person, whenever occasion may require.”

To which the Chief Justice replied,

“ Mr. Speaker,

“ His Excellency the Lieutenant-Governor hath the greatest confidence in the duty and affection of this House of Assembly to His Majesty’s Person and Government, and in the wisdom, temper, and prudence which will accompany all their proceedings ; and His Excellency doth readily and willingly grant and allow them all their privileges, in as full and ample a manner as they have at any time been granted and allowed.”

And that His Excellency the Lieutenant-Governor was pleased to make a Speech to both Houses, of which Mr. Speaker said he had, to prevent mistakes, procured a copy, which he read to the House, and is as follows :

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

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

“ **I**T affords me great pleasure to meet you in General Assembly, after the people of this Province have had the recent opportunity of exercising their constitutional franchise in the election of Members to represent them in the Colonial Legislature ; and I have no doubt that I shall continue to experience, in your deliberations, that spirit of loyalty to our beloved Sovereign, zeal for the public interests, and wisdom in promoting them, with which I have heretofore had so much reason to congratulate myself during my Administration of the Government of this Province.

“ I am happy to have it in my power to say, that you commence your labours with every indication of an improving state of public affairs. The Commerce, Navigation, and Manufactures of the Mother Country, are recovering, gradually and steadily from the depression under which they were suffering when I last spoke from this place. This distinct improvement has not perhaps yet reached those branches of trade with which this Colony is more immediately connected, but there can be no doubt that those concerns which so severely sympathized with the distresses of the Parent, will in time substantially participate in the health and vigour which we have the happiness to see reactivating the great Commercial fountain upon which we so much depend.

“ While I thus congratulate you on the general aspects of those external affairs from

“ from which a reasonable expectation may be entertained of returning prosperity to  
 “ the Commercial pursuits of New-Brunswick, I may confidently refer to recent ex-  
 “ perience to repeat my earnest recommendation that the Country be cautious never  
 “ again to bend its force, so exclusively, upon enterprises which have been proved to  
 “ be altogether precarious in their natures, and in which overaction has produced the  
 “ most disastrous effects.

“ It has ever been my ardent desire to see our internal industry directed to pursuits  
 “ of a steady character and permanent advantage, and I have the highest degree of  
 “ satisfaction in acquainting you that there are already apparent, many cheering indi-  
 “ cations that progress is making in this sure and solid course of improvement, with  
 “ prospects of fair promise, which should engage us all in our several stations, to con-  
 “ tinue the exertions that will yet be required to accomplish the great purposes we  
 “ have in view. The effect of these exertions will, I trust, be, to conduct and retain  
 “ the several branches of the general industry, in such wholesome channels, as may  
 “ cause them to act advantageously upon each other, to the substantial and perma-  
 “ nent benefit of the whole.

“ The measures for regulating the Colonial Trade, which His Majesty’s Govern-  
 “ ment appear to have definitively adopted, afford much reason for encouragement,  
 “ and certainly of advantage, in a more spirited cultivation of all the natural resources  
 “ of these Provinces. The result of this system of trade will be, to establish an in-  
 “ creasing and constant current of intercourse amongst all the King’s Colonies, to  
 “ supply the wants of each, with the fruits of each others industry, thus inciting all  
 “ to increase the production of whatever they are naturally adapted to afford ; pro-  
 “ moting British interests alone ; multiplying relations, and consolidating ties,  
 “ which will be felt to unite these integral parts of the British Empire, more inti-  
 “ mately with each other ; and continue to attach them firmly to their august and  
 “ powerful Parent.

“ I have great satisfaction in acquainting you that notwithstanding the derange-  
 “ ments of trade which have prevailed during the year which has just closed, the Re-  
 “ venue collected within that period, has considerably exceeded that of the preceding  
 “ year ; and that our financial resources are substantially sound, and may be consi-  
 “ dered to be in a steady course of improvement.

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

“ I shall direct the Treasurer’s Accounts to be laid before you ; and I rely upon  
 “ your making provision for the Ordinary Services of the Province, and for other  
 “ objects of public interest which have heretofore received such liberal and salutary  
 “ encouragement from the Legislature.

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

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

“ I do not feel it necessary on the present occasion, to enter so much into detail  
 “ as I have formerly done, in my recommendations of the several measures, which I  
 “ consider to be intimately and indispensably connected with the well being of this  
 “ Province ; and in explication of those views, the result of a careful and faithful  
 “ investigation of the public affairs, actual circumstances, and real interests of the  
 “ Country, which I have uniformly pursued with so deep an interest. Of these, the  
 “ great pursuits of Agriculture and the Fisheries will not fail to receive your conti-  
 “ nued protection and support. Upon these the Province must ultimately rely, as  
 “ the main pillars of its prosperity. Under such a conviction, it is highly pleasing to  
 “ observe the general and spirited attention which, in all parts of the Country, is now  
 “ bestowed on the concerns of the Farmer ; and the judicious measures adopted by  
 “ the Provincial Agricultural and Emigrant Society, for the introduction of Stock  
 “ of the most improved kinds, and the corresponding exertions of the Sub-Societies  
 “ for the improvement of our rural economy generally, will, I am sure, be attended  
 “ with highly beneficial consequences which your approbation will encourage, and  
 “ your continued liberality ensure. In this concern for the improvement of our in-  
 “ ternal economy, there is no object of such immediate importance, as that of encou-  
 “ raging the further cultivation, and preparation for use, of those species of grain,  
 “ whose hardy nature, and nutritive as well as economical qualities, are found to be  
 “ so well suited to the climate and present circumstances of this Province. Large  
 sums,

“ sums, I must repeat, are sent in Specie to purchase our bread from a foreign grower, and as on a former occasion, I appeal to your wisdom and your patriotism,—to the real interests and the public spirit of the Country, for zealous co-operation in prosecuting measures and exertions necessary to relieve the Province from this most serious difficulty. The debilitating effects of this constant drain on the very vitals of the Country, manifest in the present state of its circulation, are now severely and generally felt; and although this evil was not so distinct in times of great commercial activity, and apparent prosperity, it should ever be kept in mind, that so long as articles of this indispensable necessity are deficient within ourselves, a great corresponding abstraction of the intrinsically valuable part of the circulating medium, must continue to distress and embarrass the Country, especially in times like these, when it is necessarily more dependent on its own internal transactions and resources. This also serves to prevent the engaging in, or pursuing, enterprises which might otherwise be carried on with advantage; whilst even in periods of the greatest activity in that branch of trade in which New-Brunswick is more particularly concerned, such a defect in Agricultural condition, must detract, by so much, from that solid advantage which the Province might be reaping from that Trade. It is my intention to bring this subject before the Agricultural Societies, with a recommendation that their attention, and portions of their funds, be devoted to inculcate and stimulate those habits and measures, by which only the cause of so much evil can be substantially removed; but I consider it proper first to lay the matter before the Legislature, by whose liberality these Societies have been enabled to exercise so powerful and beneficial an influence over the Agricultural concerns of the Province; thus to afford you an opportunity of considering whether this is not a measure of such importance, and the present a seasonable time for urging it, as should induce you to grant some stimulus in the shape of a bounty, to act directly upon the desired object.—Such an encouragement, coming from this high source, could not fail to produce the most powerful effect.

“ On that other main branch of our well being, the Fisheries, which I earnestly recommend you to encourage with your continued bounty, the Country will do well to engage an increased degree of enterprise.

“ I recommend generally to your attention, all the other objects of public utility which have heretofore been sustained by the Legislature. Among these, the Institutions of Education and learning will I am sure maintain their distinguished place.

“ I shall cause to be laid before you Reports and Abstracts which will, I trust, show, that progress has been made in a system which I have been endeavouring to introduce for better regulating all that concerns the laying out and formation of the Great Roads, and in preventing improvident expenditure of the Public Money, in this important and very complicated branch of the public service. I am confident that a concurrent provision, on your part, in pursuing, steadily and uniformly, the course which it is proposed to follow, will be productive of substantial advantage, by maturing and rendering permanent, the results of actual experience, and presenting these results for general adoption, under the guidance of an established system founded upon them.

“ Any further communications that may appear to me to be necessary to make, I shall convey to you by Message during the Session.

“ I repose full confidence in your wisdom and zeal; and entertaining the most ardent desire that these may continue to inspire and guide you in deliberating with uninterrupted harmony on measures calculated to promote the public prosperity and happiness, I shall be ready, with my concurrence, to give effect to whatever may appear capable of ensuring objects and blessings which it is my fervent wish may be fully realized to all the people of New-Brunswick, and their descendants.”

Mr. Johnston moved for leave to bring in a Bill, to repeal an Act intituled, “ An Act to exclude ignorant and unskilful persons from the practice of Physic and Surgery, and to give greater protection to the Medical Profession, and to prevent abuses from the introduction of uneducated and ignorant persons.

Leave granted.

The Clerk informed the House that he had nominated Timothy Robert Wetmore, Esquire, to be Clerk Assistant.

The Speaker acquainted the House with the nomination, to which the House agreed. Mr. Wetmore, after taking the necessary oaths, took the seat assigned him at the Clerk's Table.

On motion of Mr. Simonds—Resolved that an Humble Address be presented to His Excellency the Lieutenant-Governor in answer to his Speech.

Ordered that Mr. Simonds, Mr. Peters, and Mr. Chandler, be a Committee to prepare the Address.

On motion of Mr. Allen—Resolved that the House do go into Committee of the whole, in consideration of His Excellency's Speech, on Saturday next.

On motion of Mr. Crane—Ordered that one hundred and fifty Copies of His Excellency's Speech, be immediately printed for the use of the Legislature.

On motion of Mr. Simonds—Resolved that a Committee of Privilege be appointed to whom may be referred all matters which may hereafter arise, that may in any way be supposed to affect the Privileges of this House.

Ordered that Mr. Simonds, Mr. Parker, Mr. Campbell, Mr. Johnston, and Mr. Weldon, be a Committee for that purpose.

On motion of Mr. Allen—Resolved that a Committee be appointed to revise the Rules and Regulations of the House of Assembly of this Province, and to make further Rules and Regulations for the Government thereof.

Ordered that Mr. Allen, Mr. Munro, and Mr. Partelow, be a Committee for that purpose.

On motion of Mr. Parker—Resolved that a Committee be appointed to examine what laws have lately expired, or are near expiring, and report thereon to the House.

Ordered that Mr. Parker, Mr. Crane, and Mr. Taylor, be a Committee for that purpose.

On motion of Mr. Partelow—Resolved that a standing Committee be appointed to examine, liquidate, and report upon public and private accounts.

Ordered that Mr. Partelow, Mr. Rankin, Mr. Ward, and Mr. Taylor be a Committee for that purpose.

On motion of Mr. Simonds—Resolved that a Committee of Trade be appointed to consider and report upon all matters relating to the Commerce of this Province.

Ordered that Mr. Simonds, Mr. Johnston, Mr. Ward, Mr. Van Horne, Mr. Clarke, and Mr. Partelow, be a Committee for that purpose.

On motion of Mr. Taylor—Resolved that the Reverend Doctor Somerville, be appointed Chaplain to this House.

On motion of Mr. Allen—Ordered that the Journals of this House be daily (or as soon as a copy thereof can be prepared by the Clerk) printed, and that the Printer do furnish one hundred copies thereof for the use of the Legislature.

The House then adjourned until to-morrow morning at 10 o'Clock.

FRIDAY, 15th FEBRUARY, 1828.

*Prayers.*

Mr. Allen, from the Committee appointed to revise the Rules and Regulations of the House of Assembly of this Province, and to make further Rules and Regulations for the Government of this House,

Reported, that they had attended to that duty, and had prepared sundry Resolutions, which he read.

Ordered that the Report be accepted.

And on motion of Mr. Allen, the House went into Committee of the whole in consideration of the said Report.

Mr. Johnston took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Johnston, from the Committee, reported that they had gone into consideration of the Report of the select Committee, and that they had agreed to the Rules referred to them with amendments, and they being severally read as amended, at the Clerk's Table, and the question put thereon, they were agreed to by the House, and are as follow:—

1. No Member to come into the House, or move from one place to another with his hat on.
2. While the House is sitting, and any Member is speaking, no Member is allowed to speak or whisper so as to interrupt him, unless it be to speak to order.
3. When any Member intends to speak, he is to stand in his place, and address himself to the Speaker; and if more than one stand to speak, the Speaker is to determine who was up first, and the person named by him is to speak, unless he gives way to the other.
4. No Member is allowed to be standing in his place while another is speaking.
5. When any business is in debate, if any Member rise to speak to a new business, any other Member may, but Mr. Speaker ought to interrupt him.
6. When any Member, or Mr. Speaker, speaks to order, the question of order must be decided previous to the business then before the House being proceeded in.
7. When any question is put, and a division is demanded, those that are for the question are to rise, and those against it are to remain sitting.
8. When a motion has been made and seconded, that matter must receive a determination by the question, unless the previous question is put and carried, or an adjournment be moved, or the motion is withdrawn by the Member that made it.
9. When a motion is made and seconded, the Member's name who made the motion, is to be inserted in the Journal.
10. After a question is propounded, no Member may speak more than once to the matter, except the Member who made the motion, and he may reply, and if any new matter arise, then to speak to that matter only.
11. When a question is decided by vote, the number of both the affirmatives and negatives shall be inserted in the Journal, and also the Members names, if insisted on by three or more Members.
12. That the Journal of the day be read the next morning, prior to any other business.
13. That the Serjeant at Arms do not permit any person to come within the House while it is sitting, excepting the Members and Officers attending.
14. That all persons who will question any return of Members to serve in General Assembly, do question the same within fourteen days after the meeting of the House, and so within fourteen days after any new return shall be brought in.
15. That the House will not enter into a scrutiny of the votes polled at any election of Members to serve in the General Assembly, unless a scrutiny was duly demanded of the Sheriff.
16. That any Member bringing in a Petition, shall in his place acquaint the House of the general purport of such Petition, and ask leave for it to be read, which must be seconded before it is read.
17. That the Speaker cannot take the Chair for the purpose of proceeding in any deliberations, or during any business whatever, except it be to receive the Gentleman Usher of the Black Rod, or a message from the Council, or to enforce the attendance of absent Members, unless at least fourteen Members, including Mr. Speaker, be present, but for the purposes before mentioned, any number exceeding four, including Mr. Speaker, shall be deemed sufficient after the hour has arrived, to which the House may be adjourned.
18. That if any Member obtain leave of this House to act as an Attorney or Counsel in any matter at the Bar of the House, he shall not speak or vote as a Member upon such a matter.
19. That no Member be present in the House when a Bill, or any business concerning himself is debating, but while the Bill is but reading or opening he may.
20. That every Member be heard in his place, touching any charge brought against him, or other matter respecting his election, return, or privilege, or wherever his private interest is materially affected; but is to withdraw before the House proceed to debate thereon.
21. That in case any offensive matter occurring in debate, the same shall be immediately noted down in writing, and if it be neglected to be so noted on the day of its occurrence, the same shall not be afterwards considered by the House.
22. That no monies hereafter be appropriated for Roads or Bridges in any Parish of this Province, in any year, unless it shall appear by the certificate of the Clerk of the

the Sessions of the Peace for the County in which such Parish is situated, to be filed with the Clerk of the House of Assembly, that a return of the account of the Statute labour has been made in the same year by the Commissioners of Roads of such Parish; agreeably to the provisions of an Act, intituled, "An Act for regulating, laying out and improving Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns and Parishes in this Province," and also of an Act, intituled "An Act for more effectually repairing the Streets and Bridges in the City and County of St. John," and unless also it shall appear by such certificate, that the Statute labour has been faithfully performed by the Inhabitants of the Parish for which any money is intended to be granted, or that the delinquents have been prosecuted.

28. Whereas much of the time of the House is unnecessarily taken up in discussions on bills of a private or local nature, introduced sometimes without any petitions from the Counties and persons which they are intended to affect; therefore resolved, that in future it be a standing Rule of this House, not to be departed from, except in very particular cases, that no Bill of a private or local nature shall be received by the House, unless such Bill has been previously read at some General Sessions of the Peace for the County interested in such Bill, and a Certificate be endorsed thereon by the Clerk of the Peace, that the same was so read in open Court.

Mr. Allen moved for leave to bring in a Bill, further to amend and alter the Laws now in force for assessing, collecting, and levying of Rates for Public Charges.

Leave granted.

Mr. Chandler, by leave, presented a Petition from Thomas Barlow, Esquire, a Candidate at the late General Election for the City of Saint John, and others, complaining of an undue Election for the said City, and praying to be heard by Counsel at the Bar of the House.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Parker moved for leave to bring in a Bill in amendment of the Acts regulating the Exportation of Fish.

Leave granted.

Mr. Campbell, by leave, presented a Petition from Stephen Humbert, a Candidate for the County of Saint John, at the late General Election, complaining of an undue Election, and praying to be heard at the Bar of the House, and to adduce testimony in support of his claim.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Johnston, by leave, presented a Petition from Anthony Lockwood, jun., praying to be remunerated for compiling a Map of this Province.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Weldon moved for leave to bring in a Bill for altering the times of holding the Inferior Courts of Common Pleas, and General Sessions of the Peace in the County of Kent.

Leave granted.

Mr. Taylor moved for leave to bring in a Bill to lay a Tax on Dogs, in certain parts of the Parish of Fredericton.

Leave granted.

Mr. Johnston, by leave, presented a Petition from Isaac Woodward, and John Garrison Woodward, of the City of Saint John, Merchants, praying for a return of duties on Sugar, imported from Trinidad, via Nova Scotia, in the month of June, 1827, and also, on Wine, imported in the month of October, and exported in November in the same year.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Simonds, by leave, presented a Petition from James Hendricks, and others, Citizens of Saint John, praying that an Act may pass to open a Street from the South Market Wharf, to the Wharf owned by Charles I. Peters, Esquire:

Which he read in his place.

Ordered

Ordered that the said Petition be received, and lie on the Table.

Mr. Johnston, by leave, presented a Petition from William Chipman, of Cornwallis, in the Province of Nova Scotia, praying a return of Duties on Rum, Sugar, and Molasses, exported by him in 1819.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Crane, by leave, presented a Petition from John C. Vail, Esquire, a Candidate at the last General Election, for Kings County, and others, complaining of an undue Election for the said County, and praying to be heard by Counsel at the Bar of the House.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Weldon, by leave, presented a Petition from Jacob Kollock, Esquire, Commanding the Second Battalion Northumberland Militia, praying to be compensated for losses sustained by him in discharge of his duty as a Militia Officer.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Johnston, pursuant to leave, brought in a Bill to repeal an Act, intituled "An Act to exclude ignorant and unskilful persons from the practice of Physic and Surgery, and to give greater protection to the Medical Profession, and to prevent abuses from the introduction of uneducated and ignorant persons."

Which was read a first time.

Mr. Chandler, by leave, presented a Petition from Patrick Clinch, Esquire, and James Brown, Candidates at the last General Election, for the County of Charlotte, and others, complaining of an undue Election for the said County, and praying to be heard by Counsel at the Bar of the House.

Which he read in his place.

Order that the said Petition be received and lie on the Table.

On motion of Mr. Crane—Resolved, that no Petition be received, or Bill brought in, after the 7th day of March next, except by Special leave of the House.

Mr. Parker, by leave, presented a Petition from the Justices of the Peace of the City and County of Saint John, in General Sessions, praying for leave to raise a further sum by assessment, for completing the Court-House of the said City and County, and likewise for further Legislative aid for that purpose.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Parker moved for leave to bring in a Bill to authorise the Justices of the Peace of the City and County of Saint John, to raise a sum of money for completing the Court-House of the said City and County.

Leave granted.

And the said Bill being brought in, and it appearing by a Certificate endorsed thereon, that the same had been read in General Sessions of the Peace for the said City and County,

It was read a first time.

Mr. Wyer moved for leave to bring in a Bill to repeal the Laws now in force for appointing Firewards and the better extinguishing Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town.

Leave granted.

Mr. Weldon, pursuant to leave, brought in a Bill for altering the Terms of holding the Inferior Courts of Common Pleas and General Sessions of the Peace in the County of Kent.—And the same being duly certified by the Clerk of the Peace of the said County,

It was read a first time.

Mr. Campbell, by leave, presented a Petition from the Commissioners of the Poor House of the Parish of Saint Andrews, praying for pecuniary Legislative aid to enable them to discharge a debt incurred for the relief of Emigrants.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Weldon moved for leave to bring in a Bill to alter the division line between the Parishes of Dundas and Wellington in the County of Kent. Leave granted.

The House then adjourned until to-morrow morning at 10 o'clock.

SATURDAY, 16th FEBRUARY, 1828.

*Prayers.*

Mr. Scott moved for leave to bring in a Bill to erect the Northern part of the Township of Hillsborough into a distinct Town or Parish.

Leave granted.

Mr. Weldon moved for leave to bring in a Bill to authorise the Justices of the Peace, in the County of Kent, to make Rules and Regulations respecting the taking of Fish in the different Harbours, Rivers, and Creeks, in the said County.

Leave granted.

Mr. Wyer, pursuant to leave, brought in a Bill to repeal the Laws now in force for appointing Firewards, and for the better extinguishing Fires in the Town of Saint Andrews, and to make Regulations more suitable to the said Town.

Which was read a first time,

And on motion of Mr. Campbell—Resolved, that under the peculiar circumstances of the case, this Bill be received, it having been proved to the satisfaction of this House, that the said Bill had been read and approved of at a public meeting at the Court House in Saint Andrews, the Inhabitants of which place only are interested in the provisions thereof.

And further Resolved, that the admission of this Bill shall not be construed or drawn into a precedent for departing from the Rule of this House, which provides that all Bills of a local nature shall be read in open Court, at the General Sessions of the Peace, in the County which it is intended to affect, and a Certificate of its being so read, indorsed thereon by the Clerk of the Peace for such County.

Mr. Rankin, by leave, presented a Petition from John Ambrose Street, Esquire, and others, Inhabitants of the Town of Newcastle and its Vicinity, in the County of Northumberland, praying for aid to assist in building a School House therein.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Humbert, by leave, presented a Petition from William Tweeddale, praying that the sum of Twenty pounds may be granted him for teaching a School in the Parish of Hampton, in Kings County, for the year 1827.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Campbell, by leave, presented a Petition from George Case and others, Inhabitants of Bean's Island, in the Parish of West Isles, in the County of Charlotte, praying for aid towards building a School House on the said Island.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

— Mr. Parker of the Select Committee of Privileges, requested permission to withdraw from that Committee, in consequence of a Petition having been introduced, complaining of improper measures having been taken to secure his Election.

Ordered that leave be granted.

And further ordered, that Mr. Chandler be added to the said Committee in the place of Mr. Parker.

Mr. Johnston, by leave, presented a Petition from John Clarke and others, of the City of Saint John, praying that an Act may pass imposing a further duty on the importation of Bread of Foreign Manufacture, to encourage the Manufacture of this Province.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Trade.

Mr. Weldon, pursuant to leave brought in a Bill to alter the division line between the Parishes of Dundas and Wellington, in the County of Kent.

And the said Bill being duly certified by the Clerk of the Peace, for that County, it was read a first time.

Mr. Parker from the Committee appointed to enquire what Laws have expired or are near expiring, reported that they had attended to that duty, and submitted the following, which he read, viz.

That

That the following Acts will expire at the end of the present Session :—viz.

Act 50 Geo. 3, c. 6, intituled “ An Act for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns and Parishes in this Province.” Also the Acts 58 Geo. 3, c. 8, and 7 Geo. 4, c. 23, passed in amendment of the above.

Act 50 Geo. 3, c. 16, intituled “ An Act to provide for the more effectually repairing the Streets and Bridges in the City and County of Saint John.” Also Act 58 Geo. 3, c. 9, in amendment of the above.

Act 54 Geo. 3, c. 6, intituled “ An Act for the better regulation of Licences to Inns, Taverns and Houses for selling strong Liquors by retail,” which is amended by Act, 6 Geo. 4, c. 13.

Act 3 Geo. 4, c. 14, intituled “ An Act for the better securing of the Navigation of the inner Bay of Passamaquoddy, and to indemnify the Deputy Province Treasurer at Saint Andrews against any demands for monies collected for Tonnage Duties, since the former Acts for this purpose expired.”

Act 3 Geo. 4, c. 15, intituled “ An Act in amendment of the Laws now in force, for the support and relief of confined Debtors, and for the further relief of Debtors with respect to the imprisonment of their persons.” Also Act 4 Geo. 4, c. 10, in further amendment of the Laws relative to confined Debtors ; (which two Acts were further amended by 7 Geo. 4, c. 13.)

Act 3 Geo. 4, c. 33, intituled “ An Act to encourage the Inhabitants of this Province, who are engaged in prosecuting the Cod and Scale Fisheries, by granting Bounties on the same.” Also Act 6 Geo. 4, c. 8, intituled “ An Act further to extend the Bounties on Fish brought into this Province.”

Act 4 Geo. 4, c. 25, intituled “ An Act for the encouragement of Parish Schools in this Province.”

Act 5 Geo. 4, c. 13, intituled “ An Act to provide for the erection of Fences with Gates, across the Highway leading through Deer Island, in the Parish of West Isles and County of Charlotte.”

That the Act 7 Geo. 4, c. 10, intituled “ An Act to authorize the Justices of the County of Northumberland, to regulate the grazing and depasturing of certain Tracts of Land within that County,” will expire on the 19th March, 1828.

Act 7 Geo. 4, c. 16, intituled “ An Act to regulate the manufacturing and shipment of Grind Stones from the County of Westmoreland,” will expire on the 1st April 1828.

Act 8 Geo. 4, c. 9, intituled “ An Act for raising a Revenue in this Province.” (certain parts of which are repealed by Act 2, Geo. 4, c. 24.) Also Act 8 Geo. 4, c. 25, intituled “ An Act to continue and amend an Act intituled, “ An Act for raising a Revenue in this Province,” will expire on the 1st of April 1828.

Your Committee do not find that any Acts have expired since the last Session, which were not then particularly reported to the House.

R. PARKER.  
W. CRANE.  
W. TAYLOR.

The Report being handed in at the Clerk's Table was then again read.

Ordered that the Report be received and lie on the Table.

Mr. Simonds, by leave, presented a Petition from the Magistrates of the City and County of Saint John, in Sessions assembled, praying that an Act may pass to regulate the driving of Carriages and riding on the Public Roads.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Crane moved for leave to bring in a Bill to continue and amend an Act intituled “ An Act for the encouragement of Parish Schools in this Province.”

Leave granted.

Mr. Freeze, by leave, presented a Petition from William Greenslade and others, of the Parishes of Springfield and Hampton, in Kings County, praying that an Act may pass for the encouragement of the destruction of Bears throughout the Province.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr.

Mr. Rankin, by leave, presented a Petition from Joseph Jardine and John Jardine, of the Parish of Onatham, in the County of Northumberland, praying that a sum may be granted from the Province Treasurer to enable them to complete an Oat Mill at the River Napan, in the said Parish of Chatham.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Freeze moved for leave to bring in a Bill to encourage the destruction of Bears in this Province.

Leave granted.

Ordered that the order of the day for going into Committee of the whole House in consideration of His Excellency's Speech be discharged, and further ordered that the House do go into Committee thereon on Tuesday next.

On motion—Whereas a Petition was yesterday presented to this House complaining of an undue Election in the County of Charlotte, tending to affect the seats of Hugh M'Kay, and Joseph N. Clarke, Esquires, Members returned by the Sheriff of the said County to serve in General Assembly, and it having been stated to the House, that the said Hugh M'Kay, and Joseph N. Clarke, Esquires, have never had previous notice of the contents thereof,

Resolved, that the Petitioners do forthwith furnish the said Hugh M'Kay, and Joseph N. Clarke, Esquires, with copies of the said Petition:—And also that the Sheriff of the said County be served with a copy of such Petition by the said Petitioners.

Mr. Weldon moved for leave to bring in a Bill to authorise Justices of the Peace in the County of Kent, to assess the inhabitants thereof, for erecting and building a Court-House and Gaol in the said County.

Leave granted.

Mr. Scott by leave, presented a Petition from Stephen Humbert, a Candidate at the last General Election for the County of Saint John, complaining of the illegality of the proceedings on the part of the High Sheriff of the City and County, and praying to be heard at the Bar of the House.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

On motion of Mr. Johnston—Resolved that it be referred to the Select Committee of Privileges, to examine into the practice of the House of Commons, upon contested Elections or Scrutinies before the House, or a Committee of the House, before the Act of Parliament 10 Geo. 3. c. 16, and also upon the previous practice of this House; and to report thereon to the House as soon as possible.

Mr. Peters moved the following Resolution.—Whereas a Petition was presented yesterday to this House complaining of an undue Election, in the City of Saint John, tending to affect the seat of Gregory Van Horne, Esquire, a Member returned by the Sheriff of the said City and County, to serve in General Assembly; and it having been stated to this House that the said Gregory Van Horne, Esquire, has never had previous notice of the contents thereof,

Resolved, that the said Petitioner do forthwith furnish the said Gregory Van Horne, Esquire, with a copy of the said Petition.

And upon the question being put for passing the said Resolution, the House divided, and it was carried in the affirmative.

On motion of Mr. Chandler—Resolved, that the Clerk do give copies of any Petitions which have been presented against Elections, to any Petitioners who may apply for the same, upon their paying the usual Fees.

Read a second time, a Bill to authorise the Justices of the Peace of the City and County of Saint John, to raise a sum of money for completing the Court-House of the said City and County.

Ordered that the said Bill be referred to a Committee of the whole House on Monday next.

Mr. Campbell, by leave, presented a petition from John Muirhead of the Parish of Saint Andrews, in the County of Charlotte, praying that the Provincial allowance may be granted him for teaching a School in that Parish.

Which he read in his place.

Ordered

Ordered that the said Petition be received and referred to the Committee of Supply.  
Mr. Humbert moved for leave to bring in a Bill for the support and relief of confined Debtors.

Leave granted.

Mr. Rankin, by leave, presented a Petition from William Manderson, praying for pecuniary Legislative aid to enable him to complete a Wind Mill at Miramichi.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Ordered that Mr. Clarke be added to the Committee appointed to examine and report on Public and Private accounts.

Mr. Scott, pursuant to leave, brought in a Bill to erect the Northern part of the Township of Hillsborough into a distinct Town or Parish.

And the said Bill being duly certified by the Clerk of the Peace for the County of Westmoreland, of its having been read in open Sessions :—It was read a first time.

Mr. Crane, by leave, presented a Petition from William Hannington, Esquire, of Shediac in the County of Westmoreland, praying to be reimbursed the sum of £75 : 13 : 6, being a sum expended by him in repairing the Bridge on Shediac River, over and above the sum granted for the repair of the said Bridge.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

The House then adjourned until Monday morning next at 10 o'Clock.

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MONDAY, 18th FEBRUARY, 1828.

*Prayers.*

Mr. Parker, pursuant to leave, brought in a Bill in amendment of the Acts regulating the exportation of Fish.  
Which was read a first time.

Mr. Simonds, Chairman of the Committee appointed to prepare an Address in answer to His Excellency the Lieutenant-Governor's Speech at the opening of the Session ; reported that they had prepared a draft thereof, which he read, and it being handed in at the Clerk's Table, was there again read.

And on motion of Mr. Hayward, the House went into Committee of the whole in consideration of the said Address.

Mr. Crane took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crane, from the Committee, reported that they had gone into consideration of the draft of the Address, reported by the select Committee, and had agreed to the same.

And the Address being read at the Clerk's Table, was agreed to by the House, and is as follows :—

*“ To His Excellency Major-General Sir Howard Douglas, Baronet,  
Lieutenant-Governor and Commander-in-Chief of the Province  
of New-Brunswick, &c. &c. &c.*

*“ THE HUMBLE ADDRESS OF THE HOUSE OF ASSEMBLY.*

*“ May it please Your Excellency,*

*“ WE, the Representatives of His Majesty's Loyal Subjects in New-Brunswick, thank Your Excellency for your Speech at the opening of this Session of the Legislature.*

*“ Called by the voice of the People to the high trust of attending to their concerns in the Government of this Province, we feel the conviction that this great duty is best discharged by cultivating sound principles of loyalty and affection to our beloved King, and feelings of attachment to our Parent State.*

*“ We agree with Your Excellency, that the gradual recovery of the Commerce, Navigation and Manufactures of the Mother Country, from the depression under which they have been suffering, affords us at the commencement of our labours, a cheering indication of an improved state of Public affairs :—And although this improvement has not yet reached, with much effect, the principle sources of our trade,*

*“ D*

yet we feel persuaded, that as we severely felt the consequences of the embarrassments of the Parent State, we shall ere long participate in the re-action and vigor of her improving Commerce.

"We perceive the wisdom of Your Excellency's recommendation; that, profiting by past experience, the Country should be cautious in employing too much of its means in precarious enterprizes, which have heretofore occasioned so much embarrassment and distress.

"We learn with much satisfaction from Your Excellency, that the internal industry of the Country is in a state of progressive improvement; and that we have fair prospects that several branches of general industry will be so directed as to produce substantial and permanent benefit to the Province.

"It affords us great pleasure to find that the Revenue of the past has exceeded that of the preceding year, and that Your Excellency feels an assurance that it may now be considered to be in a course of gradual improvement. This propitious circumstance affords ample proof, that notwithstanding the late Commercial embarrassments, (the natural effect of excessive speculation,) this Province possesses resources, which, under a corrected system of management, will soon restore it to a high degree of prosperity. The Commercial distress of the two preceding years, has, no doubt, prevented our Merchants from deriving the full advantages which the extended Commercial privileges granted to us by His Majesty's Government, would otherwise have afforded; yet we indulge the hope that the severe trial is past, and that our trade may now be considered as beginning to recover its former activity and energy.

"We thank Your Excellency for the promise to lay the Treasurer's Accounts before us. Your Excellency may rely upon our making proper provision for the ordinary Services of the Province.

"We most fully concur in Your Excellency's views with respect to the encouragement of Agriculture, unquestionably a subject of primary importance: To effect this great object, so often recommended by Your Excellency, public spirit, which ought to animate the breast of every well wisher to his Country, must continue to excite the most strenuous exertions: To this deeply interesting subject we will give the most diligent attention.

"From the Geographical position of this Province, it does not possess equal advantages with some of our Sister Colonies, in prosecuting the Fisheries upon the Coasts of British America; it therefore becomes a measure of indispensable necessity, to give effectual encouragement to this most important branch of business, upon which, much of our commercial importance may hereafter depend.

"All such objects of public utility as have heretofore been protected by the Legislature, and which have been found to answer the intended purposes, shall have our diligent attention;—among these, the Institutions of Education stand pre-eminent.

"We are pleased to hear that Your Excellency intends to lay before us, Reports and other papers upon the subject of the Great Roads, and we feel assured that under the superintending care of Your Excellency, much will be done to secure to the public the full benefit of such grants as may hereafter be made for this service.

"Such objects as Your Excellency may be pleased to recommend by Message, during this Session, shall receive prompt attention.

"We feel assured of Your Excellency's approbation of our proceedings in the discharge of the high trust reposed in us by the People of this Province; animated as we ought to be, and as we trust we are, by an ardent desire to promote the happiness and prosperity of the Country."

Thereupon Resolved unanimously, That the Address be engrossed, signed by the Speaker, and presented to His Excellency by the whole House.

Ordered that Mr. Campbell, Mr. Ward, and Mr. Miles, be a Committee to wait upon His Excellency to know when he will be pleased to receive the House with the Address.

Read a second time, a Bill to repeal the Laws now in force for appointing Firewards, and for the better extinguishing Fires in the Town of Saint Andrews, and to make Regulations more suitable to the said Town.

And on motion of Mr. Wyer—Ordered that the said Bill be referred to a Committee of the whole House on Wednesday next.

Mr. Taylor, pursuant to leave, brought in a Bill to lay a Tax on Dogs, in certain parts of the Parish of Fredericton.

And the same being duly certified, was read a first time.

On motion of Mr. Parker, the House, according to the Order of the day, went into a Committee of the whole on a Bill to authorize the Justices of the Peace of the City and County of Saint John, to raise a sum of money for completing the Court House in the said City and County.

Mr. Campbell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Campbell, from the Committee, reported that they had gone into consideration of the Bill referred to them and agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

On motion of Mr. Parker—Ordered that the Petition of the Justices of the Peace of the City and County of Saint John, presented to this House on the 15th instant, praying for leave to raise a further sum by assessment, for completing the Court House of the said City and County, and praying further Legislative aid for that purpose, and which was ordered to lie on the table, be referred to the Committee of Supply.

Mr. Parker moved for leave to bring in a Bill to regulate the Trials of controverted Elections, or returns of Members to serve in General Assembly.

Leave granted.

On motion of Mr. Allen—Resolved that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct the Secretary to lay before the House, all accounts, with the accompanying vouchers, from Commissioners appointed to expend money on Bye Roads, and for opening new Roads throughout the Province.

Ordered that Mr. Allen, Mr. Wyer, and Mr. Dow, be a Committee to present the said Address to His Excellency.

Mr. Campbell, from the select Committee of Privileges, to whom was referred to examine into the practice of the House of Commons upon contested Elections and Scrutinies, before the House or a Committee of the House, previous to the Act of Parliament, 10 Geo. 3, c. 16, and also upon the practice of this House; reported that they had attended to that duty, and submitted the following, which he read.

That previous to the Act Geo. 3, c. 16, it was usual to appoint a standing Committee of Privileges and Elections at the beginning of every Sessions, whose province it was ordinarily to try Election questions, and that this practice continued until the passing of 10 Geo. 3, c. 16, subject, however, to the approval and revision of the House.

Your Committee also find that Election questions were frequently tried at the Bar of the House.

Your Committee have also made diligent search in the Journals of this House, and find that in all cases of contested Elections which have hitherto been brought before this House, the practice has been to try the same before the Bar of the House.

COLIN CAMPBELL,  
HUGH JOHNSTON, Junr.  
JOHN W. WELDON,  
EDWARD B. CHANDLER.

The Report being again read at the Clerk's Table, was ordered to be accepted.

Mr. Parker, by leave, presented a Petition from Henry Nase, Esq., of the Parish of Westfield, in Kings County, praying that remuneration may be made to him for the damage sustained in consequence of the Nerepis Road having been carried through his improved Land, under the provisions of an Act of the last Session, without proper compensation being made him for the same.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Read a second time, a Bill to repeal an Act, intituled "An Act to exclude ignorant and unskilful persons from the practice of Physic and Surgery, and to give greater protection to the Medical Profession, and to prevent abuses from the introduction of uneducated and ignorant persons."

Ordered that the said Bill be referred to a Committee of the whole House on Thursday next.

Mr.

Mr. Crane moved the following Resolution :—

Resolved, that a Committee of five Members be appointed to take into consideration the prayer of the Petition of Thomas Barlow, Esquire, and others, Freemen and Freeholders of the City of Saint John, complaining of an undue Election in the said City, and to examine into the evidence and questions which may be brought before it, either by the Petitioners or sitting Member petitioned against, and that the Committee thereupon report their proceedings to this House.

And upon motion of Mr. Allen that that question be not now put, the House divided—YEAS 6. NAYS 20.

It was thereupon carried in the negative.

And upon the question being then put for adopting the said Resolution, the House again divided as follows :—

YEAS—Mr. CRANE, Mr. SCOTT, Mr. PALMER, Mr. HUMBERT, Mr. CHANDLER, Mr. WYER, Mr. PARTELOW, Mr. JOHNSTON, Mr. WARD, Mr. HARRISON, Mr. TAYLOR, Mr. KETCHUM, Mr. MILES, Mr. FREEZE, Mr. SIMONDS, Mr. WELDON, Mr. RANKIN, Mr. MUNRO, Mr. DOW, Mr. HAYWARD.

NAYS—Mr. PARKER, Mr. ALLEN, Mr. M'KAY, Mr. VAN HORNE, Mr. CAMPBELL, Mr. CLARKE.

It therefore passed in the affirmative.

Ordered that Mr. Weldon, Mr. Munro, Mr. Crane, Mr. Taylor, and Mr. Rankin, be the Committee to take into consideration the prayer of the Petition of the said Thomas Barlow, Esquire, and others.

On motion of Mr. Chandler—Resolved, That Friday next be appointed to take into consideration the Petition of Thomas Barlow and others, complaining of an undue Election for the City of Saint John, and that the parties interested appear before the Committee appointed for that purpose, on that day with such witnesses as they may have to produce.

On motion of Mr. Crane—Whereas Petitions have been presented to this House by Stephen Humbert, complaining of an undue Election for the County of Saint John, in one of which complaint is made of the conduct of the High Sheriff, and both praying that the Petitioner may be heard in person at the Bar in support of his Petitions. Thereupon Resolved, That the same be referred to such Members of the Committee of Privileges, as are not Members for that County, to examine the same, and report their opinion to the House; particularly as to the propriety of allowing Petitioners to be heard in person, instead of by Counsel, at the Bar in the usual manner.

Mr. Rankin, by leave, presented a Petition from Joseph Cunard and Company, praying for a return of duty, amounting to £19 : 2 : 10, paid on 22 Kegs and 5 Boxes of Tobacco, imported into Miramichi in May 1827, which sum was included in a Bond with other articles imported at the same time; the said Tobacco having been manufactured in Halifax, Nova-Scotia, and a Certificate thereof not being presented to the Deputy Treasurer until after his account of Bonds had been transmitted to the Province Treasurer.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Ward, by leave, presented a Petition from George Patterson, Sen., and others, settlers on the new Quaco Road, praying for Legislative aid in constructing a Gulling and Grist Mill.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

On motion of Mr. Scott—Resolved, That a Committee of five Members be appointed to take into consideration the prayer of the Petition of John C. Vail, Esquire, and others, complaining of an undue Election for Kings County, and to examine into the evidences and questions which may be brought before it, either by the Petitioner or the sitting Member petitioned against, and that the Committee report their proceedings to this House.

Ordered that Mr. Chandler, Mr. Johnston, Mr. Miles, Mr. Dow, and Mr. Wyer, be a Committee for that purpose.

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On motion of Mr. Chandler—Resolved that James Peters, Jun., Esquire, the Clerk of the Peace for the City and County of Saint John, and Philip Kehoe, do attend before the Committee appointed to take into consideration the Petition of Thomas Barlow, Esquire, and others, complaining of an undue Election, on Friday next, to testify what they and each of them know, as to matters depending on the said Petition, and that the said James Peters bring with him and produce before the said Committee, the Poll Book of the Sheriff of the City and County of Saint John of the last Election which took place for the City of Saint John, of which the said Witnesses, on being notified, will take notice and govern themselves accordingly.

The House then adjourned until to-morrow morning at 10 o'clock.

TUESDAY, 19th FEBRUARY, 1828.

*Prayers.*

Mr. Simonds moved for leave to bring in a Bill to regulate the manner of driving and riding upon the public Roads.

Leave granted.

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

Mr. Campbell, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor, to know when he would be pleased to receive the House with their Address in answer to His Excellency's Speech at the opening of this Session—Reported, that having waited upon His Excellency, he was pleased to say that he would receive the House with their Address, on Thursday next at 2 o'clock in the afternoon, at Government House.

Mr. Allen, from the Committee appointed to wait on His Excellency the Lieutenant-Governor, praying that His Excellency would be pleased to direct the Secretary to lay before the House, all accounts with the accompanying vouchers, from Commissioners for expending money on Bye Roads, and for opening new Roads—Reported that they had waited on His Excellency, and he was pleased to say he would give the necessary direction on the subject.

On motion of Mr. Partelow—Resolved, that in all cases of controverted Elections in this Province, to be heard at the Bar of this House, or before a Committee, the Petitioners do themselves, or by their Agents, within a convenient time, to be appointed either by the House, or the said Committee, as the matter to be, and shall be before the House or the said Committee, deliver to the sitting Members or their Agents, lists of the persons intended, by the Petitioners, to be objected to, who voted for the sitting Members, giving in the said lists the several kinds of objection, and distinguishing the same against the names of the voters excepted to; and that the sitting Members do themselves, or by their Agents, within the same time, deliver the like lists on their part to the said Petitioners or their Agents.

Mr. Crane moved the following Resolution:—

Resolved, that Tuesday the 4th day of March next, be appointed to take into consideration the Petition of John C. Vail, Esquire, and others, complaining of an undue Election for Kings County, and that the parties interested, appear before the Committee appointed for that purpose on that day, with such Witnesses as they may wish to produce.

And upon motion of Mr. Parker, that the words "before the Committee appointed for that purpose," be struck out, and the words "by Counsel at the Bar of the House," inserted, the House divided, YEAS 4. NAYS 20.

It was therefore carried in the negative; and upon the question put for passing the said Resolution, the House again divided, YEAS 18. NAYS 6.

And it was carried in the affirmative.

Mr. Campbell, from the Select Committee of Privileges, to whom was referred to examine the Petitions of Stephen Humbert, Esquire, complaining of an undue Election for the County of Saint John, in one of which, complaint is made of the conduct of the High Sheriff of the City and County of Saint John, and both praying that the Petitioner may be heard in person at the Bar of this House, and to report their opinion to the House, particularly as to the propriety of allowing Petitioners to be heard in per-

son instead of by Counsel, in the usual manner ; having attended to that duty, submits the following Report, which he read—

“ That the practice of the British House of Commons, as appears by the Journals of the same, is, that the Petitioner complaining of undue Elections or returns of Members, the nature of the case intended to be made by the Petitioning Candidate, must distinctly and expressly appear in conformity to those first principles of justice, which require the charge to be distinctly stated before the party complained against is called upon for his defence ; and also that the person or persons whom the same is intended to affect, should be fully aware of the sort of objections which are intended to be brought forward ; and this also appears to be the practice hitherto adopted by this House ; and in as much as the Petition of the said Stephen Humbert, Esquire, in which only is stated a violation of his rights and privileges, and protection is charged, your Committee are of opinion that the charge is not sufficiently explicit to justify further proceedings thereon.

“ And your Committee further beg leave to report, that they have made diligent search in the Journals of the House of Commons, previous to the Act 10 Geo. 3, c. 16, into the practice of allowing the Petitioning Candidate to be heard in person at the Bar of the House, in support of his claim, and find no precedent of the Petitioner being heard at the Bar of the House other than by Counsel.

“ Your Committee also further beg leave to state, that they have searched the Journals of this House, and in no one instance have they found the Petitioning Candidate heard at the Bar of this House, other than by Counsel.

“ Your Committee beg leave to state, that they can see no good cause for allowing the usual mode of appearing by Counsel before the House, to be departed from.

“ All which is respectfully submitted to this Honorable House.”

COLIN CAMPBELL,  
JOHN W. WELDON.

On motion of Mr. Simonds—The House, according to the order of the day, went into Committee of the whole, in consideration of His Excellency the Lieutenant-Governor's Speech.

Mr. Weldon took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weldon, from the Committee, reported that having gone into consideration of His Excellency's Speech referred to them, he was directed to report, that the Committee had passed four Resolutions, which he read, and they being again severally read, were agreed to by the House, and are as follow :—

- 1st. Resolved that such part of His Excellency's Speech, as relates to the encouragement of Agriculture, be referred to a Select Committee, to report thereon to the House.
- 2d. That such part of His Excellency's Speech as relates to the Fisheries, be referred to the Committee of Trade, to report thereon by Bill or otherwise.
- 3d. That such part of His Excellency's Speech as relates to the Institutions of Education, be referred to a select Committee, to report thereon by Bill or otherwise.
- 4th. That it is expedient to appoint a Committee to consist of a Member from each County to take into consideration, and ascertain what sums may be necessary for the improvement of all the communications throughout the Province, and for opening Roads to new Settlements.

And Mr. Weldon further reported, that he was directed to ask for leave to sit again. Leave granted.

Mr. Chandler, by leave, presented a Petition from Gregory Van Horne, Esquire, a Member returned to serve in General Assembly, for the City of Saint John, relative to a former Petition now before the House, of Thomas Barlow, Esquire, a Candidate at the Election for the said City of Saint John, and others, complaining of an undue Election for the said City, and praying, for reasons therein stated, that the said Petition of Thomas Barlow, may be rejected, or if retained, that a scrutiny may take place of the numerous bad and illegal votes given at the said Election, for the said Thomas Barlow, Esquire.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Taylor, by leave, presented a Petition from Solomon Parent, and others, Inhabitants

bitants of the Parish of Queensbury, in the County of York, praying that the Act "to provide for the erection of an Alms House and Work House, within the County of York, and for making Rules and Regulations for the management of the same," so far as respects the said Parish of Queensbury, may be repealed.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Crane, by leave, presented a Petition from Toler Thompson, and others, Inhabitants of the Parishes of Sackville and Westmoreland, praying that an Act may pass in amendment of an Act intituled "An Act for grazing and depasturing cattle in the said Parishes."

Which he read in his place.

Ordered that the said Petition be received, and lie on the Table.

Mr. Humbert, by leave, presented a Petition from Daniel Green, of the Parish of Norton, in Kings County, praying relief for certain grievances and injuries therein set forth.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

The House then adjourned until to-morrow morning, at 10 o'Clock.

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WEDNESDAY, 20th FEBRUARY, 1828.

*Prayers.*

Mr. Weldon, pursuant to leave, brought in a Bill to authorize the Justices of the Peace, in the County of Kent, to make Rules and Regulations respecting the taking of Fish in the different Harbours, Rivers, and Creeks.

And the said Bill being duly certified :—It was read a first time.

Read a second time, a Bill to lay a Tax on Dogs, in certain parts of the Parish of Fredericton.

Mr. Rankin moved for leave to bring in a Bill to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards, and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town," to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland.

Leave granted.

And the said Bill being brought in, and it appearing by a Certificate endorsed thereon, that it had been read in General Sessions of the Peace for the County :—It was read a first time.

Mr. Parker moved for leave to bring in a Bill relative to the Streets and Squares in City of Saint John.

Leave granted.

And the said Bill being brought in, and it appearing by a Certificate endorsed thereon, that the same had been read in General Sessions of the Peace for the City and County :—It was read a first time.

Mr. Campbell, by leave, presented a Petition from Stephen Emerson, praying the Grant of a Patent right, or some other encouragement, for inventing an approved machine for making Bricks and Tiles.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

On motion of Mr. Wyer—The House according to the order of the day, went into Committee of the whole on a Bill to repeal the Laws now in force for appointing Firewards and for the better extinguishing Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town.

Mr. Chandler took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chandler, from the Committee, reported that they had gone into consideration of the Bill referred to them and made progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

Mr.

Mr. Simonds, by leave, presented a Petition from Messrs. Gilmour, Rankin and Company, and Messrs. Wm. Abrams and Company, of Miramichi, Merchants, praying for return of duties on articles consumed by Fire on the 7th October, 1825.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell, by command of His Excellency, laid before the House the Treasurer's accounts for the last year;

And likewise the accounts and vouchers for expenditure of money on Great Roads, as well as those from the several Commissioners for expending monies on Byc-Roads, and for opening new Roads throughout the Province.

Mr. Secretary Odell withdrew.

Ordered that Mr. Johnston, Mr. Rankin, and Mr. Taylor, be a Committee to examine the Treasurer's accounts, and to report thereon to the House.

Ordered that Mr. Peters, Mr. Munro, and Mr. Allen, be the Committee to take into consideration that part of His Excellency's Speech, which relates to the encouragement of Agriculture, and report to the House.

Ordered that Mr. Crane, Mr. Rankin, Mr. Wyer, Mr. Weldon, and Mr. Chandler, be the Committee to take into consideration that part of His Excellency's Speech which relates to the Institutions of Education, and report thereon to the House.

Ordered that Mr. Campbell, Mr. Ketchum, Mr. Peters, Mr. Humbert, Mr. Ward, Mr. Crane, Mr. Munro, Mr. Rankin, and Mr. Weldon, be the Committee to take into consideration and ascertain what sums may be necessary for the improvement of all the Communications throughout the Province, and for opening Roads to new Settlements, and to report the same to the House.

On motion of Mr. Johnston—The House, according to the Order of the day, went into Committee of the whole on the report of the Select Committee of Privileges, on the Petitions of Stephen Humbert, complaining of an undue Election for the County of Saint John.

Mr. Munro took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Munro, from the Committee, reported that previous to proceeding to take into consideration the Report of the Select Committee of Privileges, referred to them, the Members for the County of Saint John withdrew.

That the Committee then passed the following Resolution:—

“Resolved that in the opinion of this Committee the Report of the Select Committee of Privileges, so far as the said Report relates to the dismissal of the Petition of the said Stephen Humbert, be received and adopted.”

After which it was moved:—That the Members of the County of St. John do now resume their Seats:—

And upon the question, the Committee divided as follows:—

YEAS—Mr. SPEAKER. Mr. HUMBERT, Mr. WYER, Mr. CHANDLER, Mr. JOHNSTON, Mr. WELDON, Mr. M'KAY, Mr. TAYLOR, Mr. KETCHUM, Mr. MILES, Mr. HAYWARD, Mr. RANKIN, Mr. DOW, Mr. CAMPBELL, Mr. CLARKE.

NAYS—Mr. SCOTT, Mr. CRANE, Mr. PALMER, Mr. ALLEN, Mr. HARRISON, Mr. FREEZE, Mr. PETERS, Mr. VAN HORNE.

It was thereupon carried in the affirmative.

The Members accordingly resumed their seats with the exception of Mr. Parker, who was permitted to retire.

That the following Resolution was then moved:—

“Resolved that this Committee do not think it expedient to concur with the opinion expressed by the Committee of Privileges, touching and concerning Petitioners in contested Elections being heard at the Bar of this House by Counsel.”

And upon the question, the Committee divided as follows:—

YEAS—Mr. PALMER, Mr. HUMBERT, Mr. PARTELOW, Mr. WYER, Mr. CHANDLER, Mr. ALLEN, Mr. CRANE, Mr. HARRISON, Mr. MILES, Mr. SIMONDS, Mr. RANKIN, Mr. VAN HORNE, Mr. DOW, Mr. CLARKE, Mr. PETERS, Mr. SCOTT, Mr. FREEZE, Mr. HAYWARD.

NAYS.

NAYS--- Mr. SPEAKER, Mr. M'KAY, Mr. JOHNSTON, Mr. KETCHUM, Mr. WELDON, Mr. CAMPBELL.

It thereupon passed in the affirmative.

The Resolutions, as reported, being then again read at the Clerk's Table, were agreed to by the House.

Ordered that the Report be accepted.

Mr. Palmer, by leave, presented a Petition from Stephen Humbert, a Candidate at the last general Election for the County of Saint John, complaining of the illegality of the proceedings on the part of the High Sheriff, in conducting the said Election, and praying to be heard in person at the Bar of this House.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

The House then adjourned until to-morrow morning, at 9 o'Clock.

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THURSDAY, 21st FEBRUARY, 1828.

*Prayers.*

Mr. Rankin, by leave, presented a Petition from Benjamin Salter, John Robson, and William Salter, of Miramichi, praying for return of duties on articles consumed by Fire on the 7th of October, 1825.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Munro moved for leave to bring in a Bill to assess the County of Gloucester, for building a Court House and Gaol in the said County.

Leave granted.

And the said Bill being brought in, and the same being duly certified by the Clerk of the Peace for the said County:—It was read a first time.

Mr. Freeze, pursuant to leave, brought in a Bill to encourage the destruction of Bears in this Province.

Which was read a first time.

Ordered that Mr. Peters be added to the Committee of Privileges.

Mr. Rankin, by leave, presented a Petition from William Broad, of Newcastle, in the County of Northumberland, praying for return of duties on articles consumed by Fire on the 7th of October, 1825.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Parker moved the following resolutions.

“Whereas the invariable practice in all cases of controverted Elections, which have arisen in this Province since its first establishment, has been to hear Counsel for the Petitioners and Sitting Members, and examine witnesses at the Bar of the House; and not before select Committees.

“And whereas, previous to the passing of the Act of Parliament 10 Geo: 3. c. 16, commonly called the Grenville Act, all Petitions against undue Elections, were either examined into before the House, or referred to the standing Committee of Privileges and Elections appointed at the commencement of each Parliament, consisting of many Members, sitting on regular days, and whereto all other Members who came might have voices; excepting some few cases where Committees were chosen by ballot.

“And whereas the mode lately adopted by this House, of appointing select Committees of five Members nominated in each particular case, without any ballot, to take into consideration Petitions complaining of undue Elections, and examine evidence and questions brought before them, is not so well calculated to do justice to the parties concerned, and does not so effectually guard the rights of the people in a matter of this high importance as the former and established practice; inasmuch as such Committees are without precedent; are chosen without any of the formalities deemed necessary by the House of Commons in like cases; are not sworn; and have no power to administer oaths to witnesses: the want of which legal sanctions of a trial before the House, is in a measure supplied by the great dignity of the tribunal, and  
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solemnity of the proceedings, but will certainly render the examinations, taken before select Committees, unsatisfactory and inconclusive.

“ And whereas it is considered expedient, after due deliberation, that until an Act of Assembly be passed, authorising the trials of controverted Elections before Committees, determining the mode of selecting such Committees, and regulating their proceedings when chosen; the ancient and uniform course pursued by this House of having such trials at the Bar of the House should be adhered to.

“ Thereupon Resolved, that the several Resolutions of this House, for appointing Committees, consisting each of five Members, to take into consideration the Petitions presented to this House by Thomas Barlow and others, complaining of undue Election for the City of Saint John; and by John C. Vail and others, complaining of undue Election for King's County; to examine evidence and questions, which may be brought before them, either by the Petitioners or sitting Members petitioned against, and report their proceedings to the House, be rescinded.

“ And further Resolved, that the Allegations contained in the Petitions be examined into at the Bar of the House, at the respective times appointed for their being heard before the select Committee.”

And upon the question being put thereon, the House divided as follows:—

YEAS—Mr. PARKER, Mr. WYER, Mr. M'KAY, Mr. PETERS, Mr. CAMPBELL, Mr. CLARKE, Mr. VAN HORNE.

NAYS—Mr. CHANDLER, Mr. PALMER, Mr. HUMBERT, Mr. CRANE, Mr. PARTELOW, Mr. JOHNSTON, Mr. WARD, Mr. TAYLOR, Mr. KETCHUM, Mr. MILES, Mr. HAYWARD, Mr. SIMONDS, Mr. RANKIN, Mr. MUNRO, Mr. DOW, Mr. SCOTT, Mr. FREEZE, Mr. WELDON.

It was thereupon carried in the negative.

Read a second time, a Bill for altering the Terms of holding the Inferior Courts of Common Pleas and General Sessions of the Peace in the County of Kent.

Mr. Taylor moved for leave to bring in a Bill to repeal an Act intituled, “ An Act to provide for the erection of an Alms House and Work House within the County of York, and for making Rules and Regulations for the management of the same,” so far as respects the Parish of Queensbury

Leave granted.

On motion of Mr. Taylor—Ordered that the Bill to lay a Tax on Dogs, in certain parts of the Parish of Fredericton, be referred to a Committee of the whole House on Tuesday next.

Read a second time, a Bill to regulate the manner of driving and riding upon the public Roads.

And on motion of Mr. Simonds—The House went into Committee of the whole, in consideration of the said Bill.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported that they had gone into consideration of the Bill referred to them and made progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

Mr. Johnston moved for leave to bring in a Bill to improve the condition of the Streets, and to establish common Sewers, in the City of Saint John.

Leave granted.

And the said Bill being brought in, and upon the question that it be read a first time,

It was carried in the negative.

Mr. Rankin, by leave, presented a Petition from Thomas C. Allen, of Miramichi, praying for return of duties on articles consumed by Fire, in October, 1825, and June 1826.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

On motion of Mr. Chandler—Resolved, that the matter of the Petition of Patrick Clinch, James Brown, and others, complaining of an undue Election and Return for the

the County of Charlotte, be taken into consideration by the House, on Wednesday the 5th day of March next, at 10 o'Clock in the forenoon, and that the Parties and their witnesses be then heard at the Bar of the House thereon; and that notice thereof be forthwith given to the petitioning Candidates, sitting Members petitioned against, and the Sheriff of the County of Charlotte, or to their Agents respectively.

On motion of Mr. Hayward—Resolved that the last Petition of Stephen Humbert, complaining of an undue Election, and misconduct of the High Sheriff of the County of Saint John, be referred to the Committee of Privileges, to report thereon to the House.

On motion of Mr. Miles—Resolved, that the Petition of Gregory Van Horne, Esquire, relating to the charges set forth against him in the Petition of Thomas Barlow, Esquire, complaining of an undue Election in the City of Saint John, be submitted to the Committee of Privileges, to report thereon to this House.

On motion of Mr. Chandler—Resolved that the Speaker do issue his Warrant for the attendance of Harris Hatch, Esquire, Clerk of the Peace for the County of Charlotte, Hallet Whitlock, Ananias M'Allister, Hugh Flaherty, Tristram Moore, Esq. Alexander M'Allister, and Orange Seely, at the Bar of this House, on Wednesday the 5th day of March next, at 10 o'Clock in the forenoon, to be examined as witnesses on the matter of the Petition of Patrick Clinch, James Brown, and others, complaining of an undue Election and Return for the County of Charlotte; and that the said Harris Hatch, Esquire, bring with him and produce the original Poll Book of the said Election, filed with him by the returning Officer; and that William Ross, Esquire, do attend on that day as soon after as possible.

Mr. Simonds moved for leave to bring in a Bill to authorize the Mayor, Aldermen, and Commonalty of the City of Saint John to open a Street from the Wharf on the South side of the Market Slip, to the Wharf owned by Charles I. Peters, Esquire.

Leave granted.

Mr. Johnston, by leave, presented a Petition from Allen Otty, Robert W. Crookshank, Jun. and Andrew Crookshank, praying that a Bounty, equal to the duty imposed on wheat by the Act of Parliament of 6 Geo. 4, may be allowed them on such quantity as they may import into the Province, and manufacture at their Steam Mill at Saint John.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee to consider and report upon all matters relating to the Commerce of this Province.

On motion of Mr. Chandler—Resolved, that when the House shall judge any Petition touching Elections to be frivolous and vexatious; the House will order satisfaction to be made to the person petitioned against.

Resolved, that if it shall appear that any person hath procured himself to be elected or returned a Member of this House, or endeavoured to be, by bribery or other corrupt practices; this House will proceed with the utmost severity against such person.

Resolved, that if it shall appear that any person hath been tampering with any witness, in respect of his evidence to be given to this House, or any Committee thereof, or directly or indirectly, hath endeavored to deter or hinder any person from appearing and giving evidence; the same is declared to be a high crime and misdemeanor; and this House will proceed with the utmost severity against such offender.

Resolved, that if it shall appear that any person hath given false evidence in any case before the House, or any Committee thereof; this House will proceed with the utmost severity against said offender.

Resolved, that in the opinion of the House, it is not proper for Members of His Majesty's Legislative Council to vote at Elections for Members of the Assembly, or interfere with such Elections.

On motion of Mr. Clarke—Resolved that the Speaker do issue his Warrants for the attendance of James Barker, John Wilson, John Mowatt, Aaron Upton, Nehemiah Marks, Robert Lindsay, William Thompson, William Mitchell, George M'Kenzie, Tyler P. Shaw, John Chaffey, Charles R. Hatheway, and Charles Jourdan, at the Bar of this House, on Wednesday the fifth day of March next, at ten o'Clock in the forenoon, to be examined as witnesses on the subject of the Petition of Patrick Clinch,  
James

James Brown, and others, complaining of an undue Election and Return for the County of Charlotte.

On motion of Mr. Weldon—The House went into Committee of the whole, on a Bill for altering the terms of holding the Inferior Courts of Common Pleas, and General Sessions of the Peace, in the County of Kent.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

Read a second time the following Bills :—

A Bill to extend the provisions of an Act, intituled “ An Act to repeal the Laws now in force for appointing Firewards, and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town,” to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland.

A Bill to alter the division line between the Parishes of Dundas and Wellington, in the County of Kent.

And a Bill to encourage the destruction of Bears in this Province.

Mr. Taylor, pursuant to leave, brought in a Bill to repeal an Act, intituled “ An Act to provide for the erection of an Alms House and Work House within the County of York, and for making Rules and Regulations for the management of the same,” so far as respects the Parish of Queensbury.

Which was read a first time.

And on motion of Mr. Taylor—Resolved, that under the particular circumstances of the case, this Bill be received, it having been proved to the satisfaction of this House, by a Petition now before the House, that it is approved of by the major part of the Inhabitants of the said Parish, and also that a Bill containing like provisions with the Bill now brought in, had been before the House at the last Session of the Assembly.

The House having waited upon His Excellency the Lieutenant-Governor, with their Address, in answer to His Excellency's Speech at the opening of the Session, and being returned, Mr. Speaker reported, that His Excellency was pleased to make the following reply thereto :—

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

“ In the Representative station in which you Address me, there is nothing that can afford me more entire satisfaction than that spirit of loyalty to our Beloved King, and those feelings of attachment to our Parent State, which you have expressed, and which are well known to animate the people you represent.

“ I am much gratified by the distinct terms in which the House of Assembly express their concurrence in the views and sentiments which I have lately laid before the Legislature, on all the more important branches of public affairs ; and I receive, with the highest satisfaction, the assurances contained in your Address, that you will give diligent attention and encouragement to those measures.

“ Animated, as I am sure you are, by an ardent desire to promote the happiness and prosperity of the Country, I feel assured that your proceedings in the discharge of the high trust reposed in you will be such, as to receive my continued approbation.”

Mr. Munro moved for leave to bring in a Bill for altering the terms of holding the Inferior Courts of Common Pleas and General Sessions of the Peace in the County of Gloucester.

Leave granted.

And the said Bill being brought in, and the same being duly certified by the Clerk of the Peace for the said County :—It was read a first time.

Mr. Campbell, by leave, presented a Petition from James Chaffey, and others, Merchants and Ship owners, residing at West Isles and Campo Bello, praying that a Deputy Treasurer may be appointed for that District.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Read a second time, a Bill to erect the Northern part of the Township of Hillsborough into a distinct Town or Parish.

On motion of Mr. Parker—Resolved that this House do on Monday next resolve itself into a Committee of the whole House on Ways and Means for raising supplies for the public service.

The House then adjourned until to-morrow morning at 10 o'clock.

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FRIDAY, 22d FEBRUARY, 1828.

*Prayers.*

Mr. Simonds, pursuant to leave, brought in a Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John, to open a Street from the Wharf on the South side of the Market Slip, to the Wharf owned by Charles L. Peters, Esquire.

Which was read a first time;

And it appearing to the House, that a Bill, with exactly the same provisions, had been introduced at the last Session, and received the assent of the House,

Thereupon ordered, that the 23d Rule of the House, requiring that the Bill should previously have been read at the Sessions, under the particular circumstances of this case, be dispensed with.

Mr. Wyer moved the following Resolution—Resolved, that all Petitions for Legislative aid for the opening or improving of Roads to new Settlements, be referred to the Committee appointed to take into consideration what sums may be necessary for the improvement of all the communications throughout the Province, and for opening Roads to new Settlements.

The question being put for passing the said Resolution, the House divided, and it was carried in the affirmative.

Mr. Johnston, by leave, presented a Petition from Ira Mosher, and others, Inhabitants of Carleton, in the County of Saint John, praying aid for making a Road from the Great Road leading to Saint Andrews, to Sand Point in Carleton aforesaid.

Ordered that the said Petition be received and referred to the Committee to take into consideration what sums may be necessary for the improvement of Roads throughout the Province.

Mr. Simonds, by leave, presented a Petition from the Overseers of the Poor for the Parish of Portland, in the County of Saint John, accompanied by an account, praying for a grant from the Province Treasury, towards the support of black Refugees in that Parish, for the last year.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Humbert moved for leave to bring in a Bill to authorize and empower the Rector, Church-wardens and Vestry, in the Parish of Kingston, in Kings County, to make certain conveyances of Lands now held by them in trust, in exchange for other Lands, and for other purposes therein contained.

Leave granted.

Mr. Taylor, by leave, presented a Petition from James Sisson, and others, inhabitants of the Parish of Kent, in the County of York, resident on the line of Bye Road through the said Parish, praying for Legislative aid to enable them to build Bridges over the Munquat and Munick Creeks.

Ordered that the said Petition be received and referred to the Committee to enquire what sums may be necessary for the improvement of Roads throughout the Province.

Mr. Wyer, by leave, presented a Petition from Jacob Young, Jun., Joshua Shaw, and Josephus Moore, Commissioners of Highways for the Parish of St. David, in the County of Charlotte, praying for Legislative aid for the improvement of Bye Roads in the said Parish.

Ordered that the said Petition be received and referred to the Committee to enquire what sums may be necessary for the improvement of Roads throughout the Province.

Mr. Allen, by leave, presented a Petition from John Cliff, James Cliff, and others, Commissioners and Surveyors of Highways for the Parish of Queensbury, in the County of York, praying aid to rebuild the Bridge across Mauseroll's Creek, so called, and to improve the Roads from the said Bridge to the lower end of the said Parish.

G. . . . . Ordered.

Ordered that the said Petition be received and referred to the Committee to enquire what sums may be necessary for the improvement of Roads throughout the Province.

Mr. Allen also, by leave, presented a Petition from George Long, Thomas Jewett, and others of the Parish of Douglas, praying aid towards erecting a Bridge across the Mactaquack Stream, near Jewett's Mill.

Ordered that the said Petition be received and referred to the Committee to enquire what sums may be necessary for the improvement of Roads throughout the Province.

Mr. Freeze, by leave, presented a Petition from John Crabb, Jun., and others, proprietors of the second tier of Lots in the Parish of Greenwich, in Kings County, called Greenwich Hill, and praying aid to assist in working the new Road laid out from that Settlement to the River St. John.

Ordered that the said Petition be received and referred to the Committee to ascertain what sums are necessary for the improvement of Roads throughout the Province.

Mr. Campbell, from the Select Committee of Privileges, to whom was referred the Petition of Gregory Van Horne, Esquire, praying that a Petition of Thomas Barlow, Esquire, and others, complaining of an undue Election for the City of Saint John, now before this House, may be dismissed, having attended to that duty, submitted the following Report, which he read.

“ That they do not find the Petition of the said Gregory Van Horne, Esquire, contains sufficient matter to justify the dismissal of the Petition of Thomas Barlow, Esquire, and others, referred to.

“ That it will come more properly under the consideration of the Committee appointed to take into consideration the prayer of the Petition of Thomas Barlow, Esq., and others, whether a scrutiny was duly demanded by the said Thomas Barlow at the close of the Election, and the same afterwards voluntarily abandoned by him previous to going into evidence of the legality or illegality of the qualifications of the Electors.”

COLIN CAMPBELL.

JOHN W. WELDON.

EDWARD B. CHANDLER.

HARRY PETERS.

The Report being again read at the Clerk's Table, was ordered to be accepted.

On motion of Mr. Van Horne—Resolved that the order of the day which requires that the Petition of Thomas Barlow, Esquire, and others, complaining of an undue Election for the City of Saint John, should be taken into consideration by the Select Committee appointed therefore, be discharged : and thereupon ordered that the parties appear before the Committee, with such witnesses as they may have to produce, on Tuesday next the 26th instant.

Mr. Simonds, by leave, presented a Petition from Thomas B. Fetherston, praying payment for teaching a School in the Parish of Portland.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Rankin, by leave, presented a Petition from Henry Swim, praying for aid to assist him to keep a Ferry in the Parish of Ludlow, in the County of Northumberland.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Hayward, by leave, presented a Petition from John Dewit, praying to be reimbursed the expense of building a Bridge across the outlet at the French Lake in the County of Sunbury.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Palmer, by leave, presented a Petition from James Cusack, and others, settlers in the rear of the lower settlement of the Township of Hillsborough, in the County of Westmoreland, praying for aid to assist in repairing the Road from Henry Steves' Mills to the main Road.

Which he read in his place.

Ordered that the said Petition be received, and referred to the Committee to ascertain what sums will be necessary for the improvement of Roads throughout the Province.

Mr. Scott, by leave, presented a Petition from Lewis Trites, and others, Inhabitants

tants of the Grand Dikken Village, in the County of Kent, praying aid to assist in repairing the Road leading from the Great Road of communication to the Southern point of the entrance of Cocagne Harbour.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee to ascertain what sums will be required for the improvement of Roads throughout the Province.

On motion of Mr. Freeze—The House went into Committee of the whole, on a Bill to encourage the destruction of Bears in this Province.

Mr. Allen took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Allen, from the Committee, reported that they had gone into consideration of the Bill referred to them and made progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

Mr. Crane moved for leave to bring in a Bill in addition to an Act intituled “ An Act to empower and authorize the Justices of the County of Westmoreland at their General Sessions of the Peace, to regulate the grazing and depasturing of the several Marshes, Lowlands or Meadows within the said County.

Leave granted.

Mr. Parker moved for leave to bring in a Bill to continue until the 1st day of April one thousand eight hundred and thirty-one, certain Acts providing for the more effectually repairing the Streets and Bridges in the City and County of Saint John.

Leave granted.

Read a second time, a Bill to authorize the Mayor, Aldermen and Commonalty of the City of St. John, to open a Street from the Wharf on the South side of the Market Slip, to the Wharf owned by Charles I. Peters, Esquire.

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

Mr. Scott moved for leave to bring in a Bill to provide for the services of the Speaker of the House of Assembly, and for defraying the expences and travelling charges of the Members of the said House attending in General Assembly.

Leave granted.

Mr. Weldon, by leave, presented a Petition from David M'Almon, praying to be remunerated for damage sustained in the discharge of his duty as a Militia Officer of the 2d Battalion Northumberland Militia.

Which he read in his place.

Ordered that the said Petition be received, and referred to the Committee of Supply.

Mr. Wyer, by leave, presented a Petition from John Cassilis, and others, praying aid to assist in opening a Road from Lawrence Williams', on Tower Hill in the Parish of St. David in the County of Charlotte, to the lands granted to Donald M'Culloch and others.

Ordered that the said Petition be received and referred to the Committee to ascertain what sums will be required for the improvement of Roads throughout the Province.

On motion of Mr. Simonds—The House went into Committee of the whole on a Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John, to open a Street from the Wharf on the South side of the Market Slip, to the Wharf owned by Charles I. Peters, Esquire.

Mr. Taylor took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Taylor, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

On motion of Mr. Simonds—The House went into Committee of the whole, in further consideration of a Bill, to regulate the manner of driving and riding upon the public Roads.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported that they had gone into further consideration of the Bill referred to them, and agreed to the same with an amendment.

Ordered that the Report be accepted, and the Bill engrossed.

Mr. Parker moved for leave to bring in a Bill to continue and amend the several Acts relative to the Highways and Roads within the several Towns and Parishes in this Province.

Leave granted.

Mr. Humbert, by leave, presented a Petition from Stephen Humbert and others, praying for aid to improve the Road from Hampton, in Kings County, to the head of the large Loch Lomond, in the County of Saint John.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee to ascertain what sums will be required for the improvement of Roads throughout the Province.

The House then adjourned until to-morrow morning, at 10 o'Clock.

### SATURDAY, 23d FEBRUARY, 1825.

#### Prayers.

Mr. Campbell, by leave, presented a Petition from John Wilson, Esquire, praying for a Legislative bounty on the Paper manufactured at his Paper Mill at Chamcook, in the County of Charlotte.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee to report upon all matters relating to the Commerce of this Province.

On motion of Mr. Wyer—The House went into Committee of the whole, upon the further consideration of a Bill to repeal the Laws now in force for appointing Firewards and for the better extinguishing Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town.

Mr. Chandler took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chandler, from the Committee, reported that having gone further into the consideration of the Bill referred to them, and upon the question for passing the following as the ninth section, viz:—

“ And be it further enacted, That during the raging of any Fire in the said Town of Saint Andrews, it shall and may be lawful for the Firewards present at such Fire, or the major part of them, to pull down or remove, or direct to be pulled down or removed, any House, Shop, Warehouse, Stable, or other building or fencing, being in the immediate vicinity of the Fire, as they the said Firewards present, or the major part of them, may deem necessary or advisable to stop the further progress or raging of such Fire.”

The Committee divided as follows:—

YEAS—MR. SPEAKER, MR. PALMER, MR. HUMBERT, MR. CRANE, MR. WYER, MR. CLARKE, MR. M'KAY, MR. KETCHUM, MR. SIMONDS, MR. WELDON, MR. FREEZE, MR. RANKIN, MR. DOW, MR. CAMPBELL.

NAYS—MR. PARKER, MR. PARTELOW, MR. WARD, MR. HARRISON, MR. TAYLOR, MR. MILES, MR. HAYWARD, MR. SCOTT, MR. VAN HORNE.

It was therefore carried in the affirmative.

All that he was further directed to report that they had made further progress therein, and to ask leave to sit again.

Ordered that the Report be accepted and leave granted.

Mr. Wyer moved for leave to bring in a Bill to continue an Act intituled, “ An Act to provide for the erection of Fences, with Gates, across the Highway, leading through Deer Island, in the Parish of West Isles and County of Charlotte.”

Leave granted.

And the said Bill being brought in, it was read a first time.

On

On motion of Mr. Parker—Whereas it appears by the Journals of this House of Wednesday last, that after the House went into Committee of the whole, on the Report of the Select Committee of Privileges, relative to the Petition of Stephen Humbert, complaining of an undue Election for the County of Saint John, the Members for that County were directed to resume their Seats before the Committee proceeded to take into consideration the said Report; which is not correct, the Members not having been directed to resume their Seats until the Committee had passed the first Resolution; and Mr. Parker having with leave of the Committee withdrawn altogether during the debate.

Thereupon Resolved, that this Error in the Journals be amended; and the Clerk make the proper entries accordingly.

Mr. Parker, by leave, presented a Petition from William B. Rubert, and others, inhabitants of the Parishes of Portland and St. Martins, in the County of Saint John, praying for aid to open and improve a Road lately explored from the old Quaco Road to the Loch Lomond Road, near Tyron's.

Also a petition from David Anderson, and others, settlers on the Road from Loch Lomond Bridge to the Black Settlement, and thence to Quaco, praying for aid to open the Road between those places.

Ordered that the said Petitions be received and referred to the Committee to inquire what sums may be necessary for the improvement of Roads throughout the Province.

Mr. Rankin, by leave, presented a Petition from Alexander Davidson, Esquire, of Nelson, in the County of Northumberland; praying to be reimbursed the sum of £72 : 8 : 9½ being a sum expended by him in building a Bridge across Flett's Cove, over and above the sum granted for the building of the said Bridge.

Also a Petition from George Flett, praying for balance due to him for erecting a Bridge in the Parish of Nelson.

And having read the Petitions severally in his place,

Ordered that they be received and referred to the Committee of Supply.

Mr. Scott, by leave, presented a Petition from the Settlers on Coverdale River, in the County of Westmoreland, praying Provincial aid to open a Road from that Settlement to Pollet River.

Ordered that the said Petition be received and referred to the Committee to inquire what sums may be necessary for the improvement of Roads throughout the Province.

Mr. Crane, pursuant to leave, brought in a Bill in addition to an Act intituled "An Act to empower and authorize the Justices of the County of Westmoreland at their General Sessions of the Peace, to regulate the grazing and depasturing of the several Marshes, Lowlands or Meadows within the said County."

It appearing that the Bill is of that nature that it does not come within the operation of the 23d Rule of this House, relative to local Bills,

It was read a first time.

Mr. Palmer moved for leave to bring in a Bill to alter and amend an Act, intituled "An Act for the more easy and speedy recovery of small Debts"

Leave granted.

Mr. Wyer moved for leave to bring in a Bill to continue and amend an Act for the better securing the navigation of the Inner Bay of Passamaquoddy, in the County of Charlotte.

Leave granted.

And the said Bill being brought in, it was read a first time.

The House then adjourned until Monday morning next at 10 o'Clock.

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MONDAY, 25th FEBRUARY, 1828.

*Prayers.*

Mr. Dow, by leave, presented a Petition from Abraham Estey, and others, Inhabitants of Howard Settlement in the rear of the Parish of Woodstock, in the County York, praying aid to assist in opening and repairing a Road to that Settlement.

H

Ordered

Ordered that the said Petition be received and referred to the Committee of Public Roads.

Mr. Parker, from the Committee appointed to examine what Laws have expired or are near expiring, submitted a further report, which he read, and is as follows:—

“That the Act 50 Geo. 3, c. 31, intituled “An Act to provide for the erecting of Fences, with Gates across Highways leading through Intervale Lands in Queens County, and the County of Sunbury, where the same may be found necessary,” the provisions of which Act were extended to Kings County, by Acts 58 Geo. 3, c. 5; and 3, Geo. 4, c. 7, will expire at the end of the present Session.”

R. PARKER,  
W. CRANE,  
W. TAYLOR.

The Report being handed in at the Clerk's Table, was there again read.

Ordered that the Report be received and lie on the Table.

Mr. Campbell, from the Committee of Privileges, to whom was referred the Petition of Stephen Humbert, presented to the House on the 20th instant, complaining of an undue Election for the County of Saint John, and of illegality in the proceedings on the part of the Sheriff in conducting the said Election; having attended to that duty, submitted the following Report, which he read.

“That the allegations contained in that Petition, are sufficient to require from the High Sheriff of the City and County of St. John, an explanation relative to the manner of taking Votes on the first day of Polling at the County Election.”

COLLIN CAMPBELL.  
HUGH JOHNSTON, Jun.  
JOHN W. WELDON.  
EDWARD B. CHANDLER.

The Report being handed in at the Clerk's Table, was there again read.

Ordered that the Report be accepted:

On motion of Mr. Parker—The House, according to the order of the day, went into Committee of the whole in consideration of Ways and Means for raising supplies for the public service.

Mr. Crane took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crane, from the Committee, reported, that having gone into consideration of the business referred to them, he was directed to report that they had passed the following Resolutions:—Which he read, viz:

“Resolved, that in the opinion of the Committee, it would be desirable to introduce the system of Warehousing dutiable articles, particularly at the Port of Saint John, the duties to be paid in Cash on taking out the articles for consumption; provided the same could be effected without any great expense; and that the same be referred to the Committee of Trade to examine and report thereon.

“Resolved, that it be referred to the Committee of Trade to prepare a Bill for revising and continuing the Revenue Laws.”

And further, that he was directed to ask leave to sit again.

Ordered that the Report be accepted and leave granted.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell delivered the following Message:—

“NEW-BRUNSWICK.  
MESSAGE to the HOUSE of ASSEMBLY,  
“25th. February, 1828.

HOWARD DOUGLAS.

“The Lieutenant-Governor lays before the House of Assembly, the Reports and Accounts of the Supervisors of the Great Roads, shewing the general condition of their respective Roads, of the work done, and the money laid out during the last year.

“The Lieutenant-Governor recommends to the House to take into their consideration the expediency of making provision for proceeding to a gradual completion of the Roads now in progress, in the substantial and careful manner which he hopes soon to see generally and uniformly observed before any fresh and extensive undertakings of this nature shall be commenced; and also for enabling the Lieutenant-Governor to cause careful Explorations and Surveys to be made of such Roads, as are not under immediate and substantial execution, and may not be considered as laid out in the

most

most advantageous manner ; in order that the best lines may be thus ascertained and definitively fixed, and Reports of these Explorations and Surveys, with estimates formed upon them, may be submitted to the Legislature for consideration and approval, before the work be actually commenced." " H. D."

Ordered that the several Documents accompanying the Message, lie on the table.

Mr. Parker, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying that the sum of £326 : 17 may be granted them, it being the amount expended by the Overseers of the Poor of the said City, for the support and relief of distressed Emigrants, during the year 1827.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from William and Thomas Leavitt, Merchants of Saint John, praying for a return of duties paid by them on 10 kegs of American Tobacco, exported by them to the West-Indies in the month of June last.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Campbell, by leave, presented a Petition from Angus M'Vicar, and others, Inhabitants of a new Settlement on L'Etang River in the County of Charlotte, praying aid towards opening and repairing a Road to that Settlement.

Ordered that the said Petition be received and referred to the Committee of Roads.

On motion of Mr. Johnston—Resolved, that the Petitioner, Stephen Humbert, be heard in support of the allegations contained in his Petition against the conduct of the High Sheriff of the County of Saint John, at the Bar of this House on Tuesday the 4th day of March next ; and that the Sheriff be notified to attend and answer on that day to the charges therein alledged against him, and that the Petitioner forthwith serve the said Sheriff with a copy of his Petition.

On motion of Mr. Crane—Resolved, that a Committee be appointed to inquire and examine what part of the appropriations for the three last years, remain unpaid, in order to ascertain what amount the House will be able to appropriate this Session.

Ordered that Mr. Crane, Mr. Ward, and Mr. Miles, be a Committee for that purpose.

On motion of Mr. Parker—Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to inform the House what part of the sums granted by the Legislature for the support of distressed Emigrants, for the years 1826 and 1827, has been expended ; and that His Excellency will also be pleased to direct an account to be laid before the House of such expenditure.

Ordered that Mr. Parker, Mr. Wyer, and Mr. Allen, be a Committee to present the said Address to His Excellency.

Read a second time, a Bill to continue and amend an Act for the better securing of the Navigation of the Inner Bay of Passamaquoddy, in the County of Charlotte.

On motion of Mr. Wyer, the House went into Committee of the whole, in consideration of the said Bill:

Mr. Johnston took the Chair of the Committee,

Mr. Speaker resumed the Chair.

Mr. Johnston, from the Committee, reported that they had gone into consideration of the Bill referred to them, and made progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

Mr. Campbell, by leave, presented a Petition from George Walker, and others, residents in Turner's Ridge Settlement, so called, praying aid to improve the Road thereto.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Ketchum, by leave, presented a Petition from James O'Donnel, and others, inhabitants of the Parish of Woodstock, in the County of York, praying aid to assist in making a Road to a new Settlement in the rear of that Parish.

Ordered that the said Petition be received, and referred to the Committee of Roads.

Mr. Humbert, by leave, presented a Petition from William Mabee, and others, inhabitants of Kings County, praying aid to assist in completing the road leading from Mabee's Farm, (middle land) to the Kennebeckacis River.

Ordered that the said Petition be received and referred to the Committee of Roads.

On

On motion of Mr. Simonds—The House went into Committee of the whole, on a Bill to alter the division line between the Parishes of Dundas and Wellington in the County of Kent.

Mr. Chandler took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chandler, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

Mr. Weldon, pursuant to leave, brought in a Bill to authorize the Justices of the Peace in the County of Kent, to assess the inhabitants of the said County, for erecting and building a Court-House and Gaol.

And the said Bill being duly certified by the Clerk of the Peace for that County, It was read a first time.

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

On motion of Mr. Scott—The House went into Committee of the whole, on a Bill to erect the Northern part of the Township of Hillsborough into a distinct Town or Parish.

Mr. Simonds took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Simonds, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and made progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted and leave granted.

Mr. Campbell, by leave, presented a petition from Charles Carson, and John Carson, praying an Act may pass authorising them to build a Dam across the Digdeguash River, in the County of Charlotte.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

And on motion of Mr. Campbell—Resolved that the Petition of Charles Carson, and John Carson, relative to the passing an Act authorising the erection of a Dam across the Digdeguash River, be read at the General Sessions of the Peace for the County of Charlotte, and a Certificate made thereon, in the usual manner, at the next Session of the General Assembly in this Province.

On motion of Mr. Simonds—The House went into Committee of the whole, on a Bill to continue an Act intituled “An Act to provide for the erection of Fences, with Gates across the Highway leading through Deer Island, in the Parish of West Isles, and County of Charlotte.”

Mr. Weldon took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weldon, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered that the Report be accepted and the Bill engrossed.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell delivered the following Message.

“NEW-BRUNSWICK.  
“MESSAGE to the HOUSE of ASSEMBLY,  
25th February, 1828.

**HOWARD DOUGLAS.**

“The Lieutenant-Governor directs to be laid before the House of Assembly a copy of a Dispatch from one of His Majesty’s Principal Secretaries of State, announcing His Majesty’s Royal disallowance of an Act of the General Assembly passed on the 7th March, 1826, intituled “An Act further to prevent illicit and clandestine Trade in this Province.”

“H. D.”

The communication accompanying His Excellency’s Message being read, was ordered to lie on the Table for the information of the House.

Mr. Partelow, by leave, presented a petition from Archibald M’Lachlan, a settler on the Road leading from St. John to St. Andrews, praying Legislative aid to enable him to afford assistance to distressed travellers on that Road.

Which he read in his place.

And

And upon the question, that the said petition be received and referred to the Committee of Supply, the House divided :—YEAS 8. NAYS 11.

It was therefore carried in the negative.

Mr. Allen, by leave, presented a petition from Bernard Carroll, Bryan Brady, Patrick Power and John Walsh, Committee for managing the affairs of the Roman Catholic Chapel at Fredericton, praying for aid towards the support of a resident Catholic Missionary for the Indians.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply. Read a second time, a Bill relative to the Streets and Squares in the City of Saint John.

And on motion of Mr. Parker—Ordered that the House go into Committee of the whole, in consideration of the said Bill to-morrow.

Mr. Parker, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying that the Bill relative to the Streets and Squares of the City of Saint John, (which Bill was read at the last General Session of the Peace holden at Saint John,) may pass into a Law.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

On motion of Mr. Wyer—The House went into Committee of the whole, in further consideration of a Bill to continue and amend an Act for the better securing the Navigation of the Inner Bay of Passamaquoddy, in the County of Charlotte.

Mr. Johnston took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Johnston, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same with amendments, under the title of "A Bill to continue and amend the Act for the better securing the Navigation of the Inner Bay of Passamaquoddy."

Ordered that the Report be accepted, and the Bill as amended engrossed, under the title as amended.

Read a second time, a Bill in addition to an Act intituled "An Act to empower and authorize the Justices of the County of Westmoreland at their General Sessions of the Peace, to regulate the grazing and depasturing of the several Marshes, Lowlands or Meadows within the said County."

And on motion of Mr. Crane—Ordered that the said Bill be referred to a Committee of the whole House on Thursday next.

Mr. Scott, by leave, presented a Petition from James Haslett of the Parish of Salisbury in the County of Westmoreland, praying for pecuniary Legislative aid to assist him in building a Mill for grinding Oats.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply. The House then adjourned until to-morrow morning at 10 o'clock.

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TUESDAY, 26th FEBRUARY, 1828.

*Prayers.*

Mr. Parker, pursuant to leave, brought in a Bill to continue and amend the several Acts relative to the Highways and Roads within the several Towns and Parishes in the Province.

Which was read a first time.

Mr. Parker, pursuant to leave, brought in a Bill to continue until the 1st day of April one thousand eight hundred and thirty-one, certain Acts providing for the more effectually repairing the Streets and Bridges in the City and County of Saint John.

Which was read a first time.

Mr. Rankin, by leave, presented a Petition from William Saunders of Miramichi, praying for return of duties on articles consumed by fire, on the 7th of October, 1825.

Which he read in his place.

Ordered

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Rankin also, by leave, presented a petition from John Clarke, Esq. of Miramichi, setting forth that a suit had been prosecuted against him, as surety for one David Gibson, for the payment of Transient Duties imposed on articles imported by the said David Gibson, and that judgment had been obtained against him, and a writ of *Ex-tendi Facias* levied for the amount of such duty, on the property of the Petitioner; and praying that a sum may be granted him, equal to the principal and interest due, and to be applied in payment of the Bond.

Which he read in his place.

And upon the question, that the said Petition be received and referred to the Committee of Supply,

The House divided, and it was carried in the affirmative.

On motion of Mr. Parker,—The House, according to the order of the day, went into Committee of the whole, on a Bill relative to the Streets and Squares in the City of Saint John.

Mr. Taylor took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Taylor, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same with amendments.

Ordered that the Report be accepted and the Bill as amended engrossed.

On motion of Mr. Taylor,—Ordered that the order of the day for going into Committee of the whole House, on a Bill to lay a Tax on Dogs, in certain parts of the Parish of Fredericton, be discharged.

On motion of Mr. Humbert,—Resolved, that the Speaker do issue his warrant for the attendance of John M. Wilmot, Esquire, Benjamin Stanton, Edward Bennison, Henry T. Partelow, Lewis Burns, and William Bayly, at the Bar of this House, on Tuesday the 4th day of March next, at ten o'Clock in the forenoon, to be examined as witnesses on the matter of the Petition of Stephen Humbert, complaining of the illegality of the proceedings on the part of the High Sheriff, in conducting the Election for the County of Saint John.

On motion of Mr. Hayward,—Resolved, that according to the order of the day, the Committee appointed to take into consideration the Petition of Thomas Barlow, Esquire, and others, complaining of an undue Election for the City of Saint John, do now attend to the business referred to them.

On motion of Mr. Weldon,—Resolved, that the Speaker do issue his warrant to the Clerk of the Crown in Chancery, requiring him forthwith to attend the Committee appointed to take into consideration the Petition of Thomas Barlow, Esquire, and others, complaining of an undue Election for the City of Saint John, and to bring with him the writ for the Election of Members to serve in General Assembly, for the said City of Saint John, together with the return thereto.

Read a second time, a Bill to continue until the first day of April, 1831, certain Acts providing for the more effectually repairing the Streets and Bridges in the County of Saint John.

Also a Bill to continue and amend the several Acts relative to the Highways and Roads within the several Towns and Parishes in this Province.

On motion of Mr. Scott,—The House went into Committee of the whole, in further consideration of a Bill to erect the Northern part of the Township of Hillsborough into a distinct Town or Parish.

Mr. Simonds took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Simonds, from the Committee, reported that they had gone into consideration of the Bill referred to them, and made further progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

Mr. Palmer, by leave, presented a Petition from John Monie, of Sackville, in the County of Westmoreland, praying aid towards the erecting of an Oat Mill, in the said Parish of Sackville.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

On motion of Mr. Parker,—Ordered, that a Bill to continue and to amend the several

veral Acts relative to the Highways and Roads within the several Towns and Parishes in the Province, be referred to the Committee of the whole House on Thursday next.

And on like motion of Mr. Parker,—Ordered, that a Bill to continue until the first day of April, 1831, certain Acts, providing for the more effectually repairing the Streets and Bridges in the City and County of Saint John, be referred to a Committee of the whole House on Thursday next.

Mr. Parker, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor, with the Address of the House, respecting the expenditure of monies granted for the relief of the distressed Emigrants:—Reported that the Committee had attended to that duty, and His Excellency was pleased to say, he would immediately direct the proper information to be laid before the House.

Mr. Humbert, by leave, presented a Petition from Richard Whelpley, and others, inhabitants of the Parish of Kingston, in Kings County, praying aid towards improving the Road from Bates' Mill to the Long Reach.

Also, a petition from Benjamin Dodge, and others, praying aid for the Road leading from Hammond River, at Samuel Ketchum's, to Rulof Rulofson's, Esquire.

Ordered that the said Petition be received, and referred to the Committee of Roads.

Mr. Campbell, by leave, presented a Petition from the Rev. Samuel Thompson, and others, inhabitants of the Parishes of Saint George, Saint Patrick, and Saint Andrews, in the County of Charlotte, praying aid to improve a road to communicate with the Main Road from Saint Andrews to Saint John, accompanied by a plan of the said Road.

Ordered that the said Petition be received and referred to the Committee of Roads, and the plan accompanying it, lie on the table for the information of the House.

Mr. Partelow, from the Committee appointed to examine, liquidate, and report upon Public and Private accounts, submitted a Report, which being handed in at the Clerk's Table, was there read, and is as follows:—

No. 1. Is the account of Thomas T. Hewlett, for the expenditure of £100 : 17 : 4, on sundry Bye Roads, in Queens County. He credits £155, received from the Province Treasury, and charges a commission of 5 per cent. on the sum of £7 : 15, leaving a balance due the Province of £46 : 7 : 8. The mode of making up this account is incorrect, the commission being charged on the whole amount received, instead of the sum expended:—By correcting that error, the balance due the Province will be £49 : 1 : 9½. This account is accompanied by the requisite vouchers, and attested to before a Justice of the Peace.

No. 2. Is Jeremiah Mabee's account, amounting to £33 : 5 : 6, expended by him on the road from Mabee's to the Kennebeckacis. He credits the sum of £30, as granted by the Legislature, leaving a balance due him of £3 : 5 : 6. The proper vouchers and affidavit accompany this account, except for the expenditure of £5 : 2 : 6, which is a charge for labour done by the Commissioner.

No. 3. Is an account of James A. Miles, amounting to £42 : 6, expended by him in building a bridge over Bullen Creek. He credits 50l. received of the Treasury in dollars at 5s 4d, making the sum of 46l : 13 : 4, leaving a balance in his hands of 4l : 7 : 4, which sum he states will still be necessary to finish the work. It will be proper to remark that this account is accompanied by vouchers shewing the expenditure only of 20l : 6, but none of the remaining sum of 22l. which is charged as for work done and materials furnished by the Commissioner himself. The whole is attested to before a Justice of the Peace, and no commission charged.

No. 4. Is an account of William Sharp, for the expenditure of £25 on the Road from Salmon River to Joseph Darling's, and on the road from the said Sharp's to Kierstead's. He credits £25 having been received from the Treasurer in May last. Vouchers for the expenditure of this money, accompanied by the Commissioner's affidavit, are with this account, except for a sum of £2 : 11, charged for his own labour.

No. 5. Is an account of John M'Leod for the expenditure of £25 on the road from Cheputnecticook ridge to Stewart's mill in the County of Charlotte. The proper vouchers and affidavit attend this account:—There is no credit in this account for money received.

No. 6. Is an account of Samuel Scovil and Richard Currie, shewing an expenditure of £294 on the road from Richard Currie's, Jun. to the Thoroughfare between the

the Grand and Maquapif Lakes in Queens County: The requisite vouchers and affidavit accompany this account. They credit £281 : 17 : 4, received from the Province Treasury, leaving an amount over expended by them of £11 : 2 : 8. They account for this excess by stating that they were obliged to pay the dollar at 5s. instead of 5s. 4d, in consequence of not having received the amount in time to make the payments at the advanced rate of the dollar.

No. 7. Is an account of John W. Weldon, Supervisor of the Great Road between Richibucto and Shediac river, shewing particulars of an expenditure of £206 : 9, on that road. This account is accompanied by all the necessary vouchers and his affidavit. He credits £200 received from the Treasurer, which leaves a balance due him of £6 : 9. It is necessary to add that Mr. Weldon, although by Law is entitled to £20 : 0 : 10 in the shape of commission, has only charged the Province with £5 : 19 : 11, which he states to have been his actual expences incurred in superintending the road.

No. 8. Is an Account of Justus S. Wetmore, amounting to £20 : 2 : 6, which appears has been expended by him on the road from Snider's to Kierstead's mill stream in Kings County. This account is correct, and accompanied by the proper vouchers and an affidavit. He gives no credit for money received.

No. 9. Is James E. Davis' account for the expenditure of 10l. on the road from David Parks' to Fairweather's Mill, and a like sum of 10l. on the road from J. E. Davis' to Fairweather's Mill. No vouchers are with this account, as he states he has received the money from the Treasurer. His affidavits of the expenditure has been made before a Justice of the Peace.

No. 10. Is an account of the Honorable John Saunders, shewing the expenditure of 55l : 5, towards improving the road from the Pokiok, in the Parish of Prince William, in the County of York. He credits 50l. received from the Treasurer, leaving a balance due him of 5l. : 5, and he accounts for having exceeded the amount granted, in consequence of being unable without it to make the road passable. The proper vouchers and an affidavit accompany this account, and no commission has been charged.

Ordered that the Report be received and lie on the Table.

On motion of Mr. Scott,—The House went into Committee of the whole, in further consideration of a Bill to encourage the destruction of Bears in this Province.

Mr. Allen took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Allen, from the Committee, reported that they had gone into the further consideration of the Bill referred to them, and was directed to report, that they had agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

Mr. Miles moved for leave to bring in a Bill further to continue an Act intituled, "An Act to provide for the erecting of Fences, with Gates across Highways, leading through Interval Lands in Queens County, and the County of Sunbury, where the same may be found necessary;" and to extend the provisions of the same to Kings County.

Leave granted.

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

Mr. Chandler moved for leave to bring in a Bill for the more convenient and speedy assignment of Dower.

Leave granted.

The House then adjourned until to-morrow morning, at 10 o'Clock.

WEDNESDAY, 27th FEBRUARY, 1828.

Prayers.

Mr. Parker moved for leave to bring in a Bill to continue until the first day of April, 1831, certain Acts for the support and relief of confined Debtors.

Leave granted.

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

Read a third time as engrossed,

A Bill to alter the division line between the Parishes of Dundas and Wellington in the County of Kent.

Resolved that the Bill do pass. Ordered that Mr. Weldon and Mr. Crane, carry the said Bill to the Council and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to authorize the Mayor, Aldermen and Commonalty of the City of St. John, to open a Street from the Wharf on the South side of the Market Slip, to the Wharf owned by Charles I. Peters, Esquire.

Resolved that the Bill do pass. Ordered that Mr. Simonds and Mr. Van Horne carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill for altering the Terms of holding the Inferior Courts of Common Pleas and General Sessions of the Peace in the County of Kent.

Resolved that the Bill do pass. Ordered that Mr. Weldon and Mr. Chandler carry the said Bill to the Council and desire their concurrence thereto.

Mr. Weldon, Chairman of the Committee to take into consideration the Petition of Thomas Barlow, Esquire, and others, complaining of an undue Election for the City of Saint John, having proceeded in the matter of the said Petition, reported that he was directed to submit the following, which he read, viz:—

“That some doubt and uncertainty exist, as to who are Electors duly qualified under the Act of the Provincial Legislature to vote as Freemen of the City of Saint John:—And the Committee are of opinion that it will tend much to facilitate the business submitted to them, if the decision of the House be previously had, as to what are the proper qualifications to entitle an Elector to vote as a Freeman of the said City.

“And your Committee further beg leave to state, that in the course of their proceedings of yesterday, a motion was made by the Counsel for the petitioning Candidate, that all votes objected to by the said Candidate, should first be taken into consideration previous to those votes objected to by the sitting Member;—This being resisted by the Counsel for the sitting Member, your Committee wish the direction of the House as to the proper course to be adopted by them in this particular.”

JOHN W. WELDON,  
H. MUNRO,  
W. CRANE,  
W. TAYLOR,  
ALEX. RANKIN.

The Report being again read at the Clerk's Table, was ordered to be accepted.

Mr. Weldon, by leave, presented a Petition from Thomas Barlow, Esquire, petitioning Candidate, against the Election of Gregory Van Horne, Esquire, for the City of Saint John, praying to be heard by Counsel at the Bar of the House, on any questions that may be reported by the said Committee in the course of the proceedings had before the said Committee, previous to the House coming to a decision thereon, and particularly on the questions arising out of the Report now before the House.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Chandler moved the following Resolution:—

Resolved that the prayer of the Petition of the said Thomas Barlow, so far as the same relates to be heard by Counsel at the Bar of this House, on the Report of the Select Committee, be complied with, and that Counsel be forthwith heard as well on the behalf of the said petitioning Candidate, as well as on the behalf of the sitting Member.

And upon the question for passing the said Resolution, the House divided.—  
YEAS 14. NAYS 12.

It was thereupon carried in the affirmative.

The Counsel were then admitted as well on the part of the petitioning Candidate, as on the part of the sitting Member.

A question arising as to the mode of conducting the argument by the Counsel on the part of the sitting Member,

The Counsel were ordered to withdraw.  
 The House having come to a decision, that the Counsel do confine themselves to the questions arising from the Report of the Select Committee,  
 The Counsel were again admitted.  
 The Counsel were ordered to withdraw.  
 Mr. Scott, pursuant to leave, brought in a Bill to provide for the services of the Speaker of the House of Assembly, and for defraying the expences and travelling charges of the Members of the said House, attending in General Assembly.  
 Which was read a first time.  
 The House then adjourned until to-morrow morning, at 10 o'Clock.

THURSDAY, 28th FEBRUARY, 1828.

*Prayers.*

On motion of Mr. Parker,—Resolved, that in the opinion of this House, Freemen entitled to vote at the Election of Members for the City of Saint John, consist of two classes,

- 1st. All white inhabitants, His Majesty's Subjects who were resident in the City at the date of the Charter, namely, 18th May 1785, who have since taken the oath and had their names registered in the Office of the Common Clerk of the said City.
- 2d. All natural born Subjects, or persons naturalized or made Denizens, who have been appointed Freemen by the Mayor or his Deputy, by Warrant or Certificate, under the Common Seal of the City; and have taken the Freeman's oath before the Mayor or Recorder and three Aldermen of the said City.

Provided that such Freemen of both classes, are possessed of the qualifications required by the Election Laws, namely, £25 personal property, and considered resident in the City for six months before the test of the Writ of Election to the time of polling.

With respect to Freemen of the first class, whose names are registered, no difficulty can arise; but it does not appear to the House absolutely requisite that Freemen of the second class should be registered, as this has not been directed by the Charter; though the House would expect, as a matter of course, that some Poll or Register had been kept of the Freemen of the second class, as affording the only means which the Public or City authorities could have recourse to to ascertain the fact.

And further Resolved, that the select Committee be instructed to examine what the practice in the City has been with respect to registering Freemen of the second class, since the date of the Charter; and to report thereon, particularly, to the House as soon as possible.

Mr. Dow, by leave, presented a Petition from George West, Witter Davidson, and Jacob Elligood, Commissioners of Highways for the Parish of Prince William, in the County of York, praying aid to improve the roads throughout the said Parish.

Ordered that the said Petition be received and referred to the Committee of Roads.

Read a second time, a Bill to provide for the services of the Speaker of the House of Assembly, and for defraying the expences and travelling charges of the Members of the said House, attending in General Assembly.

Read a second time, a Bill to continue until the first day of April, 1831, certain Acts for the support and relief of confined Debtors.

And on motion of Mr. Parker,—The House went into Committee of the whole, in consideration of the said Bill.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and agreed to the same, under the title of a Bill to continue until the first day of April, one thousand eight hundred and thirty, certain Acts for the support and relief of confined Debtors.

Ordered that the Report be accepted, and the Bill engrossed, under the title as amended.

Mr. Partelow, from the standing Committee appointed to examine, liquidate and report

report upon Public and Private accounts, submitted a further Report, which being handed in at the Clerk's Table, was there read, and is as follows, viz:—

No. 11. Is John M'Kenzie's account, shewing an expenditure of £25 on the road from Chiputnecticook Settlement to the Bass Wood Ridge, in the County of Charlotte. The proper vouchers and his affidavit accompany this account, except for 5*l.* : 11 : 6, which he charges for John M'Kenzie's labor, and the hire of Oxen and a Plough. He gives no credit for the money granted.

No. 12. Is an Account of Gilead Secord, for the expenditure of 15*l.* : 5 : 6, on the road from Drummond's to William Rodgers', in Kings County. The Commissioner charges two pounds for his own labor, for which there is no voucher, and for the rest the necessary vouchers, and his affidavit, are with the account. He credits £15 received from the Province Treasurer.

No. 13. Is William Burnett, Junr's. Account, shewing that the sum of 20*l.* : 1 : 4 has been expended on the road from the head of Belisle to Guthries', in Kings County. This account is accompanied by the requisite vouchers, except for 2*l.* : 17 : 6, which is charged for his own labour. He credits £18 : 15 received from the Treasurer, which, from the Commissioner's remarks, your Committee conclude, was the amount of a warrant for 20*l.* paid in dollars at 5*s.* : 4*d.* No commission is charged on this account.

No. 14. Is Jacob Vanwart's account for the expenditure of 15*l.* on the road from Shaw's to King's County Line, accompanied by the necessary vouchers. He charges no commission, nor does he give credit for any money.

No. 15. Is Alexander Donald's account, amounting to 30*l.* expended by him towards erecting a Bridge over the Pennyack Stream, in the County of York. He credits that sum as received from the Province Treasurer. The requisite vouchers are with this account.

No. 16. Is Jabez C. Squires' account, amounting to 50*l.* expended by him in improving the road from Carney's to Fitzherbert's, in the County of York. The proper vouchers accompany this account, but no affidavit of the Commissioner. He credits 50*l.* received from the Treasurer.

No. 17. Is an account of N. H. De Veber, Supervisor of the Great Road from Fredericton to the Finger Board, and from the foot of the Great Marsh near Saint John to the head of Belisle, amounting to 405*l.* : 14 : 8. The necessary vouchers attend this account, shewing the expenditure of 301*l.* : 15 : 9, a part of the amount, and the remaining sum of 103*l.* : 13 : 11, are comprised in the following charges.

A balance charged as due from last year's account,	£63 : 13 : 11.
10 per cent. commission on amount expended this season,	40 : 0 : 0.
Postage of Letters,	5 : 0.

£103 : 13 : 11.

The Commission, your Committee are of opinion, should have been charged only on the sum expended, which would reduce the amount 9*l.* : 16 : 5. It is proper to remark, also, that there is a charge made by William Lloyd, of 10*s.* per day for eighty seven days superintending the work, and a similar one by John M'Donald, three days at 10*s.* the propriety of which is submitted to the consideration of the House. The Supervisor's affidavit is attached to this account, and he credits 400*l.* received from the Province Treasurer.

No. 18. Is an account of Hugh Matheson, shewing an expenditure of 50*l.* on the road from Mann's to Fitzpatrick's, in the County of Charlotte. The necessary vouchers and an affidavit are with this account. He credits 50*l.* received from the Province Treasurer.

No. 19. Is an account of Hugh Matheson, for the expenditure of 17*l.* in cutting down a hill and removing rocks on the western side of the River Magaguadavic. He credits the same amount received from the Treasurer. This account is attended with vouchers and an affidavit.

No. 20. Is an account of Hugh M'Kay, shewing an expenditure of 153*l.* : 10, on the road from the new Settlement on the western side of Magaguadavic to Isaac Young's farm. This account is accompanied with the necessary vouchers, and an affidavit. The Commissioner credits 153*l.* received from the Treasurer, leaving a balance due him of 10*s.* but as he has charged the commission on the amount granted instead of that expended, the balance will be reduced to 2*s.* : 10*d.*

No. 21. Is an account of L. Bradshaw Rainsford, acting Supervisor on the Great Road leading to Canada, amounting to 650*l.*—559*l.* : 0 : 8½ of which, appear to have been expended on the road, on which the acting Supervisor has charged the usual commission of 10 per cent. 55*l.* : 17 : 0¾, and the remainder 85*l.* : 2 : 2¾, he states having paid over to the Supervisor, Mr. James Maclauchlan. This account is accompanied by vouchers and an affidavit, and the only error your Committee can discern, is in voucher No. 20, attached to the contingent account, where the amount of Daniel Perley's bill against Mr. Rainsford is extended 6*l.* instead of 4*l.* : 10*s.*, leaving the sum of 30*s.* for the latter yet to account to the Province. He credits 650*l.* having been received from the Province Treasurer. This account would have been much more satisfactory to your Committee if the contracts with the parties who performed part of the work, had been attached to the papers: a Report from the acting Supervisor accompanies the account.

No. 22. Is an account of Philip Palmer, amounting to 45*l.* : 17 : 6, stated to have been expended by him in exploring a road from Hopewell, in Westmoreland, to the Kennebeckacis River, in Kings County, accompanied by a plan of the road and a letter from Mr. Odell, Province Secretary, under which he acted in making the exploration. Mr. Palmer has made an affidavit of the correctness of the account, but it is attended with no vouchers.

No. 23. Is John Johnston's account, amounting to 24*l.* : 19 : 10, for the expenditure of that sum on the road from Lloyd's to Hartley's, in Wakefield, in the County, of York. This account is without any vouchers or an affidavit, and the work appears to be charged at very high rates, (particularly 5*s.* per day for labour hire,) and a part of it done by Johnston himself. He charges 5 per cent. Commission, and credits 25*l.* received from the Treasurer.

No. 24. Is the account of William Joplin, Supervisor of the Great Road from Shediac to Chatham, amounting to 277*l.* : 18 : 10, expended by him; and accompanied by vouchers and an affidavit. The work appears to have been done, under the inspection of the Supervisor, by labourers employed per diem, and found in provisions, but the receipts do not specify the rates paid by him. He credits 80*l.* : 6 : 8, as remaining in his hands from last year, and 800*l.* received from the Treasurer the present one, leaving a balance due the Province of 108*l.* : 4 : 11.

It is proper to notice that of the above sum expended, 66*l.* appear to have been laid out in exploring a road from Chatham to Fort Cumberland.

Ordered that the Report be received and lie on the Table.

On motion of Mr. Wyer,—The House went into Committee of the whole, in further consideration of the Bill to repeal the Laws now in force for appointing Firewards, and for the better extinguishing Fires in the Town of Saint Andrews, and to make Regulations more suitable to the said Town.

Mr. Chandler took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chandler, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same with amendments.

Ordered that the Report be accepted and the Bill as amended engrossed.

On motion of Mr. Rankin,—The House went into Committee of the whole, on a Bill to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards, and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town," to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland.

Mr. Johnston took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Johnston, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

On motion of Mr. Scott,—The House went into Committee of the whole, on a Bill to provide for the services of the Speaker of the House of Assembly, and for defraying the expences and travelling charges of the Members of the said House attending in General Assembly.

Mr. Parker took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Parker, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

On motion of Mr. Parker,—Ordered that the several orders of the day for going into Committee of the whole, on a Bill to continue and amend the several Acts relative to the Highways and Roads within the several Towns and Parishes in this Province.

And a Bill to continue until the first day of April one thousand eight hundred and thirty-one, certain Acts providing for the more effectually repairing the Streets and Bridges in the City and County of Saint John, be discharged; and further ordered, that the House do go into Committee thereon to-morrow.

On motion of Mr. Parker,—The House went into Committee of the whole, upon the recommitment of a Bill to regulate the manner of driving and riding on the public Roads.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported that they had gone into consideration of the Bill referred to them; and made a further amendment thereto.

Ordered that the Report be accepted; and the Bill as further amended engrossed.

Mr. Hayward, by leave, presented a Petition from Thomas Hartt, praying for aid towards rebuilding a Bridge over the North Branch of the Oromocto River.

Ordered that the said Petition be received and referred to the Committee of Roads.

On motion of Mr. Parker,—Resolved that James Peters, Junior, Esquire, the Common Clerk of the City and County of Saint John, who has attended with the Poll Book of the last Election for the City, and given his evidence before the Committee, by order of this House, have permission to return home; and that the said Poll Book be delivered into the charge of the Clerk of this House, to remain until the decision of the House is made upon the said Election, and then be delivered over to the said Common Clerk.

On motion of Mr. Johnston,—Ordered that the House, in Committee of the whole, do go into consideration of Supplies to be granted for the Public Service, on Monday next.

On motion of Mr. Taylor,—The House went into Committee of the whole upon a Bill to lay a Tax on Dogs, in certain parts of the Parish of Fredericton.

Mr. Crane took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crane, from the Committee, reported that they had gone into consideration of the Bill referred to them, and had made progress therein, and was directed to ask leave to sit again.

Ordered that the Report be accepted, and leave granted.

On motion of Mr. Taylor,—The House went into Committee of the whole, upon a Bill to repeal an Act, intituled “An Act to provide for the erection of an Alms House and Work-House within the County of York, and for making Rules and Regulations for the management of the same,” so far as respects the Parish of Queensbury.

Mr. Campbell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Campbell, from the Committee, reported that they had gone into the consideration of the Bill referred to them, and agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

Mr. Rankin, by leave, presented a petition from William Abrams and Company, praying for return of duty on Rum exported by them to Prince Edward Island in the year 1825;

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Read a second time the following Bills.

A Bill for altering the terms of holding the Inferior Courts of Common Pleas and General Sessions of the Peace in the County of Gloucester.

And a Bill to authorize the Justices of the Peace in the County of Kent, to assess the inhabitants of the said County, for erecting and building a Court-House and Gaol.

And on motion of Mr. Weldon, the House went into Committee of the whole, on a Bill to authorize the Justices of the Peace of the County of Kent, to assess the Inhabitants of the said County, for erecting and building a Court House and Gaol.

Mr. Allen took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Allen, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same with amendments, under the title of a Bill to authorize the Justices of the Peace of the County of Kent, to levy an assessment for the purpose of erecting a Court-House and Gaol in the said County.

Ordered that the Report be accepted and the Bill engrossed, under the title as amended.

Mr. Chandler moved for leave to bring in a Bill to continue an Act until the 1st day of April, 1831, intituled "An Act for the better regulating of licences to Inns, Taverns, and Houses for selling strong Liquors by retail.

Leave granted.

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

Read a second time, a Bill to authorize the Justices of the Peace, in the County of Kent, to make Rules and Regulations respecting the taking of Fish in the different Harbours, Rivers, and Creeks, in the said County.

Mr. Crane moved for leave to bring in a Bill to continue until the first day of April, 1833, an Act to regulate the manufacturing and Shipment of Grind Stones from the County Westmoreland.

Leave granted.

And the said Bill being brought in, was read a first and second time.

And thereupon ordered that the said Bill be referred to a Committee of the whole House to-morrow.

On motion of Mr. Munro,—The House went into Committee of the whole, on a Bill to authorize the Justices of the County of Gloucester, to assess the said County for erecting a Court House and Gaol therein.

Mr. Chandler took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chandler, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

On motion of Mr. Crane,—Ordered that the order of the day for going into Committee of the whole, on a Bill in addition to an Act intituled "An Act to empower and authorize the Justices of the County of Westmoreland at their General Sessions of the Peace, to regulate the grazing and depasturing of the several Marshes, Lowlands, or Meadows, within the said County," be discharged.

The House then adjourned until to-morrow morning, at 10 o'Clock.

FRIDAY, 29th FEBRUARY, 1828.

*Prayers.*

Mr. Parker, by leave, presented a Petition from John Ward, and others, Proprietors of the Steam Boat St. John, praying that the Legislature will grant to them the sum of £150 per annum, upon their undertaking to ply regularly, and carry the Mail between St. John and Digby in Nova-Scotia; they also agreeing to find a good and sufficient

sufficient vessel for that purpose during the season when the Steam Boat must belaid up,

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Rankin moved for leave to bring in a Bill "for altering the times of holding the Court of General Sessions of the Peace, and Inferior Courts of Common Pleas in the County of Northumberland, and for enlarging the times of the sitting of the said Courts," and for altering the terms of holding the General Sessions of the Peace and Inferior Courts of Common Pleas in the said County, and for enlarging the times of the sitting of the said Courts, and to make one of the additional terms of the said Inferior Court of Common Pleas, a term for the trial of causes.

Leave granted.

And the said Bill being brought in, and the same being duly certified by the Clerk of the Peace for the said County, it was read a first time.

Mr. Rankin, by leave, presented a Petition from the Justices of the Peace of the County of Northumberland, praying for a grant from the Province Treasury for defraying the costs of erecting two Pest Houses, and for support and medical attendance for sick and indigent Emigrants for the last year.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Read a second time, a Bill to continue an Act until the first day of April one thousand eight hundred and thirty-one, intituled "An Act for the better regulating of Licences to Inns, Taverns and Houses for selling strong Liquors by retail.

And on motion of Mr. Chandler,—The House went into Committee of the whole in consideration of the said Bill.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

Mr. Humbert, by leave, presented a Petition from Sylvanus Haviland, of the Parish of Westfield, in Kings County, praying remuneration for injury sustained by him in consequence of an alteration made on the line of Great Road of Communication between Fredericton and Saint John, by way of the Nerepis ;

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Rankin, by leave, presented a Petition from William Joplin, Esquire, praying a sum may be granted to reimburse him for public property lost in the Fire of the 7th October, 1827 ;

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Read a third time as engrossed,

A Bill relative to the Streets and Squares in the City of Saint John.

Also a Bill to authorize the Justices of the Peace of the City and County of Saint John, to raise a sum of money for completing a Court-House of the said City and County.

Resolved that these Bills do pass. Ordered that Mr. Parker and Mr. Johnston carry the said Bills to the Council and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to continue and amend the Act for the better securing of the Navigation of the Inner Bay of Passamaquoddy, in the County of Charlotte.

Resolved that the Bill do pass. Ordered that Mr. Wyer and Mr. Clarke carry the said Bill to the Council and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to regulate the manner of driving and riding upon the public Roads.

Resolved that the Bill do pass. Ordered that Mr. Simonds and Mr. Ketchum carry the said Bill to the Council and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to encourage the destruction of Bears in this Province.

Resolved

Resolved that the Bill do pass. Ordered that Mr. Freeze and Mr. Crane carry the said Bill to the Council and desire their concurrence thereto.

On motion of Mr. Weldon,—The House went into Committee of the whole, upon the reconsideration of a Bill to authorize the Justices of the Peace of the County of Kent, to levy an assessment for the purpose of erecting a Court House and Gaol in the said County.

Mr. Allen took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Allen, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same with further amendments.

Ordered that the Report be accepted, and the Bill as further amended engrossed.

On motion of Mr. Wyer,—The House went into Committee of the whole, upon reconsideration of a Bill to continue an Act intituled “An Act to provide for the erection of Fences, with Gates across the Highways, leading through Deer Island, in the Parish of West Isles, and County of Charlotte.

Mr. Weldon took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weldon, from the Committee, reported that they had gone into consideration of the Bill referred to them, and made a further amendment thereto.

Ordered that the Report be accepted, and the Bill as further amended engrossed.

On motion of Mr. Chandler,—Whereas John C. Vail, Esq., a petitioning Candidate complaining of an undue Election for Kings County, and John Humbert, Esq., the Sitting Member petitioned against, have agreed that a certified copy of the Poll Book of the last Election for the said County, from the Clerk of the Peace of the said County, shall be considered as valid as the original for all purposes for which it may be required by this House, or a Committee thereof, in the investigation of the Petition of the said John C. Vail, Esq., complaining of said Election.

Thereupon Resolved, that the Clerk of the Peace for the said County, do forthwith furnish the said parties, or either of them that may require the same, with a true copy of the said Poll Book, duly certified by him, upon payment of the usual fees.

On motion of Mr. Parker,—The House, according to the order of the day, went into Committee of the whole upon a Bill to continue and to amend the several Acts relative to the Highways and Roads within the several Towns and Parishes in this Province.

Mr. Taylor took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Taylor, from the Committee, reported that they had gone into consideration of the Bill referred to them, and made progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted and leave granted.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell delivered the following Message.

“NEW-BRUNSWICK.  
“MESSAGE to the HOUSE of ASSEMBLY,  
“29th February, 1828.

HOWARD DOUGLAS.

“The Lieutenant-Governor submits to the consideration of the House of Assembly, a representation of several of the Public Officers, setting forth the danger to which the public Records are exposed from frequent attempts that have been recently made to break into the Offices; and recommends to the House to make provision for enabling the Lieutenant-Governor to adopt adequate means for effectually securing, from such depredations, the Records and Documents, in the safe keeping of which the Inhabitants of the Province at large are so materially interested.” “H. D.”

Mr. Secretary Odell, likewise, by command of His Excellency, laid before the House, accounts of monies granted in the years 1826 and 1827, for the relief of distressed Emigrants.

Mr. Secretary Odell withdrew.

Mr. Crane, from the Committee appointed to examine into the amount of the several grants for the last three years, which now remain unpaid, with a view to ascertain

ascertain the disposable funds of the Province for the current year, submitted a Report, which being handed in at the Clerk's Table, was there read, and is as follows:—

That of the Grant made at the last Session for Bye Roads, there remains unpaid.....	£4,720 : 0 : 0
That of the Grant for Government House, do.....	7,450 : 0 : 0
That of the Grant for Fish Bounty, do.....	500 : 0 : 0
That of the Grant for Madras Schools, do.....	700 : 0 : 0
That of the Grant for Grain Bounty for 1826, do.....	2,500 : 0 : 0
Do. do do. for 1827, do.....	2,500 : 0 : 0
That of the Grant for Agricultural Society, for do., do.....	700 : 0 : 0
There remains unpaid for Parish Schools, probably about.....	1,500 : 0 : 0
The Grant for the relief of Sufferers by Fire, the whole remains unpaid.....	5,000 : 0 : 0
	<u>£25,570 : 0 : 0</u>

The balance in the Treasury at St. John, in Bonds and Cash to 31st December last,.....	£27,583 : 0 : 0
The balance in the hands of the Treasurer at Miramichi,.....	3,333 : 0 : 0
The balance in the hands of the Treasurer at St. Andrews,.....	4,127 : 0 : 0
The balance in the hands of the late Treasurer at Richibucto, £653 } Do. do. present Treasurer at do. 182 }	835 : 0 : 0
The balance in the hands of the Treasurer at St. Peters,.....	443 : 0 : 0
Do. Shediac, Restigouche, and Westmoreland,.....	135 : 0 : 0
	<u>£36,456 : 0 : 0</u>

Probable amount that will be received into the Treasury during the current year, in Cash,.....	15,000 : 0 : 0
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£51,456 : 0 : 0

From which, amount due on former Grants as above stated,	25,270 : 0 : 0
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£25,886 : 0 : 0

It also appears by the Journals of the last Session, that a Resolution was adopted by the House, to provide the further sum of £2,800, to assist in completing the College of New-Brunswick; the greater part of which sum will probably be required the present year. Your Committee therefore recommend that the appropriations of the present Session do not exceed the sum of £24,000.

The Committee have been informed that the Warrant for the sum of £5000, voted for the relief of the Sufferers by Fire, together with Warrants for several other grants, have been advanced by the Bank of New-Brunswick.

W. CRANE,  
JOHN WARD, JUN.  
THOS. O. MILES.

Ordered that the Report be accepted and lie on the Table.

Mr. Partelow, from the Standing Committee appointed to examine, liquidate and report upon public and private accounts, submitted a further Report, which being handed in at the Clerk's Table, was there read, and is as follows:—viz.

No. 25. Is an account of Aaron Estey, Joshua Jewett, and Abel Pond, amounting to 100*l.* : 19, expended by them by virtue of a Grant of 97*l.* : 10, made by the Legislature for opening a road from the Southwest branch of Miramichi to the Cardigan Settlement; which sum they acknowledge to have received from the Province Treasurer. To this account your Committee beg leave particularly to call the attention of the House, containing as it does, extravagant and objectionable charges, accompanied by no vouchers, and supported barely by the affidavit of Mr. Estey, one of the Commissioners, before a Justice of the Peace. Your Committee would have particularized what appeared to them as improper charges, but as they can find none to which they could give an assent, they beg to refer the whole account to the consideration of the House.

No. 26. Is an account of John Young, Supervisor of the Great Road from Miramichi to Bathurst, amounting to 1,547*l.* : 7 : 10. This account is made up as follows:

No. 1. Contains account of wages paid per month to sundry labourers employed

on the Road.....	£716 : 0 : 8
No. 2. Contains particulars of sundry accounts for supplies furnished,	690 : 13 : 9
And the remainder is made up by the Supervisor's commission on the	
above sums expended.....	140 : 13 : 5
	<u>£1547 : 7 : 10</u>

The account No. 1, is entirely for labour performed by hired men, at reasonable rates, under the direction of the Supervisor, and is not supported by the necessary vouchers. The account No. 2, is attended by vouchers for the whole, except 30*l.* to James Foreins, and 25*l.* to James Flinn, being the amount granted them at the last Session. The Supervisor credits 569*l.* : 11 : 6, and 350*l.*, in all 919*l.* : 11 : 6, received from Thomas H. Peters, Esq. Deputy Treasurer, and strikes a balance against the Province of 627*l.* : 16 : 4. An affidavit from Mr. Young is attached to the general account current.

No. 37. Is an account of Wm. Hannington, Supervisor, amounting to 175*l.* : 8 : 6, expended by him in repairing the bridge over Shediac River. The whole of this account is supported by the proper vouchers, but the Supervisor has neglected to make an affidavit to it. He has only charged a commission of five per cent on the sum expended, instead of ten, as allowed by Law. Credit is given for 100*l.* received from the Province Treasurer, leaving a balance due Mr. Hannington of 75*l.* : 8 : 6.

No. 28. Is another account of William Hannington, Supervisor, amounting to 91*l.* : 13 : 1½, expended on the road from the Bend of Petticodiac to Shediac. This account is supported by the necessary vouchers, except for three small items of 1*l.* : 13 : 4, 1*l.* : 1 : 2, and 15*s.*, and in all 3*l.* : 9 : 6, and these the Supervisor states he has mislaid. He further states that he makes no charge of commission for expending this money. There is no credit on this account, nor has the Supervisor made the necessary affidavit to it.

No. 29. Is another account of William Hannington, Supervisor, shewing an expenditure of 112*l.* : 4 : 2, on the road leading from Dorchester to Shediac. The requisite vouchers accompany this account, except for three small items, amounting to 6*l.* : 3 : 2, but the Supervisor has neglected to make an affidavit to it. He charges no commission, and does not give credit for the receipt of any money.

No. 30. Is an account of Archibald M'Dearmid, for the expenditure of 40*l.* for improving the road from Dick's to M'Nichol's, in the County of Charlotte. This account is attended by an affidavit of the Commissioner, and the necessary vouchers. He states that he has not yet received his warrant on the Treasurer.

No. 31. Is T. P. Shaw's account, amounting to 30*l.*, shewing the expenditure of that sum on the road from the new settlement on the Eastern side of Lake Utopia, to the main communication leading from Saint John to Saint Andrews. The Commissioner's affidavit and a satisfactory voucher accompany this account. He credits 30*l.* received from the Treasurer.

No. 32. Are three accounts of William F. Odell, Esquire, Secretary of the Province, as follows:—

No. 1. A charge on 618 warrants on the Treasurer.....	£154 : 10 : 0
No. 2. Fees on <i>Dedimus</i> for qualifying Representatives to serve	
in General Assembly,.....	5 : 0 : 0
No. 3. Stationary for the use of His Majesty's Council,.....	19 : 8 : 0½

Amounting to £178 : 18 : 0½

No. 33. Is an account of Robert Doak, Supervisor, amounting to 627*l.* : 6 : 1½, vouchers for the expenditure of 215*l.* which are attached to the account, and the sum of 43*l.* : 12*s.*, is charged as commission. The remainder is made up in the following charges:—

Balance due from last year,.....	£117 : 2 : 1½
Amount granted by His Excellency in consideration of services	
during 1826,.....	30 : 0 : 0
Amount expended in erecting a Bridge over Betts' Brook.....	100 : 0 : 0
Do. expended in making Road adjoining the Bridge.....	7 : 10 : 0
Postage paid,.....	12 : 0

£255 : 4 : 1½  
And

And the following sums are charged, which he states are not yet paid.

An amount payable to Thomas Bois	£64 : 0 : 0
A second am. due Thomas Bois, for erecting Bridges, 49 : 10 : 0	118 : 10 : 0

£368 : 14 : 1½

Making in all 627*l.* : 6 : 1½ as before stated. He credits 500*l.* received from the Treasurer, and states a balance due from the Province of 127*l.* : 6 : 1½. An affidavit, before a Justice of the Peace, is attached to the account.

No. 34. Is a letter from D. B. Wetmore, of Norton, Kings County, accompanied by three vouchers, accounting for the expenditure of 20*l.* on the road from James Campbell's to the Kennebeckcaxis, and 15*l.* on the road between Innis' and Drummond's. The Commissioner, James Wetmore, Jun., being absent from the County, no affidavit is attached to the vouchers; credit is given for the receipt of the two sums from the Province Treasurer.

No. 35. Is an account of Thomas Wyer, Esq., Supervisor of the Great Road from Saint John to Saint Andrews, amounting to 860*l.* : 10 : 7. In this account is charged the sum of 30*l.* : 18 : 1, as a balance due from last year, and 769*l.* : 12 : 6, appear to have been expended on the road, for which the requisite vouchers, and the Supervisor's affidavit are produced. The remainder is made up by his charge of 10 per cent. on the Provincial Grant. A greater part of the sum expended, 700*l.*, appears to have been paid under a contract; but your Committee are not in possession of that instrument; and they beg leave respectfully to recommend the propriety in future, when large sums of money are expended by Supervisors, under contract with parties performing work, that the original contracts, or attested copies thereof, should accompany their several accounts and vouchers. He credits 600*l.* received from the Province Treasurer and 250*l.* from His Excellency the Lieutenant-Governor; on the latter sum no commission has been charged. The balance due from the Province on this account appears to be 10*l.* : 10 : 7.

Ordered that the Report be received and lie on the Table.

On motion of Mr. Parker,—The House, according to the order of the day, went into Committee of the whole, upon a Bill to continue until the first day of April, one thousand eight hundred and thirty, certain Acts providing for the more effectually repairing the Streets and Bridges in the City and County of Saint John.

Mr. Crane took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crane, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill, as amended, engrossed.

Mr. Crane, by leave, presented a Petition from William Milne, Charles Milne, and Ralph Porrior, praying compensation for work done on Schodouc Bridge.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

The House then adjourned until to-morrow morning, at 10 o'Clock.

SATURDAY, 1st MARCH, 1828.

*Prayers.*

On motion of Mr. Parker,—Resolved, that instruction be given to the Select Committees appointed to take into consideration Petitions against undue Elections, that they hear the allegations on behalf of the petitioning candidate, and examine the evidence which may be adduced as to objectionable votes given for the sitting Member, before they proceed to hear the allegations and examine the evidence to be adduced with regard to the objectionable votes given for the petitioning candidate.

Mr. Taylor moved for leave to bring in a Bill to repeal an Act intituled "An Act against the profanation of the Lord's Day, commonly called Sunday, and for the suppression of immorality," and to make more effectual provision for the prevention and punishment of such offences.

Leave granted.

On motion of Mr. Taylor,—The House went into Committee of the whole upon the

the further consideration of a Bill to lay a Tax on Dogs, in certain parts of the Parish of Fredericton.

Mr. Crane took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crane, from the Committee, reported that having gone into consideration of the Bill referred to them, they had made further progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

On motion of Mr. Parker,—The House went into Committee of the whole in further consideration of a Bill to continue and amend the several Acts relative to the Highways and Roads within the several Towns and Parishes in this Province.

Mr. Taylor took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Taylor, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same with amendments, under the title of a Bill to continue certain Acts relative to the Highways and Roads within the Province.

Ordered that the Report be accepted, and the Bill, as amended, engrossed, under the title as amended.

Mr. Allen, pursuant to leave, brought in a Bill further to amend and alter the Laws now in force, for assessing, collecting and levying of rates for public charges.

Which was read a first and second time.

The House then adjourned until Monday morning next, at 10 o'clock.

#### MONDAY, 5d MARCH, 1828.

##### *Prayers.*

Read a third time, as engrossed,

A Bill to continue until the first day of April one thousand eight hundred and thirty, certain Acts providing for the more effectually repairing the Streets and Bridges in the City and County of Saint John.

Resolved that the Bill do pass. Ordered that Mr. Parker, and Mr. Ward carry the said Bill to the Council and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to repeal the Laws now in force for appointing Firewards, and for the better extinguishing Fires in the Town of Saint Andrews, and to make Regulations more suitable to the said Town.

Also, A Bill to continue an Act intituled "An Act to provide for the erection of Fences, with Gates across the Highways leading through Deer Island, in the Parish of West Isles, and County of Charlotte.

Resolved that these Bills do pass. Ordered that Mr. Wyer and Mr. Campbell, carry the said Bills to the Council and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to repeal an Act, intituled "An Act to provide for the erection of an Alms House and Work House within the County of York, and for making Rules and Regulations for the management of the same," so far as respects the Parish of Queensbury.

Resolved that the Bill do pass. Ordered that Mr. Allen and Mr. Ketchum carry the said Bill to the Council and desire their concurrence thereto.

Read a third time, as engrossed,

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

Resolved that the Bill do pass. Ordered that Mr. Munro and Mr. Rankin, carry the said Bill to the Council and desire their concurrence thereto.

Mr. Taylor, by leave, presented a Petition from William H. Robinson, Esquire, and others, inhabitants of the Parish of Kingsclear in the County of York, praying that so much of the Act for the erection of an Alms House and Work House, in the County of York, as respects the said Parish of Kingsclear, may be repealed.

Which he read in his place.

Ordered

Ordered that the said Petition be received and lie on the table.

Mr. Weldon, from the Committee to take into consideration the Petition of Thomas Barlow, Esquire, and others, complaining of an undue Election for the City of Saint John, submitted a Report, which he read, and it being handed in at the Clerk's Table, was there again read, and is as follows :—

“ That by the evidence of the Common Clerk of the said City, it appears that on persons making application to the Mayor, to become Freemen, and receiving the necessary certificate, it is usual for them to be sworn in before the Common Council ; in which case a minute is made on the Book of the Common Council : but in some cases it happens that persons wish to become Freemen, and sworn in before the Mayor and three Aldermen ; in which case, it doth not appear that any List or Register of the names of such persons are kept, unless the parties themselves apply to the Common Clerk to have their names registered. That it also appears, that in every case, where Freemen wish to have the privilege of voting for Charter Officers, it is necessary, by an Ordinance of the said Corporation, for them to have their names registered with the Common Clerk.

“ That the Honorable the Mayor of the City of Saint John states, that on his granting a certificate to a person wishing to become a Freeman, it is usual for him to keep a private minute of the same : but it often happens that persons receiving such certificates, do not take the oath prescribed by the Charter. That the usual course for the party obtaining such certificate is to be sworn before the Common Council ; in which case, a minute is made of the same : but it frequently happens that he is sworn before the Mayor and three Aldermen ; in such case no minute whatever is made, but he is directed to have his name registered with the Common Clerk.

“ That when application is made to ascertain who are Freemen, it is usual to search the Registry of Freemen, kept by the Common Clerk ; and by the Rules of the Corporation, no person is considered as entitled to all the privileges of a Freeman, and duly qualified, unless his name is so registered with the Common Clerk.

“ All which is respectfully submitted to your Honorable House by

JOHN W. WELDON,  
H. MUNRO,  
W. CRANE,  
W. TAYLOR,  
ALEX. RANKIN”.

Ordered that the Report be accepted.

On motion of Mr. Weldon,—Whereas it has been usual to refer to the Registry of Freemen, kept by the Common Clerk of the City of Saint John, to ascertain who are Freemen of the said City : Thereupon resolved, that the Committee appointed to take into consideration the Petition of Thomas Barlow, Esquire, and others, complaining of an undue Election for the City of Saint John, be instructed, that upon evidence being given by the objecting party to a vote, that a search has been made in the Registry of Freemen kept by the Common Clerk, and that the name of such Voter is not found therein, then the *onus* shall lie on the party in whose favour such vote may have been given, to show that such person has received a certificate, and has been duly qualified a Freeman of the said City.

On motion of Mr. Wyer,—Resolved that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct, that a detailed account of all duties collected in the Province under the Act of the Imperial Parliament of 6 Geo. 4, cap. 114, be laid before the House ; and also a particular statement of all the charges in collecting the same, distinguishing the charge of collection at each and every port and place within the Province.

Ordered that Mr. Wyer, Mr. Ward, and Mr. Weldon, be a Committee to present the said Address to His Excellency.

Mr. Freeze, by leave, presented a Petition from Monmouth Fowler, and others, of the Parish of Hampton, in Kings County, praying for an alteration to be made in the Great Road leading through the said Parish of Hampton.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Campbell, by leave, presented a Petition from Moses Vernon, Esquire, praying to be remunerated for the amount expended by him in clearing and improving the navigation of the River Magaguadavic.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply. On motion of Mr. Johnston, — The House, according to the order of the day, went into Committee of the whole in consideration of Supplies to be granted for the Public Service.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported that they had gone into consideration of the business referred to them, that they had passed a number of Resolutions, which he read; and they being again severally read at the Clerk's Table, were agreed to by the House, and are as follow:—

Resolved, that there be granted to the Chaplain of the Council in General Assembly, the sum of 25*l*.

To the Chaplain of the House of Assembly, 25*l*.

To the Clerk of the Council in General Assembly, 50*l*. and 20*s*. per diem, during the present Session.

To the Clerk of the Council the sum of 25*l*. for defraying the expences of an Assistant Clerk during the present Session.

To the Clerk of the House of Assembly the sum of 100*l*. and 20*s*. per diem, during the present Session.

To the Clerk Assistant of the House of Assembly, the sum of 20*s*. per diem, during the present Session.

To the Sergeant at Arms attending the Council in General Assembly, the sum of 20*s*. per diem during the present Session.

To the Sergeant at Arms attending the House of Assembly, the sum of 20*s*. per diem during the present Session.

To the Door Keepers and Messengers attending the Council and Assembly, the sum of 12*s* : 6*d*. per diem, each during the present Session.

To His Excellency the Lieutenant-Governor, for defraying the contingent expences of the Province, a sum not exceeding 250*l*. for the year 1828.

To His Excellency the Lieutenant-Governor, the sum of 92*l*. for the purpose of enabling the Treasurer to pay a Tide-Waiter in the City of Saint John, for his services from the 28th March, 1827, to the 28th March, 1828.

To the Keeper of the Light House on Partridge Island, the sum of 150*l*. for his services for the year 1828.

To John Bainbridge and Henry Bliss, Esquires, such sums as will procure Bills of Exchange on England, for 200*l*. sterling, for their services as Agents for the Province.

And Mr. Peters further reported, that he was directed to ask for leave to sit again.

Ordered that the Report be accepted and leave granted.

Mr. McKay, by leave, presented a petition from David W. Jack, praying that his former allowance, or salary, for services performed, as Deputy Tide Surveyor, for the Port of Saint Andrews, may be continued.

Which be read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Miles, by leave, presented a Petition from the Magistrates of the County of Sunbury, praying Legislative aid towards the payment of debts contracted in the erection of the new Gaol, in the said County.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Johnston, Chairman of the Committee to examine and report upon the Treasurer's accounts, submitted the following, which he read and it being handed in at the Clerk's Table, was there again read, viz.

No. 1. Is the Province Treasurer's general account current with the Province, shewing a balance in the Treasury, in Bonds and Cash, on the 31st December last, of..... £27,583 : 17 : 10

No. 2. Is an account of Light House duty, collected at Saint John, in 1827, amounting to..... £940 : 11 : 9

From which deduct Keeper's salary..... 150 : 0 : 0      790 : 11 : 9

The supplies for the Light House for the year 1827, are unpaid, no warrant having issued for the same.

No. 3. Is an account of money paid to the Province Treasurer, by the Collector and Comptroller of the Customs at Saint John,

from duties collected under the Acts of Parliament, amounting to 11,187 : 1 : 6

This account is not accompanied by any statement from the Collector and Comptroller, shewing the amount of duties collected by them under the Acts of Parliament during the last year, nor does it appear by the foregoing account, at what rate the said money was paid over to the Province Treasurer.

No. 4. Is a particular account of Merchandize, imported into Saint-John, subject to the ordinary Provincial duties, between the 1st January and the 31st December, 1827, amounting to 13,061 : 9 : 8

No. 5. Is an account of merchandize imported into Saint John from the United States of America, subject to Provincial duty, between 23d March and 31st December, 1827, amounting to 599 : 17 : 8

No. 6. Is an account of Auction duty paid at Saint John in the year 1827, amounting to 399 : 16 : 11

The Committee do not find a return of Auction duty from any other part of the Province.

Amount of Revenue collected at St. John during the year 1827, £26,038 : 10 : 7

No. 7. Is an account current of the Savings Bank at St. John, with the Province Treasurer, shewing a balance due to that Institution on the 31st December last, of £1,060 : 9 : 0

No. 8. Is an abstract of the warrants paid at the Province Treasury at Saint John in the year 1827, in dollars, at 5s. : 4d. each, amounting to, in dollars, at 5s. 12,827 : 3 : 4

No. 9. Is an abstract of warrants paid at the Province Treasury at Saint John in the year 1827, in dollars at 5s. amounting to 28,976 : 10 : 5

The Committee find in this account, four warrants amounting to £795 : 0 : 11, which were paid in Miramichi, in dollars at 5s. 4d. making a difference of £49 : 13 : 9; this error, they learn, arose from the Province Treasurer not being in possession of the receipt of the Deputy Treasurer of Miramichi, at the time of making up the account. They also find an error of 57 against the Province in the amount of a warrant for Schools, and an error in the addition of the account of 207, in favor of the Province.

No. 10. Is an account of drawbacks allowed and paid at the Province Treasury in the year 1827, amounting to 1,070 : 3 : 8

No. 11. Is a list of Bonds sent to the Attorney-General in 1826 and 1827 to be put in suit, amounting to 622 : 0 : 0

No. 12. Is an account of money received from the Attorney-General in the year 1827, amounting to 580 : 4 : 6

No. 13. Is an abstract of contingent expenses incurred at the Province Treasury at St. John, in the year 1827, amounting to 2397 : 3 : 4

Viz.—Three accounts of John and Benjamin Chaloner for guaging and weighing, amounting to £107 : 3 : 6

Salary of Henry Thomas, a Tide Waiter, from 28th March 1827, to 28th March 1828. 91 : 10 : 0

The Treasurer's account for Stationary, Postage, &c. &c. amounting to 40 : 9 : 10 — 239 : 3 : 4

The foregoing accounts of the Province Treasurer, with the exceptions stated in No. 9, are correct.

K. Is the account current of the Deputy Treasurer at St. Andrews, with the Province Treasurer, shewing a balance in his hands in Bonds and Cash, on the 31st December last, of 4,127 : 16 : 5½

I. Is a statement of money paid to the Deputy Treasurer by the Collector and Comptroller of the Customs at Saint Andrews, in part of the Duties collected by them under the Acts of Parliament, between the 1st of January and 31st of December 1827, amounting to 2,856 : 19 : 9

This account is not accompanied by any statement from the Collector.

Collector and Comptroller of the Customs of Saint Andrews, shewing the amount of duties collected by them under the Acts of Parliament, during the year 1827; nor does it appear by the Report of any former Committee, that any such statement for any former year was ever made to this House.

H. Is an account of duties collected at Saint Andrews, on Horses from the United States, between the 1st of January to 31st December 1827, amounting to..... 44 : 17 : 0

G. Is an account of merchandize imported into Saint Andrews, from the United States, subject to the Provincial duties between 23d March and 31st December 1827, amounting to..... 216 : 16 : 6

F. Is an account of merchandize imported into Saint Andrews, subject to the Ordinary Provincial duties, between 1st January and 31st December 1827, amounting to..... 4,085 : 2 : 2

£7,153 : 15 : 5

Amount of Revenue collected at Charlotte in 1827,.....  
 No. 14. Is the account current of the Deputy Treasurer at Saint Andrews, with the Province Treasurer, for duties collected for relief of sick and disabled Seamen, from 1st January to 31st December 1827, shewing a balance in his hands of..... 186 : 5 : 5

E. Is S. W. Jack's account for guaging and weighing in 1827, amounting to..... 41 : 13 : 6

D. Is an account of sums paid at Saint Andrews from 1st January to 31st December 1827, for discount for prompt payment of duties,..... 3 : 14 : 4

C. Is an account of sums paid to the Saint Andrews Savings Bank in 1827, for interest on sums deposited, amounting to..... 29 : 1 : 5

B. Is an account of bounty paid on the exportation of Red Oak Staves, agreeably to a former Act of this Province, amounting to 5 : 0 : 0

A. Is an account of sums paid for drawbacks at St. Andrews, between 1st January and 31st December 1827, amounting to..... 198 : 16 : 11

All the foregoing accounts of the Deputy Treasurer of Charlotte are correct.

No. 15. Is the account current of the Deputy Treasurer at Miramichi with the Province Treasurer, shewing a balance in his hands in Bonds and Cash on the 31st Dec. 1827, amounting to... 3,333 : 6 : 0½

No. 16. Is a particular account of the Ordinary Provincial Duties collected at Miramichi in the year 1827, amounting to..... 2,983 : 17 : 5¼

Also a statement of the amount received from the Sub-Collector of the Customs there, in part of duties collected by him under the Acts of Parliament, amounting to £493 : 10 : 7¾ Sterling. This sum your Committee find is credited to the Province, £548 : 7 : 4½ adding only 11-9th instead of 2-13th making a difference against the Province of £21 : 1 : 9.

No. 17. Is an account of duties collected at Miramichi for the relief of sick and disabled Seamen, for the year 1827, amounting to 493 : 15 : 2

No account from the Sub-Collector of the Customs at Miramichi of the duties collected by him, under the Acts of Parliament in 1827, accompanies this statement.

No. 18. Is an account of drawbacks paid by the Deputy Treasurer at Miramichi, in the year 1827, amounting to..... 5 : 0 : 10

No. 19. Is an account of discounts allowed for prompt payment of duties at Miramichi, in 1827, amounting to..... 18 : 13 : 0

Z. Is the account of George Henderson, of Miramichi, for Guaging for the Province, from the year 1821 to 1827, amounting to... 14 : 14 : 0

The Committee cannot find that any claim for this service was ever made by Mr. Henderson previous to the present.

These several accounts are correctly stated.

No. 20. Is the account of the late Deputy Treasurer at Richibucto, B. M. Goldsmith, Esq., shewing a balance in his hands on

the 31st day of July last, of.....	658 : 10 : 8½
This balance was due in cash at the date of the account, but it does not appear by the account current of the Province Treasurer, that it has since been paid; he charges a commission of 10 per cent. on the amount of money paid over to him by the Sub-Collector of Customs at Richibucto, for duties collected under the Acts of Parliament; the propriety of which charge your Committee submit to the consideration of this House.	
No. 21. Is a particular account of Provincial duties secured at Richibucto by B. M. Goldsmith, to 31st July 1827, amounting to	286 : 14 : 6
No. 22. Is the account current of B. M. Goldsmith, with the Province Treasurer, for duties collected by him for relief of sick and disabled Seamen, shewing a balance in his hands on the 31st July last, of.....	103 : 5 : 10
No. 23. Is the account current of J. W. Weldon, Esquire, Deputy Treasurer of Liverpool, successor to B. M. Goldsmith, shewing a balance in his hands on the 31st December 1827, in bonds and cash of	182 : 15 : 9
No. 24. Is a particular account of the Ordinary Provincial Duties collected at Liverpool, between 31st July, and 31st December 1827, amounting to	244 : 1 : 7
Also, a statement of money received from the Sub-Collector of Customs at Liverpool, in part of the duties collected by him at that Port, under the Acts of Parliament, amounting to	13 : 17 : 6
The Deputy Treasurer charges 10 per cent. for receiving this money, which is also submitted to the consideration of the House.	
No. 25. Is a statement of bonds received from the late Deputy Treasurer, B. M. Goldsmith, amounting to.....	204 : 19 : 8
Mr. Goldsmith charges this amount in his account current with the Province.	
No. 26. Is the account current of the Deputy Treasurer at St. Peters, shewing a balance in his hands on the 31st December, 1827, in bonds and cash, amounting to.....	443 : 8 : 11
He charges in this account, a duty of 10 per cent. on the amount of duties paid to him by the Sub-Collector of Customs in 1826, £46 : 1 : 3. No credit is given for any money received in 1827, from the Sub-Collector at that Port.	
No. 27. Is a statement of duties collected for the relief of sick and disabled seamen, in past years, remaining in his hands, amounting to 130l : 7 : 5, but does not credit the same in his acc. current,	130 : 7 : 5
No. 28. Is a particular account of the Ordinary Duties collected at St. Peters in 1827, amounting to £184 : 17 : 6: There are two errors in this account, in the calculation of the duties, together amounting to 10s., the amount therefore should be.....	185 : 7 : 6
No. 29. Is the account current of the Deputy Treasurer at Shediac, shewing a balance in his hands on the 12th December, 1827, in bonds and cash, of.....	47 : 12 : 4½
He charges in this account £100, paid a warrant for Shediac Bridge, and cash paid the Province Treasurer, £33 : 8s, but no vouchers accompany the account.	
No. 30. Is an abstract of duties collected and secured at Shediac between 31st December 1826, and 12th Dec. 1827, amounting to	71 : 15 : 4
He credits in his account current £9 : 18 : 9, duties collected in 1827, for relief of sick and disabled Seamen.	
No. 31. Is the account current of the Deputy Treasurer at Restigouche for 1826 and 1827, shewing a balance in his hands on the 6th December 1827 of £35 : 7 : 7.	
He charges in this account a commission of 10 per cent. on £97, instead of £70 : 15, making a difference of £2 : 12 : 6. The	
	balance

balance of his account due the Province should be.....	87 : 9 : 1
No. 32. Is a particular account of the duties collected at Restigouche in the years 1826 and 1827, amounting to.....	70 : 15 : 0
No. 33 Is an account current of the Deputy Treasurer of Westmoreland, shewing a balance in his hands, in cash, on the 31st December 1826, of £18 : 14 : 9. He charges a commission of 10 per cent. on the balance remaining in his hands since 1824, of £60 : 2 : 7, which is of course wrong, and when corrected the balance due from him to the Province will be.....	22 : 17 : 7
He charges the sum of 60 <i>l.</i> paid to a Richibucto Courier for which there is no voucher. Your Committee do not find any account from him for the year 1827.	
No. 34. Is a particular account of the Ordinary Provincial Duties collected at Westmoreland, between the 31st December 1824, and 31st December 1826. It contains one entry from Nova-Scotia, and the duties amount to.....	25 : 5 : 6
No return of duties secured for 1827.	
No. 35. Is the account current of the Deputy Treasurer at York, shewing a balance in his hands on the 1st January 1828, of	33 : 17 : 5 $\frac{1}{2}$
He credits in this account, the sum of 80 <i>l.</i> : 2 : 11, received from the Sub-Collectorat Woodstock. He charges the sum of 241 <i>l.</i> : 6 : 8, paid to the Province Treasurer, but the latter credits only 200 <i>l.</i> received from him ; the difference, 41 <i>l.</i> : 6 : 8, remains to be accounted for.	
No. 36. Is an account of Provincial Duty collected at Fredericton on 5 Horses, amounting to.....	12 : 10 : 0
No other duties appear to have been collected at Fredericton during the year 1827. All of which is respectfully submitted to this Honorable House.	

HUGH JOHNSTON, Jun.  
ALEX. RANKIN,  
WM. TAYLOR.

Ordered that the Report be accepted.

On motion of Mr. Miles,—The House went into Committee of the whole upon a Bill further to continue an Act, intituled “ An Act to provide for the erecting of Fences, with Gates across Highways leading through Interval Lands in Queens County, and the County of Sunbury, where the same may be found necessary ;” and to extend the provisions of the same to Kings County.

Mr. Chandler took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chandler, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

Mr. Hayward, by leave, presented a Petition from Jeremiah Tracey, and others, inhabitants on the Oromocto River, praying that an Act may pass, making it compulsory on the owners of Mills, situated on that River, to leave in their Dams, Fishways and Sluice-ways, for the passing of Lumber.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

On motion of Mr. Scott,—The House went into Committee of the whole, upon the further consideration of a Bill to erect the Northern part of the Township of Hillsborough into a distinct Town or Parish.

Mr. Simonds took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Simonds, from the Committee, reported that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill, as amended, engrossed.

Mr. Allen, by leave, presented a Petition from Aaron Estey, James Miles, and others,

others, Inhabitants of the Parish of Douglas, in the County of York, praying further aid towards opening the road from the Cardigan Settlement, in the said Parish, to the South West branch of Miramichi.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Allen, by leave, presented a Petition from William Wilmot, and others, Inhabitants of the Parish of Fredericton, praying an amendment to be made in the Act 54, Geo. 3, c. 8, relating to Trespasses.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

On motion of Mr. Crane,—The House went into Committee of the whole, on a Bill in addition to an Act, intituled “ An Act to empower and authorize the Justices of the County of Westmoreland, at their General Sessions of the Peace, to regulate the grazing and depasturing of the several Marshes, Lowlands, or Meadows, within the said County.”

Mr. Peters took the Chair of the Committee:

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

On motion of Mr. Johnston,—The House went into Committee of the whole, upon a Bill to continue until the first day of April, 1833, An Act to regulate the Manufacturing and Shipment of Grindstones from the County of Westmoreland.

Mr. Wyer took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Wyer, from the Committee, reported that having gone into consideration of the Bill referred to them, they had agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

Mr. Rankin, by leave, presented a Petition from John Charters, Harbour Master for the Port of Miramichi, praying that the fees to the Harbour Master may be on all vessels of 30 tons register, and upwards.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Rankin, by leave, presented a Petition from John Fraser, Esquire, and others, praying for aid to assist in re-building the Church, in connection with the Church of Scotland, at Newcastle, in the County of Northumberland; the former one having been destroyed by fire on the 7th October, 1825.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

The House then adjourned until to-morrow morning, at 10 o’Clock.

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TUESDAY, 4th MARCH, 1828.

*Prayers.*

Mr. Hayward, by leave, presented a Petition from Charles Drury, and others, praying aid for completing and improving the road from Little River to Loch Lomond, in the County of Saint John.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Ketchum, by leave, presented a petition from Samuel Estabrooks, and others, inhabitants of the Parish of Wakefield, in the County of York, praying that the Eastern section thereof, may be erected into a separate and distinct Parish.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Parker, by leave, presented a Petition from the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Saint John, praying that a Bill may pass, to authorize them to make absolute conveyances of a certain piece of land lately purchased for a burying ground, and divided into small lots; and also to declare the mode in which such conveyances shall be made and registered.

Which he read in his place.

Ordered

Ordered that the said Petition be received and lie on the table.

Mr. Campbell, by leave, presented a Petition from John Brown, Courier between Fredericton and Saint Andrews, praying aid to enable him to purchase and keep a Horse and Sleigh, to convey the Mails between those places.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Allen, by leave, presented a Petition from the Justices of the Peace for the County of York, praying the Act for the erection of an Alms House and Work House in the said County, and for making Rules and Regulations for the management of the same, may be amended.

Which he read in his place.

Ordered that the said Petition be received and lie on the table.

Mr. Allen, by leave, presented a Petition from Abraham Yerxa, George Long, and others, Inhabitants of the Parish of Douglas, in the County of York, praying aid towards erecting a Bridge over the Mactaquack Stream.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Allen, also by leave, presented a Petition from the Justices of the Peace for the County of York, praying an Act may pass extending the Terms for holding the Court of General Sessions of the Peace in the said County.

Which he read in his place.

Ordered that the said Petition be received and lie on the table.

Mr. Simonds gave notice that on Thursday next, he intended to submit certain Resolutions to this House, upon the subject of the system now in operation for disposing of Crown Lands in this Province.

Mr. Peters, by leave, presented a Petition from Stephen Humbert, complaining of improper conduct on the part of John R. Partelow, Esquire, one of the Members of this House, in endeavouring to prevent a witness attending at the Bar of this House, in obedience to the Speaker's Warrant, requiring such attendance.

Which he read in his place.

Ordered that the said Petition be received and lie on the table.

On motion of Mr. Weldon;—Resolved that the Petition of the said Stephen Humbert, complaining of the conduct of John R. Partelow, Esquire, be referred to the Select Committee of Privileges, to report thereon.

On motion of Mr. Wyer;—Resolved that the Speaker do issue his Warrant to the Clerk of the Crown in Chancery, requiring him forthwith to attend the Committee appointed to take into consideration the Petition of John C. Vail, Esquire, and others, complaining of an undue Election for Kings County, and to bring with and produce before the said Committee, the Writ for the Election of Members to serve in General Assembly for the said County, together with the Sheriff's Return thereto.

Mr. Wyer, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor with the Address, praying that His Excellency will be pleased to direct that a detailed account of Duties collected in the Province, under the Act of the Imperial Parliament, 6 Geo. 4, c. 114, be laid before the House, having attended to that duty; Reported, that His Excellency was pleased to say, he would give the necessary directions forthwith.

On motion of Mr. Johnston;—Resolved that the House do, according to the order of the day, proceed to the hearing of Stephen Humbert, in support of his Petition against the conduct of the High Sheriff of the City and County of Saint John, at the last Election for the County of Saint John.

On motion of Mr. Munro;—Resolved that the High Sheriff of the City and County of Saint John, be heard by Counsel at the Bar of this House, to answer the charges preferred against him in the Petition of Stephen Humbert.

The petitioning Candidate, as well as the Counsel for the High Sheriff of the City and County of Saint John, were admitted.

The allegations contained in the Petition having been gone into, and proof adduced in support thereof; and likewise evidence on the part of the High Sheriff in answer thereto; and the case being closed on both sides, the petitioning Candidate, as well as the Counsel for the High Sheriff, withdrew.

The House then adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY,

WEDNESDAY, 5th MARCH, 1828.

*Prayers.*

Mr. Taylor, by leave, presented a Petition from William Caverhill, and others, Inhabitants of Caverhill Settlement, so called, in the County of York, praying for aid to assist in making roads.

Also a Petition of several Inhabitants of the Cardigan Settlement, in the same County, praying for aid to assist in making roads in that Settlement.

Ordered that the said Petitions be received and referred to the Committee of Roads.

Mr. Taylor, pursuant to leave, brought in a Bill to repeal an Act, intituled "An Act against the profanation of the Lord's Day, commonly called Sunday, and for the suppression of immorality," and to make more effectual provisions for the prevention and punishment of such offences:

Which was read a first time.

Mr. Harrison, by leave, presented a Petition from the Trustees of Schools, and sundry Inhabitants of the Parishes of Waterborough and Canning, praying an amendment of the Laws relating to Parish Schools; by extending the amount of Provincial aid to each Parish.

Which he read in his place.

Ordered that the said Petition be received, and lie on the Table.

Mr. Miles, by leave, presented a Petition, from Edward Burpe, and others, praying for Legislative aid to repair a Bridge in the Parish of Burton.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Johnston, by leave, presented a Petition from Thomas Garnett and others, residents and proprietors of Lands in Bloomsbury Settlement, so called, situated between the Loch Lomond and Black River Settlements, in the County of Saint John, praying Legislative aid to improve the Road leading from Loch Lomond to the said Settlement.

Ordered that the said Petition be received, and referred to the Committee of Roads.

On motion of Mr. Campbell,—Ordered that the order of the day for taking into consideration the matter of the Petition of Patrick Clinch, James Brown, and others, complaining of an undue Election for the County of Charlotte, and of the conduct of the Sheriff in conducting said Election, be discharged and stand as the order of the day for to-morrow.

Mr. Partelow, by leave, presented a Petition from John Fowler, and others, Inhabitants of the Black River Settlement, in the County of Saint John, and proprietors of Land in that quarter, praying for aid towards improving the Road from thence to the City of Saint John.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Campbell, by leave, presented a Petition from John Wilson, Esquire, and others, Inhabitants of the Parishes of Saint Patrick and Saint Andrews, in the County of Charlotte, praying Legislative aid towards opening a road from the new Settlement to the main road from Saint John to Saint Andrews, accompanied by a subscription of individuals interested therein to the amount of £40 : 10.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Humbert, by leave, presented a Petition from Gilbert L. Wiggins, and others, residing on the North West side of the Long Reach, in Kings County, praying Legislative aid for repairing or building a Bridge near Jones' Mill.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. M'Kay, by leave, presented a Petition from the Widow Flora M'Crea, praying a continuance of the Legislative aid heretofore granted her, to relieve her in her present distressed situation.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from William Hutchinson and others, Inhabitants and proprietors of Lands adjoining Little River, in the County of Saint John, praying for aid to enable them to build a dyked Causeway across the Marsh in that vicinity.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Simonds, by leave, presented a Petition from George Robson, and others, set-  
tlers

tlers in the vicinity of Lake Lomond, praying for aid to improve the road from the said Lake to Barnes' Mill.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Simonds, by leave, presented a Petition from the Poor Man's Friend Fishing Society, praying for a remuneration of expenses incurred by them.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Wyer, by leave, presented a Petition from Thomas Gray, a settler on the Great Road between Saint John and Saint Andrews, praying Legislative aid as a partial remuneration for losses sustained by him in relieving distressed Travellers.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell, by command of His Excellency, laid before the House, the Returns of the Duties collected at the Ports of St. John and St. Andrews, under the Acts of Parliament, in compliance with the Address of the House of the 3d March.

Mr. Humbert, by leave, presented a Petition from John Floyd, and others, praying Legislative aid to improve the road from Barnes' Mill to the new Shepody Road.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Ward, by leave, presented a petition from John Barnes, and others, settlers and proprietors of land on the South Branch of Hammond River, and the adjacent neighbourhood, in Kings County, praying for aid to improve a road from the Bridge crossing the said Branch, toward the main road near Barnes' Mill.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Johnston, by leave, presented a Petition from W. G. Cody, and others, Inhabitants and proprietors of land at Loch Lomond, praying legislative aid to improve the road from Frog Pond to that Settlement.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Campbell moved the following Resolution:—Resolved that the Petition of Stephen Humbert, complaining of an undue Election for the County of Saint John, be dismissed, as the allegations contained therein against the conduct of the High Sheriff of the City and County of Saint John, have not been duly supported.

And upon the question for passing the Resolution, the House divided,

YEAS---Mr. CLARKE, Mr. WYER, Mr. WELDON, Mr. ALLEN, Mr. JOHNSTON, Mr. M'KAY, Mr. PETERS, Mr. CAMPBELL.

NAYS---Mr. PALMER, Mr. HUMBERT, Mr. CRANE, Mr. CHANDLER, Mr. HARRISON, Mr. TAYLOR, Mr. KETCHUM, Mr. MILES, Mr. HAYWARD, Mr. RANKIN, Mr. VAN HORNE, Mr. MUNRO, Mr. DOW, Mr. FREEZE, Mr. SCOTT.

It was therefore carried in the negative.

Mr. Chandler moved the following Resolution:—Whereas it appears to this House on hearing Stephen Humbert, a petitioner complaining of the proceedings of the High Sheriff of the City and County of Saint John at the last General Election for the said County, and on hearing the evidence by him produced in support of the Petition of the said Stephen Humbert; and also on hearing the Counsel for the said Sheriff, and the evidence by him produced; that although, in some instances, votes were taken by the said Sheriff in the manner stated in the said Petition; yet that it clearly appears the same were taken in the presence of the said petitioner, without any objection being made by him at the time, and that in no instance of such voting, does it appear that any of the said votes would have been given for the said petitioner.

Thereupon Resolved, that the Petition of the said Stephen Humbert be dismissed.

Further Resolved, that the conduct of the High Sheriff in the proceedings of the said Election was truly impartial and disinterested.

And on the question for passing the said Resolution, the House divided as follows, viz.

YEAS---Mr. CLARKE, Mr. PALMER, Mr. HUMBERT, Mr. CRANE, Mr. CHANDLER, Mr. HARRISON, Mr. TAYLOR, Mr. KETCHUM, Mr. MILES, Mr.

Mr. HAYWARD, Mr. FREEZE, Mr. SCOTT, Mr. RANKIN, Mr. VAN HORNE,  
Mr. MUNRO, Mr. DOW,  
NAYS---Mr. WYER, Mr. WELDON, Mr. ALLEN, Mr. JOHNSTON, Mr.  
M'KAY, Mr. PETERS, Mr. CAMPBELL.

It was therefore carried in the affirmative.

Mr. Simonds, from the Committee of Privileges, to whom was referred the Petition of Stephen Humbert, Esquire, complaining of improper conduct of John R. Partelow, Esquire, a Member of this House; having attended to their duty, submitted the following report, which he read:—

“ That the said Petition of Stephen Humbert contains a charge of a very serious and aggravated nature, against the said John R. Partelow, Esquire, a Member of this House.

“ Your Committee are therefore of opinion that the charges contained in the said Petition should be immediately inquired into; and that the sitting Member be heard in his place in his defence, and the Petitioner at the Bar of this House in support of the charges contained in the said Petition.

“ All which is respectfully submitted for the consideration of the Honorable House;

CHARLES SIMONDS,  
HUGH JOHNSTON, Jun.  
JOHN W. WELDON,  
E. B. CHANDLER,  
HARRY PETERS.”

The same being handed in at the Clerk's Table, was there again read.

Ordered that the Report be accepted.

On motion of Mr. Weldon,—Ordered that the Petitioner, Stephen Humbert, do forthwith furnish John R. Partelow, Esquire, sitting Member complained of, with a copy of the Petition; and that the same be taken into consideration to-morrow.

Mr. Scott moved for leave to bring in a Bill to alter and amend the Militia Law of this Province.

Leave granted.

Mr. Van Horne, by leave, presented a Petition from Thankful Miller, widow of the late Alexander Miller, Provincial Tide Waiter for the Port of Saint John, praying Legislative aid in her present indigent circumstances.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Allen, by leave, presented a Petition from John Robinson, James Miles, David Pickard, and others, Inhabitants of the Parish of Douglas, praying that the Act which provides for the erection of an Almshouse and Work House within the County of York, and to make Rules and Regulations for the management of the same, may be altered and amended.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Parker moved for leave to bring in a Bill to empower the Rector, Churchwardens, and Vestry of Trinity Church, in the Parish of Saint John, to dispose of Lots in the new Burial Ground, in the Vicinity of the said Parish.

Which Bill being brought in, and it appearing that the said Bill was introduced in pursuance of a Petition of the said Rector, Churchwardens and Vestry, and affected no other property but that of the said Church Corporation,

Resolved that the said Bill be received and read a first time.

Mr. Taylor, by leave, presented a Petition from David Pickard, of the Parish of Douglas, in the County of York, praying aid to assist in erecting an Oat Mill in the said Parish.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Read a third time, as engrossed.

A Bill to continue certain Acts relative to the Highways and Roads within this Province.

Resolved that the Bill do pass. Ordered that Mr. Parker and Mr. Partelow carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to continue an Act until the first day of April, in the year of our Lord one thousand eight hundred and thirty one intituled "An Act for the better regulation of Licences to Inns, Taverns, and Houses for selling Strong Liquors by retail."

Resolved that the Bill do pass. Ordered that Mr. Chandler and Mr. Palmer carry the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Munro,—The House went into Committee of the whole, upon A Bill for altering the Terms of holding the Inferior Courts of Common Pleas and General Sessions of the Peace in the County of Gloucester.

Mr. Campbell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Campbell, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same under the title of a Bill for altering the times of holding one of the Terms of the Inferior Courts of Common Pleas and General Sessions of the Peace, and also one of the additional Terms of the said Inferior Court of Common Pleas for the County of Gloucester.

Ordered that the Report be accepted, and the Bill engrossed under the title as amended.

The House then adjourned until to-morrow morning, at 10 o'Clock.

THURSDAY, 6th MARCH, 1828.

*Prayers.*

Mr. Rankin, by leave, presented a Petition from John Smith, praying to be remunerated for his services in teaching a School for the last two years, at Miramichi.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Freeze, by leave, presented a Petition from Abraham Good, of the Parish of Sussex, in Kings County, praying Legislative aid to assist him in erecting a Kiln for drying Oats.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Simonds, by leave, presented a Petition from John Jordan, and sundry Inhabitants at Loch Lomond, praying for a sum to pay a Schoolmaster for teaching a School in the Settlement at the Lake.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Simonds, by leave, presented a Petition from John Hennigar, and others, Inhabitants of Kings County, praying that a re-examination may take place of Hammond River, with a view to ascertain where the proposed Bridge ought to be built.

Which he read in his place.

Ordered that the said Petition be received and lie on the table.

Mr. Ketchum, by leave, presented a Petition from Thomas Phillips, and others, of the County of York, engaged in the lumbering business, praying that measures may be adopted to prevent the illegally cutting out of marks, and other frauds practiced on Timber.

Which he read in his place.

Ordered that the said Petition be received and lie on the table.

Mr. Johnston, by leave, presented a Petition from Thomas Long, praying a remuneration for advances made by him to a Contractor for work done on the Loch Lomond Road.

Which he read in his place.

And upon the question for receiving the Petition, the House divided,—YEAS 9, NAYS 10.

It was therefore carried in the negative.

On motion of Mr. Campbell,—Resolved, that a Committee be appointed to revise and amend the Laws now in force, regulating the exportation of Lumber from this Province.

Orderde

Ordered that Mr. Campbell, Mr. Rankin, Mr. Ketchum, and Mr. Simonds, be a Committee for that purpose.

On motion of Mr. Simonds,—Resolved, that the House deem it proper and expedient, that a joint Address of the Council and House of Assembly be prepared to His Majesty upon the subject of the sale of Crown Lands in the Province.

And on motion of Mr. Campbell,—Ordered that Mr. Simonds, Mr. Parker, Mr. Chandler, and Mr. Weldon, be a Committee to prepare the Address.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell, by command of His Excellency, laid before the House, a Report of the Supervisors on Great Roads of Communication throughout the Province.

Mr. Secretary Odell withdrew.

Mr. Allen, by leave, presented a Petition from John Bedell, Thomas G. Cunliff and others, Inhabitants of the Parish of Woodstock, in the County of York, praying further aid towards erecting a Bridge in the said Parish.

Ordered that the said Petition be received and referred to the Committee of Roads.

On motion of Mr. Johnston,—Resolved, that the Speaker do issue his Warrant for the attendance of John M'Allister at the Bar of this House, to give evidence in the business of the Petition of Patrick Clinch, James Brown, and others, complaining of an undue Election and Return for the County of Charlotte, and of the conduct of the High Sheriff, forthwith.

On motion of Mr. Parker,—Resolved, that a Committee of three Members be appointed by this House to correspond with the Province Agents, and that the Honorable His Majesty's Council be informed of the appointment, in order that they may, if they should deem it adviseable, appoint a Committee to join the Committee of the House, in conducting such correspondence.

Ordered that Mr. Parker, Mr. Johnston, and Mr. Simonds, be a Committee of this House, and that Mr. Parker and Mr. Johnston acquaint the Council therewith.

Mr. Scott moved the following Resolution :—Resolved, that a Committee to consist of five Members, be appointed to take into consideration the Prayer of the Petition of Stephen Humbert, complaining of the undue return of Robert Parker, Esquire, to serve in General Assembly, and to examine into evidence which may be adduced on either side, touching the allegation in the said Petition, and to report their proceedings to the House.

And on motion of Mr. Campbell for the previous question, that the question be now put, the House divided ;

YEAS---Mr. HARRISON, Mr. SIMONDS, Mr. SCOTT, Mr. PALMER, Mr. HUMBERT.

NAYS---Mr. PARTELOW, Mr. CLARKE, Mr. CRANE, Mr. CHANDLER, Mr. WYER, Mr. ALLEN, Mr. JOHNSTON, Mr. WARD, Mr. M'KAY, Mr. TAYLOR, Mr. KETCHUM, Mr. MILES, Mr. HAYWARD, Mr. WELDON, Mr. PETERS, Mr. FREEZE, Mr. VAN HORNE, Mr. MUNRO, Mr. DOW, Mr. RANKIN, Mr. CAMPBELL.

It was thereupon carried in the negative.

On motion of Mr. Parker,—Resolved, that the House proceed to the order of the day to hear Stephen Humbert, in support of the allegations contained in his Petition against John R. Partelow, Esquire.

The Petitioner, Stephen Humbert, was then admitted.

A Message from His Majesty's Council.

The Petitioner was ordered to withdraw.

Mr. Robinson delivered the following Message.

“Mr. Speaker,—I am directed to inform this House, that the Council have agreed to the Bill to authorize the Justices of Saint John, to raise a sum of money for completing the Court-House; and

“The Bill to continue and amend the Act for the better securing of the Navigation of the Inner Bay of Passamaquoddy.

“And I am further directed to inform the House, that the Council have agreed to a Bill to authorize the Mayor, Aldermen, and Commonalty of the City of Saint John, to open a Street from the Wharf on the South side of the Market Slip, to the Wharf owned by Charles I. Peters, Esquire,” with an amendment, to which they desire the concurrence of this Honorable House. And

And then Mr. Robinson withdrew.

The Petitioner was again admitted; and evidence having been adduced in support of the allegations contained in the Petition, as well as on the part of the sitting Member, and the matter being gone through on both sides;—The Petitioner was ordered to withdraw.

The sitting Member was likewise ordered to withdraw.

The House proceeded to take into consideration the amendment made by the Council to the Bill to authorize the Mayor, Aldermen, and Commonalty of the City of Saint John, to open a Street from the Wharf on the South side of the Market Slip, to the Wharf owned by C. J. Peters, Esquire; and the same being read, and the question put thereon, Resolved, that the House do agree to the same.

Ordered that Mr. Simonds and Mr. Partelow do return the said Bill, with the amendment, to the Council, and inform them that the House have concurred therein.

Resolved unanimously, that on hearing the Petitioner, Stephen Humbert, at the Bar of this House, pursuant to order; and also the evidence adduced by him in support of the charges contained in his Petition against the conduct of John R. Partelow, Esquire, a Member of this House; as well as the evidence adduced by the said John R. Partelow, Esquire, in his defence, in using undue influence to deter a Witness from attending at the Bar of this House, is altogether unsupported; and that the Petition of the said Stephen Humbert, be dismissed. And further Resolved, that the said Stephen Humbert be forthwith called to the Bar of this House, and reprimanded by the Speaker for introducing a Petition so frivolous and vexatious.

Ordered that the Member for the County of Saint John, petitioned against, do resume his seat.

Ordered that the Sergeant at Arms do take the said Stephen Humbert in custody and bring him to the Bar of the House forthwith.

The Petitioner, Stephen Humbert, being in custody of the Sergeant at Arms, was brought to the Bar of the House, and there reprimanded by the Speaker, and was then ordered to withdraw.

Mr. Chandler, by leave, presented a Petition from Gideon Smith, and sundry Inhabitants of Dorchester, in the County of Westmoreland, praying for a sum of money to assist in paying the expenses of building an aboideau over Beaver Creek.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Simonds, by leave, presented a Petition from Asa Blakeslee, praying that a duty may be imposed upon Candles imported into the Province from the United States.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Allen, by leave, presented a Petition from Thomas Manson, Thomas Humphreys, and other Inhabitants of the Parish of Douglas, praying aid towards improving a new road in the said Parish.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Parker moved for leave to bring in a Bill further to amend the Act for regulating Elections of Representatives in General Assembly.

Ordered that Mr. Parker have leave to introduce the same any time before the 20th of March instant.

On motion of Mr. Allen,—Ordered that the order of the day for going into consideration of the matter of the Petition of Patrick Clinch, and James Brown, complaining of an undue Election for the County of Charlotte, and of the conduct of the High Sheriff, be again discharged, and that the same stand as the order of the day for to-morrow.

Mr. Weldon, by leave, presented a Petition from William M. Michael, and others, Inhabitants of Liverpool, in the County of Kent, praying that the disabilities under which Ministers of dissenting congregations now labour, may be removed.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Johnston, by leave, presented a Petition from Susan Winter, praying pecuniary Legislative aid.

Which he read in his place.

Ordered

Ordered that the said Petition be received and referred to the Committee of Supply.

Read a second time, a Bill to empower the Rector, Churchwardens, and Vestry of Trinity Church, in the Parish of Saint John, to dispose of Lots in the new Burial Ground, in the Vicinity of the said Parish.

Mr. Rankin, by leave, presented a Petition from the Presbyterian congregation of Saint Andrews Church, in the Parish of Chatham, County of Northumberland, praying that the disabilities under which Ministers of dissenting congregations labor, may be removed.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

The House then adjourned until to-morrow morning at 10 o'clock.

FRIDAY, 7th MARCH, 1828.

*Prayers.*

Mr. Parker, pursuant to leave, brought in a Bill to regulate the Trials of controverted Elections, or Returns of Members to serve in General Assembly.

Which was read a first time.

Mr. Allen moved for leave to bring in a Bill to alter and amend an Act, intituled "An Act to provide for the erection of an Alms House and Work House within the County of York, and for making Rules and Regulations for the management of the same."

Leave granted.

On motion of Mr. Campbell,—Ordered that the time for receiving Petitions and Bills be extended to the 12th day of this month.

On motion of Mr. Campbell,—Resolved, that the House do, according to the order of the day, proceed to the consideration of the Petition of Patrick Clinch, James Brown, and others, complaining of an undue Election for the County of Charlotte, and the conduct of the High Sheriff at such Election.

The Counsel for the Petitioners, as well as Counsel for Hugh M'Kay and Joseph Nehemiah Clarke, Esquires, and the High Sheriff for the County, were admitted.

The Counsel were ordered to withdraw.

Mr. Partelow moved the following Resolution:—Resolved that all Witnesses to be examined before this House, in the matter relating to the Petition of Patrick Clinch, James Brown, and others, complaining of the conduct of the High Sheriff, and an undue return of Hugh M'Kay and Joseph N. Clarke, Esquires, to serve in General Assembly, be duly sworn by a Magistrate of the County of York, to be appointed for that purpose, as well as on the part of the said Petitioners, as of the said High Sheriff and sitting Members.

And upon the question being put thereon, the House divided as follows:—

YEAS—Mr. SIMONDS, Mr. PARTELOW, Mr. ALLEN, Mr. HARRISON, Mr. PETERS, Mr. RANKIN, Mr. DOW, Mr. CAMPBELL.

NAYS—Mr. HUMBERT, Mr. CHANDLER, Mr. PARKER, Mr. PALMER, Mr. WYER, Mr. CRANE, Mr. JOHNSTON, Mr. WARD, Mr. TAYLOR, Mr. KETCHUM, Mr. MILES, Mr. HAYWARD, Mr. WELDON, Mr. FREEZE, Mr. SCOTT, Mr. VAN HORNE, Mr. MUNRO.

It was thereupon carried in the negative.

Counsel were admitted.

Read the Petition of the said Patrick Clinch, James Brown, and others, then under consideration.

The Counsel were ordered to withdraw.

Ordered that the Counsel do confine themselves solely to the allegations set forth in the Petition.

The Counsel were admitted.

Mr. Speaker acquaints the Counsel with the decision of the House.

A Message from His Majesty's Council.

The Counsel were ordered to withdraw.

Mr. Street delivered the following Message.

“ Mr. Speaker,—I am directed to inform the House, that the Council have agreed to the following Bills ;

“ A Bill to continue the Acts for more effectually repairing the Streets and Bridges in the City and County of Saint John.

“ A Bill relative to the Streets and Squares in the City of Saint John.

“ And a Bill to authorize the Justices of the County of Gloucester, to assess the said County for erecting a Court House and Gaol therein.

“ And I am further directed to inform the House, that the Council have agreed to a Bill to regulate the manner of driving and riding upon the public Roads,” with amendments ; to which they desire the concurrence of this Honorable House.

And then Mr. Street withdrew.

The Counsel were admitted.

The Counsel were ordered to withdraw.

On motion of Mr. Partelow,—Resolved, that so much of the Petition of Patrick Clinch, James Brown, and others, which relates to the illegality of the Sheriff's conduct in making a false return of Hugh M'Kay, and Joseph N. Clarke, Esquires, be first taken into consideration, and that Counsel be heard and Witnesses examined, as well on behalf of the said Petitioners, as of the said High Sheriff, touching that part of the Petition.

The Counsel were admitted.

Mr. Speaker acquainted them with the above resolution.

On motion of Mr. Parker,—Resolved, that the Speaker do issue his warrant to the Clerk of the Crown in Chancery, requiring him forthwith to attend this House with the last Writ issued for the Election of Members to serve in General Assembly for the County of Charlotte, with the Sheriff's return thereto.

A Message from His Excellency the Lieutenant-Governor.

The Counsel were ordered to withdraw.

Mr. Secretary Odell delivered the following Messages.

“ NEW-BRUNSWICK.  
“ MESSAGE to the HOUSE of ASSEMBLY.  
6th March, 1828.

HOWARD DOUGLAS.

“ The Lieutenant-Governor informs the House of Assembly, that an expense amounting to one hundred and sixty-one pounds, nineteen shillings and eleven pence, has been incurred in the procuring of evidence, and the arrest of John Baker, a person charged with offences committed in Madawaska, which the Lieutenant-Governor recommends to the consideration of the House, and that provision be made for defraying the same.”

“ H. D.”

“ NEW-BRUNSWICK.  
“ MESSAGE to the HOUSE of ASSEMBLY.  
6th March, 1828.

HOWARD DOUGLAS.

“ The Lieutenant-Governor submits to the House of Assembly, sundry accounts of expenses incurred in the security of the Secretary's and the Surveyor General's Offices, amounting in the whole to £110 : 2 : 3, and recommends to the House to make provision for defraying the same.”

“ H. D.”

“ NEW-BRUNSWICK.  
“ MESSAGE to the HOUSE of ASSEMBLY.  
7th March, 1828.

HOWARD DOUGLAS.

“ The Lieutenant-Governor submits to the consideration of the House of Assembly, a representation of the Judges in behalf of Charles S. Putnam, Esquire, the Clerk of the Crown in the Supreme Court, and recommends to the House to make Provision for remunerating the services of that Officer. The Lieutenant-Governor informs the House that application having been made in behalf of Mr. Putnam, to His Majesty's Government, the sum of £100, was in consequence paid to him last year, but with an intimation that the state of the Government Funds precluded a continuance of that allowance, and the Lieutenant-Governor was therefore directed to refer the matter to the Provincial Legislature.”

“ H. D.”

“ New-

“NEW-BRUNSWICK.  
“MESSAGE to the HOUSE of ASSEMBLY.  
7th March, 1828.

HOWARD DOUGLAS.

“The Lieutenant-Governor lays before the House of Assembly, a letter from His Excellency Sir James Kempt, with sundry accounts relating to the case of James Nixon, and others, charged with piracy, and recommends the same to the consideration of the House.” “H. D.”

And Mr. Secretary Odell, likewise by command of His Excellency, laid before the House two accounts of George K. Lugin, the King's Printer.

Mr. Secretary Odell withdrew.

The Counsel were re-admitted.

The Clerk of the Crown attended with the Writ of Election for the County of Charlotte, together with the Sheriff's return thereto, in obedience to the order of the House, by which it appeared that Colin Campbell, Thomas Wyer, Hugh McKay, and Joseph Nehemiah Clarke, Esquires, were returned as duly elected to serve in General Assembly.

The Counsel were ordered to withdraw.

The House then adjourned until to-morrow morning, at 10 o'Clock.

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SATURDAY, 8th MARCH, 1828.

*Prayers.*

On motion of Mr. Simonds,—The House proceeded to take into consideration the amendments made by the Council, to a Bill to regulate the manner of driving and riding upon the Public Roads.

The amendments being read, and the question severally put thereon,

Resolved, that the House do concur therein.

Ordered that Mr. Simonds and Mr. Ketchum, do return the Bill, with the amendments to the Council, and inform them that the House have concurred therein.

Mr. Scott moved the following Resolution :—

Resolved, that a Committee, to consist of five Members, be appointed to take into consideration the prayer of the Petition of Stephen Humbert, of the County of Saint John, complaining of the undue return of Robert Parker, Esquire, to serve in General Assembly, and to examine into evidence which may be adduced on either side touching the allegations in the said Petition ; and to report their proceedings to the House.

The sitting Member was heard in his place touching the resolution, and then withdrew.

Upon the question for passing the said resolution, the House divided,—YEAS 8. NAYS 17.

It was therefore carried in the negative.

Mr. Allen, by leave, presented a Petition of Elisha Andrews, Esquire, High Sheriff of the County of Charlotte, praying to be allowed to establish, by evidence to be adduced, the fact of several of the names to the Petition of Patrick Clinch and James Brown, and others, complaining of an undue Election for the County of Charlotte, and of the conduct of the Sheriff in conducting the said Election, having been surreptitiously obtained.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

Mr. Johnston, by leave, presented a Petition from Robert Foulis, a settler on the Quaco Road, praying for assistance to erect an Oat Mill.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Wyer, by leave, presented a Petition from John E. Messuett, Thomas H. Carman, and others, inhabitants of the County of Charlotte, praying aid to remove obstructions in the River Magaguadavic.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr.

Mr. Campbell, by leave, presented a Petition from Francis Gillispie, and others, settlers at the Harbour of New-River, and on the road leading from Saint John to Saint Andrews, praying Legislative aid towards improving a road from New-River Harbour Settlement, to the main road.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Ketchum moved for leave to bring in a Bill, to erect the Eastern part of the Parish of Wakefield, in the County of York, into a distinct Town or Parish.

Leave granted.

Mr. Allen acquainted the House that he was informed, a letter addressed to several Members of the House, had been written by Patrick Clinch and James Brown, reflecting in severe terms upon the conduct of other Members, and in high contempt and breach of the privileges of the House.

Ordered that the Sergeant at Arms be directed to take Benjamin Creighton into custody and bring him to the Bar of this House forthwith, to give evidence in the matter of the above complaint.

The letter being produced, was read, and is as follows:—

“Fredericton, 5th March, 1828.

“GENTLEMEN,

“We have observed with much satisfaction the very able, manly, and judicious, exertions on your part, in the cases of contested Elections now at issue. Feeling deeply interested in the proceedings of that Assembly of which you have the honor to be Members, we beg leave humbly to suggest, that we think we can discover a disposition in some of the *Honorable* Members, to throw every difficulty in our way; nor is it strange that such should be the case, as the seats of them, or their friends, may ultimately be affected by the decision of the House. Under these circumstances, our whole dependence for a just, prompt and impartial decision, is upon the dignity, honor, and abilities, of the worthy Members, who stand unconnected with the question now depending.—You cannot but be aware of the impropriety of allowing persons, not duly elected, to sit and vote in that Assembly; you must be aware also of the peculiar difficulties under which we labor, and under all considerations, we hope, nay we feel assured, that your exertions will not be wanting, to secure to us the immediate opportunity, of an impartial investigation.

“Against the Sheriff we have stated serious charges.—The nature of his office, and his long continuance therein, has afforded him an opportunity of knowing the situation of the settlers throughout the County, with respect to Freehold, &c.,—better than any other individual; and by ordering the votes to be marked after polling, he had it in his power to cause good votes to be marked on the part of any favorite Candidate, and bad votes on the part of any other Candidate; and then confining his investigation to the votes so marked, it is obvious that he had it in his power to return his favorite, had he been so disposed. Such conduct would be a complete subversion of the Constitution, by transferring the right of Election from the Freeholders, to the returning officer;—and if from a train of facts, and circumstances, such should appear to have been the conduct of the Sheriff of Charlotte, we feel assured that it will not pass without some mark of your disapprobation. And while we disdain, by unfair means, to endeavour to make any favourable impression upon your minds, contrary to the facts which we trust will appear in evidence, we beg to be allowed to express our conviction, that all the powerful influence of wealth and interest, will be exerted to represent the conduct of the Sheriff in the most favorable light.

“Submitting these hasty remarks, in what we consider a case of much importance, and much difficulty, we remain

“Gentlemen most respectfully your obedient Servants,

“PATRICK CLINCH,  
JAMES BROWN.”

“The *Honorable Representatives*

For *Westmorland, Kings County and Queens County.*  
*Golden Ball.*”

Mr. Speaker acquainted the House that the Sergeant at Arms had Benjamin Creighton in custody in obedience to the order of the House.

The said Benjamin Creighton being brought to the Bar, in custody of the Sergeant at Arms, and examined,

Ordered

Ordered that the said Benjamin Creighton be dismissed.

Ordered that the Sergeant at Arms do take Patrick Clinch and James Brown in custody, and bring them to the Bar of the House to answer such things as may be objected against them.

Mr. McKay and Mr. Clarke, Members from Charlotte County, then withdrew.

Mr. Ketchum, by leave, presented a Petition from Jacob Elligood, and others, Inhabitants of the Parishes of Prince William and Woodstock, praying aid to enable them to build a Bridge over the Poquiock.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Speaker acquainted the House that the Sergeant at Arms had the said Patrick Clinch and James Brown in custody.

The said Patrick Clinch and James Brown being severally brought to the Bar, were then examined as to the Letter then under consideration, and the said James Brown admitted that the Letter was written and signed by him, and the said Patrick Clinch admitted of his having likewise signed the same, first being acquainted with the contents thereof.

Ordered that the said Patrick Clinch and James Brown do withdraw, and that the Serjeant at Arms, do still detain them in custody to await the further orders of the House.

On motion of Mr. Crane,—Resolved unanimously, that the said Patrick Clinch and James Brown be forthwith committed to the common Gaol of this County, during the pleasure of this House.

Mr. Taylor, by leave, presented a Petition from Henry Smith, Jedediah Slason, F. P. Robinson, H. G. Clopper, and D. Ludlow Robinson, Esquires, Commissioners of the Alms House and Work House of the County of York, praying that the Act relating to the said Alms House and Work House may be amended.

Which he read in his place.

Ordered that the said Petition be received and lie on the table.

Read a second time, a Bill to regulate the trials of controverted Elections, or returns of Members to serve in General Assembly.

Mr. Taylor moved for leave to bring in a Bill to amend an Act, intituled “ An Act to provide for the erection of an Alms House and Work House within the County of York, and for making rules and regulations for the management of the same.”

Resolved, that under the particular circumstances of the case, this Bill be received, it having been proved to the satisfaction of this House, that this is one of the particular cases wherein the 23d standing Rule of this House may be departed from with propriety.

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

Mr. Ketchum, pursuant to leave, brought in a Bill to erect the Eastern part of the Parish of Wakefield, in the County of York, into a distinct Town or Parish.

Which was read a first time.

Mr. Johnston, from the Committee appointed to examine and report on the Treasurer's accounts, submitted a further Report which was read, and is as follows, viz. :—

No. 37. Is the account current of the former Deputy Treasurer at West Isles, (C. H. Jewett, Esq.,) shewing a balance remaining in his hands, in bonds due to the Province, of..... £143 : 13 : 2

He charges in this account the sum of £249 : 15 : 5, paid to the Province Treasurer, but it does not appear by the Province Treasurer's account current with the Province, that any such sum has been received by him. He also charges bonds transmitted to the Deputy Treasurer at Saint Andrews, amounting to £244, but no receipt to this effect accompanies the account.

No. 38. Is the account current of the Revenue Cutter Elizabeth with the Province Treasurer, shewing a balance due to the Treasurer for advances to that vessel, and to be provided for by the Province, of 822 : 17 : 9

This account is accompanied with the account of Thomas Wyer, Esq., with vouchers for advances made by him to the said vessel, between the 1st January and 1st April one thousand eight hundred and twenty-eight, amounting to £802 : 2 : 2.

No. 39. Is an abstract of expenses incurred for the protection of the Revenue in the year 1827, between the 1st May and 31st December 1828, including the purchase of Craft, &c. amounting to... 1046 : 7 : 2½

The Treasurer credits a warrant received for £1000, which leaves a balance, to be provided for by the Province, of..... 46 : 7 : 2½

Captain Baxter's disbursement account, amounting to £289 : 16s, and Portage Bill, amounting to £443 : 19 : 8, accompanies the foregoing statement ; also vouchers for a part of the first account, but none for the latter, and neither accounts are attested to by him.

No. 40. Is the Province Treasurer's account of money collected at Saint John during the year 1827, for the relief of sick and disabled Seamen, amounting to..... 588 : 7 : 6

Also his account current with that Fund, shewing a balance in his hands, on the 1st January 1828, of..... 136 : 1 : 8

No. 41. Is a list of bonds remaining in the Province Treasury on the 1st January 1828.

No. 42. Is a list of bonds remaining in the hands of the Deputy Treasurer at Saint Andrews, on the 1st January 1828.

No. 43. Is a list of bonds remaining in the hands of J. W. Weldon, Esq., Deputy Treasurer at Richibucto, on the 1st November 1827.

All of which is respectfully submitted to this Honorable House.

HUGH JOHNSTON, Jun.  
ALEX. RANKIN,  
WM. TAYLOR.

Ordered that the Report be accepted.

On motion of Mr. Johnston,—Ordered that the House, in Committee of the whole, do go into consideration of the Report of the Committee appointed to examine and report on the Treasurer's accounts, on Tuesday next.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell delivered the following Message.

“ NEW-BRUNSWICK.  
“ MESSAGE to the HOUSE of ASSEMBLY.  
8th March, 1828.

**HOWARD DOUGLAS.**

“ The Lieutenant-Governor has great pleasure in acquainting the House of Assembly, that His Majesty has been graciously pleased to sanction a Grant of Five thousand pounds from the funds of the Crown, towards the purchase of Arms for the Militia, and the Lieutenant-Governor has every reason to expect that a similar Grant will be made for this important purpose in the ensuing year.

“ The Lieutenant-Governor, at an early period of his Administration, represented the deficient and defective state in which he had found the Militia with respect to its armament, and the regret which he had experienced, at seeing such fine bodies of men assembled for exercise, under such discouraging circumstances.

“ His Majesty's Government, fully impressed with the expediency of rendering the Militia as efficient in its armament and equipment, as it is able in its personal, and stedfast in its principles, directed the Lieutenant-Governor to recommend to the House of Assembly, to make provision for these important objects ; and had it not been for the heavy charges brought upon the Provincial finances, by the great conflagration which had then recently occurred, it is probable that the Lieutenant-Governor would have recommended to the House of Assembly to make suitable provision for a purpose so essential to the efficiency of the constitutional and defensive force of their Country. But upon due consideration of the liberality with which a large portion of the Revenue had been appropriated to the relief of sufferers and the restoration of public buildings, the Lieutenant-Governor renewed his application, and has not been disappointed in the expectation that His Majesty's Government would shew paternal and liberal regard to a recommendation made under such circumstances.—The Lieutenant-Governor is persuaded that the House of Assembly will learn, with gratitude, this fresh instance of the Royal disposition to devote these funds to purposes of utility in the Province, and has no doubt that this particular application of

of them will afford very general satisfaction, and be productive of much advantage.

“The Lieutenant-Governor, with a lively consideration, to interrupt as little as possible the industrious and laborious pursuits and occupations of the people, and desirous of promoting the gradual improvement which he contemplates, in the instruction and training of the Militia, with the least possible inconvenience to the people and the Country, has often regretted that the Militia Act does not give the Commander-in-Chief discretionary power to remit the whole or such portion of the attendance required by Law, for exercise and inspection, as might occasionally be dispensed with, under special circumstances, without much detriment or disadvantage to the Militia service.

“If such a discretionary power were vested in the Commander-in-Chief, by an Act to amend the permanent Law, He might be enabled to dispense, in this way, acts of grace, and so afford great relief to the people.—This would be done upon reports and recommendations from the Officers commanding Battalions, and the Inspecting Field Officers, submitting the fitness and expediency of granting such indulgences, in alternation of Companies or Divisions; and these recommendations being made by Officers of much distinction, subject to the sanction of the Commander-in-Chief, would be so regulated, as never to interfere with, but rather to promote the means of bringing to a requisite degree of efficiency, considerable portions of the Militia Forces, particularly in the more important quarters, dense settlements, and Military points of the Province.

“Much good, some sensible relief to the people, in thinly dispersed and remote settlements, and no detriment whatever would result from such a power of alternate selections and exemptions. The meetings for training would, when the contemplated arrangements for armament and instruction are completed, and fully acted upon, always be productive of the full benefit which the Law contemplates in calling the Militia men together for training; and when these objects could not be accomplished at present, on account of deficiency of means, and the great dispersion of the population in young Settlements, or other incidental circumstances, suitable relaxations, at the discretion of the Commander-in-Chief, might be permitted to exempt the people, so circumstanced, from some of those calls upon their time, which the Law, as it now stands, peremptorily exacts, but which cannot in all cases be applied, with much profit to the Martial exercises.”

“H. D.”

On motion of Mr. Allen,—Resolved, that the Speaker do issue his Warrant for the attendance of John Boyd and John Murray, on Wednesday the 12th day of March next, before the Committee appointed to take into consideration the Petition of Thomas Barlow, Esquire, and others, complaining of an undue Election and Return for the City of Saint John, to testify what they and each of them know as to matters depending on the said Petition.

On motion of Mr. Allen,—Resolved, that Stephen Humbert be heard at the Bar of this House in support of his Petition complaining of an undue Return of Robert Parker, Esquire, on the 22d of March instant; and that he do forthwith deliver to the sitting Member, a copy of his Petition, and that lists of objectionable votes be exchanged on the 13th day of March instant, at 11 o’Clock in the forenoon of the same day.

Mr. Humbert, by leave, presented a Petition from James Cookson and John Henigar, Trustees for Schools in the Parish of Hampton, praying that John Paul, a Licenced Teacher, may be compensated for his services as Teacher in the year 1825.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Scott, by leave, presented a Petition from Bridget M’Guiney, praying for aid to assist her to support a large and infant family in her present indigent circumstances.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

On motion of Mr. Weldon,—Resolved, that when upon motion made to this House for the Speaker’s Warrant, ordering the attendance of any person as a witness on the behalf of any party or parties engaged in any contested Election or Return, the name of the Member moving for the same shall be entered in the Journals, and also the name of the party in whose behalf the motion is made; and that the Warrant shall particularly

particularly specify the party at whose instance the same has been granted.

And further Resolved, that in all such cases, this House will not proceed against any such witness for not attending pursuant to such Warrant, unless the parties do pay, or tender to their respective witnesses, upon serving them with the Warrant, a reasonable and proper sum to defray their expenses in going, staying, and returning.

The House then adjourned until Monday morning next, at 10 o'Clock.

MONDAY, 10th MARCH, 1828.

*Prayers.*

Mr. Hayward, by leave, presented a Petition from Patrick Clinch and James Brown, now confined in the common Gaol for the County of York, by order of this House, for contempt and breach of the privileges of this House, and praying to be released from such confinement.

Which he read in his place.

Ordered that the said Petition be received.

On motion of Mr. Crane,—Resolved that Patrick Clinch and James Brown having expressed their contrition for the offence which they have committed against the privileges of this House be forthwith brought to the Bar, and receive a suitable reprimand from the Speaker, and be then discharged.

The said Patrick Clinch and James Brown, being brought to the Bar in custody of the Deputy Serjeant at Arms, were reprimanded by the Speaker, and then discharged.

Mr. Parker, by leave, presented a Petition from Caleb Radcliff, of the Parish of Portland, in the County of Saint John, praying aid to assist him in erecting a Grist Mill at Loch Lomond.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from John Williams, and others, of the colored Population of the Settlement at Loch Lomond, in the County of Saint John, praying Legislative aid towards erecting an Oat Mill in that quarter.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Crane, by leave, presented a Petition from Eleanor Dunn, praying compensation for teaching a School at Westmoreland.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from A. Menzies, and others, Proprietors and Inhabitants in the vicinity of Musquash Harbour, in the County of St. John, praying for aid towards improving the road leading from the main road to that Harbour.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Crane, by leave, presented a Petition from Thomas Estabrooks, of Sackville, in the County of Westmoreland, praying compensation for work done on the Great Road in Sackville.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

On motion of Mr. Hayward,—Resolved that the House do forthwith go into the further consideration of the Petition of Patrick Clinch, James Brown, and others, complaining of an undue Election for the County of Charlotte, and the conduct of the High Sheriff at such Election.

Counsel were admitted.

A Message from His Majesty's Council.

The Counsel were ordered to withdraw.

Mr. Justice Botsford delivered the following Message.

“Mr. Speaker,—I am directed to inform the House, that the Council have agreed to a Bill to encourage the destruction of Bears in this Province, with amendments, to which they desire the concurrence of this Honorable House.”

And

And then Mr. Justice Botsford withdrew.

The Counsel were re-admitted.

A Message from His Excellency the Lieutenant-Governor.

The Counsel were ordered to withdraw.

Mr. Secretary Odell, by command of His Excellency, laid before the House a copy of a Dispatch from one of His Majesty's Principal Secretaries of State, with its inclosures, to the Lieutenant-Governor; recommending that in any Bill which may be passed by the Legislature of New-Brunswick, imposing Colonial Duties upon the importation of certain Goods, a clause should be introduced exempting Goods intended to be Warehoused from the payment of Colonial Duties upon the first entry thereof.

Mr. Secretary Odell withdrew.

Counsel were admitted.

The Counsel were ordered to withdraw.

The House then adjourned until to-morrow morning, at 10 o'Clock.

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TUESDAY, 11th MARCH, 1828.

*Prayers.*

Read a third time, as engrossed,

A Bill to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town," to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland.

Resolved that the Bill do pass. Ordered that Mr. Rankin and Mr. Simonds carry the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Parker,—The House proceeded to take into consideration the amendments made by the Council to a Bill to encourage the destruction of Bears in this Province.

The amendments being read, and the question severally put thereon, they were not concurred in by the House.

Read a third time, as engrossed,

A Bill to authorize the Justices of the Peace for the County of Kent, to levy an assessment for the purpose of erecting a Court-House and Gaol in the said County.

Resolved that the Bill do pass. Ordered that Mr. Weldon and Mr. Crane carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Freeze moved for leave to bring in a Bill to grant a Bounty for the destruction of Bears in this Province.

Leave granted.

Read a third time, as engrossed,

A Bill to continue until the first day of April, one thousand eight hundred and thirty, certain Acts for the support and relief of confined Debtors.

Resolved that the Bill do pass. Ordered that Mr. Parker and Mr. Peters carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill for altering the times of holding one of the Terms of the Inferior Courts of Common Pleas and General Sessions of the Peace, and also one of the additional Terms of the said Inferior Court of Common Pleas for the County of Gloucester.

Resolved that the Bill do pass. Ordered that Mr. Munro and Mr. Simonds carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to erect a part of the Parish of Hillsborough, in the County of Westmoreland, into a distinct Town or Parish.

Resolved that the Bill do pass. Ordered that Mr. Scott and Mr. Crane carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill in addition to an Act, intituled "An Act to empower and authorize the Jus-

“ tices of the County of Westmoreland, at their General Sessions of the Peace, to regulate the grazing and depasturing of the several Marshes, Lowlands, or Meadows, within the said County.”

Resolved that the Bill do pass. Ordered that Mr. Crane and Mr. Palmer carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to continue an Act, intituled “ An Act to provide for the erecting of Fences, with Gates across Highways leading through Interval Lands, in Queens County, and the County of Sunbury, where the same may be found necessary ;” and to extend the provisions of the same to Kings County.

Resolved that the Bill do pass. Ordered that Mr. Miles and Mr. Hayward carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to continue until the first day of April, one thousand eight hundred and thirty-three, an Act to regulate the Manufacturing and Shipment of Grindstones from the County of Westmoreland.

Resolved that the Bill do pass. Ordered that Mr. Crane and Mr. Chandler carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to provide for the services of the Speaker of the House of Assembly, and for defraying the expenses and travelling charges of the Members of the said House, attending in General Assembly.

Resolved that the Bill do pass. Ordered that Mr. Scott and Mr. Campbell carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Parker moved for leave to bring in a Bill to provide for the more easy and speedy recovery of Seamen's wages.

Leave granted.

Mr. Partelow, from the Committee appointed to examine and report upon public and private accounts, submitted a further Report, which being handed in at the Clerk's Table, was there read, and is as follows :—viz.

No. 36. Is an account of Andrew Blair, amounting to 40*l.* : 0 : 10, shewing the expenditure of that sum on the road to the Scotch Settlement, between the main road and Andrew Blair's, in the Parish of Woodstock, County of York. This account is attended by proper vouchers, and the Commissioner's affidavit, except for his own labour, 5*l.*, but your Committee are of opinion that the wages paid for this work are very high. He credits the receipt of 40*l.* from the Province Treasurer.

No. 37. Is an account of Joseph N. Clarke, for the expenditure of 25*l.* on the road from Robert Spence's to the main river, in the Parish of St. James, County of Charlotte. The necessary vouchers, and the Commissioner's affidavit, accompany this account. He states that he is not yet in receipt of a Warrant on the Treasury.

No. 38. Is George N. Arnold's account, amounting to 29*l.* : 19 : 7, for the expenditure of that sum in opening a new road from Nicholas Roache's to the Hammond River, in Kings County. Proper vouchers and an affidavit are with this account. He credits the receipt of 30*l.* from the Province Treasurer.

No. 39. Is an account of Andrew Bunten, amounting to 15*l.*, shewing the expenditure of that sum on the road from Sherman's to Smith's, Parish of St. David, in the County of Charlotte. An affidavit and the proper vouchers attend this account. He states that he has not yet received a Warrant on the Treasurer.

No. 40. Is John Gidney's account, amounting to 25*l.* for the expenditure of that sum on the road from M'Lean's to Gidney's, in Kings County. The necessary vouchers and an affidavit accompany this account. He credits 25*l.* received from the Province Treasurer.

No. 41. Is an account of William Clarke, for the expenditure of 100*l.* on the road leading from the North side of Maquapit Lake to Newcastle, at the head of the Grand Lake. This account is attended by vouchers, and an affidavit of the Commissioner, except for some labour done by himself and his son, amounting to 12*l.* : 5 : 7. He credits 100*l.* received from the Province Treasurer.

No. 42. Is an account of Robert Hitchings and George Hunter, shewing the expenditure of 68*l.* : 16 : 3, on the road between Josiah Hitchings and the burnt land in

in the Parish of St. Stephens, County of Charlotte. This account is accompanied by the requisite vouchers and an affidavit. The Provincial grant for this road appears to have been 50*l.* from which the Commissioners have deducted five per cent., leaving a balance due them of 2*l.* : 3 : 10. A letter from the Commissioners attends this account, explaining the reasons which induced them to exceed the grant, to which your Committee beg leave to refer the Honorable House.

No. 43. Is an account of Benjamin Charters, amounting to 30*l.* for the expenditure of that sum on the road from Le Blanc's to the Great Road leading from Dorchester to Shediac. The Commissioner's affidavit and the necessary vouchers are with this account. He credits the receipt of 30*l.* from the Province Treasurer.

No. 44. Is another account of Benjamin Charters, for the expenditure of 15*l.* on the road from Bonum Goold's to the Great Road in Dorchester. The requisite vouchers and an affidavit attend this account. He credits the receipt of the sum expended.

No. 45. Is an account of Edward G. N. Scovil, Supervisor of the Great Road from Saint John to Westmoreland, amounting to 299*l.* : 5 : 8½. This account is accompanied by the necessary vouchers, and an affidavit, except for 5*l.* : 8 : 9½, and credit is given for the receipt of 300*l.* from the Province Treasurer, leaving a balance in the Supervisor's hands of 14*s.* : 8½*d.* A part of this account, 109*l.* : 14*s.*, arises from several sums due on contracts for work performed on the same road in 1826, paid by the Supervisor out of the grant for 1827, and he charges 5*l.* : 8 : 9½ for commissions due him in the former year; the propriety of which is submitted to the consideration of the House.

No. 46. Is an account of Solomon Tracey, amounting to 99*l.* : 6 : 5, shewing the expenditure of that sum in clearing obstructions in the Oromocto River, in Sunbury County. This account is attended by the proper vouchers, and the Commissioner's affidavit, except for the sum of 10*l.* : 2*s.* which is a charge for his own labor, and for powder furnished in blowing rocks. Your Committee consider the rate of labor charged in this account generally too high.

No. 47. Is an account of Richard M'Lauchlan and Archibald Duncan, for the expenditure of 78*l.* : 16*s.*, of which 52*l.* : 16 : 6 appear to have been expended on the south side of Northesk, from Beaubear's Point upwards, and the remainder, 20*l.* : 19 : 6, on the north side of Northesk, through the Indian tract, in Northumberland County, by virtue of two grants made in 1826, by the Legislature, of 48*l.* : 15*s.* each, for these roads. This account is satisfactory to your Committee, it being attended with the necessary vouchers, the contracts with the parties who performed the work, and the Commissioner's affidavit. They credit the receipt of 97*l.* : 10*s.* from the Deputy Treasurer at Miramichi, in dollars at 5*s.* 4*d.*, reducing the amount to 91*l.* : 8 : 2, and leaving a balance in favor of the Province of 17*l.* : 12 : 2. No commission is charged in this account.

No. 48. Is an account of Josiah Foster, shewing the expenditure of 40*l.* in building a Bridge and Causeway across Foster's Mill Stream, in Queen's County. This account is attended with a proper voucher and an affidavit, and no commission has been charged. The grants for this work appear to have been made in 1824 and 1825, and credit is given for the receipt of the amount from the Province Treasurer.

No. 49. Is an account of John M'Lean, shewing the expenditure of 60*l.* : 17 : 9, on the road from William Wiggins' to the head of Cumberland Bay, in Queens County. This account is attended with the proper vouchers, and the Commissioner's affidavit. He credits 60*l.* received from the Treasurer, and strikes a balance against the Province of 17*s.* : 9*d.*

No. 50. Is Thomas Underhill's account, shewing the expenditure of 28*l.* : 8 : 5, on a bye road in Queens County, leading from Shaw's to the Kings County line. This account is accompanied by proper vouchers, and an affidavit of the Commissioner, and no commission is charged. He gives no credit for money, but as your Committee discover that a grant for this road was made of 30*l.* in 1826, they have no doubt that a Warrant has been issued for it.

No. 51. Are four accounts of Lewis Frazee, of Kings County, as follow:—

No. 1. Shews the expenditure of 15*l.* in building a bridge over the Kenabeck brook, near Belding's.

No. 2. The sum of 20*l.* expended in building a bridge over the Mill Stream, near Henry Sharp's.

No:

No. 3. The sum of 10*l.* expended on the road from Joseph Folkins' to Richard Folkins'.

No. 4. The sum of 10*l.* laid out on the road from Darling's to Fenwick's.

The whole amount to 55*l.*, and are supported by proper vouchers and the Commissioner's affidavit. He credits the receipt of the several sums by Warrants on the Province Treasurer.

No. 52. Is an account of Charles Howe, for the expenditure of 30*l.* : 2*s.* on the road from Reubert's to the late William Spence's farm. This account is attended with an affidavit and vouchers for the whole, except 36*s.*, which he charges for six days labor of himself. He credits the receipt of 30*l.* from the Province Treasurer.

No. 53. Is Philip White's account, amounting to 34*l.* : 3 : 1, for the expenditure of that sum on the road from Watson's ferry to Carter's Point, in Queen's County.

With this account are the requisite vouchers, and an affidavit. He credits the receipt of the sum granted, 30*l.*, from the Province Treasurer, leaving a balance against the Province of 4*l.* : 3 : 1.

No. 54. Is an account of 24*l.*, shewing that sum expended by William C. Joslin, on the road between Jones' and Hayt's, in the Parish of Prince William, in York County. This account is objectionable by there being no voucher for 11*l.* of the sum, and a charge made of ten per cent. on the amount granted, 25*l.*, instead of five per cent. on the sum expended.

By correcting this error, there will be a deduction of 28*s.* : 6*d.* on the commission charge, and after the production of a voucher for the charge of 11*l.*, the Commissioner will be due the Province, 2*l.* : 8 : 6. He credits the receipt of 25*l.* from the Province Treasurer.

No. 55. Is an account of Witter Davidson, for the expenditure of 34*l.* : 19 : 9, on the road from Cullington's to Parle's, in Prince William, County of York. This account is attended by the necessary vouchers, and an affidavit, with no charge of commission. He credits 35*l.* received from the Province Treasurer.

No. 56. Is an account of Alexander Davidson, amounting to 50*l.*, shewing that sum expended in building a bridge across Flitt's Cove, at Nelson, in the County of Northumberland. The affidavit of Mr. Davidson and a voucher are attached to this account. He charges no commission, and gives credit for 50*l.* received from the Deputy Treasurer at Miramichi.

Ordered that the said Report be received and lie on the table.

Mr. Simonds, by leave, presented a Petition from Hugh Sharkey, and others, praying for aid to make a road near Fort Howe.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Ward, by leave, presented a petition from Richard Bartlett, Robert Bartlett, and others, Inhabitants near Lepro Harbour, in the County of Saint John, praying for legislative aid towards building a bridge and improving the road in that vicinity.

Ordered that the said Petition be received and referred to the Committee of Roads.

On motion of Mr. Parker,—The House, according to the order of the day, went into Committee of the whole on the Report from the Committee on the Treasurer's account.

Mr. Crane took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crane, from the Committee, reported, that having gone into consideration of the matter referred to them, they had passed several Resolutions, and that he was directed to ask for leave to sit again.

Which Resolutions being handed in at the Clerk's Table, were there severally read and agreed to by the House, and are as follow :—

1. *Resolved*, That in the opinion of this House, a statement should be furnished of the particular rate at which monies are paid by the Custom House, and received at the Treasury.

2. *Resolved*, That the Deputy Treasurer at Miramichi be called upon to give credit for the sum of £21 : 1 : 9, which is reported to be due from him for a short credit on money received from the Custom House, or to explain this apparent error in his account.

3. *Resolved*, That the charge which has been made by several Deputy Treasurers,

of Commission on money paid to them, by the Custom House for Duties collected under the Act of Parliament, is altogether inadmissible, and that such Deputy Treasurer do immediately give credit for the same.

4. *Resolved*, That it is expedient that proper steps should immediately be taken, to enforce the settlement of the account of the late Deputy Treasurer at Richibucto, B. M. Goldsmith, Esq., with the Province, and to collect the balance appearing due from him for Duties; and also for what he has received on account of the sick and disabled Seamen's Fund.

5. *Resolved*, That the Deputy Treasurers at Westmoreland, and Restigouche, be required to amend the errors in their respective accounts, and give credit to the Province for the overcharges, as reported.

Ordered that the Report be accepted and leave to sit again granted.

Mr. Hayward, by leave, presented a Petition from James Tilly, and others, of Sheffield, in the County of Sunbury, praying for aid to open a road from French Lake to Burpe's Mill.

Ordered that the said Petition be received and referred to the Committee of Roads.

Read a second time, a Bill to erect the Eastern part of the Parish of Wakefield, in the County of York, into a distinct Town or Parish.

Read, as engrossed, the Resolutions of appropriation made and passed the third inst.

Ordered that Mr. M'Kay and Mr. Ward, carry the said Resolutions to the Council, and desire their concurrence thereto.

On motion of Mr. Campbell,—*Resolved*, that the House do proceed to the further hearing of the Petition of Patrick Clinch, James Brown, and others, complaining of an undue election for the County of Charlotte, and of the conduct of the High Sheriff at said Election.

The Counsel were admitted.

A Message from His Majesty's Council.

The Counsel were ordered to withdraw.

Mr. Black delivered the following Message.

“Mr. Speaker,—I am directed to inform the House, that the Council have agreed to the following Bills:—

“A Bill for altering the times of holding the Inferior Courts of Common Pleas and Sessions, in the County of Kent.

“A Bill to alter the division line between the Parishes of Dundas and Wellington.

“A Bill to continue certain Acts relative to Highways and Roads.

“A Bill to continue an Act to provide for the erection of Fences, with Gates across the Highways, leading through Deer Island.

“A Bill to continue an Act for the better regulation of Licences to Inns, Taverns, and Houses, for selling Strong Liquors by retail.”

“I am likewise directed to acquaint the House, that Mr. Robinson and Mr. Justice Chipman are appointed a Committee to correspond with the Agents of the Province in England.”

And then Mr. Black withdrew.

Counsel were admitted.

The Counsel were ordered to withdraw.

The House then adjourned until to-morrow morning, at 10 o'Clock.

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WEDNESDAY, 12th MARCH, 1828.

*Prayers.*

Mr. Rankin, by leave, presented a Petition from Duncan M'Grigor, praying for aid to enable him to continue his services as Courier between Fredericton and Miramichi.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Ketchum, by leave, presented a Petition from Jacob Allen, Commissioner for expending the sum of 40*l.* towards building a Bridge over the Shogmock Stream in the Parish of Woodstock, County of York, praying to be remunerated in the sum of 10*l.* expended over and above the said sum of 40*l.* Also

Also a Petition of Richard Martin, and others, settlers on the Northwest side Maducxsnikic Creek, in the Parish of Wakefield, praying for aid to assist in making a road across a Swamp between Kirney's and Martin's.

Ordered that the said Petition be received and referred to the Committee of Roads.

Mr. Parker moved for leave to bring in a Bill to restrain Hawkers and Pedlars within this Province, from selling without Licence.

Leave granted.

On motion of Mr. Parker,—Ordered that the House, in Committee of the Whole, do go into consideration of a Bill to regulate the Trials of controverted Elections, or Returns of Members to serve in General Assembly, on Monday next.

On motion of Mr. Taylor,—The House, in Committee of the Whole, went into further consideration of a Bill to lay a Tax on Dogs in certain parts of the Parish of Fredericton.

Mr. Crane took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crane, from the Committee, reported, that having gone into the further consideration of the Bill referred to them, they had agreed to the same, with amendments, under the title of a Bill to lay a Tax on Dogs in certain parts of the Parishes of Fredericton and Saint Andrews.

Ordered that the Report be accepted, and the Bill, as amended, engrossed under its amended title.

Mr. Rankin, by leave, presented a Petition from Archibald M'Queen, formerly master of the Grammar School in the County of Northumberland, praying to be paid half a year's salary due to him as Teacher of the said School, and which he was not able to obtain in consequence of the Trustees not being able to certify that the School had been kept for the whole space of six months.

Which he read in his place.

And upon the question that the said Petition be received and referred to the Committee of Supply, it was decided in the negative.

Read a second time the following Bills:—

A Bill to amend an Act, intituled "An Act to provide for the erection of an Alms House and Work House within the County of York, and for making rules and regulations for the management of the same."

A Bill to repeal an Act, intituled "An Act against the profanation of the Lord's Day, commonly called Sunday, and for the suppression of immorality," and to make more effectual provisions for the prevention and punishment of such offences.

A Bill "for altering the times of holding the Court of General Sessions of the Peace, and Inferior Courts of Common Pleas in the County of Northumberland, and for enlarging the times of the sitting of the said Courts," and for altering the terms of holding the General Sessions of the Peace and Inferior Courts of Common Pleas in the said County, and for enlarging the times of the sitting of the said Courts, and to make one of the additional terms of the said Inferior Court of Common Pleas, a term for the trial of causes.

And a Bill in amendment of the Acts regulating the exportation of Fish.

Mr. Campbell, by leave, presented a Petition from James Albee, Ebenezer Foster, and others, Inhabitants of Charlotte County, setting forth that it was in contemplation by His Majesty's Government, to pass an Act of the Imperial Parliament, granting the privilege of British Subjects to certain description of persons residing in Upper Canada, and praying that some mode may be adopted to extend the provisions thereof to New-Brunswick.

Which he read in his place.

Ordered that the said Petition be received and lie on the table.

Mr. Freeze, pursuant to leave, brought in a Bill to grant a Bounty for the destruction of Bears in this Province.

Which was read a first time.

Mr. Palmer, pursuant to leave, brought in a Bill to alter and amend an Act, intituled "An Act for the more easy and speedy recovery of small Debts."

Which was read a first time.

Mr. Scott, pursuant to leave, brought in a Bill to alter and amend the Laws now in force for the regulation of the Militia.

Which was read a first time.

On motion of Mr. Campbell,—Resolved, that the House do proceed to the further hearing of the Petition of Patrick Clinch, James Brown, and others, complaining of an undue Election for the County of Charlotte, and of the conduct of the High Sheriff at said Election.

Counsel were admitted.

A Message from His Majesty's Council.

The Counsel were ordered to withdraw.

Mr. Baillie delivered the following Message.

“ Mr. Speaker—I am directed to communicate to this House, that the Council have passed the following Resolution :—

“ Whereas from the advanced state of the population of this Province, and the consequent increase of crime, the punishment of offenders by imprisonment in the County Gaols has become burthensome and expensive to the inhabitants.

“ And whereas it may happen that with the view of relieving the Counties from the maintenance of criminals, and the insufficiency of the County Gaols, the periods of their imprisonment may not be proportionate to their crimes.

“ And it being the opinion of the Council, that not only the punishment and prevention of crime would be obtained, but that the cause of humanity would be oftentimes aided by the reformation and amendment of the criminal, if a public Penitentiary were established in this Province,

“ Thereupon Resolved, that a Committee be appointed, whose duty it shall be, during the recess of the Legislature, to look out for a site for the Provincial Penitentiary, and to collect information from those places where establishments of a similar nature have been made, as to the best mode of managing the same, and that the Committee do make their report at the next Session of the General Assembly.

“ Further Resolved, that the House of Assembly be requested to appoint a Committee to join the Committee of the Council, for carrying the above Resolution into effect.”

And then Mr. Baillie withdrew.

The Counsel were re-admitted.

Evidence having been gone through in support of the allegations contained in that part of said Petition then under consideration, which went to charge the High Sheriff with illegal and improper conduct, and likewise the evidence on the part of the Sheriff in his defence,

The Counsel were ordered to withdraw.

Mr. Campbell, by leave, presented a Petition from Moses Vernon, praying for Legislative aid towards erecting an Oat and Barley Mill, at Saint George, in the County of Charlotte.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Allen, by leave, presented a Petition from James Morris, praying Legislative aid to erect a Mill for hulling and grinding Oats in Prince William, in the County of York.

Which he read in his place.

Ordered that the said Petition be received and referred to the Committee of Supply.

Mr. Partelow, from the Committee appointed to examine, liquidate, and report upon public and private accounts, submitted a further Report, which being handed in at the Clerk's Table, was there read, and is as follows :—viz.

No. 57. Is an account of John Cottrell, amounting to 247. : 19 : 6, shewing that sum expended by him on the road between Sullivan's, and Connick's, in the Parish of Saint David, County of Charlotte. The requisite vouchers, and an affidavit, attend this account, except for £4 : 10s. which the Commissioner charges for his own labor, 18 days at 5s. No credit is given for the sum granted for this road.

No. 58. Is an account of Alexander M'Allester, amounting to 307. for the expenditure of that sum for repairing the Bridge and Causeway between the Parishes of St. David and St. Stephens, in the County of Charlotte. With this account are the proper vouchers, and an affidavit of the Commissioner, except for £7 : 2 : 6, charged for the labor of himself and oxen, at moderate rates. He gives no credit on this account.

No. 59. Is an account of James Tilley, amounting to 207. for the expenditure of that sum, in Sunbury County, on the road from Samuel Upton's to the Queen's County

County line. With this account are the requisite vouchers and the Commissioner's affidavit. Credit is given for the receipt of £20 in dollars at 5s. 4d., leaving a balance due the Commissioner of 25s.

No. 60. Is another account of James Tilley, amounting to 186*l.* : 0 : 4, expended by him in building a Bridge across the blind thoroughfare, in the rear of Sheffield, in Sunbury County. This account is accompanied by the requisite vouchers, and an affidavit, but there is an overcharge of commission of 11s. 4d. which will reduce the account to £185 : 9. Credit is given for £70, in dollars, at 5s. 4d., which is extended £65 : 6 : 8d, instead of £65 : 12 : 6, and an additional Warrant of £75, for the grant last year, which will make the total amount received, £140 : 12 : 6, instead of £140 : 6 : 8. The balance due, therefore, by the Commissioner on this account, will be £5 : 3 : 6, instead of £1 : 6 : 4, as stated.

No. 61. Is an account of George M'Kenzie, amounting to 56*l.* : 5, for the expenditure of that sum on the road from Seely's to Rourke's in the County of Charlotte. The requisite vouchers, and an affidavit, attend this account. He credits the receipt of £60, from the Province Treasurer, in dollars at 5s. 4d., which agrees with the sum expended.

No. 62. Is an account of expenses incurred for repairs, &c, at the residence of His Excellency the Lieutenant-Governor, expended by the Commissioners for the year 1826, amounting to.....£97 : 10 : 10

No. 63. Is another account embracing particulars of expenditure for the same object, in the year 1827, amounting to.....59 : 3 : 7

£156 : 14 : 5

Both are accompanied with vouchers and receipts, and the whole are submitted by your Committee to the consideration of the House.

No. 64. Is an account of William Clarke, for the expenditure of 15*l.* on the road from William Robertson's to Ycamans' Mill, in Queens County. The requisite vouchers, and an affidavit, are with this account. He credits the receipt of 15*l.* from the Province Treasurer.

No. 65. Is Benjamin Scurr's account, amounting to 23*l.* : 8 : 9, shewing the expenditure of that sum on the road from Beaujoggin to Sackville, in the County of Westmoreland. The proper vouchers, and an affidavit, attend this account. He credits the receipt of 25*l.* from the Province Treasurer, in dollars at 5s. 4d., making the amount 23*l.* : 8 : 9.

No. 66. Is an account of Wm. Clarke, shewing the expenditure of 15*l.* on the road leading from Newcastle to the road between the Grand and Maquapit Lakes in Queens County. With this account are the necessary vouchers, and the Commissioner's affidavit, except for 3*l.* : 16 : 9, charged for labour of himself and son. Credit is given for the receipt of 15*l.* from the Province Treasurer.

No. 67. Is another account of William Clarke, shewing the expenditure of 60*l.* on the road from the North side of the Maquapit Lake to Newcastle, at the head of the Grand Lake, in Queens County. The requisite vouchers, and an affidavit, attend this account, excepting for 21*l.* : 5 : 6, charged for labour done by himself and his sons. He credits the receipt of 60*l.* from the Province Treasurer.

No. 68. Is an account of Thomas Corey, amounting to 150*l.* shewing that sum expended on the road from New Canaan to Studholm's Mill Stream in Queens County. This account is accompanied with satisfactory vouchers; except for £56 : 1 : 7, for labour performed by himself on contract, apparently at moderate rates, and an affidavit has been made of the correctness of it before a Justice of the Peace. He credits the receipt of the sum expended in dollars at 5s. 4d,

No. 69. Is an account of Jonathan Titus, for the expenditure of 15*l.* on the road from Barnes' to Smith's saw mill in Kings County. With this account are the necessary vouchers, and an affidavit. Credit is given for the receipt of £15, in dollars at 5s. 4d., from the Province Treasurer.

No. 70. Is an account of Abraham De Mill, amounting to £10, for the expenditure of that sum on the road leading to the M'Camp Settlement, in Kings County, and credit is given for the receipt of the same sum from the Province Treasurer. With this account are the proper vouchers, and an affidavit.

No. 71. Is an account of Gould Pickett, shewing the expenditure of 55*l.* : 8 : 9, on the road leading from Pickett's Mills to the Kennebeckasis, in Kings County. The requisite vouchers and an affidavit attend this account. He credits the receipt of 56*l.* : 5, from the Treasurer, (60*l.* in dollars at 5*s.* 4*d.*.) leaving a balance in favour of the Province of 16*s.* : 3*d.*

No. 72. Are two accounts of John Anderson.—The first amounts to 29*l.* : 8. for the expenditure of that sum on the road from Chemogue to Tedish River in the County of Westmoreland. The second is for 99*l.* : 16 : 1, shewing that sum expended on the road from Chemogue to Peacock's, in the County of Westmoreland. Both these accounts are supported by satisfactory vouchers and an affidavit. He credits the receipt of two Warrants for 20*l.* and 35*l.* on the Treasury, leaving a balance in favor of the Province of 1*l.* : 15 : 11.

No. 73. Is an account of John M'Kenzie, junr., shewing the expenditure of 30*l.* on the road from the Scotch Settlement to Stewart's Mill, in Charlotte County. This account is attended with vouchers and an affidavit. He states that he has not yet received the Warrant on the Treasury.

No. 74. Are two accounts of Thomas Bean, Senr.—The first shews the sum of 25*l.* expended on the road from Little River Bridge to Anthony's Farm, in the County of St. John. The second accounts for the expenditure of 49*l.* : 9 : 5, on the road from Anthony's Farm to the Mispeck Settlement, in the County of St. John. Both these accounts are attended with satisfactory vouchers and affidavits ; but there is a mistake in the charge of Commission of 60*s.* : 4*d.*,—the Commissioner having charged ten per cent. instead of five. Credit is given for the receipt of 25*l.* and 50*l.* received from the Province Treasurer, in dollars at 5*s.* 4*d.*, at which rate the wages have been paid for the whole, except for 17*l.* The account will therefore stand in this way—

Amount of first account.....	£25 : 0 : 0
Ditto second.....	49 : 9 : 5
Charges of 6½ per cent. on amount paid in Dollars at 5 <i>s.</i>	1 : 2 : 8
	£75 : 12 : 1
Deduct overcharge of Commission.....	8 : 0 : 4
	£72 : 11 : 9
Dr. Amount of Warrants.....	75 : 0 : 0
	£2 : 8 : 3

No. 75. Is an account of Cornelius Parlee, shewing the expenditure of 15*l.* on the road from Benjamin Parlee's, to the settlement on Trout Creek, in Kings County. With this account are proper vouchers and an affidavit, and credit is given for the receipt of the sum expended. He charges 25*s.* as an amount due him for loss on dollars on a previous Warrant, which, if correct, is still due him.

No. 76. Is Daniel Campbell's account, shewing the sum of 15*l.* expended on the road from Fowler's to Byron's in Kings County. Vouchers for 11*l.* : 5, are attached to this account, and the Commissioner's affidavit. The remainder, 3*l.* : 15, is made up by a charge for his own labor, and his oxen. No credit is given for money.

No. 77. Is an account of William Wetmore, for the expenditure of 20*l.* on the road from the old Church in Springfield, in Kings County, to William Wetmore's. With this account are the necessary vouchers and an affidavit ; and credit is given for the receipt of 20*l.* from the Province Treasurer.

No. 78. Is an account of John Nesmith, shewing the expenditure of 46*l.* : 17 : 6, on the road from Patrick Taylor's to Caul's Cove, in the County of Northumberland. With this account is the original Contract with the parties who performed the work, satisfactory vouchers for the payment, and an affidavit of the Commissioner. He credits the receipt of 46*l.* : 17 : 6; (£50 in dollars at 5*s.* 4*d.*.) and makes no charge of commission.

No. 79. Is an account of William Abrams and James Gilmour, amounting to £30, for the expenditure of that sum on the road into the settlement in rear of Douglas-town, in Northumberland County. This account is attended with the satisfactory vouchers and an affidavit, and no commission is charged. They credit the receipt of 30*l.* from the Province Treasurer.

No. 80. Is an account of James Gilmour, shewing the expenditure of 100*l.* for improving the road and building a bridge at Mill Creek, in the County of Northumberland. This account is supported by proper vouchers and an affidavit. He credits the receipt of the sum expended, from the Treasurer, and has made no charge of commission.

Ordered that the Report be received and lie on the table.

Read a second time, a Bill to alter and amend the Laws now in force for the regulation of the Militia.

The House went into Committee of the whole, upon a Bill to erect the Eastern part of the Parish of Wakefield, in the County of York, into a distinct Town or Parish.

Mr. M'Kay took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. M'Kay, from the Committee, reported that they had gone into consideration of the Bill referred to them, and made progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell delivered the following Message.

"NEW-BRUNSWICK.  
"MESSAGE to the HOUSE of ASSEMBLY.  
12th March, 1828.

HOWARD DOUGLAS.

"The Lieutenant-Governor submits to the House of Assembly an account of expenses incurred by the attendance of the Judge Advocate at a Militia Court Martial, made up at the rate mentioned in the Militia Law, and a statement of the number of days attendance, and distance travelled by the Members of the Court for which no scale of remuneration has been fixed; and recommends the same to the consideration of the House." "H. D."

On motion of Mr. Parker,—Resolved, that this House concur with the Council as to the expediency of establishing a public Penitentiary in this Province, and also with respect to the propriety of carefully collecting all information as to the best places of erecting, and mode of managing the same:—And that this House will appoint a Committee to join the Committee of the Council in making the above inquiry, during the recess, and to report thereon at the next Session.

Ordered that Mr. Parker and Mr. Wyer be a Committee to acquaint the Council with this Resolution.

Mr. Allen, by leave, presented a Petition from the Hon. Thomas Baillie, George N. Smith, Esq., and others, praying aid towards completing the road from Fredericton to the Hanwell settlement.

Ordered that the Petition be received and referred to the Committee of Roads.

The House then adjourned until to-morrow morning at 10 o'clock.

THURSDAY, 13th MARCH, 1828.

Prayers.

Mr. Parker, pursuant to leave, brought in a Bill to restrain Hawkers and Pedlars within this Province, from selling without Licence.

Which was read a first and second time.

Read a second time, a Bill to alter and amend an Act, intituled an Act for the more easy and speedy recovery of small Debts.

Mr. Humbert, pursuant to leave, brought in a Bill to authorize and empower the Rector, Church-wardens, and Vestry, of Trinity Church, in the Parish of Kingston, in Kings County, to make certain conveyances of Lands now held by them in trust, in exchange for other Lands, and for other purposes therein mentioned.

And the same being duly certified by the Clerk of the Peace for the County, it was read a first time.

Read a second time, a Bill for granting a Bounty on the destruction of Bears in this Province.

On

On motion of Mr. Freeze,—The House went into Committee of the whole upon the said Bill.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported that having gone into consideration of the Bill referred to them, they had agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

On motion of Mr. Dow,—The House went into Committee of the whole in further consideration of a Bill to erect the eastern part of the Parish of Wakefield, in the County of York, into a distinct Town or Parish.

Mr. M<sup>c</sup>Kay took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. M<sup>c</sup>Kay, from the Committee, reported that they had gone into the further consideration of the Bill referred to them, and agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

Mr. Chandler, from the Committee appointed to take into consideration the prayer of the Petition of John C. Vail, Esquire, and others, complaining of an undue Election for Kings County, submitted a Report, which being handed in at the Clerk's Table, was there again read, and is as follows:—

“ That some doubts have arisen in the course of the investigation of the matters submitted to their consideration upon the following points:—viz.

“ Whether a voter, claiming his title of freehold by devise, should, in addition to the production of the probate of the will, prove that the same has been, or was registered in the Registry of Deeds and Wills for the County where the land may be situated.

“ Secondly, whether a grant of Land from the Crown, under the Great Seal of the Province, will entitle the Grantee to a vote, unless the same bears date, and is registered six months previous to the test of the Writ for the Election.

“ Thirdly, whether several joint tenants of freehold estate, sufficient in value to constitute one qualification, are all or either enabled to vote by virtue of such freehold.

“ And the Committee are of opinion that it would tend to facilitate the business submitted to them, if the decision of the House be previously had upon the above points.

E. B. CHANDLER,  
THOMAS WYER,  
JOHN DOW,  
THOMAS ODBER MILES.”

Ordered that the Report be accepted.

The House having proceeded to take into consideration the above Report, passed the following Resolutions:—

1. Resolved, that it is the opinion of this House that it is not necessary that Wills, duly proved in this Province, should be registered in the County where the land lies, to entitle a Freeholder to vote upon such qualification.

2. Resolved, that it is the opinion of this House that no person is entitled to vote as a Freeholder, upon a grant from the Crown, unless the same shall have been registered six months previous to the test of the Writ for holding an Election.

3. Resolved, that the several joint Tenants of Freehold Estate, are not entitled to vote, unless the share of each of such joint Tenants is sufficient in value to constitute a legal qualification.

Ordered that the Committees for investigating the several contested Elections, be governed in such investigations by the above Resolutions.

On motion of Mr. Scott,—Resolved, that the time limited by a Resolution of this House of the 8th of March, for exchanging lists of votes objected to by Robert Parker, Esquire, and Stephen Humbert, be extended to the 17th of the same month, at 12 o'Clock of the same day.

On motion of Mr. Crane,—Resolved, that the time appointed for the hearing of Stephen Humbert at the Bar of this House, in support of his Petition, complaining of an undue return of Robert Parker, Esquire, be extended to the 26th day of March inst.

On motion of Mr. Taylor,—The House went into Committee of the Whole, upon a  
Bill

a Bill to repeal an Act, intituled "An Act against the profanation of the Lord's Day, commonly called Sunday, and for the suppression of immorality," and to make more effectual provision for the prevention and punishment of such offences.

Mr. Parker took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Parker, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill, as amended, engrossed.

A Message from His Majesty's Council.

Mr. Justice Chipman delivered the following Message.

"Mr. Speaker,—I am directed to inform this House, that the Council have agreed to a Bill to extend the provisions of an Act, to repeal the Laws now in force for appointing Firewards, so far as the same relate to Fredericton, and to make regulations more suitable to the said Town, to the Towns of Newcastle and Chatham.

"And likewise to a Bill to authorize the Justices of the Peace for the County of Kent, to levy an assessment for the purpose of erecting a Court House and Gaol in the said County, with amendments; to which they desire the concurrence of this Honorable House.

"And I am further directed to inform this House that the Council have passed a Bill for establishing sittings of the Nisi Prius and Oyer and Terminer and Gaol Delivery, in the County of York; to which they likewise request the concurrence of this Honorable House."

And then Mr. Justice Chipman withdrew.

Mr. Partelow, from the standing Committee appointed to examine, liquidate, and report upon public and private accounts, submitted a further Report, which being handed in at the Clerk's Table, was there read, and is as follows:—viz.

No. 81. Is an account of Ezra Stiles, shewing the expenditure of 225*l.* : 9 : 9, on the new Shepody road, from the head of Hammond River to Hopewell. With this account are satisfactory vouchers and an affidavit. He credits a balance remaining in his hands in 1825, of 26*l.* : 13 : 5, and the receipt of 200*l.* from the Province Treasurer, leaving a balance favoring the Province of 23*s.* 8*d.*

No. 82. Is an account of James D. Williams, for the expenditure of 10*l.* on the road from Holder's to Long's, in Kings County, attended with vouchers and an affidavit. The rate of wages charged in this account, 5*s.* per day, is very high.

No. 83. Is an account of Josiah Foster, amounting to 40*l.*, shewing the expenditure of that sum in building a Bridge and Causeway across Foster's mill stream in Queens County. With this account is a satisfactory voucher and an affidavit, and no commission is charged. He credits the receipt of two Warrants for 25*l.* and 15*l.* on the Province Treasurer.

No. 84. Is an account of John Anderson, amounting to 20*l.*, for the expenditure of that sum on the road from the Chemogue road to the Little Chemogue, in Westmoreland County, accompanied by proper vouchers and an affidavit. He credits the receipt of 20*l.* from the Province Treasurer.

No. 85. Is an account of John Hennigar, shewing the expenditure of 35*l.* : 12 : 4½, on the road from Hammond River to Hennigar's, King's County. With this account are satisfactory vouchers and an affidavit. He credits 45*l.* received from the Treasurer, in dollars at 5*s.* 4*d.*, making 42*l.* : 8 : 9, and the commission deducted from the latter sum, 42*s.* 2*d.*, will leave a balance in the Commissioner's hands of 4*l.* : 9 : 2½, instead of 4*l.* : 2 : 7½, as stated by him.

No. 86. Is an account of Richard Ketchum and George Morehouse, amounting to 32*l.* : 17 : 10, expended by them at Maductic Falls, and at Brown's Point, in York County, attended with proper vouchers and an affidavit. They credit 51*l.* remaining in their hands per last report, leaving a balance in favor of the Province of 18*l.* : 2 : 2.

No. 87. Is an account of William Read, amounting to 15*l.* for the expenditure of that sum on the road from Jolicour to Read's, in the County of Westmoreland, attended with vouchers and an affidavit. The rate of labor charged in this account is very high. Credit is given for the receipt of the sum expended.

No. 88. Is an account of Samuel Robicheau, shewing the expenditure of

140*l.* : 12 : 6, in building a bridge across the River Kouchibouguac, in the County of Westmoreland. This account is attended with satisfactory vouchers and an affidavit. Credit is given for the receipt of 140*l.* : 12 : 6, from the Province Treasurer, (150*l.* in dollars at 5*s.* 4*d.*)

No. 89. Is an account of Roderick M'Leod and James Davidson, amounting to 201*l.* : 15 : 7½, shewing the expenditure of that sum on the road from Bartibogue to Neguac, in the County of Northumberland. In this account is charged twenty-four days of the Commissioners themselves at 20*s.* per day, and 30*s.* for travelling charges, besides 80*s.* for provisions, and 20*s.* for 5 days work, in all 301*l.* : 10, unsupported by any voucher; and your Committee think the first of these charges particularly objectionable; vouchers for the rest are with the account, except for 32*l.* : 13 : 6, which appears to have been detained by the Commissioners in their hands, from Wm. Drummond, until his contract was more satisfactorily completed. They credit the receipt of 211*l.* from the Treasurer, in dollars at 5*s.* 4*d.*, making 197*l.* : 16 : 3, and 3*l.* : 19 : 4½, dollars at 5*s.*, remaining in their hands from 1826.

No. 90. Is an account of Jacob Vanwart, for the expenditure of 15*l.* on the road from Willow Shaw's to the main road near Worden's Ferry, in Kings County, accompanied by a voucher and an affidavit. He has made no charge of Commission.

No. 91. Is an account of William George Cody and John Jordon, amounting to 61*l.* : 11 : 11, shewing the expenditure of that sum on the road from Daly's Farm to Lower Loch Lomond. The requisite vouchers for 32*l.* : 15 : 7, are with this account and an affidavit for the whole. The remainder is made up by a charge of provisions, £31 : 6 : 10, for the men, and 1*s.* 6*d.* for tools; but there is no voucher for either of these charges. The work appears to have been performed at very moderate wages by Labourers found in provisions. Credit is given for the receipt of £100, from the Province Treasurer, leaving a balance in favor of the Province of £35 : 5 : 1. No Commission is charged.

No. 92. Is an account of Jehiel Partelow, jun., shewing the expenditure of 177*l.* : 2, in building a bridge over Little River, and forming a road through the Marsh adjoining said bridge, in the County of Saint John. With this account are satisfactory vouchers for £111 : 9, for labour performed; the remainder appears to have been expended in timber and plank, and work of oxen. An affidavit is attached to the general account. He credits the receipt of two grants of £75 each, from the Treasurer, and £25 from the Corporation of the City of Saint John, leaving a balance in favor of the Commissioner of £2 : 2.

No. 93. Is an account of Alexander Davidson, and Hector M'Kinnon, amounting to £25 for the expenditure of that sum in building a bridge over Oyster River, in the County of Northumberland, accompanied by proper vouchers and an affidavit. He credits £25 from the Treasury.

No. 94. Is George Matthew, junr's, account, amounting to 21*l.*, shewing that sum expended by him on a road from New River, in the County of Charlotte, to the main Saint Andrews road. With this account is a satisfactory voucher and an affidavit, and he credits the receipt of the sum expended, from the Treasurer.

No. 95. Is an account of William George Cody and John Jordon, shewing the expenditure of £150 : 10 : 7½, on the road from Smith's Tavern to the Quaco settlement, in the County of Saint John. This account is most satisfactory to your Committee, as it is supported by proper vouchers, and the work has been performed at unusually moderate rates. The affidavit of the Commissioners is attached to the account, and no Commission is charged upon it. They credit £160 received from the Province Treasurer, leaving a balance in their hands of £9 : 9 : 4½.

No. 96. Is another account of William G. Cody and John Jordon, for the expenditure of 43*l.* : 1 : 11½, on the road from the foot of Loch Lomond to Smith's Tavern, in the County of St. John. Vouchers for work performed, amounting to 21*l.* : 11 : 6, are with the account, and the remainder £21 : 10 : 5½, as a charge without a voucher for provisions furnished the labourers, whose work is charged at the very moderate rate of 1*s.* 6½*d.* per day. An affidavit is attached to the account, and credit is given for £30, received from the Treasurer, leaving a balance against the Province of 13*l.* : 1 : 11½. No Commission is charged.

No. 97. Is an account of James Lewis, for the expenditure of 70*l.* : 6 : 3, on the road

road from Stultze's farm to Cocagne river, in the County of Westmoreland, attended with proper vouchers and an affidavit. He credits the receipt of 75*l.* from the Province Treasurer, in dollars at 5*s.* 4*d.*, amount 70*l.* : 6 : 3.

No. 98. Is an account of William Davidson, amounting to £50 : 2 : 5, shewing that sum expended on the road from Palmer's to the Poquiock, in Prince William, in the County York, accompanied with satisfactory vouchers and an affidavit. He credits the receipt of 50*l.* from the Province Treasurer.

No. 99. Is an account of George Anderson, amounting to 7*l.*, shewing the expenditure of that sum on the road from Musquash Harbour to Saint Andrews road, in the County of St. John. This account is supported by satisfactory vouchers and an affidavit, and no Commission is charged. He credits the receipt of 70*l.* : 6 : 3, from the Treasury, (75*l.*, dollars at 5*s.* 4*d.*.) leaving a balance against the Province of 4*l.* : 13 : 9.

Ordered that the report be received and lie on the Table.

Read a first and second time, a Bill for establishing sittings of Nisi Prius and Oyer and Terminer and Gaol Delivery in the County of York, sent down by the Council.

On motion of Mr. Simonds,—The House went into Committee of the Whole, on a Bill to alter and amend the Laws now in force for the regulation of the Militia.

Mr. Taylor took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Taylor, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had made further progress therein, and that he was directed to ask for leave to sit again.

Leave granted.

The House then adjourned until to-morrow morning, at 10 o'Clock.

### FRIDAY, 14th MARCH, 1828.

#### Prayers.

Read a second time, a Bill to authorize and empower the Rector, Church-wardens, and Vestry, of Trinity Church, in the Parish of Kingston, in Kings County, to make certain conveyances of Lands now held by them in trust, in exchange for other Lands, and for other purposes therein mentioned.

On motion of Mr. Chandler,—That Friday the 22d day of March instant be appointed for the further consideration of the Petition of John C. Vail, Esq., and others, complaining of an undue Election for Kings County, and that the parties interested appear before the Committee appointed for that purpose, on that day, with such further witnesses as they wish to produce.

On motion of Mr. Parker,—The House resolved itself into a Committee of the Whole, in consideration of a Bill to restrain Hawkers and Pedlars within this Province, from selling without Licence.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill, as amended, engrossed.

The House proceeded to take into consideration the amendment made by the Council to a Bill to authorize the Justices of the Peace for the County of Kent, to levy an assessment for the purpose of erecting a Court House and Gaol in the said County.

The amendment being read, and the question put thereon, it was not concurred in by the House.

Mr. Weldon moved for leave to bring in a Bill for the erection of a Court House and Gaol in the County of Kent.

Leave granted.

On motion of Mr. Chandler,—Resolved that the Speaker do issue his Warrant for the attendance of John Hayes, James Porter, James Raymond, Andrew Bulyea, Wm. Doyle, and John Hennigar, before the Committee appointed to take into consideration the Petition of John C. Vail, and others, complaining of an undue Election for Kings

Kings County, on Friday the 24th day of March, at ten o'Clock in the forenoon, to be examined by the said Committee touching the same; on the behalf of John Humbert, the sitting Member petitioned against.

The Committee appointed to take into consideration that part of His Excellency the Lieutenant-Governor's Speech which relates to the Institutions of Education in this Province, submitted a Report, which was read, and is as follows:—

“That it appears to them from facts which have come under their own observation, and from information they have received from respectable persons residing in different parts of this Province, that the very liberal grants of money appropriated and paid by the Legislature in support of Grammar Schools in this Province, have not produced that beneficial effect which was expected to result from those establishments.”

“The Committee have also had under their consideration the operation of the Act for the encouragement of Parish Schools, and have much pleasure in stating that from information received from every part of this Province, it appears that very great and lasting benefits have been derived from the operation of the said Act, and they have therefore prepared a Bill to continue and amend the same, which they beg leave respectfully to submit for the consideration of this House.

W. CRANE,  
ALEX. RANKIN,  
THOMAS WYER,  
E. B. CHANDLER,  
JOHN W. WELDON.”

Ordered that the Report be accepted,

And that the House do go into Committee of the Whole, in consideration thereof, on Monday next.

The Bill being brought in by the Committee, was read a first time.

On motion of Mr. Taylor,—The House, in Committee of the Whole, went into consideration of a Bill to amend an Act, intituled “An Act to provide for the erection of an Alms House and Work House within the County of York, and for making Rules and Regulations for the management of the same.”

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had made progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

Mr. Weldon, pursuant to leave, brought in a Bill for the erection of a Court House and Gaol in the County of Kent.

Which was read a first time.

On motion of Mr. Simonds,—Resolved, that the House do go into Committee of the Whole, in consideration of His Excellency's Messages, to-morrow.

On motion of Mr. Parker,—The House resolved itself into Committee of the Whole, in consideration of a Bill for establishing sittings of Nisi Prius and Oyer and Terminer and Gaol Delivery, in the County of York.

Mr. McKay took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McKay, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered that Mr. Parker and Mr. Chandler, do return the Bill to the Council, and inform them, that the House have passed the said Bill with amendments.

Mr. Partelow, from the Committee to examine and report upon public and private accounts, submitted a further Report, which being handed in at the Clerk's Table, was there read, and is as follows:—viz.

No. 100. Is an account of Simon Hammond, amounting to 42*l.*: 17*s.*: 1*d.*, for the expenditure of that sum, in repairing a bridge at Long's Creek, in the County of York. Proper vouchers and an affidavit are with this account, except for 7*l.* charged by the Commissioner for superintending the work, (14 days at 10*s.*.) which your Committee do not consider correct. He credits the receipt of 60*l.* from the Province Treasurer, and strikes a balance in favor of the Province of 17*l.*: 2*s.*: 11*d.*

No. 101. Is an account of Peter Duffus and George Matthew, jun., shewing the expenditure of 85*l*. : 18 : 4, on the road from Little River Bridge to Black River in the County of Saint John. With this account are satisfactory vouchers and an affidavit, and no Commission is charged. They credit the receipt of 65*l*. from the Province Treasurer, part of which, 15*l*., they have applied, by order, in remunerating themselves for an allowance of five shillings expended on the Black River Bridge in 1825. The remainder, 46*l*. : 17 : 6, (50*l*., dollars at 5*s*. 4*d*.,) they credit on account, leaving a balance against the Province of 39*l*. : 0 : 10.

No. 102. Is an account of Thomas H. Peters and Francis Peabody, amounting to 20*l*. for the expenditure of that sum in repairing a bridge over Clark's Cove, in the County of Northumberland. Proper vouchers and an affidavit are with this account, and no Commission is charged. They credit the receipt of 20*l*. from the Province Treasurer.

No. 103. Is an account of William Silliker, shewing the expenditure of 50*l*. on the road from Gaspereaux Bridge to Chemogue, and 20*l*. on the road from Chemogue to the Felish River, in the County of Westmoreland. This account is attended with satisfactory vouchers and an affidavit. Credit is given for the receipt of two sums expended, from the Province Treasurer.

No. 104. Is an account of James Gilmour and William Abrams, amounting to 110*l*., shewing the expenditure of that sum in making a new road from Fiddes' to the upper line of Newcastle, in the County of Northumberland, and in improving the road through the North-West Indian Tract in the same County. Satisfactory vouchers and an affidavit accompany this account, and no Commission is charged. Credit is given for the receipt of two Warrants of 80*l*. and 80*l*. on the Province Treasurer.

No. 105. Is an account of James Gilmour and Thomas C. Allen, amounting to 468*l*. : 15, shewing that sum expended by them in erecting bridges in the County of Northumberland. With this account are the requisite vouchers and an affidavit, and no Commission is charged. They credit 468*l*. : 15, received from the Province Treasurer, (500*l*., dollars at 5*s*. 4*d*.).

No. 106. Is an account of John Hennigar, shewing an expenditure of 84*l*. : 8, on the road leading from Hammond River to Hennigar's, in King's County. Satisfactory vouchers and an affidavit are with this account, and no Commission is charged. Credit is given for amount of a grant made in 1820 of 10*l*., in 1822 of 15*l*., and in 1825 of 65*l*., in all 90*l*., leaving a balance in favor of the Province of 5*l*. : 12.

No. 107. Is an account of John M'Kinley, amounting to 80*l*., for the expenditure of that sum on the road leading from Westcock to Cape Maranguin in the County of Westmoreland. With this account are proper vouchers and an affidavit. The grant for this road appears to have been made in 1822, and the work performed in 1826, and credit is given for the receipt of the Warrant.

No. 108. Is an account of Hugh M'Kay, Esq., shewing the expenditure of 25*l*. on the road from Hanson's farm to M'Darnid's, in the County of Charlotte, accompanied by a satisfactory voucher and an affidavit. The grant for this road appears to have been made in 1824, and the work performed in 1826. Credit is given for the receipt of the sum expended.

No. 109. Is an account of John F. Ogden, amounting to 22*l*. for the expenditure of that sum in building a Bridge over Timber River, in the County of Westmoreland, attended with a proper voucher and an affidavit. Credit is given for the receipt of 25*l*., leaving a balance in favor of the Province of 60*s*.

No. 110. Is an account of Benjamin Churchill, shewing the expenditure of 25*l*. on the road from Orsers' to a new settlement in the rear of Wakefield, in the County of York, accompanied by vouchers and an affidavit. Credit is given for the receipt of the sum expended.

No. 111. Are two accounts of John C. Turner, viz,

No. 1. Shews the sum of 26*l*. : 8 : 8, expended on the road from New Horton to Cape Enrage in Westmoreland County.

No. 2. The sum of 19*l*. : 6 : 11, on the road from New Horton to the head of Shepody Lake, in the same County: Both these accounts are attended with satisfactory vouchers and an affidavit. He credits the receipt of 20*l*. and 25*l*.

in two Warrants, leaving a balance against the Province of 15s. 2d.

No. 112. Is an account of John Patterson, amounting to 15*l*. : 7, for the expenditure of that sum on the road from Point Midgick to the Great Road on Sackville Great Marsh, in Westmoreland. This account is accompanied by proper vouchers and an affidavit, except for four days work of himself, 21s. 4d. In this account there is an error in the addition in favor of the Province of 20s., which will reduce the amount to 14*l*. : 7, and leave a balance in favor of the Province of 13s. instead of one against it of 7s., credit having been given for 15*l*. from the Province Treasurer.

No. 113. Is an account of Jesse Ayer, amounting to £14 : 11, shewing that sum expended on the road from Sackville to the settlement back of the Mill Pond, in the County of Westmoreland, attended with satisfactory vouchers and an affidavit, and no commission charged. Credit is given for the receipt of £25 from the Province Treasurer, leaving a balance in the Commissioner's hands yet to be accounted for, of £10 : 9.

No. 114. Is an account of Bill Chappell, shewing the expenditure of £50 on the road from the Bay Verte to Tignish River, in the County of Westmoreland, attended with the requisite vouchers and an affidavit. Credit is given for the sum expended.

No. 115. Is an account of John M'Kenley, shewing the expenditure of 45*l*. on the road leading from Westcock to Cape Maranguin, in the County of Westmoreland, attended with proper vouchers and an affidavit. The grant for this road appears to have been in 1824, and the money expended in 1826. Credit is given for a Warrant on the Treasurer for the £45.

No. 116. Is another account of John M'Kinley, amounting to 50*l*. for the expenditure of that sum on the road from Westcock to Cape Maranguin, in the County of Westmoreland, accompanied by satisfactory vouchers and an affidavit. The grant for this road appears to have been made in 1820, and the work performed in 1826. Credit is given for the receipt of the amount expended.

No. 117. Is an account of Alexander Goodfellow, and Mungo Murrey, amounting to £98 : 0 : 10, shewing the expenditure of that sum on the Bartibogue road, in the County of Northumberland. With this account are proper vouchers and an affidavit, except for fourteen days work of the Commissioners themselves, at 15s., amount £10 : 10, which your Committee do not consider correct. Credit is given for the receipt of 95*l*. : 15 from the Province Treasurer, (100*l*., in dollars at 5s. 4d.,) leaving a balance in favor of the Commissioners, 4*l*. : 5 : 10.

No. 118. Is an account of James Blackhall, amounting to 63*l*. : 6., shewing the expenditure of that sum in opening a road from Tracadu to Pocomouche, in the County of Northumberland, attended with the requisite vouchers and an affidavit. The grant for this road, (50*l*.,) appears to have been made in 1824, which has been received by the Commissioner; and the balance due him as stated is 13*l*. : 6.

No. 119. Is an account of Robert M'Vey, amounting to 19*l*. : 10., for the expenditure of that sum on the road from the Mill Brook to Samuel Smith's, in Kings County, accompanied with proper vouchers and an affidavit. Credit is given for 20*l*., leaving a balance favoring the Province of 10s., but no commission is charged.

No. 120. Is an account of James Brittain, junr., shewing the sum of 22*l*. : 18 : 4 expended by him for the bridge and road at Brittain's Mill near the Nerepis, in Kings County, attended with proper vouchers and an affidavit. This account is dated the 8th February, 1827, and the Commissioner was to receive a Warrant of 30*l*. in April following. There remain 7*l*. : 1 : 8 yet to be accounted for.

No. 121. Is an account of Nathan Lawrence, for the expenditure of £25 on the road from Sackville to the settlement back of the Mill Pond, in Westmoreland County, attended with satisfactory vouchers and an affidavit. Credit is given for a Warrant for the sum expended.

No. 122. Is an account of John Ogden, for the expenditure of £10. on the road from Ogden's to Beech Hill, in the County of Westmoreland, with proper vouchers and an affidavit. The same amount is credited by the Commissioner.

No. 123. Is an account of William H. Rulofson, amounting to 20*l*. : 11 : 7, shewing the expenditure of that sum on the road from Rulofson's to Ketchum's, in Kings County, attended with requisite vouchers and an affidavit. Credit is given for the receipt

receipt of 18*l.* : 15*s.*, (amount of a Warrant for 20*l.* dollars at 5*s.* 4*d.*,) leaving a balance due the Commissioner of 1*l.* : 16 : 7.

Ordered that the Report be accepted.

The House went into Committee of the whole, upon a Bill "for altering the terms of holding the Court of General Sessions of the Peace, and Inferior Courts of Common Pleas, in the County of Northumberland, and for enlarging the times of the sitting of the said Courts," and for altering the terms of holding the General Sessions of the Peace and Inferior Courts of Common Pleas in the said County, and for enlarging the times of the sitting of the said Courts, and to make one of the additional terms of the said Inferior Court of Common Pleas, a term for the trial of causes.

Mr. Crane took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crane, from the Committee, reported, that having gone into consideration of the Bill referred to them, it was resolved that the further consideration thereof be postponed for six months.

Ordered that the Report be accepted.

The House went into Committee of the whole, upon a Bill to alter and amend an Act, intituled "An Act for the more easy and speedy recovery of small Debts."

Mr. Allen took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Allen, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and that in the Committee it was resolved that the further consideration thereof be postponed for six months.

Ordered that the Report be accepted.

A Message from His Majesty's Council.

Mr. Black delivered the following Message.

"Mr. Speaker,—I am directed to inform this House, that the Council have agreed to the following Bills :—A Bill to continue an Act, to provide for the erecting Fences, with Gates across Highways leading through Interval Lands, in Queens County, and the County of Sunbury, where the same may be found necessary ; and to extend the provisions of the same to Kings County.

"And a Bill to continue certain Acts for the support and relief of confined Debtors.

"And they have likewise agreed to a Bill to repeal the Laws now in force for appointing Firewards, and for the better extinguishing Fires in the Town of Saint Andrews, and to make Regulations more suitable to the said Town, with amendments, to which they desire the concurrence of this Honorable House."

And then Mr. Black withdrew.

The House then adjourned until to-morrow morning at 10 o'Clock.

### SATURDAY, 15th MARCH, 1828.

#### Prayers.

On motion of Mr. Parker,—The House, in Committee of the whole, went into the further consideration of a Bill to alter and amend the Laws now in force for the regulation of the Militia.

Mr. Taylor took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Taylor, from the Committee, reported, that they had gone into further consideration of the Bill referred to them, and he was directed to report as follows :—

That the following was moved as an amendment to the Bill :—

I. Whereas the sixth Section of an Act passed in the sixth year of His Majesty's Reign, intituled "An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same," requiring the Militia to rendezvous by companies two days in every year, has not been found to produce the good results which were expected from such regulation. Be it therefore enacted by the Lieutenant-Governor, Council and Assembly, that the said sixth Section be, and the same is hereby repealed.

II. And be it further enacted, that the Commander-in-Chief may order and direct the

the several Battalions of Militia in this Province; or any of them, or any part thereof, to be called out and rendezvous by companies, such and so many days in each year, as to him may appear necessary and proper, not exceeding — days; interfering as little as possible with seed time and harvest, for the purpose of disciplining and improving in manual exercises; notice of the time and place to be given as directed by the seventh Section of the said recited Act: Provided that no company shall be obliged to go more than twelve miles from the usual place of rendezvous of such company.

Upon which the Committee divided as follows:—

YEAS---Mr. PARKER, Mr. CHANDLER, Mr. PARTELOW, Mr. WARD, Mr. JOHNSTON, Mr. SCOTT, Mr. CRANE, Mr. WELDON, Mr. DOW.

NAYS---Mr. SPEAKER, Mr. RANKIN, Mr. MUNRO, Mr. CAMPBELL, Mr. FREEZE, Mr. SIMONDS, Mr. HAYWARD, Mr. KETCHUM, Mr. M'KAY, Mr. HARRISON, Mr. ALLEN, Mr. WYER, Mr. MILES, Mr. PALMER.

It was thereupon carried in the negative.

The question being then put, that the 1st Section stand as part of the Bill;

The Committee again divided as follows:—

YEAS---Mr. SPEAKER, Mr. RANKIN, Mr. DOW, Mr. MUNRO, Mr. CAMPBELL, Mr. WELDON, Mr. FREEZE, Mr. SIMONDS, Mr. HAYWARD, Mr. KETCHUM, Mr. M'KAY, Mr. HARRISON, Mr. ALLEN, Mr. WYER, Mr. MILES, Mr. PALMER, Mr. CHANDLER, Mr. PARKER, Mr. SCOTT.

NAYS---Mr. JOHNSTON, Mr. WARD, Mr. PARTELOW.

It was carried in the affirmative.

The following was then moved as a III. Section to the Bill.

III. And whereas the practice which has prevailed in many parts of this Province, of Captains or other Commanding Officers of companies, treating their companies on Muster or Inspection days, ought to be abolished, as occasioning unnecessary expense to Officers, and often riotous behaviour amongst the men, and being in other respects subversive to discipline. Be it further enacted that Captains or other Officers of the Militia Forces, shall not in future directly or indirectly, treat their companies upon days of Muster or Inspection with any spirituous liquor, Wine, Beer, or other strong drink, under any pretence whatever; and any wilful breach of the provisions of this Section, shall be considered a sufficient cause for the removal of such Officer who may be guilty thereof, from his command in the said Militia Forces; and the Commanding Officers of Battalions, are hereby required to report to the Commander-in-Chief, any misconduct in this respect.

Upon which the Committee again divided.

YEAS---Mr. PARKER, Mr. CRANE, Mr. SCOTT, Mr. SIMONDS, Mr. WARD, Mr. JOHNSTON, Mr. MUNRO.

NAYS---Mr. DOW, Mr. RANKIN, Mr. CAMPBELL, Mr. PALMER, Mr. FREEZE, Mr. WELDON, Mr. HAYWARD, Mr. MILES, Mr. KETCHUM, Mr. HARRISON, Mr. ALLEN, Mr. PARTELOW, Mr. WYER, Mr. CHANDLER.

And it was carried in the negative.

And that he was directed then to report,—That the Committee had agreed to the Bill with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

On motion of Mr. Parker,—The House, in Committee of the whole, went into consideration of a Bill to empower the Rector, Church-wardens, and Vestry of Trinity Church, in the Parish of Saint John, to dispose of Lots in the new Burial Ground, in the Vicinity of the said Parish.

Mr. Chandler took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chandler, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

The House proceeded to take into consideration the amendments made by the Council to a Bill to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town.

The amendments being read, and the question severally put thereon, they were not concurred in by the House.

Mr. Weldon moved for leave to bring in a Bill to authorize Ministers of Dissenting Congregations to solemnize Marriages in this Province.

Leave granted.

Read a second time, a Bill for the erection of a Court House and Gaol in the County of Kent.

The House, according to the order of the day, proceeded to take into consideration the several Messages of His Excellency the Lieutenant-Governor.

Mr. Campbell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Campbell, from the Committee, reported, that having taken into consideration the several Messages referred to them, they had passed two Resolutions which he was directed to report, and to ask leave to sit again.

These Resolutions being handed in at the Clerk's Table, were there read, and are as follow :—

1st. Resolved, that the several Messages of His Excellency the Lieutenant-Governor, dated the 29th February, 6th, 7th, and 12th of March, respecting the Public Offices; the apprehension of Baker; Salary to the Clerk of the Crown; and the Militia Court Martial, be referred to the Committee of Supply.

2d. Resolved, that the Message of His Excellency the Lieutenant-Governor of the 7th of March, with the Documents accompanying the same, relating to the case of Nixon and others, charged with Piracy, be referred to a Select Committee to examine and report thereon.

Ordered that the Report be accepted, and leave to sit again granted.

Ordered that Mr. Parker, Mr. Chandler, and Mr. Weldon be a Committee to take into consideration His Excellency's Message which relates to Nixon and others, and report thereon.

The House then adjourned until Monday morning next, at 10 o'Clock.

### MONDAY, 17th MARCH, 1828.

#### *Prayers.*

Mr. Parker, pursuant to leave, brought in a Bill to amend the Act for regulating Elections of Representatives in General Assembly.

Which was read a first time.

Mr. Simonds, from the Committee to consider of all matters relating to the Commerce of this Province, reported, that they had prepared two Bills under the titles of a Bill to continue and amend the Revenue Laws of the Province.

And a Bill to continue and amend the Acts for granting Bounties upon Dry Fish.

Which he was directed to submit to the House.

The Bills, as reported by the Select Committee, being handed in, were severally read a first time.

Read a second time, a Bill to continue, alter and amend an Act, intituled "An Act for the encouragement of Parish Schools in this Province."

Mr. Weldon, pursuant to leave, brought in a Bill to authorize Ministers of Dissenting Congregations to solemnize Marriages in this Province.

Which was read a first time.

Read a third time, as engrossed, a Bill for granting a Bounty on the destruction of Bears in this Province.

Resolved that the Bill do pass. Ordered that Mr. Freeze and Mr. Crane carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed, a Bill to restrain Hawkers and Pedlars within this Province, from selling without Licence.

Resolved that the Bill do pass. Ordered that Mr. Parker and Mr. Partelow carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Chandler moved the following Resolution:—

Resolved,

Resolved, that the Counsel be heard at the Bar of this House to-morrow at 10 o'Clock, on the matter of the Petition of Patrick Clinch, James Brown, and others, complaining of an undue Election for the County of Charlotte, and the conduct of the Sheriff at such Election.

And upon the question being put thereon, the House divided, YEAS, 9. NAYS, 13.  
It was thereupon carried in the negative.

Mr. Campbell, from the Committee to revise and amend the Laws in force, regulating the exportation of Lumber, reported that he had prepared a Bill for that purpose, under the title of a Bill to alter and amend an Act, intituled, "An Act to regulate the exportation of Lumber, and to repeal all the Acts now in force for regulating the same," and to make more effectual provision for the security thereof; which he was directed to submit to the House:—And the said Bill, as reported by the Committee, being handed in, was read a first time.

Read a third time, as engrossed, a Bill to repeal an Act, intituled "An Act against the profanation of the Lord's Day, commonly called Sunday, and for the suppression of immorality," and to make more effectual provisions for the prevention and punishment of such offences.

Resolved that the Bill do pass. Ordered that Mr. Taylor and Mr. Ketchum carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed, a Bill to erect the eastern part of the Parish of Wakefield, in the County of York, into a distinct Town or Parish.

Resolved that the Bill do pass. Ordered that Mr. Ketchum and Mr. Dow carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Campbell moved the following Resolution:—

Resolved, that the Counsel be heard at the Bar of this House on Wednesday next at 10 o'Clock, on the matter of the Petition of Patrick Clinch, James Brown, and others, complaining of an undue Election for the County of Charlotte, and the conduct of the Sheriff at such Election.

Upon the question being put for passing the same, the House divided as follows:—

YEAS--Mr. CAMPBELL, Mr. CHANDLER, Mr. PARKER, Mr. HARRISON, Mr. TAYLOR, Mr. KETCHUM, Mr. HAYWARD, Mr. MILES, Mr. FREEZE, Mr. SCOTT, Mr. DOW.

NAYS--Mr. PALMER, Mr. CRANE, Mr. PARTELOW, Mr. ALLEN, Mr. JOHNSTON, Mr. WARD, Mr. M'KAY, Mr. PETERS, Mr. WELDON, Mr. SIMONDS, Mr. RANKIN, Mr. MUNRO.

It was thereupon carried in the negative.

The House, according to the order of the day, went into Committee of the whole, upon a Bill to regulate the Trials of controverted Elections, or Returns of Members to serve in General Assembly.

Mr. Johnston took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Johnston, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

Read a third time, as engrossed, a Bill to lay Tax on Dogs in certain parts of the Parishes of Fredericton and Saint Andrews.

Resolved that the Bill do pass. Ordered that Mr. Taylor and Mr. Campbell carry the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Johnston,—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that having gone into further consideration of the business referred to them, they had passed a number of Resolutions, which he read, and they being again severely read at the Clerk's Table, are as follow:—

Resolved, that there be granted to His Excellency the Lieutenant-Governor, the sum of 175*l.* for the support of a Master of the Grammar School in the County of Westmoreland, agreeably to the two Acts of the General Assembly.

And upon the question for passing the Resolution, the Committee divided, YEAS, 16. NAYS, 8.

It was thereupon carried in the affirmative.

To His Excellency the Lieutenant-Governor, the sum of 175*l.* for the support of a master of the Grammar School in the County of Sunbury, agreeably to the two Acts of the General Assembly.

To His Excellency the Lieutenant-Governor, the sum of 175*l.* for the support of the Grammar School in the County of Northumberland, agreeably to the two Acts of General Assembly.

To the President and Directors of the Public Grammar School in the City of Saint John, the sum of 250*l.* for the year 1828, agreeably to the two Acts of the General Assembly.

To the President and Directors of the Saint Andrews Grammar School, the sum of 200*l.* for the year 1828, towards the support of a Master, and to defray the contingent expenses of the said School, agreeably to the two Acts of the General Assembly.

To His Excellency the Lieutenant-Governor the sum of 175*l.* for the support of a Master of the Grammar School in Queens County, for the year 1828, agreeably to the two Acts of the General Assembly.

To John Robinson, Esquire, Province Treasurer, for his services from the 1st day of March 1827, to the 1st day of March 1828, the sum of 600*l.*, and also to the said Treasurer, the sum of 40*l.* : 9 : 10, to defray the contingent expenses of his Office during the last year.

To His Majesty's Attorney-Genera<sup>l</sup>, for his services for the year 1827, the sum of 100*l.*

To His Majesty's Solicitor-General, for his services for the year 1827, the sum of 50*l.*

And upon the question for sustaining the Resolution, the Committee divided, YEAS, 13. NAYS, 12.

It was thereupon carried in the affirmative.

To David W. Jack, Tide Surveyor at the Port of St. Andrews, for his services from the 1st day of April 1827 to the 1st day of April 1828, the sum of 100*l.*

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of , as a provision for two Staff Officers, to inspect and instruct the several Regiments and Battalions of Militia in this Province, for the year 1828.

Upon the question for filling up the blank of this Resolution with the sum of 400*l.* the Committee divided, YEAS, 14. NAYS, 8.

It was thereupon carried in the affirmative.

To the Adjutants of Militia of the different Counties in the Province, a sum not exceeding 225*l.*, for the year 1828.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, a sum not exceeding £125, to pay the Sergeant Majors of Militia of this Province, agreeably to the Militia Act.

To the Adjutant General of the Militia Forces, the sum of £100, for the duties of his office for the year 1828.

To the Executors of the late John Chaloner, the sum of £6 : 9 : 6, the amount of his account, for gauging and weighing for the Province in the year 1827.

To Benjamin C. Chaloner, for gauging and weighing in the year 1827, the sum of £100 : 14*s.*

To Doctor John Boyd, Inoculating Surgeon for the Vaccine Institution, the sum of £40, for services performed in the year 1827.

To the Lieutenant-Governor, or Commander-in-Chief, a sum not exceeding £4000, to be paid for the encouragement of the Fisheries of this Province, for the year 1828.

To His Excellency the Lieutenant-Governor, the sum of £50, for the services of a Tide Waiter at Miramichi, for the year 1828.

Upon the question for sustaining the Resolution, the Committee divided,—YEAS, 16. NAYS, 9.

Upon filling the blank with £50, the Committee divided as above.

To His Excellency the Lieutenant-Governor, a sum not exceeding 3000*l.*, to be paid for the encouragement of raising grain on new land, agreeably to a Law of this Province.

And upon the question for sustaining a Resolution for a grant towards the support of

of a Master of a Grammar School in the County of Gloucester, the Committee divided,—YEAS 10. NAYS 13.

It was thereupon carried in the negative.  
And Mr. Peters further reported, that he was directed to ask for leave to sit again. Ordered that the Report be accepted, and leave granted.

Ordered that the order of the day for going into Committee of the whole House, in consideration of the report of the Select Committee relative to the Institutions of Education, be discharged.

On motion of Mr. Chandler,—Resolved, that the order of this House, appointing the 26th day of March inst., as the day for the hearing of Stephen Humbert, at the Bar of this House, in support of his Petition complaining of an undue Return of Robert Parker, Esquire, be discharged: and further Resolved, that the said Stephen Humbert be heard at the Bar of this House on the day immediately succeeding the first day of the next Session of the General Assembly, in support of his said Petition.

The House then adjourned until to-morrow morning, at 10 o'Clock.

TUESDAY, 18th MARCH, 1828.

*Prayers.*

Mr. Partelow, from the Committee to examine, liquidate, and report upon public and private accounts, submitted a further Report, which being handed in at the Clerk's Table, was there read, and is as follows:—viz.

No. 124. Is an account of E. G. N. Scovil, one of the Supervisors of the Great Road from Saint John to the River Missequash, amounting to £481 : 5 : 6, expended by him on that road, accompanied by vouchers and an affidavit. This work was performed in 1826, and the Supervisor has charged the usual commission of 10 per cent., 48l. : 2 : 6, and loss on dollars, 32l. : 5 : 6, having received 500l., (dollars at 5s. 4d., and paid them at 5s.,) making the total amount of his account 506l. : 13 : 4. Credit is given for the receipt of 500l. from the Province Treasurer, and amount remaining in his hands from 1825, of 24s. 8½d, leaving a balance against the Province of 5l. : 8 : 10½. There is however an error in his calculation of loss on dollars, which should be 35l. : 5, instead of 32l. : 5 : 6, and the balance due him will therefore be 4l. : 8 : 4½, instead of 5l. : 8 : 10½. Your Committee do not think this account with the vouchers attending, sufficiently explicit, and they therefore beg to refer the whole to the consideration of the House.

No. 125. Is an account of Thomas Wyer, Esq., Supervisor of the Great Road, from St. John to Saint Andrews, amounting to 1026l. : 10 : 9, expended by him in 1826, attended with vouchers and an affidavit. The work on this road has been done under contract, and the receipts of the parties who have performed the work are with the account, but the contracts are not. He credits the receipt of 937l. : 10, from the Province Treasurer, (1000l., dollars at 5s. 4d.,) and an amount remaining in his hands from 1825, of 58l. : 2 : 8, leaving a balance against the Province of 80l. : 18 : 1.

No. 126. Is an account of William Crane and Ephraim Allen, amounting to 128l. : 1 : 11½, expended by them on the road from the Bay Verte to Cape Tormentine, in the County of Westmoreland, accompanied by satisfactory vouchers and an affidavit. Credit is given for the receipt of 150l., leaving a balance in favor of the Province of 21l. : 18 : 0½. No commission is charged.

No. 127. Is an account of John Campbell, amounting to 100l. for the expenditure of that sum on the road from Tabusintac to Tracadu, in the County of Northumberland, accompanied by the requisite vouchers and an affidavit, except for £6 : 17 : 6, which is charged for his own labor, 11 days, at 12s. 6d., besides his commission, which your Committee do not consider correct. Credit is given for the receipt of 100l. from the Province Treasurer.

No. 128. Is an account of John Campbell, amounting to 12l. : 11 : 8, expended by him in exploring and opening a road from Tracadu to Pocomouche, in the County of Northumberland. No vouchers are with this account, £9 of the sum being charged for nine days attendance of the Commissioner at 20s., and the remainder, 3l. : 11 : 8, for labourers attending him. Credit is given for the receipt of 150 from

from the Province Treasurer, leaving a balance in favor of the Province of 87*l.* : 8 : 4. A report from the Commissioner accompanies this account.

No. 129. Is an account of James Innes, amounting to 68*l.* : 5, for the expenditure of that sum in finishing a bridge at Bartabogue, in the County of Northumberland. This account is attended with satisfactory vouchers and an affidavit, except for 3*l.* charged by the Commissioner for one day letting the bridge, at 15*s.*, and three days inspection of it at 15*s.*, which your Committee consider inadmissible. Credit is given for the receipt of 65*l.* from the Deputy Treasurer at Miramichi.

No. 130. Is another account of Samuel Fairweather, Jun., for the expenditure of 13*l.* on the road from Fairweather's Mill to the main Road near Park's in Springfield, Kings County, accompanied by a proper voucher and an affidavit. Credit is given for the receipt of the sum expended.

No. 131. Is an account of John Manson, amounting to 10*l.* : 12., for the expenditure of that sum on the road from Hallett's to the mouth of the Keswick Creek in the County of York, by virtue of a grant made for this road in 1824. The work appears to have been done by Daniel Hallett, jun., and the Commissioner himself, a voucher for 48*l.* : 6. from the former, being with the account, but none for the same sums charged as expended by himself: the remainder is his commission on the amount of grant. Credit is given for the receipt of 100*l.* from the Province Treasurer, and a balance struck in favor of the Commissioner of 92*s.*

No. 132. Is an account of Ezra Stiles, shewing the expenditure of 15*l.* in exploring a road from Stiles' to Parkin's on the Coverdale River, in the County of Westmoreland, a part of this amount is made up by a charge of 7*l.* for fourteen days exploring the road by the Commissioner, and 18*s.* for provisions, &c. For the remainder there are satisfactory vouchers. No commission is charged. He has made an affidavit to the account, and credits the receipt of the sum expended.

No. 133. Are three accounts of Guy Chappell, viz.

No. 1. Shews the sum of 23*l.* : 16 : 6, laid out on the road from the Chemogue road to the little Chemogue road.

No. 2. The sum of 23*l.* : 18 : 3, on the road from Chemogue to Tedish River.

No. 3. The sum of 47*l.* : 5 : 3, on the road from Gaspereau Bridge to the Chemogue, all in the County of Westmoreland.

On the whole, a commission of 5*l.* is charged, which makes the total amount 100*l.* and that sum is acknowledged to have been received from the Province Treasurer. These accounts are supported by satisfactory vouchers and an affidavit.

No. 134. Is an account of John Graves, shewing the expenditure of 25*l.* : 9 : 6, on the road from Graves' mill to the head of the settlement, on the South Branch of Salmon River, at the head of the Kennebeckcaxis, in Kings County. This account is attended with proper vouchers and an affidavit, except for 8*l.* : 10, charged by the Commissioner for 7 days, at 10*s.*, letting and inspecting the work. Credit is given for the receipt of two Warrants for 10*l.*, and 15*l.*, and no commission is charged.

No. 135. Are two accounts of John Day, viz.

No. 1. Shews the sum of 20*l.* laid out on the road from Dipppo Harbour to the Saint Andrews Road, granted in 1825.

No. 2. Shews the same sum expended on the same road in 1826. Both these accounts are accompanied by the requisite vouchers and an affidavit, and credit is given for the receipt of the two warrants from the Province Treasury.

No. 136. Is an account of Benjamin Charters, shewing an expenditure of 15*l.* on the road from Caten's to Thomas Ayer's, in the County of Westmoreland, attended with proper vouchers and an affidavit. Credit is given for the receipt of the sum expended.

No. 137. Is another account of Benjamin Charters, amounting to 12*l.*, expended by him on the road leading to Bonum Gould's, in the County of Westmoreland, accompanied by the requisite vouchers and an affidavit. He credits the receipt of 12*l.* from the Province Treasurer.

No. 138. Is an account of Daniel Ansley, shewing the expenditure of 49*l.* on the road leading from Loch Lomond to the Black Settlement, and thence to Gardiner's Creek, in the County of St. John, accompanied by satisfactory vouchers and an affidavit. Credit is given for the receipt of 46*l.* : 17 : 6, (506, in dollars at 5*s.* 4*d.*,) leaving a balance against the Province of 2*l.* : 2 : 6.

No. 139. Is an account of Richard S. Bouser, for the expenditure of 30*l.* on the road from Mr. M<sup>r</sup>. Richardson's to Beech Hill, in the County of Westmoreland, attended with proper vouchers and an affidavit. Credit is given for the sum expended.

No. 140. Is an account of James Moran, shewing the expenditure of £100, in building a bridge across the Quaco Creek in the County of Saint John, on which the Commissioner has charged five per cent. making the amount £105. The bridge appears to have been built by contract, but the receipt of the party who performed the work is not attached to the account. Credit is given for the receipt of 47*l.* : 6 : 6, by voluntary subscription of the inhabitants, and 50*l.* by a Warrant on the Province Treasurer. An affidavit is made by the Commissioner to the amount.

No. 141. Is an account of Arthur M<sup>r</sup>. Arthur, for the expenditure of 20*l.*, in finishing a bridge over Smith's Creek, in Kings County, attended with a satisfactory voucher and an affidavit, and no commission is charged. Credit is given for the receipt of the sum expended.

No. 142. Is an account of Thomas G. Cuhliffe, shewing the expenditure of 31*l.* : 6 : 3, on the road from Smith's to Hillman's, in the Parish of Woodstock, County of York, attended with vouchers and an affidavit. There is a charge in this account of 12*l.* : 10 : 6, for work done by the Commissioner himself. Credit is given for the receipt of 30*l.* from the Province Treasurer, leaving a balance against the Province of 1*l.* : 6 : 3.

No. 143. Is an account of Thomas G. Cunliffe, amounting to 30*l.*, for the expenditure of that sum on the road from Isaac Smith's to Robert M<sup>r</sup>. Clellan's, Parish of Woodstock, County of York, accompanied with vouchers and an affidavit. In this account there is also a charge of 9*l.* : 5 : 9, for the Commissioner's own labor. Credit is given for the receipt of 30*l.* from the Province Treasurer.

No. 144. Is an account of N. H. De Veber, Esq., Supervisor of the Great Road leading from Fredericton to the Finger Board, and thence to the Fork of the Great Marsh, in the County of Saint John, amounting to \$481 : 3 : 7, expended in 1826. With this account are proper vouchers and an affidavit. He charges £13 : 5 : 7, as due him from 1825 ; £26 : 13 : 4, loss on dollars, and £40 commission, which are included in the above sum of £481 : 3 : 7 ; and credits 400*l.* received from the Province Treasurer ; and 17*l.* : 10, deducted from the contract of Spraul's, in 1824, leaving a balance due him of 63*l.* : 13 : 7. There is a mistake however in favor of the Province, on the charge of loss on dollars, of 1*l.* : 13 : 4, and 4*l.* in the commission charge, which will reduce the balance to 58*l.* : 0 : 9.

No. 145. Is an account of Joseph Woolverton, shewing the expenditure of 40*l.* : 16, on the road from Joseph Woolverton's to Robert Phillips', in the Parish of Northampton and County of York. This account is attended with an affidavit and proper vouchers, except for 15 days work of himself, and eight days of his son, at 5*s.* 4*d.* He credits the receipt of two Warrants on the Treasury, for 50*l.* and 40*l.*, leaving a balance in favor of the Province of 49*l.* : 4. No commission is charged.

No. 146. Are four accounts of John Edgitt, viz.

No. 1. Shews the sum of 20*l.*, (dollars 5*s.* 4*d.*) laid out on the road between Sinton's and Gildart's, Parish of Hillsborough, in the County of Westmoreland.

No. 2. The sum of 30*l.* on the road from George Colpitt's to the Dutch Village, in the same County.

No. 3. The sum of 25*l.* on the road from Lutz's to M<sup>r</sup>. Latchey's, in the same County.

No. 4. The sum of 23*l.* in building a bridge over Stoney Creek, in the same County.

All these accounts are supported with satisfactory vouchers and affidavit, and credit is given for the receipt of Warrants for the several sums, on the Province Treasury.

No. 147. Are three accounts of William Hannington, Supervisor, viz.

No. 1. Shews the sum of 9*l.* : 9 : 8, laid out in 1826, on the road from Petticodiac to Shediac.

No. 2. The sum of 48*l.* : 11, on the road from Dorchester to Shediac.

No. 3. The sum of 50*l.* : 11 : 7, for repairing the Scudack Bridge, and improving the road thence to the main road.

The whole are supported with satisfactory vouchers and affidavits, except for one

item of 25*l.* in the last account, the amount of a contract with Thomas E. Smith, for finishing the Bridge. No commission is charged, except in account No. 3.

A general account with the Province accompanies these, wherein credit is given for the receipt of three Warrants of 400*l.*, 200*l.*, and 50*l.*, from the Province, against which the amount of the three accounts is charged, besides 197*l.* : 10 : 7, and 248*l.* : 10 : 8, two accounts rendered to the Auditor, 1st January, 1826, for monies laid out on the road, from Petticodiac to Shediac, and from Dorchester to Shediac in 1825, making in all, 636*l.* : 13 : 6, and leaving a balance in favor of the Province of 13*l.* : 6 : 6. The general account is dated 1st January, 1827.

No. 148. Is an account of William Moore, and James Brown, jun., shewing the expenditure of 35*l.* in building a bridge over the Canal Brook, in the County of Charlotte. With this account are satisfactory vouchers and an affidavit. Credit is given for the receipt of the sum expended.

No. 149. Is an account of Charles J. Peters, and Hugh Johnston, jun., Esquires, shewing the expenditure of £462 : 1, in improving and widening the Marsh road in the County of Saint John, attended with satisfactory vouchers and an affidavit. They credit the receipt of 400*l.* from the Province Treasurer, leaving a balance in their favor of 62*l.* : 1. No commission is charged.

No. 150. Is an account of Richard Simonds, Esquire, Supervisor of the Great Road from Fredericton to Saint John, by way of the Nerepis, shewing the expenditure of 2068*l.* : 8 : 9, on that road. This account is attended with satisfactory vouchers and an affidavit. Credit is given for the receipt of four sums from the Province Treasurer, making 1610*l.*; and 468*l.* : 15*s.* (500*l.*, dollars at 5*s.* 4*d.*.) from the casual revenue, leaving a balance in favor of the Province of 16*l.* : 6 : 3.

No. 151. Is an account of the Hon. Ward Chipman, shewing the expenditure of 87*l.* : 9, on the road from Little River to Loch Lomond, in the County of Saint John, accompanied by satisfactory vouchers and an affidavit. He credits the receipt of 25*l.* from the Treasurer, and the remainder, by contribution, from the estate of the late Hon. William Hazen, deceased. No commission is charged.

No. 152. Is an account of Robert M'Kenzie, amounting to 18*l.* : 13 : 4, for the expenditure of that sum on the road from the Lake to the North branch of Hammond River, to the main road near Barns', accompanied by satisfactory vouchers and an affidavit. The Commissioner has charged 10 per cent. instead of 5, by correcting which, there will be a balance remaining in his hands of 19*s.* : 11*d.*, credit having been given for the receipt of 18*l.* : 15, (20*l.*, dollars at 5*s.* 4*d.*)

No. 153. Is another account of Robert M'Kenzie, shewing the expenditure of 25*l.* also on the road from the Lake on the North branch of Hammond River to the main road near Barns', in Kings County, which sum he acknowledges to have received from the Province Treasurer. With this account are satisfactory vouchers and an affidavit. There is a mistake in the addition of this account of 20*s.* against the Province, and an overcharge of 5*s.* in the commission charge, which will leave a balance in favor of the Commissioner, in the account, 15*s.*

No. 154. Is an account of J. A. Maclauchlin, Esq., Supervisor of the Great Road leading to Canada, amounting to 1826*l.* : 2 : 11, expended by him on that road. This account is accompanied by proper vouchers and an affidavit, and the work has been performed by labourers employed by the month and found in provisions: a very great part of the above has been paid away for supplies for the men, the particulars of which appear in a contingent account, No. 3. Credit is given for the receipt of 1875*l.* from the Province Treasurer, and an amount remaining in the Supervisor's hands, of 40*l.* : 6 : 4, from 1826, leaving a balance in favor of the Province of 89*l.* : 3 : 4.

No. 155. Is an account of Thomas Harding and Thomas Merritt, shewing the expenditure of 42*l.* : 10 : 7½, on the road from the Quac road to the Milican Settlement, in the County of Saint John. With this account are satisfactory vouchers and an affidavit. Credit is given for the receipt of 46*l.* : 17 : 6, (50*l.*, dollars at 5*s.* 4*d.*.) leaving a balance in favor of the Province of 4*l.* : 6 : 10½. No commission is charged.

Ordered that the Report be received and lie on the Table.

Read a third time, as engrossed, a Bill to alter and amend the Laws now in force for the regulation of the Militia.

Resolved

Resolved that the Bill do pass. Ordered that Mr. Scott and Mr. Allen carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed, a Bill to empower the Rector, Churchwardens, and Vestry of Trinity Church, in the Parish of Saint John, to dispose of Lots in the new Burial Ground, in the Vicinity of the said Parish.

Resolved that the Bill do pass. Ordered that Mr. Parker and Mr. Ward carry the said Bill to the Council, and desire their concurrence thereto.

The House went into Committee of the whole, upon a Bill for the erection of a Court House and Gaol in the County of Kent.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

Ordered that Mr. Freeze be added to the Committee of Roads in the place of Mr. Humbert, who is absent by special leave of the House.

The House went into Committee of the whole, upon a Bill to authorize the Justices of the Peace of the County of Kent, to make Rules and Regulations respecting the taking of Fish in the different Harbours, Rivers and Creeks, in the said County.

Mr. Hayward took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Hayward, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

Read a second time, the following Bills:—A Bill further to amend the Act for regulating Elections of Representatives in General Assembly.

A Bill to continue and amend the Acts for granting Bounties upon Dry Fish.

A Bill to continue and amend the Revenue Laws of the Province.

A Bill to authorize Ministers of Dissenting Congregations to solemnize Marriages in this Province.

And a Bill to alter and amend an Act, intituled, "An Act to regulate the exportation of Lumber, and to repeal all the Acts now in force for regulating the same," and to make more effectual provision for the security thereof.

On motion of Mr. Partelow,—Resolved, that the House do proceed to-morrow morning in determining the Petition of Patrick Clinch, James Brown, and others, so far as regards the conduct of the High Sheriff of the County of Charlotte, and the Return made by him; and that all further proceedings upon the Scrutiny prayed for, be deferred until the next Session of the General Assembly.

On motion of Mr. Crane,—The House went into Committee of the whole, upon a Bill to continue, alter, and amend an Act, intituled "An Act for the encouragement of Parish Schools in this Province."

Mr. Taylor took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Taylor, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with an amendment.

Ordered that the Report be accepted, and the Bill as amended engrossed.

On motion of Mr. Parker,—The House went into Committee of the whole, upon a Bill to amend the Act for regulating Elections of Representatives in General Assembly.

Mr. Johnston took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Johnston, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

The House went into Committee of the whole, upon a Bill to continue and amend the Acts for granting Bounties upon Dry Fish.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration

of the Bill referred to them, they had agreed to the same with an amendment.

Ordered that the Report be accepted, and the Bill as amended, engrossed.

On motion of Mr. Johnston,—The House went into Committee of the whole in further consideration of Supplies to be granted for the Public Service.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that having gone into further consideration of the business referred to them, they had passed a number of Resolutions, which he read, and they being again severally read at the Clerk's Table, were agreed to by the House, and are as follow :—

Resolved, that there be granted to His Excellency the Lieutenant-Governor, the sum of £110 : 2 : 8, to defray expense incurred for the security of the Offices of the Secretary and Surveyor-General.

That in the opinion of this Committee, the reasonable expense incurred by Members, Prosecutor, and Witnesses attending the Militia Court Martial assembled at St. John, for the trial of Major Robert Scott, and Captain Lewis Burns, should be defrayed from the Provincial Funds ; but that nothing should be paid for attendance except to Witnesses, who ought to receive the sum allowed by the Ordinance of Fees to other Witnesses, and that a sum not exceeding £150 be granted to His Excellency the Lieutenant-Governor, to enable him to defray such expenditure, and to pay to the Judge Advocate for his services upon such Court Martial.

To His Excellency the Lieutenant-Governor, the sum of 175*l.* for the support of the master of the Grammar School in Kings County, for the year 1828, agreeably to the two Acts of the General Assembly.

To Anthony Lockwood, the sum of 50*l.*, towards reimbursing him for the great expense he has been at in publishing an improved Map of this Province.

To the Sheriffs of the several Counties in this Province for executing Writs of Election, and returning the Members to serve in General Assembly, the following sums :—

To the Sheriff of the County of York, the sum of 25*l.*

To the Sheriff of the County of Sunbury, the sum of 25*l.*

To the Sheriff of the County of Westmoreland, the sum of 25*l.*

To the Sheriff of the County of Charlotte, the sum of 25*l.*

To the Sheriff of Queens County, the sum of 25*l.*

To the Sheriff of Kings County, the sum of 25*l.*

To the Sheriff of the City and County of Saint John, the sum of 40*l.*

To the Sheriff of the County of Northumberland, the sum of 25*l.*

To the Sheriff of the County of Kent, the sum of 25*l.*

To the Sheriff of the County of Gloucester, the sum of 15*l.*

Resolved, that the Petition of I. & J. G. Woodward, praying for a return of duties on Sugar imported from Trinidad, via Nova Scotia, in June, 1827, be not complied with for want of sufficient proof.

That the Petition of William Chipman, praying a return of Duties paid on Rum, Sugar, and Molasses, exported by him in 1819,

And the Petition of Jacob Kolloek, praying compensation for losses incurred in discharge of his duty as a Militia Officer, be not complied with.

And Mr. Peters further reported, that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave to sit again granted.

The House then adjourned until to-morrow morning at 10 o'Clock.

WEDNESDAY, 19th MARCH, 1828.

*Prayers.*

Read a third time, as engrossed, a Bill for the erection of a Court House and Gaol in the County of Kent.

And a Bill to authorize the Justices of the Peace, of the County of Kent, to make Rules and Regulations respecting the taking of Fish in the different Harbours, Rivers, and Creeks, in the said County.

Resolved that these Bills do pass. Ordered that Mr. Weldon and Mr. Rankin carry the said Bills to the Council, and desire their concurrence thereto.

Read

Read a third time, as engrossed, a Bill to continue and amend the Acts for granting bounties upon Dry Fish.

Resolved that the Bill do pass. Ordered that Mr. Simonds and Mr. Campbell carry the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Parker,—The House, according to the order of the day, proceeded to the final consideration of that part of the Petition of Patrick Clinch, James Brown, and others, as regards the conduct of the High Sheriff at the Election for the County of Charlotte, and to decide thereon ;

When Mr. Parker moved the following Resolutions, which were carried in the affirmative.

Whereas it appears upon the production of the Poll Book, and other evidence adduced by Patrick Clinch and James Brown, in support of their Petition, complaining of undue Election and Return for the County of Charlotte, that at the close of the Poll on the third day of July last, being the last day of polling, Colin Campbell, Thomas Wyer, and Hugh M'Kay, Esquires, and the petitioner, Patrick Clinch, Esquire, had the majority of votes polled at such Election, and that the Sheriff did not hold any legal Scrutiny ; but declined granting the same on account of the shortness of the time before the return of the Writ,

Thereupon Resolved, that the said Patrick Clinch, Esquire, ought to have been returned by the said Sheriff, as one of the Members for the said County ; it being the opinion of this House, that all the proceedings had on the private investigation at the Register's Office of the said County, after the close of the Poll and before declaring the successful candidates, were not warranted by law, and are therefore null and void.

Whereupon Ordered, that the Clerk of the Crown do attend this House with the Writ and Return for the late Charlotte County Election, in order that the Return may be amended by erasing the name of Joseph Nehemiah Clarke, Esquire, and inserting after the name of Hugh M'Kay, Esquire, the name of Patrick Clinch, Esquire.

And on motion of Mr. Parker, it was further Resolved, that in all future Inquiry or Scrutiny, to be had before the House upon the said Election for Charlotte County, the Poll Book shall be considered as concluded on the third day of July ; all obliterations on, or marks over and against votes made after that time, being improper and void.

Resolved, that under the circumstances of this case, the said Joseph Nehemiah Clarke, Esquire, be allowed to present to the House any Petition with regard to the said Election and Return ; provided such Petition is brought in during the present Session, or within fourteen days after the opening of the next Session.

On motion of Mr. Simonds,—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that having gone into further consideration of the business referred to them, they had passed one Resolution, which he read, and it being again read at the Clerk's Table, was agreed to by the House, and is as follows, viz:—

Resolved, that there be granted to Charles S. Putnam, Esquire, the Clerk of the Crown in the Supreme Court, for his services for the year 1828, the sum of

Upon the question for filling up the blank with £75, the Committee divided equally, and the Chairman decided it in the negative. The question was then put for filling up the blank with £100 ; the Committee again divided equally, and the Chairman decided it in the affirmative.

And Mr. Peters further reported, that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

A Message from His Majesty's Council.

Mr. Black delivered the following Message.

“ Mr. Speaker,—I am directed to communicate to the House, the appointment of Mr. Robinson, and Mr. Justice Chipman, a Committee to join with a Committee of the House of Assembly, for collecting information and reporting as to the best place of erecting, and mode of managing a Public Penitentiary.”

And then Mr. Black withdrew.

Resolved

Resolved, that Mr. Parker, Mr. Johnston, and Mr. Simonds, be a Committee to join the Committee of Council relative to the Public Penitentiary.

And further Ordered, that Mr. Parker and Mr. Johnston acquaint the Council therewith.

A Message from His Majesty's Council.

Mr. Street delivered the following Message.

“ Mr. Speaker,—I am directed to inform the House, that the Council have agreed to the following Bills:—

“ A Bill to erect a part of the Parish of Hillsborough into a distinct Town or Parish.

“ And a Bill for altering the times of holding one of the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace, and also one of the additional Terms of the said Inferior Court of Common Pleas, for the County of Gloucester.”

And then Mr. Street withdrew.

The House went into Committee of the whole, on a Bill in amendment of the Acts regulating the exportation of Fish.

Mr. Johnston took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Johnston, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

The Clerk of the Crown attended with the Writ of Election for the County of Charlotte, together with the Sheriff's Return thereto, when the said Return was amended by erasing the name of Joseph Nehemiah Clarke, and inserting that of Patrick Clinch, in pursuance of the order of the House.

Ordered that Mr. Wyer and Mr. Hayward be a Committee to attend the Commissioner, and see Mr. Clinch qualified.

Mr. Peters, Chairman of the Committee to whom was referred that part of His Excellency's Speech which relates to the encouragement of Agriculture, submitted a Report, which being handed in at the Clerk's Table, was there read, and is as follows :

That in the opinion of your Committee, the spirit of Agricultural improvements, which is now diffusing its influence over the country, should be encouraged, not only by the usual Legislative Grant, but also by suitable premiums, or aids, either from the Legislature, or through the medium of Agricultural Institutions, to facilitate the erection of Oat Mills in proper situations throughout the Province. Your Committee are of opinion that the time has arrived when every exertion should be used to raise the inhabitants of this Province above dependance upon other countries for the most important necessaries of life, and the consequent increased culture of Oats, and the more general use of Oat Meal, to which these establishments must lead, would, in the opinion of your Committee, tend most powerfully to accelerate our emancipation from that dependance for supplies of food, the consequences of which have been severely felt in every part of the Province.

HARRY PETERS,

H. MUNRO,

JOHN ALLEN.

Ordered that the Report be accepted.

The House then adjourned until to-morrow morning at 10 o'Clock.

THURSDAY, 20th MARCH, 1828.

*Prayers.*

On motion of Mr. Allen,—The House, in Committee of the whole, went into consideration of a Bill further to amend and alter the Laws now in force, for assessing, collecting, and levying of Rates for public charges.

Mr. Chandler took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chandler, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same under the title of a Bill to amend the Acts for assessing County Rates.

Ordered

Ordered that the Report be accepted, and the Bill engrossed, under the title as amended.

Mr. Simonds, from the Committee of Trade, to whom was referred the Petition of Allen Otty, and others, proprietors of the Steam Mill at Saint John, reported, that in taking the Petition into their consideration, they had prepared a Bill to meet the prayer of the said Petition, under the title of a Bill for granting a Bounty upon Flour manufactured at the Steam Mills in Portland. The Bill, as reported by the Committee, being handed in, was read a first time.

The Committee appointed to attend the Commissioners with Mr. Clinch, and see him qualified :—Reported, that they had attended thereto, and that Mr. Clinch had taken the Oaths prescribed by Law.

Ordered that Mr. Clinch be allowed to take his Seat.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell, by command of His Excellency, laid before the House, Reports from the Commissioners for the erection of Government House, together with an account current and estimate of the expense thereof.

Mr. Secretary Odell withdrew.

On motion of Mr. Partelow,—Resolved, that so much of the Order of the House, made the 15th instant, referring the Message of His Excellency the Lieutenant-Governor of the 6th of the same month, relative to the apprehension of Baker, to the Committee of Supply, be rescinded, and that the said Message, with the accounts accompanying it, be referred to a Select Committee to report thereon.

Ordered that Mr. Partelow, Mr. Allen, and Mr. Campbell, be a Committee for that purpose.

The House went into Committee of the whole, in further consideration of a Bill “to amend an Act, intituled—“An Act to provide for the erection of an Alms House and Work House within the County of York, and for making Rules and Regulations for the management of the same.”

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the Bill referred to them, it was resolved that the further consideration thereof be postponed until the next Session of the General Assembly, and that the Bill be publicly read at the General Sessions for the County of York, and published for four weeks in the Royal Gazette.

Ordered that the Report be accepted.

On motion of Mr. Simonds,—The House went into Committee of the whole in further consideration of Supplies to be granted for the Public Service.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that having gone into further consideration of the business referred to them, they had passed a number of Resolutions, which he read, and they being again severally read at the Clerk’s Table, were agreed to by the House, and are as follow :—

Resolved, that the Petition of the Inhabitants of Newcastle, for aid to assist them in building a School-house therein, be not complied with.

That there be granted to Wm. Tweedale, for keeping a School in the Parish of Hampton, in the year 1827, the sum of 20*l*.

That the Petition of the Inhabitants of Bean’s Island, in the Parish of West Isles, be not complied with.

That the sum of 20*l*. be granted to John Muirhead, of Saint Andrews, in the County of Charlotte, to reimburse him for the portion of his Provincial allowance not received by him in consequence of a mistake taking place in the time of receiving his Licence.

And upon the question for sustaining the Resolution, the House divided,—YEAS 17.

NAYS 5.

It was carried in the affirmative.

That the sum of 30*l*. be granted to Wm. Manderson, to enable him to finish his Horizontal Oat Mill and Kilm, in Chatham, in Northumberland, which has been planned

ned and built under circumstances highly creditable to the said W. Manderson : the said sum to be paid upon condition, and that he shall give Bonds to keep the Mill in operation for two years, accidents by fire excepted:

Resolved, that there be granted to William Hannington, Esq., the sum of 75*l.* : 8 : 6 to compensate him for work done under his direction, on the bridge over Shediac River ; the same to be paid out of the Grant for the Great Road from Shediac to Richibucto, when the necessary affidavit is made to the account furnished by the said William Hannington.

To the Justices of the Peace for the City and County of Saint John, the sum of 1000*l.*, in further aid towards the completion of the Court House for the said City and County.

To Isaac Micheau, a settler at the Great Falls, the sum of 25*l.*, to aid him in his present distressed situation, agreeably to the prayer of his Petition.

To Henry Nase, Esq., the sum of 50*l.*, to remunerate him for the damage sustained in consequence of the new line of the Nerepis Road being carried through his land ; the same to be taken out of the money to be granted for that Road.

And Mr. Peters further reported, that he was directed to ask for leave to sit again. Ordered that the Report be accepted, and leave granted.

Mr. Weldon, Chairman of the Committee to whom was referred the Petition of Thomas Barlow, Esquire, and others, Free-men and Freeholders of the City of Saint John, complaining of the undue Election and Return of Gregory Van Horne, Esq. ; having examined into the evidence and questions, as well on behalf of the Petitioners as the Sitting Member, submitted a Report, which he read, and it being handed in at the Clerk's Table, was there again read, and is as follows :—

“ That on the third day of March, the Committee proceeded to hear the merits of the Return of the said Gregory Van Horne, Esq., under the Instructions of the House, by the Resolution of the first day of March.

“ The Counsel on both sides consented to the certificate of the Register of Deeds, for the City and County of Saint John, being received as evidence.

“ It appears by the Poll Book for the City of Saint John, that the Poll for the Sitting Member, Gregory Van Horne, Esquire, was 618 : And for the Petitioning Candidate, Thomas Barlow, Esquire, 602.

“ The Petitioning Candidate, Thomas Barlow, Esq., alleged that 231 votes, polled for Gregory Van Horne, Esq., had been improperly polled for the said Gregory Van Horne, they neither being qualified as Freeholders nor Freemen of the City of Saint John, according to the Law of this Province.

“ The Counsel for the Petitioning Candidate, in course of investigation, admitted that 95 of the said 231 votes, so polled and objected to, were good.

“ From the evidence offered before your Committee, they are of opinion that 18 of the 231 votes were good.

“ It further appears, from the evidence before the Committee, that 186 of the said 231 votes, so polled for Gregory Van Horne, Esq., were not entitled to vote by Law, as being neither Freeholders nor Freemen of the City of Saint John.

“ And it further appears, that in the opinion of your Committee, the remaining 42 votes are of a doubtful character.

“ The Sitting Member alleged that 205 of the persons so polled for the Petitioning Candidate, Thomas Barlow, Esq., had been improperly polled for the said Thomas Barlow, Esquire, they being neither qualified as Freeholders nor Freemen, of the said City of Saint John, according to the Law of this Province.

“ The Counsel for the Sitting Member admitted that 17 of the said 205 votes, so polled for the said Thomas Barlow, were good.

“ The Counsel for the Petitioning Candidate admitted that 2 of the said 205 votes, so polled, were not duly qualified and not entitled to vote.

“ That from the evidence offered before your Committee, they are of opinion that 77 of the said 205 votes, so alleged to be bad, were good.

“ It further appears from the evidence before the Committee, that 79 of the said 205 votes, so polled for the said Thomas Barlow, Esquire, were not entitled to vote by Law, as being neither Freeholders nor Freemen in the City of Saint John.

“ And it further appears, that in the opinion of your Committee, the remaining 30 votes are of a doubtful nature.

Your

“ Your Committee have taken minutes of the evidence adduced on this investigation, which, together with this Report, they beg leave most respectfully to submit to this Honorable House.

JOHN W. WELDON,  
H. MUNRO,  
W. CRANE,  
WM. TAYLOR,  
ALEX. RANKIN.”

Mr. Weldon likewise laid before the House the minutes of evidence taken by the Committee during the investigation, as well as lists of the different descriptions of votes examined into.

Ordered that the Report be accepted and lie on the Table, together with the other documents accompanying the said Report.

On motion of Mr. Weldon,—Resolved, that the House do to-morrow morning, go into consideration of the said Report.

The House then adjourned until to-morrow morning at  $\frac{1}{2}$  past 9 o’Clock.

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FRIDAY, 21st MARCH, 1828.

*Prayers.*

Mr. Campbell, by leave, presented a Petition from Joseph Nehemiah Clarke, Esq., praying that a Scrutiny may be forthwith ordered to take place before the House, or a Committee thereof, as well of the votes objected to by the Petitioner, as of those objected to by Patrick Clinch, Esquire.

Which he read in his place.

Ordered that the said Petition be received and lie on the Table.

On motion, the House went into consideration of the said Petition, and

On motion of Mr. Parker,—Resolved, that the House will go into consideration of the Petition complaining of an undue Election for Charlotte County, and the Scrutiny between Hugh M’Kay, Patrick Clinch, Joseph Nehemiah Clarke, and James Brown, Esquires, on the seventh day after the opening of the next Session, and that lists of objectionable votes be exchanged at the Register’s Office, in Saint Andrews, on the first Monday in May next, at 12 o’Clock.

Mr. Wyer moved for leave to bring in a Bill to repeal the Laws now in force for appointing Firewards, and for the better extinguishing of Fires in the Town of Saint Andrews, and to make Regulations more suitable to the said Town, and for other purposes therein mentioned.

Leave granted.

The House, in pursuance of a Resolution of yesterday, proceeded to take into consideration the Report of the Committee on the Election and Return for the City of Saint John.

On motion of Mr. Parker,—Resolved, that Gregory Van Horne, Esquire, be heard in his place upon the Report of the Committee, and do then withdraw before the House debate thereon.

The Report of the Committee, and likewise the minutes of Evidence taken before the said Committee, were read.

On motion of Mr. Hayward,—It appearing by the Report of the Committee, that they were unanimously of opinion, that certain votes were decidedly bad, and others good, and the House upon hearing the evidence read, concurring in that opinion, and it appearing that the names of such good and bad votes are correctly set down in lists annexed to their Report; Thereupon Resolved, that the Report of the said Committee, so far as relates to such votes, be adopted and confirmed.

The Committee appointed to take into consideration the Petition of Thomas Barlow, Esquire, and others, complaining of the Election and undue Return of Gregory Van Horne, Esquire, then withdrew.

And upon the question being put for passing the said Resolution, it was carried in the affirmative.

On motion of Mr. M’Kay,—Resolved, that the House, having confirmed the Re-

port of the Committee, so far as regards the good and bad votes determined by them in the investigation of the Scrutiny between Thomas Barlow, Esquire, the Petitioning Candidate, and Gregory Van Horne Esq., the Sitting Member, do not consider it necessary to go into the consideration of the doubtful votes reported on either side, as Thomas Barlow, Esq., must have the majority of good votes, were all those reported doubtful for Gregory Van Horne, Esq., proved good by him.

And upon the question for passing the said Resolution, it was carried in the affirmative.

On motion of Mr. Hayward,—Resolved, that it is the opinion of this House, that Gregory Van Horne, Esquire, is not duly elected a Member to serve for the City of Saint John, in this Assembly, but that Thomas Barlow, Esquire, is duly elected a Member for the said City, he having a majority of votes upon the Scrutiny.

Thereupon Ordered, that the Clerk of the Crown in Chancery do attend this House, to amend the Return for the City of Saint John, by erasing the name of Gregory Van Horne, Esq., and inserting the name of Thomas Barlow, Esq., in place thereof.

And upon the question being put for passing the above, the House divided,—YEAS 17. NAYS 3.

It was carried in the affirmative.

On motion of Mr. Simonds,—The House went into Committee of the whole, on a Bill to continue and amend the Revenue Laws of the Province.

Mr. Allen took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Allen, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had made progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

A Message from His Majesty's Council.

Mr. Hurd delivered the following Message.

“ Mr. Speaker,—I am directed to inform the House, that the Council have agreed to the following Bills:—

“ A Bill for granting a Bounty on the destruction of Bears in this Province.

“ A Bill in addition to an Act, intituled “ An Act to empower and authorize the Justices of the County of Westmoreland, at their General Sessions of the Peace, to regulate the grazing and depasturing of the several Marshes, Lowlands, or Meadows, within the said County.”

“ A Bill to provide for the services of the Speaker of the House of Assembly, and for defraying the expenses and travelling charges of the Members.

“ A Bill to alter and amend the Laws now in force for the regulation of the Militia.”

And then Mr. Hurd withdrew.

The Clerk of the Crown attended with the Writ of Election for the City of Saint John, together with the Sheriff's Return thereto, when, in pursuance of the order of the House, the said Return was amended by erasing the name of Gregory Van Horne, Esquire, and inserting that of Thomas Barlow, Esquire.

Ordered, that Mr. Johnston and Mr. Ward be a Committee to attend the Commissioner and see Mr. Barlow qualified.

The House went into Committee of the whole, upon a Bill to authorize Ministers of Dissenting Congregations to solemnize Marriage in this Province.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had made progress therein, and that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

The Committee appointed to attend the Commissioner with Mr. Barlow, and see him qualified,

Reported, that they had attended thereto, and Mr. Barlow had taken the oaths prescribed by law.

Ordered that Mr. Barlow be allowed to take his Seat.

Mr. Wyer, pursuant to leave, brought in a Bill to repeal the Laws now in force for appointing Firewards, and for the better extinguishing of Fires in the Town of Saint

Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned.

Which was read a first and second time.

The House went into Committee of the whole, upon the said Bill.

Mr. Parker took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Parker, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

Ordered that the Report be accepted and the Bill engrossed.

The House then adjourned until to-morrow morning at  $\frac{1}{2}$  past 9 o'Clock.

SATURDAY, 22d MARCH, 1828.

*Prayers.*

Mr. Speaker acquainted the House, that Charles Peters Wetmore, Esquire, Clerk of the House, desired to be absent upon the account of the death of a very near relation.

Mr. Speaker further acquainted the House, that he was authorised by John W. Weldon, Esquire, to say, that he would attend to the duties of the office of the Clerk of this House during the absence of C. P. Wetmore, Esquire.

Thereupon Ordered, that John W. Weldon, Esquire, take his seat at the Clerk's Table during the absence of C. P. Wetmore, Esquire, the Clerk of this House, and do the duties of the same.

Mr. Campbell, Chairman of the Committee appointed to take into consideration and ascertain what sums may be necessary for the improvement of all the communications throughout the Province, and for opening roads to new settlements, reported that they had attended to the duty required of them, and had agreed to the following Report.

Which he read in his place.

The Committee are of opinion, that the sum of £6000 should be applied to the improvement of the Great Roads, for the present year; and that for the Bye Roads, the like sum of £6000 ought to be granted for the same period; making for all the Public Roads in the Province, the sum of £12,000, which they recommend to be appropriated as follows:—

**GREAT ROADS.**

From Fredericton to the Canada Line,.....	£700
"    "    to Newcastle,.....	600
"    "    to Restigouche,.....	500
"    "    to Saint John, by the Nerepis,.....	600
"    "    to the Finger Board,.....	300
"    "    to Saint Andrews,.....	600
From Saint John to Westmoreland, viz., on the Road,.....	550
Bridge over, Memramcook River,.....	250
For Brow's Creek,.....	150
Great Marsh in Sackville,.....	200
"    "    in Saint John,.....	100
From Dorchester to Shediac,.....	120
"    Bend to ditto,.....	100
"    Shediac to Richibucto,.....	330
"    Richibucto to Chatham,.....	300
"    Belleisle to Saint John,.....	200
"    Saint John to Saint Andrews,.....	400

£6000

**BYE ROADS.**

To be expended in York County,.....	£900
"    "    Sunbury,.....	310
"    "    Queens,.....	570
"    "    Kings,.....	710

To

To be expended in Saint John,	650
"    "    Charlotte	700
"    "    Westmoreland,	760
"    "    Kent,	400
"    "    Northumberland,	600
"    "    Gloucester,	400

£6000

All which is respectfully submitted for the consideration of the House.

COLIN CAMPBELL,  
RICHARD KETCHUM,  
HARRY PETERS,  
JOHN WARD, Jun.,  
W. CRANE,  
JOHN W. WELDON,  
SAMUEL FREEZE,  
GEORGE HAYWARD.

Which being handed in at the Clerk's Table, was ordered to be accepted.

On motion of Mr. Parker,—Ordered, that the House go into Committee of the whole, on Monday next, in consideration of the said Report.

On motion of Mr. Johnston,—The House went into Committee of the whole, in consideration of the Report of the Standing Committee of Public and Private accounts.

Mr. Simonds took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Simonds, from the Committee, reported, that they had gone into consideration of the business referred to them, and that he was directed to make the following Report:—Which he read, and is as follows, viz:—

No. 1. The account of Thomas T. Hewlett, shewing a balance due the Province, of 46*l.* : 7 : 8.

Resolved, that Thomas T. Hewlett be required to account for the above balance at the next Session of the General Assembly.

No. 10. Resolved, that this account be referred to the Committee of Supply.

No. 17 and 144. Resolved, that in the opinion of this Committee, there is due the Province from N. H. De Veber, Esquire, as stated below, the sum of 32*l.* : 5 : 5, the charge of 90 days work at extra wages for superintendance being considered inadmissible.

Balance due N. H. De Veber, Esquire, as per Report, No. 144,	£58 : 0 : 3
Expenditure in 1827, as per Report No. 17,	301 : 15 : 9
10 per cent. commission,	30 : 3 : 7
Postage	5 : 0

£390 : 4 : 7

400 : 0 : 0

9 : 15 : 5

87 days work of William Lloyd,

3 ,, of John McDonald, charged at 10s per day instead of 5s } 22 : 10 : 0

£32 : 5 : 5

No. 22. Resolved, that this account be referred to the Committee of Supply.

No. 23. Resolved, that John Johnston do furnish proper vouchers for the expenditure of 24*l.* : 19 : 10 on the Road from Lloyd's to Hartley's, in Wakefield, County of York, with an affidavit to the same, at the next Session of the General Assembly.

No. 25. Resolved, that the account of Aaron Estey, Joshua Jewett, and Abell Pond, reported in No. 25, is, in the opinion of this Committee, wholly inadmissible, and that they be called upon forthwith to refund the money obtained from the Treasury, or render satisfactory accounts, with vouchers and affidavit, of the expenditure thereof.

No. 32. The account of W. F. Odell, Esquire, amounting to £178 : 18 : 0½. Resolved, that this account be referred to the Committee of Supply.

No. 83. This account of Robert Doak is unsatisfactory for want of proper vouchers.

No. 84. Is also unsatisfactory for want of vouchers.

No. 85 and 125. Are accounts of Thomay Wyer, Esquire, which are unsatisfactory for want of proper vouchers.

And Mr. Simonds further reported, that he was directed to ask for leave to sit again.

The Report being handed in at the Clerk's Table, was ordered to be accepted, and leave granted.

The House then adjourned until Monday morning next at  $\frac{1}{2}$  past 9 o'Clock.

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MONDAY, 24th MARCH, 1828.

*Prayers.*

Read a third time, as engrossed, a Bill in amendment of the Acts regulating the Exportation of Fish.

A Bill further to amend the Act for regulating Elections of Representatives in General Assembly.

A Bill to regulate the Trials of controverted Elections, or Returns of Members to serve in General Assembly.

Resolved that these Bills do pass. Ordered, that Mr. Parker and Mr. Partelow carry the said Bills to the Council, and desire their concurrence thereto.

Read a third time, as engrossed, a Bill to continue, alter, and amend an Act, intituled "An Act for the encouragement of Parish Schools in this Province."

Resolved that the Bill do pass. Ordered that Mr. Crane and Mr. Rankin carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed, a Bill to repeal the Laws now in force for appointing Firewards, and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned.

Resolved that the Bill do pass. Ordered that Mr. Wyer and Mr. Campbell carry the said Bill to the Council, and desire their concurrence thereto.

Read a second time, a Bill for granting a Bounty upon Flour manufactured at the Steam Mills in Portland.

Read, as engrossed, the Resolutions of Appropriation made and passed the 17th inst. Ordered that Mr. McKay and Mr. Ward carry the said Resolutions to the Council, and desire their concurrence to.

The House, according to the order of the day, went into Committee of the whole, on the Report of the Select Committee appointed to take into consideration and ascertain what sums would be necessary for the improvement of all the Communications throughout the Province, and for opening Roads to new Settlements.

Mr. Chandler took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chandler, from the Committee, reported, that they had gone into consideration of the business referred to them, and that he was directed to report that the Committee had passed the following Resolution:—

"Resolved, that in the opinion of this Committee, the Report of the Committee appointed to take into consideration and ascertain what sums of money may be necessary for the improvement of all the Communications throughout the Province, and for opening roads to new Settlements, be sustained, and that the same be referred to the Committee of Supply."

Ordered that the Report be accepted.

On motion of Mr. Simonds,—The House went into Committee of the whole, in further consideration of a Bill to continue and amend the Revenue Laws of this Province.

Mr. Allen took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Allen, from the Committee, reported, that having gone into further consideration of the Bill referred to them, they had agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

On motion of Mr. Johnston,—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that they had gone into consideration of the business referred to them, and that in the Committee a number of Resolutions were passed, which he read, and delivered them in at the Clerk's Table, where they were again severally read, and agreed to by the House, and are as follow:—viz.

Resolved, that there be granted to Joseph Cunard & Co., the sum of 19*l.* : 2 : 10, for return of Duty on Tobacco, imported into Miramichi, in May, 1827; which sum was included in a Bond with other articles imported at the same time; it having been satisfactorily proved that the said Tobacco was manufactured in Halifax, Nova-Scotia.

Resolved, that the Petition of Stephen Emerson, for a Patent, or other encouragement, for inventing an improved machine for making Bricks and Tiles, be not complied with.

That there be granted to Gilmour, Rankin and Co., and Wm. Abrams & Co., of Miramichi, the sum of 43*l.* : 16, being the amount of Duties on articles consumed by the great fire on the 7th October, 1825.

And upon the question for sustaining the Resolution, the Committee divided,—YEAS 19. NAYS 7.

It therefore passed in the affirmative.

To Salter, Robson, & Salter, the sum of 93*l.* : 13 : 4, being the amount of Duties paid on articles consumed by fire on the 7th October, 1825.

And upon the question for sustaining the Resolution, the Committee divided,—YEAS 16. NAYS 10.

It therefore passed in the affirmative.

Mr. Peters further reported that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

Mr. Chandler, Chairman of the Committee appointed to take into consideration the prayer of the Petition of John C. Vail, Esq., and others, complaining of an undue Election for Kings County, and to examine into the evidence and questions which might be brought before it, either by the Petitioning Candidate or the Sitting Member,

Reports, that the Committee, on the 8th day of March instant, proceeded to hear and take minutes of the testimony adduced by both parties, and have since, from time to time, proceeded in the business, until all the testimony adduced by the parties had been fully taken.

That in the investigation of the matters, the parties agreed, that after the objecting party to a vote had shown, by a certificate from the Register of Deeds, &c., of Kings County, that the voter had nothing registered in his favor, in the Registry of said County, the *onus* of shewing such vote good and legal should lie on the party in whose favor such vote may have been given.

It appears, on reference to the Poll Book, that at the close of the Election at Kingston, on the second day of July last, there were polled for the Sitting Member, John Humbert, Esq., 477 votes, and for John C Vail, Esq., the Petitioning Candidate, 462 votes, leaving a majority in favour of the returned Member, over the Petitioning Candidate, of fifteen votes.

That in the investigation of the matters referred, and the votes objected to by both parties, the Committee found, and the parties admitted, that 93 bad and illegal votes had been given and polled for the said John Humbert, the Sitting Member; and that 83 bad and illegal votes had been given and polled for the said John C. Vail, the Petitioning Candidate.

That 22 votes, given and polled for the said John Humbert, are of a doubtful nature; and 19 given and polled for the said John C. Vail, are also of a doubtful nature, the names of which doubtful votes are put down in separate lists, with a reference to the testimony adduced and taken as applicable to each vote, which said lists and testimony are herewith respectfully submitted.

Submitted

Submitted by

by

E. B. CHANDLER,  
THOMAS ODBER MILES,  
JOHN DOW,  
THOMAS WYER.

Mr.

Mr. Chandler likewise laid before the House, the minutes of evidence taken by the Committee during the investigation, as well as lists of the different descriptions of votes examined into.

Ordered that the said Report be accepted and lie on the Table, together with the other documents accompanying the said Report.

On motion of Mr. Chandler,—Resolved, that the House do on Wednesday next, go into consideration of the said Report.

The House then adjourned until to-morrow morning at  $\frac{1}{2}$  past 9 o'Clock.

TUESDAY, 25th MARCH, 1828.

*Prayers.*

Read a third time, as engrossed, a Bill to continue and amend the Revenue Laws of the Province.

Resolved that the Bill do pass. Ordered that Mr. Simonds and Mr. Barlow carry the said Bill to the Council, and desire their concurrence thereto.

Read, as engrossed, the Resolutions of Appropriation, made and passed on the 18th, 19th, and 20th instant.

Ordered that Mr. Allen and Mr. Harrison carry the said Resolutions to the Council, and desire their concurrence thereto.

Read a third time, as engrossed, a Bill to amend the Acts for assessing County Rates.

Resolved that the Bill do pass. Ordered that Mr. Allen and Mr. Harrison carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Parker, Chairman of the Committee to whom was referred the Message of His Excellency the Lieutenant-Governor on the 7th March instant, and the documents accompanying the same, relative to the expenses incurred in the trial of James Nixon, and others, charged with piracy; begs leave to report,

That James Nixon, and four Seamen, of the Brig Peggy, belonging to the Port of Saint John, were, upon the arrival of the said vessel from the West Indies in December 1826, committed to prison at St. John, upon a charge made by the Master and Carpenter, of Mutiny in the course of the voyage.

The crime not having been committed within the limits of this Province or any other Province or Country, but on the high seas, could not be tried before any of the ordinary Courts of Law, but came within the jurisdiction of the Admiralty.

There being no Commission in this Province, under which a Court could be organized, it became necessary to send the prisoners to Nova Scotia; where, after some months detention, they were conveyed in one of His Majesty's ships: The trial took place immediately on their arrival; the Mate Nixon was found guilty, and sentenced to death, and the others acquitted.

Certain expenses having been incurred in this prosecution, His Excellency the Lieutenant-Governor of Nova Scotia has transmitted them for payment, considering that the same should be discharged by the Legislature of this Province.

Your Committee were not without doubts as to the propriety of these expenses being so defrayed, but as it would be by no means just that they should be a charge on Nova Scotia; the Committee respectfully suggest that this House should make provision for the necessary costs of prosecution: the accounts of the prosecutor and witness, they do not consider, under the circumstances, admissible.

The following is an abstract of the Law charges:—

Crown Solicitor's Bill	£48	:	1	:	1
Registrar's	24	:	10	:	4
Marshall's	12	:	18	:	4
Jailor's	9	:	14	:	8
Short hand writer,	8	:	3	:	4

£103 : 7 : 9

Your Committee cannot but consider these charges as very heavy, and the greater part more applicable to civil suits in the Admiralty than prosecutions of a criminal nature. The Crown Solicitor's Bill contains many items which would not be considered

dered taxable in this Province ; - A fee of 10 guineas for the Attorney General, and 5 guineas for a King's Counsel, form part ; and both the Solicitor and Registrar charge for engrossing the Indictment, besides the Solicitor's charge for a fair copy for the Grand Jury.

Your Committee cannot for a moment believe that any charges are made, which would not have been allowed, had the like case occurred in Nova Scotia ; and they can only lament that the exercise of this criminal jurisdiction in our Sister Colony should be so expensive as almost to preclude recourse to it.

The Committee, upon the whole, recommend that the sum of 103*l.* : 7 : 9, should be granted to His Excellency the Lieutenant-Governor, to enable him to discharge these demands ; and they beg to suggest the expediency of an humble address to His Excellency, praying that he will be pleased to transmit a statement of these charges to His Majesty's Government, and request that a Commission should be sent to this Province as soon as possible, for constituting a Court pursuant to the Act of Parliament, to take cognizance of offences committed on the high seas, in order that this Province may in future be saved from the inconvenience and expenses of sending prisoners elsewhere for trial.

R. PARKER,  
E. B. CHANDLER,  
J. W. WELDON.

Ordered that the Report be accepted.

On motion of Mr. Simonds,—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that having gone into further consideration of the business referred to them, they had passed a number of Resolutions, which he read, and they being again severally read at the Clerk's Table, were agreed to by the House, and are as follow :—

Resolved, that there be granted to the Justices of the Peace, in the new County of Gloucester, the sum of 500*l.*, to assist in erecting a Court House and Gaol in that County.

To the Justices of the Peace for the County of Kent, the sum of 500*l.*, to assist in erecting a Court House and Gaol in the said County.

To Commissioners, to be appointed by His Excellency the Lieutenant-Governor, for defraying the expenses of a Courier employed between Newcastle, in the County of Northumberland, and Bathurst, in the County of Gloucester, the sum of 50*l.*

To Commissioners, to be appointed by His Excellency the Lieutenant-Governor, for defraying the expenses of a Courier employed between Bathurst and Restigouche, in the County of Gloucester, the sum of 50*l.*

#### GLOUCESTER BYE ROADS.

The sum of 40*l.*, to improve the road from Tracadly to the Pockmouche, on the west line, (explored and partly opened,) in aid of a former grant.

The sum of 20*l.*, to assist in completing a bridge over the north west arm of Caraque River, in addition to a former grant for that purpose.

The sum of 10*l.*, to assist in cutting down and improving the hill lying immediately on the west side of John Young's, on the road leading from Caraque to Bathurst.

The sum of 30*l.*, to improve three passages leading down to the Sea Shore on the Capes of New Bandon, in addition to a former grant for the same purpose.

The sum of 20*l.*, to improve the road leading from Caron Point to the Ferry on the south side of the Harbour, opposite to Bathurst.

The sum of 40*l.*, to assist in erecting a bridge over the stream at Mill Cove, on the line leading to Alstone Point, at the entrance of the Harbour of St. Peters.

The sum of 20*l.*, to improve the line opposite Francis Commeaux's house, to the northward of Mr. Duraresqu's lands to the School House near Edward Douherty's.

The sum of 20*l.*, to improve the line of road on the Little River, in continuation of a former grant, leading up towards James Selkirk's farm, north side of that stream.

The sum of 20*l.*, to improve the road from the Parish line to Duncan Grant's, and a further sum of 20*l.*, to improve the same line of road from Joseph Roy, senr's, to Alexis Fornay's.

The sum of 20*l.*, to improve the line of road from James Rorety's to Armstrong's Brook, leading to Restigouche.

The sum of 80*l.*, to assist in building a bridge over Benjamin River, (being fixed the County line for the Parishes of Beresford and Addington,) rated 40*l.* each, to be sustained by the said Parishes.

The sum of 20*l.*, to assist in building a bridge over the new Mill Stream at William Fleming's farm.

The sum of 20*l.*, to improve the road from Eel River to the Mill brook, Restigouche; and the further sum of 20*l.*, to improve the road from Cavanaugh's Point to Robert Ferguson's, Esquire.

To William Broad, the sum of 23*l.* : 15*s.* Sterling, being the amount of Duties on Flour consumed by fire, in October, 1825.

To Thomas C. Allen, the sum of 79*l.* : 1 : 7, amount of Duties on articles consumed by fire, in October, 1825, and July, 1826.

And Mr. Peters further reported, that he was directed to ask for leave to sit again. Ordered that the Report be accepted, and leave granted.

The House adjourned until  $\frac{1}{2}$  past 1 o'Clock.

The House met pursuant to adjournment.

On motion of Mr. Campbell,—The House went into Committee of the whole, on a Bill to alter and amend an Act, intituled, "An Act to regulate the exportation of Lumber, and to repeal all the Acts now in force for regulating the same," and to make more effectual provision for the security thereof.

Mr. Chandler took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chandler, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill as amended engrossed.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell delivered the following Message.

"Mr. Speaker,—I am commanded by His Excellency, to lay before the House of Assembly, the Report of the Commissioners for managing the affairs of the Indians in New-Brunswick, together with the statements of monies disbursed out of the Royal Bounty, for the encouragement of Indians in Settlement and Agricultural pursuits; and of the Provincial grant for the relief of aged and infirm Indians.

Also a Report from the Surveyor-General upon the subject of the County Lines, and a Map illustrative of the same."

On motion of Mr. Simonds,—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that having gone into further consideration of the business referred to them, they had passed a number of Resolutions, which he read, and they being again read at the Clerk's Table, were agreed to, and are as follows:—viz.

Resolved, that there be granted to the Overseers of the Poor, for the Parish of Portland, the sum of 75*l.* : 17 : 11, to reimburse them for the expense actually incurred by them in the year 1827, for the relief of Black Refugees settled near Loch Lomond.

To the Trustees of Schools for the Parish of Portland, the sum of 15*l.*, to enable them to pay Thomas B. Featherston for teaching a School at Red Head, in the Parish of Portland.

Resolved, that the Petition of David M'Almon, for remuneration of damages sustained in a law suit carried on against him, for doing his duty as a Militia Officer of the 2d Battalion Northumberland Militia, be not complied with.

Resolved, that the Petition of Messrs. William and Thomas Leavitt, for a return of Duties on Tobacco, imported from New-York into Saint John, and exported to Jamaica, be not complied with.

Resolved, that the Petition of Bernard Carroll, Bryan Brady, Patrick Power, and John Walsh, praying for aid for a resident Catholic Missionary, cannot be complied with.

Resolved, that the sum of 50*l.* be granted to His Excellency the Lieutenant-Governor and Commander-in-Chief, in aid of paying a Missionary for the instruction of the Indians, provided the said Missionary is appointed by the Catholic Bishop of Quebec, and approved of by His Excellency the Lieutenant-Governor of this Province.

Upon the question for sustaining the Resolution, the Committee divided,—YEAS, 16. NAYS, 9.

It therefore passed in the affirmative.

Mr. Peters further reported, that he was directed to ask for leave to sit again.

Ordered, that the Report be accepted, and leave granted.

A Message from His Majesty's Council.

Mr. Baillie delivered the following Message.

“ Mr. Speaker,—I am directed to inform the House, that the Council have agreed to the following Bills:—

“ A Bill to lay Tax on Dogs in certain parts of the Parishes of Fredericton and Saint Andrews.

“ A Bill to empower the Rector, Church-wardens, and Vestry of Trinity Church, in the Parish of Saint John, to dispose of Lots in the new Burial Ground, in the Vicinity of the said Parish.

“ A Bill to authorize the Justices of the Peace of the County of Kent, to make Rules and Regulations respecting the taking of Fish in the different Harbours, Rivers, and Creeks, in the said County.

“ And a Bill for the erection of a Court House and Gaol in the County of Kent.”

And then Mr. Baillie withdrew.

The House then adjourned until to-morrow morning at  $\frac{1}{2}$  past 9 o'Clock.

WEDNESDAY, 26th MARCH, 1828.

*Prayers.*

The Chairman, from the Committee of Privileges, to whom was referred all matters which should arise or might in any way be supposed to affect the privileges of this House, having inspected the Returns from the Customs of Saint John and Saint Andrews, Reports,

That the whole of the Duties collected at the Port of Saint John, under the Acts of the Imperial Parliament, as stated in the Returns made by the Officers of the Customs to His Excellency the Lieutenant-Governor, and by him laid before the House, appear to amount to the sum of.....£15,231 : 16 : 10 $\frac{1}{4}$

From which sum the Officers of Customs have retained,  
under the charge of incidents, the sum of ..... 4,135 : 10 : 9 $\frac{3}{4}$

Nett amount of Duties,.....£11,096 : 6 : 0 $\frac{1}{2}$

The principal part of the above charges, under the name of incidents, are for Salaries to the several Officers of the Customs, and for Clerks, &c. &c., viz:—

Collector's Salary,.....	£1,500,	Sterling,	per annum.
Comptroller's do. ....	700,	do.	do.
In-door Officers, .....	270,	do.	do.
Do. ....	180,	do.	do.
Do. ....	150,	do.	do.
Warehouse Keeper, .....	300,	do.	do.
Surveyor and Searcher, .....	400,	do.	do.
2d do. do. ....	400,	do.	do.
Surveyor, (Plant) .....	157,	do.	do.
Exclusive of Tide Waiters.			
Sub-Collector at Miramichi, .....	400,	do.	do.
Clerk, do. ....	150,	do.	do.
Sub-Collector at Liverpool, .....	120,	do.	do.
Do. Bathurst, .....	120,	do.	do.
Do. Dorchester, .....	120,	do.	do.

**SALARIES AT THE PORT OF SAINT ANDREWS.**

Collector, per annum, Sterling,.....£800.

Comptroller

Comptroller, per annum Sterling,	400.
Searcher, do. do.	300.
Clerk, do. do.	200.
Assistant Clerk, do. do.	100.
Sub-Collector at West Isles,	150.
Do. St. Stephens,	150.
Do. St. George,	100.
Do. Grand Manan,	20.

Exclusive of Tide Waiters.

The whole amount retained at St. Andrews, for the year 1827, amounted to the sum of £2,382 Sterling.

And the Duties collected in 1827, amounts to £6,007 : 19 : 2.

Your Committee cannot but regret to observe, that so large amount of taxes, levied upon the people of this Province, should still be disposed of without the consent of the Legislature; which to your Committee appears to be a direct infringement of the acknowledged rights and privileges of the people as British Subjects.

CHARLES SIMONDS,  
HUGH JOHNSTON, Jun.,  
JOHN W. WELDON,  
HARRY PETERS,  
E. B. CHANDLER.

The Report being handed in at the Clerk's Table, was there again read, and ordered to be accepted.

The House, according to the order of the day, went into consideration of the Report of the Committee appointed to take into consideration the Petition of John C. Vail, Esq., and others, complaining of an undue Election and Return of John Humbert, Esq., for Kings County.

A Message from His Majesty's Council:

Mr. Hurd delivered the following Message.

"Mr. Speaker,—I am directed to inform the House, the Council have agreed to the following Bills:—

"A Bill to continue and amend the Revenue Laws of the Province.

"a Bill in amendment of the Acts regulating the exportation of Fish."

And then Mr. Hurd withdrew.

The House then adjourned for the purpose of attending the funeral of the late Thomas Wetmore, Esquire, His Majesty's Attorney General.

On motion of Mr. Johnston,—The House went into Committee of the whole, on a Bill to repeal an Act, intituled "An Act to exclude ignorant and unskilful persons from the practice of Physic and Surgery, and to give greater protection to the Medical Profession, and to prevent abuses from the introduction of uneducated and ignorant persons."

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the Bill referred to them, it was resolved that the further consideration thereof be postponed until the next Session of the General Assembly.

Ordered, that the Report be accepted.

The House went into further consideration of the Report of the Committee appointed to take into consideration the Petition of John C. Vail, Esq., and others, complaining of an undue Election and Return of John Humbert, Esquire, for Kings County.

The House then adjourned until to-morrow morning at  $\frac{1}{2}$  past 9 o'Clock.

THURSDAY, 27th MARCH, 1828.

Prayers.

Mr. Simonds moved for leave to bring in a Bill to apply a part of the Public Revenue to the payment of the Ordinary Services of the Province, for the year 1828.

Leave granted:

Mr.

Mr. Taylor moved for leave to bring in a Bill to appropriate a part of the Public Revenue for the services therein mentioned.

Leave granted.

On motion of Mr. Campbell,—Whereas it appears by the Journals of the 22d inst., that the Accounts, Nos. 85 and 125, of Thomas Wyer, Supervisor of the Great Road from Saint John to Saint Andrews, are unsatisfactory.

Resolved, that the said Supervisor do produce the Contracts entered into by him for work performed on that road last season, at the next Session of the General Assembly, the other vouchers being satisfactory.

On motion of Mr. Simonds,—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that they had gone into further consideration of the business referred to them, and that in the Committee a number of Resolutions had passed, which he read, and delivered the same in at the Clerk's Table, where they were again severally read and agreed to by the House, and are as follow, viz :—

Resolved, that there be granted to John Clarke, Esq., the sum of 79*l*. : 15 : 6, the amount for which he became bound to the Treasury, for Transient Duties on articles imported into Miramichi, in the year 1818, by David Gibson, who became a resident, and has since died at Miramichi.

That the sum of 150*l*. be granted to John Ward and others, to enable them to run a good and sufficient Steam Boat between Annapolis, Digby, and Saint John, for seven months, and a good and sufficient vessel for the remainder of the year, provided the said Proprietors carry the Mail, if required, without any additional charge ; the said sum of money to be drawn when it shall be certified to His Excellency the Lieutenant-Governor, that the said services have been performed.

Resolved, that the Petition of Sylvanus Haviland, praying that some remuneration may be granted for injury sustained by him, in consequence of the Great Road of Communication between Fredericton and Saint John having been laid out through his Land, be not complied with.

Resolved, that the Petition of Wm. Joplin, Esq., praying for a sum of money to reimburse him for public property lost in the fire of the 7th October, 1825, be not complied with.

Resolved, that the sum of £ be granted to David Wm. Jack, Tide Surveyor at Saint Andrews, in the County of Charlotte, in addition to the sum of 100*l*. granted to him during the present Session, pursuant to the prayer of his Petition, setting forth that the duties of his office have been much increased during the past year, and the privations he is subjected to in consequence of holding that important and useful situation.

Upon the question for filling up the blank with 50*l*., the Committee divided,—  
YEAS 14. NAYS 11.

It thereupon passed in the affirmative.

To the Magistrates of the County of Sunbury, the sum of 200*l*., towards the payment of debts contracted in the erection of a new Gaol in the said County, agreeably to the prayer of their Petition.

Resolved, that the Petition of John Fraser, Esquire, and others, praying for aid to assist in rebuilding the Church in communion with the established Church of Scotland in Newcastle, in the County of Northumberland, the former one being destroyed by fire on the 7th October, 1825, be not complied with.

Resolved, that the Petition of John Brown, praying for means to purchase and support a Horse and Sleigh, as the Courier between Fredericton and Saint Andrews, be not complied with.

Resolved, that there be granted to Flora M'Crea, widow of the late Capt. Alexander M'Crea, of His Majesty's late North Carolina Highlanders, the sum of 25*l*., to relieve her in her present indigent circumstances, agreeably to the prayer of her Petition.

Resolved, that the Petition of the Poor Man's Friend Fishing Society, for a remuneration of expenses incurred by them, be not complied with.

Resolved, that the Petition of Thomas Gray, a Settler on the Great Road between Saint

Saint John and Saint Andrews, praying for Legislative aid in his present indigent circumstances, be not complied with.

Resolved, that the Petition of Thankful Miller, widow of the late Alexander Miller, Provincial Tide Waiter in the City of Saint John, praying for Legislative aid in her present indigent circumstances, be not complied with.

Resolved, that there be granted to John Smith, the sum of 30*l*. for teaching a School for two years in Chatham, Miramichi.

Mr. Peters further reported, that he was directed to ask for leave to sit again.

Ordered, that the Report be accepted, and leave granted.

A Message from His Majesty's Council.

Mr. Shore delivered the following Message.

"Mr. Speaker,—I am directed to inform the House of Assembly, that the Council have agreed to

"A Bill further to amend the Act for regulating Elections;

"And a Bill to repeal the Laws now in force for appointing Firewards, and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned."

And then Mr. Shore withdrew.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell delivered the following Message.

"NEW-BRUNSWICK.

"MESSAGE to the HOUSE of ASSEMBLY,  
"27th March, 1828.

"HOWARD DOUGLAS.

"The Lieutenant-Governor has the pleasure of communicating to the House of Assembly, a Copy of the Charter, received by the last Mail from England, for the College of New-Brunswick.

"The House will perceive that the Pledge of a Charter by which no religious Testes should be required of Students, either on matriculation or admission to Degrees, is fully redeemed; and the Lieutenant-Governor confidently trusts that a foundation is thus laid, which, under the gracious patronage of our beloved Sovereign, and the fostering care of the Legislature of the Province, will prove a source of great and permanent benefit to New-Brunswick." "H. D."

On motion of Mr. Hayward,—The House went into further consideration of the Report of the Committee appointed to take into consideration the Petition of John C. Vail, Esq., and others, complaining of an undue Election and Return of John Humbert, Esquire, for Kings County.

On motion of Mr. Partelow,—Resolved, that the Petition of John C. Vail, Esquire, be dismissed; it appearing that the Sitting Member, John Humbert, Esquire, petitioned against, is duly elected for Kings County, to serve in this Assembly.

On motion of Mr. Crane,—Resolved, that a Committee be appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had upon a Bill to continue, alter, and amend an Act, intituled "An Act for the encouragement of Parish Schools in this Province."

Ordered that Mr. Crane and Mr. Wyer be a Committee for that purpose.

On motion of Mr. Johnston,—The House went into Committee of the whole; in further consideration of Supplies to be granted for the Public Service.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that they had gone into further consideration of the business referred to them, and that in the Committee a number of Resolutions were passed, which he read, and delivered them in at the Clerk's Table, where they were again severally read and agreed to by the House, and are as follow, viz:—

Resolved, that there be granted to the Trustees of Schools for the Parish of Portland, the sum of 10*l*., to pay Lawrence O'Flaneghan, for teaching a School at Loch Lomond.

Resolved, that the Petition of sundry Inhabitants of the County of Charlotte, for aid to blow rocks in the River Magaguadavick, be not complied with.

Resolved, that the sum of 20*l*. be granted to John Paul, for his services as a licenced teacher in the year 1825, in the Parish of Hampton.

That there be granted to Susan Winter, widow of the late Richard Winter, door keeper of His Majesty's Council, the sum of 80*l.*, to aid her in her present distressed situation.

Resolved, that the Petition of Thomas Estabrooks, praying for compensation for work done on the great bridge in Sackville, be not complied with.

Resolved, that the Petition of Duncan M'Gregor be not complied with.

Mr. Peters further reported, that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

The House then adjourned until to-morrow morning at  $\frac{1}{2}$  past 9 o'Clock.

### FRIDAY, 28th MARCH, 1828.

#### *Prayers.*

Read a third time, as engrossed, a Bill to alter and amend an Act, intituled, "An Act to regulate the exportation of Lumber, and to repeal all the Acts now in force for regulating the same," and to make more effectual provision for the security thereof.

Resolved, that the Bill do pass. Ordered that Mr. Campbell and Mr. Clinch carry the said Bill to the Council, and desire their concurrence thereto.

Read, as engrossed, the Resolutions of Appropriation, made and passed the 24th and 25th instant.

Ordered that Mr. Campbell and Mr. Clinch carry the said Resolutions to the Council, and desire their concurrence thereto.

Resolved, that Mr. Chandler have leave of absence, it appearing to the House that his attendance at a Court of Common Pleas, to be held in the County of Westmoreland, on Tuesday next, is necessary.

On motion of Mr. Parker,—Resolved, that an Humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to appoint some fit person to whom may be referred the several accounts of expenditure of public money, in order that he may examine and audit the same, and call for the necessary information relative to the objections made thereto; and to report his proceedings to His Excellency, in order that the same may be laid before the Assembly at the next Session, and the balance due to the public paid over or properly accounted for; and that this House will make the necessary provision for such service.

Ordered that Mr. Parker, Mr. M'Kay, and Mr. Crane, be a Committee to present the said Address to His Excellency.

On motion of Mr. Simonds,—The House went into Committee of the whole, on a Bill for granting a Bounty upon Flour manufactured at the Steam Mills in Portland.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

On motion of Mr. Johnston,—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Peters took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Peters, from the Committee, reported, that having gone into further consideration of the business referred to them, they had passed a number of Resolutions, which he read, and they being again severally read at the Clerk's Table, were agreed to by the House, and are as follow:—viz.

Resolved, that there be granted to Alexander Wedderburn, Esq., Secretary to the St. John Agricultural and Emigrant Society, as a compensation for the arduous duties performed by him in locating Emigrants, and conducting a Hospital near the City of Saint John for the admission of diseased Emigrants which arrived there in the course of the past Summer, and for other duties incident to his office, the sum of 100*l.* for the year 1827.

To Thomas Estabrooks, the sum of 14*l.* : 5 : 6, to compensate him for work done on the Great Road leading from Saint John to the Misseguash, to be paid from the Grant for that road this Session.

Upon

Upon the question for sustaining the Resolution, the Committee divided,—YEAS, 17. NAYS 8.

To the Honorable John Murray Bliss, one of the Commissioners appointed to administer the Oaths to Members returned to serve in General Assembly, the sum of 30*l.* for his services.

To William Kennedy, of Saint Stephens, in the County of Charlotte, the sum of 25*l.*, to assist him in the support of himself and family; the said William Kennedy having served his country faithfully during the Revolutionary War in the United States.

To the Governor and Trustees of the College of New-Brunswick, the sum of 250*l.* for the year 1828, agreeably to the two Acts of the General Assembly.

To His Excellency the Lieutenant-Governor, the sum of £2,800 towards the erection of the College of New-Brunswick, this being the balance of £6,300 for which the House stands pledged by former Resolves.

And that if any accident shall happen to any of the Bridges on the Great Roads in this Province, or unforeseen obstructions to travelling shall arise from the fall of trees or otherwise, it shall and may be lawful for His Excellency the Lieutenant-Governor, or Commander-in-Chief for the time being, to order a Supervisor or Supervisors to repair or rebuild such Bridges, or remove such obstructions; and it shall and may be lawful for the Lieutenant-Governor, or Commander-in-Chief for the time being, to draw Warrants on account, and in favor of such Supervisor or Supervisors, provided the same shall not exceed the sum of 250*l.*

To the Committee of Correspondence, a sum not exceeding 50*l.* Sterling, for the purpose of completing a set of the Statutes at Large, and procuring the collection of Mr. Peel's Acts, and Hume's Laws of the Customs, and such other Books as the Committee may consider necessary for the use of the Legislature; and also a Clock for the use of the House of Assembly.

To His Excellency the Lieutenant-Governor, the sum of 30*l.*, in aid of individual subscription to pay a Courier to pass between Hopewell and the Bend of Peticodiac River, in the County of Westmoreland.

To the Governor and Trustees of the College of New-Brunswick, for the present year, the sum of 75*l.*, in further aid and support of the Grammar School in Fredericton.

To the Administrators of the late Richard Winter, the sum of 15*l.*, for his services in airing and taking care of the Province Hall for the year 1827.

To His Excellency the Lieutenant-Governor, a sum not exceeding 200*l.*, for the purpose of assisting aged and distressed Indians in the different Counties of this Province.

To His Excellency the Lieutenant-Governor, the sum of £750 to enable His Excellency to defray expenses which may be incurred in the ensuing year, for the relief and support of sick and indigent Emigrants who may not be entitled to relief from any Parish Funds.

To Robert Scott, Esq., the sum of £12 : 10, being a balance due to him for building a Bridge over French Brook, in the Parish of Salisbury.

Upon the question for sustaining the Resolution, the Committee divided.

YEAS—MR. ALLEN, MR. PALMER, MR. CRANE, MR. WELDON, MR. WYER, MR. CHANDLER, MR. WARD, MR. HARRISON, MR. M'KAY, MR. MILES, MR. HAYWARD, MR. FREEZE, MR. HUMBERT, MR. MUNRO, MR. CAMPBELL, MR. CLINCH, MR. DOW.

NAYS—MR. SPEAKER, MR. BARLOW, MR. RANKIN, MR. KETCHUM, MR. TAYLOR, MR. JOHNSTON, MR. PARTELOW, MR. PARKER, MR. SIMONDS.

It therefore passed in the affirmative.

To His Excellency the Lieutenant-Governor, for the purpose of enabling the Treasurer to pay a Tide-waiter in the City of Saint John for his services for the past year, the sum of 91*l.* : 10.

To T. P. Marter, Tide-Surveyor at the Port of Saint John, for his services from 1st February, 1827, to 1st February, 1828, the sum of 150*l.*

To such person as His Excellency the Lieutenant-Governor may appoint, as a settler, at or near the half-way House on the road from Fredericton to Saint Andrews

draws, the sum of £85 to assist him in repairing and supporting a House of Entertainment for Travellers on that road for the ensuing year, commencing the first of May next.

To His Excellency the Lieutenant-Governor, the sum of 100*l.*, to be paid towards the support of the Light House on Briar Island, in the Province of Nova-Scotia, for the year 1828.

To the Governor and Trustees of the Madras School in New-Brunswick, for the year 1828, the sum of 700*l.* towards the support of that Institution throughout the Province; such part of the said sum as may be necessary for that purpose to be appropriated to the support of a School for children of colour in the City of Saint John, and a sum not exceeding 100*l.* part of the said sum, to be appropriated for a similar School in Fredericton.

To His Excellency the Lieutenant-Governor, the sum of 100*l.* towards defraying the expenses of printing the Daily Journals of the present Session.

To His Excellency the Lieutenant-Governor, the sum of £120, to be applied towards the support of the Light House on Cranberry Island, in the Province of Nova-Scotia, for the year 1828.

To Benjamin C. Chaloner, Tide Surveyor of the City of Saint John, the sum of 50*l.*, for his services from the first of May, one thousand eight hundred and twenty-seven, to the first of May, one thousand eight hundred and twenty-eight.

To His Excellency the Lieutenant-Governor, the sum of 45*l.* : 17 : 6, to enable His Excellency to defray the expense which has been incurred under, His Excellency's direction, in exploring a road from Hopewell to the Kennabeckacis River, in King's County.

To His Excellency the Lieutenant-Governor, the sum of 50*l.*, towards defraying the expense of printing the Laws of the present Session; and a further sum not exceeding 10*l.* for the purpose of having a proper Index printed to the Acts of the present Session.

To the Honorable John Saunders, the sum of 5*l.* : 5*s.*, that sum being over expended by him on the road to the Poquiock in the Parish of Prince William, County of York.

To His Excellency the Lieutenant-Governor, the sum of 167*l.* : 10, to enable His Excellency to pay Adjutants and Serjeant-Majors of Militia, as provided by the Militia Law of this Province.

To His Excellency the Lieutenant-Governor, a sum not exceeding 103*l.* : 7 : 9, to enable His Excellency to defray the Law expenses which were incurred in the Trial of James Nixon, and others, for Piracy; the said prisoners having belonged to a Vessel of this Province, arrested here and sent to Halifax, Nova Scotia, for trial.

That the sum of 25*l.* be granted to Robert Reed, formerly High Sheriff of Northumberland, who is now in the 88th year of his age, blind, and in very indigent circumstances.

To His Excellency the Lieutenant-Governor, for the purpose of enabling the Treasurer to pay William Abrams, and William Ball, for their services as Tide Waiters at the Port of Saint John, for the past year, 182*l.* 10*s.*

To His Excellency the Lieutenant-Governor, for the encouragement of Parish Schools, the sum of 3000*l.*, agreeably to a Law of the Province.

To His Excellency the Lieutenant-Governor, the sum of 550*l.* for improvement of the Great Road from St. John to the river Missequash.

The sum of 250*l.* for repairing a bridge over the Memramcook, in the County of Westmoreland.

The sum of 150*l.* to Gideon Smith, Peter Dupui's, and Michael Casey, to compensate them for a proportion of the cost of an Aboideau, made over Breax's Creek, in Dorchester, on the Great Road of communication from St. John to the Missequash.

The sum of 200*l.* towards gravelling and improving the road over the Great Road in Sackville.

The sum of 100*l.* to complete the Marsh road near the City of Saint John.

To the Speaker of the House of Assembly, the sum of 150*l.*, and to the Members of the said House of Assembly, the sum of 40*l.* each, for defraying their expenses of attendance during the present Session, and 20*s.* per diem, travelling charges, reckoning 20 miles for each days travel, to be certified by the Speaker, agreeably to a Law of this Province.

To His Excellency the Lieutenant-Governor, the sum of 600*l.* to be applied towards the further improvement of the Great Road from Fredericton to St. John, by way of the Nerepis.

To His Excellency the Lieutenant-Governor, the sum of 330*l.* towards improving the road from Chediac River to Richibucto River.

To His Excellency the Lieutenant-Governor the sum of 600*l.* for the improvement of the Great Road of communication between Fredericton and Newcastle.

To His Excellency the Lieutenant-Governor, the sum of 400*l.* for the improvement of the Great Road from St. John to St. Andrews.

To His Excellency the Lieutenant-Governor, the sum of £500, to be applied to the improvement of the Great Road of communication between Miramichi and Bathurst.

To His Excellency the Lieutenant-Governor, the sum of 600*l.* for the improvement of the Great Road from Fredericton to Saint Andrews.

To His Excellency the Lieutenant-Governor, the sum of 700*l.* for the improvement of the Great Road from Fredericton to the Canada Line ; and that 110*l.* of the said sum be expended in erecting a Bridge at Bunnell's Creek, and turning the road round the Hill on the North side of the same Creek ; and the remaining sum of 590*l.* to be expended on the road between the Ferry at Burgoin's and the Ferry at Woolverton's.

To His Excellency the Lieutenant-Governor, the sum of 300*l.* for the improvement of the road between Fredericton and the Finger Board ; and also the sum of 200*l.* from the head of Belleisle to Saint John.

To His Excellency the Lieutenant-Governor, the sum of 100*l.* for the improvement of the road from the Bend of the Petticodiac to Shediac.

To His Excellency the Lieutenant-Governor, the sum of 120*l.* for the improvement of the road from Dorchester to Shediac.

To His Excellency the Lieutenant-Governor, the sum of 50*l.* for the purpose of enabling His Excellency to complete an establishment on the Nerepis Road, for the accommodation of Travellers.

To His Excellency the Lieutenant-Governor, the sum of 300*l.* for improving the Great Road of communication between Chatham and Richibucto ; 100*l.* of this sum to be expended on that part of the road that lies between the River Kouchibouguac and the River Richibucto.

#### QUEENS COUNTY.

The sum of 40*l.* for the road from Richard Currie's, Jun., to the high land upon Indian Point.

The sum of 60*l.* for improving the road from Gage-Town to the Nerepis road.

The sum of 20*l.* for improving the road from Otnabog Bridge to Hewlett's.

The sum of 30*l.* for improving the road from Jones' Mill to the Nerepis.

The sum of 40*l.* for improving the road from Inches Cross' to Jackson's Tavern.

The sum of 50*l.* for improving the road from Young's Cove to the head of the Grand Lake.

The sum of 40*l.* for improving the road from James M'Donald's to the Salmon River Mills.

The sum of 15*l.* for improving the road from the Maquapit Lake to the Keyhole.

The sum of 15*l.* to improve the road from I. Hunter's to the County Line on the North West side of the Maquapit Lake.

The sum of 40*l.* to improve the road from the North side of the Maquapit Lake to Newcastle.

The sum of 15*l.* to improve the road from Dingee's Mill to Morrison's.

The sum of 20*l.* to improve the road from the Rev. A Woods' to Joshua Caulkin's.

The sum of 20*l.* to improve the road from Robert Golding's to John Murdock's.

The sum of 20*l.* for a Bridge over Nevers' Brook.

The sum of 20*l.* to improve the road from Bathurst Bridge to Smith's Creek.

The sum of 30*l.* to improve the road from New Canaan, to Studholm's Mill Stream.

The sum of 20*l.* to improve the road from New Canaan to Butternut Ridge.

The sum of 15*l.* to improve the road from Wm. Little's to the back Settlement.

The sum of 20*l.* to improve the road from Henry's to Briggs'.

The sum of 20*l.* for a new road from the Grand Lake to Yeamans' landing, and thence to Hardwood Ridge.

The sum of 20*l.* to improve the road from Lewis' Cove to Fairweather's Mill.

**WESTMORELAND.**

The sum of 10*l.* for the road from Job Steves' to the back Settlement.

The sum of 15*l.* for the road from Wallace's to John Kelly's.

The sum of 40*l.* for the road from George Colpitt's to M'Latchy's Bridge.

The sum of 20*l.* for the road from Sherman's to the North River.

The sum of 10*l.* for the road from Robert Scott's to the North River.

The sum of 20*l.* for the road from M'Latchy's to Wright's, above Stoney Creek.

The sum of 15*l.* for the road from George Colpitt's Mill to John Parkins', a part of which to be expended on the road leading from the main road to Robert Mitton's.

The sum of 10*l.* for the road from John Gildart's, Jun., to Thomas Colpitt's Mill.

The sum of 10*l.* for the road from John Parkins' to Thomas Colpitt's Mill.

The sum of 20*l.* for the new road by David Oliver's from New Horton to Cape Enragé.

The sum of 15*l.* for the new road from Cape Enragé to German Town Lake, near James Kenney's.

The sum of 20*l.* for the road from Hopewell to the Caledonia Settlement.

The sum of 15*l.* for the road from George Rogers' to the Woodworth Settlement.

The sum of 25*l.* for the road from the Widow Hamilton's, in Hopewell, to the lower Settlement, in Hillsborough.

The sum of 15*l.* for the road from John Calhoun's, in Hopewell, to Steves' Mill Stream.

The sum of 20*l.* to assist in erecting a bridge over the Creek near Martin Cole's, in Hopewell.

The sum of 10*l.* for the road from Weldon's Creek to the Milton Settlement.

The sum of 15*l.* for the road from John Boyd's shop to Stinson's Creek.

The sum of 20*l.* for the road from Daniel Tingley's, jun., in Hopewell, to T. Dixon's.

The sum of 15*l.* for the road leading to the Irish Town Settlement, from near the Bend of the Petticodiac.

The sum of 15*l.* for the road from the main road, in Hillsborough, to Henry Steves' Mill.

To Raphael Porrier, and Wm. and Thomas Milne, to compensate them for work done on the Bridge over Scoudouc River, agreeably to the Prayer of their Petition, the sum of 20*l.*

The sum of 35*l.* for the road from Sackville to Beaujoggen.

The sum of 15*l.* for the road from Great Chemogue to Tedish River.

The sum of 10*l.* for the road from Tedish to Cape Bald.

The sum of 10*l.* for the road from the Great Road, in Dorchester, to David Crossman's, in Sackville, by way of Wm. Mittin's

The sum of 10*l.* from Wm. Bateman's to Shediac River.

The sum of 10*l.* for the road from the Dorchester road to Bonum Gould's.

The sum of 40*l.* for the road from Thomas Townsend's to Bay Verte.

The sum of 15*l.* for the road from Bay Verte to Fignish.

The sum of 40*l.* for the road from Bay Verte to Chemogue.

The sum of 20*l.* for the road from Chemogue to Wm. Peacock's.

The sum of 20*l.* for the road from Jolicocur's to the head of the Lakes.

The sum of 30*l.* for the road from Westcock to Cape Meranguin.

The sum of 20*l.* for the road through the Settlement back of the Mill Pond.

The sum of 20*l.* for the road from Mrs. Richardson's to Beech Hill.

The sum of 20*l.* for the road from the main road to Westcock Hill.

The sum of 20*l.* for the road from Israel Stiles', to the Fishwear.

The sum of 15*l.* for the road from Point Migic to Esterbrook's Island.

The sum of 20*l.* for the road from Agreen Tingley's to Beech Hill.

**KENT BYE ROADS.**

The sum of 15*l.* towards improving the road leading from Casey's, at the Grand Dig, through the Cape to Peter Robicheaux's.

The sum of 35*l.* for opening and improving a road from Thompson's to M'Williams', in-rear of the Reserve on the South side of the Cocagne River.

The sum of 20*l.* for the road from Ayer's Ferry, on the South side of the Mahalawaliac River, to Smelt Brook.

The sum of 25*l.* to improve the road leading from Hicks' to Turner's Mills, on the Buctouche River.

The sum of 30*l.* to improve the road from the Buctouche River to the Glenelg Settlement.

The sum of 55*l.* to assist in erecting a Bridge over Child's Creek, on the South side of Richibucto River.

The sum of 70*l.* for improving and extending the line of road on the North side of Richibucto River.

The sum of 30*l.* to improve the road on the North and South side of Kouchibouguac River.

The sum of 25*l.* to open and improve the road from the mouth of the Kuchibouguac to the Kouchibouguac, and to repair the Bridge over Little River.

The sum of 45*l.* to open a road from the East Branch of St. Nicholas River to the Mill on the Coal Branch.

The sum of 50*l.* to assist in erecting a Bridge over Daigle's Creek at the Chapel.

#### **YORK BYE ROADS.**

Resolved, that there be granted the sum of 25*l.* for improving the road from Salmon River to Tobique, in the Parish of Kent.

The sum of 25*l.* for improving the road from Tobique to James Sisson's, in the Parish of Kent.

The sum of 25*l.* for improving the road from George Morehouse's to James Lloyd's, in the Parish of Kent.

The sum of 70*l.* towards building a Bridge over the Munquat, in the Parish of Kent.

The sum of 15*l.* for improving the road from Hartley's to Lloyd's in the Parish of Kent.

The sum of 25*l.* for improving the road from Thomas Acker's to Charles M. Mulin's, in the Parish of Wakefield.

The sum of 25*l.* to improve the road from Charles Connel's to James Sharp's, in the Parish of Northampton.

The sum of 10*l.* to improve the road from Isaac Miller's to Ebenezer Esty's, a back Settlement in the Parish of Wakefield.

The sum of 20*l.* to improve the road from Henry Sharp's to Benjamin Churchill's, a back Settlement in the Parish of Wakefield.

The sum of 15*l.* to improve the road from John Jackson's to Martin Trecarten's, a back Settlement in the Parish of Wakefield.

The sum of 20*l.* to improve the road from Payson's Mill to the Forks at Maducksnekic, a back Settlement in the Parish of Wakefield.

The sum of 20*l.* to improve the road from Charles Boyer's to Little Presqu' Isle, a back Settlement in the Parish of Wakefield.

The sum of 15*l.* to improve the road from Josiah Snow's to Israel Kinney's, a back Settlement in the Parish of Wakefield.

The sum of 20*l.* for improving the road from Abraham Stockford's to James Clark's, at the Beckeguimick.

The sum of 20*l.* for improving the road from the Church Lot, in Woodstock, to the Scots Settlement, in the rear.

The sum of 15*l.* for improving the road from Clarence Hill to the South branch of the Maducksnekick, a back Settlement.

The sum of 20*l.* for improving the road from near John Canter's to a back Settlement in the rear of Woodstock.

The sum of 20*l.* for improving a road from Eel River to Ingraham's Mill, in the Parish of Woodstock.

The sum of 15*l.* to assist in building a Bridge at the Poquioc.

The sum of 10*l.* to finish a Bridge at the Shogomock.

The sum of 50*l.* to finish a Bridge over Bull's Creek.

The sum of 25*l.* to improve the road from Abraham Estey's to the Howard Settlement in the rear of Woodstock.

The sum of 15*l.* to improve the road leading to the lower Caverhill Settlement, in the rear of Queensbury.

The sum of 20*l.* to improve the road leading to the upper Caverhill Settlement, in the rear of Queensbury.

The sum of 25*l.* to improve the road from where it left off last year, in the upper District, in the Parish of Prince William, to the Poquiock.

The sum of 20*l.* to improve the road from Grey's Brook to Capt. Davidson's, in the Parish of Prince William.

The sum of 25*l.* to improve the main road leading to the Lake and Magundy Settlements, in the Parish of Prince William.

The sum of 15*l.* to improve the main road from Wm. Smith's, in the Parish of Kingsclear, to Scott's Settlement in the rear.

The sum of 25*l.* for the road from Alexander Burgoin's to Long's Creek, in the Parish of Kingsclear.

The sum of 25*l.* to improve the road leading to the Hanwell Settlement, in the Parish of Kingsclear.

The sum of 20*l.* to improve the road from Philip William's to the mouth of the Keswick Creek, in the Parish of Douglas.

The sum of 40*l.* to assist in building a Bridge over the Mactaquack at Jewett's Mill.

The sum of 25*l.* to improve the road from Jewett's Mill, in the Parish of Douglas, to David Barr's.

The sum of 15*l.* to improve the road from Jewett's Mill to George Stewart's on the Lake.

The sum of 15*l.* to improve the road leading from David Pickard's Mill to the Cardigan Settlement, in the Parish of Douglas.

The sum of 15*l.* to improve the road from Aaron Estey's, to Lot No. 1, in the Cardigan Settlement.

The sum of 15*l.* to improve the road from George-Town Settlement to the Nash-waaksis, in the Parish of Douglas.

The sum of 10*l.* to finish a Bridge near Xenophon Jouett's, Esq., in the Parish of Saint Mary.

The sum of 25*l.* to improve the road from Merseraul's Creek to the lower line of the Parish of Queensbury.

The sum of 20*l.* to improve the road from Jones' Mill, on the Keswick, to the Cardigan Settlement.

The sum of 10*l.* to improve the road from Israel Estey's to Gould Burt's, on the Keswick.

The sum of 10*l.* to improve the road from Lawrence Estey's, on the Keswick.

The sum of 10*l.* to improve the road from Christy's to Burt's Mill, in the Parish of Douglas.

#### *SAINT JOHN BYE ROADS.*

Resolved, that there be granted to His Excellency the Lieutenant-Governor, the sum of 25*l.* for the road from Little River to Loch Lomond.

The sum of 25*l.* for the road from the Westmoreland road, through the Golden Grove Settlement, along the North side of the Lake.

The sum of 40*l.* for the road from the entrance of Musquash Harbour to the Great Road.

The sum of 70*l.* for the road from Little River to Black River.

The sum of 25*l.* for the old road from Tabor's to Quaco.

The sum of 40*l.* for the road from Smith's Farm, on the first Lake, to the head of the third Lake.

The sum of 15*l.* for the road from Dippo Harbour to the main road.

The sum of 15*l.* for the road from Black River to Gardner's Creek.

The sum of £25 for the road from the Eastern Bridge at Quaco to the great Salmon River.

The sum of 20*l.* for the road from the Bridge to Garnet's, in the Bloomsbury Settlement.

The sum of 10*l.* for the road from the Quaco road to Tynemouth.

The sum of 50*l.* for opening the road from the old Quaco road to the Melliken Settlement, and thence to Loch Lomond, on the line lately explored under the direction of the Corporation of Saint John.

The sum of 50*l.* for the road from Frog Pond to the Bridge at Loch Lomond.

The sum of £25 for the road from the Bridge at Loch Lomond, to Smith's Farm, at the Head of the first Lake.

The sum of 80*l.* for the road from Van Horne's farm, on the Quaco road, into the Settlement.

The sum of 30*l.* for the road from Loch Lomond, through the Black Settlement, to Gardner's Creek, and thence to Quaco.

The sum of 30*l.* for the road from the head of the upper Loch Lomond to Barns' Mill.

The sum of 75*l.* for the road from Blakeslee's farm to Little River, and across the Marsh near Little River Bridge.

#### *NORTHUMBERLAND BYE ROADS.*

The sum of 40*l.* for opening a road from the new Settlement in rear of Douglastown, to the Settlement in rear of Moorfield's.

The sum of 30*l.* to assist in erecting a Bridge, and cutting down the steep banks, over the Stream on Alexander Stewart, Junr's, farm.

The sum of £40 to assist in erecting a Bridge over the Creek between the farms of John English and Major M'Donald.

The sum of 110*l.* to assist in building sundry Bridges, and in improving the road from Moodie's Point to Tabusintack.

The sum of 40*l.* to assist in improving the road at Napan, from M'Night's Mill to the distance of a mile above the Richibucto road.

The sum of 10*l.* to assist in improving the road from Roderick M'Donald's place, on the main Black River, to Angus Sinclair's, on the little branch of Black River, and from thence to Horton's Creek, near the mouth of Bay Du Vin River.

The sum of 40*l.* to assist in improving the road from John Cameron's farm, on the main Black River, to the Richibucto road.

The sum of 40*l.* to assist in improving the road from Caul's Cove to Oxford's Cove.

The sum of 30*l.* to assist in making a road from the North-west branch to the South-west branch of Miramichi River, through Williamstown Settlement.

The sum of 40*l.* to assist in improving the road from John Malcolm's farm, through the Reserve, to Barnaby's Island.

To George Flett, the sum of 48*l.*, balance due to him for erecting a Bridge over Flett's Cove.

To David Newman, the sum of 72*l.* due to him for building a Bridge over Turner's Cove.

To William F. Odell, Esquire, Secretary of the Province, the sum of 178*l.*, 18 : the amount of three accounts rendered by him against the Province for issuing Warrants, Dedimus for qualifying Representatives, and Stationary for the use of His Majesty's Council during the last year.

To the Commissioners of the Revenue Cutter Elizabeth, the sum of 822*l.*, 17 : 9*d.*, being a balance due them for the supplies of that vessel, between the 1st January and 1st April, 1827, agreeably to their Accounts.

#### *SUNBURY BYE ROADS.*

The sum of 30*l.* to improve the road through the new Settlement in the rear of Burton, commencing at R. Kimball's farm, and ending at E. Burpe's Mill.

The sum of 10*l.* to improve the road from Thomas Stennix's to the St. Andrews road.

The sum of 20*l.* to John Dewitt, to remunerate him for building a Bridge over the French Lake outlet, provided he raises the said Bridge three feet higher than it now is.

The sum of 20*l.* to be laid out on a Bridge and Dam across E. Burpe's Mill Stream.

The sum of 20*l.* to improve the road from E. Burpe's to Swan Creek.

The sum of 20*l.* for a Draw Bridge and Chain across the main thoroughfare in the Parish of Sheffield.

The sum of 40*l.* to improve the road from Oak Point to the County Line in the Parish of Sheffield.

The sum of 35*l.* to improve the road from Oak Point, to the Settlement on the Little River.

The sum of 15*l.* to lay out and open a road from the French Lake to Isaac Burpe's Mills in the aforesaid Parish.

The sum of 10*l.* to improve the road from Meistereau's Ferry to Thomas Hartt's Mills.

The sum of 30*l.* to improve the road from Hartt's Mills to Solomon Tracey's.

The sum of 15*l.* to improve the road from Partelow's Landing to Stephen Kenny's.

The sum of 10*l.* to repair a Bridge across S. Peabody's Mill Stream.

The sum of 35*l.* to improve the road from Stephen Peabody's to the County Line.

To the Widow of Patrick M'Inarney, licenced School Master, the sum of 10*l.* in consideration of her husband having taught a School six months previous to his death, and would have been entitled to the Provincial allowance had he lived to teach the School twelve months, as appears by a Certificate from the Trustees of Schools for the Parish of Salisbury.

And Mr. Peters further reported, that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

A Message from His Majesty's Council.

Mr. Baillie delivered the following Message:—

"Mr. Speaker,—I am directed to inform this House, that the Council have agreed to a Bill to continue and amend the Acts for granting Bounties on Dry Fish, with amendments, to which they request the concurrence of this Honorable House."

And then Mr. Baillie withdrew.

The House proceeded to take into consideration the amendments made by the Council to the Bill to continue and amend the Acts for granting a Bounty on Dry Fish.

And the amendments being severally read, and the question put thereon, they were not concurred in by the House.

Mr. Partelow, from the Committee to whom was referred His Excellency the Lieutenant-Governor's Message of the 6th inst., with the accounts accompanying, relating to the arrest of John Baker, Reports,—

That the whole expenses, as appear by the account connected with the arrest of Baker, and procuring of evidence to attend at Fredericton for his trial, are £146 : 19 : 11, instead of £161 : 19 : 11, a charge of 15*l.* in George Morehouse's account for services performed by him in April last, for proceeding to the Restook River on other business, having no connection with Baker's arrest, and in fact, arising before any specific charge was made against Baker for misconduct.

Your Committee therefore respectfully recommend that an appropriation for the sum of £146 : 19 : 11, be made by the Legislature His Excellency the Lieutenant-Governor, to enable His Excellency to make the payment.

JOHN R. PARTELOW.

JOHN ALLEN.

COLIN CAMPBELL.

Ordered that the Report be accepted.

On motion of Mr. Parker,—Resolved, that an Humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to lay before His Majesty's Government, a statement of the expenses incurred in the trial of James Nixon, and others, for Piracy; and to express the earnest desire of this House, that a Commission should be sent to this Province, authorizing His Excellency to constitute a Court, when occasion may require, to take cognizance of offences committed on the high seas; in order that the Province may in future be relieved from the inconvenience and expense of sending Prisoners elsewhere for trial.

Ordered that Mr. Parker, Mr. Partelow, and Mr. Waid, be a Committee to present the said Address to His Excellency.

Mr. Crane, from the Committee appointed to search the Journals of the Honorable the Legislative Council, in pursuance of an order of yesterday, to ascertain what proceedings have been had upon a Bill to continue, alter, and amend an Act, intituled "An Act for the encouragement of Parish Schools in this Province,"

Reported, that they had attended to that duty, and that they found the following entry—

"Council Chamber, Tuesday, 25th March, 1828."

"Read a second time, the Bill to continue, alter, and amend the Act for the encouragement of Parish Schools. On motion, Resolved, that the further consideration of this Bill be put off for three months."

Ordered that the Report be accepted.

Mr.

Mr. Crane moved for leave to bring in a Bill to continue an Act, entitled "An Act for the encouragement of Parish Schools in this Province.

Leave granted.

And the said Bill being brought in, was read a first and second time.

The House went into Committee of the whole, upon the said Bill.

Mr. Taylor took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Taylor, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

The House then adjourned until to-morrow morning at  $\frac{1}{2}$  past 9 o'Clock.

SATURDAY, 29th MARCH, 1828.

*Prayers.*

Mr. Simonds, from the Committee of Trade, reports—That they had prepared a Bill under the title of "A Bill to continue and amend the Acts for the encouragement of the Cod and Scale Fisheries," which he was directed to submit to the House.

The Bill, as reported by the Select Committee, being handed in, was read a first and second time.

The House went into Committee of the whole, upon a Bill to continue and amend the Acts for the encouragement of the Cod and Scale Fisheries.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

On motion of Mr. Campbell,—Whereas in consequence of the increased trade of West Isles, and Campo Bello, it is now considered necessary by this House that a Deputy Treasurer should be appointed at one of those places, for the convenience of the resident Merchants and Ship owners in that part of the Province engaged in the West India trade.

Therefore Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct the Province Treasurer, to appoint a suitable person to discharge the duties of Deputy Province Treasurer at either of the aforesaid places; which Deputy Treasurer shall report to the Deputy Treasurer at St. Andrews, and receive a commission of 10 per cent. on the nett proceeds paid over by him to the said Deputy Treasurer at Saint Andrews.

Ordered that Mr. Campbell, Mr. McKay, and Mr. Clinch, be a Committee to wait upon His Excellency and present the said Address.

Read a third time, as engrossed, a Bill to continue an Act, intituled "An Act for the encouragement of Parish Schools in this Province."

Resolved that the Bill do pass. Ordered that Mr. Crane and Mr. Wyer carry the same to the Council, and desire their concurrence thereto.

Read a third time, as engrossed, a Bill for granting a Bounty upon Flour manufactured at the Steam Mills in Portland.

Resolved that the Bill do pass. Ordered that Mr. Simonds and Mr. Barlow carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Partelow, from the Committee appointed to examine, liquidate, and report upon public and private accounts, submitted a further Report, which being handed in at the Clerk's Table, was there read, and is as follows, viz.

No. 156. Is an account of the Hon. William Botsford, shewing an expenditure of £525 : 16 : 9 on the Great Westmoreland Road. With this account are satisfactory vouchers and an affidavit. Credit is given for the receipt of £468 : 15, (£500, dollars at 5s. 4d.) from the Province Treasurer, a balance remaining in his hands since 1825 of £23 : 17 : 8, (£25 : 8 : 11, dollars at 5s. 4d.) and £46 : 17 : 6, (£50, dollars at 5s. 4d.) received from His Excellency the Lieutenant-Governor, leaving a balance in favor of the Province of £13 : 13. It is proper to notice, that instead of the usual charge

charge of commission, mere trifling incidental expenses, in making the expenditure, appear in this account.

No. 157. Is another account of the Hon. William Botsford, shewing the sum of £178 : 8 : 1 expended by him in improving the road over the Great Marsh in the County of Westmoreland, attended with satisfactory vouchers and an affidavit. He credits £200 received from the Province Treasurer, and £5 : 16 : 8 remaining in his hands since 1825, all dollars at 5s. 4d., making £192 : 14 : 4, dollars at 5s., and leaving a balance in favor of the Province, of £19 : 11 : 8. No commission appears in this account, a trifling sum of 40s. being charged merely for incidental expenses.

No. 158. Are two accounts of Colin Campbell, Esquire, Supervisor of the Great Road from Fredericton to St. Andrews, shewing the expenditure of £294 : 6 : 7 on that road, accompanied by satisfactory vouchers and affidavits. Credit is given for the receipt of two sums, £110 : 8 : 9, and £200, from the Province Treasurer, leaving a balance in favor of the Province of £16 : 2 : 2.

No. 159. Are accounts for revising the Provincial Laws.

No. 1. George F. Street, Esquire, £120.

No. 2. Robert Parker, Esquire, £40.

No. 160. Is an account of Henry Chubb, for printing 500 copies of Appendix to Acts of the General Assembly £110.

Ordered that the Report be accepted, and lie on the Table.

Mr. Allen, pursuant to leave, brought in a Bill to repeal an Act, entitled "An Act to provide for the erection of an Alms House and Workhouse within the County of York, and for making Rules and Regulations for the management of the same, so far as respects the Parish of Kingsclear."—And upon the question that it be read a first time, it was carried in the negative.

Mr. Allen, pursuant to leave, brought in a Bill to alter and amend an Act, intitled "An Act to provide for the erection of an Alms House and Work House within the County of York, and for making rules and regulations for the management of the same."—And upon the question that it be read a first time, it was carried in the negative.

On motion of Mr. Humbert, the House went into Committee of the whole, in consideration of a Bill to authorize and empower the Rector, Church-wardens, and Vestry, of Trinity Church, in the Parish of Kingston, in Kings County, to make certain conveyances of Lands now held by them in trust, or exchange for other Lands, and for other purposes therein mentioned.

Mr. Allen took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Allen, from the Committee, reported, that having gone into consideration of the Bill referred to them, it was resolved that the further consideration thereof be postponed until the next Session of the General Assembly.

Ordered that the Report be accepted.

Mr. Simonds, pursuant to leave, brought in a Bill to apply a part of the Public Revenue to the payment the Ordinary Services of the Province.

Which was read a first and second time.

On motion of Mr. Partelow,—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Crane took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crane, from the Committee, reported, that having gone into further consideration of the business referred to them, they had passed a number of Resolutions, which he read, and they being again severally read at the Clerk's Table, were agreed to by the House, and are as follow :—viz.

Resolved, that there be granted to David W. Jack, the sum of 41*l.* : 13 : 6, the amount of his account for gauging and weighing in 1827.

To Charles I. Peters, and Hugh Johnston, Junr., Esquires, the sum of 62*l.* : 1 ; the same having been expended by them on the Great Marsh Road, in the County of Saint John, last year.

To George K. Lugin, the sum of 100*l.* towards defraying the expenses of printing the Journals of the House of Assembly of the present Session.

To the New-Brunswick Agricultural and Emigrant Society, the sum of 700*l.* for the promotion of Agriculture throughout the Province during the present year.

To His Excellency the Lieutenant-Governor, the sum of 270*l.* to enable him to pay the expenses of revising and printing the new Edition of the Province Laws, pursuant to the Address of this House.

To James M. Kelly; and James Trites, the Adjutant and Serjeant-Major of the 1st Battalion of the Westmoreland Militia; the sum of 15*l.* to the Adjutant, and 7*l.* : 10 to the Serjeant-Major; they having performed the duties appertaining to their respective offices, but were unable, from particular circumstances of public notoriety, from obtaining a certificate to that effect from the late Commanding Officer of that Battalion.

To His Excellency the Lieutenant-Governor, the sum of 146*l.* : 19 : 11, to enable him to pay the expenses incurred in the arrest of John Baker, a person charged with offences committed at Madawaska, and in procuring evidence regarding the same.

To His Excellency the Lieutenant-Governor, a sum not exceeding 1000*l.* for defraying the expenses which may be incurred for the protection of the Revenue the ensuing year.

### *KINGS COUNTY BYE ROADS.*

The sum of 15*l.* for the road from George Dunfield's to the upper Settlement on Salmon River.

The sum of 15*l.* for the road from Graves' Mill to Antone Clanes'.

The sum of 15*l.* for the road from Benjamin Parlee's to the head of the Settlement on Trout Creek.

The sum of 15*l.* for the road from Ezekiel Foster's to Abel English's.

The sum of 25*l.* for the Bridge across the Mill Stream between Seth Foster's and Abraham Good's.

The sum of 10*l.* for rebuilding a Bridge on a road lying between William Tackle's and Daniel Pugsley's.

The sum of 15*l.* for the road from Edward Fryer's to the head of Ward's Creek.

The sum of 10*l.* to improve the road from Roache's to Ryan's, on the Mill Stream.

The sum of 10*l.* for the road from Beach's to Alwood's, on the Butternut Ridge.

The sum of 10*l.* for the road from Luke Harrison's to Lindon's.

The sum of 15*l.* for the road from James Gunong's to Redden's Creek.

The sum of 10*l.* to alter the road between Widow Smith's and Charles Robertson's.

The sum of 10*l.* for the road from Samuel Adams' to Thomas Jones'.

The sum of 15*l.* for the road from Ezekiel Foster's to Dewer's.

The sum of 15*l.* for the road from Charles Robertson's to the Sedeguiet Lake.

The sum of 15*l.* for the road from Queens County Line to Robert Conley's.

The sum of 25*l.* for the road from Captain Baird's to Isaac Fowler's.

The sum of 10*l.* for the road from Henry Jackson's to Barnes'.

The sum of 15*l.* for the road from opposite Godola Point to the Settlement back of Long Island.

The sum of 20*l.* for the road from Oak Point, near the Church, to the Settlement near William M'Leod's.

The sum of 30*l.* for the road from Hammond River to John Hennigar's.

The sum of 15*l.* for the road from Wm. Burnett's to Springfield.

The sum of 10*l.* for the road from Thomas Parmer's to John Jones'.

The sum of 12*l.* for the road from Widow Shaw's to Mills' Ferry.

The sum of 10*l.* for the Causeway in the rear of Worden's.

The sum of 15*l.* for the road from Seely's Point, on the Long Reach, to James White's on the Kennebeckásis.

The sum of 30*l.* for the road from the late Spence's farm to the head of the Patacake.

The sum of 20*l.* for the road from near Thomas Fowler's to the Milkish Settlement.

The sum of 15*l.* for the road from the old Guthrie Road to the Mountain Settlement.

The sum of 10*l.* for a Bridge across Little River, one mile to the Westward of a road leading to Jones' Mill; called the Yorkshire road.

The sum of 10*l.* for the road from the upper line of Westfield to the farm of Benjamin White's.

The sum of 10*l.* for the road from George Prince's to the road leading to the French Village.

The sum of 20*l.* for the road from Thomas Kierstead's to the English Emigrant Settlement.

The sum of 10*l.* for the road from Henry Sharp's to Obriant's.

The sum of 10*l.* for the road from Abraham Demill's to Hampton Church.

The sum of 10*l.* for the road from Bates' Mill to the Lake towards Napier's.

The sum of 20*l.* for the road from Nelson Nelson's to Isaac Perry's.

The sum of 25*l.* for the road from Smith's Mill to the County line towards the first Loch Lomond.

The sum of 15*l.* for the road from Greenwich Hill, on the Long Reach, to the second tier of Lots, near John Crabb's.

The sum of 20*l.* for the road from the Kenebeckasis to Maybee's, in the middle land Settlement.

The sum of 10*l.* for the road from Pickett's Mill to the Belleisle Bay.

The sum of 10*l.* for the road from Henry Jackson's to Drummond's.

The sum of 10*l.* for the road from Joseph Wright's to the road leading to Darling's.

The sum of 10*l.* for the road from Jonathan Fennick's to the Mill Stream.

The sum of 10*l.* for the road from M<sup>c</sup>Arthur's to Marr's Bridge.

The sum of 10*l.* for the road from Thomas Robinson's to Fairweather's Mill.

The sum of 10*l.* for a Bridge across the Brook near Henry Fowler's, Jun<sup>r</sup>.

The sum of 19*l.* to improve the road from the River St. John to the Nerepis, near Brittain's.

The sum of 10*l.* to alter the road near Rulof Rulofson's, in Hampton.

#### CHARLOTTE BYE ROADS.

The sum of 30*l.* to improve the road from Bucknam's Mill to Beaver Harbour.

The sum of 25*l.* to improve the road from Hand's farm to the main road, from St. John to Saint Andrews.

The sum of 20*l.* to improve the road from Bucknam's Mill to Cripps' landing.

The sum of 25*l.* to improve the road from Robert Hanson's to the main road from Saint Andrews to Saint John, near John Roix's farm, which has been opened by individual Subscription.

The sum of 25*l.* for the road and bridge from Carrick's corner to Jonathan Wallace's.

The sum of 25*l.* to improve the road from the new Settlement on L'Etang River to the Mascareen road, near Philo Seely's.

The sum of 20*l.* to open a road from the new Settlement near James Davidson's to the main road from Saint John to Saint Andrews.

The sum of 15*l.* to improve the road from John Dick, Sen<sup>r</sup>'s, to Neil M<sup>c</sup>Nichol's, at Mascareen.

The sum of 15*l.* to improve the road from Charles Bullock's to the Widow Rourke's farm.

The sum of 25*l.* to improve the road from the new Settlement called Turner's Ridge, to the main road from St. Andrews to Fredericton, in aid of individual Subscription.

The sum of 25*l.*, in aid of individual Subscription, towards building a Bridge over Digdeguash River, at or near the Rolling Dam.

The sum of 25*l.* for the road from Peter Morrison's to the Rolling Dam on the Eastern side of the Digdeguash River.

The sum of 30*l.* towards opening a road from Chamcook through the Lake Settlement to Leonard Bartlett's, at the Waweig.

The sum of 15*l.* to improve the road from the Poor House to the County road.

The sum of 30*l.* towards opening a road from the Commons Line to the Great Road from Saint John to St. Andrews, near Peter Simm's farm, in aid of a Subscription.

The sum of 25*l.* to improve the road from Lawrence Williams' farm to the Rolling Dam at Digdeguash.

The sum of 25*l.* to improve the road from the head of the Tide at Oak Bay to Lawrence Williams' farm at Tower Hill.

The sum of 35*l.* to improve the road from James Brown, Sen<sup>r</sup>'s, corner, to the Ledge at St. Stephen; 10*l.* of the said sum to be expended in avoiding the steep Hill near Pagan's Mill Stream.

The sum of 40*l.* in aid of individual Subscription and Statute labour, towards rebuilding the Bridge over Waweig River, near Connick's.

The sum of 30*l.* to improve the road from Crocker's farm to the Ledge, and for building a Bridge over Young's Brook. The

The sum of 30*l.* in aid of individual Subscription and Statute labour, to improve the road from Josiah Hitchings' farm through the burnt Land.

The sum of 15*l.* to improve the road from Joel Hill's farm to the Moannes Settlement.

The sum of 15*l.* to improve the road over the great Swamp, between Basswood and Cheputnecticook Ridge.

The sum of 15*l.* to improve the road from the new Settlement, on the main River Ridge, to communicate with the main road at Stewart's Mill.

The sum of 12*l.* : 10, to improve the road from Sinclair's farm, to communicate with Stewart's Mill.

The sum of 12*l.* : 10, toward opening a road from George M'Kay's to Donald Campbell's, and for bridging King Brook.

The sum of 15*l.* toward improving the road from Donald Maxwell's to Oak Hill.

The sum of 15*l.* in aid of individual Subscription for the road from James Buchanan's at Oak Hill, through the new Settlements forming on the late reserved Lands, towards Cleary's falling.

The sum of 15*l.* for the road from Campbell's lot, so called, on the Cheputnecticook Ridge to Pondwalk Point, on that River.

The sum of 25*l.* toward improving the road from the Swallow's Tail to the Church at Grand Harbor.

The sum of 25*l.* to improve the road from John Neil's farm to Gideon Pembleton's.

Whereas it appears that the sum of 25*l.*, re-appropriated in 1826, to be applied to the improvement of the road leading from the Butternut Ridge to the North River, had been previously expended in building a Bridge over the said North River: And whereas the said sum of 25*l.* was expended during the last year by the Commissioner appointed for that purpose on the road above mentioned: Therefore Resolved, that the sum of 25*l.* be granted to His Excellency the Lieutenant-Governor for the purpose of paying Robert Scott, Esquire, to reimburse him for the said expenditure.

Resolved, that the sum of 80*l.* granted in 1827, for the lower Mill Cove, nearly opposite the Bridge at Middle Island, be re-appropriated and applied to the building a Bridge at Lyons' Cove, and to the improvement of the road from thence to the Eastern bank of the Mill Cove.

To His Excellency the Lieutenant-Governor, the sum of 46*l.* : 7 : 2½; that sum having been over expended by the Commissioners during the last year in the protection of the Revenue, as appears by the Treasurer's account.

To His Excellency the Lieutenant-Governor, the sum of 50*l.* to build a Bridge over the Otnabog Stream, and improve the road leading from Gage-Town to the Nerepis road, provided the like sum of 50*l.* from the Casual Revenue be applied to the same purpose.

To His Excellency the Lieutenant-Governor, the sum of 205*l.* to enable his Excellency to remunerate the several persons who sustained loss by the robbery committed in the office of the Secretary of the Agricultural and Emigrant Society in Jan. last.

To William Joplin, Esquire, the sum of 95*l.* to reimburse the loss sustained by him on the 7th October 1825, (at the Great Fire,) in public property then in his hands.

Upon the question for sustaining the Resolution, the Committee divided.

YEAS---Mr. WYER, Mr. HAYWARD, Mr. JOHNSTON, Mr M'KAY, Mr. ALLEN, Mr. MILES, Mr. TAYLOR, Mr. RANKIN, Mr. FREEZE, Mr. SIMONDS, Mr. PALMER, Mr. MUNRO, Mr. DOW, Mr. CAMPBELL, Mr. SCOTT.

NAYS---Mr. PARKER, Mr. HUMBERT, Mr. WELDON, Mr. BARLOW, Mr. WARD, Mr. HARRISON, Mr. KETCHUM, Mr. PARTELOW, Mr. CLINCH.

It therefore passed in the affirmative.

And Mr. Crane further reported, that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

A Message from His Excellency the Lieutenant-Governor, by Xenophon Jouett, Esquire, Gentleman Usher of the Black Rod, requiring the immediate attendance of the House, in the Council Chamber.

The House attended in obedience to His Excellency's command; and having returned, Mr. Speaker acquainted them that His Excellency was pleased to give his assent to "A Bill to continue and amend the Revenue Laws of the Province."

A Message from His Majesty's Council.

Mr. Street delivered the Message as follows:—"Mr.

“ Mr. Speaker,—I am directed to inform this Honorable House, that the Council have agreed to a Bill to regulate the Trials of controverted Elections, or Returns of Members to serve in General Assembly, with amendments, to which they desire the concurrence of this Honorable House.

“ The Council have also agreed to the Resolutions of Appropriation dated the 3d, 17th, 18th, 19th, and 20th of March inst., excepting that of the 18th, granting to Anthony Lockwood, Junr., the sum of £50 towards reimbursing him for the great expense he has been at, in publishing an improved Map of the Province, which is not agreed to.”

And then Mr. Street withdrew.

On motion of Mr. Weldon,—The House went into Committee of the whole, in further consideration of a Bill to authorize Ministers of Dissenting Congregations to solemnize Marriages in this Province.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and had agreed to the same, with amendments.

Ordered that the Report be accepted, and the Bill as amended engrossed.

On motion of Mr. Simonds,—The House went into Committee of the whole, in consideration of a Bill to apply a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Mr. Taylor took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Taylor, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

The House proceeded to take into consideration the amendments made by the Council to a Bill to regulate the Trials of controverted Elections or Returns of Members to serve in General Assembly, sent down for concurrence this day.

And the amendments being severally read, and the question being severally put for passing the same,—Resolved, that the House do concur therein.

Ordered that Mr. Parker and Mr. Partelow return the Bill, with the amendments, to the Council, and inform them that the House have agreed to the said amendments.

The House then adjourned until Monday morning next at  $\frac{1}{2}$  past 9 o'Clock.

MONDAY, 31st MARCH, 1828.

*Prayers.*

On motion of Mr. Harrison,—Resolved, that the Speaker do issue his Warrant to the Clerk of the Crown in Chancery, to issue a new Writ for the Election of a Member to serve in General Assembly for Queens County, in the place of the Honorable Harry Peters, who is appointed a Member of His Majesty's Council.

Read a third time, as engrossed, a Bill to authorize Ministers of Dissenting Congregations to solemnize Marriages in this Province.

Resolved that the Bill do pass. Ordered that Mr. Taylor and Mr. Rankin carry the same to the Council, and desire their concurrence thereto.

Read a third time, as engrossed, a Bill to continue and amend the Acts for the encouragement of the Cod and Scale Fisheries.

Resolved that the Bill do pass. Ordered that Mr. Simonds and Mr. Campbell carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Campbell, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor, with the Address of the House, praying that His Excellency would be pleased to direct the Province Treasurer to appoint a Deputy at West Isles, or Campo-Bello, having attended to that duty, reported, that His Excellency was pleased to say the subject should have his immediate attention.

Read, as engrossed, the Resolutions of Appropriation, made and passed the 28th inst. Ordered that Mr. McKay and Mr. Ketchum carry the said Resolutions to the Council, and desire their concurrence thereto.

On motion of Mr. Johnston,—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Simonds took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Simonds, from the Committee, reported, that having gone into further consideration of the business referred to them, they had passed a number of Resolutions, which being handed in at the Clerk's Table, were there severally read, and agreed to by the House, and are as follow :—viz.

Resolved, that there be granted to His Excellency the Lieutenant-Governor, a sum not exceeding £400, for the purpose of enabling His Excellency to pay George K. Lugin, King's Printer, such sum as may be due to him.

To His Excellency the Lieutenant-Governor, the sum 1000l., for the purpose of encouraging the erection of Oat Mills and Kilns in proper situations throughout the Province; no greater sum than 25l. to be apportioned to the Owner of any one Mill and Kiln, except in the County of Saint John, where, from its local situation, the sum of 100l. may be applied towards the erection of two Mills; and this bounty not to be paid until it shall be certified to His Excellency, by the Secretary of the Agricultural and Emigrant Society for the County where the bounty is claimed, that the application was made to the Society, and considered at a Meeting in which a full quorum of Officers were present, and that it was proved to the satisfaction of the Society, that the Mill and Kiln for which the bounty was claimed, had been established at a convenient place for the accommodation of the Inhabitants of the said County, and had been actually in operation previous to the claim for bounty, and that it was in every respect properly fitted for the manufacture of Oatmeal: Provided always, that no greater sum than 100l. shall be paid for the said purpose to any one County in this Province.

To His Excellency the Lieutenant-Governor, a sum not exceeding 3,729l. for the finishing of the new Government-House.

To His Excellency the Lieutenant-Governor, the sum of £50, for the purpose of improving the new Shepody Road, so called, laid out for settling Emigrants from the head of Hammond River to Hopewell.

The sum of 25l. towards improving the road to the Hanwell Settlement, in the County of York.

Whereas it appears to this Committee, that Captain Martin Wortman, Lieutenant John Crandal, and George Pitfield, did attend at the Court Martial held at Saint John last Fall, as witnesses on the part of Major Scott: Therefore Resolved, that they shall receive an equal proportion of the sum of 150l. granted, as the other witnesses summoned to attend the said Court Martial.

To His Excellency the Lieutenant-Governor, the sum of 260l., to enable his Excellency to pay the rent of the two houses he now occupies in Fredericton, for one year.

To the Clerk of the House of Assembly, the sum of £315 : 0 : 10, to enable him to pay the contingent expenses of the present Session.

And Mr. Simonds further reported that he was directed to ask for leave to sit again.

Ordered that the Report be accepted, and leave granted.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell delivered the following Message :—

“ NEW-BRUNSWICK.  
“ MESSAGE to the HOUSE of ASSEMBLY,  
“ 31st March, 1828.

“ HOWARD DOUGLAS.

“ The Lieutenant-Governor informs the House of Assembly, that having deemed it necessary to call a meeting of the Supervisors of the Great Roads, for the purpose of considering some uniform plan of conducting the work; Messrs. Doak, Joplin, and Young, attended from a distant part of the Province, at considerable expense to themselves, and the Lieutenant-Governor therefore recommends to the House to make some provision for reimbursing those expenses.”

“ H. D.”

The House went into Committee of the whole in further consideration of Supplies to be granted for the Public Service.

Mr. Simonds took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr.

Mr. Simonds, from the Committee, reported, that having gone into consideration of the business referred to them, they had passed one Resolution, which being handed in at the Clerk's Table, was there read, and is as follows:—viz.

Resolved, that the sum of 50*l.* be granted to His Excellency the Lieutenant-Governor, for the purpose of defraying the expenses incurred by John Young, William Joplin, and Robert Doak, in attending a Board of Supervisors convened at Fredericton by order of His Excellency, for the purpose of introducing an uniform system of road making throughout the Province.

And Mr. Simonds further reported, that having finished the business referred to them, it was resolved that the Committee do now rise.

Ordered that the Report be accepted.

The House then adjourned until to-morrow morning at  $\frac{1}{2}$  past 9 o'Clock.

TUESDAY, 1st APRIL, 1828.

*Prayers.*

Read, as engrossed, the Resolutions of Appropriation made and passed the 29th March. Ordered that Mr. Crane and Mr. Miles carry the same to the Council, and desire their concurrence thereto.

On motion of Mr. Hayward,—Whereas the Commissioners of Roads for the Parishes of Burton and Lincoln, in the County of Sunbury, for want of a knowledge of the standing order of the House of Assembly, have not forwarded the necessary Certificates as by the aforesaid order is required.

Resolved, that no Warrant shall be issued for the payment of any of the monies granted for Bye Roads and Bridges in the aforesaid Parishes of Burton and Lincoln, until the Commissioners of such Parishes shall have made a Return of the Statue labour performed during the last year, and a Certificate of the same sent by the Clerk of the Peace of the said County and filed in the Secretary's Office.

On motion of Mr. Parker,—Whereas all roads upon which public money may be expended are declared by law Public Highways: Thereupon Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased not to issue any Warrants for grants of monies on Bye Roads, unless it shall be duly certified to His Excellency and His Majesty's Council, by the General Sessions of the Peace of the County where such roads are situate, that the same have actually been laid out by the Commissioners of Highways, or been otherwise legally recognised as public roads, or used as such for at least three years past.

Ordered that Mr. Crane, Mr. Barlow, and Mr. Hayward, be a Committee to wait upon His Excellency to present the said Address.

On motion of Mr. Weldon,—Resolved, that the Clerk of this House shall procure a sufficient number of copies of the above Resolution to be printed, and transmit a proper number of the same to each of the Clerks of the Peace in the different Counties in the Province, to be by them distributed to the Commissioners of Highways in the different Parishes throughout the Counties respectively: and the said Clerks of the Peace shall cause one of the said copies to be posted up in a conspicuous place in their respective offices, and shall also read the said Resolution in open Court at the next General Session of the Peace to be held in the several Counties respectively.

Mr. Parker, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor with the Address of the House relative to the Trial of Nixon and others for Piracy, reported that they had attended to that duty, and His Excellency was pleased to say he had already adopted measures for preventing a recurrence of the difficulties which had happened in that case, and received assurances that a Commission would be sent to this Province similar to that in force in Nova Scotia; and that His Excellency would transmit a statement of the expenses incurred in the above suit; and again bringing under the consideration of His Majesty's Government, the necessity of such Commission.

Mr. Parker, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor with the Address relative to the examining, and auditing the Accounts

counts of expenditure of public money, reported that they had attended to that duty, and that His Excellency was pleased to say, he would immediately place the Accounts in the hands of the most efficient person he could select for the purpose ; and had every reason to believe the wishes of the House, as expressed in their Resolution, would be accomplished to their satisfaction.

On motion of Mr. Ketchum,—Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to inform the House if any answer has been given by His Majesty, to the humble and dutiful Address of this House the last Session, upon the subject of Custom House Salaries.

Ordered that Mr. Ketchum, Mr. Crane, and Mr. Weldon, be a Committee to present the said Address.

Read, as engrossed, the Resolutions of Appropriation made and passed the 31st instant.

Ordered that Mr. McKay and Mr. Taylor carry the said Resolutions to the Council, and desire their concurrence thereto.

Mr. Ketchum, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor with the Address, praying that His Excellency will be pleased to inform the House if any answer had been received to the humble and dutiful Address of this House last year, to His Majesty, upon the subject of the Custom House Salaries, having attended to that duty, reported that His Excellency was pleased to say, that he had lost no time in transmitting to His Majesty's Principal Secretary of State for the Colonial Department, the Address of the House of Assembly upon the subject of the Custom House Salaries ; and that His Excellency regrets that he has received no answer thereto ; the cause of which delay His Excellency attributes to the late frequent changes in the Colonial Department.

The House then adjourned until to-morrow morning at  $\frac{1}{2}$  past 9 o'Clock.

### WEDNESDAY, 2nd APRIL, 1828.

#### *Prayers.*

A Message from His Majesty's Council.

Mr. Baillie delivered the following Message :—

“ Mr. Speaker,—I am directed to inform the House that the Council have agreed to the several Resolutions of Appropriation dated 24th, 25th, 27th, and 28th of March, excepting the following :—

“ 25th March. £40 to improve the road from Tracadu to Pocmouche.

“ £20 to assist in completing a Bridge over the Northwest arm of the Caraquet River.

“ £10 to assist in cutting down the Mill on the West side of John Young's, on the road from Caraquet to Bathurst.

“ £20 to improve the road from the Parish line to Duncan Grant's, and a further sum of £20 from Joseph Roy's, senr., to Alexis Tournay's.

“ £80 to assist in building a Bridge over Benjamin River.

“ £20 to assist in building a Bridge over the new Mill Stream at W. Fleming's farm.

“ To William Broad, £23 : 15 sterling, amount of Duties on Flour consumed by fire.

“ Trustees of Schols for the Parish of Portland, to enable them to pay Thomas B. Featherstone, for teaching a School.

“ 27th March. To John Clarke, Esq., £79 : 15 : 6, for transient Duties on articles imported by David Gibson.

“ To the Magistrates of Sunbury, £200, towards payment of Debts contracted in the erection of a new Gaol.

“ To the Trustees of Schools for the Parish of Portland, to pay Lawrence O'Flanagan.

“ 28th March. To Robert Scott, Esq. £12 : 10, a balance for building a Bridge over French Brook.

“ And the several Appropriations for Byc Roads in the Parishes of Burton and Lincoln, in the County of Sunbury.

“ All which are not agreed to.”

And then Mr. Baillie withdrew.

Mr.

Mr. Weldon moved for leave to bring in a Bill to provide for opening and repairing of Roads and erecting Bridges throughout the Province.

Leave granted.

A Message from His Majesty's Council.

Mr. Shore delivered the following Message.

"Mr. Speaker,—I am directed to inform the House that the Council have agreed to the following Bills:—

"A Bill for granting a Bounty upon Flour manufactured at the Steam Mills in Portland.

"A Bill to continue and amend the Acts for the encouragement of the Cod and Scale Fisheries.

"A Bill to continue an Act, intituled "An Act for the encouragement of Parish Schools in this Province.

"A Bill to continue an Act to regulate the Manufacturing and Shipment of Grindstones."

And then Mr. Shore withdrew.

A Message from His Majesty's Council.

Mr. Hurd delivered the following Message.

"Mr. Speaker,—I am directed to inform the House that the Council have agreed to the Resolutions of Appropriation dated 29th and 31st March, 1828, excepting the following:—

"To James M. Kelly and Jacob Trites, Adjutant and Serjeant-Major of the 1st Battalion of the Westmoreland Militia; £15 to the Adjutant, and £7 : 10 to the Serjeant-Major.

"£75 towards improving the road from the Swallow Tail to the Church at Grand Harbour.

"To His Excellency the Lieutenant-Governor, £50, to build a Bridge over the Ot-nabog Stream.

"Which are not agreed to."

And then Mr. Hurd withdrew.

Mr. Weldon, pursuant to leave, brought in a Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province.

Which was read a first and second time.

Mr. Taylor, pursuant to leave, brought in a Bill to appropriate a part of the Public Revenue for the services therein mentioned.

Which was read a first and second time.

The House then adjourned until to-morrow morning at  $\frac{1}{2}$  past 9 o'Clock.

THURSDAY, 3d APRIL, 1828.

*Prayers.*

On motion of Mr. Weldon,—The House went into Committee of the whole, upon a Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province.

Mr. Crane took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crane, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

On motion of Mr. Taylor,—The House went into Committee of the whole, upon a Bill to appropriate a part of the Public Revenue for the services therein mentioned.

Mr. Humbert took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Humbert from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

Ordered that the Report be accepted, and the Bill engrossed.

Read a third time, as engrossed, a Bill to provide for opening and repairing of Roads and erecting Bridges throughout the Province.

Resolved

# PORT OF SAINT JOHN, NEW-BRUNSWICK.

**IMPORTS in the year 1827.** **EXPORTS in the year 1827.**

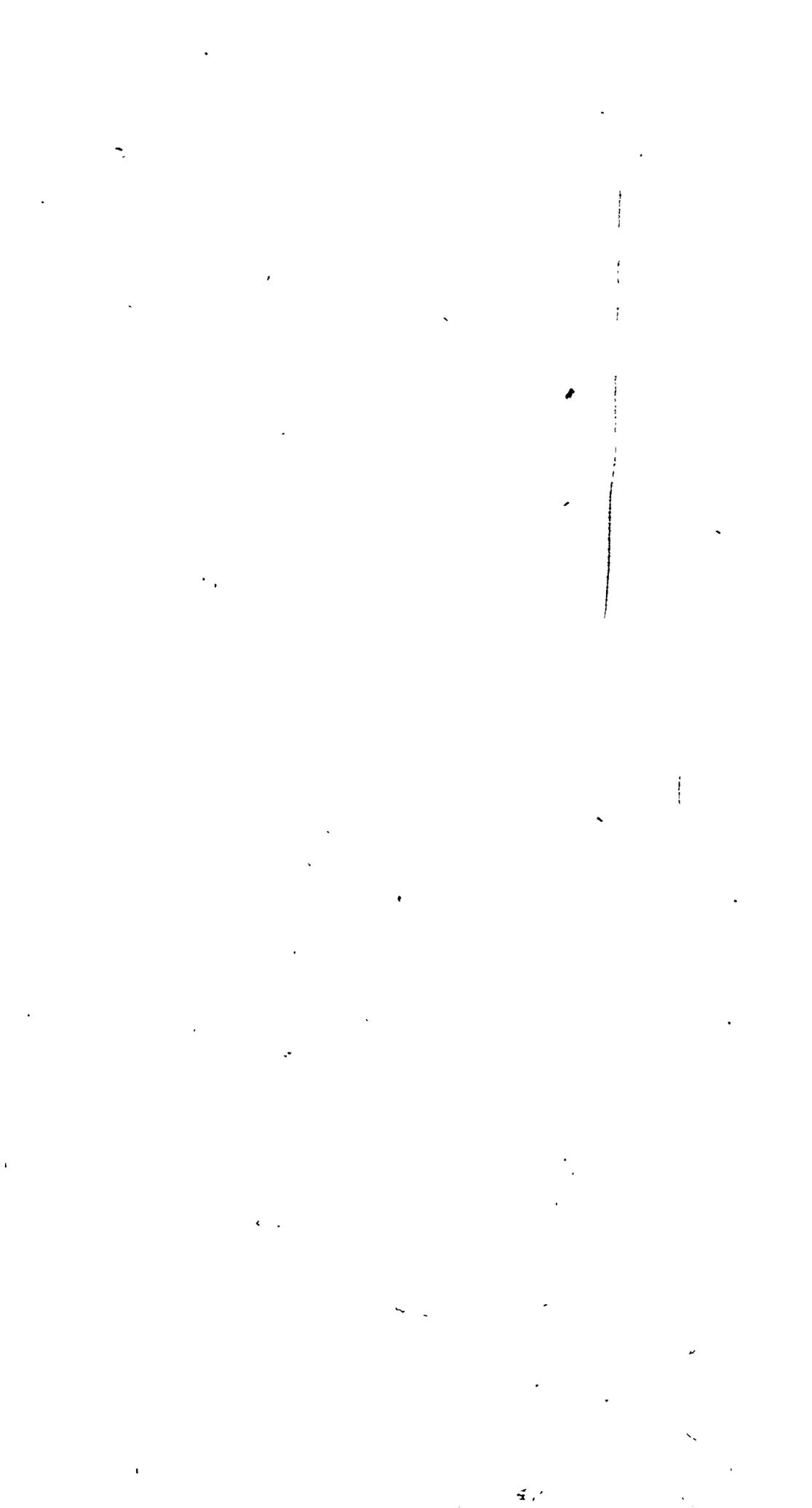
ARTICLES IMPORTED.	ESTIMATED VALUE IN CURRENCY.						SHIPS INWARDS.	ARTICLES EXPORTED.	ESTIMATED VALUE IN CURRENCY.						SHIPS OUTWARDS.
	From Great-Britain.	British Colonies.		United States.	Foreign States.	TOTAL.			To Great-Britain.	British Colonies.		United States.	Foreign States.	TOTAL.	
DESCRIPTION & QUANTITY.		West Indies.	North America.					DESCRIPTION & QUANTITY.		West Indies and Africa.	North America.				
Flour, 45,203 Barrels,.....	£ 151		14,046	56,666		70,869	<b>GREAT BRITAIN.</b> No. .... 388 Tons ..... 113,131	Flour, 12,070 Barrels, .....	£	3,004	12,174			21,178	
Bread, 3,169 Cwts.....	146		656	2,409		3,204		Bread, 684 Cwts. ....		457	194			651	
Corn and Meal, 16,437 Barrels,.....	101		1,808	9,435		11,344		Corn & Meal, 4,396 Barrels, .....		1,836	1,234			3,070	
Wheat, Rye, Oats, &c., 17,163 Bush.	653		1,872	192		2,717		Rice, 1000 Cwts. ....		854	121			975	
Rice, 1,869 Cwts.,.....	84		29	2,260		2,323		Wine, 309 Gallons, .....	14	55	52			121	
Fruit and Seeds, 10,202 Barrels,.....	312		3,327	1,816		3,455		Rum, 46,503 Do. ....		230	6,329	71	885	7,515	
Beef and Pork, 5,005 Do.....	6,135		11,710			17,845		Brandy and Gin, 1,656 Do. ....		17	460			477	
Cattle, Sheep, and Hogs, 5049,.....	544		6,133	351		7,028		Molasses, 11,042 Do. ....			782		479	1,261	
Fresh Meat, 1,353 Cwts.,.....			2,009	199		2,208		Pimento, 1,374 Lbs. ....			29	31		60	
Wine, 40,640 Gallons,.....	6,268	818	1,381		1,285	9,755		Sugar, 1,345 Cwts. ....		88	2,651			2,689	
Brandy and Gin, 51,190 Do.,.....	11,871	12	317			12,200	Tobacco, 1,185 Cwts. ....		2,882	358			3,240		
Rum, 283,664 Do.,.....	1,347	24,538	10,977			37,862	Coals, 243 Chaldrons, .....			271	88		354		
Molasses, 106,139 Do.,.....		6,275	631			6,906	Timber, 187,332 Tons, .....	153,439	82	836			154,307		
Coffee, 574 Cwts.,.....	148	2,113	94			2,355	Boards and Plank, 18,385 M. Feet, .....	21,098	22,445	3,903		350	47,796		
Pimento, 2,735 Lbs.,.....	9	110				119	Staves, 3,076, M. ....	5,092	11,676	237			17,005		
Sugar, 6,370 Cwts.,.....	3,672	8,040	2,881			14,593	Shingles, 3,692, M. ....		2,397	691			3,088		
Salt, 121,587 Bushels,.....	4,766		31			5,608	Masts and Spars, 6,488, .....	2,032	391	83			2,462		
Naval Stores, 3,087 Barrels,.....	1,287	811	1,131			2,418	Oars, 83,302 Feet, .....	399	307				706		
Tobacco, 2,759 Cwts.,.....			1,505	4,800		6,305	Handspikes, 3,102, .....	101	12				113		
Tea, 114,266 Lbs.,.....	488		9,697			10,185	Lathwood, 3,189 Cords, .....	4,111					4,111		
Timber, 481 Tons,.....			435			435	Gypsum, 8,539 Tons, .....	16	6		2,746		2,768		
Boards and Plank, 2,759 M. Feet, .....			6,105	44		6,149	Grindstones, 3,477, .....		32		457		489		
Staves, 3,077 M. ....			7,075	10,923		17,998	{ Dry, 4,680 Quintals, .....		8,584	298			8,882		
Gypsum, 6,597 Tons,.....			2,198			2,198	{ Pickled, 10,948 Barrels, .....	106	6,755	2,161	729		9,751		
Grindstones, 715,.....			100			100	{ Smoked, 8,204 Boxes, .....	209	916	152	784		2,061		
Coals, 4,109 Chaldrons,.....	5,286					5,286	Fish Oil, 4,913 Gallons, .....		494	42			536		
Cordage, 2,880 Cwts.,.....	8,645			3		8,648	Beef and Pork, 333 Barrels, .....		773	454			1,227		
Sail Cloth, 30,021 Ells,.....	3,330					3,330	Potatoes, 3,332 Bushels, .....		154	86	46		286		
Iron Nails, &c., 10,355 Cwts.,.....	11,891	19	85	1,133		12,628	Salt, 27,936 Do. ....		1	4,466			4,467		
Copper, 339 Cwts.,.....	1,496	140	42			1,678	Naval Stores, 1,057 Barrels, .....		542	138			700		
Lead, 368 Cwts.,.....	408					408	Hides, 2094, .....			613	177		790		
Hides, 1489,.....		179	103		219	501	Tea, 3,284 Lbs. ....		16	653			669		
Tallow, 6798 Lbs., .....		5	3	158		171	Copper, 95 Cwts. ....			917	35		952		
{ Dry, 17,141 Quintals, .....			9,667			9,667	Iron, 3,755 do. ....			6,552	32		6,584		
{ Pickled, 10,986 Barrels, .....			9,384			9,384	Sail Cloth, 17,684 Ells, .....			1,753			1,753		
{ Smoked, 2,670 Boxes, .....			366			366	Horses and Mules, 79, .....		856				856		
Camwood, 323 Cwts.,.....	136					136	Lime, 870 Hogsheads, .....			514			514		
Shingles, 550 M.,.....			43	533		601	Cordage, 1,534 Cwts. ....			4,851	10		4,861		
Handspikes, 3,240,.....			94			94	Peas and Beans, 1,609 Bushels, .....		253	37			290		
Lathwood, 107 Cords,.....			83			83	Fruit and Seeds, 837 Barrels, .....	5	296	362			663		
Trenails, 32 M.,.....				185		185	Butter and Cheese, 23,524 Lbs. ....		883	22			905		
Fish Oil, 10,661 Gallons,.....			1,343			1,343	Mahogany, 69 M. Feet, .....	8		918	1,500		2,426		
Butter and Cheese, 105,966 Lbs.,.....	34		3,012	197		3,243	Indigo, 1,582 Lbs. ....			36		667	703		
Potatoes, 69,848 Bushels,.....			7,399	5		7,404	Logwood, 595 Cwts. ....			86		100	186		
Beans and Peas, 1983 Do.,.....	13		123	505		641	Camwood, 327 Do. ....	126					126		
Packages British and Foreign Merchandize, consisting of Cotton and Woollen Goods, Silks, Cotton Wool, Ironmongery, Cotton Yarn, Soap, Candles, Saddlery, Glass, Shoes, Hats, &c. &c. &c., 13,988,.....	125,822	4,202	16,014	9,850	39	155,427	Packages British and Foreign Merchandize, consisting of Cotton and Woollen Goods, Silks, Cotton Wool, Ironmongery, Cotton Yarn, Soap, Candles, Saddlery, Glass, Shoes, Hats, &c. &c. &c. 1,591, .....	163	591	16,156	398	5	17,308		
<b>TOTAL,</b> .....	<b>194,857</b>	<b>47,898</b>	<b>133,914</b>	<b>101,182</b>		<b>1,546,478,897</b>	<b>TOTAL,</b> .....	<b>186,991</b>	<b>73,785</b>	<b>71,642</b>	<b>5,600</b>	<b>3,986</b>	<b>341,932</b>		

The following Number of Ships and Vessels, with their Tonnage, built within the Port and District of Saint John, N. B., in the year 1827.

77 Ships and Vessels, measuring	16,323
17 Do. built in Nova-Scotia, for Commerce at this Port,	3,774
<b>Total,</b>	<b>20,097</b>

CUSTOM-HOUSE, SAINT JOHN, N. B. 5TH JANUARY, 1828.

HENRY WRIGHT, Collector.  
JAMES MCLEERY, Pro Comptroller.



# Port of Saint Andrews, New-Brunswick.

An Annual Return of the Imports and Exports of this Port in the Year ending the 5th January, 1828, with the No. and Tonnage of Vessels Entered and Cleared during the same period.

VESSELS ENTERED INWARDS.		DUTIES.	
WHERE FROM.	BRITISH. No.   Tons.	FOREIGN. No.   Tons.	By Act 6th Geo. 4, ch. 114. in Council.
Great Britain and Ireland.	48   12,544		16   17   11
British West Indies and North American Colonies.	58   10,379		
United States of America.		189   16,920	4,913   17 2
	305 British open boats with dutiable articles.		
	411   22,923	189   16,920	£5,075   15   11 982   32½

## PRINCIPAL ARTICLES IMPORTED.

19 Pipes and 15 Hhds. Brandy and Gin.  
 13 Pipes & Hhds. and 192 dozen Wine.  
 Packages, British Merchandize, Salt, Coals, &c.  
 Probable value £24,000.  
 429 Hhds. Molasses, 56 Casks Coffee,  
 17 Bags Pimento, 735 Puncheons Rum.  
 280 Casks Sugar, 10 ditto Lime Juice,  
 17 Casks Whale Oil, 56 Logs Mahogany,  
 16 Casks Shrub, Bags Cocoa, Boxes Arrow  
 Root, &c.  
 10,518 Barrels Flour from Wheat and Rye.  
 11,205 Bushels Indian Corn and Rye-Grain.  
 946 Cwt. Biscuit.  
 897,900 Oak Staves.  
 102,344 feet pitch pine Lumber.  
 210,600 Cypress Shingles, 9,000 Wood Hoops,  
 and sundry articles subject to advalorem duty,  
 Cattle, &c. aggregate value £9,464.

N. B.—Of the above Importations from the United States, 30 American vessels entered with Cargoes and paid Tonnage and Discriminating Duty, as will appear per Quarterly Returns.

N. B.—The above No. of vessels are exclusive of upwards of 1,100 Coasting and Plaster of Paris vessels, which have entered and cleared at this Port during the last year.

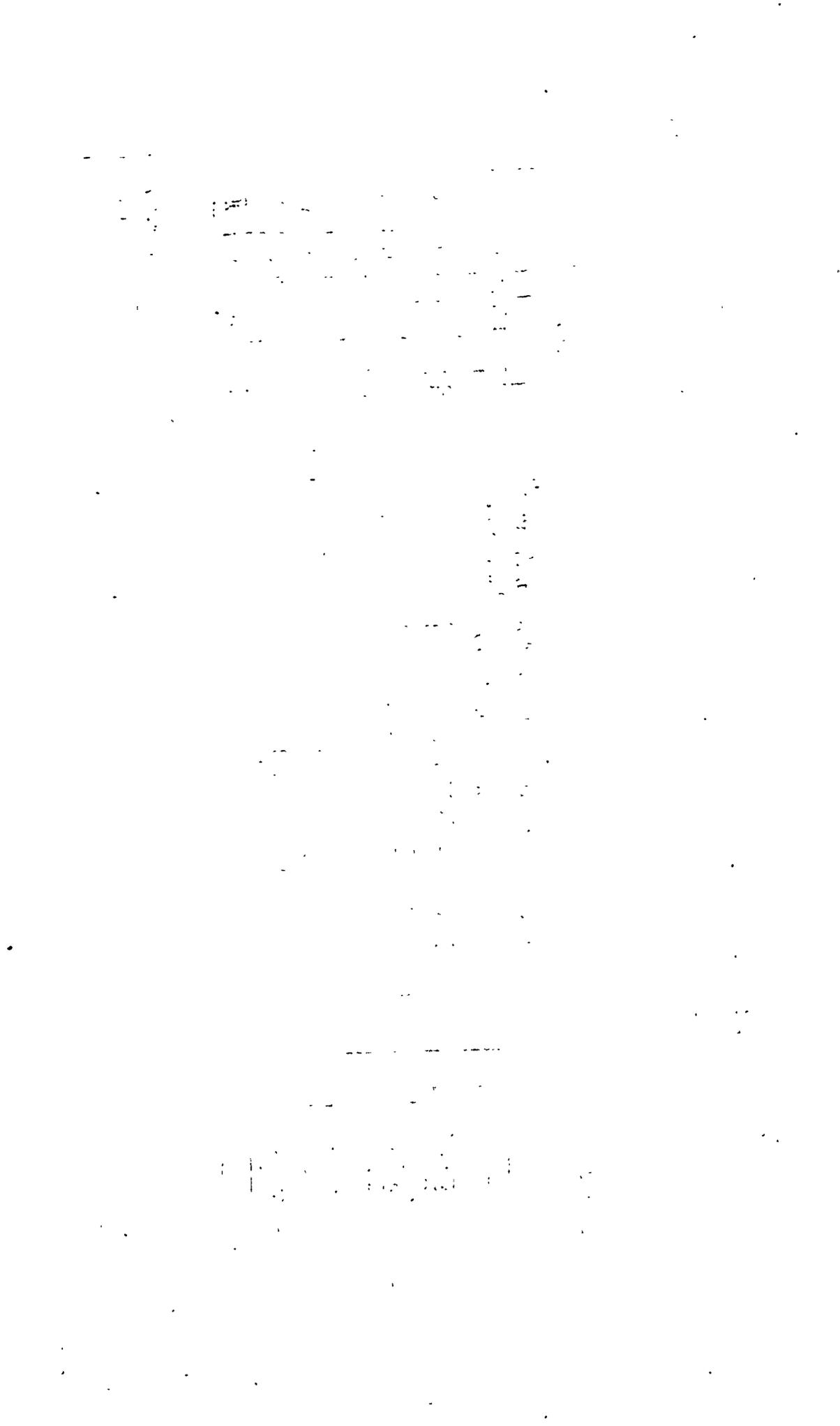
VESSELS CLEARED OUTWARDS.		ESTIMATED VALUE.	
WHERE BOUND.	BRITISH. No.   Tons.	FOREIGN. No.   Tons.	
Great Britain and Ireland.	41   11,436		£15,500
British West Indies and North American Colonies.		101   20,651	13,000
Brazil.	2	627	43,150
United States of America.		185   16,710	1,000
	144   32,714	185   16,710	10,000

**EX P O R T S.**

15,485 Tons Timber, 524,000 feet Deals, 5,000 Staves, 408 Cords Lathwood, 871 Spars, 4 Masts, 1,100 Small Poles, 1,060 feet Boards, 17 Casks Whale Oil.  
 5 New vessels built for Owners in England, admeasuring 1709 tons.  
 11,473,000 feet Lumber, 3,597,000 Shingles, 690 Spars, 10,000 Oars and Poles, 198 Hhds. Shooked, 48,400 Staves, 54,000 Clapboards, 112 Ships Knees, 6 Tons Timber, 17,192 Qtls. Dry Fish, 2,671 Barrels Pickled Fish, 1,650 Boxes smoked Herrings, 14 Casks Fish Oil, 220 Barrels Apples and Onions, 100 Tons Hay, 400 Bushels Oats, 6 Horses, 188 Sheep, 58 Oxen, 123 Barrels Gin, 10,000 Bricks, 41 Sides Leather and Calf Skins, 4 Reams Printing Paper, 162 Barrels and Kitts Beef and Pork, 87 Casks Butter, 110 Boxes Soap and Candles, 3,500 Bushels Potatoes. The whole of the above being the Growth, Produce and Manufacture of this Province and the Produce of the British Fisheries.  
 4,018 Barrels and 75 Hhds. Flour & Meal, 4,903 Bushels Corn, 367 Barrels Biscuit, 83 Casks Rice, 38 Casks Cheese and Butter, 30 ditto Ale and Beer, 303 Oxen, 491 Sheep, 2 Horses, 40 Kegs Tobacco, 1 Box Leather, 20 Boxes Candles, 198 Sheets Copper, 417 Barrels Tar, 100,444 feet pitch pine Lumber, 208,500 Cypress Shingles, 834,766 Oak Staves, 13 Boats, 9,000 Wood Hoops, 50 Barrels Apples and Onions, and sundry small packages Medicine, &c., (legally imported from the United States of America, and His Majesty's Duties paid.)  
 56,500 feet Deals, 949 Spars and Masts, (produce of this Province,) 89 Barrels Tar, (legally imported, and His Majesty's Duties paid.)  
 18,000 Tons Gypsum, 168 Barrels Pickled Salmon, 4 Tons Hardwood Timber, 190 Tons Grindstones, 30,000 Feet Boards, 25 Green Hides, 500 Bushels Potatoes.

N. B.—The value of articles not being the production of this Province are not included in the estimation.

Custom-House, Saint Andrews, 5th January, 1828.  
 COLIN CAMPBELL, Collector.  
 JOHN DUNN, Comptroller.







Resolved that the Bill do pass. Ordered that Mr. Crane and Mr. Weldon carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed, a Bill to appropriate a part of the Public Revenue for the services therein mentioned.

Resolved that the Bill do pass. Ordered that Mr. Taylor and Mr. Crane carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Crane, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor, with the Address of the House upon the subject of the Bye Road Appropriations, reported that they had attended to that duty, and that His Excellency was pleased to say he would make the necessary communication to His Majesty's Council in order that the wishes of the House in this respect should be complied with.

A Message from His Majesty's Council.

Mr. Baillie delivered the following Message:—

“ Mr. Speaker,—I am directed to inform the House that the Council have agreed to the following Bills :—

“ A Bill to apply a part of the Revenue to the payment of the Ordinary Services.

“ A Bill for opening and repairing Roads and erecting Bridges.

“ A Bill to appropriate a part of the Public Revenue for the services therein mentioned.”

And then Mr. Baillie withdrew.

The House then adjourned until Saturday morning next at 12 o'Clock.

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SATURDAY, 5th APRIL, 1828.

*Prayers.*

A Message from His Excellency the Lieutenant-Governor, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House of Assembly. The House attended in obedience to His Excellency's command ; and being returned, Mr. Speaker reported that he had addressed His Excellency to the effect following :—

“ *May it please Your Excellency.*

“ The House of Assembly have made liberal provision for the Public Service of the current year : they now tender for your Excellency's acceptance, the several Bills of Appropriation passed during the present Session, and pray your Excellency's assent thereto. They feel confident that the Grants placed at your Excellency's disposal, will be so expended as to realize to the fullest extent, all the benefits which the House in making them have anticipated.”

And that His Excellency was then pleased to give his assent to the following Bills :—

“ A Bill to continue and amend the Revenue Laws of the Province.

“ A Bill to apply a part of the Public Revenue to the payment of the Ordinary Services of the Province.

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

“ A Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province.

“ A Bill to authorize the Justices of the Peace of the City and County of Saint John, to raise a sum of money for completing the Court House in the said City and County.

“ A Bill to continue and amend the Act for the better securing of the Navigation of the Inner Bay of Passamaquoddy.

“ A Bill relative to the Streets and Squares in the City of Saint John.

“ A Bill to continue until the first day of April, one thousand eight hundred and thirty-one, certain Acts, providing for the more effectually repairing the Streets and Bridges in the City and County of Saint John, and to amend the same.

“ A Bill to authorize the Justices of the County of Gloucester, to assess the said County, for erecting a Court House and Gaol therein.

“ A Bill to authorize the Mayor, Aldermen, and Commonalty of the City of Saint John, to open a Street from the Wharf on the South side of the Market Slip, to the Wharf owned by Charles J. Peters, Esquire.

“ A Bill to regulate the manner of driving and riding upon the public roads.

“ A Bill to continue an Act, intituled “ An Act to provide for the erection of Fences, with Gates across the Highway leading through Deer Island, in the Parish of West Isles and County of Charlotte.

“ A Bill to continue an Act until the first day of April, in the year of our Lord one thousand eight hundred and thirty-one, intituled “ An Act for the better regulation of Licences to Inns, Taverns, and Houses, for selling strong Liquors by retail.”

“ A Bill to alter the division line between the Parishes of Dundas and Wellington, in the County of Kent.

“ A Bill for altering the times of holding the Inferior Courts of Common Pleas and General Sessions of the Peace, in the County of Kent.

“ A Bill to continue and render more effectual, certain Acts relative to Highways and Roads within this Province.

“ A Bill to extend the provisions of an Act, intituled, “ An Act to repeal the Laws now in force for appointing Firewards, and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town,” to the Towns of Newcastle and Chatham, and their Vicinities, in the County of Northumberland.

“ A Bill further to continue an Act, intituled “ An Act to provide for the erecting of Fences, with Gates across Highways leading through Interval Lands, in Queens County and the County of Sunbury, where the same may be found necessary ; and to extend the provisions of the same to Kings County.”

“ A Bill to continue until the first day of April, one thousand eight hundred and thirty, certain Acts for the support and relief of confined Debtors.

“ A Bill to erect a part of the Parish of Hillsborough, in the County of Westmoreland, into a distinct Town or Parish.

“ A Bill for altering the times of holding one of the Terms of the Inferior Courts of Common Pleas and General Sessions of the Peace, and also one of the additional Terms of the said Inferior Court of Common Pleas, for the County of Gloucester.

“ A Bill to grant a Bounty on the destruction of Bears in this Province.

“ A Bill to provide for the services of the Speaker of the House of Assembly, and for defraying the expenses and travelling charges of the Members of the said House attending in General Assembly.

“ A Bill to alter and amend the Laws now in force for the regulation of the Militia.

“ A Bill in addition to an Act, intituled “ An Act to empower and authorize the Justices of the County of Westmoreland, at their General Sessions of the Peace, to regulate the grazing and depasturing of the several Marshes, Lowlands, or Meadows, within the said County.”

“ A Bill to lay a Tax on Dogs in certain parts of the Parishes of Fredericton and Saint Andrews.

“ A Bill for the erection of a Court House and Gaol in the County of Kent.

“ A Bill to authorize the Justices of the Peace of the County of Kent, to make Rules and Regulations respecting the taking of Fish in the different Harbours, Rivers, and Creeks, in the said County.

“ A Bill to empower the Rector, Church-wardens, and Vestry, of Trinity Church, in the Parish of Saint John, to dispose of Lots in the new Burial Ground, in the Vicinity of the said Parish.

“ A Bill in amendment of the Acts regulating the exportation of Fish.

“ A Bill further to amend the Act for regulating Elections of Representatives in General Assembly.

“ A Bill to repeal the Laws now in force for appointing Firewards, and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned.

“ A Bill to regulate the Trial of controverted Elections, or Returns of Members to serve in General Assembly.

“ A Bill to continue until the first day of April, one thousand eight hundred and thirty-three, an Act to regulate the Manufacturing and Shipment of Grindstones.”

“ A Bill to continue an Act, intituled “ An Act for the encouragement of Parish Schools in this Province.”

“ A Bill to continue and amend the Acts for the encouragement of the Cod and Scale Fisheries.

“ A Bill for granting a Bounty upon Flour manufactured at the Steam Mills in Portland.”

After which His Excellency was pleased to make the following Speech :—

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

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

“ I thank you in His Majesty's name for the liberal appropriations you have made for the services of the present year. I acknowledge with the highest satisfaction the diligent attention you have shewn to all the measures which I particularly recommended to your consideration, in the course of the Session ; and for the ample provision you have made to promote those important objects.

“ You may rely upon my utmost endeavours, to secure a faithful and provident application of the means you have thus placed at my disposal.

“ I have witnessed with infinite satisfaction, the zeal, wisdom, and uninterrupted harmony, which continue to inspire and animate the Legislature of New-Brunswick ; and I am sure that you will cultivate, in your respective circles, those sound principles of loyalty and affection to our Most Gracious Sovereign, and attachment to the Parent Kingdom, which you evince in the discharge of your high duties here, and which only can promote and secure the real interests of this rising Colony.”

That His Honor the Chief Justice then said,

“ *Gentlemen of the Council;*

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

“ It is His Excellency the Lieutenant-Governor's will and pleasure that this General Assembly be now prorogued until the third Tuesday in June next ; and this General Assembly is accordingly prorogued until the third Tuesday in June next.”