
JOURNAL

AND

PROCEEDINGS

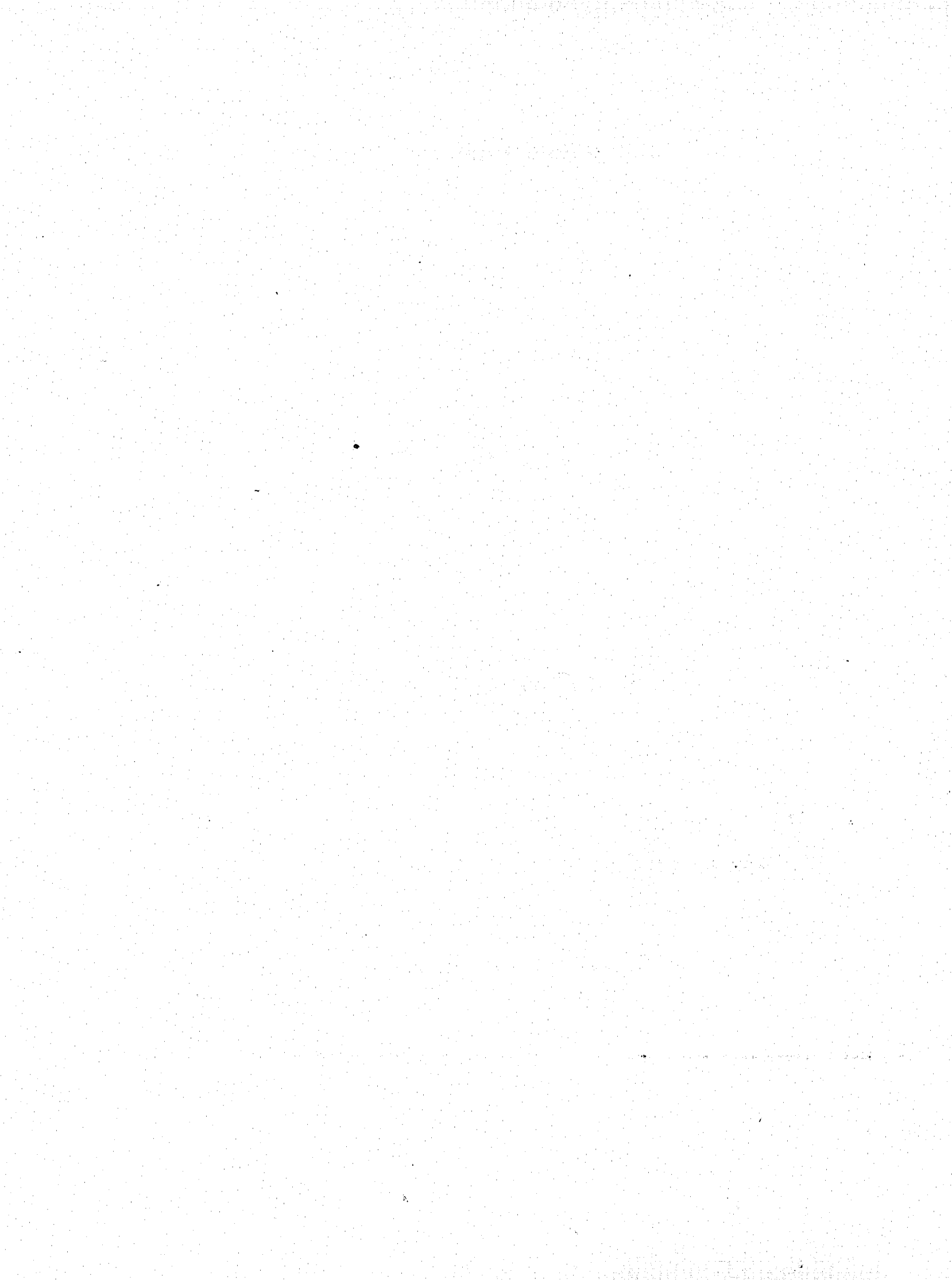
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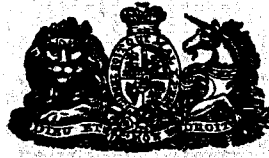
LEGISLATIVE COUNCIL

OF THE

PROVINCE OF NOVA-SCOTIA.

1839.





PROCLAMATION.

C. Campbell.

*By His Excellency Major-General SIR COLIN CAMPBELL,
K. C. B. Lieutenant-Governor and Commander in
Chief, in and over Her Majesty's Province of Nova-
Scotia and its Dependencies, &c. &c. &c.*

WHEREAS, the General Assembly of this Province stands prorogued until Thursday, the 17th day of July next:

I have thought fit further to prorogue the said General Assembly until Thursday, the 18th day of October next, of which all persons concerned are desired to take notice and govern themselves accordingly.

*Given under my Hand and Seal, at Halifax, this 29th day of
June, in the year of Our Lord, 1838, and in the second
year of Her Majesty's Reign.*

By His Excellency's Command,

RUPERT D. GEORGE.

GOD SAVE THE QUEEN.



PROCLAMATION.

C. Campbell.

*By His Excellency Major-General SIR COLIN CAMPBELL,
K. C. B. Lieutenant-Governor and Commander in
Chief, in and over Her Majesty's Province of Nova-
Scotia and its Dependencies, &c. &c. &c.*

WHEREAS, the General Assembly of this Province stands prorogued until Thursday, the 18th day of October next:

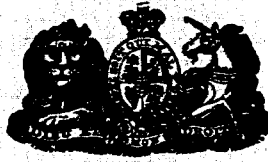
I have thought fit further to prorogue the said General Assembly until Thursday, the 6th day of December next, of which all persons concerned are desired to take notice and govern themselves accordingly.

*Given under my Hand and Seal, at Halifax, this 18th day of
September, in the year of Our Lord, 1838, and in the
second year of Her Majesty's Reign.*

By His Excellency's Command,

RUPERT D. GEORGE.

GOD SAVE THE QUEEN.



PROCLAMATION.

C. Campbell.

*By His Excellency Major-General SIR COLIN CAMPBELL,
K. C. B. Lieutenant-Governor and Commander in
Chief, in and over Her Majesty's Province of Nova-
Scotia and its Dependencies, &c. &c. &c.*

WHEREAS, the General Assembly of this Province stands prorogued until Thursday, the 6th day of December next:

I have thought fit further to prorogue the said General Assembly until Thursday, the 10th day of January next—*Then to meet for the Dispatch of Business*—of which all persons concerned are desired to take notice and govern themselves accordingly.

*Given under my Hand and Seal, at Halifax, this 12th day of
November, in the year of Our Lord, 1838, and in the
second year of Her Majesty's Reign.*

By His Excellency's Command,

RUPERT D. GEORGE.

GOD SAVE THE QUEEN.

JOURNAL
OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL
OF THE
PROVINCE OF NOVA-SCOTIA.

FOURTH SESSION OF THE SIXTEENTH GENERAL ASSEMBLY.

ANNO SECUNDO VICTORIÆ REGINÆ.

AT HALIFAX, IN THE PROVINCE OF NOVA-SCOTIA.

LEGISLATIVE COUNCIL CHAMBER,

Thursday, 10th January, 1839.

The General Assembly having been, by Proclamation, prorogued to this day, the Council met :

PRESENT—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,

§
§

The Honorable W. B. Almon, M. D.

William Lawson,

Sir Rupert D. George, Baronet, the Secretary of the Province, informed the House that he was directed by His Excellency the Lieutenant-Governor to deliver to the House the following written Message, signed by His Excellency :

(Signed) C. CAMPBELL.

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

The Lieutenant-Governor being prevented, by a severe indisposition, from opening the present Session in Person, this day, it is His Excellency's pleasure that this Honorable House do adjourn itself to Monday next. Message from H. E. adjourning House

The said Message was read ; and,

Ordered, That this House do adjourn until Monday next, at 2 o'clock.

Adjourn

Monday,

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.		
The Honorable Joseph Allison,	§	The Honorable George Smith,
Norman F. Uniacke,	§	Alexander Stewart,
James W. Johnston,	§	William B. Almon, M.D.
William Lawson,	§	

His Excellency the
Lt. Governor comes
to the Council
Chamber

At half-past two o'clock, P. M. His Excellency Lieutenant-General Sir COLIN CAMPBELL, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief in and over the Province of Nova-Scotia, and its Dependencies, &c. &c. &c. came to the Council Chamber, attended as usual, and, being seated, the Gentleman Usher of the Black Rod received His Excellency's commands to let the House of Assembly know "It is His Excellency's pleasure they attend him immediately in this House,"

H. A. attend

Who, being come with their Speaker, His Excellency was pleased to make the following

S P E E C H

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

Speech

THE Loyalty for which Nova-Scotia has always been conspicuous, was never more cordially expressed than in your joint Address congratulating Her Majesty on Her Accession to the Throne; nor more pleasingly exhibited than in the rejoicings which took place in all parts of the Province on the occasion of Her Coronation. Such being the general feeling towards our beloved Sovereign, I could not open the present Session in a more acceptable manner than by acquainting you "that Her Majesty received, with gratitude and satisfaction, the assurances of your devoted attachment to Her Person and Government; and that, in promoting the interests of Her faithful Subjects in this Colony, the Queen will discharge one of the most grateful duties of the station to which it has pleased Divine Providence to call her."

I am happy to be able to congratulate you on the continued prosperity of the Province. At the present moment we have ample cause to be thankful to the ALMIGHTY for an abundant Harvest—a successful Fishery—an improving Commerce and Revenue, and for uninterrupted tranquillity.

In the full enjoyment of this last and great blessing, we cannot but deeply lament that our loyal Brethren in the Canadas are not equally favored; and I am assured that, while admiring the noble stand which they have successfully made against the late nefarious attempts to sever their connexion with the Parent Kingdom, you will sincerely feel for the sufferings of the Families of those brave Men who have fallen while defending the authority of their Sovereign and their own dearest rights.

You cannot have failed to observe, with high satisfaction, that every act of Her Majesty's Government relating to these Colonies, has clearly indicated Her firm resolve to withstand all attempts to destroy or weaken Her supremacy over them.

It affords me gratification to state that it is contemplated to substitute Steam Packets for the sailing Vessels now employed in the conveyance of the Mails between Great Britain and Halifax.

To secure the attainment of all the advantages anticipated from this arrangement, the co-operation of the Legislatures of the several Colonies to be benefitted by it is essential; and I obey Her Majesty's commands in submitting the matter to your consideration, and inviting you to assist in improving the Mail Routes, and to afford such other facilities as may depend on you, with a view to increased expedition in the communication between this place, New Brunswick and Quebec.

Her Majesty trusts that this measure, involving as it does considerable additional expenditure by the Mother Country, will prove beneficial to the Public, and give satisfaction to the Colonies.

Mr.

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

I have ordered the Accounts for last year, and the Estimates for the present year, to be laid before you, and I have the fullest reliance on your readiness to make due provision for the several branches of the public service.

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

Your Address, complaining of the habitual violation by American Citizens of the Treaty subsisting between Great Britain and the United States, on the subject of the Fisheries, has engaged the serious attention of Her Majesty's Government; and you will be happy to learn, that it has been determined, for the future, to station an armed force on the Coasts of Nova-Scotia, to enforce a more strict observance of the provisions of the Treaty by the Americans; and that Her Majesty's Minister at Washington has been instructed to invite the friendly co-operation of the Government of the United States for that purpose.

The most attentive consideration has also been given to your several other Addresses in the last Session, and it will be my duty to lay before you the replies which Her Majesty has been graciously pleased to return to them.

As many of the Members who come from a distance must be inconvenienced by being detained long in Halifax, I rely on your continued assiduity in the discharge of your respective duties; and you may be assured of my ready concurrence in all measures which may appear conducive to the real advantage and welfare of this happy Province.

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

Sir Rupert D. George, Baronet, the Secretary of the Province, informed the House that he was commanded by His Excellency the Lieutenant-Governor to deliver to the House the following written Message, signed by His Excellency:

M E S S A G E.

(Signed) "C. CAMPBELL."

The Lieutenant-Governor lays before the Legislative Council an additional Instruction, under the Royal Sign Manual, dated at Buckingham Palace, the Ninth day of March, 1838, confirming the provisional appointments made to the said Council, by a Commission, under the Great Seal of this Province, bearing date the 16th day of January, in the same year. Message communicating Instruction confirming appointments of Council

Government House, 14th January, 1839.

ADDITIONAL INSTRUCTION.

(Signed) "VICTORIA, R."

Additional Instructions to our Right Trusty and Right Well-beloved Cousin and Councillor, John George, Earl of Durham, Knight Grand Cross of the Most Honorable Order of the Bath, our Captain General and Governor in Chief in and over our Province of Nova-Scotia, or in his absence, to our Lieutenant-Governor, or the Officer Administering the Government of our said Province for the time being. Given at our Court at Buckingham Palace, the Ninth day of March, 1838, in the First Year of our Reign. Instruction confirming appointment of Council

WHEREAS, we did, by our Commission, under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster, the sixth day of February, 1838, appointing you our Captain General and Governor in Chief, in and over our Province of Nova-Scotia, grant, provide and declare, that there should thenceforth be established within in our said Province, a Legislative Council, to consist of such and so many Members, as should, from time to time, be nominated and appointed by us, under our Royal Sign Manual and Signet, or as should be provisionally appointed by you, until our further pleasure therein should be known.

Now,

MONDAY, 14th JANUARY, 1839.

Now, know you, that We, reposing especial trust and confidence in the wisdom, prudence and ability, of our trusty and well-beloved the Bishop of Nova-Scotia, Simon B. Robie, Peter McNab, James Tobin, Joseph Allison, Norman Uniacke, James W. Johnston, William Lawson, George Smith, Alexander Stewart, William Rudolf, Lewis M. Wilkins, James S. Morse, William Ouseley, Robert M. Cutler, Alexander Campbell, James Ratchford, Joseph FitzRandolph, and William B. Almon, Esquires, do, by these our Instructions, constitute and appoint them, the said Bishop of Nova-Scotia, Simon B. Robie, Peter McNab, James Tobin, Joseph Allison, Norman Uniacke, James W. Johnston, William Lawson, George Smith, Alexander Stewart, William Rudolf, Lewis M. Wilkins, James S. Morse, William Ouseley, Robert M. Cutler, Alexander Campbell, James Ratchford, Joseph FitzRandolph, and William B. Almon, to be, during our pleasure, Legislative Councillors in our Province of Nova-Scotia; and you are hereby authorised and required to summon them to our said Legislative Council accordingly: And we do further direct and appoint, that the Members of our said Legislative Council shall take rank and precedence in the said Council, according to the order in which their names are hereinbefore inserted; and that in all other cases the Members of our said Council shall take rank and precedence therein, according to the date and seniority of their respective appointments.

The Right Honorable the EARL OF DURHAM, G. C. B.

Additional Instructions, Nova-Scotia.

Members take oaths

Which being read by the Clerk, the following Gentlemen took the Oaths, and made and subscribed the Declaration; and also, took and subscribed the Oath of Abjuration, pursuant to the Statutes.

The Honorable S. B. Robie, President.

The Honorable Joseph Allison.

Norman F. Uniacke,

James W. Johnston,

William Lawson,

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S

The Honorable George Smith,

Alexander Stewart,

William B. Almon, M.D.

Clerk sworn

John C. Halliburton, the Clerk of the House, took the Oaths, and made and subscribed the Declaration; and also, took and subscribed the Oath of Abjuration, pursuant to the Statutes.

Speech reported

The President reported His Excellency's Speech.

Address ordered

Ordered, That an Address be presented to His Excellency, in answer to His Speech.

Committee to prepare address

Ordered, That Mr. Allison, Mr. Uniacke, Mr. Johnston, Mr. Smith and Dr. Almon, be a Committee to prepare the said Address, and to report the same to the House.

Committee report Rules.

Mr. Stewart, the Chairman of the Committee appointed in the last Session to frame Rules for the consideration of this House, made his report, which he read in his place, and afterwards delivered it to the Clerk, who read the same.

Ordered, That the said Report do lie on the Table, to be hereafter considered.

(For Report, vide Appendix, No. 1.)

Resolution for appointment of Law Clerk moved

Mr. Stewart moved the following Resolution, viz:

It appearing to the Council that for the more efficient performance of their Legislative Functions, a Law Clerk and Clerk of the Parliament should be appointed, and a Committee of the Council, appointed at the last Session, having proposed that his duties shall be as follows, viz:—"That the Law Clerk of the Council, and of the Parliament, shall examine all Bills which come up from the House of Assembly, and which are introduced into the Council, and report any errors, technical or otherwise, which he may discover therein. He shall report what existing Laws are affected, and how affected, by the said Bills, and whether they are conformable to the standing Orders; he shall be responsible that they, on their final passing into Law, contain no technical or verbal errors, unless he shall previously have pointed them out to the Council; he shall draft any Bills which any Member shall direct him to prepare; he shall be daily in attendance during the Session, while the Council is sitting, and also, between the hours of eleven and two o'clock every day during the Session,

MONDAY and TUESDAY, 14th and 15th JANUARY, 1839.

Session, except Sundays and Holidays; he shall also have charge of the Library, and in order to afford the Public facility of access thereto, he shall, during the vacation, attend, as directed by the Council; he shall make accurate copies of all such Laws as are enacted for the Queen's Printer; he shall superintend the Printing, and prepare the Marginal Notes, and be responsible for the accuracy thereof, and for the safe deposit of the Original Laws in the custody of the Provincial Secretary; and generally, he shall do such other duties as he shall from time to time be directed to perform."

Therefore resolved, That the following Address be presented to His Excellency the Lieutenant-Governor, in order that a Law Clerk and Clerk of the Parliament be appointed, viz:

TO HIS EXCELLENCY LIEUTENANT-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia and its Dependencies, &c. &c. &c. Address to H. E.

THE ADDRESS OF THE LEGISLATIVE COUNCIL.

May it please your Excellency—

The Legislative Council have passed the accompanying Resolution, and humbly pray that your Excellency will be pleased to appoint a fit and proper person to perform the duties of Law Clerk and Clerk of the Parliament to the Legislative Council.

Ordered, That the Committee who prepared the Standing Orders for the consideration of the Council do wait upon His Excellency with the said Address:

Which, being seconded, after some debate thereon, it was moved and seconded that the further consideration of the said Resolution be deferred till to-morrow. Consideration deferred

On motion made and seconded—the House adjourned until To-morrow, at 3 o'clock. Adjourn

Tuesday, 15th January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison, §
Norman F. Uniacke, §
James W. Johnston, §
William Lawson, §

The Honorable George Smith,
Alexander Stewart,
William B. Almon, M.D.

PRAYERS.

The Minutes of yesterday were read.

The President informed the House that he had received a Letter from Mr. Ouseley, requesting leave of absence during the Session, on urgent private business—which was granted. Leave of absence to Mr. Ouseley

Mr. Allison, the Chairman of the Committee appointed to prepare an Address to His Excellency the Lieutenant-Governor, in answer to His Speech at the commencement of the Session, reported a draft thereof, which he read in his place. Address reported

Ordered, That the Report be received, and the said draft was again read by the Clerk; and it was

Ordered, That the House be forthwith put in a Committee of the whole to take the same into consideration. Committed

The House was adjourned, during pleasure, and put into a Committee on the said Address.

After

Reported with amendments
 Amendmt's agreed to
 Ordered to be engrossed
 President requested to ascertain when H. E. would receive Address
 Address to H. E. to appoint Law Clerk, adopted

After some time the House was resumed, and Mr. Allison reported that the Committee had gone through the said Address, and made several amendments thereto.

The amendments being read twice by the Clerk, were agreed to by the House.

Ordered, That the said Address, with the amendments, be engrossed, and read a third time to-morrow.

The President was requested to wait upon His Excellency the Lieutenant-Governor to know when His Excellency would be pleased to receive this House with their Address.

Pursuant to the Order of the Day, the House proceeded to the further consideration of the Resolution for an Address to His Excellency, requesting His Excellency to appoint a Law Clerk and a Clerk of the Parliament to the Legislative Council, and, after a short debate, it was

Resolved, That the said Address be adopted, and presented by the Committee appointed to prepare Standing Orders for this House.

Vote of thanks to Mr. Stewart

On motion of Mr. Allison, *resolved unanimously*, That Mr. Stewart having presented to this House seven Volumes of the Journals of the House of Assembly of this Province, containing the proceedings of the Assembly, from the year 1806, to the present period; also, two Volumes of the Journals of the Legislative Council of the Province of New Brunswick, from the year 1786 to 1830, the thanks of this House be offered to Mr. Stewart, for this valuable and acceptable donation.

Adjourns

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

Wednesday, 16th January, 1839.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
 Norman F. Uniacke,
 James W. Johnston,
 William Lawson,

S
P
O
K
E

The Honorable George Smith,
 Alexander Stewart,
 William B. Almon, M.D.

PRAYERS.

The Minutes of yesterday were read.

Address read 3d time

Pursuant to the Order of the Day, the Address of this House in answer to His Excellency's Speech, at the commencement of the Session, was read a third time, and passed.

Whereupon the President signed the same, and it is as follows:

TO HIS EXCELLENCY LIEUTENANT-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL OF THE PROVINCE OF NOVA-SCOTIA.

May it please Your Excellency—

Address

We, Her Majesty's dutiful and loyal Subjects, the Legislative Council of Nova-Scotia, humbly beg leave to thank your Excellency for the Speech with which you have been pleased to open the present Session of the General Assembly.

It affords us the highest pleasure to be assured that Her Majesty graciously received the tribute of loyal attachment presented by the Legislature of Nova-Scotia, on her accession to the Throne, and that Her Majesty regards with gracious interest the welfare of this Colony.

We acknowledge with your Excellency the just claim that is made upon the Inhabitants of

of Nova-Scotia, to receive with thankfulness as the beneficent gifts of a Gracious God, the blessings which have crowned the past year. Among those blessings we acknowledge with peculiar gratitude the tranquillity with which we have been favored, while our fellow Colonists in Lower and Upper Canada have been suffering the miseries of a state of War; and we earnestly hope that the period may be near at hand which shall restore to them the blessings of peace.

In proportion as we appreciate the advantages of good order and security, we cannot fail to execrate the conduct of those men, who, being Her Majesty's Subjects, have forgotten their just allegiance; and of those, who being subjects of a Country at peace with Great-Britain, have violated the faith of Nations, and by their countenance, pecuniary aid, or personal efforts, have become the agents of spreading, as far as their power has extended, murder, rapine, and every disorder, among our fellow subjects in Canada.

We have admired the bravery with which every attempt to obtain a hostile footing in the Canadas has been repulsed by their loyal and gallant defenders; and we enter with deep feeling into the sufferings of the families of those who have fallen in the cause of their Country.

We believe that the connection of Nova-Scotia, and the several British North American Provinces, with the Parent State, is conducive to the best interests of both, and rejoice in the conviction, that it is Her Majesty's desire and resolution to preserve that Union inviolate.

The advantages to Nova-Scotia and the neighbouring Provinces, from the establishment of Steam Packets between England and Halifax, are so great, that we trust the Legislatures of the several Provinces will shew their grateful sense of the liberality of Her Majesty's Government, and their hearty co-operation in the plan, by uniting in every arrangement in their power requisite for promoting the most expeditious communication between Halifax, New-Brunswick and Quebec, and for diffusing and rendering effective this most useful measure. We are grateful that Her Majesty's Government has given its serious attention to the interruption of the Fisheries on the Coasts of this Province by American Citizens, and has adopted measures of relief. We trust that the armed force intended to be stationed on our Coasts, for the redress of this serious grievance, may be fully adequate, and shall be happy to find that the American Government has rendered effective co-operation for that object.

We are happy to be assured that we shall receive from Your Excellency, the replies which Your Excellency informs us Her Majesty has been graciously pleased to return to our Addresses to the Throne in the last Session.

Your Excellency may rely on our continued assiduity in the discharge of our duties, and our ready concurrence in all measures which shall conduce to the advantage and welfare of this Province.

The President informed the House, that, in compliance with the request of the House, he had waited upon His Excellency the Lieutenant-Governor, to know when he would be pleased to receive this House with their Address; and that His Excellency had been pleased to appoint the hour of two of the clock, p. m. of this day, for that purpose.

At two of the clock, p. m. the House waited upon His Excellency the Lieutenant-Governor with their Address, and, being returned to the Council Chamber, the Hon. the President informed the House, that His Excellency had been pleased to receive the said Address, and had returned the following reply thereto:—

Mr. President, and Hon. Gentlemen of the Legislative Council;

I return you my best thanks for this Address, and have the fullest reliance on your cordial support and concurrence in all such measures as may tend to the honour and prosperity of this Province.

Mr. Stewart, the Chairman of the Committee appointed to wait upon His Excellency with the Address requesting His Excellency to appoint a Law Clerk and Clerk of the Parliament to the Legislative Journal, reported that the Committee had performed that duty, and that His Excellency had been pleased to state that he would make such appointment.

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

President reports when H. E. will receive Address

House wait up on H. E. with Address

Reply

Committee to present Law Clerk address reported

Ordered,

WEDNESDAY, THURSDAY and FRIDAY, 16th, 17th and 18th JANUARY, 1839.

Committee of Public Accounts of H. A.

Ordered, That the Hon. Mr. Dewolf, Mr. Chipman, Mr. Goudge, Mr. Taylor and Mr. Annand, be a Committee of this House for the purpose of examining the Public Accounts, jointly, with a Committee of the Legislative Council.

The said Resolution was read, and ordered to lie on the Table.

Committee of Public Accounts of Council

On motion, *resolved*, that Mr. Lawson, Mr. Allison and Mr. Stewart, be a Committee of this House, to join a Committee of the House of Assembly, to examine the Public Accounts, and that the Clerk do acquaint the House of Assembly therewith.

Adjourn.

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

Thursday, 17th January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter M'Nab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,

The Honorable William Lawson,
George Smith,
Alexander Stewart,
William B. Almon, M.D.

PRAYERS.

The Minutes of yesterday were read.

Adjourn

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

Friday, 18th January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter M'Nab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,

The Honorable William Lawson,
George Smith,
Alexander Stewart,
William B. Almon, M. D.

PRAYERS.

The Minutes of yesterday were read.

Sir Rupert D. George, Baronet, the Secretary of the Province, informed the House that he was commanded by His Excellency the Lieutenant-Governor to lay before the House, the following written Messages, signed by His Excellency.

M E S S A G E.

No. 179, 27th Sept. 1838.

(Signed) C. CAMPBELL.

Message communicating Despatches relative to Addresses of Council on Civil List Bill, &c. &c.

The Lieutenant-Governor transmits to the Legislative Council the copy of a Despatch from the Right Honorable Lord Glenelg, in reference to their Address to Her Majesty, of the 16th April last, and to the Resolutions which accompanied it, explaining the reasons which induced them to reject the Bill, passed by the House of Assembly in the last Session, "to provide for the Civil List, and to commute the Casual and Territorial Revenues," as well as in reply to the Address of the House of Assembly to Her Majesty, relating to the construction of the Councils—the Civil List—and other subjects.

The Queen withdraws, for the present, Her offer to surrender to the Legislature the Revenues under Her controul in this Province; but at the same time, declares, that whenever the Legislature shall pass a Bill granting to Her Majesty the sum of £4,700 Sterling per annum, during the continuance of Her Majesty's reign, or for a period not less than ten years, applicable to the Salaries of the Principal Officers of the Government, Her Majesty will be ready, in exchange for that sum, to surrender to the Legislature, the Revenues at present at Her Majesty's disposal, subject only to some inconsiderable temporary deductions. It must be.

be clearly understood, however, that, in the event of the passing of such a Bill, the Revenues now at Her Majesty's disposal will revert to the Crown at the expiration of that Bill.

The Legislative Council are further informed that this sum of £4,700 will not enable Her Majesty to continue to pay to the Surveyors-General of Nova-Scotia proper, and Cape-Breton—the Clerk of the Crown and Harbour Master at Sydney, the Salaries which they have hitherto received from the Crown Revenues; and the Lieutenant-Governor therefore recommends (supposing the Bill to pass) that the Legislative Council will concur with the House in granting to those Officers their accustomed remuneration, for which it will then rest with the Legislature to make annual provision.

The accompanying Despatch from Lord Glenelg will explain to the Legislative Council that the net proceeds only of the sales of Crown Lands will be made over to the disposal of the Legislature.

No. 182, 1st Oct.
1838

The Chief Justice and Judges of the Supreme Court having consented to accept Her Majesty's offer (which the Lieutenant-Governor was recently authorized to renew to them) of increased Salaries in lieu of Fees; and Her Majesty, in that case, having directed that the new arrangement for their remuneration should commence with the year; the Lieutenant-Governor acquaints the Legislative Council, that he deemed it expedient, by the advice of the Executive Council, to give previous directions for discontinuing the collection of those Fees on the 1st of the present month, in order that the Suitors in the Supreme Court, (which was to meet on that day at Halifax) might have the immediate benefit of the measure.

Government-House, 17th January, 1839.

(For Despatches vide Appendices, No. 2 and 3.)

M E S S A G E.

C. CAMPBELL.

The Lieutenant-Governor lays before the Legislative Council Copies of the following Papers, namely: Message with Despatches

- No. 1 Despatch from Lord Glenelg, No. 150, dated 2d May, 1838, and Despatch from the same, No. 174, dated 29th August, 1838, in answer to the Addresses of the Legislative Council and the House, respecting the necessity of an immediate Survey of the Bay of Fundy.
- No. 2 Despatch from Lord Glenelg, No. 161, dated 19th June, 1838, in answer to the joint Address of the Legislative Council and House of Assembly, praying Her Majesty to authorize the Lieutenant-Governor to assent to a Bill for Establishing the form of Oath to be taken by Her Majesty's subjects in this Province.
- No. 3 Despatch from Lord Glenelg, No. 169, dated 2d August, 1838, in answer to the joint Address of the Legislative Council and House of Assembly, soliciting further assistance towards the enlargement and completion of the Shubenacadie Canal.
- No. 4 Despatch from Lord Glenelg, No. 185, dated 16th October, inclosing the copy of a correspondence which has taken place between the Colonial Department and the General Post-Office, on the subject of the Act, passed by the Legislature of this Province in the last Session, for regulating the internal Postage of the Province.
- No. 5 Despatch from Lord Glenelg, No. 187, dated 5th November, 1838, in answer to the joint Address of the Legislative Council and House of Assembly, complaining of the habitual violation by American Citizens of the Treaty between Great-Britain and the United States, on the subject of the Fisheries.
- No. 6 Despatch from Lord Glenelg, No. 142, dated 20th April, 1838, pointing out various objections to certain Acts, passed by the Legislature in this Province in 1837, with a copy of the Letter therein referred to, from the Judge of the Vice Admiralty Court at Halifax.
- No. 7 Order of Her Majesty, in Council, dated 5th November, 1838, confirming eighty-two Acts, passed by the Legislature of this Province in the Sessions of 1838.
- No. 8 Order of Her Majesty, in Council, of the same date, specially confirming an Act

FRIDAY and TUESDAY, 18th and 22d JANUARY, 1839.

passed in the last Session for altering the Representation in General Assembly as respects the County of Inverness.
Government House, 17th January, 1839.

(For Despatches, vide Appendices from No. 4 to No. 11.)

The said Messages and Despatches were read, and ordered to lie on the Table to be hereafter considered.

Leave of absence to Mr. Smith

On motion of Mr. Stewart, *resolved*, that Mr. Smith have leave of absence from Saturday next, to go to England, on urgent private business.

Resolution to summon Members

Resolved, That the Clerk do write to the absent Members, requiring their attendance immediately upon this House.

Adjourn

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

Saturday, 19th January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,

Joseph Allison,

James W. Johnston,

§
§
§

The Honorable William Lawson,

Alexander Stewart,

William B. Almon, M. D.

PRAYERS.

Adjourn

There not being a sufficient number of Members present to form a House, the President adjourned the House until Monday, at 3 o'clock.

Monday, 21st January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,

Joseph Allison,

Norman F. Uniacke,

James W. Johnston,

§
§
§
§

The Honorable William Lawson,

Alexander Stewart,

W. B. Almon, M. D.

PRAYERS.

The Minutes of Friday and Saturday, were read.

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

Streets, Windsor
Read 1st time

A Bill, entitled, An Act more effectually to provide Funds for the repair and improvement of the Streets and Highways in Windsor, and for other purposes.

To which Bill they desired the concurrence of this House.

The said Bill was read a first time.

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

Adjourn

On motion made and seconded—the House adjourned until to-morrow, at 3 o'clock.

Tuesday, 22d January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,

Joseph Allison,

Norman F. Uniacke,

James W. Johnston,

§
§
§
§

The Honorable William Lawson,

Alexander Stewart,

Lewis M. Wilkins, Jun.

William B. Almon, M. D.

PRAYERS.

The Minutes of yesterday were read.

WEDNESDAY and THURSDAY, 23d and 24th JANUARY, 1839.

Report received

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

For receiving the report,
Mr. M'Nab,
Stewart,
Almon,
Lawson,
Wilkins,

Against receiving the report,
Mr. Allison,
Uniacke,
Johnston,
Campbell,

Adjourn

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

Thursday, 24th January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter M'Nab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

S. B. Robie

The Honorable Alexander Stewart,
Lewis M. Wilkins, Jr.
Alexander Campbell.
William B. Almon, M. D.

PRAYERS.

The Minutes of yesterday were read.

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

Resolved, That Mr. Forrester be one of the Committee of this House to examine the Public Accounts, jointly, with a Committee of the Council, in the place of Mr. Goudge, now absent, with the leave of this House.

The said Resolution was read, and ordered to lie on the Table.

Member added to
Com. of Public Ac-
counts

Com. on Bills

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

Public Works defer-
red 3 months

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act for enforcing performance of engagements in aid of Public Works, and had directed him to report that it was the opinion of the Committee that the further consideration of the said Bill should be deferred to this day three months.

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

For receiving the Report,
Mr. Uniacke,
Wilkins,
Campbell,
Almon,
Stewart,
M'Nab,

Against receiving the Report,
Allison,
Johnston,
Lawson.

Adjourn

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

Friday,

FRIDAY and MONDAY, 25th and 28th JANUARY, 1839.

Friday, 25th January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter M'Nab,

Joseph Allison,

Norman F. Uniacke,

William Lawson,

§
§
§
§
§

The Honorable Alexander Stewart,
Alexander Campbell,
William B. Almon,

PRAYERS.

The Minutes of yesterday were read.

Mr. Allison laid before the House the Provincial Treasurer's Accounts for the year 1838, Treasurer's Account which were read, and ordered to lie on the Table.

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

Saturday, 26th January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter M'Nab

Joseph Allison,

Norman F. Uniacke,

James W. Johnston,

William Lawson,

§
§
§
§
§

The Honorable Alexander Stewart,
Lewis M. Wilkins, Jr.
Alexander Campbell,
William B. Almon,

PRAYERS.

The Minutes of yesterday were read.

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

A Bill, entitled, An Act for regulating Elections of Members to serve in General Assembly. Elections

A Bill, entitled, An Act for regulating the Trials of Controverted Elections or Returns of Members to serve in General Assembly. Trial of controverted Elections

To which Bills, they desired the concurrence of this House.

The said Bills were read a first time.

Read 1st time

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

On motion made and seconded—the House adjourned until Monday, at three o'clock. Adjourn

Monday, 28th January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,

Norman F. Uniacke,

William Lawson,

Alexander Stewart,

§
§
§
§
§

The Honorable Lewis M. Wilkins, Jr.
Alexander Campbell,
William B. Almon,

PRAYERS.

The Minutes of Saturday were read.

On motion made and seconded—the House adjourned until To-morrow, at 3 o'clock. Adjourn

TUESDAY and THURSDAY, 29th and 31st JANUARY, 1839.

Tuesday, 29th January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

The Honorable Alexander Stewart,
Lewis M. Wilkins, Jun.
Alexander Campbell,
William B. Almon,

PRAYERS.

The Minutes of yesterday were read.

On motion, the House proceeded to the consideration of the Report of the Committee appointed to suggest Rules for the consideration of this House, and after some progress, the further consideration of the said Report was deferred to a future day.

Consideration of
standing orders

Adjourn

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

Wednesday, 30th January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

The Honorable Alexander Stewart,
Lewis M. Wilkins, Jun.
Alexander Campbell,
William B. Almon,

PRAYERS.

The Minutes of yesterday were read.

The President informed the House that he had received a Letter from Mr. Morse, requesting leave of absence, in consequence of sickness in his family, which was granted.

Leave of absence
to Mr Morse

On motion, the House proceeded to the further consideration of the Report of the Committee appointed to suggest Standing Rules for the House—and after some progress the further consideration of the said Report was deferred to a future day.

Consideration of
standing orders

Adjourn

On motion made and seconded—the House adjourned until to-morrow, at 3 o'clock.

Thursday, 31st January, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

The Honorable Alexander Stewart,
Lewis M. Wilkins, Jr.
Alexander Campbell,
William B. Almon,

PRAYERS.

The Minutes of yesterday were read.

The Clerk read a letter addressed to him by Mr. Rudolf, stating that he was prevented, by indisposition, from attending the House; and thereupon, ordered, that Mr. Rudolf have leave of absence.

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

Resolved, That Mr. Dickson be one of the Committee of this House to examine the Public

Mr. Dickson substi-
tuted for Mr. For-
rester on Pub.
Accts.

Public Accounts, jointly, with a Committee of the Council, in the place of Mr. Forrester, who is sick and unable to attend at present to the said duty.

Whereas, the sum of £750 was granted in the last Session of the Legislature for the purpose of building a Light-House on the west side of the entrance of Yarmouth Harbour, which said Light-House was to be built by Contract; *And whereas*, it has been ascertained that the said sum of £750 will not be sufficient to complete a Light-House in the most advantageous situation to those interested in the Trade of that part of the Province; *And whereas*, the Timber and other materials can be procured at much less expense in the winter season than after the close of the present Session, and it is desirable that the said Commissioners should be enabled to offer Contracts for erecting the said Light-House as speedily as possible, and the Committee on Navigation Securities have reported favorably thereon. *Resolved*, that a Committee be appointed to wait upon His Excellency the Lieutenant-Governor to request that His Excellency will be pleased to authorize the Commissioners of Light-Houses to advance and expend, if necessary, the sum of £250, in addition to the former grant of £750, for the purpose of completing said Light House, and that this House will make provision for the same, during this present Session.

Vote relt. to Yarmouth Light House

Resolved unanimously, That a Committee be appointed to wait on His Excellency the Lieutenant-Governor and respectfully to inform His Excellency that this House are desirous to contribute to the relief of the Widows and Families of those who have fallen in the Canadian Rebellion, if His Excellency will authorize the advance of the sum of One Thousand Pounds, to be placed at the disposal of His Excellency Sir John Colborne, Governor General, to be applied as he may deem most expedient for the above purpose, this House will make provision for the same.

£1000 relief of Sufferers in Canadian Rebellion

To which Resolutions they desired the concurrence of this House.

The first Resolution was read, and ordered to lie on the Table.

1st Resolution read

The second Resolution was read a first time.

2nd Resolution read 1st time

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

The third Resolution was read a first time, and, by order, read a second time; and thereupon,

3rd Resolution read 1st & 2nd time & agreed to

Resolved unanimously, that the said Resolution be agreed to, and that the Clerk do acquaint the House of Assembly therewith.

On motion, *resolved*, that a Committee be appointed to prepare an Address to His Excellency the Lieutenant-Governor, to inform His Excellency that this House have concurred in the above Resolution.

Committee to prepare address to H. E. relt. to vote for relief of Canadian sufferers

Ordered, That Mr. Stewart, Mr. Allison and Mr. Almon, be a Committee for that purpose.

Committee

On motion, *ordered*, that a Bill, entitled, An Act for regulating Elections of Members to serve in General Assembly;

Elections, &c.

Also, a Bill, entitled, An Act for regulating the Trials of Controverted Elections or Returns of Members to serve in General Assembly, together with the Reports of the Law Clerk on the said two Bills, be referred to a Select Committee, to examine and report upon.

Trial of controverted Elections Bills referred to Committee

Ordered, That Mr. Stewart, Mr. Wilkins and Mr. Campbell, be a Committee for that purpose.

Committee

On motion, the House proceeded to the further consideration of the Report of the Committee appointed to suggest Standing Rules for the House, and after some progress, the further consideration of the said Report was deferred to a future day.

Consideration of standing orders

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

Adjourn

Friday,

FRIDAY, 1st FEBRUARY, 1839.

Friday, 1st February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President,	
The Honorable Joseph Allison,	§ The Honorable Alexander Stewart,
Norman F. Uniacke,	§ Lewis M. Wilkins, jr.
James W. Johnston,	§ Alexander Campbell,
William Lawson,	§ W. B. Almon,

PRAYERS.

The Minutes of yesterday were read.

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

Joint Tenancy

A Bill, entitled, An Act relating to Joint Tenancy.

Criminal Justice

A Bill, entitled, An Act for improving the Administration of Criminal Justice.

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Ordered, That the said Bills be read a second time at a future day.Conference on Vote
for relief of Canadi-
an sufferers asked
by H. A.

The Messenger also informed the House, that the House of Assembly requested a Conference with this House by Committee, on the subject of appointing a Joint Committee to wait upon His Excellency the Lieutenant-Governor, with a copy of the Resolution authorising him to remit to His Excellency the Governor-General, the sum of £1,000, for the relief of the Families of those who have fallen in the Canadian Rebellion.

Agreed to

Ordered, That the said Conference be agreed to, and a Message was sent to the House of Assembly by the Clerk, to acquaint them therewith.

Committee

Ordered, That Mr. Stewart, Mr. Allison, and Mr. Almon, be a Committee to manage the said Conference.

Report

And the Managers went to the Conference, and being returned, Mr. Stewart reported, that the Committee had held the said Conference, and stated the substance of the Conference to the House.

Committee to pre-
sent Vote for relief
of Canadian suffer-
ers to H. E.*Ordered*, That Mr. Stewart, Mr. Allison, and Mr. Almon, be a Committee of this House, to join a Committee of the House of Assembly, to carry to His Excellency the Lieutenant-Governor, the Resolution authorizing His Excellency to remit the sum of £1,000 to His Excellency Sir John Colborne, Governor-General, to be applied for the relief of the Widows and Families of those who have fallen in the Canadian Rebellion.Further Conference
asked by Council*Resolved*, That a further Conference be requested with the House of Assembly, by Committee, on the subject of the last Conference.

Agreed to

A Message was brought from the House of Assembly, by Mr. Whidden, agreeing to the Conference desired by the House.

Committee

Ordered, That the Committee who managed the last Conference, do manage the present Conference; and that the Chairman of the Committee of this House, do deliver to the Committee of the House of Assembly, the foregoing Resolution.

Report

And the Managers went to the Conference, and being returned, Mr. Stewart reported that the Committee had held the said Conference, and stated the substance of the Conference to the House.

Report of Com. to
present Vote for
relief of Canadian
sufferers to H. E.

Mr. Stewart, the Chairman of the Committee of this House, appointed to join a Committee of the House of Assembly, to carry to His Excellency the Lieutenant-Governor the Resolution authorizing His Excellency to remit the sum of £1,000, to His Excellency Sir John Colborne, Governor General, to be applied for the relief of the Widows and Families of those who have fallen in the Canadian Rebellion, reported that the Joint Committee had waited upon His Excellency the Lieutenant-Governor, and that the Chairman of the Committee of this House had presented the said Resolution to His Excellency, and that His Excellency

FRIDAY, SATURDAY and MONDAY, 1st, 2d and 4th FEBRUARY, 1839.

Excellency had been pleased to state, that the Resolution did the Houses great credit, and that he would have much pleasure in forwarding the Resolution to the Governor-General, and remitting the Money to him.

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

Saturday, 2d February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,	§	The Honorable Alexander Stewart,
Norman F. Uniacke,	§	Alexander Campbell,
James W. Johnston,	§	William B. Almon.
William Lawson,	§	

PRAYERS.

The Minutes of yesterday were read.

On motion of Mr. Allison, *resolved*, that leave of absence be granted to Mr. Wilkins for two days, to return home on urgent private business. Leave of Absence to Mr Wilkins

The Clerk read a Letter addressed to him by Mr. FitzRandolph, relative to his non-attendance, which was ordered to lie on the Table. Mr FitzRandolph, Letter relative to his non-attendance

Mr. Almon brought up the Petition of the Trustees of the National School, praying aid, which was read, and ordered to lie on the Table. Pet. of Trustees of National School

On motion, the House proceeded to the further consideration of the Report of the Committee appointed to suggest Standing Rules for the House, and after some progress, the further consideration of the said Report was deferred to a future day. Consideration of Standing Orders

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

A Bill, entitled, An Act for settling Titles in a certain Tract of Land in Cape-Breton, called the Mirè Grant. Mire Grant Bill

A Bill, entitled, An Act to enable the Congregation at Rogers' Hill, in connection with the Kirk of Scotland, to make sale of their Church or Meeting House. Rogers' Hill Congregation Bill

To which Bills they desired the concurrence of this House.

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

Monday, 4th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,	§	The Honorable Alexander Stewart,
Norman F. Uniacke,	§	Lewis M. Wilkins, Jr.
James W. Johnston,	§	Alexander Campbell,
William Lawson,	§	William B. Almon.

PRAYERS.

The Minutes of Saturday were read.

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

A Bill, entitled, An Act to continue the several Acts now in force in addition to, and amendment of, the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates. Wills, &c.

Cape Forchu Harbour	A Bill, entitled, An Act to continue the Act to preserve the Harbour of Cape Forchu, in Yarmouth.
Nuisances in Rivers	A Bill, entitled, An Act to continue the Act in addition to, and in amendment of, the Act to prevent Nuisances by Hedges, Wears and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.
Sup. Court Halifax	A Bill, entitled, An Act to continue the Act concerning the Terms of the Supreme Court at Halifax.
C. Pleas Courts	A Bill, entitled, An Act to continue the Act concerning the Inferior Courts of Common Pleas within this Province.
Circuits of Sup. Court	A Bill, entitled, An Act to continue the Act respecting the Trial of Issues in the Supreme Court, and for regulating the times of holding the Circuits of the said Court, and the Acts in amendment thereof.
Disorderly Riding	A Bill, entitled, An Act to continue the Act to prevent Disorderly Riding, and to regulate the Driving of Carriages on the Streets of Halifax or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned.
Billeting of Troops &c.	A Bill, entitled, An Act to continue the Act, entitled, An Act to provide for the Accommodation and Billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.
Lunenburg Fisheries	A Bill, entitled, An Act to continue the Act to prevent injuries to its Fisheries within the County of Lunenburg, by Mill Dams, or any other obstruction.
Sable Island	A Bill, entitled, An Act to continue the Act for the better regulation of Sable Island, in this Province.
Commrs. of Sewers	A Bill, entitled, An Act to continue the Act in amendment of the Acts relating to Commissioners of Sewers.
Introduction of Contagious Diseases	A Bill, entitled, An Act to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof.
Proof of Written Documents	A Bill, entitled, An Act to continue the Act to lessen the expense of the Proof of Written Documents in Actions depending in any of the Courts within this Province.
Quarantine	A Bill, entitled, An Act to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine, and the Act in amendment thereof.
Monies on Roads and Bridges	A Bill, entitled, An Act to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof.
Grammar School Annapolis	A Bill, entitled, An Act to continue the Act to provide for the Regulation and Management of the Grammar School or Academy at Annapolis.
Killing of Bears, &c.	A Bill, entitled, An Act to continue the Act to encourage the killing of Bears, Loup Cerviers and Wild Cats.
Roads and Bridges	A Bill, entitled, An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.
Supervisors of Public Grounds	A Bill, entitled, An Act to continue the Act for appointing Supervisors to take charge of Public Grounds, and for other purposes, and the Act in amendment thereof.
Pugwash Harbour	A Bill, entitled, An Act to continue the Act to preserve and regulate the Navigation of the Harbour of Pugwash.
Malicious Injuries	A Bill, entitled, An Act to continue the Act concerning Malicious Injuries to Property.
Nets of Fishermen	A Bill, entitled, An Act to continue the Act to prevent damage to the Nets of Fishermen by Coasting Vessels.
Shubenacadie Fishery	A Bill, entitled, An Act to continue the Act for regulating the Fishery in the River Shubenacadie.
Passengers, G. B. & I.	A Bill, entitled An Act to continue the Act relating to Passengers from Great-Britain and Ireland, and the Act in amendment thereof.
Foreclosure of Mortgages	A Bill, entitled, An Act to continue the Act for the more easy Redemption and Foreclosure of Mortgages.
Rear Blocks Guysborough	A Bill, entitled, An Act to continue the Act to enable the Proprietors of Lands in the rear blocks or divisions of Land in the Township of Guysborough to open roads through the same.

A Bill, entitled, An Act to continue the Act in amendment of the Act for the settlement of the Poor in the several Townships within this Province.	Settlement of Poor
A Bill, entitled, An Act to continue the Acts in force relative to the Inspection of Pickled Fish.	Inspection of Pickled Fish
A Bill, entitled, An Act to continue the Act to encourage the importation of improved Breeds of Cattle into this Province.	Importation of Cattle
A Bill, entitled, An Act to continue the Act additional concerning Nuisances.	Nuisances
A Bill, entitled, An Act to continue the Act to regulate certain Landings in the County of King's County.	Landings in King's County
A Bill, entitled, An Act to continue the Act for regulating the Exportation of Red or Smoked Herrings.	Smoked Herrings
A Bill, entitled, An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.	Public School Halifax
A Bill, entitled, An Act to continue the Act to restrain the issuing Writs of Attachment, in certain cases.	Attachments
A Bill, entitled, An Act to continue the Act to authorize the Sessions of the Peace for the County of Queen's County to make regulations for the gathering of Sea Manure in the said County.	Sea Manure in Queen's County
A Bill, entitled, An Act to continue the Act respecting the collection of Poores' Rates of Pictou.	Poores' Rates of Pictou
A Bill, entitled, An Act to continue the Act in amendment of an Act, made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton.	Cape Breton
A Bill, entitled, An Act to continue the Act relating to Marriage Licenses. To which Bills they desired the concurrence of this House.	Marriage Licenses
The Clerk read a Letter addressed to him by Mr. Ratchford, stating that indisposition prevented his attendance at the Council, and that he would attend when sufficiently recovered.	Mr Ratchford's apology
The Clerk read a Letter addressed to him by Mr. Cutler, stating that various unforeseen impediments would prevent his attendance during the Session.	Mr Cutler's apology
A Bill, entitled, An Act to enable the Congregation at Roger's Hill, in connexion with the Kirk of Scotland, to make sale of their Church or Meeting-House; also,	Rogers' Hill Kirk and Mire Grant Bills read 1st time
A Bill, entitled, An Act for settling Titles in a certain tract of Land in Cape-Breton, called the Mire Grant, were read a first time.	
<i>Ordered,</i> That the said Bills be read a second time at a future day.	
Sir Rupert D. George, Bart. the Secretary of the Province, informed the House, that he was commanded by His Excellency the Lieutenant-Governor to lay before the House the following written Messages, signed by His Excellency.	

M E S S A G E.

(Signed) C. CAMPBELL.

The Lieutenant-Governor transmits to the Legislative Council a Copy of a Despatch from His Excellency Lieutenant General Sir John Colborne, announcing his appointment to the Office of Governor General of all Her Majesty's Provinces on the Continent of North America, and of the Islands of Prince Edward and Newfoundland.

Governor-General's House, 4th February, 1839.

(For Despatch, vide Appendix No. 12.)

M E S S A G E.

(Signed) C. CAMPBELL.

The Lieutenant-Governor recommends to the consideration of the Legislative Council a copy of a Report of a Committee of the Executive Council, relative to the Bridewell in Halifax, and trusts that they, with the House of Assembly, will sanction the advances, amounting to £371 6s. 11d. which, under the circumstances explained by the Committee,

Message relative to Bridewell

MONDAY, 4th FEBRUARY, 1839.

Committee, have been made by his authority, from the Provincial Treasury, to pay off the balance due to the Superintendent, at the date of the Report, and to support the Institution from that period, to the end of last month.

The necessity for the immediate erection of a New House of Correction, on an enlarged scale, has become so obvious, that the Lieutenant-Governor invites the attention of the Legislative Council to this subject, and hopes they will concur with the House of Assembly in making provision for the construction and maintenance of a suitable Establishment, with sufficient accommodation for a judicious classification of Prisoners, and for the introduction of some of the other recent improvements in Penitentiary Systems.

Government-House, Halifax, 4th February, 1839.

(For Report, vide Appendix No. 13.)

M E S S A G E.

(Signed) C. CAMPBELL.

Message relative to
duties on Salted
Provisions and
Flour
No. 135, 5th March
1839.
21st April 1838.

The Lieutenant-Governor lays before the Legislative Council the Copy of a Despatch from the Right Honorable Lord Glenelg, inclosing Copies of a Correspondence which has passed between the Colonial Office and the Board of Trade, on the subject of the proposed repeal of the Duties levied on Salted Provisions and Wheat Flour, imported into Nova-Scotia, New-Brunswick, and Prince Edward's Island, with a Copy of the Report of a Committee of the Executive Council, to whom that Communication was referred.

The Lieutenant-Governor also transmits the Copy of a subsequent Despatch from the Secretary of State, and, in obedience to His Lordship's direction, requests the attention of the Legislative Council to the subject, and an expression of their opinion upon it, for the information of the Lords of the Treasury.

Government-House, 4th February, 1839.

(For Despatches, &c. vide Appendix No. 14.)

M E S S A G E.

(Signed) C. CAMPBELL.

Message relative to
Bay of Verte Canal

The Legislature of this Province having, by one of its enactments in the last Session, acknowledged the many and important advantages with which the opening of a Canal between the Gulf of St. Lawrence and the Bay of Fundy would be attended, the Lieutenant-Governor is persuaded that the Legislative Council will give their ready attention to the Papers which accompany this Message, and consider of the propriety of joining (as is requested) with the Legislature of New-Brunswick in soliciting Her Majesty's Government to send out some skillful Engineer for the purpose of examining the various lines of communication between these Waters, which have been proposed, and fixing upon that which, in his opinion, would be the best for adoption.

Government-House, 4th February, 1839.

(For Despatches and Papers, vide Appendix No. 15.)

Estimates for 1839

Sir Rupert George, also by His Excellency's command, laid before the House the Estimate for the year 1839.

(For Estimate, vide Appendix No. 16.)

Acct. of Casual
Revenue

Also, An Account of the Receipts and Disbursements of the Queen's Casual Revenue for the year 1838.

(For Account, vide Appendix No. 17.)

The said Messages, Despatches, Papers, Estimates and Account, were read and ordered to lie on the Table.

Thirty-eight continuing Bills this day brought up from the House of Assembly, the titles of which are hereinbefore mentioned, were read a first time.

Bills read

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

Pet. of J. R. Smith
& ul.

Mr. Stewart brought up the Petition of James R. Smith and others, praying for a Charter of Incorporation, which was ordered to lie on the Table. On

On motion, the House proceeded to the further consideration of the report of the Committee appointed to suggest Standing Rules for the House, and after some progress, the further consideration of the said Report was deferred to a future day. Standing Orders

Mr. Stewart, the Chairman of the Committee, to whom were referred
A Bill, entitled, An Act for regulating Elections of Members to serve in General Assembly; also, Committee on Election and

A Bill, entitled, An Act for regulating the Trials of Controverted Elections or Returns of Members to serve in General Assembly, reported that the Committee had examined and approved of the said Bills. Contested Election Bills, report

The said Bills were then read a second time.
Ordered, That the said Bills be committed to a Committee of the whole House at a future day. Bills read 2d time, and ordered to Committee

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

Tuesday, 5th February, 1839.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

§
§
§
§

The Honorable Alexander Stewart,
Lewis M. Wilkins,
Alexander Campbell,
William B. Almon.

PRAYERS.

Read the Minutes of yesterday.

Ordered, That the thirty-eight continuing Bills brought up from the House of Assembly yesterday, be referred to a Committee, to examine and report. Continuing Bills referred

Ordered, That Mr. Stewart, Mr. Johnston, and Mr. Campbell, be a Committee for that purpose. Committee

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

The Chairman also reported that the Committee had gone through the Bill, entitled, An Act for regulating Elections of Members to serve in General Assembly; also, Report Election and

A Bill entitled, An Act for regulating the Trials of Controverted Elections or Returns of Members to serve in General Assembly, and had agreed to the same, without any amendment. Controverted Election Bills without amendments

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

A Message was brought from the House of Assembly by Mr. Whidden, with the following Bill.

A Bill, entitled, An Act for the appointment of Trustees of School Lands in this Province. To which Bill they desired the concurrence of this House. Trustees School Land

The said Bill was read a first time.

Read 1st time

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

The Resolution requesting His Excellency to advance a further sum of £250 to the Yarmouth Light-House, was read a second time, and the question was put by the President. £250 additional to Yarmouth Light-House agreed to

Whether this Resolution be agreed to?

It was resolved in the Affirmative.

Ordered, That the Deputy Clerk do carry the said Resolution to the House of Assembly, and acquaint them therewith.

On motion made and seconded—the House Adjourned until To-morrow, at 2 o'clock. Adjourn

Wednesday, 6th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
William Lawson,
Alexander Stewart,

§
§
§
§

The Honorable Lewis M. Wilkins, Jun.
Alexander Campbell,
William B. Almon,

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act for regulating Elections of Members to serve in General Assembly; also,

A Bill, entitled, An Act for regulating the Trials of Controverted Elections or Returns of Members to serve in General Assembly, were read a third time, and the question was put by the President on each Bill,

Whether this Bill shall pass?

It was resolved in the affirmative.

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

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

A Bill, entitled, An Act for improving the Administration of Criminal Justice; also,

A Bill, entitled, An Act relating to Joint Tenancy; also,

A Bill, entitled, An Act to enable the Congregation at Rogers' Hill, in connexion with the Kirk of Scotland, to make sale of their Church or Meeting-House, were read a second time.

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

Mr. Stewart, the Chairman of the Committee, to whom the continuing Bills were referred, reported that the Committee had examined the said Bills, and found them all correct, except the Bill, entitled, An Act to continue the Acts in force relative to the inspection of Pickled Fish.

Whereupon, the following Bills, viz :

A Bill, entitled, An Act to continue the several Acts now in force in addition to, and amendment of, the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.

A Bill, entitled, An Act to continue the Act to preserve the Harbour of Cape Forchu, in Yarmouth.

A Bill, entitled, An Act to continue the Act in addition to, and in amendment of, the Act to prevent Nuisances by Hedges, Wears and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.

A Bill, entitled, An Act to continue the Act concerning the Terms of the Supreme Court at Halifax.

A Bill, entitled, An Act to continue the Act concerning the Inferior Courts of Common Pleas within this Province.

A Bill, entitled, An Act to continue the Act respecting the Trial of Issues in the Supreme Court, and for regulating the times of holding the Circuits of the said Court, and the Acts in amendment thereof.

A Bill, entitled, An Act to continue the Act to prevent Disorderly Riding, and to regulate the Driving of Carriages on the Streets of Halifax or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned.

A Bill, entitled, An Act to continue the Act, entitled, An Act to provide for the Accommodation and Billetting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.

A Bill, entitled, An Act to continue the Act to prevent injuries to its Fisheries within the County of Lunenburg, by Mill Dams, or any other obstruction. A

Elections &

Controverted Elections Bill read 3d time, agreed to and sent to H. A.

Criminal Justice
Joint Tenancy and Rogers' Hill Kirk Bill read 2d time

Committee on continuing Bills report

Wills, &c.

Cape Forchu Harbour

Nuisances in Rivers

Sup. Court Halifax

C. Pleas Courts

Circuits of Sup. Court

Disorderly Riding

Billetting of Troops &c.

Lunenburg Fisheries

A Bill, entitled, An Act to continue the Act for the better regulation of Sable Island, in this Province.	Sable Island
A Bill, entitled, An Act to continue the Act in amendment of the Acts relating to Commissioners of Sewers.	Commrs. of Sewers
A Bill, entitled, An Act to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof.	Introduction of Contagious Diseases
A Bill, entitled, An Act to continue the Act to lessen the expense of the Proof of Written Documents in Actions depending in any of the Courts within this Province.	Proof of Written Documents
A Bill, entitled, An Act to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine, and the Act in amendment thereof.	Quarantine
A Bill, entitled, An Act to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof.	Monies on Roads and Bridges
A Bill, entitled, An Act to continue the Act to provide for the Régulation and Management of the Grammar School or Academy at Annapolis.	Grammar School Annapolis
A Bill, entitled, An Act to continue the Act to encourage the killing of Bears, Loup Cerviers and Wild Cats.	Killing of Bears, &c.
A Bill, entitled, An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.	Roads and Bridges
A Bill, entitled, An Act to continue the Act for appointing Supervisors to take charge of Public Grounds, and for other purposes, and the Act in amendment thereof.	Supervisors of Public Grounds
A Bill, entitled, An Act to continue the Act to preserve and regulate the Navigation of the Harbour of Pugwash.	Pugwash Harbour
A Bill, entitled, An Act to continue the Act concerning Malicious Injuries to Property.	Malicious Injuries
A Bill, entitled, An Act to continue the Act to prevent damage to the Nets of Fishermen by Coasting Vessels.	Nets of Fishermen
A Bill, entitled, An Act to continue the Act for regulating the Fishery in the River Shubenacadie.	Shubenacadie Fishery
A Bill, entitled An Act to continue the Act relating to Passengers from Great-Britain and Ireland, and the Act in amendment thereof.	Passengers, G. B. & I.
A Bill, entitled, An Act to continue the Act for the more easy Redemption and Foreclosure of Mortgages.	Foreclosure of Mortgages
A Bill, entitled, An Act to continue the Act to enable the Proprietors of Lands in the rear blocks or divisions of Land in the Township of Guysborough to open roads through the same.	Rear Blocks Guysborough
A Bill, entitled, An Act to continue the Act in amendment of the Act for the settlement of the Poor in the several Townships within this Province.	Settlement of Poor
A Bill, entitled, An Act to continue the Act to encourage the importation of improved Breeds of Cattle into this Province.	Importation of Cattle
A Bill, entitled, An Act to continue the Act additional concerning Nuisances.	Nuisances
A Bill, entitled, An Act to continue the Act to regulate certain Landings in the County of King's County.	Landings in King's County
A Bill, entitled, An Act to continue the Act for regulating the Exportation of Red or Smoked Herrings.	Smoked Herrings
A Bill, entitled, An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.	Public School Halifax
A Bill, entitled, An Act to continue the Act to restrain the issuing Writs of Attachment, in certain cases.	Attachments
A Bill, entitled, An Act to continue the Act to authorize the Sessions of the Peace for the County of Queen's County to make regulations for the gathering of Sea Manure in the said County.	Sea Manure in Queen's County
A Bill, entitled, An Act to continue the Act respecting the collection of Poores' Rates of Pictou.	Poores' Rates of Pictou
A Bill, entitled, An Act to continue the Act in amendment of an Act, made and passed in	Cape Breton in

WEDNESDAY and THURSDAY, 6th and 7th FEBRUARY, 1839.

	in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton.
Marriage Licenses	A Bill, entitled, An Act to continue the Act relating to Marriage Licenses.
Read 2d & 3d time	Were read a second time, and by order, the said Bills were read a third time, and the Question was put by the President on each Bill,
Agreed to and sent to H. A.	Whether this Bill shall pass? It was resolved in the affirmative. A Message was sent to the House of Assembly, by the Clerk, To return the said Bills, and acquaint them that this House have agreed to the said Bills without any amendment.
Committee on Bills	On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Allison reported that the Committee had made some progress.
Report Rogers' Hill Kirk without amendment	The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to enable the Congregation at Rogers' Hill, in connexion with the Kirk of Scotland, to make sale of their Church or Meeting-House; and had agreed to the same without any amendment.
Bill read 3d time	The said Bill was then, by order, read a third time, and the question was put by the President,
Agreed to	Whether this Bill shall pass? It was resolved in the affirmative.
Sent to H. A.	A Message was sent to the House of Assembly, by the Clerk, To return the said Bill, and acquaint them, that this House have agreed to the said Bill, without amendment.
Standing Order	On motion, the House proceeded to the further consideration of the report of the Committee appointed to suggest Standing Rules for the House, and after some progress, the further consideration of the said Report, was deferred to a future day.
Adjourn	On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Thursday, 7th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
William Lawson,
Alexander Sewtart,

§ The Honorable Lewis M. Wilkins, Jr.
§ Alexander Campbell,
§ William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

Mr. Wilkins brought up the Petition of John Murray and others, Trustees of the Yarmouth Academy, which was read, and ordered to lie on the Table.

of Yarmouth Academy

Adjourn

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

Friday,

Friday, 8th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
William Lawson,
Alexander Stewart,

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The Honorable Lewis M. Wilkins, Jr.
Alexander Campbell,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

On motion made and seconded—the House adjourned until Monday next, at two o'clock. Adjourn

Monday, 11th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Sewtart,

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The Honorable Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of Friday were read.

This day, Mr. Ratchford took the Oaths, and also took and subscribed the Oath of Abjuration, pursuant to the Statutes, and thereupon took his seat.

Mr. Ratchford takes Oaths

On motion of Mr. Stewart, *resolved*, that leave of absence be granted to Mr. Campbell for ten days, from Friday next, to return home on urgent private business.

Leave of Absence to Mr. Campbell

Mr. Johnston brought up the Petition of E. Morton and others, of the County of Digby, praying that a Bill may be passed directing the County of Annapolis to refund the whole or part of the Assessment levied on the County of Digby, for rebuilding the Court House at Annapolis, which was read, and ordered to lie on the Table.

Pet. of E. Morton & al.

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

Adjourn.

Tuesday, 12th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Alexander Campbell,

§
§

The Honorable James Ratchford.

PRAYERS.

At 25 minutes past 2 o'clock, there being but four Members present, the President adjourned the House until To-morrow, at 2 o'clock.

Adjourn.

Wednesday,

WEDNESDAY, 13th FEBRUARY, 1839.

Wednesday, 13th February, 1839.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
James W. Johnston,
William Lawson,
Alexander Stewart,

The Honorable Lewis M. Wilkins, Jun.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of Monday and yesterday were read.

Petition of African School

Mr. Allison brought up the Petition of the Rev. Robert Willis, praying aid to the African School, which was ordered to lie on the Table.

Report of Com. of Public Accounts

Mr. Lawson, the Chairman of the Committee of this House appointed to join a Committee of the House of Assembly to examine the Public Accounts, made his report in writing, which he read in his place, and afterwards delivered it to the Clerk, who read the same.

Ordered, That the said Report do lie on the Table.

Order of Day for consideration of His Excellency's Messages

On motion of Mr. Stewart, *resolved*, that it be the Order of the Day for Wednesday, the 27th day of February, instant, for the House to go into consideration of His Excellency's Messages to this House of the 18th January last.

Trustees of School Land Bill read 2nd time

A Bill, entitled, An Act for the appointment of Trustees of School Lands in this Province, was read a second time.

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

Copies of Grants of School Lands

Mr. Johnston, by His Excellency's command, laid before the House certain Papers relating to Schools Land, agreeably to the Address of this House to His Excellency, in the last Session, dated 17th April, 1838, which were read, and ordered to lie on the Table.

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

Committee on Bills Report Criminal Justice Bill with amendments Amendment agreed to

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act for improving the Administration of Criminal Justice, and made several amendments thereto.

Motion to recommit agreed to

The amendments, being read twice by the Clerk, were agreed to by the House. Mr. Wilkins moved that the said Bill be re-committed for the purpose of inserting in the Bill the third Clause thereof, which has been struck out by the Committee : which, being seconded, and the Question being put, it was resolved in the affirmative.

Com. on Bills

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

Report Criminal Justice Bill with Amendments

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act for improving the Administration of Criminal Justice, and made several amendments thereto.

Amendments agreed to

Which amendments, being read twice by the Clerk, were agreed to by the House. Mr. Wilkins moved that the said Bill be re-committed, for the purpose of inserting in the Bill the second Clause thereof which has been struck out in Committee : which, being seconded, and the question being put, there appeared for the motion, two ; against the motion, six. So it passed in the Negative.

Motion to recommit negatived

Ordered, That the said amendments be engrossed.

Adjourn

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

Thursday,

THURSDAY and FRIDAY, 14th and 15th FEBRUARY, 1839.

Thursday, 14th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
William Lawson,
Alexander Stewart,

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§

The Honorable Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act for improving the Administration of Criminal Justice, was read a third time, and the question was put by the President,

Whether this Bill, with the amendments, shall pass?

It was resolved in the affirmative.

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

To return the said Bill, and acquaint them that this House have agreed to the same with amendments, to which amendments they desire the concurrence of the House of Assembly.

Mr. Stewart brought up the Petition of Adams Archibald and another, relative to Licenses to sell Spirituous Liquors, which was read and ordered to lie on the Table.

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

A Bill, entitled, An Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township.

A Bill, entitled, An Act to authorise the Sale of Coals by weight.

A Bill, entitled, An Act to reduce the expenses of Suits at Law on Judgments by Confession.

A Bill, entitled, An Act to amend, consolidate, and reduce into one Act, the several Acts relating to the Summary Trial of Actions before Justices of the Peace for the recovery of Debts.

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

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

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

Criminal Justice Bill read 3d time

Agreed to, &c.

Sent to H. A.

Pet. of A. Archibald & al.

Town House Cornwallis

Coals

Confessions

Summary Trials before Justices

Adjourn

Friday, 15th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

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§
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§

The Honorable Alexander Stewart
Lewis M. Wilkins, Jr.
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to authorise the Sale of Coals by weight, was read a second time.

Mr. Almon moved that the further consideration of the said Bill be deferred to this day three months: which, being seconded, and the question being put, it was resolved in the negative.

It was then moved, that the said Bill be committed to a Committee of the whole House at a future day; which, being seconded, and the question being put, it was resolved in the affirmative.

Coals Bill read 2d time

Motion to defer Negatived

Ordered to Com.

A

FRIDAY, 15th FEBRUARY, 1839.

Summary Trials of
before Justices
Peace Bill read 2d
time

Referred to Select
Committee.

Committee

Town House Corn-
wallis, &c.

Confession Bill
read 2d time

Ordered to Com.

Lands liable to
Debts

Pilotage Sydney

£14,000 roads and
Bridges

Read 1st time

Committee on Bills

Report Joint Ten-
ancy Bill with a-
mendments

Motion not to re-
ceive report nega-
tived

Petition for Acadi-
an School

Mirè Grant Bill
read 3d time

Ordered to Com.

Adjourn

A Bill, entitled, An Act to amend, consolidate, and reduce into one Act, the several Acts relating to the Summary Trial of Actions before Justices of the Peace for the recovery of Debts, was read a second time.

Mr. Stewart moved that the said Bill be referred to a Select Committee to examine and report upon: which, being seconded, and the question being put, it was resolved in the affirmative.

Ordered, That Mr. Stewart, Mr. Johnston and Mr. Ratchford, be a Committee for that purpose.

A Bill, entitled, An Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township; also,

A Bill, entitled, An Act to reduce the expenses of Suits at Law on Judgments by Confession, were read a second time.

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

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills and Resolution.

A Bill, entitled, An Act for making Lands and Tenements liable to the payment of Debts, and to repeal the Acts now in force.

A Bill, entitled, An Act to amend the Acts to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton.

Resolved, That the sum of Fourteen Thousand Pounds be granted for the service of Roads and Bridges, for the present year.

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

The said Bills and Resolution were read a first time.

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

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act relating to Joint Tenancy, and had made several amendments thereto.

Mr. Almon moved that the report of the Committee be not received, but that the further consideration of the said Bill and amendment be deferred to this day three months: which, being seconded, and the question being put, there appeared, for the motion, three; against the motion, five.

For the motion,

Mr. Lawson,

Mr. Almon,

Mr. Uniacke.

Against the motion,

Mr. Ratchford,

Mr. Stewart,

Mr. Wilkins,

Mr. Johnston,

Mr. Allison.

So it passed in the Negative.

The amendments were then read and agreed to.

Mr. Johnston brought up the Petition of Thomas N. Jeffery and others, praying aid to the Acadian School, which was ordered to lie on the Table.

A Bill, entitled, An Act for settling Titles in a certain tract of Land in Cape-Breton, called the Mirè Grant, was read a second time.

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

On motion made and seconded—the House adjourned until Monday, at 2 o'clock.

Monday,

MONDAY and TUESDAY, 18th and 19th FEBRUARY, 1839.

Monday, 18th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
William Lawson,

§
§
§

The Honorable Alexander Stewart,
James Ratchford,
William B. Almon.

PRAYERS.

At 35 minutes past 2 o'clock, there being but seven Members present, the President adjourned the House until To-morrow, at 2 o'clock.

Tuesday, 19th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

§
§
§
§

The Honorable Alexander Stewart,
Lewis M. Wilkins, Jr.
James Ratchford,
William B. Almon,

PRAYERS.

The Minutes of Friday and Monday were read.

The Resolution for granting the sum of £14,000 for the service of Roads and Bridges, was read a second time, and the question was put by the President, Road Vote read 2d time

Whether this Resolution be agreed to ? Agreed to &

It was resolved in the affirmative.

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

To return the said Resolution, and acquaint them that this House have agreed to the same, without any amendment. Sent to H. A.

Mr. Stewart brought up the Petition of the Halifax Steam-Boat Company, praying aid ; also, Pet. of H. Steam Boat Co.

The Petition of W. Ouseley and others, praying aid to the Sydney Grammar School ; also, W. Ouseley &
The Petition of the Licensed Pilots, of Sydney, Cape-Breton, which were ordered to lie on the Table. Licensed Pilots Sydney

A Bill, entitled, An Act relating to Joint Tenancy, was read a third time. Joint Tenancy

Mr. Almon then moved, that the following proviso be added to the said Bill :— Bill read 3d time

“ Provided always, and be it further enacted, That nothing in this Act contained shall extend to Persons holding Lands, Tenements or Hereditaments, as Executors or Trustees : Amendt. made

Which, being seconded, and the question being put, was agreed to.

Then the question was put by the President,

Whether this Bill with the amendments, shall pass ? Agreed to &

It was resolved in the affirmative.

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

To return the said Bill, and acquaint them that this House have agreed to the said Bill with several amendments, to which amendments they desire the concurrence of the House of Assembly. Sent to H. A.

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

A Bill, entitled, An Act to establish the rate of Tare upon Sugar. Tare on Sugar Bill

To which Bill they desired the concurrence of this House.

TUESDAY, WEDNESDAY and THURSDAY, 19th, 20th and 21st FEBRUARY, 1839.

Read 1st time The said Bill was read a first time.
Ordered, That the said Bill be read a third time, at a future day.

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

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

Wednesday, 20th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.		
The Honorable Joseph Allison,	§	The Honorable Alexander Stewart,
Norman F. Uniacke,		Lewis M. Wilkins, Jr.
James W. Johnston,		James Ratchford,
William Lawson,		William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

Tare on Sugar Bill read 2d time A Bill, entitled, An Act to establish the rate of Tare on Sugars, was read a second time.
 Ref. to Sel. Com. *Ordered*, That the said Bill be referred to a Select Committee, to examine and report upon.

Committee *Ordered*, That Mr. Lawson, Mr. Allison and Mr. Ratchford, be a Committee for the above purpose.

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

Dalhousie College Bill A Bill, entitled, An Act to amend the Act to Incorporate the Governors of the Dalhousie College at Halifax.
 To which Bill they desired the concurrence of this House.

Read 1st time The said Bill was read a first time.
Ordered, That the said Bill be read a second time, at a future day.

Report on Summary Trials Bill Mr. Stewart, the Chairman of the Committee to whom a Bill, entitled, An Act to amend, consolidate, and reduce into one Act, the several Acts relating to the Summary Trial of Actions before Justices of the Peace, for the recovery of Debts, was referred, reported that the Committee had directed him to report that it was the opinion of the Committee, that the further consideration of the said Bill should be deferred to this day three months.

Bill def. 3 months *Ordered*, That the said Report be received, and the further consideration of the said Bill be deferred to this day three months.

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

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

Thursday, 21st February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.		
The Honorable Joseph Allison,	§	The Honorable Alexander Stewart,
Norman F. Uniacke,		Lewis M. Wilkins, Jr.
James W. Johnston,		James Ratchford,
William Lawson,		William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to amend the Act to Incorporate the Governors of the Dalhousie College, at Halifax; also.

Dalhousie College and

A Bill, entitled, An Act to amend the Acts to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton, were read a second time.

Pilotage Sydney Bill read 2d tim

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

Mr. Allison, by His Excellency's command, laid before the House a Despatch from the Right Honorable Lord Glenelg, dated 31st December, 1838, enclosing an Order of Her Majesty in Council, confirming twelve Acts, passed in the last Session of the General Assembly; also,

Message with Despatches

An Extract from a Despatch from Lord Glenelg, dated 3d January, 1839, relative to certain Acts passed in the last Session of the General Assembly, granting Drawbacks and Bounties; and also, the Act Incorporating the Whaling Company, which were read and ordered to lie on the Table.

(For Despatches, vide Appendix, Nos. 18 & 19.)

On motion of Mr. Almon, *resolved*, that an humble Address be presented to His Excellency the Lieutenant-Governor, respectfully requesting him to lay before this House a copy of the Instructions delivered to the Gentlemen who proceeded from this Province as Delegates to the Right Honorable the Earl of Durham, Governor-General, in consequence of Despatches received from His Lordship, upon the subject of a General Union of Her Majesty's North American Colonies, proposed for consideration by His Lordship; and also, any Reports that may have been made by those Delegates to His Excellency, either during the time they were in Canada or since their return; and also, such parts of His Lordship's Despatches as relate to the said proposed Union.

Motion for Papers connected with Delegation to Earl Durham

Ordered, That Mr. Almon and Mr. Ratchford, be a Committee to prepare the said Address.

Com. to prepare Address

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

Com. on Bills

Mr. Almon, the Chairman of the Committee appointed to prepare an Address to His Excellency the Lieutenant-Governor, requesting him to lay before this House a copy of the Instructions delivered to the Gentlemen who proceeded from this Province as Delegates to the Right Honorable the Earl of Durham, Governor-General, relative to a General Union of the North American Colonies, &c.—reported the draft of an Address, which he read in his place, and afterwards delivered it to the Clerk, who read the same, as follows:—

Address to H. E. for Instructions to Delegation to Earl Durham

TO HIS EXCELLENCY LIEUTENANT-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL.

The Legislative Council respectfully request Your Excellency to lay before this House a copy of the Instructions delivered to the Gentlemen who proceeded from this Province as Delegates to the Right Honorable the Earl of Durham, Governor-General, in consequence of Despatches received from His Lordship, upon the subject of a General Union of Her Majesty's North American Colonies, proposed for consideration by His Lordship; and also, any Reports that may have been made by those Delegates to Your Excellency, either during the time they were in Canada, or since their return; and also, such parts of His Lordship's Despatches as relate to the said proposed Union.

Address

Ordered, That the said Address be received and adopted, and that the Committee who prepared the same, be a Committee to present the said Address to His Excellency.

Adopted Com. to present Address

On

THURSDAY, 21st FEBRUARY, 1839.

Com. on Bills	On motion, the House was adjourned, during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Allison reported that the Committee had made some progress.										
Report Town House Cornwallis Bill without amendt.	The Chairman also reported that the Committee had had under their consideration a Bill, entitled, An Act to enable the Inhabitants of Cornwallis, to provide a Public Town-House for that Township, and had agreed to the same without any amendment. <i>Ordered,</i> That the said Bill be read a third time, at a future day.										
Recommend Coal Bill to be referred to Select Com.	The Chairman also reported that the Committee had had under consideration, a Bill, entitled, An Act to authorize the Sale of Coals by Weight, and had directed him to report that it was the opinion of the Committee, that the said Bill should be referred to a Select Committee, to examine and report upon.										
Report received	<i>Ordered,</i> That the said Report be received, and the said Bill be referred to a Select Committee, to examine and report upon.										
Committee	<i>Ordered,</i> That Mr. Lawson, Mr. Wilkins and Mr. Almon, be a Committee for that purpose.										
Recommend Confessions Bill to Select Com.	The Chairman also reported that the Committee had had under under consideration a Bill, entitled, An Act to reduce the expenses of Suits at Law on Judgments by Confession, and recommended that the said Bill should be referred to a Select Committee, to examine and report upon.										
Report received	<i>Ordered,</i> That the said Report be received, and the said Bill be referred to a Select Committee, to examine and report upon.										
Committee	<i>Ordered,</i> That Mr. Stewart, Mr. Johnston and Mr. Allison, be a Committee for that purpose.										
Recommend School Lands Bill to be deferred 3 months	The Chairman also reported that the Committee had had under their consideration a Bill, entitled, An Act for the appointment of Trustees of School Lands in this Province, and had directed him to report that it was the opinion of the Committee, that the further consideration of the said Bill should be deferred to this day three months.										
Motion not to receive Report	Mr. Allison moved that the report of the Committee be not received: which, being seconded, and the question being put, there appeared, for the motion, four; against the motion, four.										
	<table border="0"> <tr> <td style="text-align: center;">For the motion,</td> <td style="text-align: center;">Against the motion,</td> </tr> <tr> <td style="text-align: center;">Mr. Allison,</td> <td style="text-align: center;">Mr. Wilkins,</td> </tr> <tr> <td style="text-align: center;">Mr. Johnston,</td> <td style="text-align: center;">Mr. Almon,</td> </tr> <tr> <td style="text-align: center;">Mr. Lawson,</td> <td style="text-align: center;">Mr. Ratchford,</td> </tr> <tr> <td style="text-align: center;">Mr. Stewart,</td> <td style="text-align: center;">Mr. Uniacke,</td> </tr> </table>	For the motion,	Against the motion,	Mr. Allison,	Mr. Wilkins,	Mr. Johnston,	Mr. Almon,	Mr. Lawson,	Mr. Ratchford,	Mr. Stewart,	Mr. Uniacke,
For the motion,	Against the motion,										
Mr. Allison,	Mr. Wilkins,										
Mr. Johnston,	Mr. Almon,										
Mr. Lawson,	Mr. Ratchford,										
Mr. Stewart,	Mr. Uniacke,										
Negatived	Whereupon, the President gave his vote against the motion. So it passed in the Negative.										
Bill deferred	<i>Ordered,</i> That the said Report be received, and the further consideration of the said Bill be deferred to this day three months.										
Lands liable to Debts Bill read 2d time Referred to Select Com.	A Bill, entitled, An Act for making Lands and Tenements liable to the payment of Debts, and to repeal the Acts now in force, was read a second time.										
Committee	<i>Ordered,</i> That the said Bill be referred to a Select Committee, to examine and report upon.										
Adjourn	<i>Ordered,</i> That Mr. Wilkins, Mr. Johnston and Mr. Stewart, be a Committee for that purpose.										
	On motion made and seconded—the House adjourned until To-morrow, at two o'clock.										

Friday,

Friday, 22d February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

S. B. Robie

The Honorable Alexander Stewart,
Lewis M. Wilkins, Jr.
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township, was read a third time, and the question was put by the President, Whether this Bill shall pass? Town House Cornwallis Bill read 3d time

It was resolved in the affirmative.

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

To return the said Bill, and acquaint them that this House have agreed to the same without any amendment. Agreed to & Sent to H. A.

Mr. Almon, the Chairman of the Committee appointed to present the Address to His Excellency the Lieutenant-Governor, requesting His Excellency to lay before this House a copy of the Instructions delivered to the Gentlemen who proceeded from this Province as Delegates to the Right Hon. the Earl of Durham, Governor-General, in consequence of Despatches received from His Lordship upon the subject of a General Union of Her Majesty's North American Colonies, &c. reported that the Committee had presented the said Address, and that His Excellency had been pleased to state that he would lay any papers on the subject before the House. Com. to present Address to H. E. for papers connected with Delegation to Earl Durham report

Mr. Lawson, the Chairman of the Committee to whom the Bill, entitled, An Act to establish the rate of Tare on Sugar was referred, reported that the Committee had proposed an amendment to the said Bill, and recommended that the same should be referred to a Committee of the whole House. Com. on Sugar Tare Bill report

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

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

The Chairman also reported that the Committee had had under their consideration
A Bill, entitled, An Act to continue the Acts in force relative to the Inspection of Pickled Fish; also, Report Pickled Fish
A Bill, entitled, An Act to amend the Acts to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton; also, Sydney Pilotage &c.
A Bill, entitled, An Act to establish the rate of Tare upon Sugars, and had made amendments to each of the said Bills. Tare on Sugar Bill with amendments.

The amendments to the said Bills being read twice by the Clerk, were agreed to by the House. Amendments agreed to.

Mr. Johnston informed the House that he was commanded by His Excellency the Lieutenant-Governor to lay before the House the following copy of a Despatch from the Right Honorable Lord Glenelg, Her Majesty's Principal Secretary of State for the Colonies. Message with Despatch relative to Imperial Acts.

(Circular.)

SIR—

Downing-Street, 25th December, 1839.

Her Majesty's Government having had under their consideration the inconvenience which may arise in the Colonial Possessions of the Crown, from an imperfect acquaintance in the Legislative Bodies and Courts of Justice with the Acts passed from time

Despatch.

to time by the Imperial Legislature, have made arrangements for supplying annually to each of the British Colonies so many copies of those Acts as may be required for the respective Legislatures and Courts of Justice.—There will accordingly be annually transmitted to the Colony under your Government five copies, to be distributed as follows:—

- 1 For the use of the Executive Council, to be deposited with the Colonial Secretary.
- 1 For the Legislative Council.
- 1 For the House of Assembly.
- 1 For the Supreme Court of Justice—and
- 1 For the Court of Chancery.

You will make such arrangement as shall appear to you necessary, in concert with the Legislative Bodies and the Judges of the Courts of Justice, for the safe custody and preservation of these copies of Acts of Parliament.

I have the honor to be, &c.

(Signed)

GLENELG.

Lt. General Sir COLIN CAMPBELL, K. C. B.

The said Despatch was read, and ordered to lie on the Table.

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

Adjourn

Saturday, 23d February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,

Norman F. Uniacke,

James W. Johnston,

William Lawson,

The Honorable Alexander Stewart

Lewis M. Wilkins, Jr.

James Ratchford,

William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

Pickled Fish

A Bill, entitled, An Act to continue the Acts in force relative to the Inspection of Pickled Fish; also,

Pilotage Sydney &

A Bill, entitled, An Act to amend the Acts to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton; also,

Tare upon Sugars
Bills read 3d time

A Bill, entitled, An Act to establish the rate of Tare upon Sugars, were read a third time, and the question was put by the President, on each Bill,

Whether this Bill, with the amendments, shall pass?

Agreed to & sent to
H. A.

It was resolved in the affirmative.

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

To return the said Bills, and acquaint them that this House have agreed to the said Bills with several amendments, to which amendments they desire the concurrence of the House of Assembly.

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

Message disagree-
ing to amendments
to Criminal Justice
Bill

To inform the House, that the House of Assembly did not agree to the amendments proposed by this House to the Bill, entitled, An Act for improving the Administration of Criminal Justice.

Also, with the following Bills:

Poors' Rates

A Bill, entitled, An Act in further addition to the several Acts now in force, respecting Poors' Rates.

Lock-up House
River John

A Bill, entitled, An Act to provide a Lock-up-House at River John, in the County of Pictou.

St. Mary's District

A Bill, entitled, An Act to divide and set off the Township of Saint Mary's, in the County of Guysborough, as a separate and distinct District.

Seal Fisheries

A Bill, entitled, An Act to continue the Act to encourage the Seal Fisheries of this Province.

A Bill, entitled, An Act to establish the limits of the Township of Rawdon.

Rawdon Limits
Douglas Township

A Bill, entitled, An Act to divide the Township of Douglas, and to establish the bounds thereof.

A Bill entitled, An Act for Incorporating the Nova-Scotia Baptist Education Society.

Baptist Education
Society

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Read 1st time

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

Sir Rupert D. George, Baronet, the Secretary of the Province, informed the House that he was commanded by His Excellency the Lieutenant-Governor, to lay before the House the following written Message, signed by His Excellency:

M E S S A G E.

(Signed) C. CAMPBELL.

The accompanying Documents contain all the information which the Lieutenant-Governor is able to supply on the subject of the Address of the Legislative Council, of the 21st instant. The Paper No. 1, being the copy of a Memorandum, which the Right Honorable the Earl of Durham put into the Lieutenant-Governor's hands at Quebec, in August last, as explanatory of His Lordship's views with respect to a General Union of Her Majesty's North American Colonies; and the Paper No. 2, being the copy of a Communication made to Lord Durham by the Gentlemen who, at his Lordship's verbal request, were selected by the Lieutenant-Governor, to proceed to Quebec, to confer with His Lordship on that and other matters, in which the interests of Nova-Scotia were concerned.

Message relative to
Delegation to Earl
Durham

No Instructions were given to these Gentlemen for their guidance on the occasion, nor did they make any Written Report to the Lieutenant-Governor of their proceedings in Canada, either when there or since their return.

Message and Pa-
pers to be printed

The Lieutenant-Governor never received any Despatch from Lord Durham, concerning the proposed Union.

Government-House, Halifax, 23rd February, 1839.

(For Papers, vide Appendix, Nos. 20 & 21.)

The said Message and Papers were read, and ordered to lie on the Table.

On motion of Mr. Stewart, resolved, that fifty copies of the foregoing Message, and the Papers accompanying the same, be printed for the use of the Members.

On motion made and seconded—the House adjourned until Monday, at 2 o'clock.

Adjourn

Monday, 25th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

S. B. Robie

The Honorable Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of Saturday were read.

A Bill, entitled, An Act in further addition to the several Acts now in force, respecting Poors' Rates; also,

Poors' Rates

A Bill, entitled, An Act to divide and set off the Township of Saint Mary's, in the County of Guysborough, as a separate and distinct District; also,

Saint Mary's Dis-
trict

A Bill, entitled, An Act to continue the Act to encourage the Seal Fisheries of this Province; also,

Seal Fisheries

A Bill, entitled, An Act to provide a Lock-up-House at River John, in the County of Pictou; also,

Lock-up House
River John &

MONDAY, 25th FEBRUARY, 1839.

- Baptist Education Society Bills read 2d time
Ordered to Com.
- A Bill, entitled, An Act for Incorporating the Nova-Scotia Baptist Education Society, were read a second time.
Ordered, That the said Bills be committed to a Committee of the whole House, at a future day.
- Rawdon Township and Douglas Township Bills read 2d time
Ref. to Sel. Com.
- A Bill, entitled, An Act to establish the limits of the Township of Rawdon; also, A Bill, entitled, An Act to divide the Township of Douglas, and to establish the bounds thereof, were read a second time.
Ordered, That the said Bills be referred to a Select Committee, to examine and report upon.
- Committee
- Ordered,* That Mr. Wilkins, Mr. Almon and Mr. Ratchford, be a Committee for that purpose.
- Report on Lands liable to Debts Bill
Ordered to Com.
- Mr. Wilkins, the Chairman of the Committee to whom the Bill, entitled, An Act for making Lands and Tenements liable to the payment of Debts, and to repeal the Acts now in force, was referred, reported that the Committee had had the said Bill under consideration, and recommended that the said Bill be committed to a Committee of the whole House.
Ordered, That the said Report be received, and the said Bill be committed to a Committee of the whole House at a future day.
- Motion for leave to bring in Bill for selection of Trustees for granted as School Lands
- Mr. Johnston moved for leave to bring in a Bill to provide for the selection and appointment of Trustees of Lands, granted, reserved, or otherwise allotted as School Lands, or for Schools in this Province: which, being seconded, and the question being put, there appeared, for the motion, five; against the motion, four:
- | | |
|-----------------|---------------------|
| For the motion, | Against the motion, |
| Mr. Johnston, | Mr. Ratchford, |
| Mr. Stewart, | Mr. Uniacke, |
| Mr. Campbell, | Mr. Wilkins, |
| Mr. Allison, | Mr. Almon, |
| Mr. Lawson, | |
- So it passed in the affirmative.
The said Bill was read a first time.
Ordered, That the said Bill be read a second time, at a future day.
- Granted Bill read 1st time
- Consideration of amendment to Criminal Justice Bill
1st amendment
- The House proceeded to the consideration of the amendments proposed by this House, to the Bill, entitled, An Act for improving the Administration of Criminal Justice, which have not been agreed to by the House of Assembly.
The first amendment was read as follows:
1st Clause.—Leave out the words "One Person," and insert instead thereof, the words "Ten Persons," in the 13th line.
- Not adhered to
2d amendment
- On motion, *resolved,* that the said amendment be not adhered to.
The second amendment was read as follows:
After the word "One," in the 17th line, insert the words "Or more."
- Not adhered to
3d Amendment
- On motion, *resolved,* that the said amendment be not adhered to.
The third amendment was read as follows:
Leave out the words "such property to belong to the person so named and another or others," in the 18th, 19th, and 20th lines, and insert instead thereof the following words: "such property to belong to the person or persons so named, and another or other persons united or associated together with him or them, under or by a certain name, firm or title, and which name, firm or title, shall be stated and set out at length in any such indictment or information."
- Not adhered to
4th amendment
- On motion, *resolved,* that the said amendment be not adhered to.
The fourth amendment was read as follows:
At the end of the Clause add the following Proviso: "Provided that the name, firm or title, under which such Partners, Joint Tenants, Partners or Tenants, in common, shall be united, shall be stated in such indictment or information."
- Not adhered to
- On motion, *resolved,* that the said amendment be not adhered to.
The fifth amendment was read as follows:

2d Clause—leave out this Clause.—Which Clause is as follows: “and for preventing abuses from dilatory Pleas, *Be it enacted*, that no indictment or information shall be abated by reason of any dilatory plea of misnomer, or of want of addition, or of wrong addition of the party offering such plea, if the Court shall be satisfied, by affidavit or otherwise, of the truth of such plea; but in such case the Court shall forthwith cause the indictment or information to be amended according to the truth, and shall call upon such party to plead there-to, and shall proceed as if no such dilatory plea had been pleaded.”

5th amendment

On motion, *resolved*, that the said amendment be adhered to.

Adhered to

The sixth amendment was read as follows:

6th amendment

3d Clause—leave out this Clause.—Which Clause is as follows: “And that the punishment of offenders may be less frequently interrupted, in consequence of technical niceties; *Be it enacted*, that no judgment upon any indictment or information, for any Felony or Misdemeanour, whether after verdict or by confession, default or otherwise, shall be stayed or reversed for want of the averment of any matter unnecessary to be proved, nor for the omission of the words “as appears by the record,” or of the words “with force and arms,” or of the words “against the Peace,” nor for the insertion of the words “against the form of the Statute,” instead of the words “against the form of the Statutes,” or vice versa—nor for that any person or persons mentioned in the indictment or information, is or are designated by a name of office or other descriptive appellation, instead of his, her, or their proper name or names, nor for omitting to state the time at which the offence was committed, in any case where time is not of the essence of the offence, nor for stating the time imperfectly, nor for stating the offence to have been committed on a day subsequent to the finding of the indictment or exhibiting the information, or on an impossible day, or on a day that never happened, nor for want of a proper or perfect venue, where the Court shall appear by the indictment or information to have had jurisdiction over the offence.”

On motion, *resolved*, that the said amendment be adhered to.

Adhered to

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

Com. on Bills

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

Adjourn

Tuesday, 26th February, 1839.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

§
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The Honorable Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

On motion of Mr. Stewart, *resolved*, that a Committee be appointed to draw up an Address to His Excellency the Lieutenant-Governor, requesting His Excellency to lay before the House any information he may possess relative to the forcible entry of an armed force, under the authority of the State of Maine, into that portion of New-Brunswick, the right of which is in dispute between Great-Britain and the United States.

Motion for Address to H. E. rel. to incursion in New Brunswick

Ordered, That Mr. Stewart, Mr. Uniacke and Mr. Johnston, be a Committee to prepare the said Address.

Committee to prepare Address

Mr. Stewart, the Chairman of the Committee appointed to prepare the said Address, reported a draft thereof; which he read in his place, and afterwards delivered it to the Clerk, who read the same, as follows:

Address reported

TUESDAY, 26th FEBRUARY, 1839.

TO HIS EXCELLENCY LIEUTENANT-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief in and over Her Majesty's Province of Nova-Scotia and its Dependencies, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL.

May it please Your Excellency ;

Address

The Legislative Council have heard with surprise and regret that an armed force, under the authority of the State of Maine, has forcibly entered into that portion of the Province of New Brunswick, the right to which is in dispute between Great-Britain and the United States, but which is in the actual possession and jurisdiction of Great-Britain. The Legislative Council therefore hasten humbly to pray that Your Excellency will be pleased to lay before this House any official information thereon, which Your Excellency may be enabled to afford, and may deem it not inconsistent with Your Excellency's duty to communicate to this House.

Adopted

Ordered, That the said Address be received and adopted.

Com. to present Address

Ordered, That Mr. Stewart, Mr. Johnston and Mr. Ratchford, be a Committee to present the said Address.

Report of Com.

Mr. Stewart, the Chairman of the Committee appointed to present the said Address to His Excellency, reported that the Committee had presented the said Address, and that His Excellency was pleased to state to the Committee, that the only official information he had received on the subject of the Address of the Council, was contained in a short Letter from His Excellency Sir John Harvey, Lieutenant-Governor of New-Brunswick, enclosing two Newspapers, (one of which the Courier, a St. John, N. B. Newspaper, of the 23d instant, His Excellency handed to the Committee) for the purpose of communicating to His Excellency a Message from the Governor of the State of Maine to the Senate and Representatives of that State, which is contained in the said Newspaper, by which it appeared that it was the determination of the Governor of that State to support the incursion into the Territory in question, by an armed force; and His Excellency further stated, that he had information that One Thousand Men were ordered out by that State, and that Four Hundred armed Men were actually on the Territory in possession of Her Majesty; and that it appeared the Legislature of the State of Maine had voted Eight Hundred Thousand Dollars to support these proceedings; that Sir John Harvey had earnestly requested His Excellency to send to New Brunswick every disposable man at his command, and in consequence, he would have sent on the 23d Regiment, but he did not do so, for want of a Militia Force here to protect the Arsenal, and other Public and Private Property in this Town; but that he had authorized Sir John Harvey to raise whatever Militia Force was necessary, at the expense of the Imperial Government, and so soon as the proceedings of the Provincial Legislature enabled him to know what Militia Force he could depend upon, he would adopt such measures as regards sending on further Troops as His Excellency might consider desirable.

Com to prepare Resolutions thereon

On motion of Mr. Stewart, *resolved,* that a Committee be appointed to prepare and report such Resolutions, and other measures, as it may be proper to adopt, in consequence of the invasion of the Province of New-Brunswick, by an armed force from the State of Maine.

Committee

Odered, That Mr. Stewart, Mr. Ratchford, Mr. Wilkins, Mr. Campbell and Mr. Almon, be a Committee to prepare the said Resolutions.

Selection of School Lands Bill read 2d time

A Bill to provide for the selection and appointment of Trustees of Lands, granted, reserved, or otherwise allotted as School Lands, or for Schools, in this Province, was read a second time.

Ordered to Com.

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

Adjourn

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

Wednesday,

WEDNESDAY, 27th FEBRUARY, 1839.

Wednesday, 27th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
 Norman F. Uniacke,
 James W. Johnston,
 William Lawson,
 Alexander Stewart,

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The Honorable William Rudolf,
 Lewis M. Wilkins, Jr.
 Alexander Campbell,
 James Ratchford,
 William B. Almon,

PRAYERS.

The Minutes of yesterday were read,

This day Mr. Rudolf took the Oaths, and also took and subscribed the Oath of Abjuration, pursuant to the Statutes, and thereupon took his seat. Mr. Rudolf takes Oaths

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

To return a Bill, entitled, An Act for improving the Administration of Criminal Justice, and to acquaint them that this House do not adhere to the first, second, third, and fourth amendments proposed by them to the said Bill, but do adhere to the fifth and sixth amendments proposed by them to the said Bill. Message rel. to amendments to Criminal Justice Bill

Mr. Stewart, the Chairman of the Committee appointed to prepare and report such Resolutions and other measures as it may be proper to adopt, in consequence of the invasion of the Province of New-Brunswick by an armed force from the State of Maine, reported the draft of such Resolutions, and afterwards delivered it to the Clerk who read the same as follows: Resolution rel. to Invasion of New Brunswick report-

Whereas, it appears to this House that under the pretence of removing Trespassers, a forcible inroad has been made by the authority of the State of Maine upon that part of the Province of New-Brunswick which is claimed by the United States, but of which the exclusive possession and jurisdiction have ever been in Great-Britain; and that the Government of the said State has adopted measures to levy an armed force, and to raise a large sum of Money, with the avowed object of committing further outrages upon the Sovereignty and Dominion of Her Majesty; *And whereas*, by agreement between the Imperial Government and that of the United States, Great-Britain is to remain in such exclusive possession and jurisdiction, until the right thereto shall be determined, and negotiations are now pending for the amicable adjustment and determination of the said claim. Resolutions

Resolved unanimously, That this House regards with the deepest indignation, the sudden and unprovoked attempt to wrest, by violence, the said possession and jurisdiction from an Empire, distinguished as much by its justice, as by its power and greatness, and this House contemns as utterly unworthy and frivolous the pretence by which the said State attempts to vindicate its extraordinary and most unjustifiable proceedings.

Resolved unanimously, That these measures, if persisted in, may bring on a destructive and unnatural War and its attendant horrors upon the people of two Nations, whose common origin, language and interest, render every well-disposed inhabitant of both Countries anxious to preserve uninterrupted the peace and friendly intercourse which have for a long period so happily existed.

Resolved unanimously, With humble reliance upon Divine Providence, and looking for protection and assistance to the Parent State, this Colony will use its utmost endeavours to vindicate the sovereignty and defend the rights of Great-Britain, whenever they may be assailed.—And our fellow subjects in the Sister Colony may confidently rely that the People of Nova-Scotia will, to the utmost of their power and ability, aid them in resisting every attempt to take forcible possession of a Territory, the custody and safe keeping whereof have been entrusted to them by their Sovereign, until She shall have commanded them to surrender it.

Resolved unanimously, That this House will cordially unite with the other branches of the Legislature,

FRIDAY, 22d FEBRUARY, 1839.

Legislature, in devising such measures as may be requisite to adopt in the present emergency to vindicate the supremacy and integrity of the Empire.

Resolved unanimously, That a humble Address be presented to His Excellency the Lieutenant-Governor with these Resolutions, praying that he will take such steps as he may think fit, to make known the sentiments of this House, and of the People of this Province, to the Government and the brave and loyal People of New-Brunswick.

And the said Resolutions being, by order, read a second time, were agreed to unanimously.

Ordered, That a Committee be appointed to prepare an Address to His Excellency the Lieutenant-Governor, pursuant to the said Resolutions.

Ordered, That the Committee who prepared the said Resolutions be a Committee to prepare the said Address.

Mr. Stewart, the Chairman of the Committee appointed to prepare the said Address, reported the draft thereof, which he read in his place, and afterwards delivered it to the Clerk, who read the same as follows:

TO HIS EXCELLENCY LIEUTENANT-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia and its Dependencies, &c. &c. &c.

THE HUMBLE ADDRESS OF THE LEGISLATIVE COUNCIL.

May it please your Excellency;

The Legislative Council have unanimously passed the accompanying Resolutions, upon the subject of the recent outrages which have been committed upon that part of the Province of New-Brunswick claimed by the State of Maine, and the Legislative Council humbly pray your Excellency to transmit them to the Right Honorable the Secretary of State for the Colonies, to be laid at the foot of the Throne, and the Legislative Council further pray your Excellency to transmit copies thereof to His Excellency the Governor General of British North America, and to His Excellency Sir John Harvey, the Lieutenant-Governor of New-Brunswick.

Ordered, That the said Address be received and adopted.

Ordered, That Mr. Stewart and Mr. Rudolf, be a Committee to wait upon His Excellency the Lieutenant-Governor to know when His Excellency will be pleased to receive this House with the said Address.

Mr. Stewart, the Chairman of the Committee appointed to wait upon His Excellency the Lieutenant-Governor, to know when His Excellency will be pleased to receive this House with the said Address, reported that the Committee had performed that duty, and that His Excellency had been pleased to appoint the hour of 5 o'clock, P. M. for that purpose.

On the Order of the Day being read for the House to go into consideration of His Excellency's Message to this House of the 18th January last, *resolved*, that the Order of the Day for the consideration of the said Message be postponed to Tuesday next.

At five of the Clock, P. M. the House waited upon His Excellency the Lieutenant-Governor with their Address, and being returned, the Honorable the President informed the House that His Excellency had been pleased to receive the said Address, and had returned the following answer thereto.

Mr. President and Honorable Gentlemen of the Legislative Council;

The sentiments and expressions contained in these firm and spirited Resolutions are most gratifying and acceptable to me.

You designate the unprovoked conduct of the Authorities of Maine in its true colors, as being utterly unworthy and frivolous in endeavouring to vindicate its unjustifiable proceedings

Read 2d time & agreed to unanimously
Address to H. E. ordered rel. to Committee

Address reported

Address

Committee to wait on H. E. to know when he will receive Address

Committee report

Order of day for consideration of H. E.'s. Message postponed

House wait upon H. E. with Address

H. E.'s. Answer

WEDNESDAY, 27th FEBRUARY, and FRIDAY, 1st MARCH, 1839.

ings, by attempting to arrest from a neighbouring State, during a period of peace, the custody of a Territory with which they had been entrusted by their Sovereign.

It is most gratifying to me to find that a feeling of entire unanimity pervades the Legislature and People of this Province, to assist in resisting, to the utmost, any aggression that may be attempted upon New-Brunswick, and you may be assured that the Parent State will afford you every aid and support.

I shall have great pleasure in transmitting to the Right Hon. the Secretary of State, to be laid at the Foot of the Throne, sentiments so honourable, from so highly respectable a body, and I shall not fail to communicate these Resolutions to His Excellency the Governor-General of British North America, and to His Excellency Sir John Harvey.

Government House, 27th February, 1839.

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

Thursday, 28th February, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

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The Honorable William Rudolf,
Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

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

A Message was brought from the House of Assembly, by Mr. Whidden, Mes. agreeing to
5th & 6th amendt.
to Crim. Justice Bill
To inform the House, that the House of Assembly agreed to the fifth and sixth amendments proposed by this House to the Bill, entitled, An Act for improving the Administration of Criminal Justice.

Also, to the amendments proposed by this House to the Bill, entitled, An Act to amend the Acts to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton. Also to Amend. to
Sydney Pilotage
Bill

Also, to the amendments proposed by this House to the Bill, entitled, An Act to establish the rate of Tare on Sugars. Also to amendt. to
Tare on Sugar Bill

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

Friday, 1st March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

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The Honorable William Rudolf,
Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act for improving the Administration of Criminal Justice; also, Criminal Justice

FRIDAY and SATURDAY, 1st and 2d MARCH, 1839.

Sydney Pilotage & Tare on Sugars Bills	A Bill, entitled, An Act to amend the Acts to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton; also, A Bill, entitled, An Act to establish the rate of Tare on Sugars, Were read as amended, and the question was put by the President, on each Bill, Whether this Bill, as amended, shall pass?
Finally agreed to	It was resolved in the affirmative. A Message was sent to the House of Assembly, by the Clerk, To return the said Bills, and acquaint them therewith.
Com. on Bills	On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Allison reported that the Committee had made some progress. The Chairman also reported that the Committee had had under their consideration a
Report Mirè Grant Bill with amds.	Bill, entitled, An Act for settling Titles in a certain Tract of Land in Cape-Breton, called the Mirè Grant, and had made several amendments thereto.
Amendts. agreed to	Which amendments, being read twice by the Clerk, were agreed to by the House.
Ordered for 3d reading Report on	<i>Ordered</i> , That the said Bill be read a third time, at a future day.
Rawdon & Douglas Bill's	Mr. Wilkins, the Chairman of the Committee to whom were referred, A Bill, entitled, An Act to establish the limits of the Township of Rawdon; also, A Bill, entitled, An Act to divide the Township of Douglas, and to establish the bounds thereof, Reported that the Committee had had the said Bills under consideration, and recommended that the further consideration of the said Bills should be deferred until the next Session, and that they should be published for the information of the parties interested therein.
Report read & Bills deferred until next Session & to be published	<i>Ordered</i> , That the said Report be received, and that the further consideration of the said Bills be deferred until the next Session, and that the said Bills be published for the information of the parties interested therein.
Adjourn	On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Saturday, 2d March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

The Honorable William Rudolf,
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

Mirè Grant Bill
read 2d time

A Bill, entitled, An Act for settling Titles in a certain tract of Land in Cape-Breton, called the Mirè Grant, was read a third time, and the question was put by the President,
Whether this Bill with the amendment, shall pass?

Agreed to &
Sent to H. A.

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the said Bill,
with several amendments,—to which amendments they desired the concurrence of the House of Assembly.

Adjourn

On motion made and seconded—the House adjourned until Monday, at one o'clock.

Monday,

MONDAY and TUESDAY, 4th and 5th MARCH, 1839.

Monday, 4th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

The Honorable William Rudolf,
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of Saturday were read.

On motion, *resolved*, that a Committee be appointed to take into consideration the contingent expenses of this House, and to report thereon to the House.

Com. on contingent expenses Committee

Ordered, That Mr. Allison, Mr. Stewart and Mr. Lawson, be a Committee for that purpose.

Mr. Lawson, the Chairman of the Committee to whom a Bill, entitled, An Act to authorize the Sale of Coals by Weight was referred, reported that the Committee had had the said Bill under consideration, and recommended that the further consideration of the said Bill should be deferred to this day three months.

Com. on Coal Bill report

Ordered, That the said Report do lie on the Table.

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

Com. on Bills

The Chairman also reported that the Committee had had under their consideration a Bill, entitled, An Act for Incorporating the Nova-Scotia Baptist Education Society, and had made several amendments thereto:

Report Baptist Education Society Bill with amendt.

Which amendments, being read twice by the Clerk, were agreed to by the House.

Amendts. agreed to

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

A Message was brought from the House of Assembly, by Mr. Whidden, To inform the House, that the House of Assembly agreed to the amendments proposed by this House, to the Bill, entitled, An Act to continue the Acts in force relative to the Inspection of Pickled Fish, with amendments,—to which they desire the concurrence of this House.

Mes. agreeing to amendts. to Pickled Fish Bill with amendts.

The said amendments were read a first time.

Read 1st time

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

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

Adjourn

Tuesday, 5th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

The Honorable William Rudolf,
Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon,

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act for Incorporating the Nova-Scotia Baptist Education Society, was read a third time, and the question was put by the President, Whether

Baptist Ed. Soc. Bill read 3d time

TUESDAY, 5th MARCH, 1839.

Agreed to &

Whether this Bill, with the amendments, shall pass?
It was resolved in the Affirmative.

Sent to H. A.

A Message was sent to the House of Assembly, by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the said Bill with amendments—to which amendments they desire the concurrence of the House of Assembly.

1st amendment to
amend. to Pickled
Fish Bill not agreed
to

The first amendment proposed by the House of Assembly to the amendments proposed by this House to the Bill, entitled, An Act to continue the Acts in force relative to the Inspection of Pickled Fish, was read a second time.

Ordered, That the said amendment be not agreed to.

2d amendt. not a
agreed to

The second amendment proposed by the House of Assembly to the amendments proposed by this House to the said Bill was read a second time.

Ordered, That the said amendment be not agreed to.

3d amendment a-
greed to

The third amendment proposed by the House of Assembly to the amendments proposed by this House to the said Bill was read a second time.

Ordered, That the said amendment be agreed to.

Mes. to H. A. rel.
to amendt. to Pick-
led Fish Bill

A Message was sent to the House of Assembly by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the third amendment proposed by the House of Assembly to the amendments proposed by this House to the said Bill, and have not agreed to the first and second amendments proposed by the House of Assembly to the amendments proposed by this House to the said Bill, but adhere to their amendments as originally sent down.

Com. on Contingent
expenses report

Mr. Allison, the Chairman of the Committee appointed to take into consideration the contingent expenses of this House, made his report, which he read in his place; and afterwards delivered it to the Clerk, who read the same as follows:

Report

The Committee appointed to consider of, and report to the House, the amount of the contingent expenses of the present Session, report as follows, viz:—

That there is required for the Clerk of the Council	£150	0	0
The Law Clerk and Clerk of the Parliament	100	0	0
Gentleman Usher of the Black Rod	75	0	0
1st Messenger	40	0	0
2d Messenger	30	0	0
C. H. Belcher's Bill for Stationary	14	16	10
Thompson & Esson's Account, repairing Tables, &c.	1	9	6
Printing Bill respecting the Judiciary	11	17	6
	£423	3	10

From the above Amount is to be deducted a Balance remaining unexpended of the sum granted last Session for procuring Hatsel's Precedents and other Law Books

	£0	17	6
Also, balance of C. H. Belcher's Account for Stationary	2	10	0
	3	7	6

£419 16 4

Committee Room, Council Chamber, March 5th, 1839.

(Signed) JOSEPH ALLISON, Chairman.

Ordered, That the said Report do lie on the Table.

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

Road from Halifax
to St. Mary's

A Bill, entitled, An Act to provide for opening the new road between Halifax and Saint Mary's.

Meeting House
Barney's River

A Bill, entitled, An Act to enable the Congregation at Barney's River, in connexion with the Church of Scotland, to sell their Church or Meeting House.

Comrs. Highways
Lunenburg

A Bill, entitled, An Act to alter the limits of the jurisdiction of the Commissioners of Highways in Lunenburg.

A

A Bill, entitled, An Act to repeal the Act to extend to Falmouth, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places, and the Act making the same perpetual. Comrs. Highways Falmouth

A Bill, entitled, An Act to enable the Inhabitants of Windsor to enclose the Public Burial Ground there. Burial Ground Windsor

A Bill, entitled, An Act to change the name of the Petite Plaister and Mills Company. Petite Plaister Co. Annapolis Common

A Bill, entitled, An Act to provide for the sale of the Common at Annapolis.

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Read 1st time

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

On motion, *resolved*, that the report of the Committee appointed to take into consideration the contingent expenses of this House, be received and adopted. Report of Com. on Contingent expenses adopted

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

The Chairman also reported that the Committee had had under their consideration, a Bill, entitled, An Act to amend the Act to Incorporate the Governors of the Dalhousie College at Halifax, and had made several amendments thereto. Report Dalhousie College Bill with amendments

The said amendments were read by the Clerk, as follows :

1st Clause—After the word "Act," in the 4th line, leave out the remainder of the Clause, and insert instead thereof, the following words :

"No person or persons but those now in office shall be ex-officio Governors of the said College, except the Lieutenant-Governor for the time being."

2nd Clause—Leave out the words "His Excellency the present Lieutenant-Governor, or the Lieutenant-Governor or Commander in Chief for the time being," in the 2d, 3d, 4th and 5th lines, and insert instead thereof, the following words, "the present Governors of the said College."

Leave out the words "and Samuel George William Archibald, Esquire," in the 6th and 7th lines and the words "Charles Wentworth Wallace," in the 9th and 10th lines, and the words "as aforesaid," in the last line.

3d Clause—After the word "twelve" in the 27th line, insert the words "at least."

Leave out the words "as aforesaid," in the 30th and 31st lines.

At the end of the Bill add the following Clause :—

"*And be it further enacted*, That the Proviso to the second Section of the Act, made and passed in the fourth year of the Reign of His late Majesty King George the Fourth, entitled, An Act authorising the lending a sum of Money to the Governors of Dalhousie College, and for securing the repayment thereof" be, and the same is hereby repealed.

The first amendment was then read a second time—whereupon,

Mr. Johnston moved that the said amendment be not agreed to by the House : which, being seconded, and the question being put, there appeared, for the motion, four ; against the motion, six :

Amendments Motion not to agree to 1st amlt.

For the motion,
Mr. Johnston,
Allison,
Uniacke,
Campbell,

Against the motion,
Mr. Almon,
Wilkins,
Lawson,
Mr. Stewart,
Ratchford,
Rudolf,

So it passed in the negative.

Negatived

Ordered, That the said amendment be agreed to.

Amendt agreed to Other amendts agreed to

The four next amendments were then read a second time, and agreed to.

Mr. Stewart then moved that the said Bill be re-committed to a Committee of the whole House, for the purpose of amending the same by leaving out the 3rd Clause of the said Bill, and inserting instead thereof the following Clause :—

Motion to re-commit Bill

"*And be it further enacted*, That, whenever any vacancy or vacancies shall occur among the Governors of the said College, by the death, refusal to serve, resignation, or continued absence

absence from the Province for two years, of any Governor or Governors thereof, either nominated and appointed by this Act, or to be appointed as hereinafter mentioned, such vacancy or vacancies shall be supplied as follows—that is to say :

At the next Session of the General Assembly happening after such vacancy or vacancies, in order to supply the first vacancy that may occur, the Legislative Council, by Resolution, shall nominate three persons for such first vacancy, whereof the House of Assembly shall select two, by Resolution to be passed in the said House of Assembly, of which two persons, the Governor, Lieutenant-Governor, or Commander in Chief for the time being, shall nominate one to supply such vacancy—in order to supply the second vacancy that may occur the House of Assembly, at the then next Session of the General Assembly happening after such second vacancy, in order to supply such vacancy by Resolution, shall nominate three persons for such vacancy, whereof the Legislative Council shall select two, by Resolution to be passed in Council, of which two persons the Governor, Lieutenant-Governor or Commander in Chief for the time being, shall nominate one to supply such vacancy, and so in like manner shall every subsequent vacancy from time to time happening, be supplied—the Council and the House of Assembly alternately nominating the three persons from whom such vacancy shall be supplied, so that the number of the Governors of the said College shall at all times be twelve, besides the Governor, Lieutenant-Governor and Commander in Chief for the time being ; and the President of such College, if such President shall be elected a Governor as aforesaid. *Provided always*, That if, by any temporary vacancy or vacancies, the number of the said Governors shall become from time to time less than hereinbefore prescribed, then, and in such case, the Governors in Office, during such vacancy, shall have full power and authority as, and be deemed, Governors of such College, any such temporary vacancy or vacancies notwithstanding : which, being seconded, and the question being put, passed in the negative.

Negatived

Adjourn

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

Wednesday, 6th March, 1839.

The House met pursuant to adjournment.

P R E S E N T .

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnson,
William Lawson,
Alexander Stewart,

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The Honorable William Rudolf,
Lewis M. Wilkins, jr.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The minutes of yesterday were read.

Dalhousie College
Bill read 3d time

A Bill, entitled, An Act to amend the Act to Incorporate the Governors of the Dalhousie College at Halifax, was read a third time, and the question was put by the President, Whether this Bill with the amendments shall pass ?

It was resolved in the affirmative.

Agreed to &

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

Sent to H. A.

To return the said Bill, and acquaint them that this House have agreed to the said Bill, with several amendments, to which amendments they desire the concurrence of the House of Assembly.

New Road to St.
Mary's Bill read 2d
time

A Bill, entitled, An Act to provide for opening the new Road between Halifax and St. Mary's, was read a second time.

Ordered, That the said Bill do lie on the Table.

Barney's River
Meeting House

A Bill, entitled, An Act to enable the Congregation at Barney's River, in connection with the Church of Scotland, to sell their Church or Meeting House ; also,

Comms. of High-
ways Lunenburg

A Bill, entitled, An Act to alter the limits of the Jurisdiction of the Commissioners of Highways in Lunenburg ; also,

A

A Bill, entitled, An Act to enable the Inhabitants of Windsor to enclose the Public Burial Ground there ; also Burial Ground Windsor

A Bill, entitled, An Act to repeal the Act to extend to Falmouth, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax and certain other places, and the Act making the same perpetual ; also, Highways Falmouth

A Bill, entitled, An Act to provide for the sale of the Common at Annapolis ; also, Annapolis Common

A Bill, entitled, An Act to change the name of the Petite Plaister and Mills Company, were read a second time. Petite Plaister Co. read 2d time &

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

On motion, *resolved,* that a Conference be desired with the House of Assembly, by Committee, on the General State of the Province, and that the Committee of this House do communicate to the Committee of the House of Assembly the report of the Committee of this House appointed to take into consideration the contingent expenses of this House. Conference on gen. State of Province moved

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

Mr. Johnson presented a Bill to extend the Jurisdiction of Justices of the Peace, in certain cases, and to enable them to try cases of Common Assaults and Batteries. Bill to extend Jurisdiction of Justices of Peace

The said Bill was read a first time. Read 1st time

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

On motion, the House was adjourned, during pleasure, and put into a Committee on Bills. Com. on Bills

After some time the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.

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

A Bill, entitled, An Act to continue and amend the Act to regulate the Weighing of Beef. Weighing of Beef

A Bill, entitled, An Act to enable the Freeholders of the Township of Pictou to assess themselves for certain arrears of Poor's Rates. Pooers' Rates Pictou

To which Bills they desired the concurrence of this House.

The said Bills were read a first time. Read 1st time

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

The Messenger also informed the House that the House of Assembly agreed to the amendments proposed by this House to a Bill, entitled, An Act for Incorporating the Nova-Scotia Baptist Education Society. Mes. agreeing to amdts. to Baptist Ed. Society

A Message was brought from the House of Assembly, by Mr. Whidden, To inform the House that the House of Assembly agreed to the Conference desired by his House on the General State of the Province. Conference agreed to

Ordered, That Mr. Allison, Mr. Stewart and Mr. Lawson, be a Committee of this House to manage the said Conference. Committee

And the managers went to the Conference, and being returned, Mr. Allison reported that the Committee had held the said Conference, and stated that he had communicated his Instructions to the Committee of the House of Assembly. Report

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

Thursday, 7th March, 1839.

The House met pursuant to adjournment.

P R E S E N T

The Honorable S. B. Robie, President.

The Honorable Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

The Honorable William Rudolf,
Lewis M. Wilkins, Jr.
Alexander Campbell,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to extend the jurisdiction of Justices of the Peace, in certain cases, and to enable them to try cases of Common Assaults and Batteries; also,

A Bill, entitled, An Act to continue and amend the Act to regulate the Weighing of Beef; also,

A Bill, entitled, An Act to enable the Freeholders of the Township of Pictou to assess themselves for certain arrears of Poores' Rates, were read a second time.

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

A Bill, entitled, An Act for Incorporating the Nova-Scotia Baptist Education Society, was read, as amended, and the question was put by the President,

Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

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

To return the said Bill and acquaint them therewith.

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

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to provide a Lock-up House at River John, in the County of Pictou, and had agreed to the same without any amendment.

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to authorize the Sale of Coals by weight; also,

A Bill, entitled, An Act to continue the Act to encourage the Seal Fisheries of this Province, and had made amendments to each of the said Bills.

Which amendments being read twice by the Clerk, were agreed to by the House.

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to provide for the Sale of the Common at Annapolis, and had directed him to report that it was the opinion of the Committee that the further consideration of the said Bill should be deferred till the next Session:

Ordered, That the said report be received, and the further consideration of the said Bill be deferred till the next Session.

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

A Bill, entitled, An Act in amendment of the Act to regulate the Packing and Inspecting of Salted Beef and Pork for exportation.

A Bill, entitled, An Act to authorize the Grand Jury and the Court of Sessions in the County of Colchester to present and assess Monies for the erection of a Lock-up House in Tatamagouche, in the said County.

A Bill, entitled, An Act to apply a certain sum of Money for the service of the Militia.

A Bill, entitled, An Act for setting off part of the Township of Saint Mary's into a separate Township.

A

Extension of Jurisdiction of J. P.
Weighing of Beef &
Poores' rates Pictou
Bills read 2d time

Baptist Ed. Society
Bill

Finally agreed to &

Sent to H. A.

Com. on Bills

Report Lock-up
House River John
without amendt.

Report Coals &

Seal Fisheries Bill
with amndts.
Amendts. agreed to

Recommend Anna-
polis Common Bill
to be deferred

Bill deferred

Packing of Beef

Lock-up House
in Tatamagouche

Money for Militia

Division of Saint
Mary's Township

A Bill, entitled, An Act respecting the assessment for building the Court-House at Annapolis. Court House Annapolis
 To which Bills they desired the concurrence of this House.
 On motion made and seconded—the House adjourned until To-morrow, at one o'clock. Adjourn

Friday, 8th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.		
The Honorable Peter McNab,	S e c r e t a r y	The Honorable Alexander Stewart,
Joseph Allison,		William Rudolf,
Norman F. Uniacke,		Lewis M. Wilkins, Jr.
James W. Johnston,		Alexander Campbell,
William Lawson,		William B. Almon

PRAYERS.

The Minutes of yesterday were read,
 A Bill, entitled, An Act to apply a certain sum of Money for the service of the Militia; Money for Militia
 also,
 A Bill, entitled, An Act in amendment of the Act to regulate the packing and inspecting Salted Beef
 of Salted Beef and Pork for exportation; also,
 A Bill, entitled, An Act to authorize the Grand Jury and the Court of Sessions in the Lock-up House
 County of Colchester to present and assess Monies for the erection of a Lock-up House in Tatamagouche
 Tatamagouche, in the said County; also,
 A Bill, entitled, An Act for setting off part of the Township of St. Mary's into a separate St. Mary's Town-
 Township; also, ship
 A Bill, entitled, An Act respecting the assessment for building the Court-House at An- Court House An-
 napolis, were read a first time. napolis Assessment
Bill read 1st time
Ordered, That the said Bills be read a second time, at a future day.
 A Bill, entitled, An Act to provide a Lock-up House at River John, in the County of Lock-up House
 Pictou, was read a third time, and the question was put by the President, River John Bill
 Whether this Bill shall pass? read 2d time
 It was resolved in the affirmative. Agreed to &c.
 A Message was sent to the House of Assembly, by the Clerk,
 To return the said Bill, and acquaint them that this House have agreed to the said Bill
 without any amendment.
 A Bill, entitled, An Act to authorize the Sale of Coals by Weight, was read a third time, Coals Bill read 3d
 and the question was put by the President, time
 Whether this Bill, with the amendment, shall pass? Agreed to
 It was resolved in the Affirmative.
 A Message was sent to the House of Assembly, by the Clerk,
 To return the said Bill, and acquaint them that this House have agreed to the said Bill And sent to H. A.
 with an amendment—to which amendment they desire the concurrence of the House of As-
 sembly.
 A Bill, entitled, An Act to continue the Act to encourage the Seal Fisheries of this Pro- Seal Fishery Bill
 vince, was read a third time, and the question was put by the President, read 3d time
 Whether this Bill, with the amendments, shall pass?
 Mr. Stewart moved that the further consideration of the said Bill and amendments be de- Motion to defer for
 ferred to this day three months: which, being seconded, and the question being put, it was 3 months negatived
 resolved in the negative.
 Then the question was put,

N.

Whether

	Whether this Bill, with the amendments, shall pass ? It was resolved in the affirmative.												
Bill agreed to & Sent to H. A.	A Message was sent to the House of Assembly, by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the said Bill with amendments—to which amendments they desire the concurrence of the House of Assembly.												
Pet. of C. W. Hill & others	Mr. Almon brought up the Petition of Charles W. Hill and others, against the Bill for the Weighing of Beef; which was read, and ordered to lie on the Table.												
Com. on Bills	On motion, the House was adjourned, during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.												
Recommend Lands liable to debts Bill to be deferred 8 months	The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act for making Lands and Tenements liable to the payment of Debts, and to repeal the Acts now in force, and had directed him to report that it was the opinion of the Committee that the further consideration of the said Bill should be deferred to this day three months.												
Motion not to receive report	Whereupon, Mr. Stewart moved that the report of the Committee be not received: which, being seconded, and the question being put, there appeared for the motion, five; against the motion, five:												
	<table border="0" style="width: 100%;"> <tr> <td style="text-align: center;">For the motion,</td> <td style="text-align: center;">Against the motion;</td> </tr> <tr> <td style="text-align: center;">Mr. Allison,</td> <td style="text-align: center;">Mr. Uniacke,</td> </tr> <tr> <td style="text-align: center;">Mr. Wilkins,</td> <td style="text-align: center;">Mr. Almon,</td> </tr> <tr> <td style="text-align: center;">Mr. Rudolf,</td> <td style="text-align: center;">Mr. Lawson,</td> </tr> <tr> <td style="text-align: center;">Mr. Johnston,</td> <td style="text-align: center;">Mr. McNab,</td> </tr> <tr> <td style="text-align: center;">Mr. Stewart,</td> <td style="text-align: center;">Mr. Campbell.</td> </tr> </table>	For the motion,	Against the motion;	Mr. Allison,	Mr. Uniacke,	Mr. Wilkins,	Mr. Almon,	Mr. Rudolf,	Mr. Lawson,	Mr. Johnston,	Mr. McNab,	Mr. Stewart,	Mr. Campbell.
For the motion,	Against the motion;												
Mr. Allison,	Mr. Uniacke,												
Mr. Wilkins,	Mr. Almon,												
Mr. Rudolf,	Mr. Lawson,												
Mr. Johnston,	Mr. McNab,												
Mr. Stewart,	Mr. Campbell.												
Negatived	Whereupon, the President gave his vote against the motion. So it passed in the negative.												
Report read & Bill deferred	<i>Ordered</i> , That the said report be received, and the further consideration of the said Bill be deferred to this three months.												
	A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills.												
Cemeteries Halifax	A Bill, entitled, An Act additional to, and in further amendment of, the Act concerning Cemeteries or Burial Grounds in the Town of Halifax.												
Passengers	A Bill, entitled, An Act to amend the Act relating to Passengers from Great-Britain and Ireland arriving in this Province.												
Trustees of Public Property Pictou	A Bill, entitled, An Act for appointing Trustees for Public Property in the Town of Pictou												
Moose River Mills Co.	A Bill, entitled, An Act to Incorporate the Moose River Mills Company.												
Copy right	A Bill, entitled, An Act for securing Copy-Rights.												
Read 1st time	To which Bills they desired the concurrence of this House. The said Bills were read a first time. <i>Ordered</i> , That the said Bills be read a second time, at a future day.												
Committee on Bills	On motion, the House was adjourned, during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.												
Report Barney's River Meeting House	The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to enable the Congregation at Barney's River, in connection with the Church of Scotland, to sell their Church or Meeting House; also,												
Burial Ground Windsor	A Bill, entitled, An Act to enable the Inhabitants of Windsor to enclose the Public Burial Ground there; also												
Highways Falmouth	A Bill, entitled, An Act to repeal the Act to extend to Falmouth, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax and certain other places, and the Act making the same perpetual; also,												
Poor's Rates Pictou	A Bill, entitled, An Act to enable the Freeholders of the Township of Pictou to assess themselves for certain arrears of Poor's Rates; also,												

<p>A Bill, entitled, An Act to change the name of the Petite Plaister and Mills Company. And had agreed to the said Bills without any amendment. <i>Ordered,</i> That the said Bills be read a third time, at a future day. The Chairman also reported that the Committee had gone through the Bill, entitled, An Act to provide for the selection and appointment of Trustees of Lands granted, reserved, or otherwise allotted as School Lands, or for Schools in this Province, and had agreed to the same without any amendment. <i>Ordered,</i> That the said Bill be engrossed, and read a third time, to-morrow, and that the Members be summoned. The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to continue and amend the Act to regulate the Weighing of Beef ; also, A Bill, entitled, An Act to alter the limits of the Jurisdiction of the Commissioners of Highways in Lunenburgh, and had made an amendment to each of the said Bills. Which amendments being read twice by the Clerk, were agreed to by the House. <i>Ordered,</i> That the said Bills be read a third time, at a future day. On motion made and seconded—the House adjourned until To-morrow, at one o'clock.</p>	<p>Petite Plaister Co. Bills Without amendt. Report School Lands Bill without amendt. Order for 3d reading & Members to be summoned Report Beef & Commrs. Highways Lunenburg with amendts. Amndts. agreed to Adjourn</p>
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Saturday, 9th March, 1839.

The House met pursuant to adjournment.

P R E S E N T

The Honorable S. B. Robie, President.

<p>The Honorable Peter M'Nab, Joseph Allison, Norman F. Uniacke, James W. Johnston, William Lawson, Alexander Stewart,</p>	<p>o o o o o o o</p>	<p>The Honorable William Rudolf, Lewis M. Wilkins, Jr. Alexander Campbell, James Ratchford, William B. Almon.</p>
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PRAYERS.

<p>The Minutes of yesterday were read. A Bill, entitled, An Act to enable the Congregation at Barney's River, in connexion with the Church of Scotland, to sell their Church or Meeting-House ; also, A Bill, entitled, An Act to enable the Inhabitants of Windsor to enclose the Public Burial Ground there ; also, A Bill, entitled, An Act to repeal the Act to extend to Falmouth, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places, and the Act making the same perpetual ; also, A Bill, entitled, An Act to enable the Freeholders of the Township of Pictou to assess themselves for certain arrears of Pooers' Rates ; also, A Bill, entitled, An Act to change the name of the Petite Plaister and Mills Company, were read a third time, and question was put by the President on each Bill, Whether this Bill shall pass ? It was resolved in the affirmative. A Message was sent to the House of Assembly, by the Clerk, To return the said Bills, and acquaint them that this House have agreed to the same, without any amendment. A Bill, entitled, An Act to continue and amend the Act to regulate the Weighing of Beef & Beef ; also, A Bill, entitled, An Act to alter the limits of the jurisdiction of the Commissioners of Highways in Lunenburg, were read a third time, and the question was put by the President on each Bill, Whether this Bill, with the amendments, shall pass ? It was resolved in the affirmative. A Message was sent to the House of Assembly, by the Clerk,</p>	<p>Barney's River Meeting House Burial Grounds Windsor Highways Falmouth Pooers' Rates Pictou Petite Plaister Mills Bill Read 3d time Agreed to & Sent to H. A. Commrs. Highways Lunenburg Read 3d time Agreed to &</p>
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To

SATURDAY, 9th MARCH, 1839.

Sent to H. A.

To return the said Bills and acquaint them that this House have agreed to each of the said Bills, with an amendment—to which amendment they desire the concurrence of the House of Assembly.

School Lands Bill
Read 3d time

A Bill, entitled, An Act to provide for the selection and appointment of Trustees of Lands granted, reserved, or otherwise allotted as School Lands, or for Schools in this Province, was read a third time.

Amendr. moved &

Mr. Wilkins moved that the following Proviso be added to the Bill.
Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend in any manner to affect or decide any questions that have heretofore arisen, or which may hereafter arise, as to the claim, right, title or interest of any person or persons, Body, Politic or Corporate, or any Church or Society of Christians, of, in, to, or out of, the said Lands, or any of them or any part thereof:

Which, being seconded, and the question being put, there appeared, for the motion, five ; against the motion, six :

For the motion,
Mr. Almon,
Mr. Uniacke,
Mr. Wilkins,
Mr. Rudolf,
Mr. Ratchford,

Against the motion,
Mr. Allison,
Mr. Lawson,
Mr. Johnston,
Mr. Stewart,
Mr. M'Nab,
Mr. Campbell.

Negatived

So it passed in the negative.

Motion to defer 3
months

Mr. Wilkins then moved that the further consideration of the said Bill be deferred to this day three months: which, being seconded, and the question being put, there appeared, for the motion, five ; against the motion, six :

For the motion,
Mr. Almon,
Mr. Uniacke,
Mr. Wilkins,
Mr. Rudolf,
Mr. Ratchford,

Against the motion,
Mr. Allison,
Mr. Lawson,
Mr. Johnston,
Mr. Stewart,
Mr. McNab,
Mr. Campbell.

Negatived

So it passed in the Negative.

Then the question was put by the President,
Whether this Bill shall pass?

Bill agreed to

It was resolved in the affirmative.

Protest

Dissentient—1st Because in the Preamble of the said Bill, it is stated that “no mode of appointing Trustees for the management of such Lands, or of making the same available for the purpose for which they were intended, has yet been adopted,” which is contrary to the fact, as by a Statute made in the 6th year of the reign of His Majesty King George the Third, after reciting that “His Majesty has been pleased to order that four hundred acres of Land in each Township, shall be granted to, and for the use and support of, Schools,” it is enacted, “that the said quantity of Lands shall be vested in Trustees for the said purpose, and such Trustees shall be, and are hereby enabled to sue and defend for and on behalf of such Schools, and to improve all such Lands as shall be most for the advantage and benefit thereof,” under the authority of which enactment, very numerous appointments of Trustees have from time to time been made by His Majesty or his Representative, which Trustees have leased many of the School Lands, for the purposes for which they were granted or reserved.

2d. Because some portion of the School Lands contemplated in this Bill, was originally, at the first settlement of this Province, reserved for “a Minister Glebe and School,” in consequence of an arrangement entered into between His Majesty’s Government and the Society for the Propagation of the Gospel, by which the Government engaged to allot Lands for Ministers and School Masters ; and the Venerable Society has, in consequence of such agreement.

ment continued to send out Ministers and School Masters to this Country, and has annually expended many Thousand Pounds in promoting Religion and Education.

3d Because other portions of Lands affected by this Bill, have been already granted to Trustees, by whom Contracts have been formed and Leases made—that some of those Lands so granted are directly under the control of the Church of England, being granted to the Rector and Church-wardens of the Parishes, and in one instance, the Grant specifically providing that the School Master must be a Member of the Church of England.

4th Because no evidence has been adduced of any dereliction of duty upon the part of said Trustees, or that they have, in any instance, misapplied or mismanaged the lands entrusted to them; but it is notorious, that wherever Schools have been established under said Trustees, the benefits of Education have been extended to the Children of every denomination of Christians.

5th Because by this Bill the nomination of Trustees is vested in Town Meetings, instead of being as heretofore of the Prerogative of the Executive—a change, which at this period, seems fraught with mischief, as having a tendency to assimilate our Institutions too much with those of a Republican Government.

WILLIAM BRUCE ALMON,
NORMAN F. UNIACKE,
J. RATCHFORD,
S. B. ROBIE.

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

Sent to H. A.

Mr. Stewart brought up the Petition of Anne Lady Rodney, praying to be heard by Counsel, at the Bar of the House, against a Bill, which has passed the House of Assembly, entitled, An Act to provide for the settlement of equitable claims upon Real Estate in certain cases, which was read, and ordered to lie on the Table.

Petition of Lady
Rodney

A Bill, entitled, An Act to apply a certain sum of Money for the service of the Militia; also,

Money for Militia

A Bill, entitled, An Act in amendment of the Act to regulate the Packing and Inspecting of Salted Beef and Pork for exportation; also,

Salted Beef &

A Bill, entitled, An Act to authorize the Grand Jury and the Court of Sessions in the County of Colchester to present and assess Monies for the erection of a Lock-up House in Tatamagouche, in the said County, were read a second time.

Lock-up House
Tatamagouche
Bills

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

Read 2d time &
Ord. to Com

A Bill, entitled, An Act for setting off part of the Township of St. Mary's into a separate Township, was read a second time.

Division of St. Mary's
Township read
2d time

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

Referred to Select
Com.

Ordered, That Mr. Almon, Mr. Allison and Mr. Campbell, be a Committee for that purpose.

Committee

A Bill, entitled, An Act for appointing Trustees for Public Property in the Town of Pictou; also,

Public Property
Pictou &

A Bill, entitled, An Act to Incorporate the Moose River Mills Company, were read a second time.

Moose River Mills
Co. Bill read 2d
time

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

Ord. to Com.

A Bill, entitled, An Act respecting the assessment for building the Court House at Annapolis, was read a second time.

Annapolis Assessment
read 2d time

Ordered, That the said Bill be printed in the Royal Gazette.

Ordered to be printed

A Bill, entitled, An Act additional to, and in further amendment of, the Act concerning Cemeteries or Burial Grounds in the Town of Halifax, was read a second time.

Cemetery Bill read
2d time

Ordered,

Referred to Select Com.

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

Ordered, That Mr. Allison, Mr. Stewart and Mr. Almon, be a Committee for that purpose.

Mes. from H. A. agreeing to amdts. to Coals Bill

A Message was brought from the House of Assembly, by Mr. Whidden, To inform the House, that the House of Assembly agreed to the amendments proposed by this House to the Bill, entitled, An Act to authorise the sale of Coals by Weight.

Agreeing to 1 amdt. & not others to Joint Tenancy Bill

The Messenger also informed the House that the House of Assembly agreed to the last amendment proposed by this House to a Bill, entitled, An Act relating to Joint Tenancy, and did not agree to the other amendments proposed by this House to the said Bill.

Mes. from H. A. rel. to amdts. to Seal Fishery Bill

The Messenger also informed the House, that the House of Assembly would not consider the amendments proposed by this House to a Bill, entitled, An Act to continue the Act to encourage the Seal Fisheries of this Province, as they relate to a grant of Monies.

Mes. asking Conference on amdts. to Dalhousie College Bill

The Messenger also informed the House, that the House of Assembly desired a Conference with this House by Committee, on the subject of the amendments (with the exception of the last amendment,) proposed by this House to the Bill, entitled, An Act to amend the Act to Incorporate the Governors of the Dalhousie College at Halifax.

Copy Right Bill read 2d time and ordered to Com.

A Bill, entitled, An Act for securing Copy Rights, was read a second time.

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

Gov's. Message Order of Day

On motion of Mr. Stewart, *resolved*, that the House will go into consideration of His Excellency's Message to this House, of the 18th January last, on Thursday next.

Amdts. to Seal Fisheries Bill considered

The House proceeded to the consideration of the amendments proposed by this House to a Bill, entitled, An Act to continue the Act to encourage the Seal Fisheries of this Province, which have not been agreed to by the House of Assembly.

1st amendment

The first amendment was read, as follows:

In the title, after the word "continue," in the first line, insert the words "and amend,"

Adhered to

On motion, *resolved*, that the said amendment be adhered to.

2d amendment

The second amendment was read, as follows:

Before the clause, insert the following Preamble:

"Whereas, it is very doubtful, if the bounty given by the said Act has produced the good effect expected from it, but it may be injurious to Persons who have engaged in the Seal Fishery, under the reasonable expectation of receiving the Bounty allowed by the said Act, if the same were suddenly discontinued."

Adhered to

On motion, *resolved*, that the said amendment be adhered to.

3d amendment

The third amendment was read as follows:

In the Clause, after the word "continued," in the 10th line, leave out the remainder of the Clause, and insert the words "until the thirty-first day of December, in this present year One Thousand Eight Hundred and thirty-nine, and no longer."

Adhered to

On motion, *resolved*, that the said amendment be adhered to.

Consideration of amdt. to Joint Tenancy Bill

The House proceeded to the consideration of the amendments proposed by this House to a Bill, entitled, An Act relating to Joint Tenancy, which have not been agreed to by the House of Assembly.

1st amendment

The first amendment was read as follows:

1st Clause, leave out the words "have been or" in the 7th line.

Adhered to

On motion, *resolved*, that the said amendment be adhered to.

2d amendment

The second amendment was read as follows:

After the word "be," in the 7th line, insert the word "hereafter."

Adhered to

On motion, *resolved*, that the said amendment be adhered to.

3d amendment

The third amendment was read as follows:

Leave out the words "has been or," in the 12th line.

Adhered to

On motion, *resolved*, that the said amendment be adhered to.

4th amendment

The fourth amendment was read as follows:

Leave

Leave out the Proviso at the end of the Clause.
On motion, *resolved*, that the said amendment be adhered to.

Adhered to

A Bill, entitled, An Act to authorise the sale of Coals by Weight, was read as amended, and the question was put by the President, Whether this Bill, as amended, shall pass? It was resolved in the affirmative.

Coal Bill finally agreed to

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

Com. on Bills

The Chairman also reported that the Committee had had under their consideration a Bill, entitled, An Act to extend the jurisdiction of Justices of the Peace in certain cases, and to enable them to try cases of Common Assaults and Batteries, and had made several amendments thereto.

Report extension of Jurisdiction of J. P. with amdts.

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

Amdts. agreed to

On motion made and seconded—the House adjourned until Monday, at one o'clock.

Adjourn

Monday, 11th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

§

The Honorable William Rudolf,
Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of Saturday were read.

A Message was sent to the House of Assembly, by the Clerk, To return the Bill, entitled, An Act to authorize the sale of Coals by Weight, and acquaint them that this House have agreed to the said Bill, as amended.

Mes. to H. A. with Coal Bill finally agreed to

Also, to return a Bill, entitled, An Act to continue the Act to encourage the Seal Fisheries of this Province, and acquaint them that this House adhere to their amendments to the said Bill.

And adhering to amndts. to Seal Fisheries Bill

Also, to return a Bill, entitled, An Act relating to Joint Tenancy, and acquaint them that this House adhere to their amendments to the said Bill.

And to amndt. to Joint Tenancy Bill

On motion of Mr. McNab, *ordered*, that Mr. Wilkins have leave of absence from Tuesday, the 19th inst. to return home on urgent private business.

Leave of absence to Mr. Wilkins

On motion, *resolved*, that the Conference desired by the House of Assembly on the subject of the amendments (except the last amendment,) proposed by this House to a Bill, entitled, An Act to amend the Act to Incorporate the Governors of the Dalhousie College, at Halifax, be agreed to.

Conference on Dalhousie Bill agreed to

Ordered, That Mr. Johnston, Mr. Rudolf and Mr. Almon, be a Committee of this House to manage the said Conference.

Committee

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

Militia Bill

A Bill, entitled, An Act for the better protection of the Province, by providing an efficient Militia force.

To which Bill they desired the concurrence of this House. The said Bill was read a first time.

Read 1st
Ordered,

MONDAY, 11th MARCH, 1839.

- Ref. to sel. Com. *Ordered*, That the said Bill be referred to a Select Committee, to examine and report upon.
- Committee *Ordered*, That Mr. Rudolf, Mr. Ratchford and Mr. Campbell, be a Committee for that purpose.
- Jurisdiction of J. P. Read 3d time A Bill, entitled, An Act to extend the jurisdiction of Justices of the Peace, in certain cases, and to enable them to try cases of Common Assaults and Batteries, was read a third time, and the question was put by the President,
Whether this Bill shall pass?
It was resolved in the Affirmative.
- Agreed to & Sent to H. A. A Message was sent to the House of Assembly, by the Clerk,
To carry down the said Bill, and desire their concurrence thereto.
- Mes. agreeing to Conference on Dalhousie College Bill A Message was sent to the House of Assembly, by the Clerk,
To inform them that this House agree to the Conference desired by them on the amendments (except the last amendment,) proposed by this House to a Bill, entitled, An Act to amend the Act to Incorporate the Governors of the Dalhousie College, at Halifax.
- Report And the Managers went to the Conference, and being returned, Mr. Johnston reported that the Committee had held the said Conference, and stated the substance of the Conference to the House.
- Com. on Bills On motion, the House was adjourned, during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.
- Report The Chairman also reported that the Committee had gone through a Bill, entitled, An Act in amendment of the Act to regulate the Packing and Inspecting of Salted Beef and Pork, for exportation; also,
- Report Salted Beef Lock-up House Tatamagouche A Bill, entitled, An Act to authorize the Grand Jury and the Court of Sessions, in the County of Colchester, to present and assess Monies for the erection of a Lock-up House in Tatamagouche, in the said County; also,
- Moose River Mills Co. without amendt. A Bill, entitled, An Act to Incorporate the Moose River Mills Company.
And had agreed to the said Bills without any amendment.
- Report Copy Right Bill with amendts. *Ordered*, That the said Bills be read a third time, at a future day.
The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act for securing Copy Rights, and had made an amendment to the said Bill.
- Amendt. agreed to Which amendment being read twice by the Clerk, was agreed to by the House.
- Poors' Rates and Trustees Public Property Pictou The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act in further addition to the several Acts now in force respecting Poors' Rates; also, a Bill, entitled, An Act for appointing Trustees for Public Property, in the Town of Pictou; and had directed him to report that it was the opinion of the Committee, that the said Bills should be referred to a Select Committee, to examine and report upon.
- To be ref. to Sel. Com. *Ordered*, That the said report be received, and the said Bills be referred to Select Committees, to examine and report upon.
- Report received *Ordered*, That a Bill, entitled, An Act in further addition to the several Acts now in force respecting Poors' Rates, be referred to Mr. Lawson, Mr. Campbell and Mr. Ratchford, to examine and report upon.
- Com. on Poors' Rates Bill *Ordered*, That a Bill, entitled, An Act for appointing Trustees for Public Property in the Town of Pictou, be referred to Mr. Stewart and Mr. Campbell, to examine and report upon.
- Com. on Trustees Pub. Propy. Pictou Bill The Chairman also reported that the Committee had had under consideration, a Bill, entitled, An Act to divide and set off the Township of Saint Mary's, in the County of Guysborough, as a separate and distinct District, and had directed him to report that it was the opinion of the Committee that the further consideration of the said Bill should be deferred to this day three months.
- Recommend St. Mary's District Bill to be def. 3 months *Ordered*, That the said Report be received, and the further consideration of the said Bill be deferred to this day three months.
- Bill deferred

A Message was brought from the House of Assembly by Mr. Whidden, To inform the House that the House of Assembly agreed to the amendments proposed by this House to a Bill, entitled, An Act to continue and amend the Act to regulate the Weighing of Beef.

Mes. agreeing to amend. to Beef &

Also, to the amendments proposed by this House to a Bill, entitled, An Act to alter the limits of the Jurisdiction of the Commissioners of Highways in Lunenburg.

Highways Lunenburg Bills

The Messenger also informed the House that the House of Assembly did not agree to the several amendments (except the last) proposed by this House to a Bill, entitled, An Act to amend the Act to incorporate the Governors of the Dalhousie College at Halifax, and could not consider the last amendment, as it relates to a grant of Money.

Mes. relative to amdt to Dalhousie College Bill

A Bill, entitled, An Act to continue and amend the Act to regulate the Weighing of Beef ; also,

Beef &

A Bill, entitled, An Act to alter the limits of the jurisdiction of the Commissioners of Highways in Lunenburg, were read, as amended, and the question was put by the President on each Bill,

Highways Lunenburg Bills

Whether this Bill, as amended, shall pass ?

Finally agreed to &

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Clerk, To return the said two Bills, and acquaint them therewith.

Sent to H. A.

The House proceeded to the consideration of the amendments proposed by them to a Bill, entitled, An Act to amend the Act to incorporate the Governors of the Dalhousie College at Halifax.

Consideration of aments. to Dalhousie College Bill

The first amendment was read ; and,

On motion, resolved, that the said amendment be not adhered to.

1st amendt. Not adhered to

The second amendment was read ; and,

On motion, resolved, that the said amendment be not adhered to.

2d amendt. Not adhered to

The third amendment was read ; and,

On motion, resolved, that the said amendment be not adhered to.

3d amendt. Not adhered to

The last amendment was read ; and,

On motion, resolved, that the said amendment be adhered to.

Last amendt. Adhered to

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

To return the said Bill, and acquaint them that this House do not adhere to the three first amendments proposed by them to the said Bill, but do adhere to the last amendment.

Mes. to H. A. with Bill

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

Adjourn

Tuesday, 12th March, 1839.

The House met pursuant to adjournment.

P R E S E N T

The Honorable S. B. Robie, President.

The Honorable Peter M'Nab, Joseph Allison, Norman F. Uniacke, James W. Johnston, William Lawson, Alexander Stewart,

Members

The Honorable William Rudolf, Lewis M. Wilkins, Jr. Alexander Campbell, James Ratchford, William B. Almon.

PRAYERS.

The Minutes of yesterday were read:

A Bill, entitled, An Act in amendment of the Act to regulate the packing and inspecting of Salted Beef and Pork for exportation ; also,

Salted Beef

A Bill, entitled, An Act to incorporate the Moose River Mills Company ; also,

Moose River Mills Company & Lock-up House Tatamagouche Bills

A Bill, entitled, An Act to authorize the Grand Jury and the Court of Sessions in the County of Colchester to present and assess Monies for the erection of a Lock-up House in Tatamagouche,

SATURDAY, 9th MARCH, 1839.

Read 3d time	Tatamagouche, in the said County, were read a third time, and the question was put by the President, on each Bill,
Agreed to &	Whether this Bill shall pass? It was resolved in the affirmative.
Sent to H. A.	A Message was sent to the House of Assembly, by the Clerk, To return the said Bills, and acquaint them that this House have agreed to the said Bills without any amendment.
Petition of J. W. Nutting & al.	Mr. Johnston brought up the Petition of J. W. Nutting and others, the Executive Committee of the Baptist Education Society, praying the assent of this House to a vote of Money for that Institution, which was ordered to lie on the Table.
Report on Cemeteries Halifax Bill	Mr. Allison, the Chairman of the Committee, to whom a Bill, entitled, An Act additional to, and in further amendment of, the Act concerning Cemeteries or Burial Grounds in the Town of Halifax, was referred—made his report. <i>Ordered</i> , That the said Bill be committed to a Committee of the whole House, at a future time.
Com. on Bills	On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Allison reported that the Committee had made some progress.
Report Cemeteries Bill with amendt.	The Chairman also reported that the Committee had had under their consideration a Bill, entitled, An Act additional to, and in further amendment of, the Act concerning Cemeteries or Burial Grounds, in the Town of Halifax, and had made an amendment thereto.
Amendt. agreed to	Which amendment being read twice by the Clerk, was agreed to by the House. <i>Ordered</i> , That the said Bill be read a third time, at a future day.
Colonial Duty	A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills: A Bill, entitled, An Act to continue and amend the Act, entitled, An Act for granting Colonial Duties of Impost, for the support of His Majesty's Government within this Province, and for promoting the Agriculture, Commerce and Fisheries thereof.
Drawbacks	A Bill, entitled, An Act to continue and amend the Act concerning Goods exported, and for granting Drawbacks.
Regulation of Col. Duties	A Bill, entitled, An Act to continue the Act for the General Regulation of the Colonial Duties.
Warehousing	A Bill, entitled, An Act to continue and amend the Act for the Warehousing of Goods.
Importation of goods Smuggling	A Bill, entitled, An Act to continue and amend the Act for regulating the Importation of Goods.
Licenses	A Bill, entitled, An Act to continue the several Acts for the prevention of Smuggling.
Licenses Halifax	A Bill, entitled, An Act to continue the Act for granting Duties on Licenses, and in amendment thereof. A Bill, entitled, An Act to continue and amend the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and for Sales by Auction, to persons resident in the Town of Halifax.
Read 1st time	To which Bills they desired the concurrence of this House. The said Bills were read a first time.
Ref. to sel. Com. Committee	<i>Ordered</i> , That the said Bills be referred to a Select Committee, to examine and report upon. <i>Ordered</i> , That Mr. Allison, Mr. Lawson and Mr. Rudolf, be a Committee for that purpose.
Report on Militia Bill	Mr. Rudolf, the Chairman of the Committee, to whom a Bill, entitled, An Act for the better protection of the Province, by providing an efficient Militia force, was referred, made his report; whereupon, the said Bill was read a second time.
Read 2d time Ord. to Com.	<i>Ordered</i> , That the said Bill be committed to a Committee of the whole House, at a future day.
Report on Poors' Rates Bill	Mr. Lawson, the Chairman of the Committee, to whom a Bill, entitled, An Act in further addition

addition to the several Acts now in force respecting Poors' Rates, was referred, made his report; whereupon, it was

Ordered, That the said Bill be again committed to a Committee of the whole House.

Mr. Stewart, the Chairman of the Committee, to whom a Bill, entitled, An Act for appointing Trustees of Public Property, in the Town of Pictou, was referred, made his report; whereupon, it was

Ordered, That the said Bill be again committed to a Committee of the whole House.

A Bill, entitled, An Act for securing Copy Rights, was read a third time, and the question was put by the President,

Whether this Bill, with the amendments, shall pass?

It was resolved in the affirmative.

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

To return the said Bill, and acquaint them that this House have agreed to the said Bill with an amendment—to which amendment they desire the concurrence of the House of Assembly.

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

The Chairman also reported that the Committee had gone through

A Bill, entitled, An Act for appointing Trustees for Public Property in the Town of Pictou; also,

A Bill, entitled, An Act in further addition to the several Acts now in force respecting Poors' Rates; and had agreed to the said Bills without any amendment.

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

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

Bill ord. to Com. of whole

Report on Trustees Pub. Property Pictou Bill

Bill ord. to Com.

Copy Right Bill read 3d time

Agreed to &

Sent to H. A.

Com. on Bills

Report Trustees Pub. Property Pictou &

Poors' Rates Bills without amendt.

Adjourn

Wednesday, 13th March, 1839.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

S. B. Robie

The Honorable William Rudolf,
Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon,

PRAYERS.

The Minutes of yesterday were read,

A Bill, entitled, An Act for appointing Trustees of Public Property in the Town of Pictou; also,

A Bill, entitled, An Act in further addition to the several Acts now in force respecting Poors' Rates, were read a third time, and the question was put by the President, on each Bill,

Whether this Bill shall pass?

It was resolved in the affirmative.

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

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

A Bill, entitled, An Act additional to, and in further amendment of, the Act concerning Cemeteries or Burial Grounds, in the Town of Halifax, was read a third time, and the question was put by the President,

Whether

Trustees Public Property Pictou &

Poors' Rates Bills Read 3d time

Agreed to &

Sent to H. A.

Cemeteries Bill

Read 3d time

- Whether this Bill, with the amendment, shall pass?
It was resolved in the Affirmative.
- Agreed to &
Sent to H. A. A Message was sent to the House of Assembly, by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the said Bill with an amendment—to which amendment they desire the concurrence of the House of Assembly.
- Passengers Bill read 2d time &
Ordered to Com. A Bill, entitled, An Act to amend the Act relating to Passengers from Great-Britain and Ireland, arriving in this Province, was read a second time.
Ordered, That the said Bill be committed to a Committee of the whole House, at a future day.
- Bill to alter lines of Lot in Water Street Halifax Read 1st time Ordered to be published Order for 2d reading
Mr. Allison presented a Bill to change and alter the North and East side lines of a certain Lot of Land situate on the West side of Water Street, in the Town of Halifax.
The said Bill was read a first time.
Ordered, That the said Bill be published in the Royal Gazette, for the information of the Public.
Ordered, That the said Bill be read a second time on Tuesday next.
- Com. on Confessions Bill recommend Bill to be deferred 3 months.
Mr. Stewart, the Chairman of the Committee, to whom a Bill, entitled, An Act to reduce the expenses of Suits at Law on Judgments by Confession, was referred, reported that the Committee had had the said Bill under consideration, and recommended that the further consideration of the said Bill be deferred to this day three months.
- Motion not to receive report
Mr. Rudolf moved that the said Report be not received: which, being seconded, and the question being put, there appeared, for the motion, four; against the motion, six:
For the motion, Mr. Lawson,
Mr. Campbell,
Mr. Ratchford,
Mr. Rudolf,
Against the motion, Mr. Johnston,
Mr. Allison,
Mr. Stewart,
Mr. McNab,
Mr. Almon,
Mr. Wilkins.
- Negatived
Bill deferred So it passed in the Negative.
Ordered, That the further consideration of the said Bill be deferred to this day three months.
- Equitable claims on Real Estate
Halifax & N.S. Marine Ins. Co.
Practice of Chancery Court
Read 1st time
Mes. from H. A. agreeing to amendt. to Copy Right Bill
And adhering to amendt. to Pickled Fish Bill
Copy Right Bill Finally agreed to & Sent to H. A.
A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills:
A Bill, entitled, An Act to provide for the settlement of equitable claims upon Real Estate, in certain cases.
A Bill, entitled, An Act in amendment of the Acts to Incorporate the Halifax Marine Insurance Company, and the Nova-Scotia Marine Insurance Company.
A Bill, entitled, An Act for amending the practice of the Court of Chancery.
To which Bills they desired the concurrence of this House.
The said Bills were read a first time.
Ordered, That the said Bills be read a second time at a future day.
The Messenger also informed the House that the House of Assembly agreed to the amendment proposed by this House, to a Bill, entitled, An Act for securing Copy Rights.
The Messenger also informed the House that the House of Assembly adhered to the two first amendments proposed by them to a Bill, entitled, An Act to continue the Acts in force relative to the inspection of Pickled Fish.
A Bill, entitled, An Act for securing Copy Rights, was read, as amended, and the question was put by the President,
Whether this Bill, as amended, shall pass?
It was resolved in the affirmative.
A Message was sent to the House of Assembly, by the Clerk,
To return the said Bill and acquaint them therewith.

WEDNESDAY, 13th MARCH, 1839.

Mr. Almon, the Chairman of the Committee, to whom a Bill, entitled, An Act for setting off part of the Township of St. Mary's into a separate Township, was referred, reported that the Committee had had the said Bill under consideration, and recommended that the said Bill should be committed to a Committee of the whole House.

Com. on division of St. Mary's Township Bill report

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

Bill ord. to Com.

On motion, *ordered*, that Anne Lady Rodney be heard by Counsel at the Bar of this House, on Tuesday next, on the Bill, entitled, An Act to provide for the settlement of equitable claims upon Real Estate, in certain cases.

Counsel to be heard at Bar on equitable Claims on real Estate Bill

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

Com. on Bills

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act for setting off part of the Township of Saint Mary's into a separate Township; also, A Bill, entitled, An Act to apply a certain sum of money for the service of the Militia.

Report Division of St. Mary's & Money for Militia Bills Without amdt.

And had agreed to the said Bills without any amendment.

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

Mr. Allison, by His Excellency the Lieutenant-Governor's Command, laid before the House, a copy of a Despatch from His Excellency the Lieutenant-Governor of New-Brunswick, enclosing copies of Resolutions passed by the Legislative Council and House of Assembly of that Province, relative to the Resolutions of this House, and the House of Assembly of this Province, respecting the invasion of New-Brunswick—the said Despatch and Resolutions were read by the Clerk, as follows:—

Mem. with Despatch from Lt. Gov. of N. Brunswick enclosing Resolutions of Council & H. A. of N. B.

(Copy.)

Government House, Fredericton, New Brunswick, March 9th, 1839.

Sir—

In compliance with the wishes of the Legislative Council and House of Assembly of this Province, I have the honor and high satisfaction of transmitting to your Excellency copies of Resolutions unanimously adopted by those Bodies, in acknowledgment of the noble and patriotic conduct of the Legislature of Nova-Scotia, as exhibited in the Documents which accompanied your Excellency's Letter of the 27th ultimo. The language of the Resolutions which I now enclose, conveys in terms so forcible and so just the sentiments which the conduct at this crisis of their loyal fellow subjects of the Sister Province has produced in the minds of the Legislature and People of New Brunswick, that it only remains for me to declare the feelings of pride and pleasure which I derive from being made the medium of communicating such sentiments, and my satisfaction at being afforded an opportunity of expressing my heartfelt concurrence in them.

I have the honor to be,

&c. &c.

(Signed)

J. HARVEY.

His Excellency Lieutenant-General Sir COLIN CAMPBELL, K. C. B.
Lieutenant-Governor, &c. &c. &c.

(Copy.)

Legislative Council Chamber, Saturday, 9th March, 1839.

Resolved, That this House views with feelings of the most grateful satisfaction the noble and patriotic Resolutions of the Legislative Council and House of Assembly of Nova-Scotia, on the subject of the invasion of this Province by a Foreign Force.

Resolved, That the spontaneous aid and co-operation thus promptly tendered by our Sister Colony, afford the strongest guarantee that, under the blessing of Divine Providence, the deeply

WEDNESDAY and THURSDAY, 13th and 14th MARCH, 1839.

deeply cherished relations of the Inhabitants of these Provinces as fellow subjects of the great British Empire, and that the invaluable rights and interests consequent on these relations, will be maintained and defended by them, with the most united and unyielding vigor and determination.

Resolved, That an humble Address be presented to His Excellency the Lieutenant-Governor, with these Resolutions, praying that he will be pleased to transmit them to His Excellency the Lieutenant-Governor of Nova-Scotia.

(Signed)

WILLIAM TYNG PETERS, Clerk.

(Copy.)

*New-Brunswick, House of Assembly,
March 8th, 1839.*

Resolved unanimously, That this House, representing the feelings and spirit of the whole people of New-Brunswick, has received with unbounded satisfaction the joyful though not unexpected intelligence, that Nova-Scotia, our Sister Province, in accordance with those principles which have ever distinguished her, has now, in the time of need, gallantly come forward, generously tendering her blood and her Treasure for the protection of British soil from the threatened aggression of the State of Maine, and that this seasonable manifestation of regard for the common cause of the British North American Provinces gives fresh vigor to the measures which the Government of this Province had already determined to adopt for the integrity of the Empire, and the maintenance of the Queen's authority in this portion of Her Majesty's Dominions.

Resolved unanimously, That an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to forward a Copy of the foregoing Resolution to His Excellency the Lieutenant-Governor of Nova-Scotia.

(Signed)

CHARLES P. WETMORE.

The said Despatch and Resolutions were ordered to lie on the Table.

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

Adjourn

Thursday, 14th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

The Honorable William Rudolf,
Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act in amendment of the Acts to incorporate the Halifax Marine Insurance Company, and the Nova-Scotia Marine Insurance Company, was read a second time.

Halifax & N. Scotia
Marine Ins. Co.
read 2d time &

Ordered to Com.

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

Practice of Chancery
read 2d time

A Bill, entitled, An Act for amending the Practice of the Court of Chancery, was read a second time.

Ref. to Sel. Com.

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

Committee

Ordered, That Mr. Johnston, Mr. Stewart, and Mr. Wilkins, be a Committee for that purpose.

THURSDAY, 14th MARCH, 1839.

- A Bill, entitled, An Act for setting off part of the Township of Saint Mary's into a separate Township, was read a third time, and the question was put by the President,
Whether this Bill shall pass?
It was resolved in the Affirmative.
A Message was sent to the House of Assembly, by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the said Bill without any amendment.
- A Bill, entitled, An Act to apply a certain sum of Money for the service of the Militia, was read a third time, and the question was put by the President,
Whether this Bill shall pass?
It was resolved in the Affirmative.
Resolved unanimously, That, but for the pressing exigencies of the Public Service, and the great importance of this Bill, in reference thereto, this House would not have consented to pass it in its present form, inasmuch as this House is of opinion that Commissioners for negotiating and effecting a Public Loan, ought not to consist of Members of either Branch of the Legislature, of which one of the most important Constitutional duties is to examine into and pass upon, the Provincial Accounts annually submitted to it for that purpose.
Resolved therefore, That this case is not to be considered as a precedent to govern the future proceedings of this House.
A Message was sent to the House of Assembly, by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the said Bill without any amendment.
- A Message was brought from the House of Assembly, by Mr. Whidden,
To inform the House that the House of Assembly agreed to the amendment proposed by this House to a Bill, entitled, An Act additional to, and in further amendment of, the Act concerning Cemeteries or Burial Grounds, in the Town of Halifax.
- The Order of the Day for the House to go into the consideration of His Excellency's Message of the 18th of January last, being read,
Ordered, That the Order of the Day be postponed until to-morrow.
- Mr. Allison, the Chairman of the Committee to whom the Revenue Bills were referred, made his report; which he read in his place, and afterwards delivered it to the Clerk, who read the same.
Ordered, That the said Report do lie on the Table.
- On motion, the House was adjourned, during pleasure, and put into a Committee on Bills. After some time the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.
- A Message was brought from the House of Assembly, by Mr. Whidden, with the following Resolutions:
Resolved, That the Sum of Six Hundred Pounds be granted and paid for the support of the Transient Poor for the present year, to be paid to the Commissioners of the Poor at Halifax.
Resolved, That the Sum of Three Hundred and Fifty Pounds be granted and paid to John Howe, Esq. Printer, for printing for Government and the General Assembly for the present year.
Resolved, That the sum of Forty Pounds be granted to Lawrence Kavanagh, Esq. to be drawn from the Treasury, when it shall be certified by a Judge of the Supreme Court, that he has conveyed the Judge or Judges to the several Circuit Courts in Cape-Breton during the present year.
Resolved, That the sum of One Hundred Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor or Commander in Chief for the time being, to be applied in such way as he may deem most proper for the relief of the Indians in this Province.
Resolved, That the sum of Twenty-five Pounds be granted and paid to the Commissioners
- Division of St. Mary's Township read 3d time
Agreed to &
Sent to H. A.
- Money for Militia Bill read 3d time
Agreed to
Resolutions thereon
- Bill sent to H. A.
- Mes. from H. A. agreeing to amdt. to Cemetery Bill
- Order of Day postponed
- Com. on Revenue Bills report
- Com. on Bills
- 600l. Transient Poor
- 350l. J. Howe, Esq. for printing
- 40l. Lawrence Kavanagh conveying of Judges
- 100l. relief of Indians
- 25l. School Poor House

ers of the Poor in Halifax, to defray the expense of continuing the School in the Poor House for the present year, for the benefit of Orphans and Poor Children in that Establishment.

501. Parraborough Packet

Resolved, That the sum of Fifty Pounds be granted and paid to the Owners of the Packet running between Windsor and Partridge Island, to encourage the running of the said Packet between the said places, under such regulations as may be made and ordered by the Justices in their Sessions for the County of Hants, for the present year.

501. Guysborough Packet

Resolved, That the sum of Fifty Pounds be granted to such person or persons as will run a proper Packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under such regulations as shall be established by the General Sessions of the Peace for the County of Guysborough, to be paid upon the Certificate of the said General Sessions that such Packet has been properly kept and run during the present year. *Provided*, that the Judge or Judges of the Supreme Court shall be taken without charge, if required, from Guysborough to Arichat, and from Arichat to Guysborough, on the Circuit to Cape-Breton.

4001. Commrs. of Sable Island

Resolved, That the sum of Four Hundred Pounds be granted and paid to the Commissioners of Sable Island, for the support of that Establishment for the present year.

2001 Steam Boat

Resolved, That the sum of Two Hundred Pounds be granted and paid in aid of the Halifax Steam Boat Company for the present year.

3001. Horton Academy

Resolved, That the sum of Three Hundred Pounds be granted and paid to the Nova-Scotia Baptist Education Society, in aid of the Academy at Horton for the present year.

1001. Arichat Academy

Resolved, That the sum of One Hundred Pounds be granted and paid in aid of the Arichat Academy for the present year, to be placed in the hands of Trustees appointed by His Excellency the Lieutenant-Governor.

1001. Mr. Uniacke's Schools

Resolved, That the sum of One Hundred Pounds be granted and paid to the Rev. R. F. Uniacke, to enable him to defray the expences incurred to support Schools for Poor Children in the North Suburbs of the Town of Halifax.

1951. Yarmouth Academy

Resolved, That the sum of One Hundred and Thirty-five Pounds be granted and paid to the Trustees of the Yarmouth Academy, in aid of that Institution for the present year.

501. Lunenburg School

Resolved, That the sum of Fifty Pounds be granted and paid to the Commissioners of Schools for the County of Lunenburg, for the support of the National School in the Town of Lunenburg for the present year.

1001. Sydney Grammar School

Resolved, That the sum of One Hundred Pounds be granted and paid to the Trustees of the combined Common and Grammar School, in the Town of Sydney, in aid of the said School for the present year.

501. Infant School

Resolved, That the sum of Fifty Pounds be granted and paid to the Ladies, Managers of the Infant School at Halifax, in aid of that Institution for the present year.

501. Mechanics' Institute

Resolved, That the sum of Fifty Pounds be granted and paid to the Mechanics' Institute and Mechanics' Library—Thirty Pounds to the Institute and Twenty Pounds to the Library, for the support of those Establishments for the present year.

501. Dispensary

Resolved, That the sum of Fifty Pounds be granted and paid to Doctors Grigor and Sterling, in aid of the Halifax Dispensary for the present year: provided they keep during the year a sufficient quantity of Vaccine matter.

201. Ferry C. B.

Resolved, That the sum of Twenty Pounds be granted and paid to aid the Inhabitants of Cape-Breton in supporting a suitable Boat or Scow to run between McMillan's Point, in Cape-Breton, and Auld's Cove, in the County of Sydney; the said Boat or Scow to be placed under the regulation of the General Sessions for the County of Inverness.

201. Ferry Shubenacadie

Resolved, That the sum of Twenty Pounds be granted to aid the Inhabitants of Douglas, at the mouth of the River Shubenacadie, in supporting a suitable Boat to run between Londonderry and that place, the said Boat to run under the regulations of the General Sessions for the County of Hants, to be paid by Warrant from His Excellency the Lieutenant-Governor upon Certificate from said Sessions, that said Boat has been running at least twice a week for four months to the satisfaction of the said Sessions under their regulations.

1501. Steam Boat Pictou

Resolved, That the sum of One Hundred and Fifty Pounds be granted and paid towards supporting and maintaining the Steam Boat between Pictou, Prince Edward's Island and Miramichi, for the present year, upon the same conditions as last year, and upon condition that the Mails shall be weekly transported in that Boat during the same year, between the same places.

Resolved,

THURSDAY and FRIDAY, 14th and 15th MARCH, 1839.

Resolved, That the sum of One Hundred Pounds be granted and paid to James Whitney, 1001. J. Whitney
for running the Steam Boat between Annapolis and Digby and St. John, for the present
year, under the same regulations, and in the same manner as heretofore.

Whereas, it is indispensable to keep up the Post Communication for the present year, 1,500 & 511. Post
and for that purpose to grant a sum of Money as heretofore, until a final decision on the
mode of regulating the same in future can be had from Her Majesty's Government: Communication

Resolved, That a sum not exceeding One Thousand Five Hundred Pounds be granted
and paid for defraying the expenses of Post Communication, for the year One Thousand
Eight Hundred and Thirty-nine, in the same manner it was kept up and defrayed the last
year; and the further sum of Fifty-one Pounds for the services recommended in the report
of the Committee this Session.

To which Resolutions they desired the concurrence of this House.

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

Friday, 15th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

ORONONO

The Honorable William Rudolf,
Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

The twenty-three Resolutions for granting Money, brought up yesterday from the House Money Votes read
of Assembly, were read a first time. 1st time

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

A Bill, entitled, An Act to continue and amend the Act, entitled, An Act for granting Co- Colonial Duties
lonial Duties of Impost for the support of His Majesty's Government within this Province,
and for promoting the Agriculture, Commerce, and Fisheries thereof; also,

A Bill, entitled, An Act to continue the Act concerning Goods exported, and for granting Drawbacks
Drawbacks; also,

A Bill, entitled, An Act to continue the Act for the general regulation of the Colonial Regulation of Colo-
Duties; also, nial Duties

A Bill, entitled, An Act to continue and amend the Act for the Warehousing of Goods; Warehouse
also,

A Bill, entitled, An Act to continue and amend the Act for regulating the Importation of Importation of
Goods; also, Goods

A Bill, entitled, An Act to continue the several Acts for the prevention of Smuggling; also, Smuggling
so,

A Bill, entitled, An Act to continue the Act for granting Duties on Licenses and in amend- Licences
ment thereof; also,

A Bill, entitled, An Act to continue and amend the Act for granting Duties on Licenses Licences Halifax
for the Sale of Spirituous Liquors, and for Sales by Auction, to persons resident in the
Town of Halifax, were read a second time. Read 2d time &

Ordered, That the said Bills be committed to a Committee of the whole House, at a fu- Ord. to Com.
ture day.

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

FRIDAY and SATURDAY, 15th and 16th MARCH, 1839.

Report Militia Bill
without amndt.

The Chairmah also reported that the Committee had gone through a Bill, entitled, An Act for the better protection of the Province, by providing an efficient Militia force ; and had agreed to the said Bill without any amendment.

Motion to re-com-
mit Bill

Mr. Stewart moved that the said Bill be again committed to a Committee of the whole House, for the purpose of adding a Clause, by which the President and Members of this House shall be exempt from the operation of the said Bill : which, being seconded, and the question being put, there appeared, for the motion, four ; against the motion, seven.

For the motion,
Mr. Almon,
Mr. Stewart,
Mr. Lawson,
Mr. Ratchford,

Against the motion,
Mr. Uniacke,
Mr. Allison,
Mr. McNab,
Mr. Wilkins,
Mr. Rudolf,
Mr. Campbell,
Mr. Johnston.

Negatived

So it passed in the Negative.

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

Report new Road
to St. Mary's Bill
without amndt.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to provide for opening the new Road between Halifax and Saint Mary's, and had agreed to the said Bill without any amendment.

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

Recommend Hal-
ifax & N. S. Marine
Ins. Co. Bill to be
deferred 3 months

The Chairman also reported that the Committee had had under their consideration a Bill, entitled, An Act in amendment of the Acts to incorporate the Halifax Marine Insurance Company, and the Nova-Scotia Marine Insurance Company ; and had directed him to report that it was the opinion of the Committee, that the further consideration of the said Bill should be deferred to this day three months.

Bill deferred

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

Adjourn

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

Saturday, 16th March, 1839.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

The Honorable William Rudolf,
Lewis M. Wilkins, Jr.
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

Militia Bill

Read 3d time &

A Bill, entitled, An Act for the better protection of this Province, by providing an efficient Militia Force, was read a third time, and the question was put by the President,
Whether this Bill shall pass ?

Agreed to

It was resolved in the affirmative.

Dissentient—Mr. Stewart.

Mr. Wilkins moved that the House do come to the following Resolutions :

Resolution thereon

Resolved, That, but for the great importance of this Bill at the present crisis, this House would not have consented to pass the same in its present form, inasmuch as this House is of opinion that the Members of the Legislative Council and the Members of the House of Assembly, ought to continue to be exempted, as by Law they now are from all Musters and Trainings.

Resolved,

SATURDAY, 16th MARCH, 1839.

Resolved therefore, That the assent of the House to this Bill, is not to be considered a precedent for the future: which being seconded, and the question being put, there appeared, for the motion, five; against the motion, five.

For the motion,

Mr. Allison,
Mr. Ratchford,
Mr. Wilkins,
Mr. Johnston,
Mr. Campbell.

Against the motion,

Mr. Almon,
Mr. Lawson,
Mr. Stewart,
Mr. McNab,
Mr. Rudolf,

Whereupon, the President gave his casting vote in favor of the motion, so it passed in the Affirmative. Agreed to

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

Mr. Almon brought up a Petition of William Saunders and others, praying this House not to assent to the Bill for the sale of the Annapolis Common; Pet. of Wm. Saunders & al.

Also, the Petition of Thomas Ritchie and others, praying this House not to assent to the Annapolis Court-House assessment Bill; and also, a statement of the expenses of the Court House at Digby. And of T. Ritchie & al.
And Statement

Ordered, That the said Petition and Statement do lie on the Table.

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

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to continue and amend the Act, entitled, An Act for granting Colonial Duties of Impost, for the support of His Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof; also, Report
Colonial Duties

A Bill, entitled, An Act to continue the Act concerning Goods exported, and for granting Drawbacks; also, Drawbacks

A Bill, entitled, An Act to continue the Act for the General Regulation of the Colonial Duties; also, Regulation of Duties

A Bill, entitled, An Act to continue and amend the Act for the Warehousing of Goods; also, Warehouse

A Bill, entitled, An Act to continue and amend the Act for regulating the Importation of Goods; also, Importation of Goods, &

A Bill, entitled, An Act to continue the several Acts for the prevention of Smuggling; and had agreed to the said Bills without any amendment. Smuggling Bills without amndt.

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to continue the Act for granting Duties on Licences, and in amendment thereof; also, Report
Licences &

A Bill, entitled, An Act to continue and amend the Act for granting Duties on Licences for the sale of Spirituous Liquors, and for Sales by Auction, to persons resident in the Town of Halifax, and had made amendments thereto; which amendments being read twice by the Clerk, were agreed to by the House. Licences Halifax with amdts.
Amdts. agreed to

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

The following Resolutions for granting Money, viz:—

£600 Transient Poor.

350 To J. Howe, for Printing.

40 L. Kavanagh.

100 Relief of Indians.

25 School in Poor House.

50 Parrsborough Packet.

50 Packet between Guysborough and Arichat,

Money Votes

£400 Sable Island.
 200 Halifax Steam Boat.
 300 Horton Academy.
 100 Arichat Academy.
 100 Rev. R. F. Uniacke's School.
 135 Yarmouth Academy.
 50 National School, Lunenburg.
 100 Sydney Grammar School.
 50 Infant School.
 50 Mechanics' Institute.
 50 Dispensary.
 20 Ferry, Cape-Breton.
 20 Ferry, Shubenacadie.
 150 Steam Boat, Prince Edward's Island.
 100 James Whitney.
 1500 & 51 Post Communication.

Read 2d time Were read a second time, and the question was put by the President, on each Resolution, Whether this Resolution be agreed to ?

Agreed to & It was resolved in the affirmative.

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

Cemetery Bill A Bill, entitled, An Act additional to, and in further amendment of, the Act concerning Cemeteries or Burial Grounds, in the Town of Halifax, was read, as amended, and the question was put by the President, Whether this Bill, as amended, shall pass ?

Finally agreed to & It was resolved in the affirmative.

Sent to H. A. A Message was sent to the House of Assembly, by the Clerk, To return the said Bill, and acquaint them therewith.

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

Report Passenger Bill with amdt. The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to amend the Act relating to Passengers from Great-Britain and Ireland, arriving in this Province, and had made an amendment thereto.

Amndt. agreed to Which amendment being read twice by the Clerk, was agreed to by the House. *Ordered*, That the said Bill be read a third time, at a future day.

Adjourn On motion made and seconded—the House adjourned until Monday, at one o'clock.

Monday, 18th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,

Joseph Allison,

Norman F. Uniacke,

William Lawson,

Alexander Stewart,

The Honorable William Rudolf,

Lewis M. Wilkins, Jun.

Alexander Campbell,

James Ratchford,

William B. Almon.

PRAYERS.

The Minutes of Saturday were read.

Colonial Duties

A Bill, entitled, An Act to continue and amend the Act, entitled, An Act for granting Colonial Duties of Impost for the support of His Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof; also,

A Bill, entitled, An Act to continue the Act concerning Goods exported, and for granting Drawbacks ; also,	Drawbacks
A Bill, entitled, An Act to continue the Act for the General Regulation of the Colonial Duties ; also,	Regulation of Col. Duties
A Bill, entitled, An Act to continue and amend the Act for the Warehousing of Goods ; also,	Warehouse
A Bill, entitled, An Act to continue and amend the Act for regulating the importation of Goods ; also,	Importation of Goods
A Bill, entitled, An Act to continue the several Acts for the prevention of Smuggling, were read a third time, and the question was put by the President, on each Bill,	Smuggling Read 3d time
Whether this Bill shall pass ?	
It was resolved in the Affirmative.	
A Message was sent to the House of Assembly, by the Clerk,	Agreed to & Sent to H. A.
To return the said Bills, and acquaint them that this House have agreed to the same without any amendment.	
A Bill, entitled, An Act to continue the Act for granting Duties on Licenses, and in a amendment thereof ; also,	Licenses
A Bill, entitled, An Act to continue and amend the Act for granting Duties on Licenses, for the sale of Spirituous Liquors, and for Sales by Auction, to persons resident in the Town of Halifax ; also,	Licenses Halifax &
A Bill, entitled, An Act to amend the Act relating to Passengers from Great-Britain and Ireland arriving in this Province, were read a third time, and the question was put by the President, on each Bill,	Passenger Bill Read 3d time
Whether this Bill, with the amendment, shall pass ?	
It was resolved in the Affirmative.	
A Message was sent to the House of Assembly, by the Clerk,	Agreed to & Sent to H. A.
To return the said Bills, and acquaint them that this House have agreed to the said Bills with amendments—to which amendments they desire the concurrence of the House of Assembly.	
The House proceeded to the consideration of the Message of His Excellency the Lieutenant-Governor to this House, of the 18th January last, when the following Resolutions were adopted :	Consideration of Despatches
<i>Whereas</i> , His Excellency the Lieutenant-Governor has been pleased, by Message, of the 18th January last, to lay before this House several communications made to His Excellency by the Right Honorable Her Majesty's Secretary of State for the Colonies, which are now under the consideration of this House.	Resolutions thereon
<i>Resolved thereupon</i> , That this House will most cordially concur in any measure, having for its object the transfer to this Colony of Her Majesty's Casual and Territorial Revenues, that may meet the views of Her Majesty's Government and of the House of Assembly, and consist with the true interests of the People of this Province.	Casual Revenue
<i>Resolved</i> , That this House did concur in passing the Bill, entitled, An Act for regulating the internal Postage of the Province, with a view to an expected increase from that source of the Revenues of the Colony, without apprehending from the operation of the Statute, any injury to the general interests of the British North American Provinces, and without conceiving that the passing of such a Bill would constitute an obstacle to the arrangement contemplated by Her Majesty's Government, respecting General Post-Office regulations throughout the whole of Her Majesty's North American Possessions, but that this House, adverting to the intention of Her Majesty's Government to extend to this Colony the advantages of communication by Steam Packets, and to the increased expenditure consequent upon such a measure, and relying upon the justice and liberality which have ever been evinced by Her Majesty towards this happy and loyal Province, confidently submits to the favorable consideration of Her Majesty's Government, the subject involved in this Bill, trusting that Her Majesty may yet be advised to sanction the passing of a similar Act, of which this House would be disposed to limit the operation until a general Law were passed, with the assent of	Post Office

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the various local Legislatures, for regulating the Post-Office communications throughout British North America.

Judiciary

Resolved, That for the liberal, wise, and just policy, that has induced Her Majesty's Government to grant to the Chief-Justice and Puisne Justices of Her Supreme Court, from Her Casual and Territorial Revenues, a compensation for their abolished fees, the grateful acknowledgments of this House, and of the people of this Province, are especially due, inasmuch as this measure relieves the Judges of a Court, whose impartiality and ability have never been questioned, from the imputation that has been of late annually and formally repeated, of exacting illegal fees, and from being continually and prominently made the subject of political discussion.

Judiciary

Resolved, That the thanks of this House and of the Country, are also due to His Excellency the Lieutenant-Governor, for directing the immediate abolition of those fees, thus rendering the arrangement of Her Majesty's Government, in reference thereto, at once beneficial to the suitors in the Supreme Court.

Bounties

Resolved, That this House is respectfully of opinion, that in some cases bounties can be beneficially given, in order to the encouragement of our Trade, Commerce, and infant Manufactures, and that inasmuch as the Foreign Trade of these Colonies is regulated by a system of duties and restrictions intended to subserve and protect the National interests; this House submits that in every case where an enactment of the local Legislature respecting its Trade and Commerce, cannot conflict with the Commercial Laws and Regulations of the Imperial Parliament, the Provincial Parliament should be permitted to exercise an unrestrained discretion in the matter of such enactment.

Free Trade

Resolved, That this House is of opinion that the provision made by the Act to provide for the Custom-House Establishment in Nova-Scotia for the support of the Customs Establishment, if properly and judiciously distributed, is at present, and for many years will be, amply sufficient for that purpose, and for the further extension of the advantages of Foreign Trade to the Outports of this Colony.—That as this opinion was distinctly announced to the Government of His late Majesty by the House of Assembly, in its Address of the Session of the year 1829, the Legislative Council conceives that it may be expected from that good faith, for which the Imperial Government has ever been distinguished, that in the event of Her Majesty's present Ministry dissenting from that opinion, the general funds of the Empire should contribute the amount of such deficiency as may be found to exist.—And that this House is of opinion that the benefits of Foreign Trade should be further extended to this Colony.

Amendt. moved

Which being read, Mr. Allison moved that the following words be added to the said Resolution, as an amendment:

"And that such Outports should be included as from local situation and the nature of their Trade may render this measure desirable and advantageous; but while this House considers that some further extension of Foreign Trade will prove beneficial to the Province, it must also express its decided disapprobation of any measure that would have the effect of opening the Outports generally to the admission of Foreign Vessels, which would involve a departure from the principles which have been adopted by Her Majesty's Government with regard to her Colonial Possessions, and would, in the opinion of this House, give increased facilities to illicit traffic, and materially injure the British Carrying Trade in our exports to the United States":

Agreed to

Which, being seconded, and the question being put, there appeared, for the motion, five; against the motion, five: whereupon, the President gave his casting vote in favour of the motion. So it passed in the Affirmative.

Protest against amendt.,

Dissentient—From the amendment to the sixth Resolution, relating to the extension of the Foreign Trade of this Province.

Because its inevitable tendency is to mislead Her Majesty's Government as to the condition of this Province, and the desires of its Inhabitants, in relation to its Foreign Trade.

Because the House of Assembly in their Addresses to the Throne, passed, on the 11th day of April, 1832, the 29th day of March, 1834, the 15th day of January, 1835, the 8th day of March, 1836, and subsequently, truly exhibit the actual condition and wishes of the Colony in this respect.

Because

MONDAY, 18th MARCH, 1839.

Because the condition of the present unwise and injurious restrictions upon that Trade, induces Smuggling, diminishes the Revenue of the Province, while it represses the industry of its Inhabitants.

Because, to open any one Port in the Bay of Fundy, would be futile and illusory, and unjust, as it would extend to the unopened Ports in that Bay, no relief.

Because, to open two or three additional Ports only, will be an unjust measure, as it regards the others, be attended with no results beneficial to them, and leave the Colony as unsatisfied as it has been on this subject for many years.

Because the experience derived from the opening of the Ports, which are now free to Foreign Commerce, conclusively demonstrate, that the fears of an influx of Foreign Vessels, from the measure sought by the House of Assembly, in the Addresses herein referred to, are entirely unfounded.

A. Stewart, L. M. Wilkins, A. Campbell.

Resolved, That this House is gratified to learn, that the subject of the violation by American Citizens, of Treaties referring to the Fisheries, has received the attention of Her Majesty's Government, and that this House accepts in the spirit in which it has been provided, that Naval force which Her Majesty has ordered to be stationed upon our Coasts, for the protection of our Fisheries. Fisheries

Resolved, That this House humbly requests that Her Majesty's Government will endeavour to effect such a modification of the Imperial Act, as will enable His Excellency the Lieutenant-Governor of this Province, to assent to an Act for the abolition of certain State Oaths now required, as a qualification for Office in this Colony. State Oaths

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

Resolved, That the Sum of One Hundred Pounds be granted for the alteration and improvement of Roads in Queen's County, to be applied as follows:—Fifty Pounds thereof to be expended between Milton and Middlefield, and Fifty Pounds between Middlefield and Brookfield. 100l. Roads in Queen's County

Resolved, That the Sum of Two Hundred Pounds be granted to erect a Bridge over the Kennetcook River, in Newport. 200l. for Kennetcook Bridge

Resolved, That the Sum of One Hundred Pounds be granted to aid the Inhabitants of the County of Lunenburg, to enable them to re-build the Bridge across the LaHave River, on condition that the Members of the County provide an additional sum of One Hundred and Fifty Pounds to complete the same. 100l. Bridge over LaHave River

Resolved, That the Sum of Twenty-seven Pounds Five Shillings be granted and paid to Peter Furlong, being a return of Duty paid by him upon Malt, as recommended in the report upon his Petition. 27l. 5s. P Furlong

Resolved, That the Sum of Fifteen Pounds be granted and paid to Reuben Nickerson, to aid him in keeping proper accommodation for Travellers, on the Post Road between Shelburne and Barrington. 15l. to R Nickerson

Resolved, That the Sum of Eight Pounds be granted and paid to R. K. Marsters, for the same sum destroyed in Province Notes. 8l. to R K Marsters

Resolved, That the Sum of Eight Pounds Eight Shillings and Nine Pence be granted and paid to James Whalen, as a return of Duties on One Hundred and eight Gallons of Rum destroyed by leakage, agreeably to the report of the Select Committee on his Petition. 8l. 8s. 9d. to James Whalen

Resolved, That there be granted and paid to the Western Stage Coach Company, the sum of Fifty Pounds Nineteen Shillings and Sixpence, return of Duties, and the Collector of Colonial Duties at Halifax be authorised and directed to cancel the Bond given at his office for securing Duties on Coaches imported by said Company to the extent of Fifty-three Pounds Fifteen Shillings and Four-pence Currency. 50l. 19s. 6d. &c. to Western Stage Coach Co.

Resolved, That the sum of Twenty Pounds be granted for each County for the encouragement of building Oat Mills, where there shall be only one applicant, and where more than one applicant in any County, the sum of Thirty Pounds to such County, to be expended amongst the several applicants; said sums to be drawn on the recommendation and upon the conditions Bounties on Oat Mills

conditions stipulated for similar Bounties last year: in the application of the sum allotted for the County of Digby, the Grist Mill of Peter Ringwood to be considered and rank as an Oatmill, but to receive Ten Pounds only, and the remaining Twenty Pounds in said County to be received by William B. Turnbull, upon the conditions aforesaid.

- 1000l. Delegates *Resolved*, That the sum of One Thousand Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor to pay the expenses of the Delegation appointed by the House of Assembly to proceed to England and represent the views of the House to Her Majesty's Government.
- 20l. John E. Fairbanks *Resolved*, That the sum of Twenty Pounds be granted to John E. Fairbanks, as a Bounty upon the importation of a Bull and two Heifers, of the Ayrshire Breed, to be paid to him upon his giving security by Bond to keep and maintain the same within the Province for the improvement of Stock.
- 20l. R. Gibbons, Jr. *Resolved*, That the sum of Twenty Pounds be granted and paid to Richard Gibbons, Junior, agreeably to the prayer of his Petition.
- 50l. Road from Annapolis to Queen's County *Resolved*, That the sum of Fifty Pounds be granted and applied to the repairing of the Road which forms the line of communication between the Counties of Annapolis and Queen's, and for repairing the Bridges thereon.
11. 10s. Rufus J. Sanders *Resolved*, That the sum of One Pound Ten Shillings be granted and paid to Rufus J. Sanders, as a return of Duties paid by him, agreeably to his Petition, and the report of the Committee thereon.
- 10l. John Carten *Resolved*, That the sum of Ten Pounds be granted and paid to John Carten, as a return of Duties paid on a Cask of Liquor, supposed to contain Brandy, pursuant to report of the Committee.
- 10l. 10s. Jas. Dawson *Resolved*, That the sum of Ten Pounds Ten Shillings be granted and paid to James Dawson, as a return of Duties paid by him on Agricultural implements, agreeably to his Petition, and the report of the Committee thereon.
- 100l. G. P. Lawson and Henry Lawson *Resolved*, That the sum of One Hundred Pounds be granted and paid to George P. Lawson and Henry Lawson, as a part return of Duties paid by them on the importation of Mill Machinery, pursuant to their Petition, and the report of the Committee thereon.
- 100l. Andrew Henderson *Resolved*, That such a sum be granted and paid to Andrew Henderson, in aid of the Academy taught by him at Annapolis, as with the Grammar School allowance drawn from the School Funds of that County will make up One Hundred Pounds.
- 50l. Academy at St. Andrew's *Resolved*, That the sum of Fifty Pounds be granted and paid to support an Academy at St. Andrew's, in the County of Sydney, pursuant to the prayer of the Petition of C. M'Kinnon and others.
- 20l. Sydney Mechanics' Institute *Resolved*, That the sum of Twenty Pounds be granted and paid to the President and Office Bearers of the Sydney Mechanics' Institute, to aid them in purchasing Books and Apparatus.
- 20l. Colchester Literary Society *Resolved*, That the sum of Twenty Pounds be granted and paid to the President and Office Bearers of the Colchester Literary Society, to aid them in purchasing Books and Apparatus.
- 20l. Pictou Literary Society *Resolved*, That the sum of Twenty Pounds be granted and paid to the President of the Pictou Literary and Scientific Society, to be appropriated and expended in procuring Philosophical Apparatus for the said Society, and Books for the Library, in connection with the same.
- 100l. for Methodist School *Resolved*, That the sum of One Hundred Pounds be granted and paid to Hugh Bell and others, to support a School in connexion with the Methodist Church in Halifax.
- 50l. Lunenburg Academy *Resolved*, That the sum of Fifty Pounds be granted and paid to the Commissioners of the Lunenburg Academy, in aid of that Institution for the present year, agreeably to the Report of the Committee on Education.
- 150l. Bridges Cy. of Sydney *Resolved*, That the sum of One Hundred and Fifty Pounds be granted towards the rebuilding of two Bridges in the County of Sydney—one being on the South River on the Main Post Road to Cape-Breton—the other being on the South River on the Main Post Road to Guysborough—to be paid as soon as the remaining sum required for said purposes shall have been made up, either from the Road Appropriation to said County, or jointly, from said Fund, and from a sum to be raised by the Inhabitants of said County.
- 200l. Bridges Pictou *Resolved*, That the sum of Two Hundred Pounds be granted and placed at the disposal of

of His Excellency, to be applied in re-building the Bridge across the Eight Mile Brook, on the New Line from Reid's, Mount Thom, to the West River of Pictou, and in forming the Embankment and Road connected with the said Bridge.

Resolved, That the Sum of One Hundred Pounds be granted and paid to aid the Inhabitants of Baxter's Harbour, to erect a Wharf or Pier at that place, in Cornwallis, but not to be drawn from the Treasury until it shall be certified to the satisfaction of His Excellency, that the sum of One Hundred and Fifty Pounds has been expended of the money subscribed for that purpose.

100l. Pier at Baxter's Harbour

Resolved, That the Sum of One Hundred Pounds be granted to aid in the erection of a Breakwater at Margaretville, to be drawn when it shall be satisfactorily made to appear to His Excellency the Lieutenant-Governor that the sum of Two Hundred Pounds has been raised by private contribution, and expended in said work, and that the use of the Pier has been secured to the Public.

100l. Breakwater at Margaretville

Resolved, That the Sum of Twenty Pounds be granted and paid to Edmund Crowell, to remunerate him for relieving Shipwrecked Mariners, and to enable him to keep a Boat for that purpose, at Seal Islands, in conformity with the report of the Committee.

20l. E. Crowell

Resolved, That the Sum of One Hundred Pounds be granted and paid towards the erection of a Pier, at the Mouth of Saint Mary's River, when it shall be certified to His Excellency the Lieutenant-Governor that the sum of Two Hundred Pounds has been raised and expended by the Inhabitants in the erection of said Pier.

100l. Breakwater at St. Mary's River

Resolved, That the Sum of One Hundred Pounds be granted towards building a Breakwater at Wells' Cove, in the Township of Clare, to be paid when it shall be proved to the satisfaction of His Excellency the Lieutenant-Governor, that the site has been conveyed for the use of the Public, and that the sum of Four Hundred Pounds has been subscribed and expended by Petitioners for that purpose.

100l. Breakwater in Clare

Resolved, That the Sum of Two Hundred and Fifty Pounds be granted and paid towards the erection of a Light-House at the entrance of Yarmouth Harbour, in addition to the sum of £750 already granted, pursuant to the Resolution of the House of Assembly, communicated to His Excellency the Lieutenant-Governor this Session.

250l. Yarmouth Light-House

Resolved, That the Sum of Ten Pounds be granted and paid to Cornelius Craig, to enable him to keep up the Ferry across the Narrows, at the entrance of Sable River, in the County of Shelburne.

10l. Cornelius Craig

Resolved, That the Sum of Thirty-six Pounds Ten Shillings and Eleven-pence be granted and paid to the Overseers of the Poor for the Township of Pictou, for the current year, to remunerate said Township for expenses incurred in the support and relief of Transient Paupers, during the last year.

36l. 10s. 11d. Overseers of Poor Pictou

Resolved, That the Sum of Ten Pounds Thirteen Shillings and Five-pence be granted and paid to William Adamson, of Pictou, to remunerate him for expenses incurred in relieving and supporting two Sailors, being Transient Persons and Paupers, pursuant to the prayer of his Petition, and the report of the Committee thereon.

10l. 13s. 5d. William Adamson

Resolved, That the Sum of Sixteen Pounds Nine Shillings and Eight-pence be granted and paid to the Overseers of the Poor of the Township of Annapolis, to reimburse them for certain expenses incurred in support of a Transient Pauper, agreeably to the report of the Committee.

16l. 9s. 8d. Overseers of Poor Annapolis

Resolved, That the Sum of Nineteen Pounds Two Shillings be granted and paid to the Overseers of the Poor for the Township of Horton, in order to enable them to defray certain expenses incurred in Medical and other Attendance, on two Sick Indians, agreeably to the report of the Committee.

19l. 2s. Overseers of Poor Horton

Resolved, That the Sum of Three Pounds Fifteen Shillings be granted and paid to the Overseers of the Poor for the Township of Barrington, to reimburse them the expenses of Transient Paupers.

3l. 15s. Overseers Poor Barrington

Resolved, That the Sum of Eight Pounds Twelve Shillings and Six-pence be granted and paid to William Cunnabell, being a return of Duties paid by him upon the Importation of a Printing Press.

8l. 12s. 6d. Wm. Cunnabell

Resolved, That the Sum of Sixty Pounds be granted and placed at the disposal of His Excellency

60l. Revenue Boat Digby

MONDAY and TUESDAY, 18th and 19th MARCH, 1839.

Excellency the Lieutenant-Governor, for the purpose of continuing the Revenue Boat, at the entrance of Annapolis River, during the present year, under the direction of the Collector of Customs at Digby.

601. Revenue Boat
Gut of Canso

Resolved, That the Sum of Sixty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the purpose of Establishing a Revenue Boat, for the collection of Light Duties and other services, at the Gut of Canso, during the present year.

901. Revenue Boat
Sydney C. B.

Resolved, That the Sum of Thirty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the purpose of employing a Revenue Boat at Sydney, in the County of Cape-Breton, to aid in the protection of the Revenue, and for the collection of Light Duties, and other services, at that Port.

201. Pictou Revenue Boat

Resolved, That the Sum of Twenty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the purpose of employing a Revenue Boat and Tide Waiters at Pictou, to aid in the protection of the Revenue, to be under the direction of the Collector of Excise at that Port.

631. J. Munro

Resolved, That the Sum of Sixty-three Pounds be granted and paid to John Munro, Land Surveyor, being the amount of his Account, for examining and surveying the proposed Lines of Road between Polleys' and Keys', on the Main Eastern Road.

901. Bridges over
Gaspereaux River

Resolved, That the Sum of Eighty Pounds be granted and paid to re-build four Bridges over Salmon or Gaspereaux River, so called, in Horton, which were carried away by the late Freshet.

1001. Bridge Arichat

Resolved, That the Sum of One Hundred Pounds be granted and paid in aid of the repair of Little Arichat Bridge.

901. Bridge at Margaree

Resolved, That the Sum of Eighty Pounds be granted and paid towards the re-building of the Bridge lately carried away by the Freshet at Margaree.

1001. Bridges in
Guysborough

Resolved, That the Sum of One Hundred Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to be applied in erecting or repairing such Bridge or Bridges in the County of Guysboro', as he may deem necessary.

To which Resolutions they desired the concurrence of this House.

Adjourn

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

Tuesday, 19th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,

The Honorable William Rudolf,
Lewis M. Wilkins, Jr.,
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

Money votes read
first time

The Forty-eight Resolutions for granting Money brought up yesterday from the House of Assembly, were read a first time.

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

Equitable claims on
Real Estate Bill,
read 2d time

A Bill, entitled, An Act to provide for the settlement of equitable claims upon Real Estate, in certain cases, was read a second time.

Counsel heard agst.
Bill

Mr. Young, of Counsel, for Anne Lady Rodney, was heard at the Bar, against the said Bill.

Counsel heard in
favor of Bill

On motion of Mr. Johnston, Mr. Whidden, of Counsel, for those in possession of the Lands claimed by Lady Rodney, was heard in favor of the said Bill.

Mr.

TUESDAY and WEDNESDAY, 19th and 20th MARCH, 1839.

Mr. Rudolf brought up the Petition of Phineas Lovett and others, praying that another Term of the Supreme Court may be held in the County of Digby; which was ordered to lie on the Table.	Petition of P. Lovett
A Message was brought from the House of Assembly, by Mr. Whidden, To return the Bill, entitled, An Act to provide for the selection and appointment of Trustees of Lands granted, reserved, or otherwise allotted, as School Lands or for Schools in this Province, and to acquaint this House, that they have agreed to the same without any amendment.	Message from H A agreeing to School Land Bill
The Messenger also brought up the following Bills:	
A Bill, entitled, An Act to appoint a new Board of Governors for Dalhousie College.	Dalhousie College
A Bill, entitled, An Act for Establishing the times and places for holding the Poll at Elections of Representatives.	Holding of Polls
A Bill, entitled, An Act in further amendment of, and additional to, the Acts relating to Trespasses.	Trespasses
A Bill, entitled, An Act further to amend the several Acts for the regulation and management of the Grammar School or Academy at Annapolis.	Academy Annapolis
A Bill, entitled, An Act to provide for an additional Term of the Supreme Court in the County of Digby, and to alter the time of holding of the Supreme Court at Yarmouth.	Sup. Court Digby
A Bill, entitled, An Act to continue the several Acts now in force for the Inspection of Flour and Meal.	Inspection of Flour
A Bill, entitled, An Act to continue the Act relative to the Assessment of Dyke Rates, for the New or Wickwire Dyke in Horton.	Wickwire Dyke rates
A Bill, entitled, An Act for the relief of Insolvent Debtors, imprisoned under mesne process.	Insolvent Debtors
A Bill, entitled, An Act to Incorporate the Wilmot Pier Company.	Wilmot Pier Co.
A Bill, entitled, An Act further to amend the Act for granting Patents for useful inventions. To which Bills they desired the concurrence of this House.	Patents
The said Bills were read a first time.	Read 1st time
Ordered, That the nine last Bills be read a second time, at a future day.	
On motion made and seconded—the House adjourned until To-morrow, at twelve o'clock.	Adjourn

Wednesday, 20th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,

Joseph Allison,

Norman F. Uniacke,

James W. Johnston,

William Lawson,

Alexander Stewart,

The Honorable William Rudolf,

Lewis M. Wilkins, Jr.

Alexander Campbell,

James Ratchford,

William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act for establishing the times and places of holding the Polls at Elections of Representatives; also,

A Bill, entitled, An Act in further amendment of, and additional to, the Acts relating to Trespasses; also,

A Bill, entitled, An Act further to amend the several Acts for the regulation and management of the Grammar School or Academy at Annapolis; also,

A Bill, entitled, An Act to provide for an additional term of the Supreme Court in the County of Digby, and to alter the time of the holding of the Supreme Court at Yarmouth; also,

A Bill, entitled, An Act to continue the several Acts now in force for the Inspection of Flour and Meal; also,

A

WEDNESDAY, 20th MARCH, 1839.

Wickwire Dyke	A Bill, entitled, An Act to continue the Act relative to the assessment of Dyke Rates, for the new or Wickwire Dyke, in Horton ; also,
Insolvent Debtors	A Bill, entitled, An Act for the relief of Insolvent Debtors, imprisoned under mesne process ; also,
Wilmot Pier Co. & Patents Bills, read 2d time and	A Bill, entitled, An Act to Incorporate the Wilmot Pier Company ; also, A Bill, entitled, An Act further to amend the Act for granting Patents for useful Inventions, were read a second time.
Ordered to Com.	<i>Ordered</i> , That the said Bills be committed to a Committee of the whole House, at a future day.
	A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills and Resolutions :
Town Officers	A Bill, entitled, An Act to continue and amend the Act in further addition to, and in amendment of, the Act for the choice of Town Officers and regulating of Townships, and the Act to alter and amend the same.
Fisheries Chedabucto Bay Stealing of Dogs	A Bill, entitled, An Act for the regulation of the Fisheries at Chedabucto Bay. A Bill, entitled, An Act to prevent the stealing of Dogs, Beasts or Birds, not the subject of Larceny.
4,000l. Bridewell	<i>Whereas</i> the punishment of Criminals ought to be applied, with a view to reformation and restoration to Society of the Culprits, for which objects, the Penitentiary system adopted in Great Britain and the United States, is justly applauded ; <i>And whereas</i> , the dilapidated state of the present Bridewell in the Town of Halifax, renders it totally inefficient for the above objects ; and it is necessary that provision be made for erecting a new Building of a Provincial character and under Provincial control :
	<i>Resolved</i> , That a Committee be appointed to select a suitable site, and cause such Building to be erected on the most approved principle, and that the sum of £1000 per annum be granted and placed at the disposal of His Excellency the Lieutenant-Governor to defray the expence to be incurred— <i>provided</i> , no greater sum than £4000 be drawn from the Treasury for that purpose ; and that the said Committee shall be authorised to anticipate said Grant by borrowing any part thereof, at five per cent. interest or less, if it can be obtained.
300l. per annum for 3 years for Steam Boat from Halifax to Yarmouth	<i>Resolved</i> , That the sum of £300 be granted and paid each and every year for three years, to encourage the establishment of Steam Communication between Halifax and the Western Sea Ports—the same to be paid on it being certified to the satisfaction of His Excellency the Lieutenant-Governor that a Boat has plied between Halifax and Yarmouth, nine months in each year, touching at Lunenburg, Liverpool and Shelburne.
Read 1st time	To which Bills and Resolutions they desired the concurrence of this House. The said Bills and Resolutions were read a first time. <i>Ordered</i> , That the said Bills and Resolutions be read a second time, at a future day.
Consideration of H. E. Message	On motion, the House proceeded to the further consideration of the Message of His Excellency the Lieutenant-Governor to the House, of the 18th January last. Mr. Wilkins moved the following Resolution :
Composition of Council	<i>And whereas</i> the Right Honorable Her Majesty's Secretary of State for the Colonies, in his Despatch of the 27th September, 1838, refers to the structure of the Executive and Legislative Councils ; <i>And whereas</i> the House of Assembly has, during the present Session, adopted Resolutions affecting the character, proceedings and composition of this House ; <i>Resolved</i> , That whilst the Constitution of this Colony shall continue to be framed upon the principles which form the basis of the Constitution of the Parent State, it is for the Monarch alone to decide who shall be honored with seats in this Assembly—that the right and the power to exercise an independent judgment upon all measures submitted to it, whether by the Representative of the Sovereign or by the House of Assembly, are essential to its dignity, utility and efficiency—that whilst this House acknowledges it to be the peculiar and important province of the House of Assembly freely and fully to deliberate, debate, and decide upon all the acts and measures of this House, the discussions so frequently occurring of late in that Honorable Assembly on the subject of the men who have been selected by

by Her Majesty to sit in this House and exercise the grave duties of legislation therein, inasmuch as such discussions have a tendency to mar the harmonious action of the two Legislative Bodies, and to lessen the respect of the people for this Assembly, upon the unimpaired existence of which its usefulness so much depends:

Which, being seconded, Mr. Allison moved, by way of amendment, to leave out all the words of the said Resolution after the word "Resolved," and insert instead thereof the following words: Amendt. moved
And carried

"That while this House continues to be formed upon the principles of the British Constitution, the selection and appointment of its Members belong exclusively to the Crown and the Representative thereof—that without desiring to restrain the legitimate privileges of the Representatives of the People, this House will ever maintain that the right and power to express an independent opinion upon all measures submitted to it, whether by the Representative of the Sovereign or by the House of Assembly, are essential to its dignity, efficiency and existence:"

Which, being seconded, and the question being put, there appeared, for the motion, eight; against the motion, three. So it passed in the affirmative.

On motion made and seconded—the House adjourned until To-morrow, at 12 o'clock. Adjourn

Thursday, 21st March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab, Joseph Allison, Norman F. Uniacke, James W. Johnston, William Lawson,	§ § § § §	The Honorable Alexander Stewart, William Rudolf, Alexander Campbell, James Ratchford, William B. Almon.
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PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to continue and amend the Act in further addition to, and in amendment of, the Act for the choice of Town Officers and regulating of Townships, and the Act to alter and amend the same; also, Town Officers

A Bill, entitled, An Act for the regulation of the Fisheries at Chedabucto Bay; also, Fisheries Chedabucto Bay

A Bill, entitled, An Act to prevent the Stealing of Dogs, Beasts or Birds, not the subject of Larceny, were read a second time. Read 2d time &

Ordered, That the said Bills be committed to a Committee of the whole House, at a future day. Ord. to Com.

Mr. Almon presented a Bill to revive and continue an Act respecting Aliens coming into this Province or residing therein, which was read a first time. Alien Bill

Ordered, That the said Bill be read a second time, at a future day. Read 1st time

Mr. Allison presented a Bill to continue, alter and amend, the Acts in force relative to the Inspection of Pickled Fish—which was read a first time. Pickled fish Bill
read 1st time

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

On motion of Mr. Johnston, resolved, that a Committee be appointed to reduce the Criminal Laws of this Province into a system as nearly corresponding with the present state of the Criminal Law of England as may, in the opinion of the Committee, be adapted to the circumstances of the Country, and to report at the next Session of this House, and that the Law Clerk do attend the Committee, for the purpose of preparing such Bills as the Committee may think necessary to report for the consideration of this House. Com. to report on
Criminal Law

Ordered, That Mr. Johnston and Mr. Stewart be a Committee for that purpose. Committee

On motion, the House was adjourned, during pleasure, and put into a Committee of the whole

Com. on Gen. State of Province for consideration of Despatches

whole House on the General State of the Province, for the further consideration of the Message of His Excellency the Lieutenant-Governor, of the 18th January last.—After some time the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.

On motion, the House was adjourned, during pleasure, and put into a Committee of the whole House on the General State of the Province, for the further consideration of the Message of His Excellency the Lieutenant-Governor, of the 18th January last.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.

Adjourn.

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

Friday, 22d March, 1839.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable S. B. Robie, President.	
The Honorable Peter McNab, Joseph Allison, Norman F. Uniacke, William Lawson, Alexander Stewart,	§ § § § §
The Honorable William Rudolf, Alexander Campbell, James Ratchford, William B. Almon.	

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to continue, alter and amend, the Acts in force relative to the inspection of Pickled Fish ; also,

A Bill, entitled, An Act to revive and continue an Act respecting Aliens coming into this Province, or residing therein, were read a second time.

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

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

The Chairman also reported that the Committee had gone through

A Bill, entitled, An Act to continue the several Acts now in force for the inspection of Flour and Meal ; also,

A Bill, entitled, An Act to continue the Act relative to the assessment of Dyke Rates for the new or Wickwire Dyke in Horton ; also,

A Bill, entitled, An Act to continue and amend the Act in further addition to, and in amendment of, the Act for the choice of Town Officers, and regulating of Townships, and the Act to alter and amend the same ; and had agreed to the said Bills without any amendment.

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act further to amend the Act for granting Patents for useful Inventions, and had directed him to report that it was the opinion of this Committee that the further consideration of the said Bill should be deferred to this day three months.

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act in further amendment of, and additional to, the Acts relating to Trespasses ; also,

A Bill, entitled, An Act to Incorporate the Wilmot Pier Company ; also,

Pickled Fish &

Alien Bill
Read 2d time &
Ordered to Com.

Committee on Bills

Report
Inspection of Flour

Wickwire Dyke &

Town Officers Bills
Without amendt.

Recommend Pa-
tents Bill to be def.
3 months.

Bill deferred

Report
Trespasses

Wilmot Pier Co.

A Bill, entitled, An Act to prevent the stealing of Dogs, Beasts or Birds, not the subject of Larceny, and had made amendments to each of the said Bills :

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

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

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

To inform the House that the House of Assembly could not consider the amendments proposed by this House to a Bill, entitled, An Act to continue the Act for granting Duties on Licenses, and in amendment thereof.

Nor the amendments proposed by this House to a Bill, entitled, An Act to continue and amend the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and for Sales by Auction, to persons resident in the Town of Halifax, as they relate to the application of Penalties.

The Messenger also brought up the following Resolutions :

Resolved, That His Excellency the Lieutenant-Governor be authorised to expend, by tender and contract, the sum of One Thousand Five Hundred Pounds in opening the Road from Sackville to Scott's, on the Eastern Road, when it shall be certified to His Excellency that subscriptions to the extent of Five Hundred Pounds have been expended upon it.— That His Excellency be also authorised to repair the Sackville Bridge, if His Excellency shall be of opinion that it can be repaired with advantage to the public service, or to build a new one on such site as he may select, provided the expense does not exceed Five Hundred Pounds. That His Excellency be authorised to expend Three Hundred Pounds in avoiding the Springfield Hills; and Five Hundred Pounds on one section of the Road round Cumberland Mountains.

Resolved, That the sum of Four Hundred and Nineteen Pounds Sixteen Shillings and Four Pence be granted and paid to defray the expenses of the Legislative Council, during the present Session.

Resolved, That the sum of Thirty Pounds be granted and placed at the disposal of the Hon. the Speaker, to procure various Books and Publications necessary for conducting the business of this House.

Resolved, That the Sum of One Hundred Pounds be granted and paid to complete the Bridge across the French River, at Tatamagouche.

Resolved, That the Sum of Two Hundred Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to build and repair five important Bridges in the County of Cape-Breton, destroyed and impaired by the late Freshets in that County, between Sydney and the North West Arm.

Resolved, That the Sum of Forty Pounds be granted and paid to pay the Salary of the Female Teacher in the African School, for the present year.

Resolved, That the Sum of Fifteen Pounds be granted and paid to the Overseers of the Poor for the Township of Economy, to provide for the expenses of taking care of, and removing, a Female Transient Pauper, found in the Woods, pursuant to the prayer of their Petition.

Resolved, That the Sum of Seven Pounds be granted and paid to John Munro, of Pictou, Road Commissioner, to cover his expense in coming to Halifax, at the request of the Chairman of the Committee appointed to report on the line to be adopted as the leading Main Road from Keys' to Brookfield, on the Main Eastern Road, as per account rendered.

Resolved, That the Sum of Fifty Pounds be granted and applied as follows :—Twenty-five Pounds to be added to Forty Pounds, appropriated from the Sum allotted to the County of Shelburne, in the general division of the Road Money, for the purpose of re-building the Bridge across Jordan River, and Twenty-Five Pounds to be applied to the improvement of the Main Post Road, from Sable to Jordan River, in the County of Shelburne.

Resolved, That the Sum of One Thousand and Twenty-five Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, in order to enable him to repay the advance made for remitting One Thousand Pounds to His Excellency Sir John Colborne, Governor General, agreeably to the Resolution of this House, passed on the 31st January last, and agreed to by the Council.

Stealing Dogs Bill
With amendt.

Amendts agreed to

Message from
H. A.

That they cannot
consider amendt. to
Licenses Act &

Licenses Halifax
Bills

2,800l. Roads and
Bridges

419l. 16s. 4d. Ex-
penses of Council

30l. Books for
House

100l. Bridge Tata-
magouche

200l. Bridges Cape
Breton

40l. African School

15l. Overseers of
Poor Economy

7l. J. Munro

50l. Bridges Shel-
burne

1025l. to repay ad-
vance for Canada
sufferers

Resolved,

- 100l. advance to A. Henderson
Resolved, That the Sum of One Hundred Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, in order to repay the amount advanced by him towards the support of the Academy kept by Andrew Henderson, near the Town of Annapolis, agreeably to the Resolution of this House at its last Session.
- 20l. advance for plan of Bridewell
Resolved, That the Sum of Twenty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, in order to enable him to repay that amount advanced by him to pay the expense of preparing a plan and estimate relative to Bridewell, agreeably to the Resolution of this House last Session.
- 362l. 18s. 4d. advance for expenses of Council last Session
Resolved, That the Sum of Three Hundred and Sixty-two Pounds Eighteen Shillings and Four-pence half-penny be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to enable him to repay that amount advanced by him, to defray the expenses of the Legislative Council, agreeably to the Resolution of this House, at its last Session.
- 40l. advance for African School
Resolved, That the Sum of Forty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to enable him to repay that sum advanced to provide a Female Teacher in the African School, at Halifax, agreeably to the Resolution of this House, last Session.
- 20l. 0s. 2d. advance for Clock
Resolved, That the Sum of Twenty Pounds and Two-pence be granted and paid to the Commissioners of Public Buildings, in order to pay that amount advanced for the purchase of a Clock for the House of Assembly.
- 20l. 7s. Joseph A-ward Esq.
Resolved, That the Sum of Twenty Pounds and Seven Shillings be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to defray the expense incurred by Joseph Award, Esquire, in apprehending and conveying to Amherst Gaol, Maurice Doyle, charged with the Murder of John Clem.
- 3l. 10s. to Clerks of Peace
Resolved, That such Sum be granted and paid to the Secretary of the Province, as will enable him to pay Three Pounds Ten Shillings to each of the Clerks of the Peace within this Province, to whom His Excellency directed Road Commissions and Bonds, in the year 1838.
- 20l. Chairman of Committees
Resolved, That the Sum of Twenty Pounds be granted and paid to Lawrence Kavanagh, Esq. for his services as Chairman of Committees of the whole House for the present Session, to be added to his pay ticket.
- 10l. Sheriff
Resolved, That the Sum of Ten Pounds be granted and paid to John James Sawyer, Esq. High Sheriff of the County of Halifax, for his expenses as such Sheriff, at the opening and closing of the present Session of the General Assembly.
- 60l. Stationary
Resolved, That a sum not exceeding Sixty Pounds be granted and paid to the Clerk of the House of Assembly, to defray the expense of Stationary and binding of Journals and Laws for the House of Assembly, during the present Session.
- 150l. Contingencies
Resolved, That a sum not exceeding One Hundred and Fifty Pounds be granted to defray the expense of an extra Messenger, and other services and articles for the House of Assembly, and for Fuel, according to Estimate; the said sum to be drawn and applied by the Clerk of the House of Assembly, under the sanction of the Speaker.
- 100l. each to Clerks of House
Resolved, That the sum of One Hundred Pounds each, be granted and paid to the Clerk and Assistant Clerk of the House of Assembly, for their extra services during this present Session.
- 500l. Bridge Casualty vote
Resolved, That if any accident shall happen to any of the Bridges on the Main Roads in this Province, or any unforeseen obstruction to travelling shall arise from the fall of Trees or otherwise, it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief for the time being, to order a Commissioner or Commissioners to repair or rebuild such Bridge, or to remove such obstructions; and it shall be further lawful for the Governor, Lieutenant-Governor or Commander in Chief, to draw Warrants on account and in favor of such Commissioner or Commissioners; provided that the same shall not exceed the sum of Five Hundred Pounds.
- 100l. relief of color-
 People
Resolved, That the sum of One Hundred Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to relieve the distresses of the Colored Population of this Province.

Resolved,

- Resolved*, That the sum of Fifty-five Pounds be granted and paid to aid in rebuilding the Bridge over the River Philip, on the Main Post Road from Pictou to Amherst. 55l. Bridge River Philip
- Resolved*, That the Sum of Five Hundred and Twenty-four Pounds Ten Shillings and Eight-pence be granted and paid to the Commissioners of Public Buildings, to defray the expenses incurred to that amount, reported by the Committee of Public Accounts; and the further Sum of One Hundred and Twenty-Six Pounds Eight Shillings and One Penny to said Commissioners, to defray the expenses incurred, and reported upon by the Committee of Public Expenditure. 650l. 18s. 9d. Commissioners Public Buildings
- Resolved*, That the Sum of Forty Pounds be granted and paid to enable the Trustees of the Grammar School at Truro to procure an Usher for said School. 40l. Truro Grammar School
- Resolved*, That the Sum of One Hundred Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the purpose of procuring and importing two Bulls and one Heifer, (of the age of Two Years,) of the Short Horned Durham Breed. 100l. to import Cattle of Durham breed
- Resolved*, That the Sum of One Hundred and Twenty-five Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the purpose of procuring and importing Twenty Rams, and Five Ewe Sheep. 125l. for importation of Rams & Ewes
- Resolved*, That the Sum of Two Hundred Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the purpose of procuring and importing a Stallion, of the Breed of the Leicester Hunter. 200l. for importation of a Stallion Leicester Breed
- To which Resolutions they desired the concurrence of this House.
- On motion made and seconded—the House adjourned until To-morrow, at one o'clock. Adjourn

Saturday, 23d March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab, Joseph Allison, Norman F. Uniacke, James W. Johnston, William Lawson,	§ § § § §	The Honorable Alexander Stewart, William Rudolf, Alexander Campbell, James Ratchford, William B. Almon.
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PRAYERS.

- The Minutes of yesterday were read.
- The Thirty Resolutions for granting Money, brought up yesterday from the House of Assembly, were read a first time. Money votes read 1st time
- Ordered*, That the said Resolutions be read a second time, at a future day.
- A Bill, entitled, An Act to continue the several Acts now in force for the Inspection of Flour and Meal; also, Inspection of flour
- A Bill, entitled; An Act to continue the Act relative to the assessment of Dyke Rates, for the New or Wickwire Dyke in Horton; also, Wickwire Dyke &
- A Bill, entitled, An Act to continue and amend the Act in further addition to, and in amendment of, the Act for the choice of Town Officers and regulating of Townships, and the Act to alter and amend the same, were read a third time, and the question was put by the President, on each Bill, Town Officers Bills
Read 3d time
- Whether this Bill shall pass? Agreed to &
- It was resolved in the affirmative.
- A Message was sent to the House of Assembly, by the Clerk, Sent to H. A.
- To return the said Bills, and acquaint them that this House have agreed to the said Bills without any amendment.
- A Bill, entitled, An Act in further amendment of, and additional to, the Acts relating to Trespasses; also, Trespasses
- A Bill, entitled, An Act to Incorporate the Wilmot Pier Company; also, Wilmot Pier Co. &

Dog Stealing Bills Read 3d time	A Bill, entitled, An Act to prevent the Stealing of Dogs, Beasts or Birds, not the subject of Larceny, were read a third time, and the question was put by the President, on each Bill, Whether this Bill, with the amendments, shall pass?
Agreed to &	It was resolved in the Affirmative.
Sent to H. A.	A Message was sent to the House of Assembly, by the Clerk, To return the said Bills, and acquaint them that this House have agreed to the said Bills, with amendments—to which amendments they desire the concurrence of the House of Assembly.
Licences &	On motion, <i>ordered</i> , that a Bill, entitled, An Act to continue the Act for granting Duties on Licences, and in amendment thereof; also,
Licences Halifax Bills	A Bill, entitled, An Act to continue and amend the Act for granting Duties on License for the Sale of Spirituous Liquors, and for Sales by Auction, to persons resident in the Town of Halifax.
Amendts. & Mes. of H. A. ref. to sel. Com.	Also, the amendments proposed by this House to the said Bills; also, The Message of the House of Assembly relative thereto, be referred to a Select Committee, to examine and report upon.
Committee	<i>Ordered</i> , That Mr. Stewart, Mr. Johnston and Mr. Campbell, be a Committee for that purpose.
Pets. of A. Henderson & al. S. Saunders & al. J. Shaw & al.	Mr. Almon brought up the Petition of Andrew Henderson and others; also, the Petition of Sidney Sanders and others; also, the Petition of Joseph Shaw and others, praying this House not to agree to a Bill, entitled, An Act respecting the assessment for building the Court-House at Annapolis, which were ordered to lie on the Table.
Money votes ref. to sel. Com.	<i>Ordered</i> , That the Votes sent up from the House of Assembly for granting Monies, be referred to a Select Committee to examine, and that the Committee do report what amount has been appropriated in all during the present Session relative to the probable disposable Revenue; and also what amount has been appropriated for the service of Roads and Bridges.
Committee	<i>Ordered</i> , That Mr. Allison, Mr. Lawson, Mr. Campbell, Mr. Rudolf and Mr. McNab, be a Committee for that purpose.
Com. on Chancery Practice Bill report	Mr. Johnston, the Chairman of the Committee to whom a Bill, entitled, An Act for amending the practice of the Court of Chancery was referred, reported that the Committee had had the said Bill under consideration, and recommended that the said Bill should be committed to a Committee of the whole House, for the purpose of being amended.
Bill ord. to Com.	<i>Ordered</i> , That the said Bill be committed to a Committee of the whole House, at a future day.
Com. on Bills	On motion, the House was adjourned, during pleasure, and put into a Committee on Bills. After some time, the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.
Report Pickled Fish &	The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to continue, alter and amend, the Acts in force relative to the Inspection of Pickled Fish; also,
Aliens Bills without amendt	A Bill, entitled, An Act to revive and continue an Act respecting Aliens coming into this Province or residing therein, and had agreed to the same without any amendment.
Report Fisheries Chedabucto Bay	<i>Ordered</i> , That the said Bills be engrossed, and read a third time at a future day.
Insolvent Debtors	The Chairman also reported that the Committee had gone through a Bill, entitled, An Act for the regulation of the Fisheries in Chedabucto Bay; also,
And Sup. Court Digby & Yarmouth Bills Without amendt.	A Bill, entitled, An Act for the relief of Insolvent Debtors, imprisoned under mesne process; also,
Recommend Annapolis Grammar School Bill to be def. 3 months	A Bill, entitled, An Act to provide for an additional Term of the Supreme Court in the County of Digby, and to alter the time of the holding of the Supreme Court at Yarmouth, and had agreed to the said Bills without any amendment.
	<i>Ordered</i> , That the said Bills be read a third time, at a future day.
	The Chairman also reported that the Committee had had under their consideration a Bill, entitled, An Act further to amend the several Acts for the regulation and management

agement of the Grammar School or Academy at Annapolis, and had directed him to report that it was the opinion of the Committee that the further consideration of the said Bill should be deferred to this day three months.

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

The Chairman also reported that the Committee had had under their consideration a Bill entitled, An Act for establishing the times and places of holding the Polls at Elections of Representatives, and had made several amendments thereto. Report Polls at Elections Bill with amends.

Which amendments being read twice by the Clerk, were agreed to by the House. Amends. agreed to

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

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

Resolved, That His Excellency the Lieutenant-Governor be authorized and requested to allow and pay to the Manufacturers of Chocolate, until the next Session of the Provincial Legislature, such sum as will be equal to Three Shillings for every One Hundred pounds thereof that shall be manufactured in this Province, and proved to the satisfaction of His Excellency to have been exported therefrom, and this House, at its next Session, will provide for the same. Bounty on Chocolate

A Bill, entitled, An Act to facilitate the Issuing Writs of Certiorari in certain cases. Certiorari

A Bill, entitled, An Act for establishing a Harbor Master at Bridgeport, in the County of Cape-Breton. Harbor Master Bridgeport

A Bill, entitled, An Act respecting Inspectors of Pickled Fish and Guagers of Fish Oil. Pickled Fish

A Bill, entitled, An Act to continue and further to amend the Act for the encouragement of Schools, and the Act to amend the same. Schools

A Bill, entitled, An Act to shut up an Old Road in King's County. Road King's Co.

A Bill, entitled, An Act to continue and further to amend the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Acts in amendment thereof. County Rates

A Bill, entitled, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto. Pilotage Halifax

A Bill, entitled, An Act to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof. Summary trials

A Bill, entitled, An Act to continue the Act to suspend the operation of several Acts of the General Assembly, passed to prevent Forestalling, Re-grating and Monopolising. Forestalling

A Bill, entitled, An Act to continue the several Acts concerning the Bridewell and Police in Halifax. Bridewell Halifax

A Bill, entitled, An Act to continue the Act to repeal the Act to amend the Acts respecting Firewards and Fires in Halifax, and to substitute other provisions in lieu thereof. Firewards Halifax

A Bill, entitled, An Act to continue the Act for the Summary Trial of Actions in the Island of Cape-Breton. Summary trials Cape Breton

A Bill, entitled, An Act to continue the Act relating to the Court of Commissioners at Halifax. Commrs. Court Halifax

A Bill, entitled, An Act to continue the Act for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at Night. Watch Halifax

A Bill, entitled An Act to continue the Act to regulate the Fees of the Constable of the Court of Commissioners at Halifax. Constables' fees Commrs. Court

A Bill, entitled, An Act to continue the Act to provide against the occurrence of Diseases from the Bite of Animals. Diseases from bite of Animals

A Bill, entitled, An Act to continue the Act in addition to the Act for regulating the Rates and Prices of Carriages. Rates of Carriages

A Bill, entitled, An Act to continue the Act to suspend the operation of the Acts to prevent Forestalling, Re-grating and Monopolizing, of Cord Wood in the Town of Halifax. Forestalling Cord-wood

A Bill, entitled, An Act to continue the Act to regulate the Survey of Timber and Land, and to repeal the Acts now in force. Survey of Timber

A Bill, entitled, An Act to continue the Act for the support and regulation of Light Houses. Light Houses

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

The

Read 1st time

The said Resolution and Bills were read a first time.

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

Adjourn

On motion made and seconded—the House adjourned until Monday, at one o'clock.

Monday, 25th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

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§
§
§
§

The Honorable Alexander Stewart,
William Rudolf,
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of Saturday were read.

Pickled Fish &

A Bill, entitled, An Act to continue, alter and amend, the Acts in force relative to the Inspection of Pickled Fish; also,

Aliens Bill

A Bill, entitled, An Act to revive and continue an Act respecting Aliens coming into this Province or residing therein, were read a third time, and the question was put by the President, on each Bill,

Head 3d time &

Whether this Bill shall pass?

Agreed to &

It was resolved in the affirmative.

Sent to H. A.

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

Fisheries Chedabucto Bay Insolvent Debtors

A Bill, entitled, An Act for the regulation of the Fisheries in Chedabucto Bay; also,
A Bill, entitled, An Act for the relief of Insolvent Debtors, imprisoned under mesne process; also,

Sup. Court Digby & Yarmouth Bills
Read 3d time

A Bill, entitled, An Act to provide for an additional Term of the Supreme Court in the County of Digby, and to alter the time of holding of the Supreme Court at Yarmouth, were read a third time, and the question was put by the President, on each Bill,

Agreed to &

Whether this Bill shall pass?

It was resolved in the affirmative.

Sent to H. A.

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

Polls at Elections Bill
Read 3d time

A Bill, entitled, An Act for establishing the times and places of holding the Poll at Elections of Representatives, was read a third time, and the question was put by the President,

Whether this Bill, with the amendments, shall pass?

Agreed to &

It was resolved in the affirmative.

Sent to H. A.

A Message was sent to the House of Assembly, by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the said Bill, with amendments—to which amendments they desire the concurrence of the House of Assembly.

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

General division of Road Vote

Resolved, That the sum of Fourteen Thousand Pounds, granted for the Road and Bridge service, be applied as follows:

Halifax	£1400	§	Shelburne	£630
Hants	1090	§	Queen's	600
King's	1070	§	Pictou	1000
Annapolis	670	§	Sydney	680
Digby	670	§	Guysborough	680
Yarmouth	680	§	Cape-Breton	780
				Richmond

	£670	§	Cumberland	£800	
Richmond	£670	§	Cumberland	£800	
Inverness	780	§			
Lunenburg	800	§		£14,000	
Colchester	1000	§			
Also, with a Resolution specifically applying the sum of £1400 appropriated for the service of Roads and Bridges in the County of Halifax;					Specific appropriation of do. for Halifax
Also, with a Resolution specifically applying the sum of £1090 appropriated for the service of Roads and Bridges in the County of Hants;					Hant's
Also, with a Resolution specifically applying the sum of £1070 appropriated for the service of Roads and Bridges in King's County;					King's
Also, with a Resolution specifically applying the sum of £670 appropriated for the service of Roads and Bridges in the County of Annapolis;					Annapolis
Also, with a Resolution specifically applying the sum of £670 appropriated for the service of Roads and Bridges in the County of Digby;					Digby
Also, with a Resolution specifically applying the sum of £680 appropriated for the service of Roads and Bridges in the County of Yarmouth;					Yarmouth
Also, with a Resolution specifically applying the sum of £630 appropriated for the service of Roads and Bridges in the County of Shelburne;					Shelburne
Also, with a Resolution specifically applying the sum of £600 appropriated for the service of Roads and Bridges in Queen's County;					Queen's
Also, with a Resolution specifically applying the sum of £1000 appropriated for the service of Roads and Bridges in the County of Pictou;					Pictou
Also, with a Resolution specifically applying the sum of £680 appropriated for the service of Roads and Bridges in the County of Sydney;					Sydney
Also, with a Resolution specifically applying the sum of £680 appropriated for the service of Roads and Bridges in the County of Guysborough;					Guysborough
Also, with a Resolution specifically applying the sum of £670 appropriated for the service of Roads and Bridges in the County of Richmond;					Richmond
Also, with a Resolution specifically applying the sum of £800 appropriated for the service of Roads and Bridges in the County of Lunenburg;					Lunenburg
Also, with a Resolution specifically applying the sum of £1000 appropriated for the service of Roads and Bridges in the County of Colchester;					Colchester
Also, with a Resolution specifically applying the sum of £800 appropriated for the service of Roads and Bridges in the County of Cumberland.					Cumberland
<i>Resolved</i> , That the sum of £780 granted for the service of Roads and Bridges in the County of Cape-Breton, be placed at the disposal of His Excellency the Lieutenant-Governor for that service.					Cape Breton
<i>Resolved</i> , That the sum of £780, granted for the service of Roads and Bridges in the County of Inverness, be placed at the disposal of His Excellency the Lieutenant-Governor, to be expended in that service.					Inverness
To which Resolutions they desired the concurrence of this House.					
Mr. Stewart, the Chairman of the Committee to whom a Bill, entitled, An Act to continue the Act for granting Duties on Licenses, and in amendment thereof; also,					Committee on Licenses &
A Bill, entitled, An Act to continue and amend the Act for granting Duties on Licenses, for the Sale of Spirituous Liquors, and for Sales by Auction, to persons resident in the Town of Halifax; also,					Licenses Halifax Bills, &c.
The amendments proposed by this House to the said Bills; also,					
The Message of the House of Assembly relative thereto, were referred, reported that the Committee had performed their duty, and recommended that this House should adhere to the amendments proposed by them to the said Bills.					Report
<i>Ordered</i> , That the said Report be received, and the amendments proposed by this House to the said Bills be adhered to.					Amendts. adhered to
A Message was sent to the House of Assembly, by the Clerk,					Bills sent to H. A.
To return the said Bills and amendments, and acquaint them therewith.					

Certiorari	A Bill, entitled, An Act to facilitate the issuing of Writs of Certiorari, in certain cases ; also,
Harbour Master Bridgeport	A Bill, entitled, An Act for establishing a Harbour Master at Bridgeport in the Island of Cape-Breton ; also,
Pickled Fish	A Bill, entitled, An Act respecting Inspectors of Pickled Fish, and Guagers of Fish Oil ; also,
Schools	A Bill, entitled, An Act to continue and further to amend the Act for the encouragement of Schools, and the Acts to amend the same ; also,
Road King's Co.	A Bill, entitled, An Act to shut up an old Road in King's County ; also,
County Rates	A Bill, entitled, An Act to continue and further amend the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Acts in amendment thereof, were read a second time.
Read 2d time ord. to Com.	<i>Ordered,</i> That the said Bills be committed to a Committee of the whole House, at a future day.
Continuing Bills ref.	<i>Ordered,</i> That the continuing Bills sent up on Saturday be referred to a Select Committee, to examine and report upon.
Committee	<i>Ordered,</i> That Mr. Johnston and Mr. Stewart, be a Committee for that purpose.
Committee report	Mr. Johnston, the Chairman of the Committee to whom the continuing Bills were referred, made his report ; whereupon,
Firewards Halifax	A Bill, entitled, An Act to continue the Act to repeal the Act to amend the Acts respecting Firewards and Fires in Halifax, and to substitute other provisions in lieu thereof ; also,
Summary Trials Cape Breton	A Bill, entitled, An Act to continue the Act for the Summary Trial of Actions in the Island of Cape-Breton ; also,
Bridewell & Police in Halifax	A Bill, entitled, An Act to continue the several Acts concerning the Bridewell and Police in Halifax ; also,
Summary Trials	A Bill, entitled, An Act to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof ; also,
Pilotage Halifax	A Bill, entitled, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto ; also,
Comms. Court Halifax	A Bill, entitled, An Act to continue the Act relating to the Court of Commissioners at Halifax ; also,
Constables' fees Comms. Court	A Bill, entitled An Act to continue the Act to regulate the Fees of the Constable of the Court of Commissioners at Halifax ; also,
Diseases from bite of Animals	A Bill, entitled, An Act to continue the Act to provide against the occurrence of Diseases from the Bite of Animals ; also,
Rates of Carriages	A Bill, entitled, An Act to continue the Act in addition to the Act for regulating the Rates and Prices of Carriages ; also,
Survey of Timber	A Bill, entitled, An Act to continue the Act to regulate the Survey of Timber and Lumber, and to repeal the Acts now in force ; also,
Light Houses &	A Bill, entitled, An Act to continue the Acts for the support and regulation of Light Houses ; also,
Watch Bills	A Bill, entitled, An Act to continue the Act to provide for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at Night, were read a second time, and, by order, the said Bills were read a third time, and the question was put by the President, on each Bill,
Read 2d & 3d time and	Whether this Bill shall pass ?
Agreed to	It was resolved in the affirmative.
Com. on Money votes report	Mr. Allison, the Chairman of the Committee to whom the Resolutions for granting Money were referred, made his report, which he read in his place, and afterwards delivered it to the Clerk, who read the same.
Lot in Water Street Halifax Bill read 2d time	<i>Ordered,</i> That the said Report do lie on the Table. A Bill, entitled, An Act to change and alter the north and east side lines of a certain lot of

of Land situate on the west side of Water-Street, in the Town of Halifax, was read a second time.

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

On motion, the House was adjourned, during pleasure, and put into a Committee of the whole House on the General State of the Province, for the further consideration of the Message of His Excellency the Lieutenant-Governor of the 18th January last.—After some time the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.

Committee on Despatches

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

Resolved, That the Commissioners of Schools for the County of Pictou be authorized and directed to pay to George Christie the sum of Seventeen Pounds Ten Shillings, being his Salary for teaching a Common and Combined Grammar School in the said County, for the half year ending in July, 1838, pursuant to the prayer of his Petition—the same to be paid out of the sum allowed for the said County for such Schools in the present year.

17l. 10s. advance to G. Christie

Resolved, That His Excellency the Lieutenant-Governor be authorized to pay to Alexander Millar the sum of Twenty Pounds Four Shillings, and to Gaius Lewis the sum of Nine Pounds, making Twenty-nine Pounds Four Shillings for their services as Deputy Surveyors and expenses incurred by them in running and marking the division line between the Counties of Cumberland and Colchester, as reported by a Committee, and this House will make provision for the same in the next Session.

29l. 4s. advance for expense of running line between Colchester and Cumberland

Resolved, That His Excellency the Lieutenant-Governor be authorized to draw on the Treasury for the sum of Two Hundred Pounds to defray the expense of maintaining the Bridewell for the last year, leaving the County of Halifax to be assessed for the balance, and this House will provide for the repayment of the same next Session.

200l. advance to Bridewell

Resolved, That His Excellency the Lieutenant-Governor be authorized and requested to advance the sum of Ten Pounds, to be paid for a Plan for a Bridewell, omitted in the vote of last Session, and that this House will provide for the same in the next Session.

10l. advance for plan of Bridewell

Resolved, That His Excellency the Lieutenant-Governor be authorized to draw on the Treasury for One Hundred and Seventy-three Pounds to defray the expense of the Humane Establishment at Scatarie, and this House will provide for the same at the next Session.

173l. Humane Establishment Scatarie

Resolved, That the following sums granted in 1837, and remaining undrawn, that is to say: Fifteen Pounds for a Bridge at Neecum Tench, and Fifteen Pounds for repair of a Road between Ship Harbor and Clam Harbor, be placed at the disposal of His Excellency the Lieutenant-Governor, to repay the sum advanced to defray the expense of the Survey requested by this House in its last Session, between Chezetcook and Eecum Seezum.

30l. change of appropriation Chezetcook

Resolved, That His Excellency the Lieutenant-Governor be authorized, (if he shall think fit,) to expend in the rebuilding or repair of Roads and Bridges in the County of Pictou, a sum equal to the amount repaid by that County on account of Seed Oats and Potatoes, under the relief Bill of 1837—the same to be repaid by deducting the amount from such sum as may be allotted for the County of Pictou next year in the general division of Road Monies.

Sum for Bridges in Pictou

Resolved, That His Excellency the Lieutenant-Governor be authorized to draw on the Treasury for Twenty Pounds Eleven Shillings and Four Pence, certain costs incurred in the prosecution of John Longmire, acquitted on a charge of Murder on the High Seas, as follow, viz :

20l. 11s. 4d. advance of expenses of trial of J. Longmire

Deputy Registrar	£14 17 4
Deputy Marshall	1 1 0
Crier	1 0 0
Sheriff	3 13 0
	<hr/>
	£20 11 4

And

MONDAY and TUESDAY, 25th and 26th MARCH, 1839.

And this House will provide for the repayment of the same at the next Session of the General Assembly.

To which Resolutions they desired the concurrence of this House.

Message agreeing
to amendts. to
Mire Grant

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

To inform the House that the House of Assembly agreed to the amendments proposed by this House to a Bill, entitled, An Act for settling Titles in a certain Tract of Land in Cape-Breton, called the Miré Grant.

Passengers

Also, to the amendments proposed by this House to a Bill, entitled, An Act to amend the Act relating to Passengers from Great-Britain and Ireland arriving in this Province.

Trespasses

Also, to the amendments proposed by this House to a Bill, entitled, An Act in further amendment of, and additional to, the Acts relating to Trespasses.

Wilmot Pier Com-
pany Bills

Also, to the amendments proposed by this House to a Bill, entitled, An Act to Incorporate the Wilmot Pier Company.

Adjourn

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

Tuesday, 26th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

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○
○

The Honorable Alexander Stewart,
William Rudolf,
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

Money Votes read
1st time

The eight Resolutions for granting Monies brought up from the House of Assembly yesterday, were read a first time.

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

Mire Grant

A Bill, entitled, An Act for settling Titles in a certain Tract of Land in Cape-Breton, called the Miré Grant; also,

Passengers

A Bill, entitled, An Act to amend the Acts relating to Passengers from Great-Britain and Ireland, arriving in this Province; also,

Trespasses &

A Bill, entitled, An Act in further amendment of, and additional to, the Acts relating to Trespasses; also,

Wilmot Pier Co.
Bills

A Bill, entitled, An Act to Incorporate the Wilmot Pier Company, were read, as amended, and the question was put by the President, on each Bill,

Finally agreed to &

Whether this Bill, as amended, shall pass?

Sent to H. A.

It was resolved in the affirmative.

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

To return the said Bills, and acquaint them therewith.

Forestalling Cord-
wood

A Bill, entitled, An Act to continue the Act to suspend the operation of the Acts to prevent Forestalling, Régrating or Monopolizing, of Cord Wood in the Town of Halifax, was read a second time, and, by order, the said Bill was read a third time, and the question was put by the President,

Read 2d & 3d time

Whether this Bill shall pass?

Agreed to &

It was resolved in the affirmative.

Sent to H. A.

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

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

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TUESDAY, 26th MARCH, 1839.

A Bill, entitled, An Act to continue the Act to suspend the operation of several Acts of the General Assembly, passed to prevent Forestalling, Regrating and Monopolising, was read a second time. Forestalling Bill
read 2d time def. 3
months

On motion, *resolved*, that the further consideration of the said Bill be deferred to this day three months.

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

To return the twelve continuing Bills, agreed to yesterday, and acquaint them that this House have agreed to the said Bills without any amendment. Continuing Bills
sent to H. A.

The following Resolutions for granting Money, viz :

Money Votes

£27	5	0	To Peter Furlong.
15	0	0	Reuben Nickerson.
8	0	0	R. K. Marsters.
20	0	0	Richard Gibbons, Junior.
1	10	0	Rufus J. Sanders.
10	0	0	John Carten, return of Duties.
10	10	0	James Dawson.
100	0	0	Messrs. G. P. & H. Lawson.
100	0	0	Methodist School.
50	0	0	Lunenburg Academy.
150	0	0	Bridges in the County of Sydney.
20	0	0	Edmund Crowell.
250	0	0	For the Yarmouth Light-House.
10	0	0	To Cornelius Craig.
36	10	11	the Overseers of Poor at Pictou.
10	13	5	William Adamson.
16	9	8	the Overseers of Poor at Annapolis.
19	2	0	the Overseers of Poor at Horton.
3	15	0	the Overseers of Poor at Barrington.
63	0	0	John Munro.
300	0	0	For three years, for Steam-Boat from Halifax to Yarmouth.
17	10	0	Advance to George Christie.
29	4	0	for survey of division line between Colchester and Cumberland.
10	0	0	To pay for plan of Bridewell.
419	16	4	expenses of Council.
30	0	0	To procure Publications for H. A.
100	0	0	For Bridge at Tatamagouche.
40	0	0	Female Teacher African School.
15	0	0	To Overseers of Poor at Economy.
7	0	0	John Munro.
1025	0	0	Advance for Canadian Sufferers.
100	0	0	Andrew Henderson's Academy
20	0	0	a plan of Bridewell.
362	18	4½	expenses of Council last Session.
40	0	0	Female Teacher African School.
20	0	2	Clock for H. A.
20	7	0	To Joseph Avar.
3	10	0	Each of the Clerks of the Peace.
20	0	0	Chairman of Committees of H. A.
10	0	0	J. J. Sawyer.
60	0	0	For Stationary for House of Assembly.
150	0	0	Contingencies of H. A.
100	0	0	To each of Clerks of H. A.
500	0	0	For Casualties to Bridges.
100	0	0	Relief of Colored Population.

£55. 0. 0.	Bridge over the River Philip, Cumberland.
650 18 9	Expenses of Public Buildings.
40 0 0	the Grammar School in Truro.
30. 0. 0	Change of appropriation at Chizetcook.

Read 2d time

Also, the Resolution granting a Bounty on Chocolate exported, were read a second time, and the question was put by the President on each Resolution, Whether this Resolution be agreed to?

Agreed to &

It was resolved in the affirmative.

Sent to H. A.

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

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills and Resolution.

Licenses Halifax

A Bill, entitled, An Act to continue and alter the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, and for Sales by Auction, in Halifax.

Licenses

A Bill, entitled, An Act to continue and alter the Act for granting Duties on Licenses for the Sale of Spirituous Liquors.

3141. 12s. J. Howe & Son Extra Printing

Resolved, That His Excellency the Lieutenant-Governor be authorized and requested to advance from the Treasury, and pay to Messrs. John Howe & Son, the sum of Three Hundred and Fourteen Pounds Twelve Shillings, to defray the expense of extra Printing for Government and the Legislature during the last year, and this House will provide for said advance at its next Session.

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

Read 1st time

The said Bills and Resolution were read a first time.

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

Money Votes

The following Resolutions for granting Money, viz :

£100	For Bridges in Guysborough.
200	the Kennetcook Bridge.
200	Bridges in the County of Cape-Breton.
50.	Road from Annapolis to Queen's County.
100	Bridge over LaHave River.
100	Roads in Queen's County.
80	Bridge at Margaree.
100	Little Arichat Bridge.
80	Bridges on Gaspereaux River.
200	Bridges in the County of Pictou.
50	Bridges in the County of Shelburne.
100	Pier at St Mary's River.
100	Pier at Margaretville.
100	Pier at Baxter's Harbor.
100	Breakwater in Clare.
100	To Import Cattle of Durham Breed.
125	Import Rams and Ewes.
200	Import a Stallion of Leicester Breed.
173	For expense of Humane Establishment at Scattarie.

Read 2d time &

Also, the Resolution authorising an advance to build Bridges in the County of Pictou, were read a second time, and the question was put by the President, on each Resolution, Whether this Resolution be agreed to?

Agreed to

It was resolved in the affirmative.

Money vote agreed to

The Resolution for granting the sum of £2,800 for Roads and Bridges, was read a second time, and on motion, *resolved*, that the said Resolution be agreed to.

For the Motion,
 Mr. Allison, Mr. Rudolf,
 Mr. Ratchford, Mr. Lawson,
 Mr. Stewart, Mr. McNab.
 Mr. Campbell,

Against the Motion.
 Mr. Uniacke,
 Mr. Johnston,
 Mr. Almon.

The Resolution for granting the sum of £4000 for erecting a Bridewell, was read a second time, and on motion, *resolved*, that the said Resolution be not agreed to. Money vote disagreed to

A Message was brought from the House of Assembly, by Mr. Whidden, To inform the House that the House of Assembly agreed to the amendments proposed by this House to a Bill, entitled, An Act to make the Stealing of Dogs, Beasts or Birds, Larceny. Message agreeing to amdt. to Dog Stealing Bill

Also, to inform the House that the House of Assembly agreed to the first, third and fourth, amendments proposed by this House to a Bill, entitled, An Act for establishing the times and places of holding the Poll at Elections of Representatives, with amendments, and did not agree to the second amendment proposed by this House to the said Bill. Message relative to Amdts. to Poll at Elections Bill

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

Wednesday, 27th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
 Joseph Allison,
 Norman F. Uniacke,
 James W. Johnston,
 William Lawson,

Opposition

The Honorable Alexander Stewart,
 William Rudolf,
 Alexander Campbell,
 James Ratchford,
 William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to make the Stealing of Dogs, Beasts or Birds, Larceny, was read, as amended, and the question was put by the President, Dog Stealing Bill

Whether this Bill, as amended, shall pass? Finally agreed to &

It was resolved in the affirmative. Sent to H. A.

A Message was sent to the House of Assembly, by the Clerk, To return the said Bill, and acquaint them therewith.

The House proceeded to the re-consideration of the second amendment proposed by this House to a Bill, entitled, An Act for establishing the times and places of holding the Poll at Elections of Representatives, which has not been agreed to by the House of Assembly. Consideration of amndts. to Polls at Elections Bill

The said amendment was read as follows :

2d Section—In the Clause regulating the Elections for the Township of Halifax, leave out the words “and thence shall be removed to some central and convenient place in Saint Margaret’s Bay, to be there continued for the space of two days.” 2d amdt. not adhered to

On motion, *resolved*, that the said amendment be not adhered to.

The House proceeded to the consideration of the amendments proposed by the House of Assembly to the fourth amendment proposed by this House to the said Bill. Consideration of amdt. of H. A. to amdt. of Council to Bill considered

The first of the said amendments was read as follows :

Leave out the Clause by this amendment proposed to be first added to the Bill. 1st amendment

Which Clause is as follows :

“And be it further enacted, That the Poll for the Election of Representatives for the Town of Halifax, shall not in any case be held at Halifax at the same time that the Poll for the Election of Representatives for the County of Halifax is held and in progress there.”

On motion, *resolved*, that the said amendment of the House of Assembly to the amendment of this House be not agreed to. Not agreed to

The second amendment of the House of Assembly was read as follows : 2d amendment :

In

"In the Clause, by this amendment secondly proposed to be added to the Bill, between the word "aforesaid" and the word "for," in the nineteenth line of this Clause, insert the following words "or other premises in the same County or Township, for which he shall have paid a yearly rent of not less than Thirty Pounds."

Which Clause is as follows :

"And be it further enacted, That in every County or Township which shall return a Member or Members to serve in any future General Assembly, every Male person of full age, and not subject to any legal incapacity, who shall occupy within such County or Township as yearly Tenant, any House, Warehouse, Counting-House, Shop or other Building, being either separately or jointly with any Land within such County or Township occupied therewith by him as Tenant, paying the yearly Rent of not less than Thirty Pounds, shall be entitled to vote in the Election of a Member or Members to serve in any future General Assembly for such County or Township ; *Provided always*, that no such person shall be so entitled to vote at any such Election unless he shall have occupied such premises as aforesaid* for six Calendar Months next previous to the teste of the Writ for holding such Election.

On motion, *resolved*, that the amendment of the House of Assembly to the amendment of this House be agreed to.

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

To return the said Bill, and acquaint them that this House do not adhere to their second amendment to the said Bill—that this House do not agree to the first amendment, but do agree to the second amendment proposed by the House of Assembly to the fourth amendment of this House to the said Bill.

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

To return the Twenty-one Resolutions for granting Money, agreed to yesterday, and to acquaint them that this House have agreed to the said Resolutions without any amendment.

Also, to return the Resolution for granting the sum of £4000 to build a Bridewell, and acquaint them that this House have not agreed to the said Resolution.

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to continue and further to amend the Act for the encouragement of Schools, and the Acts to amend the same, and had made several amendments thereto.

Which amendments being read twice by the Clerk, were agreed to by the House.

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

A Bill, entitled, Act to continue and alter the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, and for Sales by Auction, in Halifax; also,

A Bill, entitled, An Act to continue and alter the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, were read a second time.

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

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to shut up an Old Road in King's County, and had directed him to report that it was the opinion of the Committee that the further consideration of the said Bill should be deferred to this day three months.

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

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to continue and alter the Act for granting Duties on Licenses for the Sale of Spirituous Liquors ; also,

*Amendment of H. A. made here

Agreed to

Message to H. A.

Money votes agrd. to sent to H. A.

Money votes disagreed to sent to H. A.

Com. on Bills

Report School Bills with amendments

Amtds. agreed to

Licenses Halifax &

License Bills read 2d time

Committee on Bills

Recommend Road Kings Co. to be def. 3 months

Bill deferred

Report Licenses

A Bill, entitled, An Act to continue and alter the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, and for Sales by Auction, in Halifax; also, Licenses Halifax

A Bill, entitled, An Act respecting Inspectors of Pickled Fish and Guagers of Fish Oil; also, Pickled Fish &

A Bill, entitled, An Act for establishing a Harbour Master at Bridgeport, in the Island of Cape-Breton, and had agreed to the said Bills without any amendment. Harbor Master Bridgeport Bills without amendt.

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act for amending the practice of the Court of Chancery, and had made several amendments thereto. Report Chancery Practice Bill with amendts.

Which amendments being read twice by the Clerk, were agreed to by the House. Amendts. agreed to

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

Ordered, That Mr. Rudolf have leave of absence to return home, on urgent private business. Leave of absence to Mr. Rudolf

On motion made and seconded—the House adjourned until To-morrow, at 12 o'clock. Adjourn

Thursday, 28th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,

Joseph Allison,

Norman F. Uniacke,

James W. Johnston,

William Lawson,

S. B. Robie

The Honorable Alexander Stewart,

Alexander Campbell,

James Ratchford,

William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

On motion, the House was adjourned, during pleasure, and put into a Committee on Bills. Com. on Bills

—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to change and alter the North and East side lines of a certain Lot of Land, situate on the West side of Water Street, in the Town of Halifax, and had agreed to the said Bill, without any amendment. Report Lot in Water Street Bill without amendt.

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

A Bill, entitled, An Act to continue and further to amend the Act for the encouragement of Schools, and the Acts to amend the same; also, Schools &

A Bill, entitled, An Act for amending the practice of the Court of Chancery, were read a third time, and the question was put by the President, on each Bill, Chancery Court Practice Bills Read 3d time

Whether this Bill, with the amendments, shall pass?

It was resolved in the affirmative. Agreed to &

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

To return the said Bills, and acquaint them that this House have agreed to the said Bills, with amendments—to which amendments they desire the concurrence of the House of Assembly.

A Bill, entitled, An Act to continue and alter the Act for granting Duties on Licenses for the sale of Spirituous Liquors; also, Licenses

A Bill, entitled, An Act to continue and alter the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and for Sales by Auction, in Halifax; also, Licenses Halifax

A Bill, entitled, An Act for establishing a Harbor Master at Bridgeport, in the Island of Cape-Breton; also, Harbor Master Bridgeport

Pickled Fish Bills
Read 3d time

A Bill, entitled, An Act respecting Inspectors of Pickled Fish, and Guagers of Fish Oil, were read a third time, and the question was put by the President, on each Bill, Whether this Bill shall pass ?

Agreed to &

It was resolved in the affirmative.

Sent to H. A.

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

Mr. Allison moved, that the House do come to the following Resolution :

Resolution relative
to Duties on Flour
and Salted Provisi-
ons

Whereas, His Excellency the Lieutenant-Governor has laid before this House a copy of a Despatch from the Right Honorable Lord Glenelg, dated the 10th October last, on the subject of the Imperial Duties imposed on Flour and Salted Provisions, imported into this Province from Foreign Countries; and whereas, Her Majesty's Government have proposed to repeal those Duties, provided the Legislature should be of opinion that such measure will prove advantageous to the general interests of the Province; and whereas, the House of Assembly has, during the present Session, imposed a duty of Two Shillings, Sterling, per Barrel, on Wheat Flour, imported from Foreign Countries, to take effect when the Imperial Duty shall be repealed; and also, continued the duty of Twelve Shillings per Hundred weight on Salted Pork and Beef, imported as above.

Resolved therefore, That this House concur in the policy of continuing either the Imperial or Colonial Duties on those Articles, when imported from Foreign Countries, for consumption, thereby affording encouragement and protection to the Agricultural and Manufacturing interests, as well as to our Commercial intercourse with Canada, from whence large supplies of those Articles are now annually imported; with regard to the expediency of repealing the Imperial Duties, and leaving their regulation to the Colonial Legislatures, much diversity of opinion prevails in this Province; and this House would therefore refrain from any recommendation on the subject, but would respectfully suggest, that New-Brunswick, Prince Edward Island, and this Province, should, for their mutual advantage, remain, or be placed under similar regulations, with respect to the Trade in question: which, being seconded and the question being put, there appeared, for the motion, five; against the motion, four.

Agreed to

For the motion,

Against the motion,

Mr. Allison,
Mr. Uniacke,
Mr. Lawson,
Mr. Ratchford,
Mr. Campbell,

Mr. McNab,
Mr. Almon,
Mr. Johnston,
Mr. Stewart,

So it passed in the Affirmative.

Com. to prepare
Address

Ordered, That a Committee be appointed to prepare an Address to His Excellency the Lieutenant-Governor, to be presented to His Excellency with the said Resolution.

Committee

Ordered, That Mr. Stewart and Mr. Allison be a Committee to prepare the said Address.

Lot in Water Street
Halifax read 3d
time

A Bill, entitled, An Act to change and alter the north and east side lines of a certain lot of Land situate on the west side of Water-Street, in the Town of Halifax, was, by order, read a third time, and the question was put by the President,

Whether this Bill shall pass ?

Agreed to &

It was resolved in the affirmative.

Sent to H. A.

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

Money Votes

The following Resolutions for granting Money, viz :—

£200 0 0 Advance for Bridewell.

20 11 4 For expenses of Trial of John Longmire.

Were read a second time; and,

Disagreed to and

On motion, resolved, that the said Resolutions be not agreed to.

Sent to H.A.

A Message was sent to the House of Assembly, by the Clerk, To return the said Resolutions, and acquaint them that this House have not agreed to the same.

On

THURSDAY, 28th MARCH, 1839.

On motion, the House was adjourned, and put into a Committee of the whole House, on the General State of the Province, for the further consideration of His Excellency's Message of the 18th January last.—After some time, the House was resumed, and Mr. McNab reported that the Committee had made some progress.

Consideration of
Message and Des-
patches

The Chairman also reported that the Committee had agreed to several Resolutions, which he was ready to report, when the House will be pleased to receive the same.

Ordered, That the said Report be received on Saturday next.

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

Whereas, the Province of New-Brunswick has granted the sum of £4,500 for the purpose of opening a new line of road across the Tantarama Marsh, in the County of Westmoreland, (to shorten the main post road leading to Canada) and it is necessary that the Province of Nova-Scotia should pledge itself to open the line of the said new road from the river Mus-saguash to the main post road in the District of Fort Lawrence, in the County of Cumberland, to meet the said alteration, and to build the one half of the Bridge across the Mussaguash.

250l. advance for
Road over the Tan-
tarama Marsh

Resolved, That, whenever it shall be made to appear to His Excellency the Lieutenant-Governor or Commander in Chief for the time being, that the Province of New-Brunswick is about completing the said projected alteration of the road over the Tantarama Marsh, His Excellency or the Commander in Chief for the time being, shall be authorised to advance from the Treasury of this Province, such sum of Money not exceeding £250, as will complete the said alteration and build the one half of said Bridge on this side of the Province line, to be expended by tender and contract, and that this House will hereafter provide for payment thereof.

Resolved, That His Excellency the Lieutenant-Governor be authorized and requested to advance the sum of Seventy-five Pounds to the Trustees and Committee of the Royal Acadian School, agreeably to the prayer of their Petition, and this House will make provision for the same the next Session.

75l. advance for
Acadian School

To which Resolutions they desired the concurrence of this House.

The said Resolutions were read a first time.

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

The Messenger also informed the House, that the House of Assembly agreed to the first, second, and third amendments, proposed by this House to a Bill, entitled, An Act to continue and further to amend the Act for the encouragement of Schools, and the Acts to amend the same; and did not agree to the fourth amendment proposed by this House to the said Bill.

On motion, *resolved*, that the fourth amendment to said Bill be not adhered to.

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

To return the said Bill, and acquaint them therewith.

Read 1st time

Message rel. to
amdt. to School
Bills

4th amdt. not ad-
hered to

Bill sent to H. A.

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

To inform the House that the House of Assembly agreed to a Bill, entitled, An Act to change and alter the north and east side lines of a certain lot of Land, situate on the west side of Water Street, in the Town of Halifax, with amendments, to which amendments they desire the concurrence of this House.

Mes. from H. A.
agree to Lot in
Water Street in
Halifax with amdts.

The Messenger also informed the House, that the House of Assembly adhered to the first amendment proposed by them to the fourth amendment proposed by this House, to a Bill, entitled, An Act for establishing the times and places of holding the Poll at Elections of Representatives.

Mes. rel. to Poll at
Elections Bill

The Messenger also brought up the following Resolution:—

Resolved, That two sums of money, making together £20, granted in the Sessions of 1837 & 1838, for a "Bridge at Ecum Seecum," and remaining undrawn from the Treasury, be applied and expended in rebuilding the Bridge at Porter's Lake.

To which Resolution they desired the concurrence of this House.

20l. change of ap-
propriation Co. of
Halifax

The House proceeded to the consideration of the amendment proposed by the House of Assembly, to a Bill, entitled, An Act to change and alter the north and east side lines of a certain

Amendts. to Lot in
Water Street Hal-
ifax

THURSDAY and SATURDAY, 28th and 30th MARCH, 1839.

Agreed to

certain lot of Land, situate on the west side of Water Street, in the Town of Halifax, which amendment being read three times by the Clerk, was agreed to by the House.

Leave of absence to Mr. Ratchford

Ordered, That Mr. Ratchford have leave of absence from Monday next, to return home on urgent private business.

Adjourn

On motion made and seconded—the House adjourned until Saturday, at one o'clock.

Saturday, 30th March, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,	§ § § § §	The Honorable Alexander Stewart,
Joseph Allison,		Alexander Campbell,
Norman F. Uniacke,		James Ratchford,
James W. Johnston,		William B. Almon.
William Lawson,		

PRAYERS.

The Minutes of Thursday were read.

Address on Salted Provisions & Flour exported

Mr. Stewart, the Chairman of the Committee, appointed to prepare an Address to His Excellency the Lieutenant-Governor, on the subject of the proposed repeal of the Imperial Duties levied on Salted Provisions and Wheat Flour, imported into this Province, New-Brunswick and Prince Edward Island, reported the draft of an Address, which he read in his place, and afterwards delivered it to the Clerk, who read the same, as follows:—

TO HIS EXCELLENCY LIEUTENANT-GENERAL,

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL OF THE PROVINCE OF NOVA-SCOTIA.

May it please Your Excellency;

Address

The Legislative Council having had under their consideration Your Excellency's Message of the 4th February last, transmitting copies of Despatches and other Documents, from the Right Honorable Lord Glenelg, on the subject of the proposed repeal of the Imperial Duties levied on Salted Provisions and Wheat Flour, imported into this Province, New-Brunswick and Prince Edward Island,

The Legislative Council have embodied their views, on the subject referred to in the before mentioned Despatches, in a Resolution of which they now beg leave to present a copy to Your Excellency, and respectfully request that you will be pleased to transmit the same to Her Majesty's Secretary of State for the Colonies, for the consideration of Her Majesty's Government.

Address received

Ordered, That the said Address be received and adopted.

Com. to present to H. E.

Ordered, That Mr. Stewart and Mr. Allison, be a Committee to present the same to His Excellency the Lieutenant-Governor.

Road Votes read 2d time

The Resolutions received from the House of Assembly, on the 25th inst. dividing and sub-dividing the sum of £14,000, granted for the service of Roads and Bridges, were severally read a second time, and the question was put by the President, on each Resolution,

Whether this Resolution be agreed to?

Agreed to & Sent to H. A.

It was resolved in the affirmative.

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

To

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

The Order of the Day being read, for receiving the report of the Resolutions, passed in the Committee of this House, on the General State of the Province, on the consideration of His Excellency's Message to this House, of the 18th January last.

The said Resolutions were read by the Clerk, as follows :

1. *Resolved*, That this House fully appreciates the difficulties experienced by His Excellency in endeavouring to carry out the principles submitted by Lord Glenelg, as those by which the Lieutenant-Governor should be regulated in the choice of Members of the two Councils:—difficulties, of which a striking practical illustration has been afforded in the present Session, by the absence, during the whole of it, of most of the Members of this Assembly, selected from the interior of the Province.

And whereas, Her Majesty has directed the attention of the Imperial Parliament to the state of the Canadas, and the Right Honorable the Earl of Durham, late Her Majesty's Lord High Commissioner to the British North American Colonies, did, last Summer, submit a plan for their future government, which, together with a letter addressed to him on the subject of it, His Excellency the Lieutenant-Governor communicated to this House by Message, dated 23d February last.

And whereas, The said Lord High Commissioner has made a Report to Her Majesty's Ministers upon the subject of his mission, which is now under their consideration, and it is probable that propositions for their future government will immediately become a subject of discussion in the Imperial Parliament; *and whereas*, this House would fail to perform its duty to this Province, if it refrained from conveying to Her Majesty's Government and the Imperial Parliament its opinions upon a subject of such deep moment to the well being of all classes of its inhabitants.

2. *Resolved*, That "Her Majesty's loyal Subjects in this Province, happy, peaceable, contented, and rapidly advancing in wealth and prosperity, beneath the benign and powerful protection of the British Crown, cherish an ardent affection for the land of their Fathers, an enthusiastic admiration of its Institutions, and reverence for those forms, usages and customs, by which British liberty is protected and secured," and well and truly did their Representatives, on a recent occasion, express their unanimous determination to vindicate, at all hazards, the integrity of the Empire.

3. *Resolved*, That this House has learned with regret that His Lordship had suggested a form of Government for these Colonies, the basis of which is at variance with that constitution which this House has ever been taught to revere, inasmuch as the abolition of the Upper Branches of their Legislatures formed a part of His Lordship's plan.

4. *Resolved*, That although this proposition was subsequently abandoned, yet the suggestion alone emanating from so high an authority, and becoming publicly known, had a tendency to diminish the just weight and efficiency of these Bodies in public estimation, and in their intercourse with the other Branches of the Colonial Legislatures.

5. *Resolved*, That the Members of this House repeat that, "in becoming Members thereof they obeyed their Sovereign's Command, and if Her Majesty shall signify Her gracious pleasure that they shall retire from it, they will cheerfully obey," but whoever may fill the stations to which they have been called, it is due to the House itself, as an independent and co-ordinate branch of that form of Government under which the people of this Colony have lived and prospered more than three-fourths of a century, solemnly to declare that no change which involves an abolition of their Colonial constitution can or ought to be effected without the express assent of the Colonial Legislature, and this House most respectfully, yet earnestly, submits for consideration the propriety and even necessity of adopting measures to restore to this branch of the Legislature that public confidence which the Earl of Durham's proposition has in some measure impaired, and without which it cannot beneficially co-operate in the work of Legislation.

6. *Resolved*, That a federal union of the British North American Colonies would, in the opinion of this House, prove an extremely difficult, if not an impracticable measure—that the experiment, if practicable, would be eminently dangerous to the interests of the Mother

Resolutions from
Com. on Gen.
State of the Pro-
vince reported

(For previous Res.
vide Jourls. of 18th
inst. pages 78, 74:
also Jourls. of 20th
inst. pages 80, 81.)

Composition of
Councils

Resolutions relative
to Union of the B
N. American Co-
lonies

Country as well as of the Colonies—that its tendency would be to separate the Colonies from the Parent State, by imbuing the rising generation with a fondness for elective institutions to an extent inconsistent with the principles of the British constitution—that it would involve the Lower Colonies which are now contented, loyal and peaceable, in the political dissensions of Lower Canada, and add greatly to their general and local expenditures, without producing any adequate benefit to them, to the Canadas, or to the Empire at large.

7. *Resolved*, That it would be the imperative duty of this House, to authorize two Members thereof to visit England without delay, for the purpose of submitting to Her Majesty's Ministers its sentiments, in regard to the important questions relating to the Constitution of the Colony, which have been recently agitated, and the several other interests committed to its charge; but at a moment when war has broken out in the East, and from the hostile attitude recently assumed by the United States of America, War in this quarter of the Globe also is not only a possible but a probable event, this House is unwilling to embarrass Her Majesty's Government with subjects, which, relatively to the momentous considerations that must now demand their anxious and undivided attention, are of minor importance; confidently trusting that no proceeding will be adopted by which our Constitutional Rights and Privileges may be affected, without an opportunity being afforded to this House of submitting its views thereon to Her Majesty's Government: It therefore defers resorting to a Delegation at present; but, nevertheless, if the present difficulties with the United States of America should be happily adjusted, or Her Majesty's Secretary of State for the Colonies should require such information as this branch of the Legislature can afford before this House again assembles, the Legislative Council does hereby authorize and request His Excellency the Lieutenant-Governor to select two Members thereof to proceed to England for this purpose, and this House will adopt the necessary Constitutional measures to ensure to them reimbursement of the expenses of their mission.

The first Resolution was then read a second time, and agreed to.

The Preamble and second Resolution were then read a second time, and Mr. Stewart moved that the same be agreed to: which, being seconded, and the question being put, there appeared, for the motion, seven; against the motion, two.

For the motion,

Mr. McNab, Mr. Campbell,
Mr. Allison, Mr. Ratchford,
Mr. Lawson, Mr. Almon,
Mr. Stewart,

Against the motion,

Mr. Uniacke,
Mr. Johnston.

So it passed in the affirmative.

The third Resolution was then read a second time, and Mr. Stewart moved that the said Resolution be agreed to: which, being seconded, and the question being put, there appeared, for the motion, seven; against the motion, two.

For the motion,

Mr. McNab, Mr. Campbell,
Mr. Allison, Mr. Ratchford,
Mr. Lawson, Mr. Almon,
Mr. Stewart,

Against the motion,

Mr. Uniacke,
Mr. Johnston,

So it passed in the affirmative.

The fourth Resolution was then read a second time, and Mr. Stewart moved that the said Resolution be agreed to: which, being seconded, and the question being put, there appeared, for the motion, seven; against the motion, two.

For the motion,

Mr. McNab, Mr. Campbell,
Mr. Allison, Mr. Ratchford,
Mr. Lawson, Mr. Almon,
Mr. Stewart.

Against the motion,

Mr. Uniacke,
Mr. Johnston,

So it passed in the affirmative.

The fifth Resolution was then read a second time, and Mr. Stewart moved that the said Resolution

1st Resolution a-
greed to

2d Resolution a-
greed to

3d Resolution a-
greed to

4th Resolution a-
greed to

5th Resolution a-
greed to

Resolution be agreed to : which, being seconded, and the question being put, there appeared for the motion, seven ; against the motion, two.

For the motion,
Mr. McNab, Mr. Campbell,
Mr. Allison, Mr. Ratchford,
Mr. Lawson, Mr. Almon,
Mr. Stewart,

Against the motion,
Mr. Uniacke,
Mr. Johnston,

So it passed in the affirmative.

The sixth Resolution was then read a second time, and Mr. Stewart moved that the said Resolution be agreed to, which being seconded, and the question being put, there appeared, for the motion, seven ; against the motion, two. 6th Resolution agreed to

For the motion,
Mr. McNab, Mr. Campbell,
Mr. Allison, Mr. Ratchford,
Mr. Lawson, Mr. Almon,
Mr. Stewart,

Against the motion,
Mr. Uniacke,
Mr. Johnston,

So it passed in the affirmative.

The seventh Resolution was then read a second time, and Mr. Stewart moved that the said Resolution be agreed to ; which, being seconded, and the question being put, there appeared, for the motion, seven ; against the motion, two. 7th Resolution agreed to

For the motion,
Mr. McNab, Mr. Campbell,
Mr. Johnston, Mr. Ratchford,
Mr. Lawson, Mr. Almon,
Mr. Stewart,

Against the motion,
Mr. Allison,
Mr. Uniacke,

So it passed in the affirmative.

Dissentient to the third, fourth, fifth and sixth Resolutions, and the preambles introductory thereof, brought up on the 30th day of March. Protest to 3d, 4th, 5th & 6th Resolutions

Because the third, fourth, and fifth Resolutions, are uncalled for, as the Right Honorable the Earl of Durham, while in possession of Her Majesty's authority, as Lord High Commissioner and Captain General and Governor in Chief, over the British North American Colonies, gave assurance to the Gentlemen from Nova-Scotia, who waited on him in Quebec, that no measure for abolishing or altering the Constitution of the Legislative Council of this Province would be proposed by His Lordship, and therefore, there does not appear to exist any adequate occasion to apprehend the influence of His Lordship's name or authority in favor of any such changes in the Provincial Constitution, as deprecated in the three Resolutions above mentioned.

Because the House, by the sixth Resolution, pass upon a question of great importance, the Confederation of the British North American Provinces. But, before this House can adequately consider this question, it should be in full possession of all the details of the measure, so that it may be able to judge whether the terms of Confederation would effect and maintain a firm, harmonious and effective union, among the several Provinces, and strengthen and perpetuate their connexion with the Parent State, without involving any principle, or entailing expenses, by which the pecuniary means now enjoyed by each Province, for its particular Provincial improvements, would be probably diminished ; that no such information was before the House, and the question has been necessarily decided upon general and undefined views of the subject, or upon the assumption of measures of detail founded alone in conjecture.

Because the House, by this premature discussion, has embarrassed its future deliberations, should it hereafter be officially required to consider a matured scheme for effecting this momentous and deeply interesting measure.

J. W. JOHNSTON.

Mr. Johnston moved that the said Resolutions be re-committed to a Committee of the whole House, for the purpose of amending the same, by leaving out the second, third, fourth, fifth and sixth Resolutions, and the preambles thereto, and inserting instead thereof, the following Preamble and Resolutions. Motion to re-commit
And

And whereas, Her Majesty has directed the attention of the Imperial Parliament to the state of the Canadas, and the Right Honorable the Earl of Durham, late Her Majesty's Lord High Commissioner to the British North American Colonies, during last Summer, adopted measures towards the preparation of a plan for their future government.

Resolved, That this House entertains the fullest assurance, that Her Majesty's Government, in delegating to the Right Honorable the Earl of Durham, the extensive powers lately conferred on that Nobleman, as Lord High Commissioner and Captain-General and Governor in Chief of Her Majesty's North American Colonies, was actuated by an earnest desire to promote their welfare and good government, and that His Lordship, in the exercise of these powers, was animated by a similar disposition.

Resolved, That it is by the exercise of the legitimate functions of the two Houses of the Provincial Assembly, that the opinions and interests of the whole community, can, with most certainty and safety, be ascertained and expressed; and therefore, this House earnestly trusts that no measures for effecting a change in the Constitution or existing Institutions of this Colony will be entertained by Her Majesty's Government, until such measures, in all their details, shall have been submitted for their consideration, and received the approbation of both Houses of the Legislature of this Province, and this House is strengthened in this confidence, by its sense of Her Majesty's gracious disposition towards Her North American Possessions, and the enlarged and liberal principles by which Her Majesty's Ministers have shewn themselves to be governed in respect to them, as well as by the assurance given by the late Lord High Commissioner, while in the possession and exercise of the authorities conferred upon him by Her Majesty, that no change in the Provincial Constitution should be attempted, which had not been first considered and approved of by the Provincial Legislature.

Resolved, That in the opinion of this House, it is essential to the welfare of this Province, that its Constitution should comprize two Legislative Bodies, the one chosen by the Crown, the other by the People, and that any change, tending to substitute a single Legislative body, or impair the independence, or diminish the functions of the second branch of the Legislature, as now established in this Colony, would endanger the connexion of the Province with the Parent State, and be attended with consequences injurious to the peace and good government of the Country.

Resolved, That this House believes the appointment and attendance of Members representing the several interests of the community, of whom a just proportion reside in the interior, agreeably to the views expressed by the Right Honorable Lord Glenelg, Her Majesty's Principal Secretary of State for the Colonies, in a Despatch, dated 31st day of October, 1837, to be conducive to the efficiency of the Legislative Council of this Province, and that while so constructed, its independence and usefulness will be advanced by the appointment of its Members being permanent: which, being seconded, and the question being put, passed in the negative.

Ordered, That a Committee be appointed to prepare a humble Address to Her most gracious Majesty, embodying the foregoing Resolutions; and also, the Resolutions passed on the 18th and 20th instant; and also, an Address to His Excellency the Lieutenant-Governor, requesting him to forward the same to the Right Honorable the Secretary of State for the Colonies, to be laid at the foot of the Throne.

Ordered, That Mr. Stewart, Mr. Johnston and Mr. Campbell, be a Committee to prepare the said Addresses.

His Excellency Lieutenant-General Sir Colin Campbell, K. C. B. Lieutenant-Governor and Commander in Chief, in and over the Province and its Dependencies, came to the Council Chamber, attended as usual—and, being seated, the Gentleman Usher of the Black Rod received His Excellency's commands, to let the House of Assembly know "it is His Excellency's will and pleasure, they attend him immediately in this House"—who, being come, with their Speaker, His Excellency was pleased to give his assent to ninety-nine Bills, entitled as follow:—

An Act for regulating Elections of Members to serve in General Assembly.

An Act for regulating the Trials of Controverted Elections or Returns of Members to serve in General Assembly.

Negatived

Com. to prepare
Address to H. M.
& H. E.

Committee

H. E. comes to
Council Chamber

H. A. attend

H. E. assents to 99
Bills, viz:

Elections

Controverted Elec-
tions

An.

An Act to continue the several Acts now in force in addition to, and amendment of, the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.	Wills, &c.
An Act to continue the Act to preserve the Harbour of Cape Forchu, in Yarmouth.	Cape Forchu Harbour
An Act to continue the Act in addition to, and in amendment of, the Act to prevent Nuisances by Hedges, Wears and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.	Nuisances in Rivers
An Act to continue the Act concerning the Terms of the Supreme Court at Halifax.	Sup. Court Halifax
An Act to continue the Act concerning the Inferior Courts of Common Pleas within this Province.	C. Pleas Courts
An Act to continue the Act respecting the Trial of Issues in the Supreme Court, and for regulating the times of holding the Circuits of the said Court, and the Acts in amendment thereof.	Circuits of Sup. Court
An Act to continue the Act to prevent Disorderly Riding, and to regulate the Driving of Carriages on the Streets of Halifax or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned.	Disorderly Riding
An Act to continue the Act, entitled, An Act to provide for the Accommodation and Billetting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.	Billetting of Troops &c.
An Act to continue the Act to prevent injuries to the Fisheries within the County of Lunenburg, by Mill Dams, or any other obstruction.	Lunenburg Fisheries
An Act to continue the Act for the better regulation of Sable Island, in this Province.	Sable Island
An Act to continue the Act in amendment of the Acts relating to Commissioners of Sewers.	Commrs. of Sewers
An Act to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof.	Introduction of Contagious Diseases
An Act to continue the Act to lessen the expense of the Proof of Written Documents in Actions depending in any of the Courts within this Province.	Proof of Written Documents
An Act to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine, and the Act in amendment thereof.	Quarantine
An Act to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof.	Monies on Roads and Bridges
An Act to continue the Act to provide for the Regulation and Management of the Grammar School or Academy at Annapolis.	Grammar School Annapolis
An Act to continue the Act to encourage the killing of Bears, Loup Cerviers and Wild Cats.	Killing of Bears, &c.
An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.	Roads and Bridges
An Act to continue the Act for appointing Supervisors to take charge of Public Grounds, and for other purposes, and the Act in amendment thereof.	Supervisors of Public Grounds
An Act to continue the Act to preserve and regulate the Navigation of the Harbour of Pugwash.	Pugwash Harbour
An Act to continue the Act concerning Malicious Injuries to Property.	Malicious injuries
An Act to continue the Act to prevent damage to the Nets of Fishermen by Coasting Vessels.	Nets of Fishermen
An Act to continue the Act for regulating the Fishery in the River Shubenacadie.	Shubenacadie Fishery
An Act to continue the Act relating to Passengers from Great-Britain and Ireland, and the Act in amendment thereof.	Passengers, G. B. & I.
An Act to continue the Act for the more easy Redemption and Foreclosure of Mortgages.	Foreclosure of Mortgages
An Act to continue the Act to enable the Proprietors of Lands in the rear blocks or divisions of Land in the Township of Guysborough to open Roads through the same.	Rear Blocks Guysborough
An Act to continue the Act in amendment of the Act for the settlement of the Poor in the several Townships within this Province.	Settlement of Poor

An

Importation of Cattle	An Act to continue the Act to encourage the importation of improved Breeds of Cattle into this Province.
Nuisances	An Act to continue the Act additional concerning Nuisances.
Landings in King's County	An Act to continue the Act to regulate certain Landings in the County of King's County.
Smoked Herrings	An Act to continue the Act for regulating the Exportation of Red or Smoked Herrings.
Public School Halifax	An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.
Attachments	An Act to continue the Act to restrain the issuing Writs of Attachment, in certain cases.
Sea Manure in Queen's County	An Act to continue the Act to authorise the Sessions of the Peace for the County of Queen's County to make regulations for the gathering of Sea Manure in the said County.
Poors' Rates of Pictou	An Act to continue the Act respecting the collection of Poor's Rates of Pictou.
Cape Breton	An Act to continue the Act in amendment of an Act, made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton.
Marriage Licenses	An Act to continue the Act relating to Marriage Licenses.
Rogers' Hill Kirk	An Act to enable the Congregation at Rogers' Hill, in connexion with the Kirk of Scotland, to make Sale of their Church or Meeting-House.
Town House Cornwallis	An Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township.
Criminal Justice	An Act for improving the Administration of Criminal Justice.
Pilotage Sydney	An Act to amend the Acts to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton.
Tare on Sugar	An Act to establish the rate of Tare upon Sugars.
Baptist Ed. Society	An Act for Incorporating the Nova-Scotia Baptist Education Society.
Lock-up House River John	An Act to provide a Lock-up House at River John, in the County of Pictou.
Barney's River Meeting House	An Act to enable the Congregation at Barney's River, in connexion with the Church of Scotland, to sell their Church or Meeting House.
Burial Ground Windsor	An Act to enable the Inhabitants of Windsor to enclose the Public Burial Ground there.
Highways Falmouth	An Act to repeal the Act to extend to Falmouth, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places, and the Act making the same perpetual.
Poors' Rates Pictou	An Act to enable the Freeholders of the Township of Pictou to assess themselves for certain arrears of Poor Rates.
Petite Plaister Co.	An Act to change the name of the Petite Plaister and Mills Company.
Sale of Coals	An Act to authorise the sale of Coals by weight.
Weighing of Beef	An Act to continue and amend the Act to regulate the Weighing of Beef.
Highways Lunenburg	An Act to alter the limits of the jurisdiction of the Commissioners of Highways in Lunenburg.
Salted Beef	An Act in amendment of the Act to regulate the packing and inspecting of Salted Beef and Pork for exportation.
Moose Rivers Mills Co.	An Act to Incorporate the Moose River Mills Company.
Lock-up House Tatamagouche	An Act to authorize the Grand Jury and the Court of Sessions in the County of Colchester to present and assess Monies for the erection of a Lock-up House in Tatamagouche, in said County.
Trustees Pub. Property Pictou	An Act for appointing Trustees for Public Property in the Town of Pictou.
Poors' Rates	An Act in further addition to the several Acts now in force respecting Poors' Rates.
Copy Rights	An Act for securing Copy Rights.
St. Mary's Township	An Act for setting off part of the Township of Saint Mary's into a separate Township.
Money for Militia	An Act to apply a certain sum of Money for the service of the Militia.
Militia	An Act for the better protection of this Province by providing an efficient Militia Force.
Cemeteries Halifax	An Act additional to, and in further amendment of, the Act concerning Cemeteries or Burial Grounds in the Town of Halifax.
Colonial Duties	An Act to continue and amend the Act, entitled, An Act for granting Colonial Duties of Impost for the support of His Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.

An Act to continue the Act concerning Goods exported, and for granting Drawbacks.	Drawbacks
An Act to continue the Act for the General Regulation of the Colonial Duties.	Reg. of Col. Duties
An Act to continue and amend the Act for the Warehousing of Goods.	Warehousing
An Act to continue and amend the Act for regulating the Importation of Goods.	Importation of Goods
An Act to continue the several Acts for the prevention of Smuggling.	Smuggling
An Act to provide for the selection and appointment of Trustees of Lands granted, reserved, or otherwise allotted as School Lands, or for Schools in this Province.	Trustees School Lands
An Act to continue the several Acts now in force for the Inspection of Flour and Meal.	Flour & Meal
An Act to continue the Act relative to the assessment of Dyke Rates, for the new or Wickwire Dyke, in Horton.	Wickwire Dyke
An Act to continue and amend the Act in further addition to, and in amendment of, the Act for the choice of Town Officers and regulating of Townships, and the Act to alter and amend the same.	Town Officers
An Act for the regulation of the Fisheries at Chedabucto Bay.	Fisheries Chedabucto Bay
An Act for the relief of Insolvent Debtors imprisoned under Mesne Process.	Insolvent Debtors
An Act to provide for an additional Term of the Supreme Court, in the County of Digby, and to alter the time of the holding of the Supreme Court at Yarmouth.	Sup. Court Digby & Yarmouth
An Act to continue the Act to repeal the Act to amend the Acts respecting Firewards and Fires in Halifax, and to substitute other provisions in lieu thereof.	Firewards Halifax
An Act to continue the Act for the Summary Trial of Actions in the Island of Cape-Breton.	Summary Trials C. Breton
An Act to continue the several Acts concerning the Bridewell and Police in Halifax.	Bridewell Halifax
An Act to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof.	Summary Trials
An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof, and additional thereto.	Pilotage Halifax
An Act to continue the Act relating to the Court of Commissioners at Halifax.	Commrs. Court Halifax
An Act to continue the Act to regulate the Fees of the Constable of the Court of Commissioners at Halifax.	Constables fees Commrs. Court
An Act to continue the Act to provide against the occurrence of diseases from the bite of Animals.	Diseases from bite of Animals
An Act to continue the Act in addition to the Act for regulating the rates and prices of Carriages.	Rates of Carriage
An Act to continue the Act to regulate the Survey of Timber and Lumber, and to repeal certain Acts now in force.	Survey of Timber
An Act to continue the Acts for the support and regulation of Light-Houses.	Light-Houses
An Act to continue the Act to provide for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at Night.	Watch
An Act for settling titles in a certain tract of Land in Cape-Breton, called the Mirè Grant.	Mirè Grant C. B.
An Act to amend the Act relating to Passengers from Great-Britain and Ireland, arriving in this Province.	Passengers
An Act in further amendment of, and additional to, the Acts relating to Trespasses.	Trespasses
An Act to Incorporate the Wilmot Pier Company.	Wilmot Pier Co.
An Act to continue the Act to suspend the operation of the Acts to prevent Forestalling, Regrating, and Monopolizing, of Cord Wood in the Town of Halifax.	Forestalling Cord Wood
An Act to make the Stealing of Dogs, Beasts or Birds, Larceny.	Stealing Dogs
An Act to continue and alter the Act for granting Duties on Licenses for the Sale of Spirituous Liquors.	Licenses
An Act to continue and alter the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, and for Sales by Auction, in Halifax.	Licenses Halifax
An Act for establishing a Harbor Master at Bridgeport, in the Island of Cape-Breton.	Harbor Master Bridgeport C. B.
An Act respecting Inspectors of Pickled Fish and Guagers of Fish Oil.	Pickled Fish
The House of Assembly then withdrew, and His Excellency was pleased to retire soon after.	H. A. withdraw H. E. retires

SATURDAY, 30th MARCH, 1839.

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

2001. Mount Den-
son Road

Resolved, That His Excellency the Lieutenant-Governor be authorized to expend the sum of Two Hundred Pounds in improving the new Road from Windsor to Wolfville, *via* Mount Denson, and that this House will make provision for the same at its next Session.

To which Resolution they desired the concurrence of this House.

The said Resolution was read a first time.

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

Message agreeing
to School Bill as
amended

The Messenger also informed the House, that the House of Assembly agreed to a Bill, entitled, An Act to continue and further to amend the Act for the encouragement of Schools, and the Acts to amend the same, as amended.

Chancery

The Messenger also informed the House, that the House of Assembly agreed to the amendments proposed by this House to a Bill, entitled, An Act for amending the practice of the Court of Chancery.

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

Police fee Bill

A Bill, entitled, An Act to define and ascertain the Fees to be taken at the Police Office, in Halifax.

To which Bill they desired the concurrence of this House.

Read 1st time

The said Bill was read a first time.

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

Com. on Bills

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

Report
St. Mary's Road &

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to provide for opening the new Road between Halifax and Saint Mary's; also,

County Rates Bill
without amds.

A Bill, entitled, An Act to continue and further amend the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Act in amendment thereof.

And had agreed to the said Bills without any amendment.

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

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bill.

Treasury Notes
Bill

A Bill, entitled, An Act in addition to, and in amendment of, the Acts concerning Treasury Notes.

To which Bill they desired the concurrence of this House.

Read 1st time

The said Bill was read a first time.

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

Com. to wait on H.
E. rel. to votes for
Bridewell & Costs
of Longmire's
Trial

Ordered, That a Committee be appointed to wait upon His Excellency the Lieutenant-Governor, to communicate to His Excellency the reasons which have induced this House to disagree to the vote of the House of Assembly, for granting the sum of £200 on account of the sum advanced by His Excellency, for the support of the Bridewell; also, the vote granting the sum of £20 11s. 4d. on account of the costs incurred in the trial of John Longmire.

Ordered, That Mr. Johnston and Mr. Allison, be a Committee for that purpose.

Committee
Adjourn

On motion made and seconded—the House adjourned until Monday, at one o'clock.

Monday,

MONDAY, 1st APRIL, 1839.

Monday, 1st April, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

S
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S

The Honorable Alexander Stewart,
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

Mr. Stewart, the Chairman of the Committee appointed to prepare an Address to Her Majesty, embodying the Resolutions which passed this House on the 18th, 20th and 30th days of March,; and also, an Address to His Excellency the Lieutenant-Governor, requesting him to forward the same to the Right Honorable the Secretary of State for the Colonies, to be laid at the foot of the Throne—reported the drafts of the said Addresses, which he read in his place, and afterwards delivered them to the Clerk, who read the same, as follows:—

Address to H. M.
on Resolutions & to
H. E. reported

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

THE HUMBLE ADDRESS OF THE LEGISLATIVE COUNCIL OF THE PROVINCE OF NOVA-SCOTIA.

May it please Your Majesty;

We, Your Majesty's dutiful and loyal Subjects, the Legislative Council of Nova-Scotia, in Provincial Parliament assembled, tender to Your Majesty the assurance of our continued and devoted attachment to Your Royal Person and Government.

Address to H. M.

We humbly inform Your Majesty, that in the discharge of our duty, we have adopted the Resolutions that accompany this Address, which we humbly submit, in the earnest hope that our sentiments and desire, as therein expressed, may obtain Your Majesty's Royal approbation and favor.

TO HIS EXCELLENCY LIEUTENANT-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL.

May it please Your Excellency;

The Legislative Council has passed an Address to Her Majesty, and also, several Resolutions, upon the state of the Province, which the Legislative Council humbly requests Your Excellency will be pleased to transmit to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Address to H. E.

Relying upon Your Excellency's desire to render this Colony any service in your power, and regarding the present as a momentous crisis in Colonial History, the Legislative Council has not hesitated to invest Your Excellency with the extraordinary and important trust of selecting two of its Members to communicate personally with the Colonial Secretary, upon the various subjects deeply interesting to the North American Colonies, which will come under the consideration of Her Majesty's Government before the Provincial Parliament is again assembled. The desire of the Legislative Council upon this subject, is

expressed in the Resolution annexed to this Address ; and the Legislative Council humbly prays that Your Excellency will be pleased to comply therewith.

The Legislative Council also begs leave to thank Your Excellency for the course pursued in respect to the fees of the Chief-Justice and the Judges of the Supreme Court, as communicated in Your Excellency's Message of the 17th February last.

Addresses adopted
Committee to present Addresses

Ordered, That the said Addresses be received and adopted.

Ordered, That the Committee who prepared the said Addresses, be a Committee to present the same to His Excellency.

Police Fees &

A Bill, entitled, An Act to define and ascertain the fees to be taken at the Police Office, in Halifax ; also,

Treasury Note Bills
Read 2d time &

A Bill, entitled, An Act in addition to, and in amendment of, the Acts concerning Treasury Notes ; were read a second time.

Ord. to Com.

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

St. Mary's Road &

A Bill, entitled, An Act to provide for opening the new Road between Halifax and Saint Mary's ; also,

County Rates Bill

A Bill, entitled, An Act to continue and further amend the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Acts in amendment thereof, were read a third time, and the question was put by the President, on each Bill,

Read 3d time

Agreed to &

Whether this Bill shall pass ?

It was resolved in the affirmative.

Sent to H. A.

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

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

School &

A Bill, entitled, An Act to continue and further to amend the Act for the encouragement of Schools, and the Acts to amend the same ; also,

Chancery Court
Bills

A Bill, formerly entitled, An Act for amending the practice of the Court of Chancery, but now entitled, An Act to regulate Appeals in the Court of Chancery, were read, as amended, and the question was put by the President, on each Bill,

Finally agreed to &

Whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

Sent to H. A.

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

To return the said Bills, and acquaint them therewith.

Mes. agreeing to
amds. to Lot in
water Street Bill

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

To carry down a Bill, entitled, An Act to change and alter the North and East side lines of a certain Lot of Land, situate on the West side of Water Street, in the Town of Halifax, and acquaint them that this House agreed to their amendments to the said Bill.

Money Votes

The following Resolutions for granting Money, viz :—

£50 0 0 For an Academy at St. Andrew's.

100 0 0 " Andrew Henderson's Academy,

8 8 9 " James Whalen.

8 12 6 " William Cunnabell.

30 0 0 " a Revenue Boat at Sydney, C. B.

20 0 0 " a Revenue Boat at Pictou.

60 0 0 " a Revenue Boat at the Gut of Canso.

60 0 0 " a Revenue Boat at Digby.

250 0 0 Advance for Road over Tantarama Marsh,

314 12 0 " " J. Howe & Son, for Printing,

200 0 0 " " alteration of Road by Mount Denson.

75 0 0 " " Acadian School.

20 0 0 Change of appropriation in Halifax.

50 19 6 Return of Duties, to Western Stage Coach Company, and Bonds to be given up.

Also,

MONDAY and TUESDAY, 1st and 2d APRIL, 1839.

Also, the Resolutions granting Bounties on Oat Mills, were read a second time, and the question was put by the President, on each Resolution, Read 2d time

Whether this Resolution be agreed to?

It was resolved in the affirmative. Agreed to &

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

To return the said Resolutions, and acquaint them that this House have agreed to the same, without any amendment. Sent to H. A.

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

To inform the House that the House of Assembly agreed to a Bill, entitled, An Act to change and alter the north and east side lines of a certain Lot of Land, situate on the west side of Water Street, in the Town of Halifax, as amended. Message agreeing to Lot in Water Street Bill as amended

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to provide for the Settlement of Equitable Claims upon Real Estate, in certain cases, and had made several amendments to the said Bill. Report Equitable Claims on Real Estate Bill with amendments

Which amendments being read twice by the Clerk, were agreed to by the House. Amendts. agreed to

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

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bill:—

A Bill, entitled, An Act to provide for building a Bridewell. Bridewell Bill

To which Bill they desired the concurrence of this House.

The said Bill was read a first time. Read 1st time

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

Resolved, That a Conference be desired with the House of Assembly, by Committee, on the General State of the Province, and that the Committee of this House inform the Committee of the House of Assembly, that the Legislative Council have passed a Resolution, under which it is probable, that two Members thereof may be sent to England during the ensuing Summer, for the purpose of submitting the views of this House upon several subjects, deemed by this House of great importance to the welfare of the Province, to Her Majesty's Government; and the Council therefore suggest, for the consideration of the House of Assembly, the propriety of either authorizing His Excellency to advance a sufficient sum from the Treasury, to provide for the expense of such Delegation, or of amending the vote for £1000, so as to make it applicable, as well for the expense of the Delegation from the Council as of that from the House of Assembly. Conference on Gen. State Province rel. to Delegation vote

On motion made and seconded—the House adjourned until To-morrow, at 12 o'clock. Adjourn

Tuesday, 2d April, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

§
§
§
§
§

The Honorable Alexander Stewart,
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

Mr. Stewart, the Chairman of the Committee of this House, appointed to present to His Excellency the Lieutenant-Governor, the Address and Resolution of this House, relative to the Com. to prepare Address on Salted Provisions report the

the repeal of the duties on Salted Provisions and Flour—reported that the Committee had performed that duty, and that His Excellency had been pleased to state, that he would have much pleasure in forwarding the same to Her Majesty's Secretary of State for the Colonies, for the consideration of Her Majesty's Government.

Committee to present Address on Resolutions report

Mr. Stewart, the Chairman of the Committee of this House, appointed to present to His Excellency the Lieutenant-Governor the Addresses of this House to Her Majesty, and the Resolutions of this House passed on the 18th, 20th, and 30th days of March; and also, the Address to His Excellency the Lieutenant-Governor, requesting His Excellency to forward the Address to Her Majesty, and the Resolutions to the Right Honorable the Secretary of State for the Colonies, to be laid at the foot of the Throne, reported that the Committee had performed that duty, and that His Excellency had been pleased to make the following Reply:

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

H. Excellency's reply

I shall have much pleasure in transmitting this Address and Resolutions to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Nothing could afford me greater pleasure and gratification than in any way being of service to this Colony. The course you have adopted with respect to a Delegation to England, under present circumstances, appears proper and judicious, and such as might have been expected from a Body which has ever shown a determination to maintain their own Constitutional Rights, without infringing upon the privileges of others. I cannot but express my best acknowledgments for the confidence which you have been pleased to repose in me, and should the necessity arise, I shall exercise the discretionary power with which you have invested me, by selecting two of your Members to communicate with the Colonial Secretary upon the various subjects embraced in your Address and Resolutions.

Ordered, That the said Reply do lie on the Table.

Com. to communicate reasons of disagreeing to Bridewell & Longmire's trial votes report

Mr. Johnston, the Chairman of the Committee appointed to wait upon His Excellency the Lieutenant-Governor, and communicate the reasons which have induced this House to disagree to the votes of the House of Assembly for granting the sum of £200 on account of the sum advanced by His Excellency for the support of the Bridewell; also, the vote granting the sum of £20 11 4 on account of the costs incurred in the trial of John Longmire, reported that the Committee had performed that duty.

Bridewell Bill Read 2d time & Ord. to Com.

A Bill, entitled, An Act to provide for building a Bridewell, was read a second time.

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

Confr. asked

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

To inform the House that this House desire a Conference with the House of Assembly, by Committee, on the the General State of the Province.

Agreed to

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

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

Committee

Ordered, That Mr. Stewart, Mr. Johnston and Mr. Allison, be a Committee of this House to manage the said Conference.

Report

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

Committee on Bills

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

Report Treasury Note &

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act in addition to, and in amendment of, the Acts concerning Treasury Notes; also,

Bridewell Bills with amtds.

A Bill, entitled, An Act to provide for building a Bridewell, and had made several amendments to the said Bills.

Which

Which amendments being read twice by the Clerk, were agreed to by the House.	Amendt. agreed to
<i>Ordered</i> , That the said Bill be read a third time immediately.	Order for 3d reading
The said Bills were accordingly read a third time, and the question was put by the President, on each Bill,	Bills read 3d time
Whether this Bill, with the amendments, shall pass?	
It was resolved in the affirmative.	Agreed to &
A Message was sent to the House of Assembly by the Clerk,	
To return the said Bills, and acquaint them that this House have agreed to the said Bills with amendments—to which amendments they desire the concurrence of the House of Assembly.	Sent to H. A.
The following Resolutions for granting Money, viz :	Money Votes
£20 To John E. Fairbanks,	
20 Pictou Literary Society.	
20 Colchester Literary Society.	
20 Sydney Mechanics' Institute,	
Were read a second time, and the question was put by the President, on each Resolution,	Read 2d time
Whether this Resolution be agreed to?	
It was resolved in the affirmative.	Agreed to and
A Message was sent to the House of Assembly, by the Clerk,	
To return the said Resolutions, and acquaint them that this House have agreed to the same, without any amendment.	Sent to H. A.
On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.	
After some time, the House was resumed, and Mr. McNab reported that the Committee had made some progress.	Com. on Bills
The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to define and ascertain the Fees to be taken at the Police Office in Halifax, and had directed him to report that it was the opinion of the Committee that the said Bill should be referred to a Select Committee, to examine and report upon.	Recommend Police Fee to be referred to Sel. Com.
<i>Ordered</i> , That the said report be received, and the said Bill be referred to a Select Committee, to examine and report thereupon to-morrow.	Report read & Bill referred
<i>Ordered</i> , That Mr. Allison, Mr. Campbell and Mr. Ratchford, be a Committee for that purpose.	Committee
The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to facilitate the issuing of Writs of Certiorari, in certain cases, and had made several amendments thereto.	Report Certiorari with amendt.
Which amendments being read twice by the Clerk, were agreed to by the House.	Amendts. agreed to
<i>Ordered</i> , That the said Bill be read a third time, at a future time.	
A Message was brought from the House of Assembly, by Mr. Whidden, with the following Resolution :	
<i>Resolved</i> , That His Excellency the Lieutenant-Governor be authorized and requested to advance the sum of Three Hundred and Seventy-one Pounds Sixteen Shillings and Ten Pence, in order to repay the amount of expenses incurred and paid in the support of the Bridewell at Halifax during the past year, in accordance with the communication made to this House by His Excellency, and that this House will provide for the same at the next Session.	£711. 16s. 10d. advance for Bridewell
To which Resolution they desired the concurrence of this House.	
The said Resolution was read a first time, and by order, the said Resolution was read a second time, and the question was put by the President,	Read 1st & 2d times
Whether this Resolution be agreed to?	
It was resolved in the affirmative.	Agreed to &
A Message was sent to the House of Assembly, by the Clerk,	
To return the said Resolution, and acquaint them that this House have agreed to the same without any amendment.	Sent to H. A.
A Message was brought from the House of Assembly, by Mr. Whidden,	

Mes. rel. to Bride-
well Bill

To inform the House, that the House of Assembly could not consider the amendments proposed by this House, to a Bill, entitled, An Act to provide for Building a Bridewell, as they are to change some of the persons named as Commissioners for expending money granted in a Bill of Supply.

Com. on standing
Orders
Report

On motion, the House was adjourned during pleasure, and put into a Committee of the whole House, for the consideration of the Standing Orders, after some time the House was resumed, and Mr. M'Nab reported that the Committee had gone through the said Standing Orders.

The said Orders were read as follows :

Standing Orders

1 That Prayers shall be read every day, by the Chaplain of the Council, at the opening thereof.

2 At the beginning of a General Assembly, after Prayers shall have been said, some Bill (pro forma,) shall be read : which, being done, the President is to report the Speech of His Excellency the Lieutenant-Governor, the Committee of Privileges is to be then appointed ; and at the beginning of every other Session during the same Assembly, after Prayers said, some Bill (pro forma,) is to be read—the Speech reported, and the Committee of Privileges appointed.

3 That immediately after the President shall have taken the Chair, the Doors shall be closed, and the Journals of the preceding day be read.

4 The President is to sit as at present, below the Chair of State, and the other Members of the Legislative Council respectively, on the right and left of his Seat, according to the seniority, in the order they are named in the Royal Commission dated 9th March, 1838.

5 That such as shall hereafter be appointed to Seats, shall be introduced by two Members ; and upon presenting the Royal Mandamus, and taking the necessary Oath or Oaths, or making affirmation, if he be a Quaker, his seat shall be assigned to him next below that of the then junior Member of the Council ; but previously to his sitting down, he is to give and receive salutations from the rest of the Members.

6 Every Member is to sit in his due place when the Council is put into a Committee.

7 When the Council is sitting, every Member that shall enter is to give and receive salutations from the rest, and not to sit down in his place until he has made his obeisance.

8 The President, when he speaks, is always to be uncovered, and is not to adjourn the Council, or to do any thing else, as mouth of the Council, without the consent of the Members first had, excepting the ordinary things about Bills, which are, of course, wherein the Members may likewise overrule, as for preferring one Bill before another, and such like ; and in case of difference among the Members, it is to be put to the question ; and if the President will speak to any thing particularly, he is to go to his own place as a Member.

9. That every Member, previous to his speaking to any question or motion, or other matter before the Council, shall rise from his seat uncovered, and address himself to the Council. All imputations of improper motives, shall be considered as highly disorderly, and shall receive the severe censure of the Council.

10. That it shall be the duty of the President, whenever he shall conceive that a motion which he has received and read, may be contrary to the rules and privileges of the Council, to apprise the Council thereof immediately, before the question on such motion be put, and to cite the rule which is applicable to the case.

11 When a question is decided by vote, the numbers of both the affirmatives and negatives shall be inserted in the Minutes, and also the Members names, if desired by any member.

12. When any Members speak, they address their Speech to the rest of the Members in general, not to the President or Chairman.

13 No Member is to speak more than twice to any Bill at one time of reading it, or to any other proposition, unless it be to explain himself in some material point of his Speech, but no new matter, and that not without leave of the Council first obtained. Every Member speaks, standing uncovered, and names not Members of the Council, commonly by their names, but "the Member that spoke last," or "last but one"—"last but two," or some other mode

mode of distinction. Provided however, that the mover of any question shall be allowed the privilege of a reply. Standing Orders

14 That for avoiding mistakes, or unkindness, or other differences, which may grow to quarrels, tending to the breach of the peace, if any Member shall conceive himself to have received any affront or injury from any other Member of the Council, either in the Council Chamber, or at any Committee, or in any of the Rooms belonging thereto, he shall appeal to the Council for his reparation; which, if he shall not do, but occasion or entertain quarrels, declining the justice of the Council, then the Member that shall be found therein offending, shall undergo the severe censure of the Council.

15. To prevent misunderstandings, and for avoiding offensive Speeches, when matters are debating, either in the Council or at the Committees, all personal, sharp or taxing Speeches be forborne, and whosoever answereth another Man's Speech, shall apply his answer to the matter, without wrong to the person, and as nothing offensive is to be spoken, so nothing is to be ill-taken, if the person that speaks it shall presently make a fair exposition, or clear denial of the words that might bear any ill construction; and if any offence of that kind be given, as the Council will be very sensible thereof, it will sharply censure the offender, and give the party offended a fit reparation, and full satisfaction.

16 That when two or more Members rise at once, the President shall name the Member who is first to speak, and the other or others may appeal to the House, if dissatisfied with the President's decision, with the question "which Member was first up."

17 To have more freedom in Debate, and to facilitate business, a Committee is appointed of the whole Council, but then the President sits not in the Chair as President.

18 That in a Committee of the whole, the rules of the Council, as far as they may be applicable, are to be observed, excepting the rules limiting the times of speaking, and that no motion for the previous question, or for Adjournment merely, can be received, but a Member may at any time move that the Chairman do leave the Chair, and report some progress made, and ask leave to sit again; but if any question of order arise, then, upon request, that the Chairman do leave the Chair, he is forthwith to do so without taking any question, to the end, that the Council resume, and such question be speedily determined.

19 That no Member absent when the question in decision has passed the Council, can be admitted to protest at all.

20 None are to speak at a Conference with the Lower House, but those that be of that Conference.

21. That every Member who shall be present when a question is put preparatory to a division, shall vote for or against the same, unless the Council shall excuse him.

22 That every Member present at the decision of a question, has a right to file his Protest, with reasons for his dissent within the time limited by the Standing Order of the Council, and that from the moment it is filed, it becomes the property of the Council, and can in no case be altered or amended, but with the consent of the Council previously obtained.

23 That when the President is putting a question, no Member shall walk out or across the Council; nor when a Member is speaking shall any Member hold discourse to interrupt him, except to order, or pass between him and the Chair,

24 That a Member called to order, shall immediately sit down.

25 That Papers laid before the Council, or referred to a Committee for their consideration, are of right to be read once by the President, Chairman, or Clerk, at the Table; but when once read to the Council or Committee, they are then like every other Paper that belongs to the Council, to be moved to be read, and if objected, to be decided, by taking the sense of the Council or Committee.

26 That Petitions, Memorials, and other Papers addressed to the Council, shall be presented by a Member in his place, who shall be answerable to the Council that they do not contain improper or impertinent matter.

27 That any Member may, at any time, desire the Council Chamber to be cleared of strangers; and the President shall immediately give directions to execute the order without debate.

28 That if any Member have occasion to speak with another Member in the Council, whilst

Standing Orders

whilst the Council is Sitting, they are to go together below the bar, or else the President is to stop the business in agitation.

29 That such Members of the Council as shall make protestation, as they of right may do, or enter their dissents from any votes of the Council, either with or without their reasons, shall cause their protestation or dissent to be entered in the Clerk's Book, the next Sitting day of the Council, before the rising of the Council, and shall sign the same on such day, before the rising of the Council.

30. It shall be competent to divide the Council upon any Bill or question. Upon such division taking place, as upon all similar occasions, the Council is to proceed to vote, beginning with the Junior Councillor present, the Clerk minuting the vote of each Member, and the President shall declare which side has the majority.

31 That each Member of the Council has a right to require that the question or motion in discussion, be read for his information, at any time of the Debate.

32 That any Member who brings up a Petition shall, in his place, acquaint the Council with the general purport of such Petition, and ask leave for it to be read, which must be seconded, before it is read.

33 That when the Council is met, notice shall be taken of such Members as are absent, unless excused by the Queen, or the Governor in Chief, Lieutenant-Governor, or Officer Administering the Government in this Province, or by the Legislative Council.

34 That for absence, every Member is to make his excuse by a Member of the Council, and if allowed, he is to be excused, if not, he is to be censured, as the fault requires.

35 That any Member who absents himself during one whole Session, without leave, shall be committed to the custody of the Black Rod, and shall not be discharged from such custody, until he hath made satisfaction to the Council, and paid the Fees of such custody, as hereinafter provided.

36 That no Member during the Session shall absent himself without express leave of absence from the Council.

37 That the Council will not grant leave of absence to any Member, without there be eight Members in Town, but on the most urgent and accidental business, specially stated to the Council.

38 That when there shall not be eight Members present, at the hour to which the Council stands adjourned, the President may take the Chair fifteen minutes afterwards, and adjourn to one of the clock in the afternoon of the day following, not being on Sunday, and, in that case, to Monday.

39 That if at any time, there be less than eight Members in the Council, and the Members, (if there be any,) may be in the adjoining Rooms or Lobbies—if no more come into the Council, the President shall, in like manner, adjourn the Council to one o'clock in the afternoon of the day following, except it be to Sunday, and, in that case, to Monday.

40 That whenever the President is obliged to adjourn the Council for want of a quorum, the hour at which such adjournment is made, and the names of the Members then present, shall be inserted in the Journals.

41 The privilege of the Legislative Council is, that no Member of the said Council, during the Sitting thereof, or within the usual times of privilege of Parliament, is to be imprisoned or restrained without sentence or order of the Legislative Council, unless it be for Treason or Felony, or for refusing to give security for the Peace.

42 As it might deeply intrench on the privilege of the Legislative Council, for any Member without the leave thereof, to answer an accusation in the House of Assembly, or otherwise to attend in the said House, or before any Committee thereof, either in person, or by sending his answer in writing, or appear by Counsel, to answer any accusation there, if any Member shall do so without leave, he shall be committed to the custody of the Black Rod, during the pleasure of the Council.

43 That the same Forms and Proceedings shall be required for the attendance of the Officers, Clerks, or Servants of the Legislative Council upon the House of Assembly, a Committee of the whole House, or a Special Committee thereof, for the purpose of giving Testimony, or for other purposes, as are required for the attendance of the Members, with this difference

difference only, that when leave shall have been given by the Legislative Council for such attendance, it shall not be optional for such Officers, Clerks, or Servants to refuse, but the Members of the Legislative Council may refuse, although such leave shall have been given.

44 That the Council will not proceed upon any Bill or Resolution of Appropriation for Money issued, in consequence of an Address of the Assembly to the Queen's Representative, unless upon some extraordinary emergency, unforeseen at the commencement of the Session, and which unforeseen emergency will not allow of time for passing a Resolution in the usual manner, and inserting the same in the Appropriation Bill of the Session, when the Address shall have been voted.

45 That to annex any clause or clauses to a Bill of Aid or Supply, the matter of which is foreign to, and different from, the matter of the said Bill of Aid or Supply, is unparliamentary, and the Legislative Council will not consider any such Bill, but reject it upon the clause or clauses being pointed out to the Council.

46 That the Black Rod do not permit any person to come within the House while it is Sitting, except the Members and Officers attending; but the Members of the Executive Council and Members of the House of Assembly shall be admitted as Auditors of the Debates of the Council, in the space immediately below the Bar, except when strangers are ordered to withdraw, when they shall also retire; the public also shall be admitted as such Auditors, immediately below the said space; and that it is the duty of the Black Rod to take notice of any other persons who may be immediately below the Bar, and cause them to retire, unless they produce the written order of the President of the Council, to be given upon motion only, made for permitting such other person to remain.

47 When a Member of the Council is committed to Prison, or to the Black Rod, he shall not be discharged from custody until he has paid the following Fees, viz:

To the Clerk of the Council, upon his commitment, One Pound; and upon his discharge therefrom, One Pound.

To the Gentleman Usher of the Black Rod, upon his commitment, One Pound, each day, until he be discharged, Ten Shillings; upon his discharge therefrom, One Pound, and the receipt of the Officers for such Fees shall be filed with the Clerk, and until such receipt is filed, and he be so discharged, he shall be incapable of sitting or voting, or taking any part in the proceedings of the Council.

48 The Clerk shall keep the Journals of the Proceedings of the Council, he shall read all Bills, Resolutions, and other Proceedings, and do all other duties which appertain to his Office, as shall from time to time be prescribed by the Council.

49 That the Clerk is to enter no order until the President first demand the assent of the Council, and the Clerk is to read every order first in the Council, before it be entered.

50. That the Law Clerk of the Council, and of the Parliament, shall examine all Bills which come up from the House of Assembly, and which are introduced into the Council, and report any errors, technical or otherwise, which he may discover therein. He shall report what existing Laws are affected, and how affected, by the said Bills, and whether they are conformable to the Standing Orders, he shall be responsible that they, on their final passing into Law, contain no technical or verbal errors, unless he shall previously have pointed them out to the Council; he shall draft any Bills which any Member shall direct him to prepare; he shall be daily in attendance during the Session while the Council is sitting, except Sundays and Holidays. He shall also have charge of the Library, and in order to afford the public facility of access thereto, he shall, during the vacation, attend as directed by the Council; he shall make accurate copies of all such Laws as are enacted for the Queen's Printer; he shall superintend the Printing, and prepare the Marginal Notes, and be responsible for the accuracy thereof, and for the safe deposit of the original Laws, in the custody of the Provincial Secretary, and generally, he shall do such other duties as he shall from time to time be directed to perform.

51 Messages shall be sent to, and received from, the House of Assembly, in the manner heretofore accustomed. Conferences of Committees of both Houses shall be asked and granted, and held in the place and manner heretofore accustomed, and according to the usages of the Imperial Parliament.

52 That every motion, when seconded, ought to be received and read by the President, except in the cases provided for in the rules of the Council.

53 That no motion to rescind any vote or resolution or proceeding shall be received unless the same shall be made upon reading the Journals the day following the passing such vote or other proceeding, nor unless notice of such motion be made and filed with the Clerk, or a memorandum thereof be made by him, the same day that the Vote or Resolution passed.

54 That no Bill, Resolution, or other Proceeding, (except for granting Money, in which case the usage that has heretofore obtained shall prevail until the Council shall make further order thereon,) founded upon any application addressed to the House of Assembly, be sustained by the Council, unless an application to the same effect, with such Documents as may accompany the same, be also presented to the Council in General Assembly.

55 That when a private Bill is brought from the other House, the principle of which is admitted, the Council, by Message, may either request a Communication of the evidence received in proof of the allegations or matter whereon the Bill is founded, or the Committee of the Council to whom it may be referred shall examine the said allegations, and, on reporting the Bill, state whether the same, or matter thereof, be well founded, and whether the parties concerned in the Interest or Property therein have given their consents to the satisfaction of the Committee.

56 That the foregoing be considered as a Standing Instruction to all Committees, who shall meet upon private Bills, and further, that they require all persons whose interest or property they shall consider to be affected thereby, to appear in person before them, to give their assent thereto; and if they cannot personally attend, they may send their consent in writing, which shall be proved to the satisfaction of the Committee, and that when any Committee shall be appointed in a private Bill, notice thereof shall be set up in the Lobby of the Council, seven days before the meeting of the said Committee.

57 That in all Messages from the Assembly to the Council, with a Bill or otherwise, the same cannot be received, unless the object of it be expressed verbally, as hath hitherto been the practice.

58 Bills are seldom opposed at first reading, but are generally committed upon motion at the second reading, at which time the principle is usually debated.

59 That when a Bill, originating in the Council, has once passed through its final stage in the Council, no new Bill for the same object can afterwards be originated in the Council during the same Session.

60 That no Bill of a local nature shall be sustained by the Council, unless such Bill has been previously read at some General Sessions of the Peace for the County to which such Bill may relate, and it be made to appear by the Certificate of the Clerk of the Peace, that the same was read in open Court; provided, if the same shall have been published four successive weeks in the Royal Gazette, or notice thereof shall have been posted up in three or four places in the Town or Settlement previously to the first day of the Session, at which it is intended to bring it in, in this case, such publications shall be deemed of the same effect, as if such Bill had been read at any General Session.

61 That no arguments against the principle of a Bill shall be had or admitted in any Committee of the whole Council upon such Bill.

62 That when any Bill shall be sent by the Council to a Committee, such Committee shall examine, in the first place, whether the Standing Orders of the Council have or have not been complied with, and shall report the same to the Council.

63 That, in a Committee of the whole Council, a Member may, at any time previous to a Bill being passed entirely, that is to say—all the Clauses, Preamble, and Title of the same, move to have any particular Clause or Clauses thereof, that may have been passed, reconsidered.

64 That all amendments shall be reported to the Council, by the Chairman, standing in his place. After report, the Bill shall be subject to debate and amendments in the Council, before the question to engross it shall be put.

65 That when a Bill is read in the Council, the Clerk shall certify the readings and the time on the back.

66 That when a Bill passes the Council, the Clerk shall certify the same with the date thereof, at the foot of the Bill.

67 That a similar mode of proceeding shall be observed with Bills which have originated and passed the House of Assembly, as with Bills originating in the Council.

68 That Bills of a private nature shall be introduced by a Petition, to be presented by a Member, and seconded.

69 That whenever any Petition or Bill presented to the Council shall have been referred to a Committee to examine the matter thereof, and report the same, the Council will not admit any Petitioners to be heard by themselves or Counsel, against such Petition or Bill, until the matter thereof shall have been first reported to the Council.

70 That the Chairman of the Committee for any private Bill do not sit thereupon, without giving reasonable notice thereof, set up in the Lobby.

71 That all persons whose interest or property may be affected by any private Bill shall appear in person, to give their consent; and if they cannot personally appear, they may send their consent in writing, which shall be proved before the Committee, by one or more witnesses, or otherwise to the satisfaction of the Committee.

72 That no Bill shall be read twice in the same day; nor shall a Committee of the whole Council proceed on any Bill on the same day in which the Bill is committed, unless upon special cause to be entered in the Journals, by the unanimous consent of the Members present.

73 That no Bill shall be committed or amended, until it shall have been twice read.

74 That in forming a Committee of the whole Council, the President shall leave the Chair, previously appointing a Chairman, subject to appeal to the Council, who shall have the same authority in the Chair of the Committee as the President in the Chair of the Council, and so in other Committees.

75 That of the Members appointed to compose a Committee, such number thereof as shall be equal to a majority of the whole number chosen, shall be a quorum, competent to proceed to business, in all cases where the number to form such quorum shall not be specially fixed in the motion of appointment.

76 That when any order or orders shall be lost by a Committee of the whole Council, breaking up for want of a quorum, or by the Council adjourning for want of a quorum, the order or orders, so lost, shall be taken up in succession, as the first business to be proceeded on at the next meeting of the Council, unless upon a special motion made, the Council shall order otherwise.

77 That Committees may be appointed, of not less than three Members, with power to send for persons, papers and records, for the purpose of taking into consideration the matters referred to the said Committees respectively.

78 That all Orders of the Day, which, by reason of any adjournment, shall not have been proceeded upon, shall be considered only as postponed to the next day, on which the Council shall sit.

79 That when a question is under Debate, no motion shall be received in the Council unless for the purpose of amending, committing, or postponing it to a certain day, or for the Order of the Day, or to adjourn, or for the previous question. That in all motions which may be deemed special, two days notice thereof shall be given to the Council, and that any motion, with leave of the Council, may be withdrawn any time before amendment or decision.

80 That no motion shall be granted for making any order of the Council a Standing Order, dispensing with a Standing Order, the same day it is made, nor before the Members of the Council, in Town, shall be summoned to consider of the same motion.

81 That a motion to adjourn shall always be in order.

82 That no motion shall be debated or put, unless the same be in writing, and seconded and read by the President. That after a motion is read by the President, it shall be deemed to be in possession of the Council, but may be withdrawn at any time before decision or amendment, with permission of the Council. That when a question is under Debate, no motion shall be made, unless to commit, amend or postpone, to a certain day, or for the previous question, or for adjournment, or to proceed to the Order of the Day.

83 That the previous question, until it is decided, shall preclude all amendment and Debate of the main question, but the previous question may be debated.

84 That all questions, whether in Committee or in the Council, shall be put in the order they are moved.

85 That whenever any matter of privilege arises, it shall immediately be taken into consideration.

86 That in all unprovided cases, resort shall be had to the rules, usages, and forms of Parliament, until the Council shall think fit to make a rule applicable to such unprovided cases.

87 That the Journals of this and each succeeding Session be disposed of as follows:—

DURING THE SESSION.

One copy to His Excellency the Lieutenant-Governor.	§	Twelve copies to the House of Assembly.
One copy to each Member of the Legislative Council.	§	

AT THE END OF THE SESSION.

One copy to the Lieutenant-Governor.	§	Two copies to the Provincial Secretary.
Six copies to the Legislative Council.	§	Four copies to the Clerk of the Legislative Council.
Two copies to the Executive Council.	§	Four copies to the Law Clerk of the Legislative Council.
One copy to each Member of the Legislative Council.	§	Four copies to the House of Assembly.
One copy to each Member of the Executive Council.	§	One copy to each Member of the Assembly.
One copy to the Chief-Justice.	§	Four copies to the House of Lords.
One copy to the Master of the Rolls.	§	Four copies to the House of Commons.
One copy to each of the Judges of the Supreme Court.	§	Two copies to the Principal Secretary of State for the Colonies.
One copy to the Judge of the Admiralty.	§	One copy to the Governor-General of the North American Provinces.
One copy to the Attorney-General.	§	
One copy to the Solicitor-General.	§	
One copy to the Governor,	}	Of Lower Canada, Upper Canada, New-Brunswick, Prince Edward Island, Newfoundland, Jamaica and Bermuda.
One copy to the L. Council,		
One copy to the H. of Assembly.		

That a Catalogue of the Books belonging to the Legislative Council, in which shall be inserted the names and descriptions of those recently bestowed upon this Province by His late Majesty King William the Fourth, now in the Committee Room thereof, be prepared by the Law Clerk on whom the care and responsibility thereof shall be vested. That the same shall be accessible to the Members, Officers of the Legislative Council, and of the Executive Council, the Members of the House of Assembly, the Chief-Justice, the Master of the Rolls, the Judges of the Supreme Court, and to any person who may produce to the Law Clerk a written permission from either of the aforesaid persons. That access may be had to the Books, on the First Tuesday in each Month, between the hours of ten and two o'clock, upon which day the said Law Clerk shall be in attendance, for the purpose of affording facility to persons who may be desirous of consulting the said Books.

Then the said Rules being severally read a second time, the question was put by the President, on each Rule,

Whether this Rule be agreed to?
It was resolved in the affirmative.

On motion, *ordered*, that the reasons why this House declined considering the second Bill relating to the Dalhousie College, sent up by the House of Assembly on the 19th March, be printed in the Appendix to the Journals.

(For Reasons, *vide Appendix, No. 22.*)

A Message was brought from the House of Assembly, by Mr. Whidden, To inform the House that the House of Assembly could not consider the amendments proposed

Order rel. to Dalhousie Bill

Mes. relative to amnds. to Treasury Note Bill

proposed by this House to a Bill, entitled, An Act in addition to, and in amendment of, the Acts concerning Treasury Notes, as they alter the mode of increasing the amount of Public Monies to be in the Treasury, and may increase or diminish such Monies to a different amount, and in a different manner from that contemplated by this House, and said amendments alter the mode of application of Monies in the Treasury.

On motion of Mr. Stewart, *resolved*, that although this House has a right to propose the amendments to the said Bill, which the House of Assembly have declined considering, yet this House will not adhere to the same, but agree to the said Bill as originally sent up, but this assent thereto not to be drawn into precedent.

Res. relative to Amendt. not adhered to

Ordered, That the Clerk do carry down the said Bill to the House of Assembly, and acquaint them that this House do not adhere to their amendments to the said Bill, but agree to the said Bill as originally sent up.

Message to H. A.

The amendments proposed by this House to a Bill, entitled, An Act to provide for building a Bridewell, were read.

Amendts. to Bridewell Bill

On motion, *resolved*, that the said amendments be adhered to.

Adhered to

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

Message to H. A.

To return the said Bill, and acquaint them that this House adhere to the amendments proposed by them to the said Bill.

On motion made and seconded—the House adjourned until To-morrow, at 12 o'clock.

Adjourn.

Wednesday, 3d April, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

§
§
§
§
§

The Honorable Alexander Stewart,
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

Mr. Allison, the Chairman of the Committee to whom a Bill, entitled, An Act to define and ascertain the Fees to be taken at the Police Office was referred, reported that the Committee had had the said Bill under consideration, and recommended that the further consideration of the said Bill should be deferred to this day three months.

Report on Police Fee Bill

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

Bill deferred 3 months

On motion, *resolved*, that a Committee be appointed to enquire, during the recess, into the state of the Police of Halifax, and report early in the next Session.

Motion relative to Com. on Police of Halifax

1st. The amount and sources of the Public Revenues of this Town—whence derived—specifying the same particularly, and distinguishing them under appropriate heads—in what manner and for what purposes they are expended, and specifying the several Municipal expenditures, under separate and appropriate heads.

2nd. The names, number and duties, of the several Officers of the Police Establishment—the amounts of their respective incomes—from what sources derived—specifying as regards each Officer the particular Salaries and Fees, and under what Law payable, and the aggregate amounts thereof respectively payable to each of the said Officers.

3d. As to the efficiency of the Police Establishment, and especially in what particulars the same is defective, and that the said Committee report to the House such reforms therein as may render the same more effective.—And the said Committee is to submit for the consideration of the House such a plan for the future government of the Town and the management

ment of its Municipal affairs as will introduce an improved system of Taxation—secure an economical expenditure of the Public Monies—their judicious application to public purposes, and provide for a more speedy and less cumbrous mode of punishing petty offences than now exists—and the said Committee is generally to report such other suggestions for the good government of the local affairs of this Town as may occur to the Committee—that the Chairman and any two of the Committee be, and they are hereby, constituted a quorum—that they have power to send for persons, papers and records—that the said Committee report by Bill or Bills, and otherwise as they may think fit, and that the Law Clerk do prepare such Bills as may be required by the said Committee.

Committee

Ordered, That Mr. Allison, Mr. Johnston, Mr. Stewart, Mr. Lawson and Mr. Almon, be a Committee for that purpose.

Address rel. to absent members

On motion of Mr. Almon, *resolved*, that the following Address be presented to His Excellency the Lieutenant-Governor :

TO HIS EXCELLENCY LIEUTENANT-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL.

May it please Your Excellency ;

Address

The Legislative Council deem it proper to inform your Excellency of the absence of several of their Members during the whole of this present Session, and beg respectfully to request your Excellency to ascertain, during the recess, if those Gentlemen intend to resume their seats in, and attend with punctuality to the duties of, this House, or if not, to have their vacancies supplied, in conformity to Her Majesty's Gracious Instructions.

Committee to present Address

Ordered, That Mr. Almon, Mr. Campbell, Mr. McNab and Mr. Lawson, be a Committee to present the said Address.

Resolution rel. to Debates in H. A.

On motion, *resolved unanimously*, that it appears from Printed Reports of the Debates of the House of Assembly, during the present Session, that remarks have frequently been made by Members of that House, with reference to the conduct of Members of the Legislative Council, as well as to the character of this House, which have a tendency to diminish the just weight and influence which this House, as a co-ordinate branch of the Legislature, is entitled to possess.

Resolved, That this House observes with deep regret that such Newspaper Reports of the Debates have neither been contradicted in the House of Assembly nor in the Papers, and therefore cannot but conclude that the said Reports contain a correct account of what was said in the Assembly ; and altho' this House has no desire to limit that legitimate freedom of debate which is the constitutional right of both branches of the Legislature, yet it cannot but deprecate such use of that privilege as tending to impede the progress of the public business—to diminish the respectability and usefulness of both Houses—and destroy that harmony of action which is essential to the beneficial discharge of their respective functions, and indispensably necessary for the public welfare.

Certiorari Bill read 3d time

A Bill, entitled, An Act to facilitate the issuing of Writs of Certiorari, in certain cases, was read a third time, and the question was put by the President,

Whether this Bill, with the amendments, shall pass ?

Agreed to

It was resolved in the affirmative.

Sent to H. A.

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

To return the said Bill, and acquaint them that this House have agreed to the said Bill, with amendments—to which amendments they desire the concurrence of the House of Assembly.

A

A Bill, entitled, An Act to provide for the settlement of equitable claims upon Real Estate, in certain cases, was read a third time, and the question was put by the President, Whether this Bill, with the amendments, shall pass?

It was resolved in the affirmative.

Dissentient.—First—Because the ninth article of the Royal Instructions expressly prohibits the Provincial Legislature from passing any Law by which private rights may be affected, without a clause saving and protecting such rights.

Secondly—Because although this Bill is general in its terms, it is admitted that it will not only affect, but that it is intended to affect, the right which Anne Lady Rodney now claims to have in a large Estate in this Province, and this, notwithstanding it was stated and admitted at the Bar that a number of Suits instituted by her to recover possession of the said Estate are now actually pending, and about to be tried by a Court and Jury under the existing Law.

Thirdly—Because this House did, after debate, reject a Proviso saving the said rights of Anne Lady Rodney from the operation of this Bill.

(Signed) ALEX. STEWART,
S. B. ROBIE,
M. B. ALMON.

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

To return the said Bill, and acquaint them that this House have agreed to the said Bill, with amendments—to which amendments they desire the concurrence of the House of Assembly.

Mr. Almon, the Chairman of the Committee appointed to present the Address to His Excellency the Lieutenant-Governor, relative to the absence, during the Session, of several of the Members of this House, reported that the Committee had performed that duty, and that His Excellency had been pleased to state that he would take steps to comply with the request in the said Address.

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

To inform the House that the House of Assembly agreed to all the amendments proposed by this House, to a Bill, entitled, An Act to provide for the Settlement of Equitable Claims upon Real Estate in certain cases, except the amendment limiting the duration of the Act to five years.

On motion *resolved*, that the said amendment be not adhered to.

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

To return the said Bill, and acquaint them that this House do not adhere to the said amendment.

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

To inform the House that the House of Assembly did not agree to the amendments proposed by this House, to a Bill, entitled, An Act to facilitate the Issuing of Writs of Certiorari in certain cases.

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

On motion, *resolved*, that the amendments proposed by this House, to a Bill, entitled, An Act to facilitate the Issuing of Writs of Certiorari in certain cases, be adhered to.

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

To return the said Bill, and acquaint them therewith.

Ordered, That the Conference desired by the House of Assembly on the General State of the Province, be agreed to.

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

To acquaint them therewith.

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

Equitable Claims Bill read 3d time &

Agreed to

Protest

Bill sent to H. A.

Com. to present Address to H. E. rel. to absent Members report

Message rel. to amtds. Equitable Claims Bill

Amendts. not adhered to

Bill sent to H. A.

Message disagreeing to amtds. to Certiorari Bill

Conference on Gen. State of Province asked by H. A. Amendts to Certiorari Bill adhered to Bill sent to H. A.

Conference agreed to

Message to H. A.

Committee

And

WEDNESDAY, 3d APRIL, 1839.

Report

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

Resolved, That a further Conference be desired by Committee with the Council, on the subject of the General State of the Province, and that the Committee of Conference on the part of this House, do state to the Committee of the Council, that this House cannot consider the communications made by the Council in the last Conference, as they suggest the grant of a sum of money, or the amendment of a Resolution of this House granting a sum of money.

Mr. Johnston moved the following Resolutions :

Resolution disagreeing to vote of £1000 for Delegation

Whereas, The House of Assembly having passed a Resolution requesting His Excellency to advance from the Public Treasury the sum of One Thousand Pounds, for defraying the expenses of a Delegation to England, ordered by that House, without having sent that Resolution to this House for its consideration, and there being before this House for its consideration, and actually the subject of a Conference by this House with the Assembly at the time that Resolution passed, another Resolution for voting the same sum of One Thousand Pounds for the same service; *Resolved*, that the House of Assembly in thus attempting to supersede the consideration of a question constitutionally before this House, and on which it had not determined, and in passing, under these circumstances, the said vote of credit, has departed from the accustomed course of proceeding between the two Houses, and violated the rights of this House, and that this House therefore cannot, consistently with its rights, further proceed to the consideration of the said vote of One Thousand Pounds; and therefore,

Resolved, That the said vote be disagreed to; which, being seconded, and the question being put, there appeared, for the motion, eight; against the motion, one.

For the motion,

Mr. McNab, Mr. Almon,
Mr. Campbell, Mr. Lawson,
Mr. Stewart, Mr. Ratchford,
Mr. Johnston, Mr. Allison.

Against the motion,
Mr. Uniacke.

So it passed in the Affirmative.

Address to H. E. rel. to Resolutions

On motion of Mr. Stewart, *resolved*, that a copy of the foregoing Resolutions be presented to His Excellency the Lieutenant-Governor, with the following Address :

TO HIS EXCELLENCY LIEUTENANT-GENERAL,

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL,

May it please Your Excellency—

Address

The Legislative Council have passed Resolutions which the Legislative Council here-with submit for the consideration of Your Excellency.

Com. to present

Ordered, That Mr. Johnston, Mr. Stewart and Mr. Campbell, be a Committee to present the said Resolutions and Address.

£1000 Delegate vote sent to H. A.

A Message was sent to the House of Assembly, by the Clerk, To inform the House, that this House do not agree to the Resolution for granting the sum of £1000 for the expense of the Delegation.

Com. to present Address to H. E. report

Mr. Johnston, the Chairman of the Committee appointed to present the Resolutions relative to the vote of £1000 for the expense of the Delegation, and the Address to His Excellency, reported that the Committee had performed that duty.

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

A Bill, entitled, An Act for applying certain Monies therein mentioned, for the service of the Year of Our Lord One Thousand Eight Hundred and Thirty-nine, and for other purposes therein specified. Appropriation Bill

To which Bill they desired the concurrence of this House.

The said Bill was read a first time.

Read 1st time

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

Ordered, That Mr. Allison and Mr. Lawson be a Committee for that purpose. Committee

Mr. Allison, the Chairman of the Committee on the said Bill, reported that the Committee had examined the said Bill, and found it correct ; whereupon, Com. report

The said Bill was, by order, read a second and a third time, and the question was put by the President, Bill read 2d & 3d times

Whether this Bill shall pass ?

It was resolved in the affirmative.

Agreed to &

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

Sent to H. A.

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

On motion made and seconded—the House adjourned until To-morrow, at 12 o'clock. Adjourn

Thursday, 4th April, 1839.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Joseph Allison,
Norman F. Uniacke,
James W. Johnston,
William Lawson,

§
§
§
§
§

The Honorable Alexander Stewart,
Alexander Campbell,
James Ratchford,
William B. Almon.

PRAYERS.

The Minutes of yesterday were read.

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

To inform the House that the House of Assembly agreed to a Bill, entitled, An Act to provide for the settlement of Equitable Claims upon Real Estate, in certain cases, as now amended. Mes. agreeing to Equitable Claims Bill

The said Bill was then read, and the question was put by the President,

Whether this Bill, as amended, shall pass ? Bill

It was resolved in the affirmative.

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

To return the said Bill, and acquaint them therewith. Finally agreed to & Sent to H. A.

On motion, the following Resolution was agreed to :

Whereas, His Excellency the Lieutenant-Governor, by Message, dated 4th February last, recommended that this House should concur with the House of Assembly in granting a sum of Money for erecting a Bridewell or Penitentiary in this Town, for the use of the Province ; And whereas, the House of Assembly did afterwards send to the Council a Resolution that a Committee should be appointed to select a suitable site for such Building, and that the sum of £1000 per annum be granted for that purpose ; Provided no greater sum than £4000 be drawn from the Treasury, and that the said Committee shall be authorized to anticipate such grant by borrowing any part thereof—which Resolution not having been concurred in by this House, the House of Assembly afterwards, on the 1st instant, passed a Bill granting

Resolution relative to rejection of Bridewell vote & Bill

a like sum for the same purpose, which Bill was amended by this House, but the said amendment not being agreed to by the House of Assembly, the Bill has been lost.

Resolved therefore, that this House deems it proper to declare that this House was, and still is, most anxious to agree to any measure which it can concur in, consistently with its just rights and a due regard to the public interest; but as the Resolution of the House of Assembly proposed that the site for the intended Building should be selected by a Committee to be appointed by that House—that the Money to be borrowed should be borrowed by the said Committee, and the Building be erected under their superintendance, this House is of opinion that a Resolution so framed, conferred upon a Committee of the House of Assembly, which might be altered from time to time by the House of Assembly itself, powers which should only be given to persons appointed by the whole Legislature, and possessing a more permanent character than can belong to a Committee of the House of Assembly thus appointed, and that the manifest tendency of such a measure would be to place in the hands of one branch of the Legislature the management and direction of services which properly belong to the Executive Government, or to persons appointed by the whole Legislature.—This House therefore could not give its assent to a Resolution, so framed, without departing from the proper course, which has prevailed on all similar occasions, of giving each branch of the Legislature a voice in the appointment and approval of Commissioners for such important public objects as the one in question.

Resolved, That the names of two Members of the House of Assembly and two Members of this House being inserted in the Bill afterwards passed by the House of Assembly, and this House considering that it would be desirable and proper that so great a proportion of the Commissioners should not belong to the Legislature, inasmuch as their proceedings would hereafter be submitted to that body for examination, this House therefore approving of the three other Commissioners named by the House of Assembly, amended the Bill, by omitting the names of the two Members of the Legislative Council, substituting those of John E. Fairbanks and James Tremain, Esquires, both of whom this House consider well qualified for the situation, and who would have it in their power to discharge the duty with more advantage to the public than the two Members of the Legislative Council named by the Assembly; this House cannot therefore but express its deep regret that the amendment has been rejected by the House of Assembly, and the measure lost for the present Session.

Resolved, That the copy of the said Resolution, be presented to His Excellency the Lieutenant-Governor, with the following Address:—

TO HIS EXCELLENCY LIEUTENANT-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor, and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

The Legislative Council having had under its consideration, Your Excellency's Message, of the 4th February last, on the subject of the erection of a Bridewell or Penitentiary, in this Town, and having been most anxious to concur in any measure, having for its end so desirable and necessary an object, the Legislative Council have therefore adopted a Resolution, embodying their reasons for not concurring in the Bill and Resolution adopted by the House of Assembly, and can only express their deep regret, that the commencement of so useful a measure has failed for the present.

Ordered, That Mr. Allison, Mr. McNab and Mr. Lawson, be a Committee to present the said Address and Resolution, to His Excellency the Lieutenant-Governor.

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

Resolved,

Address to H. E.
on Bridewell

Com. to present

THURSDAY, 4th APRIL, 1839.

Resolved, That His Excellency the Lieutenant-Governor be requested to advance the sum of One Thousand Pounds from the Provincial Treasury, to pay the expenses of the Delegation, appointed by this House to proceed to England, to represent the views of this House to Her Majesty's Government, and that this House will make provision for the same at the next Session.

£1000 vote of credit for Delegates
This vote came up at 1 past one o'clock p. m.

To which Resolution they desired the concurrence of this House.

The said Resolution was read a first time.

Read 1st time

At two of the clock, p. m. His Excellency the Lieutenant-Governor came to the Council Chamber, attended as usual, and, being seated, the Gentleman Usher of the Black Rod, received His Excellency's commands to let the House of Assembly know "It is His Excellency's will and pleasure, they attend him immediately in this House."

H. E. comes to Council Chamber

Who, being come with their Speaker, His Excellency was pleased to give his assent to seven Bills, entitled as follows:—

H. A. attend
H. E. assents to

An Act to change and alter the north and east side lines of a certain Lot of Land, situate on the west side of Water Street, in the Town of Halifax.

Lot in Water Street

An Act to continue and further to amend the Act for the encouragement of Schools, and the Acts to amend the same.

School

An Act to provide for opening the new Road between Halifax and Saint Mary's.

St. Mary's Road

An Act to continue and further amend the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.

County Rates

An Act in addition to, and in amendment of, the Acts concerning Treasury Notes.

Treasury Notes &

An Act to provide for the settlement of Equitable Claims upon Real Estate, in certain cases.

Equitable Claims on Real Estate &

An Act for applying certain Monies therein mentioned for the service of the year of Our Lord One Thousand Eight Hundred and Thirty-nine, and for other purposes therein specified.

Appropriation Bills

His Excellency was pleased to dissent from the following Bill, entitled, An Act to regulate Appeals in the Court of Chancery.

Dissents to Chancery appeals Bill

After which His Excellency was pleased to close the Session with the following SPEECH :

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

The business of the Session being now finished, I have great pleasure in releasing you from your Legislative duties.

You have shown, by your munificent grant of £100,000, for the service and equipment of the Militia, that you consider the support of Her Majesty's Authority and Government, and the defence and prosperity of Her North American Dominions, as inseparably connected, nor can anything in your power be more conducive to either, than your perseverance in making this the great leading principle of your conduct.

To the Bills now enacted, and especially to that which provides for the better regulation of the Militia, I have with pleasure assented, under a full conviction that your zeal, alike loyal and patriotic, has, in this instance, omitted nothing within the extent of your ability; and it will be my ambition, on any emergency that may arrive, to give the fullest effect to the means of defence which you have provided.

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

The very extensive appropriation for Roads and Bridges cannot fail to be of general benefit to the Province, but demands a more exact attention in the expenditure; and unless my endeavours to obtain a faithful application of these means are seconded by you, in your respective Counties and Towns, I cannot hope for success. I regret, however, to observe, that you have omitted to make an adequate provision for altering and improving the Main Post Communication with New Brunswick and Canada, as recommended to you.

I have to convey to you my best thanks for the liberal Supplies which you have granted

to

THURSDAY, 4th APRIL, 1839.

to Her Majesty, and for the confidence which you continue to repose in me, by placing considerable sums of Money at my disposal, and you may rely upon my continued endeavours to promote regularity and a system of economy in every branch of the Public Service.

The President of the Council, by His Excellency's desire, then said,

GENTLEMEN,

Prorogation

It is the pleasure of His Excellency the Lieutenant-Governor that this General Assembly be prorogued to Thursday, the 11th day of July next, and this General Assembly is accordingly prorogued to Thursday, the 11th day of July next, to be then here held.

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

JOHN C. HALLIBURTON, Clerk Legislative Council.

A P P E N D I C E S
TO THE
JOURNALS OF THE
LEGISLATIVE COUNCIL.

APPENDIX No. 1.

THE Committee appointed to prepare Standing Orders for the Legislative Council, report, that they have obtained copies of the Rules of the Legislative Bodies of the other North American Colonies, which are herewith. There are also Communications from the Clerks thereof, furnishing a variety of information relative to the mode of conducting the public business therein, which were received in reply to Letters addressed to them, and to the Clerks of the Legislative Council and House of Assembly of Jamaica, of which the following is a copy, viz :

SIR,

As the Chairman of a Committee of the Legislative Council of this Province, appointed to prepare Rules for the guidance of its deliberations, may I beg the favor of a copy of the Standing and other Orders of the Legislative Council of Jamaica. I have also the honor to enclose a copy of several questions which have been kindly answered by the Officers of both Houses of the Legislatures of the British North American Colonies, to whom they were addressed. Any information which you may be disposed to favor us with, either as respects your own local usages, or those of the other West India Colonies, will be very acceptable.

The Council and House of Assembly of these Northern Colonies, annually interchange their Journals ; and we shall be gratified, if the Legislative Council of your Colony will do the same. I shall direct a copy of our proceedings at the ensuing Session, to be sent to you, and, apologizing for the trouble I am thus giving you,

I have the honor to be, Sir,

Your most obedient Servant,
A. STEWART.

Out of what Fund does the Governor advance the contingencies to the two Houses, and by what law or other authority ? By contingencies, I mean the pay of the Officers, Stationary, Printing, Fuel, &c.

What is the mode of intercourse between the two Houses ?

How are Messages respectively interchanged between the Council and House ?

What is the usage as to votes for granting Monies ?

Are all money grants inserted in an Appropriation Bill at the end of the Session, and so presented for the Council's assent or dissent, or does the usage which prevails here, viz : of sending separate votes to the Council, and inserting such only as are concurred in by both Houses, obtain in your Province ?

If this latter usage exists, how did it originate, or is it sanctioned by any Colonial or other Law or compact ?

The Committee have also obtained the latest edition of Hatsell's Precedents, but they have not been enabled to procure the Standing Orders of the Lords and Commons. Of the £15 placed at the disposal of the Committee, £ have been expended ; an account whereof accompanies this report.

The following extract from a report of a debate, upon the subject of the expenses of the House of Lords, that occurred in the House of Commons, during the last Session of the Imperial Parliament, may be useful for future reference, which is subjoined, viz :

Extract from the London Times, of the 7th July, 1838.

House of Commons in Committee of Supply.

On the question that a sum of £72,700 be granted, for defraying the Salaries and expenses of the Officers of the two Houses of Parliament.

Mr. Hume rose to demand that there be laid before the House, details, shewing the Salaries of the Officers of the House of Lords, and the expense of that Branch of the Legislature. If what he required were not conceded to him, he should propose to omit £32,700 from the vote.

Mr. Rice, Chancellor of the Exchequer, said, that if the Hon. Member for Kilkenny, desired to make himself acquainted with the details of this vote, he would find them very fully set forth in the several reports of Committees of the House of Lords : but he was sure the House of Commons would not agree to any formal motion, calling for the details of expenses incurred by another estate of Parliament. Surely a certain discretion must be left to the House of Lords, in dealing with these matters.

Mr.

Mr. Hume replied, he should take the sense of the House on the subject. It was quite clear, the Treasury must have been furnished with some account, else they would not have paid the money. Now, if the Executive Government had this account, he saw no reason why it should be refused to the House of Commons, who were really the guardians of the public purse.

Mr. Rice said, as to the proposition of the Hon. Member for Kilkenny, respecting the expenses of the House of Lords, he must object to that altogether. If the Hon. Member thought proper to move for a return of the expenses of the bye-gone year, it should be furnished, but he could not consent to calling on the Lords for any estimate. Their Lordships did not take upon themselves to judge of the expenses of the House of Commons.

Mr. Hume asked, who were the guardians of the public purse? Surely the House of Commons. The vote was agreed to.

The following papers accompany this report, viz :

Copy of an Act to make temporary provision for the Government of Lower Canada, passed 10th February, 1838. Rules and Orders for maintaining order and method in the Despatch of Business in Her Majesty's Special Council, for the affairs of Lower Canada.

Remembrances of a collection of the Standing Orders of the Legislative Council of Lower Canada. Standing rules and regulations of the House of Assembly of Lower Canada.

W. B. Lindsay's Letter enclosing them.

Letter from the Deputy Clerk, Legislative Council, Upper Canada.

Letter from James Fitzallen, Clerk, House of Assembly, Upper Canada.

Rules, Legislative Council, New-Brunswick. Letter of W. F. Peters, Esq. enclosing them

Rules, Legislative Council, Newfoundland.

Christopher Aryre's letter, enclosing them.

Christopher Aryre's replies to questions of Council.

Robert R. Wakeham's letter, enclosing them.

Rules, Legislative Council, P. E. Island.

J. P. Collins's letter, enclosing them.

The Rules prepared for the consideration of the Legislative Council, are as follow, viz .

- 1 That Prayers shall be read every day, by the Chaplain of the Council, at the opening thereof.
- 2 At the beginning of a General Assembly, after Prayers shall have been said, some Bill (pro forma,) shall be read : which, being done, the President is to report the Speech of His Excellency the Lieutenant-Governor, the Committee of Privileges is to be then appointed ; and at the beginning of every other Session during the same Assembly, after Prayers said, some Bill [pro forma,] is to be read—the Speech reported, and the Committee of Privileges appointed.
- 3 That immediately after the President shall have taken the Chair, the Doors shall be closed, the Journals of the preceding day be read.
- 4 The Members of the Council are to sit therein, according to seniority, on the right and left respectively, of the Lord Bishop's Seat, in the order they are named in the Royal Commission dated 9th March, 1838.
- 5 That such as shall hereafter be appointed to Seats, shall be introduced by two Members ; and upon presenting the Royal Mandamus, and taking the necessary Oath or Oaths, or making affirmation, if he be a Quaker, his seat shall be assigned to him next below that of the then junior Member of the Council ; but previously to his sitting down, he is to give and receive salutations from the rest of the Members.
- 6 Every Member is to sit in his due place when the Council is put into a Committee.
- 7 When the Council is sitting, every Member that shall enter, is to give and receive salutations from the rest, and not to sit down in his place, until he has made his obeisance.
- 8 The President, when he speaks, is always to be uncovered, and is not to adjourn the Council, or to do any thing else, as mouth of the Council, without the consent of the Members first had, excepting the ordinary things about Bills, which are, of course, wherein the Members may likewise overrule, as for preferring one Bill before another, and such like ; and in case of difference among the Members, it is to be put to the question ; and if the President will speak to any thing particularly, he is to go to his own place as a Member.
- 9 That every Member, previous to his speaking to any question or motion, or other matter before the Council, shall rise from his seat uncovered, and address himself to the Council ; and no Member shall be allowed to read any Speech. All imputations of improper motives, shall be considered as highly disorderly, and shall receive the severe censure of the Council.
- 10 That it shall be the duty of the President, whenever he shall conceive that a motion which he has received and read, may be contrary to the rules and privileges of the Council, to apprize the Council thereof immediately, before the question or such motion be put, and to cite the rule which is applicable to the case.
- 11 When a question is decided by vote, the Members of both the affirmatives and negatives shall be inserted in the minutes, and also the Members names, if desired by any member.
- 12 When any Members speak, they address their Speech to the rest of the Members in General, not to the President or Chairman.
- 13 No Member is to speak twice to any Bill at one time of reading it, or any other proposition, unless it be to explain himself in some material point of his Speech, but no new matter, and that, not without leave of the Council first obtained. Every Member speaks, standing uncovered, and names not

not Members of the Council, commonly by their names, but "the Member that spoke last, or last but one"—"last but two," or some other mode of distinction, provided however, that the mover of any question, shall be allowed the privilege of a reply.

14 That for avoiding mistakes, unkindnesses, or other differences, which may grow to quarrels, tending to the breach of the peace, if any Member shall conceive himself to have received any affront or injury from any other Member of the Council, either in the Council Chamber, or at any Committee, or in any of the Rooms belonging thereto, he shall appeal to the Council for his reparation; which, if he shall not do, but occasion or entertain quarrels, declining the justice of the Council, then the Member that shall be found therein offending, shall undergo the severe censure of the Council.

15 To prevent misunderstandings, and for avoiding offensive Speeches, when matters are debating, either in the Council or at the Committees, all personal, sharp or taxing Speeches be forborne, and whosoever answereth another Man's Speech, shall apply his answer to the matter, without wrong to the person, and as nothing offensive is to be spoken, so nothing is to be ill-taken; if the person that speaks it shall presently make a fair exposition, or clear denial of the words that might bear any ill construction, and if any offence of that kind be given, as the Council will be very sensible thereof, it will sharply censure the offender, and give the party offended a fit reparation, and full satisfaction.

16 That when two or more Members rise at once, the President shall name the Member who is first to speak, and the other or others may appeal to the House, if dissatisfied with the President's decision, with the question "which Member was first up."

17 To have more freedom in Debate, and to facilitate business, a Committee is appointed of the whole Council, but then the President sits not in the Chair as President.

18 If it be desired by any Member, that the Council be put into a Committee, it ought not to be refused.

19 That in a Committee of the whole, the rules of the Council, as far as they may be applicable, are to be observed, excepting the rules limiting the times of speaking, and that no motion for the previous question, or for Adjournment merely, can be received, but a Member may at any time move that the Chairman do leave the Chair, and report some progress made, and ask leave to sit again; but if any question of order arise, then, upon request, that the Chairman do leave the Chair, he is forthwith to do so without taking any question, to the end, that the Council resume, and such question be speedily determined.

20 That no Member absent when the question in decision has passed the Council, can be admitted to protest at all.

21 None are to speak at a Conference with the Lower House, but those that be of that Conference.

22 That every Member who shall be present when a question is put preparatory to a division, shall vote for or against the same, unless the Council shall excuse him, or unless he be personally interested in the question, in which case he shall not vote.

23 That every Member present at the decision of a question, has a right to file his Protest, with reasons for his dissent within the time limited by the Standing Order of the Council, and that from the moment it is filed, it becomes the property of the Council, and can in no case be altered or amended, but with the consent of the Council previously obtained.

24 That when the President is putting a question, no Member shall walk out or across the Council; nor when a Member is speaking shall any Member hold discourse to interrupt him, except to order, or pass between him and the Chair.

25 That a Member called to order, shall immediately sit down.

26 That Papers laid before the Council, or referred to a Committee for their consideration, are of right to be read once by the President, Chairman, or Clerk, at the Table; but when once read to the Council or Committee, they are then like every other Paper that belongs to the Council, to be moved to be read, and, if objected, to be decided, by taking the sense of the Council or Committee.

27 That Petitions, Memorials, and other Papers addressed to the Council, shall be presented by a Member in his place, who shall be answerable to the Council that they do not contain improper or impertinent matter.

28 That whenever a Petition, tending to incorporate any number of persons to carry on any Commerce or Trade is presented to the Council, such of the Members of the Council who are to become incorporated in consequence of such Petition, to carry on such Commerce or Trade, are personally interested on all questions that may arise upon such Petition, and in any after proceedings that may take place upon it.

29 That any Member may, at any time, desire the Council Chamber to be cleared of strangers; and the President shall immediately give directions to execute the order without debate.

30 That if any Member have occasion to speak with another Member in the Council, whilst the Council is sitting, they are to go together below the bar, or else the President is to stop the business in agitation.

31 That such Members of the Council as shall make protestation, as they of right may do, or enter their dissents from any votes of the Council, either with or without their reasons, shall cause their protestation or dissent, to be entered in the Clerk's Book, the next sitting day of the Council, before the rising of the Council, and shall sign the same on such day, before the rising of the Council.

32 That in voting, the contents shall rise in their places, and the non-contents continue to sit.

That

33 That each Member of the Council has a right to require that the question or motion in discussion, be read for his information, at any time of the Debate.

34 That any Member who brings up a Petition shall, in his place, acquaint the Council with the general purport of such Petition, and ask leave for it to be read, which must be seconded, before it is read.

35 That when the Council is met, notice shall be taken of such Members as are absent, unless excused by the Queen, or the Governor in Chief, Lieutenant-Governor, or Officer Administering the Government in this Province, or by the Legislative Council.

36 That for absence, every Member is to make his excuse by a Member of the Council, and if allowed, he is to be excused, if not, he is to be censured, as the fault requires.

37 That any Member who absents himself during one whole Session, without the leave of the Legislative Council, shall be committed to the custody of the Black Rod, and shall not be discharged from such custody, until he hath made satisfaction to the Council, and paid the Fees of such custody, as hereinafter provided.

38 That no Member during the Session shall absent himself for more than one Sitting at a time, without the express leave of absence from the Council.

39 That the Council will not grant leave of absence to any Member, without there be eight Members in Town, but on the most urgent and accidental business, specially stated to the Council.

40 That when there shall not be eight Members present, at the hour to which the Council stands Adjourned, the President may take the Chair fifteen minutes afterwards, and adjourn to one of the clock in the afternoon of the day following, not being on Sunday, and, in that case, to Monday.

41 That if at any time, there be less than eight Members in the Council, and the Members, (if there be any,) may be in the adjoining Rooms or Lobbies, if no more come into the Council, the President shall, in like manner, adjourn the Council to one o'clock in the afternoon of the day following, except it be on Sunday, and, in that case, on Monday.

42 That whenever the President is obliged to adjourn the Council for want of a quorum, the hour at which such adjournment is made, and the names of the Members then present, shall be inserted in the Journals.

43 The privilege of the Legislative Council is, that no Member of the said Council, during the Sitting thereof, or within the usual times of Privilege of Parliament, is to be imprisoned or restrained without Sentence or Order of the Legislative Council, unless it be for Treason or Felony, or for refusing to give security for the Peace.

44 As it might deeply intrench on the privilege of the Legislative Council, for any Member, without the leave thereof, to answer an accusation in the House of Assembly, or otherwise to attend in the said House, or before any Committee thereof, either in person, or by sending his answer in writing, or appear by Counsel, to answer any accusation there, if any Member shall do so without leave, he shall be committed to the custody of the Black Rod, during the pleasure of the Council.

45 That the same Forms and Proceedings shall be required for the attendance of the Officers, Clerks, or Servants of the Legislative Council upon the House of Assembly, a Committee of the whole House, or a Special Committee thereof, for the purpose of giving Testimony, or for other purposes, as are required for the attendance of the Members, with this difference only, that when leave shall have been given by the Legislative Council for such attendance, it shall not be optional for such Officers, Clerks, or Servants to refuse, but the Members of the Legislative Council may refuse, although such leave shall have been given.

46 That the Council will not proceed upon any Bill or Resolution of Appropriation for Money issued, in consequence of an Address of the Assembly to the Queen's Representative, unless upon some extraordinary emergency, unforeseen at the commencement of the Session, and which unforeseen emergency will not allow of time for passing a Resolution in the usual manner, and inserting the same in the Appropriation Bill of the Session, when the Address shall have been voted.

47 That to annex any clause or clauses to a Bill of aid or supply, the matter of which is foreign to, and different from, the matter of the said Bill of aid or supply, is unparliamentary, and the Legislative Council will not consider any such Bill, but reject it upon the clause or clauses being pointed out to the Council.

48 That the Black Rod do not permit any person to come within the House while it is Sitting, except the Members and Officers attending; but the Members of the Assembly shall be admitted as auditors of the Debates of the Council, in the space immediately below the Bar, except when strangers are ordered to withdraw, when they shall also retire; the Public also shall be admitted as such auditors, immediately below the said space; and that it is the duty of the Black Rod, to take notice of any other persons who may be immediately below the Bar, and cause them to retire, unless they produce the written order of the President of the Council, to be given upon motion only, made for permitting such other persons to remain.

49 When a Member of the Council is committed to Prison, or to the Black Rod, he shall not be discharged from custody, until he has paid the following Fees, viz:

To the Clerk of the Council, upon his commitment One Guinea, and upon his discharge therefrom, One Guinea.

To the Gentleman Usher of the Black Rod, upon his Commitment, One Guinea. Each day, until he be discharged, Half a Guinea. Upon his discharge therefrom, Two Guineas, and the receipt of the Officers for such Fees shall be filed with the Clerk, and until such receipt is filed, and he be so discharged

charged, he shall be incapable of Sitting or Voting, or taking any part in the proceedings of the Council.

50 That the Officers, Clerks, and Servants of the Council, are to be daily in attendance in the Council Chamber or Committee Rooms thereof, during the Session, while the Council is Sitting, and also from Eleven o'clock, A. M. to one, P. M. Sundays and Holidays excepted, until otherwise ordered by the Council.

51 The Clerk shall keep the Journals of the Proceedings of the Council, he shall read all Bills, Resolutions, and other Proceedings, and do all other duties which appertain to his Office, as shall from time to time be prescribed by the Council.

52 That the Clerk is to enter no order until the President first demand the assent of the Council, and the Clerk is to read every order first in the Council, before it be entered.

53 That the Law Clerk of the Council, and of the Parliament, shall examine all Bills which come up from the House of Assembly, and which are introduced into the Council, and report any errors, technical or otherwise, which he may discover therein. He shall report what existing Laws are affected, and how affected, by the said Bills, and whether they are conformable to the Standing Orders; he shall be responsible that they, on their final passing into Law, contain no technical or verbal errors, unless he shall previously have pointed them out to the Council; he shall Draft any Bills which any Member shall direct him to prepare; he shall be daily in attendance during the Session while the Council is Sitting, and also between the hours of Eleven and Two o'clock every day during the Session, except Sundays and Holidays. He shall also have charge of the Library, and in order to afford the public facility of access thereto, he shall, during the vacation, attend as directed by the Council; he shall make accurate copies of all such Laws as are enacted for the Queen's Printer; he shall superintend the Printing, and prepare the Marginal Notes, and be responsible for the accuracy thereof, and for the safe deposit of the Original Laws, in the custody of the Provincial Secretary, and generally, he shall do such other duties as he shall from time to time be directed to perform.

54 Messages shall be sent to, and received from, the House of Assembly, in the manner heretofore accustomed. Conferences of Committees of both Houses shall be asked and granted, and held in the place and manner heretofore accustomed, and according to the usages of the Imperial Parliament.

55 That no motion prefaced by any Preamble, shall be admitted in the Council.

56 That every motion, when seconded, ought to be received and read by the President, except in the cases provided for in the rules of the Council.

57 That no Bill, Resolution, or other Proceeding, founded upon any application addressed to the House of Assembly, be sustained by the Council, unless an application to the same effect, with such Documents as may accompany the same, be also presented to the Council in General Assembly.

58 That when a private Bill is brought from the other House, the principle of which is admitted, the Council, by Message, may either request a Communication of the evidence received in proof of the allegations or matter whereon the Bill is founded, or the Committee of the Council to whom it may be referred shall examine the said allegations, and on reporting the Bill, state whether the same, or matter thereof, be founded, and whether the parties concerned in the Interest or Property therein have given their consents to the satisfaction of the Committee.

59 That the foregoing be considered as a standing instruction at all Committees, who shall meet upon private Bills, and further, that they require all persons whose Interest or Property they shall consider to be affected thereby, to appear in person before them, to give their assent thereto; and if they cannot personally attend, they may send their consent in writing, which shall be proved to the satisfaction of the Committee, and that when any Committee shall be appointed in a private Bill, notice thereof shall be set up in the Lobby of the Council, seven days before the meeting of the said Committee.

60 That in all Messages from the Assembly to the Council, with a Bill or otherwise, the same cannot be received, unless the object of it be expressed verbally, as hath hitherto been the practice.

61 Bills are seldom opposed at first reading, but are generally committed upon motion at the second reading, at which time the principle is usually debated.

62 That when a Bill, originating in the Council, has once passed through its final stage in the Council, no new Bill for the same object can afterwards be originated in the Council during the same Session.

63 That no Bill of a local nature shall be sustained by the Council, unless such Bill has been previously read at some general Sessions of the Peace, for the County to which such Bill may relate, and it be made to appear by the Certificate of the Clerk of the Peace, that the same was read in open Court; provided, if the same shall have been Published four successive weeks in the Royal Gazette, previously to the first day of the Session, at which it is intended to bring in this case, such Publications shall be deemed of the same effect, as if such Bill had been read at any General Session.

64 That no arguments against the principle of a Bill shall be had or admitted in any Committee of the whole Council upon such Bill.

65 That when any Bill shall be sent by the Council to a Committee, such Committee shall examine, in the first place, whether the Standing Orders of the Council have or have not been complied with, and shall report the same to the Council.

66 That, in a Committee of the whole Council, a Member may, at any time previous to a Bill being passed entirely,

entirely, that is to say, all the Clauses, Preamble, and Title of the same, move to have any particular Clause or Clauses thereof, that may have been passed, reconsidered.

67 That all amendments shall be reported to the Council, by the Chairman, standing in his place. After report, the Bill shall be subject to Debate and amendments in the Council, before the question to engross it shall be put.

68 That when a Bill is read in the Council, the Clerk shall certify the readings and the time on the back.

69 That when a Bill passes the Council, the Clerk shall certify the same with the date thereof, at the foot of the Bill.

70 That a similar mode of proceeding shall be observed with Bills which have originated and passed the House of Assembly, as with Bills originating in the Council.

71 That Bills of a private nature shall be introduced by a Petition, to be presented by a Member, and seconded.

72 That whenever any Petition or Bill presented to the Council shall have been referred to a Committee to examine the matter thereof, and report the same, as it shall appear to the Council, the Council will not admit any Petitioners to be heard by themselves or Counsel, against such Petition or Bill, until the matter thereof shall have been first reported to the Council.

73 That the Chairman of the Committee for any private Bill do not sit thereupon, without giving reasonable notice thereof, set up in the Lobby.

74 That all persons whose Interest or Property may be affected by any private Bill shall appear in person, to give their consent; and if they cannot personally appear, they may send their consent in writing, which shall be proved before the Committee, by one or more witnesses.

75 That no Bill shall be read twice in the same day; that no Committee of the whole Council shall proceed on any Bill on the same day in which the Bill is committed, unless upon special cause to be entered in the Journals, by the unanimous consent of the Members present.

76 That no Bill shall be committed or amended, until it shall have been twice read.

77 That in forming a Committee of the whole Council, the President shall leave the Chair, previously appointing a Chairman, subject to appeal to the Council, who shall have the same authority in the Chair of the Committee as the President in the Chair of the Council, and so in other Committees.

78 That of the Members appointed to compose a Committee, such Member thereof as shall be equal to a Majority of the whole number chosen, shall be a quorum, competent to proceed to business, in all cases where the number to form such quorum shall not be specially fixed in the motion of appointment.

79 That when any order or orders shall be lost by a Committee of the whole Council, breaking up for want of a quorum, or by the Council adjourning for want of a quorum, the order or orders so lost, shall be taken up in succession, as the first business to be proceeded on at the next meeting of the Council, unless upon a special motion made the Council shall order otherwise.

80 That Committees may be appointed, of not less than three Members, with power to send for Persons, Papers, and Records, for the purpose of taking into consideration the matters referred to the said Committees respectively.

81 That all Orders of the Day, which, by reason of any adjournment, shall not have been proceeded upon, shall be considered only as postponed to the next day, on which the Council shall sit.

82 That when a question is under Debate, no motion shall be received in the Council unless for the purpose of amending, committing, or postponing it to a certain day, or for the Order of the Day, or to adjourn, or for the previous question. That in all motions which may be deemed special, two days notice thereof shall be given to the Council, and that any motion, with leave of the Council, may be withdrawn any time before Amendment or decision.

83 That no motion shall be granted for making any order of this Council a Standing Order, dispensing with a Standing Order, the same day it is made, nor before the Members of this Council, in Town, shall be summoned to consider of the same motion.

84 That a motion to adjourn shall always be in order.

85 That no motion shall be debated or put, unless the same be in writing, and seconded and read by the President. That after a motion is read by the President, it shall be deemed to be in possession of the Council, but may be withdrawn at any time before decision or amendment, with permission of the Council. That when a question is under Debate, no motion shall be made, unless to commit, amend or postpone, to a certain day, or for the previous question for adjournment, or to proceed to the Order of the Day.

86 That the previous question, until it is decided, shall preclude all amendment and Debate of the main question, and shall be in either of those forms, "shall the main question be now put?" or that the question be not now put? but the previous question may be debated.

87 That all questions, whether in Committee or in the Council, shall be put in the order they are moved.

88 That whenever any matter of privilege arises, it shall immediately be taken into consideration.

89 That in all unprovided cases, resort shall be had to the rules, usages, and forms of Parliament, until the Council shall think fit to make a rule applicable to such unprovided cases.

90 That the Journals of this and each succeeding Session be disposed of as follows. During the Session, two copies to His Excellency the Lieutenant-Governor, one copy to each Member, and twelve copies to the House of Assembly: at the end of the Session, one copy to the Governor; four copies to the House of Lords; four copies to the House of Commons; ten copies to the Legislative Council; one copy to each of the Members of Assembly; one copy to each of the Governors of Lower and Upper Canada, New-Brunswick, and Prince Edward Island; one copy to each Member of the Legislative Council; one copy to each Member of the House of Assembly; four copies to the Provincial Secretary; one to the Chief Justice; one copy to each of the Judges of the Supreme Court; one copy to the Master of the Rolls; one copy to the Attorney-General; one copy to the Solicitor-General; two copies to the Principal Secretary of State for the Colonies, and four copies to the Clerk of the Legislative Council. That a Catalogue of the Books belonging to

the Legislative Council, in which shall be inserted the names and descriptions of those recently bestowed upon this Province by His late Majesty King William the Fourth, now in the Committee Room thereof, be prepared by the Law Clerk in whom the care and responsibility thereof shall be vested. That the same shall be accessible to the Members, Officers of the Legislative Council, and of the Executive Council, the Chief Justice, the Master of the Rolls, the Judges of the Supreme Court, and to any person who may produce to the Law Clerk a written permission from either of the aforesaid persons. That access may be had to the Books, on every Tuesday in each week, between the hours of ten and two o'clock, upon which day, the said Law Clerk shall be in attendance, for the purpose of affording facility to persons who may be desirous of consulting the said Books. All of which is humbly submitted.

ALEX. STEWART, Chairman.

Committee Room of the Council Chamber, 14th January, 1839.

Copy of a Letter sent to Sir George Rose, and a Letter of similar import was sent to John Henry Ley, Esq. Clerk of the House of Commons, London.

HALIFAX, NOVA-SCOTIA,
BRITISH NORTH AMERICA, 10th January, 1839.

SIR—

Her Majesty's Legislative Council of this Province, at its last Session, appointed a Committee to prepare Rules for their consideration, and with this object directed the Committee to procure the Standing Orders of both Houses of Parliament. Not having yet been enabled to obtain them, the Committee has instructed me, as their Chairman, respectfully to solicit copies of such Orders from the Principal Officers of the Lords and Commons.

The Legislative Houses of the North American Colonies annually interchange their Journals and Laws, and the Legislative Council has directed four copies of their Journals and Laws to be sent annually, after the close of each Session, to the House of Lords, and we in future shall be gratified if it shall please their Lordships hereafter to honor the Council with a copy of their Journals and of the Laws of the Session.

The exchange will in all respects be advantageous to this Province; yet as the Colonies are becoming extensive and important appendages of the British Empire, perhaps the Journals of their domestic Legislation may be useful for occasional reference, and for that purpose be permitted to occupy a place in their Lordships' Library.

Entreating you to pardon the very great liberty I am taking in thus addressing you,
I have the honor to be, Sir,

Your obedient, humble servant,

ALEX. STEWART.

Chairman of Committee, H. M. L. C.

The Right Honble. Sir GEO. HENRY ROSE, Clerk of Parliament, &c. &c. &c.

APPENDIX No. 2.

(Copy.)

No. 179.

Downing Street, 27th September, 1838.

SIR,

I have received your Despatch of the 21st April last, No. 21, enclosing Addresses to the Queen from the Legislative Council and House of Assembly of Nova-Scotia, with some explanatory Documents on the subject of the late re-construction of the Councils of the Province, and the terms on which Her Majesty had offered to cede to the control of the Legislature the Revenues at present at their disposal. I have had the honor to lay these Addresses at the Foot of the Throne, and Her Majesty was pleased to receive them very graciously, and to express Her satisfaction at the sentiments of loyalty and attachment to Her Person and Government which they evince.

1.—The first point alluded to in the Address from the Assembly, is the composition of the Legislative and Executive Councils, which is declared to have been conducted on principles inconsistent with the Instructions of Her Majesty's Government, and ill calculated to give confidence to the Inhabitants of the Province—considering how recently these Councils have been instituted, and how little opportunity has yet been afforded of forming an opinion as to their mode of discharging their functions, Her Majesty's Government cannot, at present, advice

advise the Queen to take any further steps in the matter. I am convinced that in the arduous and delicate task of selecting the Gentlemen to be appointed to those Beards, you acted with the single view of promoting the public interests, and carrying out the principles and views of Her Majesty's Government. I can easily suppose that difficulties, not entirely unforeseen, at the date of my Despatch, No. 101, may have prevented you from appointing a full proportion of Members belonging to the various religious Communities, and representing each of the more important interests in the Province. I must indeed regret that your selection has not entirely met the views of the Assembly; yet it is gratifying to me to perceive that the assistance, which that Body has at all times received from you in the prosecution of measures intended for the general good, is distinctly recognised in the present Address. In recommending Gentlemen to fill up future vacancies as they occur, you will, of course, have reference to the principles already explained in my various Communications to you on this subject.

2nd.—The Assembly next proceed to the consideration of the Civil List, and to an explanation of their views in respect to the Bill for granting Salaries to the Lieutenant-Governor and Judges of the Province, which passed their House during the last Session, but was rejected by the Legislative Council: To this subject also, the Address from the Legislative Council and the Resolutions inclosed in it principally refer.

Her Majesty has learnt with regret, the refusal of the Assembly to comply with the proposals regarding the grant of a Civil List. After carefully re-considering the subject, the Queen's Servants cannot advise Her Majesty either to reduce the Salaries assigned in my Despatch of 31st October, 1837, to the Officers placed on the Civil List, or to consent that the Salaries of all those Officers, except the Lieutenant-Governor, the Chief-Justice, and the Assistant Judges, should be subject to annual revision. The Queen therefore withdraws, for the present, Her offer to surrender to the Legislature of Nova-Scotia the Revenues under her control, in that Province. Her Majesty will continue, as heretofore, to apply those Revenues to the payment of the principal Officers of the Local Government, or to such other objects as may be deemed conducive to the benefit of the Province; but Her Majesty directs me, at the same time, to declare that, whenever the Legislature of Nova-Scotia shall pass a Bill granting to Her Majesty the sum of £4,700 Sterling, per annum, during the continuance of Her Majesty's reign, applicable to the Salaries of the principal Officers of the Government, Her Majesty will be ready, in exchange for that sum, to surrender to the control of the Legislature the Revenues at present at Her disposal, subject only to some inconsiderable temporary deductions, necessary in order to retain at their present amount the emoluments of the existing Provincial Secretary, and of the Chief-Justice, during their respective tenures of office. It is very desirable that the Civil List should be granted for the term of Her Majesty's reign; but, as this was not originally proposed to the Assembly, the Queen will not reject the Bill, if the grant is made for not less than ten years. In the meantime, however, it is Her Majesty's command that there be laid, every year, before the Assembly, within fifteen days from the opening of the Session, an account of the Revenue and expenditure of the Fund at the disposal of the Crown, during the preceding year.

Lastly.—The Assembly allude to the expense incurred in the collection of the Revenue of Nova-Scotia, and propose a prospective reduction of the Customs Department; and they express their opinion that the privileges of a Free Port should be granted to every Port in Nova-Scotia, at which Customs Officers are established. I have, by Her Majesty's commands, referred this portion of their Address, together with your Despatch of the 12th of May, No. 33, on the same subject, to the Lords Commissioners of the Treasury. They have intimated to me, that on the receipt of the information for which you were apprised in my Despatch, No. 101, they had called, and of such remarks thereon, as the Board of Customs may find it their duty to submit, their Lordships will not omit to give to the propositions of the House of Assembly that prompt and careful attention, which both their importance, as regards the financial interests of the Province, and the consideration due to the Body from which they emanate, demand.

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

(Signed)

GLENELG.

Lieutenant-General Sir COLIN CAMPBELL, K. C. B. &c. &c. &c.

APPENDIX No. 3.

(Copy)

Duplicate—No. 182.

Downing Street, 16th October, 1838.

SIR—

I have to acknowledge the receipt of your Despatch of the 1st and 4th May, Nos. 29 and 31, inclosing applications from the Commissioners of Crown Lands and Surveyors General of Nova-Scotia and Cape-Breton, praying that in the arrangement of the terms of the Civil List Bill their emoluments may not be left dependant on the annual vote of the Assembly of Nova-Scotia.

These Officers appear in some measure to have misunderstood the terms of my Despatch of the 31st October last.—I there stated that considering the smallness of the Revenue of the Province arising from the Crown Lands in Nova-Scotia, I did not feel justified in including the Salaries of these Officers in a Civil List, intended to be permanent, or for a term of years. This remark was in answer to the proposition in the Schedule No. 3 to your Despatch, that fixed Salaries should be granted to the Commissioners of Crown Lands in Nova-Scotia and Cape-Breton.—By that decision I am compelled to abide, so far as the fixed Salaries of these Officers are concerned, but it was not my intention, nor do I now design to interfere in any way with the per centage on Sales, which, under their warrants of appointment, they are entitled to retain.—That per centage forms a part of the expense of collecting the Crown Revenue, and must, according to the universal rule, be deducted from the gross Revenue before any portion of it is paid over to the Provincial Treasury.

If, however, the Legislature of Nova-Scotia should hereafter desire to commute this per centage for fixed Salaries, Her Majesty's Government would be prepared to consider any Bill which might be passed for that purpose, with a due regard to the equitable claims of individuals, no less than to the interests of the public service.

I have, &c. &c.

(Signed) GLENELG.

Lieut. Gen. Sir COLIN CAMPBELL, K. C. B. &c. &c. &c.

APPENDIX No. 4.

(Copy.)

No. 150.

Downing Street, 2d May, 1838.

SIR—

I have received, and have recommended for the favorable consideration of the Lords Commissioners of the Admiralty, your Despatch of the 22d March, No. 11, enclosing the Addresses presented to you by the Legislative Council and House of Assembly of Nova-Scotia, respecting the necessity of an immediate survey of the Bay of Fundy.—On being informed of their Lordships' decision in this matter, I shall communicate it to you for the information of the Legislature of Nova-Scotia.

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

(Signed)

GLENELG.

M. General Sir COLIN CAMPBELL, K. C. B. &c. &c. &c.

(Copy.)

No. 174.

Downing Street, 29th August, 1838.

SIR—

With reference to my Despatch, No. 150, of the 2d May, in which I informed you that I had referred to the Lords Commissioners of the Admiralty the suggestion of the Legislature, that an immediate survey of the Bay of Fundy should be undertaken; I have now the honor to acquaint you that their Lordships have intimated to me that the survey in progress, under the direction of Captain Bayfield, is intended to embrace the Bay of Fundy, and that, however

however desirous of meeting the wishes of the Legislature of Nova-Scotia, their Lordships cannot, at present, undertake a separate survey of that part of the coast without inconveniently interfering with other arrangements of consequence to the public service.

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

(Signed) GLENELG.

M. General Sir COLIN CAMPBELL, K. C. B. &c. &c. &c.

APPENDIX No. 5.

(Copy.)
No. 161.

Downing Street, 19th June, 1838.

SIR—

I have received, and have laid at the foot of the Throne, the Addresses from the Legislative Council and House of Assembly of Nova-Scotia, which accompanied your Despatch of the 22d April last, No. 23, praying that Her Majesty would be pleased to authorize you to assent to a Bill for establishing the form of Oath thereafter to be taken by Her Majesty's Subjects in that Province.—Her Majesty was pleased to receive these Addresses very graciously, and to direct that they should be referred for the consideration of Her Law Officers.

Those Officers having accordingly considered the subject, have reported to me that, by the 6th, George 3d, Cap. 54, Sec. 2, the form of the Oath of Abjuration was fixed, not only for Great Britain and Ireland, but for the rest of the British Dominions.—The form has since been altered so far as relates to Roman Catholics but not Protestants; and, therefore, however reasonable may be the views of the Provincial Legislature, it is not in the power of Her Majesty, consistently with the Act above referred to, to assent to any proposal (not sanctioned by the Imperial Parliament) for altering the form of the Oath.

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

(Signed) GLENELG.

Major-General Sir COLIN CAMPBELL, K. C. B. &c. &c. &c.

APPENDIX No. 6.

(Copy.)

No. 169.

Downing Street, 2d August, 1838.

SIR,

I have received your Despatch, No. 18, of the 18th April, inclosing Addresses to the Queen from the Legislative Council and House of Assembly of Nova-Scotia, and from the Shubenacadie Canal Company, soliciting further assistance from the Funds of this Country towards the enlargement and completion of that Canal. I have had the honor to lay those Addresses at the Foot of the Throne, and, in obedience to Her Majesty's commands, have referred them, together with various papers submitted to me by Mr. Fairbanks, for the favorable consideration of the Lords Commissioners of the Treasury.

I inclose, for your information, a copy of the answer which has been received from that Board, stating that the information at present before their Lordships is not sufficient to justify an application to Parliament for a grant of Money; but that the Board of Ordnance have been requested to direct an Officer of the Royal Engineers to inspect the work already executed, and to furnish a Report on its present state, and probable future progress. I have to request that you will cause every facility and information to be afforded to the Officer who may be selected for this service.

I have, &c.

(Signed) GLENELG.

Major-General Sir COLIN CAMPBELL, K. C. B. &c. &c. &c.

Copy

Treasury Chambers, 21st July, 1838.

(Copy.)

SIR—

The Lords Commissioners of Her Majesty's Treasury having had under their consideration the Addresses of the Legislative Council and House of Assembly of Nova-Scotia, and of the Inhabitants of Halifax, on the subject of the completion of the Shubenacadie Canal, transmitted with your Letter of the 8th ultimo, as well as the Memorial of the President and Directors of the Canal Company, praying for assistance to effect that object, and the further representations submitted to Lord Glenelg by Mr. Fairbanks, the Master of the Rolls of that Province, transmitted with your communication of the 27th ultimo; and their Lordships having also referred to the proceedings relating to the loan of £20,000 which was advanced to the Company in the years 1830 and 1831, I have received their commands to request that you will state to His Lordship that it does not appear, from the information now before them, that they would be justified in recommending to Parliament a grant of money for the enlargement and completion of this Canal at the public expense, as suggested in some of these Documents; you will, however, acquaint His Lordship that with a view to ascertain the value of the property mortgaged to the public as security for the loan of £20,000, and to decide upon the steps it may be proper to adopt for the protection of the public interests, so far as they are already concerned; and likewise, with a view to the adoption of any ulterior proceedings, their Lordships have requested the Master General and Board of Ordnance to direct some competent Officer of the Royal Engineers, on the North American Station, to inspect the work as far as it has already been executed, and to furnish a Report for the information of Her Majesty's Government, respecting its present state and probable future progress, and you will suggest to His Lordship that the Lieutenant-Governor of Nova-Scotia should be apprized of this intention, and should be desired to cause every requisite facility and information to be afforded to the Officer who may be selected for this service.

I am, &c.

(Signed) A. Y. SPEARMAN.

JAMES STEPHEN, Esquire, &c. &c. &c.

APPENDIX No. 7.

(Copy.)

Downing-Street, 16th October, 1838.

No. 185.

SIR,

I inclose for your information, the copy of a Correspondence which has taken place between this Department and the General Post Office, on the subject of an Act of the Legislature of Nova-Scotia, passed on the 17th of April last, for regulating the internal Postage of the Province. From the Letter of the Secretary to the Post-Master-General, you will perceive that very serious objections are entertained by the Earl of Lichfield, to the confirmation of this Act in question, by Her Majesty in Council. I do not think it necessary on the present occasion, to enter upon any minute examination of those objections, (altho' they would appear entitled to very serious attention,) because there is still another difficulty to which I am disposed to attach conclusive weight.

Among the advantages which Her Majesty's Government hope to derive from the Earl of Durham's Mission to British North America, one of the most considerable is, that of devising some plan, by which provision may be made for the regulation in future, of questions which, like that of Post Office Communications, are the subject of common interest to the Provinces collectively. The confirmation of this Act by the Queen in Council, might present a serious obstacle to any such arrangement, as it would establish a system regarding the Post Office, which could not but be distasteful to the other Provinces, and in the establishment of which Her Majesty might be supposed to have been wanting in a due regard to their interests.

Although it is not without the greatest reluctance, that on this or any other occasion, the Queen declines to accede to the advice of the Legislative Council and House of Assembly of Nova-Scotia, upon any question relating to the internal affairs of that Province; yet, under the circumstances to which I have referred, Her Majesty will, for the present at least, decline

cline to adopt any decision respecting this Act, and as it contains a suspending clause, it, of course, will not, in the mean time, have the effect of law.

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

(Signed)

GLENELG.

Major-General SIR COLIN CAMPBELL, K. C. B.

(Copy.)

General Post Office, 30th July, 1834.

SIR,

I am commanded by my Lord the Post-Master-General, to transmit for the consideration of Mr. Secretary Rice, the draft of a Bill, "for the management and regulation of the Post Office in Upper Canada," which has been preferred under the direction of the late Secretary of the Colonies, and His Grace the late Post-Master-General, for the purpose of being laid before the House of Assembly of that Province, one of similar provisions being at the same time submitted to the Legislative Bodies of the other Provinces in British North America.

This Bill has been drawn in consequence of the Act of the 4th of His present Majesty, Cap. 7, which repeals so much of the Act 5, Geo. 3, Cap. 25, "as authorizes the taking of certain rates of Inland Postage within His Majesty's Dominions in North America," after His Majesty's consent shall be signified to Acts of the Legislatures of the Provinces of North America, authorizing certain rates of Postage to be taken therein, and "for making such regulations for the management of the Post Office within such Colonies and Provinces, by His Majesty's Post-Master-General or his Deputies, as shall be therein directed."—The Bill has been framed after much consideration from Mr. Stanley, and the Duke of Richmond, aided by the Officers here, and the Deputy-Post-Master-General of British North America, who was sent for with the view of consulting him on the matter.

The *Precis* will shew the material clauses of the Bill, which goes, in fact, to remodel and consolidate all the existing Laws and regulations of the Post Office, applicable to the Provinces in question.

There are, however, two material points which will require the special consideration and decision of His Majesty's Government.

The first is in folio 123, of the Bill which authorizes the Governor or Lieutenant-Governor of the Province, on being satisfied by the Post-Master-General or his Deputy, of the necessity thereof, to grant him a warrant for any sum not exceeding an amount to be decided upon, out of the general funds of the Province, to be accounted for in the annual account to be laid before the House of Assembly, to enable the Post-Master-General to provide for the necessary expenses of carrying on the service of this Department.

The object of this very important clause is to guard against any deficiency of Funds, for carrying on the service, which it is apprehended may arise in the first years of the arrangement at least, as all British Postage collected within the Provinces is to be remitted home, and the interior Postage only being applicable to the expenses of the Post Office in all its branches; and it is very essential, that this point should be decided upon by His Majesty's Government, in case there should be any objection to the source from whence funds are to be derived, to meet the necessary expenses of the Department.

The other subject to which I am to request you will be pleased to draw Mr Spring Rice's attention, is that of "Criminal Punishments," folios 150, 152, 153, 154, and 155, in all which cases, the offence is pronounced to be a Felony, and by the Laws in force in this Country, the punishment is death; but upon this serious question, as well as the nature and quantum of punishment of the other offences against the Post Office, the Post-Master-General presumes His Majesty's Government will decide.

In conclusion, I am to suggest, that when this Bill is considered and completed, copies of it be transmitted to the Legislatures of Upper and Lower Canada, New-Brunswick, Nova-Scotia, and Prince Edward Island respectively, for their consideration and approval.

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

(Signed)

F. FREELING.

J. LEFEUR, Esq. &c. &c. Colonial Office.

Copy

Downing-Street, 17th September, 1838.

(Copy.)
SIR,

I am directed by Lord Glenelg, to transmit to you herewith, for the consideration of the Post-Master-General, the copy of an Act passed by the Legislature of the Province of Nova-Scotia, in the month of April last, "for regulating the internal Postage of the Province," and also copy of the Report of the Committee appointed by the House of Assembly, on the subject of the Post Office; and I am to request that you will move his Lordship to favor Lord Glenelg with his opinion of this Act.

I am, at the same time, to request that you will impress on his Lordship the Post-Master-General, the importance of early attention being given to this subject.

I have the honor, &c.

(Signed)

JAMES STEPHEN.

COL. MABERLY, &c. &c. &c.

General Post Office, 2d October, 1838.

SIR,

Having laid before the Post-Master-General, your letter of the 17th ultimo, transmitting the copy of an Act, passed by the Legislature of the Province of Nova-Scotia, in the month of April last, for regulating the internal Postage of the Province, I am directed by his Lordship to state, for Lord Glenelg's information, that the Act in question is quite at variance with the principle upon which the Act of the Imperial Parliament, 4, Guil. 4, Cap. 7, was framed. In that Act it was provided, that as soon as the Legislature of the North American Provinces, should pass Bills for levying such rates, and for making such regulations for the management of the Post Office within these Colonies, by the Post-Master-General or his Deputies, or should be deemed expedient, then, that the net produce of the Inland rates of Postage collected in those Colonies should be distributed in proportion to the gross amount of Postage raised and collected within each Province.

My Lord, the Postmaster-General, directs me to add, that the Bill was passed in this Country, with the view of attaining one uniform code of Laws, for the regulation of the Post Office service throughout the whole of British North America, and by reserving to the Post-Master-General of Great-Britain the power to determine what Posts were necessary or not, to secure the object most essential to the common benefit of all the Provinces, in the maintenance, by an impartial and independant authority, of the main and connecting lines of the communication throughout the whole, which, if expensive, might be objected to by any one Colony exercising a separate control, when its own immediate interests had been provided for.

In order to follow up this Act of the Imperial Parliament, and to secure to the Provinces the proposed advantages, Bills, as Lord Glenelg is aware, were prepared with great care, and sent out to the different Colonies for their acceptance, but having hitherto refused to adopt them, they have thus rendered inoperative the benefit intended to be conferred upon them by the Mother Country; under these circumstances, the Postmaster-General feels it his duty, decidedly to object to any partial cause of Legislation, as it appears to his Lordship, that the policy which dictated the measures adopted in this Country was just: His Lordship consequently is not prepared to recommend a departure from it, the more especially in the present case, as by leaving the whole expenditure of the various Posts throughout Nova-Scotia, the key to British North America, under the control of the General Assembly of that Province; that body will, in point of fact, obtain the entire management and power over the whole Post Communications with the interior, as they then might object not only to defray the expense, but to interdict such Communications, as they might not approve of, or deem necessary. My Lord, the Postmaster-General, directs me to state, that in addition to these objections, there are other difficulties connected with the Revenue of this Department, upon which it would be necessary, if the Bill now passed in Nova-Scotia were to be confirmed by Her Majesty, to consult the Lords of the Treasury, but into which he does not think it necessary to enter, as he is of opinion, that the grounds already stated are amply sufficient to warrant his objections to the Colonial Act in question.

His Lordship, at the same time, directs me to enclose for Lord Glenelg's information, copy of a Communication from this Department to the Colonial Office, transmitting Copies

of the Bills submitted in 1834, to the Provincial Legislatures, to which I have already alluded.

(Signed,
JAMES STEPHEN, Esq. Downing-Street.

W. L. MABERLY.

APPENDIX No. 8.

(Copy.)
No. 187.

Downing Street, 5th November, 1838.

SIR—

I have the honor to acknowledge your Despatch, No. 16, of the 26th March last, transmitting a joint Address to the Queen, from the Legislative Council and House of Assembly of Nova-Scotia, complaining of the habitual violation by American Citizens of the treaty subsisting between Great-Britain and the United States, on the subject of the Fisheries, and praying for additional Naval protection to British interests.

In obedience to Her Majesty's commands, this subject has engaged the serious attention of Her Majesty's Government, and it has been determined for the future, to station, during the Fishing Season, an armed Force on the Coast of Nova-Scotia, to enforce a more strict observance of the provisions of the Treaty by American Citizens; and Her Majesty's Minister at Washington has been instructed to invite the friendly co-operation of the American Government for that purpose.

The necessary directions having been conveyed to the Lords Commissioners of the Admiralty, their Lordships have issued orders to the Naval Commander in Chief on the West Indian and North American Station, to detach, so soon as the Fishing season shall commence, a small Vessel to the Coast of Nova-Scotia, and another to Prince Edward Island, to protect the Fisheries. The Commander of these Vessels will be cautioned to take care that, while supporting the rights of British Subjects, they do not themselves overstep the bounds of the Treaty. You will of course afford them every information and assistance which they may require for the correct execution of this duty. I trust that these measures will prove satisfactory to the Legislature of Nova-Scotia.

I have the honor to be, &c.

(Signed)

GLENELG.

Lieutenant-General Sir COLIN CAMPBELL, &c. &c. &c.

APPENDIX No. 9.

(Copy.)
No. 142.

Downing Street, 20th April, 1838.

SIR—

Among the series of Acts passed by the Legislature of Nova-Scotia during the last Session, there remain seven on which the decision of Her Majesty's Government has not yet been communicated to you.—This delay has chiefly arisen from a desire on my part not to embarrass the Provincial Government by the disallowance of several of those Acts which are deemed to be objectionable; and which, although passed for a short period, Her Majesty in Council cannot be advised to sanction.—I will, however, no longer delay communicating to you my opinion on these Acts, in the hope that, should it be proposed to revive any of them, you may be enabled to suggest such improvements in them as will justify me in advising their confirmation.

The Act 1748, by the operation of the 3d Clause, exempts from Colonial Impost Duties all Foreign Goods purchased with the proceeds of Fish and Fish Oil, the produce of the Colony.—This provision is so objectionable in principle, and so open to imposition, that I shall be under the necessity of advising Her Majesty, in Council, to disallow any Acts which shall be passed containing a similar Clause.

The

The Act, No. 1753, for granting a Bounty on Chocolate, is the third of this kind which has been passed by the Legislature, all of which have been considered objectionable in principle.—Parliament has long since repudiated the principle of bounties, and although the present Act is an improvement on the two former Acts, inasmuch as it does not discriminate in favor of Chocolate prepared from Foreign Cocoa, but grants a bounty indifferently on all Chocolate whether manufactured from Foreign or from British Cocoa—yet nevertheless Her Majesty cannot be advised to sanction any Act which involves the principle of bounties.

The Act, No. 1764, amends a former Act for incorporating a Marine Assurance Company in Halifax.—So far as it extends the liability of the Shareholders to the additional amount of their Stock, it is an improvement on the original Act, No. 1607; but this is too slight an amendment to meet the exigencies of the case, for the Capital thus constituted would be no more than might be raised by a few individuals without corporate privileges, and totally unequal to bear losses on an extensive scale, such as Companies of this description are necessarily exposed to.—In again recommending the Legislature to amend the Acts on this subject, you will call their attention to the Act, No. 1659, passed as a supplement to the Act, No. 1607, and containing a Clause authorizing the Company to take Mortgages on Real Estate—you will inform them that Her Majesty's Government cannot sanction a provision which might involve the Company in speculations foreign to its professed object, and most injurious to the public interests.

The Act, No. 1796, for incorporating the Halifax Whaling Company is open to most of the objections which can be raised to Acts of this description.—The responsibility of the Shareholders is limited—there is no declaration in it as to the Capital or the management of the Company—it contains a power for holding land to a large amount which there is nothing in the object of the Company to warrant.—You will submit these observations to the consideration of the House of Assembly.

The Act, No. 1800, amending an Act (No. 1698) relating to the Merchant Seamen of the Province, contains a Clause, number 5, which interferes with the jurisdiction of the Vice Admiralty Court, in the manner pointed out in the Letter from the Judge of that Court inclosed in your Despatch; you will, therefore, for the reasons therein stated, recommend the repeal of that Clause.

The Act, No. 1810, continues an Act (No. 1575) which is in the same spirit as the Act, No. 1753.—It gives a bounty on the preparation of an article (Tobacco) in the Colony.—The Act, however, being rather of a modified nature, and lasting only for one year, has been allowed to expire; but you will not admit of its being revived in its present shape.

The Act, No. 1821, amends a former Act (No. 1112) for incorporating the Shubenacadie Canal Company.—The only objection which I have to this Act applies to that Clause which repeals the power in the former Act, whereby the Company were not allowed to hold Real Estate of higher value than £50,000.—This restriction I consider to be so desirable, for the purpose of preventing speculation in land, that I must call upon you to recommend the Legislature to repeal that Clause.

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

(Signed) GLENELG.

M. General Sir Colin Campbell, K. C. B. &c. &c. &c.

(Copy.)

Halifax, 24th August, 1837.

May it please Your Excellency,

Mr. Secretary George, by his Letter of the 14th instant, having acquainted me, by your Excellency's desire, "that as the Act passed in the last Session of the General Assembly, relating to Merchant Seamen, (ch. 56,) affects the jurisdiction of the Court of Vice Admiralty, your Excellency in transmitting this Act for Her Majesty's assent, would forward at the same time any observations which I might wish to be taken into consideration in connexion with it,"—I have the honor to submit the following remarks upon that enactment.

Ever since the Resolution of 1632, with respect to the subjects of Admiralty Jurisdiction, Suits for the Recovery of Wages due to Seamen have been considered unquestionably within it. They appear necessarily and advantageously so; both on account of the service being purely Maritime; and because the facilities afforded by its mode of procedure, enable a number of Seamen to join in the same suit; and give them therein the benefit of their threefold

fold remedy, against the Master, the Ship, and the Freight, without the delays incidental to Tribunals, which do not proceed *in rem*, and with superior means of investigating the facts of the case. In any other Court, the lien of the Seaman on the Ship and Freight, for his remuneration, can hardly be made available. To deprive him of this security under any circumstances appears a matter of questionable policy; and to refuse him, because his claim may be small, access for its recovery to a Court known, and by ancient usage, familiar to that class of men, as peculiarly their own, does not seem to have been hitherto intended by Parliament.

In the British Statute of 1835, (5 & 6, Wm. 4, ch. 19,) for consolidating the Laws relating to Merchant Seamen, the 15th Section provides a summary remedy for the recovery of Wages due to Seamen, not exceeding £20, before one Justice of the Peace in any part of His Majesty's dominions.—But, by this Act, the jurisdiction of the Admiralty is not taken away. The provision made (16th Section,) for restraining Suits in the Admiralty is merely that, if the party might have as effectual a remedy for his Wages, by complaint to a Justice of the Peace under the previous clause, the Judge shall certify to that effect, and no costs of Suit shall be awarded to the Plaintiff. This Act being restricted by the proviso, (Sec. 54,) from applying “to any Ship registered in, or belonging to, any British Colony, having a Legislative Assembly, or to her Crew, while within the precincts of the Colony.” The General Assembly here, in 1836, passed an Act (6 W. 4, ch. 48,) containing Enactments similar to those of the Imperial Statute; the Sections 17 & 18 of the former, for the recovery of Wages being in the same words as the 15th & 16th of the latter:—consequently, by the operation of the two Statutes, while the jurisdiction of the Admiralty remained untouched, a penalty in the shape of a forfeiture of all his costs attached to the Seaman who unnecessarily resorted to that Court for his Wages. To me it appears that this penalty was quite sufficient to deter suitors from the Admiralty.—Practically, it would prevent them, unless in peculiar circumstances, because its Rules impose on the Proctor in every Suit the liability of satisfying the fees incurred in its progress; and these would, in most cases, prove a personal loss to the Proctor, his Client being generally a pauper. This risk, therefore, he would not encounter, unless the case were in fact proper for the determination of the Court.—But in the Statute to which these observations refer, the local Legislature, in addition to amending and regulating the mode of proceeding before a Justice of the Peace, for the recovery of Wages, has enacted, in the 5th Clause, “That after the passing of this Act, no Suit for the recovery of the Wages of any Seaman, for his services on board of any Ship belonging to, or registered in, this Province, unless the same exceed £20, shall be brought into the Court of Vice Admiralty, or in any of the Inferior Courts of Common Pleas in this Province.”—By this provision the jurisdiction of the Vice Admiralty is wholly taken away, with regard to suits for wages under £20, earned in Provincial vessels, while that of the Supreme Court, equally objectionable on the ground of expense, far more so on that of delay, is left untouched.—This enactment of a Colonial Legislature respecting a Court such as the Vice Admiralty at Halifax, is, I apprehend, an interference with it to which the Legislature was incompetent.—The Court derives its jurisdiction and authority from the Admiralty of England; administers, as one of his Courts, the Admiral's judicial power in matters not arising within the limits of the Colony, but on the sea, and tho' established at a place within the Province, has no necessary connexion with, or dependence on, it.—The Judges of the Colonial Courts hold their offices by Patents under the Great Seal of Nova-Scotia; the Patent for this Court is under that of the Admiralty, and confers on the Judge, in the ancient form and words, similar powers and jurisdiction to those exercised by the High Court of Admiralty; nor is the Court of recent establishment, on the contrary it appears to have existed anterior to the formal constitution of the Colony, (14th July 1749,) for on referring to its records I have found that on the 5th October of the same year, a suit for Seaman's wages was pending before the Judge, Edward Howe, Esq., and subsequently in 1758, at the first Session of the Colonial Assembly, when the House required from the Registrar of the Vice Admiralty a return of the Fees payable therein, which the Judge refused to make, the Governor informed the Assembly that the Fees were the same as taken in the Old Plantations, and had been exacted *here from the first settlement of the Country*, adding that the General Assembly could not undertake to interfere with them, the constitution of this Court being *unlike every other*.—From that time to the passing of the Act now to be transmitted, I am not aware that the Court has ever

ever been the subject of local restrictive legislation ; and I would submit it as worthy of consideration whether it ought now to be made so.

It further appears to me that the enactment in question stands in direct opposition to that of the Statute of the Imperial Parliament of 1832, (2, Wm. IV, ch. 51,) made for regulating the practice, &c. of the Vice Admiralty Courts abroad, and to obviate doubts as to their jurisdiction, for in the 6th Section of this Act, after reciting "that in certain cases doubts may arise as to the jurisdiction of the Vice Admiralty Courts in His Majesty's Dominions abroad, with respect to Seaman's wages, Pilotage," &c., it is enacted "That in all cases where a Ship or Vessel, or the master thereof, shall come within the local limits of any Vice Admiralty Court, it shall be lawful for any person to commence proceedings in any of the suits hereinbefore mentioned, in any such Vice Admiralty Court, notwithstanding the cause of action may have arisen out of the local limits of such Court," &c. If this authority to sue in the cases enumerated existed not *before*, but was *first* conferred by this Statute, then it would seem subject to limitation only by the same power which gave it:—if it pre-existed in those Courts, can an inferior Legislature diminish or modify what the superior has conferred? On the point of the nullity of Colonial Laws repugnant to Acts of Parliament the 56th Section of the Act 3 and 4, Wm. IV. chap. 59, for regulating the Trade of the British Possessions abroad, appears conclusive. This Section was originally copied from 7 and 8, Wm. III. chap. 22, s. 89, and provides "That all Colonial Laws repugnant to any Act of Parliament, so far as such Act shall relate to and mention such possession, shall be null and void;" and according to the late eminent Judge of this Court, Sir Alexander Croke, in the case of the Bermuda, (*Stewart's Rep.* 457) in giving his decision with regard to shares of prize money attached in the hands of the Prize Agents by process from the Supreme Court, under the Colonial Statute for the recovery of Debts from the effects of absconding Debtors, held: That so far as that Act contravened the Prize Act, it was rendered invalid by such repugnancy; and he enforced payment by the Agents; the attachment and a decision by the Judges of the Supreme Court sustaining it, notwithstanding:—This authority might perhaps justify the Court in disregarding the prohibition recently enacted—but it is submitted that a contest on the point of jurisdiction should not be allowed to occur.—In the preamble to the Act now under consideration, there is an assertion, on which I feel it necessary to remark that it has been introduced, as it appears to me, without sufficient caution:—It is recited "that the remedies provided by the Act which it purports to amend, have been found inconvenient and injurious, and have exposed the Masters and Owners of Ships registered in, and belonging to, the Province, to heavy and unnecessary expenses for proceedings in the Court of Vice Admiralty, though as effectual a remedy might have been had against them by complaint to a Justice of the Peace"—This recital, is in all respects incorrect. The Act gave only, what the Imperial Act provided for all other Ships, a summary remedy for wages before a Justice, which could not possibly lead to expensive proceedings in the Admiralty; and, in point of fact, *no such unnecessary* proceedings were taken before it, with regard to any Vessel registered in, or belonging to, the Province. I have procured, and now beg to submit, with these remarks, a return of all Suits in the Vice Admiralty instituted from my appointment to the present date, exhibiting the nature of the suit, and the full amount of the Fees, Costs and Charges, in each;—Not one item of which Costs has been the subject of objection before me, but have been paid by the parties. In this return, the Action, No. 11, is the *only* suit for wages against a Vessel of Nova-Scotia. There the Defendant's Counsel desired to object that the suit might have been brought before a Justice; but refusing to appear, he could not, consistently with the rules of the Court, be heard; and without appearing, the demand was paid; yet, in this case, the circumstances he stated were far from constituting, had the cause proceeded, a clear right to the certificate.—Such a case, it is submitted, falls far short of the comprehensive terms of the Preamble: These observations, will not, I trust, be viewed as resulting from any reference to the effect which the restrictions, attempted by the Assembly, might be supposed to produce on the fees of the Officers of the Court:—These are wholly below consideration, where the interest of so important a class as Seamen are involved. On the contrary, no measure is more desirable than one which, without diminishing their ancient liens and remedies, would give them a speedy, cheap, and effectual remedy for their wages. But I am not prepared to admit that they possess it under the jurisdiction as to wages recently given

to Justices of the Peace in these Colonies.—Speaking generally of the persons necessarily entrusted with this office in the maritime parts of Nova-Scotia and its vicinity. I must express my fears that there are but few of them to whom such a jurisdiction (far more extensive than the local Laws have ever given in matters of debt) can be safely committed; or whom the legal questions, frequently involved in a small demand for wages, would not seriously embarrass.—Yet, as to these claims, of which the great majority fall far short of £20, their decisions are without appeal—a resort by our own Legislature carefully secured in all other cases of Debt above Twenty Shillings. An extensive acquaintance at the Bar with cases to which Seamen were parties, enables me to affirm that, though often guilty of most annoying and vexatious conduct towards their employers, they are as often made the subjects of treatment against which they ought to be protected; and therefore that, both for their punishment and protection, the power of applying remedies *certain, cheap, speedy* and *effectual*, has become most essential. This power, I am induced to believe, could be beneficially exercised by the Vice Admiralty Courts as now constituted, were their Judges empowered by Parliament so to modify their present form of proceeding, as to reduce the expense, of it, and render it as summary as before a Justice of the Peace, and also authorised to hear the parties and witnesses *viva voce*, and determine their cases to the extent of £20, without the formalities now enjoyed; and limiting the charges to a sum not exceeding 20 per cent. on the debt adjudged, by a rateable reduction on each Officer's fees. A summary course of proceeding for Debts under £20, and with very reduced Court fees, has been long in use in the Supreme Court of this Colony, and furnishes a precedent for what has been suggested; which instead of deterring the Sailor from his accustomed Tribunal, would secure to him as well as his employer, for the decision of suits for wages, the knowledge of the Judge, as well as the known power and process of the Court, free from the objections entertained by many to the increase of judicial powers to Justices of the Peace, in the present circumstances of our population. Submitting the foregoing remarks with great deference,

I have the honor to remain

Your Excellency's most obedient

And very humble Servant,

(Signed)

CHARLES R. FAIRBANKS.

Judge of Court of Vice Admiralty.

Return of the Costs allowed in Causes depending in the Vice Admiralty Court at Halifax, from the 3th October, 1834, to 31st December, 1835.

Name of the Cause	No.	Charges on behalf of	Judge.	Registrar.	Marshall.	Adv. Genl.	Proctors and Advocates.	Total.	Remarks.
Ship Friends	1	Promovents	£0 12 0	£1 17 6	£1 6 0			£3 15 6	For wages—Action subducted on pay, &c.
Ship Moira	2	Promovents	5 3 8	25 10 0	2 7 0		£94 3 4	127 4 0	For wages—voyage to East Indies and back.
		Impugnants	2 4 0	15 15 8	1 5 0				
Ship Moira	3	Promovents	1 18 0	4 8 9	1 17 0		19 12 8	27 16 5	Long hearing—sentence for Promovent—appeal asserted but not prosecuted.
		Impugnants	0 4 0	1 15 5	0 15 0				
Ship Moira	4	Promovents	1 18 0	4 8 9	1 17 0		19 12 8	27 16 5	Do.
		Impugnants	0 4 0	1 15 5	0 15 0				
Ship Moira	5	Promovents	1 12 0	4 8 9	1 17 0		19 12 8	27 10 5	Do.
		Impugnants	0 4 0	1 15 5	0 15 0				
One hhd. of Brandy and H. Mignowitz's pen.	6	Promovents on Brandy	1 8 10	1 17 0	0 10 10		6 0 7	9 17 3	Deduction of 50 per cent. made Sentence after hearing—Appeal asserted—not entered
		Pts. against Mignowitz	2 14 8	4 4 8	0 10 0				
Schooner Caleb	7	Impugnant	1 2 0	3 6 8	0 10 0		17 4 4	4 18 8	Prosecution withdrawn by order of Commissioner of Customs.
		Promovents	1 4 6	5 8 8	3 9 8				
Total am't of Causes	7	Total Costs	£20 9 8	£76 12 8	£17 14 6		£194 2 3	£308 19 1	N. B.—In the four causes against the Moira, the costs were taxed by the Registrar and assented to by parties, and paid.

RETURN OF COSTS, &c. FROM THE 1st DAY OF JANUARY, 1836. TO THE THIRTY-FIRST DAY OF DECEMBER, 1836—Inclusive.

Halifax	8	Promovent	£0 10 6	£2 4 2	£0 6 8			3 1 4	Retaining Registry Certificate
One cask of Vinegar	9		1 1 0	3 0 4	0 11 8	3 10 6		8 8 6	
Ship Florida	10		4 11 10	12 12 8	2 6 0		36 15 10	56 6 4	Wages American Ship
		Impugnant	2 6 0	10 12 2	0 10 0			13 8 2	
Schooner William	11	Promovent	0 14 0	1 11 4	1 13 0		3 4 10	7 3 2	Wages
Brig Acadian	12		0 18 0	1 14 0	1 13 0	5 12 2		9 17 2	Seizure
Schooner Nestor	13		0 14 0	1 11 4	2 1 0			4 6 4	Salvage
			£10 15 4	£33 6 0	£9 1 4	£9 2 8	£40 0 8	£102 6 0	

RETURN OF COSTS, &c. FROM THE 1st DAY OF JANUARY, 1837.

TO THE TWENTY-FOURTH AUGUST, 1837.

Mary Jane	14	Promovents	£1 8 6	£2 0 4	£2 2 0			£5 10 10	Seamen's Wages
Sarah Ann	15		4 7 2	13 12 10	7 4 0	Advocates	50 12 2	75 16 2	Collision
		Impugnants	2 10 6	11 9 4		15 15 0	19 5 7	35 0 7	
Sullivan vs. Lovett	16	Promovents	0 10 6	1 4 8	1 6 0			3 1 2	Assault
Nautilus	17		0 14 0	1 11 4	1 6 0			8 11 4	Seaman's Wages
			£9 10 8	£29 18 6	£11 18 0	£15 15 0	£69 17 9	£123 0 1	

APPENDIX No. 10.

(Copy.)

AT THE COURT AT WINDSOR, the 5th of NOVEMBER, 1838.

P R E S E N T,

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord Steward,
Lord Chamberlain,
Earl of Surrey,
Earl of Albermarle,

§
§
§
§

Viscount Palmerston,
Viscount Melbourne,
Mr. Chancellor of the
Exchequer.

WHEREAS, the Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did, in the Months of March and April, 1838, pass Eighty-two Acts, which have been transmitted, entitled as follows, viz :

No. 1838. " An Act to provide for opening of certain New Roads in Queen's County."

No. 1843. " An Act for the regulation of Juries."

No. 1847. " An Act to continue the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, and for Sales by Auction, to persons resident in the Town of Halifax."

No. 1851. " An Act to continue the Act for granting Duties on Licenses, and the Act in amendment thereof."

No. 1854. " An Act further to amend the Act concerning Cemeteries or Burial Grounds in the Town of Halifax."

No. 1855. " An Act to prevent injuries to the Fisheries within the County of Lunenburg, by Mill Dams or any other obstructions."

No. 1856. " An Act to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Act in amendment thereof."

No. 1857. " An Act to continue the Act in further addition to, and in amendment of, the Act for the choice of Town Officers and regulating of Townships, and the Act to alter and amend the same."

No. 1858. " An Act to continue the Act concerning the Inferior Court of Common Pleas within this Province."

No. 1859. " An Act to continue the Act to regulate the Weighing of Beef."

No. 1860. " An Act to continue the Act for the encouragement of Schools, and the Act in amendment thereof, and also, further to amend the same."

No. 1861. " An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto."

No. 1862. " An Act to continue the Act to regulate the Fees of the Constable of the Court of Commissioners at Halifax."

No. 1863. " An Act to continue an Act relating to the Court of Commissioners at Halifax."

No.

No. 1864. " An Act to increase the number of Engine Men in the Town of Halifax."

No. 1865. " An Act to continue the Act to repeal the Act to amend the Acts respecting Firewards and Fires in Halifax, and to substitute other provisions in lieu thereof."

No. 1866. " An Act to continue the Act to suspend the operation of several Acts of the General Assembly, passed to prevent Forestalling, Regrating and Monopolizing."

No. 1867. " An Act to continue the Act concerning the Terms of the Supreme Court at Halifax."

No. 1868. " An Act to continue an Act, entitled, an Act to provide for the Accommodation and Billetting of Her Majesty's Troops or of the Militia, when on their March from one part of the Province to another ; and also the Acts in amendment thereof."

No. 1869. " An Act to continue the Act in addition to the Act, for regulating the Rates and Prices of Carriages."

No. 1870. " An Act to continue the Act for the better preservation of the property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at night."

No. 1871. " An Act to continue the Act to prevent Disorderly Riding, and to regulate the driving of Carriages on the Streets of Halifax, or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned."

No. 1872. " An Act to continue the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Act in amendment thereof."

No. 1873. " An Act to revive and continue the Act respecting the Militia of the Province."

No. 1874. " An Act for applying certain Monies therein mentioned, for the service of the year of Our Lord 1838, and for other purposes therein specified."

No. 1875. " An Act respecting the Culling of Dry Fish."

No. 1876. " An Act to extend to the Town of Pictou, the provisions of an Act, entitled, an Act to prevent Boys and others from Coasting and Sliding down the Hills in the Streets of Halifax."

No. 1877. " An Act to establish the Standard Weight of Grain, and to repeal the enactments now in force."

No. 1878. " An Act for taking the Census of this Province."

No. 1879. " An Act to continue the Act respecting the Trial of Issues in the Supreme Court, and for regulating the times of holding the Circuits of the said Court, and the Act in amendment thereof ; and further to amend the same."

No. 1880. " An Act in further amendment of the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges."

No. 1883. " An Act to enable the Inhabitants of the Town of Lunenburg to procure a Fire Engine, with utensils and materials necessary for extinguishing Fires."

No. 1884. " An Act to extend, for a further space of time, certain provisions of the Act to afford relief to the Poor Settlers in this Province."

No. 1885. " An Act for the better regulation of Sable Island, in this Province."

No. 1886. " An Act to authorize the Incorporation of a Company for making a Navigable Ship Canal across the Isthmus of Cumberland, in Nova-Scotia."

No. 1887. " An Act to continue the Act to suspend the operation of the Act to prevent Forestalling, Regrating, and Monopolizing of Cordwood in the Town of Halifax."

No. 1888. " An Act for establishing the Boundary Line between the Counties of Cumberland and Colchester."

No. 1889. " An Act to continue the several Acts concerning the Bridewell and Police in Halifax."

No. 1890. " An Act to make valid certain Marriages heretofore celebrated in the Island of Cape-Breton."

No. 1891. " An Act relating to certain acts and proceedings had, passed and pending, in the last Session of the General Assembly."

No. 1892. " An Act to enable the Proprietors of a certain Meeting House in Merigomishe, in the County of Pictou, to sell the same."

No. 1893. " An Act to alter and amend the Act to regulate and support the Pictou Academy."

No. 1895. " An Act to modify the provisions of an Act for preventing persons leaving the Province without a Pass."

- No. 1896. "An Act to regulate the Fisheries of Chedabucto Bay."
- No. 1898. "An Act to continue the Act for appointing Supervisors to take charge of Public Grounds, and for other purposes, and the Act in amendment thereof."
- No. 1899. "An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges."
- No. 1900. "An Act to continue the Act to preserve and regulate the Navigation of the Harbour of Pugwash."
- No. 1901. "An Act to continue the several Acts now in force, in addition to, and amendment of, the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates."
- No. 1902. "An Act to continue the Act for regulating the Fishery in the River Shubenacadie."
- No. 1903. "An Act respecting Elections for the County of Colchester."
- No. 1904. "An Act to continue the Act in amendment of an Act, made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton."
- No. 1905. "An Act to alter the times of holding the Inferior Court of Common Pleas and General Sessions of the Peace at Arichat, in the County of Richmond."
- No. 1906. "An Act to authorise the Settlement of a certain Debt claimed from the Township of Windsor."
- No. 1907. "An Act to continue the Act to provide against the occurrence of Diseases, from the bite of Animals."
- No. 1908. "An Act to continue the Act respecting the Collection of Poor Rates of Pictou."
- No. 1909. "An Act to enable the Proprietors of a certain Island at Pubnico, called John's Island, to divide the same,"
- No. 1910. "An Act to continue the Acts in force relating to the Inspection of Pickled Fish."
- No. 1911. "An Act to establish that part of the Township of Clements, lying in the County of Digby, into a separate Township."
- No. 1912. "An Act to continue the Act in amendment of the Act for the Settlement of the Poor, in the several Townships within this Province."
- No. 1913. "An Act to continue the Act to regulate certain Landings in the County of King's County."
- No. 1914. "An Act to continue the Act for the support and regulation of Light Houses."
- No. 1915. "An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax."
- No. 1916. "An Act respecting the Firemen of the Town of Halifax."
- No. 1917. "An Act to authorize the Sale of the Old Jail at Liverpool, in Queen's County, and the lot of Land on which it stands."
- No. 1918. "An Act to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof."
- No. 1919. "An Act to continue the Act in addition to, and in amendment of, the Act to prevent Nuisances, by Hedges, Wears, and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province."
- No. 1920. "An Act to continue the Act to authorize the Sessions of the Peace for the County of Queen's County to make regulations for the gathering of Sea Manure in the said County."
- No. 1921. "An Act to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine, and the Act in amendment thereof."
- No. 1922. "An Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof."
- No. 1923. "An Act to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof."
- No. 1924. "An Act to continue the Act to lessen the expense of the proof of Written Documents, in Actions depending in any of the Courts within this Province."

- No. 1925. "An Act to continue the Act in amendment of the Acts relating to Commissioners of Sewers."
 No. 1926. "An Act to continue the Act to restrain the Issuing of Writs of Attachment in certain cases."
 No. 1927. "An Act to continue the Act concerning Malicious Injuries to Property."
 No. 1928. "An Act to continue the Acts to provide for the regulation and management of the Grammar School or Academy at Annapolis."
 No. 1929. "An Act to continue the Act relating to Marriage Licenses."
 No. 1930. "An Act to continue the Act for regulating the Exportation of Red or Smoked Herrings."
 No. 1931. "An Act to continue the Act additional concerning Nuisances."
 No. 1932. "An Act to continue the Act to prevent damage to the Nets of Fishermen by Coasting Vessels."
 No. 1933. "An Act to continue the Act to encourage the killing of Bears, Loup Cerviers and Wild Cats."
 No. 1934. "An Act respecting the Travelling Fees of Constables in certain cases."
 No. 1935. "An Act to establish the County or Shire Town in the County of Digby."

And whereas, the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, for the consideration of all matters relating to Trade and Foreign Plantations; and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation—Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report. Whereof, the Governor, Lieutenant-Governor, or Commander in Chief for the time being, of Her Majesty's Province of Nova-Scotia, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

[Signed,]

C. GREVILLE.

APPENDIX No. 11.

[Copy.]

AT THE COURT AT WINDSOR, the 5th of NOVEMBER, 1838.

P R E S E N T—

THE QUEEN'S MOST EXCELLENT MAJESTY,

Lord Steward,
 Lord Chamberlain,
 Earl of Surrey,
 Earl of Albermarle,

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Viscount Palmerston,
 Viscount Melbourne,
 Mr. Chancellor of the
 Exchequer.

WHEREAS, the Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did, in the Month of April, 1838, pass an Act, which has been transmitted, entitled as follows, viz :

No. 1881. "An Act for altering the Representation in General Assembly, as respects the County of Inverness."

And Whereas, the said Act has been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the said Committee have reported as their opinion to Her Majesty, that the said Act should receive Her Majesty's special confirmation; Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Act, and the same is hereby specially confirmed, ratified, and finally enacted accordingly.—Whereof, the Governor, Lieutenant-Governor, or Commander in Chief for the time being, of Her Majesty's Province of Nova-Scotia, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

[Signed,]

C. GREVILLE.

APPENDIX No. 12.

(Copy.)

Government-House, Montreal, 17th January, 1839.

SIR—

Her Majesty having been graciously pleased to confer upon me the Office of Governor General of all Her Majesty's Provinces on the Continent of North America, and of the Islands of Prince Edward and Newfoundland, I have the honor to transmit to your Excellency herewith, for the purpose of being deposited amongst the archives of the Province of Nova-Scotia, my Commission as Captain-General and Governor in Chief of that Province. I have also the honor to transmit a Commission under the Royal Signet and Sign Manual, renewing your Office as Lieutenant-Governor of Nova-Scotia, which would otherwise be superseded by the revocation of Lord Durham's Commission.

I have the honor to be, &c.

(Signed)

J. COLBORNE.

His Excellency Lieutenant-General SIR COLIN CAMPBELL, K. C. B.
&c. &c. &c. Halifax.

APPENDIX No. 13.

(Copy.)

THE Committee appointed to report upon the Accounts of the Keeper of the Bridewell in Halifax, have seen and examined Mr. Gruber, the Keeper, and find that his Accounts have been regularly audited and passed in the Court of Sessions; the Committee perceive that he has become largely in advance in keeping up the Establishment, and report, that there appears due to him the sum of One Hundred and Ninety-four Pounds Five Shillings, up to the Fourth day of May, One Thousand Eight Hundred and Thirty-eight.

From the statements made to the Committee, it appears also that owing to the withholding by the Assembly, at the last Session, of the usual annual Provincial Grant, and by the Grand Jury of Halifax, of any vote for the Establishment, there are not adequate funds either for the discharge of that balance or for the support of the persons in confinement in the Bridewell—the Accounts indeed show that a considerable income is derived from the labour of the prisoners, but not to an amount adequate, under present circumstances, to the maintenance of the Establishment; and unless some immediate means of support are provided, the Committee know of no alternative to prevent the starvation of the persons now in confinement—but their discharge.

This state of things appears to offer no option, and the Committee are of opinion, that, while it continues, no more persons should be received into confinement in the Bridewell; and that until the Prisoners now there can be disposed of, it will be requisite that they should be supported, and the existing balance paid by His Excellency the Lieutenant-Governor out of the Provincial funds; and the Committee cannot doubt that the amount will be replaced hereafter from some appropriate source, when the subject is taken up in the proper quarter.

The Committee further state that the present emergency in relation to this Establishment has arisen from the difference of opinion existing on the subject between the House of Assembly and the Municipal Authorities in Halifax—the latter thinking the Bridewell ought to be a Provincial Establishment, and the former not being willing to recognize it in that character.

On this part of the case it has been represented to the Committee, that the persons now in confinement in Bridewell amount to thirty, of whom nineteen have been sent from the Country, under convictions for crimes committed there, and that many others of them are individuals, who having been originally sent to the Bridewell as Criminals from the Country, have been, since their discharge, from time to time, taken up in Halifax, and re-committed as vagrants.

The Committee, independently of such comparisons, are of opinion, that it is essential for maintaining, efficiently, the Administration of Criminal Justice throughout the Province,
that

that a Bridewell or Penitentiary Establishment should be formed and kept up on a more enlarged system than is within the means of, or would be just to, charge upon the Metropolis alone, and they believe such an Establishment might be made not only a means of punishment, but instrumental in many cases also to the reformation of culprits.

The Committee lastly state, that under the unfortunate circumstances in which the Bridewell is now placed, it is evidently necessary to diminish, as much as possible, the present expenses of the Establishment, and to prevent the Town of Halifax being burdened with the support of vagrants and offenders from other parts of the Province. With this object the Committee beg to suggest, that the Secretary of the Province should write Letters to the Judges of the Supreme Court, before they set out on their ensuing Circuits, and to the first Justices of Sessions, informing them, that in consequence of the discontinuance, by the House of Assembly, of the usual Provincial Grant for the Bridewell, and by the Grand Jury of Halifax, of a County assessment for the present year, no persons can be received there in future, and that the Judges and first Justices be recommended in their charges to the several Grand Juries on their Circuits and in Halifax, to communicate these circumstances, in order that they may make provision, at the expense of the several Counties, for the future safe keeping and maintaining within each County of the offenders and vagrants therein, until some Provincial Establishment is formed.

11th January, 1839.

APPENDIX No. 14.

(Copy.)
No. 135.

Downing Street, 5th March, 1838.

SIR—

I have the honor to transmit to you, for you information, the enclosed Copies of a Correspondence which has passed between my Department and the Board of Trade, on the subject of the proposed repeal of the Duties levied on Salted Provisions and Wheat Flour, imported into Nova-Scotia, New-Brunswick and Prince Edward's Island.

You will perceive, that in difference to the opinion expressed in your Despatch of the 15th July, 1835, I have recommended the postponment of the measure in the case of Nova-Scotia, until the Legislature shall have provided other funds for the payment of the Customs' Establishment; and I have to request that you will make the necessary application to the Assembly, if you shall be of opinion that you can do so with a reasonable prospect of success.

I have the honor to be, &c. &c. &c.
(Signed)

GLENELG.

Major-General Sir COLIN CAMPBELL, K. C. B. &c. &c. &c.

(Copy.)

*Office of Committee of Privy Council for Trade,
Whitehall, 11th January, 1838.*

SIR—

I am directed by the Lords Commissioners of Privy Council for Trade, to transmit to you, the inclosed copy of a Petition from the Chamber of Commerce, in New-Brunswick, relative to the Duties on Salted Provisions and Wheat Flour, in that Colony, and I am to request that in drawing the attention of Lord Glenelg to this Petition, you will also place under his notice, the new Regulations of the Act of April, 1831, (Cap. 24.) which was passed for the purpose of preparing for the re-admission of the Ships of the United States to a Trade with our Colonies.

In the 2d Section of the Act referred to, Salted Provisions and Wheat Flour, as well as Wood and Lumber, are rendered free of duty in the two Canadas; but in the third Section, Wood and Lumber only are declared to be free in New-Brunswick, Nova-Scotia, and Prince Edward's Island.

The desire of the Lords of this Committee was, to have extended to these last named Colonies,

Colonies, the exemption granted to the Canadas, but they refrained from doing so, because it was stated by the Secretary of State, that the finances of those three Colonies required the continuance of the duties on Flour and Provisions.

The Lords of this Committee are aware of no Commercial grounds upon which they should avoid to place these five Northern Colonies upon the same footing; and therefore, I am to request that you will move Lord Glenelg to take this subject into his consideration, and to acquaint their Lordships with his present opinion thereon.

I am, &c.

(Signed)

J. D. HUME.

JAMES STEPHEN, Esquire, &c. &c. &c.

(Copy.)

TO THE RIGHT HONORABLE THE LORDS COMMISSIONERS OF HER MAJESTY'S TREASURY.

The Petition of the Chamber of Commerce of the City of Saint John, Province of New-Brunswick.

HUMBLY SHEWETH—

That, by the 3d and 4th Wm. 4th, cap. 59, Salted Provisions imported into this Province are subject to a duty of 12s. per cwt. while in the neighbouring Colony, Canada, no such charge is exacted under the same Law. In consequence, Pork here from the North of Europe, &c. is in the habit of being lodged in our Custom-House Warehouses, till an opportunity is found or made for Quebec, to which it is then Shipped, and immediately returned duty free, being so allowed, as coming from a Colony; but such process subjecting the Merchant to trouble, much loss of time, and a double freight, Insurance, &c.

That by the above quoted Act, Wheat Flour imported into this Province from the North of Europe or the United States of America, is subject to a duty of 5s. per Barrel, which operates severely on the Inhabitants of a climate, where the growing of Wheat is always matter of much uncertainty, and often of severe loss. It is true Foreign Flour may be imported from the Public Warehouses in England, duty free, but such is its quality, that few are anxious to promote a Trade furnishing one of the principal necessities of life unfit for use.

Your Petitioners therefore humbly pray your Lordships, during the approaching Session of Parliament, to have such alteration made in the Law as will obviate those evils, and they do so with confidence, not only from the justice of the measure, but from having been led to expect such change, in consequence of a Letter from Lord Glenelg to the late Lieutenant-Governor of this Province, dated 25th May, 1835, wherein those duties are stated as being to determine on the 1st January, 1836—copy of which is enclosed.

The Salaries of our Custom-House Officers being now provided for by the Legislature, without reference to duties collected under Acts of the Imperial Parliament, no anxiety on that point can remain, besides, the whole amount raised from Flour imported from duty paying quarters, during the year ending 5th January last, amounted only to £1,224.

We pray your Lordships to take the matter under your consideration, and feel confident you will give it the usual attention bestowed by you in all subjects affecting the interests of New-Brunswick.

And as in duty bound, your Petitioners will ever pray, &c.

(Signed)

L. DONALDSON, Chairman.

St. John, N. B. 6th November, 1837.

(Signed)

J. WOODWARD, Secretary.

(Copy.)

Downing Street, 5th March, 1838.

SIR—

I have laid before Lord Glenelg, your Letter of the 11th January, inclosing a copy of a Representation from the Chamber of Commerce of St. John, New-Brunswick, to the Lords of the Treasury, on the subject of the Duties levied on Salted Provisions and Wheat Flour, imported into that Province, and enquiring whether Lord Glenelg entertains any objection to the repeal of those duties in New-Brunswick, as well as in Nova-Scotia and Prince Edward's Island.

I am directed, in reply, to remind you, that so far back as the 6th April, 1835, the Secretary of State intimated to the Lords of the Committee of Privy Council for Trade, his acquiescence in their Lordship's proposal to repeal these duties, when, however the local authorities became acquainted with the intentions of Her Majesty's Government, the Lieutenant-Governor of Nova-Scotia pointed out two important objections to the measures which were communicated to the Lords of the Committee of Privy Council for Trade, on the 12th August, 1835—the one was that the extinction of these Taxes would be almost destructive to the Farming interest in that Province, in whose favor they operate as a Bounty, and the other, that it would deprive the Colonial Government of the fund from which the heavy expense of the Customs' Department was defrayed. It would, consequently, have become necessary to resort to the Provincial Legislature for other means of meeting that charge, and would have exposed the Executive Government of the Province to a very embarrassing discussion with the House of Assembly, with whom the expense of the Customs' Establishment was, and still is, a subject of frequent complaint and remonstrance.

No objection has been made by the Government of New-Brunswick and Prince Edward's Island, to the repeal of these Duties; and Lord Glenelg, therefore, sees no reason to prevent its execution in the case of those Colonies; but His Lordship is of opinion, that it would be proper to except Nova-Scotia from the arrangement, until the Provincial Legislature shall have provided the requisite funds for the support of the Custom's Establishment.

Lord Glenelg has accordingly referred the subject to Sir Colin Campbell, with instructions to make the necessary application to the Legislature, if, in his opinion, he can do so with a reasonable prospect of success.

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

(Signed)

JAMES STEPHEN.

J. D. HUME, Esquire, &c. &c. &c.

(Copy.)

In reference to the Despatch from the Right Honorable the Secretary of State for the Colonies, bearing date 5th March, 1838, on the subject of repealing the duties, levied by an Act of the Imperial Parliament, upon Salted Provisions and Wheat Flour, imported into Nova-Scotia: the Committee report—

That when the subject of Colonial Duties was recently under discussion in the House of Assembly, the propriety of applying to the British Government for the repeal of the duties herein referred to was proposed and negatived, under an impression that the Agricultural interests were protected by the continuance of such duties. And as such Articles are admitted duty free, for the use of the Fisheries, that branch of industry would not be injured by the collection of the duties, when the Articles were applied to other objects. These principles may be sound in theory, but they are not carried out in practice. The Articles are either entered for the use of the Fisheries, and find their way into the general Market for consumption, or are received from the Warehouses of the neighbouring Provinces, and thus escape the duty. Greater facilities will now be afforded for the course of Trade, by withdrawing the duties from these Articles, in New-Brunswick and Prince Edward Island, and the Trade of this Province will be merely subjected to the burden of a more circuitous voyage, without protecting our Agricultural interests, or, except in a very small degree, benefitting our Revenue. The most obvious course of policy would appear to be, to have the Imperial Duties to apply to all the Colonies or to none, and leave to the Colonial Legislatures the care of protecting their interests respectively, by imposing duties for the protection of the Agricultural interests, when necessary, and remitting such duties in favour of persons engaged in the Fisheries. This course, the Committee would have had no hesitation in recommending, had not the subject been so recently considered in the Assembly, as the receipts of the Customs would have been affected but in a very slight degree. It can only be necessary to state how unavailable the present are, either for the protection of the Agricultural interests or the increase of the Customs, by the fact, that this duty for the year 1837, amounted only to the sum of £257 5s. 7d. on Salted Provisions and Wheat Flour.

It may also be proper to observe, that under the operation of the duty upon Foreign Flour, another

another interest of considerable magnitude and importance has started into existence, and which may require the continuance of such protection. A large capital has been vested in Mills, Machinery, &c. for the manufacture of Foreign Wheat into Flour, and large importations of Wheat have been made from the Warehouses of England, &c., for this object. The Manufactory gives employment also to Coopers and Labourers, to a great extent. This branch of industry requires the protection of a duty upon Foreign Flour to secure its continuance, and the persons engaged in it from serious loss, if not total ruin. The Committee therefore suggest, that should the Imperial duty upon Foreign Flour be repealed, it should not take effect until after the first of May, 1839, to give time to the Colonial Legislature, at its next Session, to protect such interests as they may deem expedient for the welfare of the Country.

THOMAS N. JEFFERY,
HENRY H. COGSWELL,
JOSEPH ALLISON,
J. M. TOBIN,
JAMES B. UNIACKE.

Halifax, 21st April, 1838.

(Copy.)
No. 184.

Downing Street, 10th October, 1838.

SIR—

I have received your Despatch, No. 25, of the 23d April, on the subject of the proposed repeal of the Duties levied on Salted Provisions and Wheat Flour, imported into Nova-Scotia, New-Brunswick and Prince Edward Island.

Having referred your Despatch for the consideration of the Lords Commissioners of the Treasury, their Lordships have informed me, that in consequence of the objections felt by you and by the Lieutenant-Governor of New-Brunswick, to the immediate repeal of the duty on Wheat Flour, and of the unimportant amount of the importation of the Salted Provisions, it did not appear to their Lordships advisable to take any steps for effecting the repeal of those duties, until they were apprised of the result of the reference proposed by you and by Sir John Harvey, to be made to the Legislatures of Nova-Scotia and New-Brunswick, on the subject.

I have, therefore, to desire that you will, early in their next Session, bring the subject under the consideration of the Legislature of Nova-Scotia, and acquaint me, for the information of the Lords of the Treasury, with the opinion of the Council and Assembly.

I have the honor to be, &c.

(Signed)

GLENELG.

Lieutenant-General Sir COLIN CAMPBELL, K. C. B. &c. &c. &c.

APPENDIX, No. 15.

(Circular.)
(Copy.)

Government-House, Fredericton, July 21, 1838.

Major General Sir John Harvey, presents his compliments to His Excellency Major General Sir Colin Campbell, and has the honor to enclose copy of a Petition which has been placed in his hands by the President and Secretary of an Association, denominated "the Chamber of Commerce, in the City of St. John," in this Province, urging an early survey and exploration, by perfectly qualified persons, with a view to determine the best point at which to construct a Ship Canal, for the object (of such great importance to the Commercial interests of these Provinces, as well as in a Military point of view,) of connecting the Waters of the Bay of Fundy, with those of the Gulf of St. Lawrence.

Sir John Harvey begs to invite the support, assistance, and co-operation of His Excellency Major General Sir Colin Campbell, as well with the Legislature of Nova-Scotia, as with

with His Excellency the Governor General, to whom Sir John Harvey has transmitted the Petition, with a Letter, of which a copy is inclosed.

His Excellency Major General Sir Colin Campbell, K. C. B. &c. &c. &c.

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

THE PETITION OF THE CHAMBER OF COMMERCE OF SAINT JOHN.

Respectfully Sheweth :

That in thus approaching your Excellency on the subject of a Canal for the purpose of connecting the waters of the Gulf of Saint Lawrence with those of the Bay of Fundy, your Petitioners do so with great confidence, resulting from the prompt manner in which their former request to your Excellency regarding the so much required survey of the shores of this Bay was attended to, and forwarded, with your recommendation, to the British Government.

That a Canal to connect the waters bordering the extensive and valuable possessions of Great Britain in North America has long been an object of consideration, not only with numerous private individuals, but also with the Legislature of this Province, who have had surveys and estimates made, and have been prevented from commencing the undertaking in consequence of the large sum required for its completion, and also, we apprehend, from want of confidence in the surveys.

That no examination of the ground was ever made by those who have been employed by the British Government in such an undertaking, nor, to the best of our knowledge, by any person who had ever been engaged in a survey, the completion of which had resulted favorably; and that your Petitioners have ever viewed the information yet obtained with great doubt, as being insufficient whereon to base the commencement of such a Canal.

That the work, according to a survey made by Mr. Hall, the particulars of which he forwarded to the late celebrated Sir Thomas Telford, was by that Gentleman, on Mr. Hall's data, estimated to cost £155,898 sterling, but this calculation does not seem to your Petitioners an exception to the observation made above; had Sir Thomas Telford himself effected a survey, no doubt would rest on our minds that such documents were in all respects to be depended upon; but this not being the case, we much question, had that Gentleman been on the spot, if he would have relied on the uncertain and periodical high tide mark, as the most proper level for the range of a Canal, which was to connect the waters of places, to and from which, the intercourse must necessarily be *so great, and so constant.*

To detail to your Excellency the great advantages which would result to this Province from the existence of such a Canal, were needless. They are self-apparent, and have been deeply considered by your Excellency; but should a stranger observe that one part of your command is completely cut off from all water intercourse with another most extensive and important part of the Province, save by a voyage of eight hundred miles, while a Canal of fifteen or seventeen miles, through a peculiar level country, would completely connect and bind them together, he would be astonished that no attempt has yet been made to cut such Canal.

That on the 16th March, 1836, the Legislature of this Province passed an Act, (at the suggestion of several persons who probably despaired of a Canal being cut,) for the purpose of incorporating the "Shediac and Saint John Rail-road Company," or, in other words, an Act to authorise the parties named, and their associates, to make a Railway from the Harbour of Shediac to the most convenient spot for a landing Harbour on the head waters of the Bay of Fundy; said Railway to be completed in six years, or the Charter to expire. And on the same date a like Law was enacted, to Incorporate the "Bay of Verte Canal Company," with a Capital of only £90,000 sterling, which Charter is to expire and end if the object is not completed within ten years from its date. The Legislature of the Province of Nova-Scotia, during their last Session, passed an Act authorising the Lieutenant-Governor of that Province, for the time being, to incorporate any persons who shall within ten years make such progress in cutting a Canal from the Bay of Verte to Cumberland

land Basin, as may satisfy the then Commander in Chief, that the Canal will be completed within some reasonably distant period.

That your Petitioners think it necessary to call those circumstances to the attention of your Excellency, in proof of the anxiety of all parties on the Atlantic sea-board of these two Provinces for some speedy and safe mode of communicating with their fellow Colonists on the shores of the Gulf of Saint Lawrence; but your Petitioners most respectfully beg leave to state their opinion, that until some qualified person, possessing such experience and talent as must secure the confidence of all parties, is sent from Great-Britain to make a full and particular survey of the various routes and harbours, and estimates of the expence, little probability exists that any thing will be done; but that we will be still subjected to a repetition of our long-expressed and vain regrets that so important an undertaking is neglected.

That the inhabitants of this City are indifferent as to the particular site of the intended Canal, and are only anxious for its completion as British subjects, and as members of the community; consequently, they have no feeling in respect to where it should commence or terminate. It is but justice, however, to state, that conflicting interests exist on this subject—some persons being of opinion that the Canal should range between Shediac Harbour and the Bend of the Peticodiac River; some, between Shediac and the Memramcook River; and others, from the Bay of Verte to Cumberland Basin;—all those views make it the more necessary that some person should be sent by the British Government to examine and report on the different routes, who can be subject to no interested or personal motives, and who, like your petitioners, shall be anxious that the very best location in all respects should be adopted, be that where it may.

That not only is New Brunswick in an especial degree interested in this undertaking, but that the extensive and growing trade between this Port and Quebec makes it certain that the Canadas would join warmly in promoting what would so much advantage their commerce. That various products of the Eastern part of Nova-Scotia would find a ready and advantageous market at this Port;—that fleets of small vessels would be fitted out in this Province for general trade on the shores of the Saint Lawrence, and also for the Gulf Fisheries, if such Canal were completed. Another object of vast importance to the British Government, as well as to the Trade of the North American Colonies and the West Indies, seems likely to be attained by the completion of this work. We refer to the opening of a safe and easy passage to Quebec, *several weeks earlier in the Spring* than can be reckoned upon by the present route, and wholly avoiding the great danger of encountering the ice between Newfoundland and Cape-Breton, or in the Gut of Canso. We believe it is well known that a clear passage along the Northern shore of New-Brunswick, and thence by Gaspé up to Quebec, is generally open in the month of April, and frequently in its first week. That Prince Edward Island would be greatly benefitted by such a Canal; and that the trade of the whole Colonies would thereby be increased in times of peace, and their energies become closely united in time of war.

Your Petitioners, therefore, humbly pray your Excellency to communicate with Earl DURHAM, and the Lieutenant-Governors of the various Colonies, requesting them to unite in urging the Ministers of Her Most Gracious Majesty to consider the manifold advantages which must necessarily flow to all the North American Provinces, and consequently to the trade and power of the Mother Country, from the completion of such a Canal; and that those Right Honorable Gentlemen, who are so anxious to promote the interests of the Colonies, would select and forward such an Engineer as is above noted, to make the necessary surveys, and report to them as to the utility, practicability, and expence: and, as in duty bound, your Petitioners will, with gratitude, every pray.

(Signed) ISAAC WOODWARD, Secretary.

LAUHLAN DONALDSON, President.

Saint John, New-Brunswick, 18th June, 1838.

Report respecting the Bay Verte Canal.

Having perused the very full and distinct Instructions given by Sir Howard Douglas to the Engineer, Mr. Francis Hall; and having, for several years previous to his leaving Britain

tain, employed Mr. Hall very extensively, I have a perfect confidence that Sir Howard's instructions have been faithfully attended to, and that a judicious selection of the line has been made, surveyed, and reported upon.

Under these circumstances, I have examined the Sections and other Documents which have been submitted to me, and have now to state—that there is no occasion for me to enter upon a description of the very singularly favorable situation in which the proposed Canal is to be placed; because, by Bouchett's Map of Lower Canada, it is quite evident that a direct navigable communication between the Bay of Fundy and the Gulf of St. Lawrence would be an important acquisition, whether viewed as a public or private object; but as the entering into any details respecting this part of the subject does not seem to fall within the province of a Civil Engineer, I shall therefore confine my observations to what relates to practicability, dimensions, and expense of the proposed Canal.

From the Engineer's description of the ground which the Canal will pass over between the two tideways, there seems no serious obstacle to be encountered, and the whole approaches so near to a level, that I advise to adopt the highest spring tide in Cumberland Basin as the topwater of the Canal, and continue it upon that level to Lock No. 3, in Mr. Hall's section; by so doing one whole Lock, and the half of another will be saved. The omission of these would greatly facilitate the navigation, and afford a greater opportunity of acquiring the use of the water of the adjacent districts.

This will occasion extra cutting in some parts of the line, but this additional expense will be balanced in the saving of locks, more especially as a great portion of the track appears to be upon low ground.

In regard to the dimensions of this artificial Canal, it is desirable to have a depth of water to admit trading Vessels drawing thirteen feet to pass freely; and this requires fourteen feet in the Canal. The use of Steam Boats being generally introduced in America, if this Canal was completed, ready access would thereby be opened, not only with Quebec and Montreal, but also with the upper lakes to a boundless extent. To accommodate Steam Boat Navigation, Locks of great length and breadth will be required; in the present instance I advise they be made one hundred and fifty feet in length and forty in breadth; but this size being only required for Steam Boats, I have, in order to save water and time in working them for sailing Vessels, divided each Lock into two parts, by means of a third pair of gates in the middle of its length.

This arrangement should also be extended to the Canal, making it in low, flat ground, (which is much the greater portion of the distance), sufficiently wide to admit of two steamers passing each other. This requires that the Canal be made forty-five feet at the bottom, and ninety-five feet at the top water level. In the portion of the canal which is in deep cutting, it may be made thirty feet at the bottom, and seventy-two feet at the water surface. This will only admit of one Steam Boat passing at a time, but will be wide enough for most trading vessels to pass each other.

Under these circumstances, I have measured and calculated the necessary excavation, and likewise the four Locks with their working machinery, &c. and find that the expense of these and other works will be as follows:

ESTIMATE.

Earth work on the whole line, including excavating the Lock pits, Four Locks, viz. two sea locks, and two inland, with their working machinery, &c.	£83,630 15 5
Three stop gates,	42,000 0 0
Eight draw Bridges,	6,000 0 0
Culverts,	5,600 0 0
Making a Reservoir,	1,295 10 0
Waste Weir at the Tignish River,	1,200 0 0
Ten per cent. contingencies,	2,000 0 0
	14,172 0 0
	<hr/>
	£155,898 5 5

In making the calculations, I have already stated that the top water line is taken at the level

vel of the highest spring tides in Cumberland Basin, thereby saving six feet of Lockage at each end of the present summits, and preserving one level along the whole Canal.

It is proper to add, that by lowering Mr. Hall's summit only three feet, and adding three feet to the height of the locks at each extremity, much cutting may be avoided. But this depends upon the nature of the surface of the adjacent country; for by so doing three feet of fall would be lost, as regards the command of Water—it is therefore a point which can only be determined after a careful re-survey; and although by adopting this last mentioned mode, a considerable saving of expense might be effected, I still prefer keeping the top water of the Canal on a level with the spring tides in Cumberland Bay, as thereby any deficiency of water in it may be supplied every high spring tide, and twelve feet lockage will be saved.

(Signed)

THOMAS TELFORD.

To Major-General Sir HOWARD DOUGLAS, Baronet,
Lieutenant-Governor of New-Brunswick, &c. &c.

(Copy.)
No. 5.

Government-House, Fredericton, 19th July, 1838.

My Lord,

In transmitting for Your Excellency's favorable consideration, a Petition which has been presented to me by an Association, called "the Chamber of Commerce of the City of St. John," one which, though self-constituted, possessing no Chartered or Corporate character, includes in its numbers many of the principal individuals engaged in Commercial pursuits in that rapidly rising City; it is impossible for me to refrain from expressing to your Excellency my conviction, that the proposition embodied in this Petition, is secondary in importance to no other scheme for the advancement of the Commercial interests of British America, it is one, the execution of which, has long been ardently desired by the Lower Provinces, but which in its effects could not fail in conferring, at least, equal advantages upon the Canadas, more especially now that they have begun to raise so large a quantity of Grain, and to manufacture so much Flour and Bread Stuffs, for exportation. In a military, and therefore, in a national point of view, the advantages of the proposed work are equally apparent in the increased facilities of intercourse betwixt the Upper and Lower Provinces, which would be afforded by connecting the waters of the Bay of Fundy with those of the Gulf of St. Lawrence, at a point where it is asserted, and I believe correctly, that the communication with Quebec would be open for the passage of Troops a full month earlier in the Spring than at present. For these reasons, it appears to me to be my duty earnestly to recommend to your Excellency's favorable attention the proposition for an early scientific Survey and Exploration, by highly qualified persons, with a view to determine the best point at which to construct a work which would in itself constitute your Excellency the greatest benefactor to their Commercial interests which these Provinces have ever seen, and the expense of which would, I am convinced, be met by the local Legislatures of the several Provinces with an alacrity proportionate to the great and obvious benefits which each and all must desire from it.

I have the honor to be, &c.

(Signed)

J. HARVEY.

His Excellency the Earl of DURHAM, Governor-General.

P. S. It is proper that I should add, that the two Gentlemen by whom the Petition is signed, Messrs. Donaldson and Woodward, Chairman and Secretary, personally waited upon me, for the purpose of presenting the Petition, and expressed to me their perfect readiness to proceed on with it to Quebec, with a view to solicit your Excellency's early consideration of the proposition, and of affording any information which it might be in their power to give; but I have suggested them to return to St. John, leaving the matter in my hands, and holding themselves prepared to present themselves to Your Excellency, at Quebec, in the event of your expressing a wish upon the subject, upon which, however, I am not aware that it would be in their power to throw any additional light.

(Signed)

J. H.

Appendix

APPENDIX No. 16.

(Vide Journals Page 24.)

ESTIMATE FOR 1889.
ADMINISTRATION OF JUSTICE.

	Currency.
Three Assistant-Justices of the Supreme Court	£1800 0 0
Travelling expenses of the Judges on Circuit	
Hire of Vessel to convey the Judge to Cape-Breton	40 0 0
Master of the Rolls	600 0 0
The Attorney-General in lieu of fees	
The Solicitor General	
First Justices of Inferior Courts in Cape-Breton	500 0 0
Ditto Ditto for the Eastern, Western and Middle Districts	1350 0 0
Council for conducting Criminal Prosecutions	
Allowance to Coroners	
Keeper of the Law Library	10 0 0

£

LEGISLATURE.

Speaker of the House of Assembly	
Pay and Travelling expenses of Members of ditto	
Clerk of the Legislative Council	
Law Clerk ditto	
Chaplain of ditto	
Gentleman Usher of the Black Rod	
Clerk of the House of Assembly	
Assistant Clerk of ditto	
Sergeant at Arms of ditto	
Assistant ditto of ditto	
Messenger of Legislative Council	
Assistant ditto of ditto	
Messengers, &c. of the Assembly	
Stationary, Fuel and Contingencies, of Legislative Council and Assembly	
Mr. Franklin's pension	£200 0 0
Keeper of the Council Chamber and Assembly Room	60 0 0
Sheriff for attendance at opening and closing Session	10 0 0

REVENUE.

Treasurer	
Custom House Establishment	£7144 18 9
Guager and Weigher	235 0 0
Excise Waiters	500 0 0
Clerk to Commissioners of Revenue	45 0 0

£

EDUCATION.

Common and Combined Common and Grammar Schools	
King's College	444 8 8
Pictou Academy and Dalhousie College	400 0 0
Halifax Grammar School	150 0 0
Horton Academy	300 0 0
Notional, Acadian, Catholic, African, and Rev. Mr. Uniacke's Schools, Halifax	460 0 0
Infant School and School in Poor-House	75 0 0
Other Schools in various parts of the Province	400 0 0

£

Militia.

MILITIA.

Adjutant-General and Quarter-Master General	£100	0	0
Adjutants of Battalions			
Cleaning Militia Arms			

£

MISCELLANEOUS.

For Light-House			
For Establishment on Sable Island	£400	0	0
Expense of keeping up Post Communication			
Encouragement for Steam-Boats, Sailing Packets and Ferries	600	0	0
Commissioners of the Asylum for the Poor	600	0	0
Support of Bridewell			
Interest of Funded Debt			
Interest of the Shares of the Shubenacadie Canal Stock	1500	0	0
Interest on deposits in Savings Bank			
For improving Roads and Bridges			
For Casualties to Roads and Bridges	500	0	0
To Clerks of the Peace for distributing Road Commissions	60	0	0
Drawback on Wine imported for the Army	300	0	0
Repairs of Public Buildings			
For assisting Indians			
For purchasing Seed Potatoes for Blacks, at Preston and Hammond's Plains, &c.	100	0	0
Towards the support of the Halifax Dispensary	50	0	0
Towards the support of the Mechanics' Institute	50	0	0
Ration to Troops on route	300	0	0
Drawbacks			
Keeper of Gun Powder, at Halifax Magazine	20	0	0
Allowance to Printer for Government			
Allowance to ditto for extra printing			
For relieving distressed Settlers			
Bounties to Eastern and Western Stage Companies	400	0	0
Bounty to new Steam Boat, for Halifax Ferry	500	0	0
To complete Road by Bedford Basin			
To pay old Road Votes and balances			

£

C. CAMPBELL.

Government-House, Halifax, 1839.

APPENDIX No. 17.

Accounts of the Receipts and Disbursements of the Queen's Casual Revenue in Nova-Scotia, for the Year 1838.

DR. 1838.			Sterling.			Currency.		
			£.	s.	d.	£.	s.	d.
Dec. 31—To paid the undermentioned Officers their respective Salaries, for the year ending this day, in Dollars at 4s. 4d.								
The Chief Justice	nominally	£850	784	12	4	980	15	4
Secretary of the Province	"	1000	928	1	6	1153	16	10
Attorney-General	"	400	369	4	6	461	10	8
Surveyor-General	"	150	188	9	2	178	1	6
Surveyor-General, Cape-Breton	"	100	92	6	2	115	7	9
Superintendent of Mines	"	100	92	6	2	115	7	9
Harbour Master, Sydney	"	100	92	6	2	115	7	9
Clerk of the Crown	"	100	92	6	2	115	7	9
Mr. James, 1st Clerk in the Secretary's Office	"	250	230	15	4	268	9	2
Mr. Passau, 2d. do. do.			92	6	2	115	7	9
Messrs. Keating, and R. Tremain, junr. for occasional, and Mr. Passau for extra, assistance in the Secretary's Office			53	5	0	41	11	8
John Howe, for printing for Government			19	3	8	23	19	0
Provincial Secretary for Stationary, Fuel, Messenger, and other contingencies			40	0	0	50	0	0
								Dec.

	Sterling.	Currency.
Dec. 31.—To paid John S. Morris, Esq. being his Salary (nominally) £500 as Commissioner of Crown Lands for the last year	£461 10 9	£576 18 5
do being for the Salary of his Clerk and contingencies	101 3 11	126 9 10
H. W. Crawley, Esq. Commissioner of Crown Lands in Cape-Breton, in payment of his Salaries and contingencies of his Office	506 8 0	632 19 11
Surveyor-General of Cape-Breton, for Office Rent	16 0 0	20 0 0
Paid for Bill of Exchange remitted to Miss Cox in payment of her pension of £100 Sterling for the year, with premium on Bill	101 6 8	126 13 4
Paid Lieutenant-Colonel Snodgrass, as Administrator of the Government during the Lieutenant-Governor's absence, from the 14th to 30th August, (both days included) being at the rate of a moiety of His Excellency's Salary, as is customary in such cases, and approved by Lord Glenelg	76 14 3	95 17 9
Paid to the Surveyor-General, being the amount of Fees due to him and other Officers of the Government, on certain Free Grants to Old Soldiers	71 10 10	89 8 6
Paid to H. W. Crawley, being the amount of Fees due to the Surveyor-General of Cape-Breton, on certain Free Grants to Old Soldiers in that Island	41 6 0	51 12 6
Paid to the Honorable James B. Uniacke, for Thomas Lynch, of the Windsor Road, in compliance with the prayer of his Memorial, as authorized by Lord Glenelg	29 4 2	36 10 2
	£4,405 6 6	5,506 12 11
Balance	£3,602 10 4	4,503 3 0
	£8,007 16 10	10,009 15 11

CR.

	Sterling.	Currency.
December 31.—By balance in hand, on 1st January, 1838	£2101 5 11	2626 12 4
Received from the General Mining Association 5 per cent. on £3,333 6s. 8d. Currency, the amount of Rent paid by them of the Mines, for the year 1837, Dollars bearing a premium of 3d. each*	133 6 8	166 13 4
Received from do. 5 per cent. on £1,928 4s. Currency, being the Duty paid by them on the surplus quantity of Coals raised in the year 1837, Dollars being at a premium of 3d. each	77 2 7	96 8 2
Received from do. the Rent of the Mines for the year ending 30th June, 1838, that is £1,666 13s. 4d. Currency, which paid in Dollars, bearing a premium of 3d. each, makes	1400 0 0	1750 0 0
Received from the Commissioner of Crown Lands, (J. S. Morris, Esq.) being the balance of the sum of £414 15s. Currency, remaining in his hands on the 31st day of December, 1837, the other part thereof (£202 17s. 11d.) being credited in my account for 1837	169 9 8	211 17 1
Received from the General Mining Association, the Rent of the Mines for the half year ending 31st Dec. 1838	1333 6 8	1666 13 4
Received from do. being Duty on 14,420 Chaldrons of Coal, (Newcastle measure,) raised over 20,000 Chaldrons during the last year, at 2s. Currency per Chaldron	1153 12 0	1442 0 0
3 1-3 per cent. on £3,108 13s. 4d. Currency, the amount of the two preceding sums, Dollars, in relation to the Paper Money in which they were paid, bearing a premium of 2d. each	82 17 9	103 12 4
Received from do. being the Rent of the Mines under the late Duke of York's Lease, for the year ending the 24th June last	1 0 0	1 5 0
Proceeds of the Sales of Crown Lands received from the Commissioner, J. S. Morris, Esq.	562 14 7	703 8 3
Ditto ditto received from H. W. Crawley, Commissioner of Crown Lands, Cape-Breton	505 8 0	632 19 11
Amount of Fees received at the Secretary's Office	486 13 0	603 6 2
	£8,007 16 10	10,009 15 11

Halifax, 2d February, 1839.

[E. E.]

RUPERT D. GEORGE,
Treasurer of the Casual Revenue.

* NOTE.—The rent of the Mines was paid last year in the depreciated Paper Money current in the Province; but it having been determined that the Crown is entitled to four Spanish Dollars for every Pound Currency due on account of Rent and Royalty, the Mining Association have paid 5 per cent. on the payments made by them in 1837, and in the first half in the present year, Dollars, with reference to paper Money, having borne, during that period, a premium of 3d. each; and in the last half of the present year, 3 1-3 per cent. Dollars now bearing a premium of only 2d. each.

APPENDIX No. 18.

(Copy.)
No. 195.

Downing Street, 31st December, 1838.

SIR—

No. 1839 to No.
1850, except No.
1843 and No. 1847;
also, Nos. 1853, 1894

Various Acts, passed by the Lieutenant-Governor, Council and Assembly, of Nova-Scotia, in the month of March last, and transmitted in your Despatch, No. 36, having been referred by the Queen, in Council, to the Lords of the Committee of Privy Council for Trade and Foreign

Foreign

Foreign Plantations ; that Committee have reported to Her Majesty, in Council, their opinion that the said Acts should be left to their operation.

I have the honor to transmit to you herewith, an Order of Her Majesty, in Council, dated the 12th instant, approving that Report.

I have the honor to be, &c.

GLENELG.

Major-General Sir COLIN CAMPBELL, K. C. B.

At the Court at Windsor, the 12th December, 1838.

P R E S E N T—

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord Chancellor,	§	Viscount Howick,
Earl of Albemarle,	§	Lord Glenelg,
Earl of Minto,	§	Mr. Poulett Thomson,
Viscount Melbourne,	§	

WHEREAS, the Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did, in the month of March, 1838, pass twelve Acts, which have been transmitted, entitled as follows, viz :—

No. 1839. An Act to incorporate the Halifax Marine Insurance Company.

No. 1840 An Act to incorporate the Union Marine Insurance Company of Nova-Scotia.

No. 1841. An Act to continue and amend the Act, entitled, An Act for granting Colonial Duties of Impost for the support of His Majesty's Government within this Province, and for promoting the Agriculture, Commerce and Fisheries, thereof.

No. 1842. An Act to continue the Act for the general regulation of the Colonial Duties.

No. 1844. An Act to continue and amend the Act for regulating the importation of Goods.

No. 1845 An Act to continue and amend the Act for the Warehousing of Goods.

No. 1846. An Act to continue and amend the Act concerning Goods exported, and for granting Drawbacks.

No. 1848. An Act to continue the several Acts for the prevention of Smuggling.

No. 1849. An Act to continue and amend the Act to encourage the manufacture of Tobacco, in this Province, by granting a Bounty thereon.

No. 1850. An Act to continue the Act for granting a Bounty on Chocolate manufactured in this Province.

No. 1853. An Act respecting the exportation of Grindstones from this Province.

No. 1894. An Act to amend the Act for the support and regulation of Light-Houses.

And whereas, the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations ; and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation—Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report.—Whereof, the Governor, Lieutenant-Governor, or Commander in Chief for the time being, of Her Majesty's Province of Nova-Scotia, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

C. GREVILLE.

APPENDIX No. 19.

Vide Journals Page 35.

Extract of a Despatch from the Right Honorable Lord Glenelg, dated Downing Street, 3d January, 1839, to Lieutenant-General Sir Colin Campbell, K. C. B. &c. &c. &c.

"In my Despatch of this day's date, I have transmitted to you an Order of Her Majesty, in Council, leaving to their operation various Acts, passed by the Legislature of Nova-Scotia in the Month of March last—among which, are several, which, although they have received Her Majesty's confirmation, demand from me a few observations. Nos. 1846, 1849 and 1850, revive three Acts, passed by the Legislature in their previous Session, containing Clauses respecting Charters, and granting Drawbacks and Bounties, in various Articles of Home production. I have more than once stated to you the objections entertained by Her Majesty's Government to the principle of Bounties; and my Despatch of the 20th April last instructed you to refuse your assent to the revival of either of the above mentioned Acts, if they contained Clauses of a similar nature. I am aware, however, that the present Acts had received your assent prior to the date of my Despatch; but I beg you distinctly to understand that you are not to give your assent to any Act, which may, in future, be presented for your acceptance, if it should contain either of these objectionable provisions.

The Acts having only a short time to continue in operation, Her Majesty's Government have refrained from taking any step which might embarrass the Colonial Finances, and have therefore advised Her Majesty to permit them to expire.

The Act, No. 1852, for Incorporating the Nova-Scotia Whaling Company, is defective in several important particulars, neither the Capital, nor the number of the Shares, nor any of the regulations, by which the business of the Company is to be carried on, are stated in it.

Further, the object of the Company is so imperfectly set forth, that no security is given to the Public against the misapplication of the Corporate Privileges, by their being used to carry on any other Mercantile speculation, as long as the same is independent of Insurance, and that security is specially excepted under these circumstances, this Act will not be submitted to Her Majesty, in Council, until it shall have been amended in these particulars."

APPENDIX No. 20.

Vide Journals, Page 39.

PAPER No. 1.

THE object is to form a Government for the British Colonies in North America, which, whilst it maintains the supremacy of the Mother Country, and protects the common interests of all the Colonies, shall leave to each the arrangement of its own peculiar affairs; and at the same time have in view the formation of new Communities out of the present wastes, on one comprehensive plan, which, as Population and Settlements spread, shall give to such Communities Laws, protection, and definite limits, as separate Provinces, providing for the future as well as the present, by embodying, not merely the existing Provinces, but all such future Provinces as may arise, or be created, in British North America.

To have any chance of success in this object, it is necessary to limit and controul our views by what may be considered likely to be sanctioned and adopted at home.

The Colonies which are contemplated as those which should be placed under this arrangement, are Upper and Lower Canada, and subsequently, at their option, Nova-Scotia, New-Brunswick, Prince Edward's Island and Newfoundland.—It is proposed:

1stly.—To give such a Special Government for each Colony or Province as will enable the Inhabitants exclusively to controul their own peculiar or local affairs.

2dly.—To create such a General Government for all the Provinces in British North America, present or future, as will controul and regulate all such matters as may be common to all, or to some two or more of them.

3dly.—To maintain the supremacy of the Mother Country by means of a Governor appointed by the Crown for each separate Colony, and also one appointed by the same authority for the General Government; such Governors to form integral parts of the separate Legislatures,

Legislatures, local or general, over which they preside, and to have a "veto" upon all Legislative Acts.

PROVINCIAL GOVERNMENT.

ADMINISTRATIVE.

The Government of each Province will consist of—

1st.—A Governor, appointed as before mentioned, who, when Bills shall have been passed by the House of Assembly, and revised or altered, or considered by the Governor in Council, shall give or withhold the assent of the Crown, necessary to make them Laws.

2d.—The Executive Council to consist of not less than five Councillors, all of whom shall be appointed by each successive Governor, and removable by him.

Whatever Salaries shall be payable to the Governor or Executive Council by the Province shall be fixed by the Provincial Legislatures.

LEGISLATIVE.

The Legislative Government of each Province shall consist of—

The Governor, who may convoke, adjourn, prorogue or dissolve, as at present, the Legislative Body, and, without cause assigned, allow or disallow any Bills presented by the Legislative Body for his assent, or reserve them for the pleasure of the Crown, after they shall have been first submitted for revision and consideration to the Governor in Council.

The Executive Council, who shall act as a mere Council of advice to the Governor, upon Bills being sent up to him in Council before being passed, to revise, alter and amend them, if the Governor shall think fit, but not to reject any, merely returning them (within a time to be fixed,) altered, amended or untouched, as the Governor in Council may deem necessary, to the Assembly, for further consideration, and to be finally passed.

A House of Assembly which shall be chosen or constituted as at present, until a new arrangement shall be made of the places which return Members, if found that a more fair arrangement can be made.

The whole Provincial Revenue to be under the control of the Provincial Assembly, subject to "the arrangement" made for the Civil List.

The Provincial Legislative Body to possess all powers not expressly conferred on the General Government, or General Legislature, and the Local or Provincial Government to be supreme in its own limits, so far as it shall not be controlled by the Government at home, with which the Provincial Government should correspond direct, merely acquainting the General Government of what Acts are passed, or measures adopted, for the information of the General Government, but not for the purpose of the latter exercising any controul.

And as no Law can pass without the assent of an Officer of the Crown in any Province, or in the General Government, the supremacy of the Crown of England will be preserved as inviolate as now.

JUDICIARY.

The Judges in each Province to be paid a fixed Salary ; not subject to be increased or diminished.

All Judges to be appointed by the Crown or Governor, and to hold their Office during good behaviour, removable on address, if the Crown should think fit.

All Judges and other Provincial Officers to be appointed by the Crown, but to be open to impeachment by the local Assemblies, before the General Assembly.

Local and Circuit Provincial Courts to be established.

The General Government of the combined Provinces to consist of—

1st. A Governor-General appointed by the Crown, with an Executive Council.

2dly. A Legislative Body, nominated by the Provincial Assemblies of the separate Provinces.

3dly. A Judiciary appointed by the Crown.

The Governor-General's Power, as respects the General Government, will be similar to that of the Provincial Governors in the respective Provinces, so as in no degree to clash with, or over-ride them.

The Executive Council, also of the Governor, to be appointed in like manner, and to act in a similar way, and to a similar extent, with relation to the General Government, as those in the Provincial Government towards the latter.

So also should the General Legislative Assembly act as to the preparation, discussing and passing Bills, with the assent of the Governor-General, after being subject to the revision of the Governor-General in Council, and also by impeachments of Provincial Officers and Judges, on the prosecution of the Provincial Assemblies.

The General Legislative Assemblies to be appointed by each separate Province, will make it unnecessary to continue the present Legislative Council.

Whether the separate Provinces may be great or small, populous or thinly inhabited, the General Legislative Assembly to be formed in manner following; ten Members to be named and appointed by each of the Provincial Assemblies; if Members of their own body are named, their Seats in the Provincial Assembly to be vacated by acceptance of Seats in the General Assembly, Quebec, Montreal and Halifax, to be made separate Districts, for returning two Members each to the General Assembly. Such Members to be elected by

And whenever any other Town in the Province of the Union shall attain a population of 15,000 persons, such Town shall also return two Members to the General Assembly, to be elected by persons having the like qualification as the Electors for Quebec, Montreal and Halifax, unless any other qualification shall be fixed by the Imperial Parliament.

The General Government is not to possess any power not expressly conferred on it, and its object is to settle affairs in which one or more of the Provinces of the Union have a common interest, and those only. But for this purpose, to act by Officers of its own, not by those of the Provinces.

All matters relating to Peace and War belong exclusively to the Crown, and cannot be interfered with by the General or Provincial Governments. But the defence of the combined Provinces, (so far as the Militia or any Provincial Troops or Forces may be concerned, and as may not interfere with the Prerogative of the Crown, and subject entirely thereto,) will rest with the General Government; and for that purpose the General Government, with the sanction and previous authority of Her Majesty to the Governor General, to have the power of levying and paying Troops for defence against foreign aggression or internal commotion, or common enemies.

Besides this, but subject in all respects to the Prerogative of the Crown, the following subjects to be brought under the control of the General Government.

The Coin and Circulating Medium—Banking operations—the Laws of general, external and internal Commerce, so far as they may not be regulated by the Imperial Parliament, all duties on articles imported from Foreign States, or by sea, under the like restriction—the Laws of Banruptcy and Insolvency—all inter-communications between the Provinces or Foreign States, or to the limits of the combined Provinces, whether by Rail Roads or common or other Roads, or by water, natural or artificial, and to make and repair all such inter-communications, Roads, Canals, and improvements, in any navigable or other waters, as the General Government may think fit, and may by any Act declare to be general, or to belong to the inter-communication between the Provinces.

All questions relating to the Vice Admiralty Jurisdiction, or offences upon the Lakes, (if made of the nature of the High Seas by any future Law,) to remain, or be made subject to the Vice Admiralty Jurisdiction, which will be maintained; but should offences remain or be made punishable as offences, merely on navigable waters, such offences will be cognizable before the Courts of General Government, as all other offences committed in places within their controul and government will be.

As the Waste and Crown Lands form an indisputable part of the Royal Prerogative, all matters relating thereto must depend upon the voluntary will and pleasure of the Crown; but so far as the Crown may consent to part with any portion of that Prerogative in such Waste or Crown Lands, or Domains of the Crown, the original Grant thereof, and the management thereof, till granted, will rest with the General Government, to ensure a general system, relating to such Wastes, and other Lands, and their management.

But when any such Lands shall be once granted, they will be subject to the Courts of the Province in which they are situated, except so far as any Rent or other Duty may be reserved thereout, or charged thereon for the Crown, in or by such original Grant.

THE GENERAL JUDICIARY.

To be composed of a Supreme Court of, say four Judges, and such number of other Courts and Judges, as may be found requisite throughout the combined Provinces, such Inferior Courts being subject, and subordinate, to the Supreme Courts.

The Supreme Court would try disputes between the Provinces; all invasion of Provincial Rights by the General Government, or those of the General Government by the Provinces.

Appeals from the Provinces, and the several Inferior Courts of the General Government, Piracy, Treason, all offences against the Laws, or matters made subject to the controul of the General Government, and the Judges would assist for matters of Law, or impeachments before the General Assembly.

Each Province, which shall form a part of the General Union, to be further represented by returning two Members to the British Parliament, to be elected by

APPENDIX No. 21.

(*Vide Journals, Page 39.*)

PAPER No. 2.

(Copy.)

QUEBEC, 19th SEPTEMBER, 1838.

The deliberations to which we have had the honor to be called by your Lordship, being in all essential points brought to maturity, we feel it to be due to your Lordship to present our views in writing, previously to our leaving Quebec.

The Confederation of the British North American Provinces has been seldom spoken of as a matter of serious regard in Nova-Scotia, and the plan which has been suggested by your Lordship being entirely new to our minds, and as yet wholly unknown to the people of our Province, we have been able to express to your Lordship only our own sentiments, and have not felt warranted to give any assurance of the spirit in which a subject involving so many interests may be taken up.

The consideration we were called to give the question when appointed to this mission, led us individually to the belief that the time had arrived when the security and welfare of the Provinces would be promoted by their confederation, if attainable on principles calculated to secure an effective and harmonious union among themselves, and the preservation of their connexion with the Mother Country.

The clear and forcible views presented to us by your Lordship in the interview with which we were honored on Saturday, gave confidence and strength to this opinion; and we derived the highest gratification in perceiving your Lordship, on that occasion, remove the chief difficulties which to our minds had seemed to embarrass the execution and threaten the attainment of an object so desirable.

The principal objects of our solicitude were the following:

FIRST.—The alteration in the Constitution of the Province proposed in the outline or sketch furnished by your Lordship to His Excellency Sir Colin Campbell.

SECOND.—The securing for the Provinces respectively the appropriation of a sum adequate to their local wants, without weakening the General Government.

THIRD.—The adjustment of the Representation of the several Provinces in the General Assembly.

FOURTH.—The Representation of the Provinces in the British Parliament.

On the first point we feel much anxiety from a conviction that the abolition of the Legislative Council, and substitution of a Board of Advice, as in the projected plan, would have been viewed with great re-ignance by a large and influential part of the community. We were assured that however deep and comprehensive might be the reasons adduced in its support, the proposal of this change in the Provincial Constitution would have engendered so much eager debate, and arrayed in opposition so many deep and powerful feelings as to throw into obscurity the main question, and preclude its full and impartial consideration.—

We have gratefully to acknowledge the generous concession of this point by your Lordship, and we cannot fail to believe that when we shall be at liberty to make known in Nova-Scotia

your

your Lordship's assurance that no change in the local Government will be proposed, your Lordship's considerate regard for the feelings and harmony of the community will be justly and generally appreciated.

The second point of apprehended difficulty is one which will be extensively felt throughout the whole Province, as it touches every branch of the Provincial Government, and every kind of local improvement.—On this subject also we are called upon to acknowledge your Lordship's generous declaration that the arrangements for carrying into operation the Union of the Provinces, would be of such a character as to leave unimpaired the amount of Revenue at the disposal of the Nova-Scotia Legislature, for her own Government and internal improvements.

The third point lies at the very foundation of the plan, and is in our view indispensable to its success: were extent of Territory or Population adapted as the standard of Representation, the superior advantages which nature has conferred on the Canadas would soon reduce the politic influence of the Lower Provinces, to comparative insignificance.—The Confederation would cease to be a Union of Provinces, having a distinct Representation guarding the interests of each, while it advanced the prosperity of the whole, an arrangement essential to our security and to the general welfare; and the Assembly would, in a few years, necessarily fall under the absolute control of the Upper Provinces.

Where the Government is to be formed with but one representative character, this mischief can only be avoided by an adherence to the principle contained in the outline.—If we had entertained any doubts on this cardinal point, they would have been forever removed by your Lordship's lucid and comprehensive exposition.—And we were highly gratified by your Lordship's assurance that nothing would induce you to depart from the principle of an equal Representation of the several Provincial interests without regard to extent of Population or Territory. We are convinced that this determination will be most acceptable to the people of Nova-Scotia, and greatly facilitate their cordial and ready acceptance of the Confederation.

NOTE.—We would respectfully suggest whether the proposed Representation for Towns containing 15,000 inhabitants will not violate this principle, and in a short time disturb the balance among the Provinces.—The same consideration leads us to hope that no provision will be made for the admission of new Provinces without the consent of the General Government.

The fourth and last point we regret rests not exclusively with your Lordship, and must obtain the favourable consideration of Parliament.—As colonists we feel and appreciate the lofty motives which actuate your Lordship in elevating our Country and clothing it with National character; and the attention to Colonial interests which led your Lordship to the opinion you expressed that this new relation with the Parent State would not justly induce a change in the constitutional principle by which the right of taxation is regulated.—Your Lordship's views for obtaining for these Provinces admission into Parliament, would ensure a channel for correct information, and the able advocacy of our interests in the Great Council of the Nation by persons possessing the confidence, because the choice of the people they represent, while it offers a distinction to which men of talent would justly aspire, and by identifying the interests of the Parent State, and her Colonies, would permanently strengthen the Union we fondly cherish.

In closing this Communication, we would not do justice to our feelings were we to abstain from expressing our very grateful sense of the facility of access which has been afforded to us by your Lordship, of the full explanations given us on the subject of our mission, and the personal kindness extended to us by your Lordship during our stay in Quebec.—It is our earnest hope that the plan proposed by your Lordship for the advancement of these Provinces to a station and character worthy of their natural advantages may be crowned with the fullest success, and that your Lordship may enjoy the high satisfaction of witnessing their prosperity as the result of your Lordship's enlightened policy and efforts in their behalf.

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

(Signed)

J. W. JOHNSTON, JAMES B. UNIACKE,
WM. YOUNG, M. B. ALMON.

To His Excellency the Right Honorable
The EARL OF DURHAM, Governor-General, &c. &c. &c.

Statement.

STATEMENT.

The Public Revenue of the Province is derived—

1st.—From the Duties paid into our Treasury under the Imperial Act 4 and 5, William IV. Chapter 59.

2dly.—From Duties imposed by our own Legislature on British Goods, West India Produce, and other articles imported; and

3dly.—From the Light-House Duties. Taking the average of the last three years, the Custom House Duties have yielded in Currency £14,623 0 0

This sum being the gross proceeds paid into our Treasury.

The Excise Duties, as they are called, being, in fact, Imposts on imported

Goods have yielded on the same average 38,155 0 0

And the Light-House Duties 3,629 0 0

Making in all £56,407 0 0

Which Sum may be assumed as the Annual Revenue of the Province, in our Currency—equal to £45,126 Sterling.

There is besides the Casual and Territorial Revenue, which is not under the control of the Assembly, and yielded last year—from

The Coal Mines £5,262 0 0

Crown Lands 1,238 0 0

Fees at the Secretary's Office 537 0 0

Currency £7,037 0 0

Equal to £5,630 Sterling.

The entire Revenue of Nova-Scotia is therefore about £50,000 Sterling, besides about £2,000 produced by the Old Crown Duties.

The Public Expenditure may be classified under the following heads :

Salary of the Lieutenant-Governor—a perpetual grant from the Legislature, in commutation of the Quit Rents £2,000 Sterling, equal in Currency, to £2,500 0 0

Salary of the Attorney and Solicitor-General, as voted by the Assembly 250 0 0

Salary of the Treasurer 600 0 0

Salaries of the Judges, under perpetual Acts, and travelling charges, about 4,000 0 0

Salary of the Master of the Rolls, by perpetual Act 600 0 0

Expense of the Legislature, including charges for Printing, &c. about 4,500 0 0

Grant for the support of the Customs, by perpetual Act 7,144 0 0

Collection of the Provincial Revenue, about 2,500 0 0

Interest on the Debt of the Province, about 3,000 0 0

Grant for Post-Office 1,500 0 0

Support and building of Light-Houses 4,000 0 0

Grant for Education, including £5000 for Common Schools 7,500 0 0

Grants for Roads and Bridges 12,000 0 0

Interest on Loan for Shubenacadie Canal 1,500 0 0

Support of the Poor 1,500 0 0

Humane Establishment on Sable Island 400 0 0

Pensions, Bounties, Public Buildings, Militia, Packets, Steam Boats, Ferries, Breakwaters, and other miscellaneous items, about 5,000 0 0

Currency £58,494 0 0

Our expenditure under these heads, in 1837, may be stated in round numbers at £60,000 Currency, being about equivalent to the Revenue flowing into our own Chest during that year.

The Casual Revenue is expended in the Salaries of the Chief-Justice, Attorney-General, Commissioner of Crown Lands, Secretary of the Province, and other Officers and charges.

And the Crown Duties are required, besides our Provincial Grant, for the support of the Custom-House Establishment, and are understood after all to be insufficient.

The Public debt of the Province is made up of Notes issued before the present wise prohibition, not redeemable in specie, but received in payment of Duties, which sustains their credit, and amounting to the sum of

	£59,968 0 0
And of the Funded Debt—£10,000 of which is borrowed at 4, and the residue at 5 per cent. per annum—in all	62,026 0 0

Making	£121,994 0 0
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As against this amount the Province is entitled to certain credits, reducing the real Debt to about £100,000.

The population of the Province, including Cape-Breton, may be estimated at 200,000. A Census is now in progress; the last, which was taken in 1827, being usually accounted inaccurate.

APPENDIX No. 22.

Vide Journals Page 120.

Reasons for not considering the second Bill relating to the Dalhousie College, sent up from the House of Assembly.

This Bill was sent from the Assembly to the Council, on the 20th February, 1839, and was read a first time on the same day, and a second time on the 21st February; it was considered in a Committee of the whole House on the 5th March, on which latter day it was reported to this House with five amendments.

The amendments were read a first time.

The first amendment was read a second time, and a motion made by Mr. Johnston not to agree it, which was negatived, four to six.

The four next amendments were agreed to without a division.

Mr. Stewart moved to re-commit the Bill to amend the third clause, which was negatived.

On the 6th day of March, the Bill, with the amendments, was read a third time, and sent to the House of Assembly, and on the 9th March, a Conference on the amendments was asked by the House of Assembly.

On the 11th March, the Conference was agreed to and held; on the same day a Message was brought from the House of Assembly, not agreeing to the several amendments, except the last, and that the House of Assembly could not consider the last amendment, as it relates to a grant of Money.

On the same day, the amendments were again taken into consideration by this House, and the Council agreed not to adhere to the three first amendments, but determined to adhere to the last amendment, and the Bill, with a Message, informing the House of Assembly of the determination of the Council, was sent to the House on the same day; and no further communication took place upon the subject, and this Bill is yet before the House of Assembly.

On the 19th of March, a Bill with a different title, was received from the House of Assembly, upon the reading of which it appeared that the Bill was the same Bill that had been before decided upon by the Council, with the addition of a suspending clause, and not containing that amendment which the Council had determined to adhere to, and had so informed the House. If under these circumstances the House of Assembly meant to agree to the last amendment, the course was either to have sent the Bill back with the amendment agreed to or to have sent up a new Bill with the amendment in it, or if the House determined not to agree to that amendment the Bill was lost, and no further proceedings upon the subject should have taken place.

The attempt to force the same subject upon the consideration of this House, after it had been so often decided upon, is the commencement of a practice that would lead to the most dangerous consequences.

Could

Could this Bill be again received by the Council, it must pass through the same stages that it had done before—would be liable to the same amendments, and also to others, even those amendments that the Council had made, and afterwards relinquished, might again be added to this Bill, and the probability is, that they would be added, since it is in the recollection of all that those amendments were given up by the Council, in the expectation that the relinquishment of these by the Council would induce the House of Assembly to agree to the last amendment.

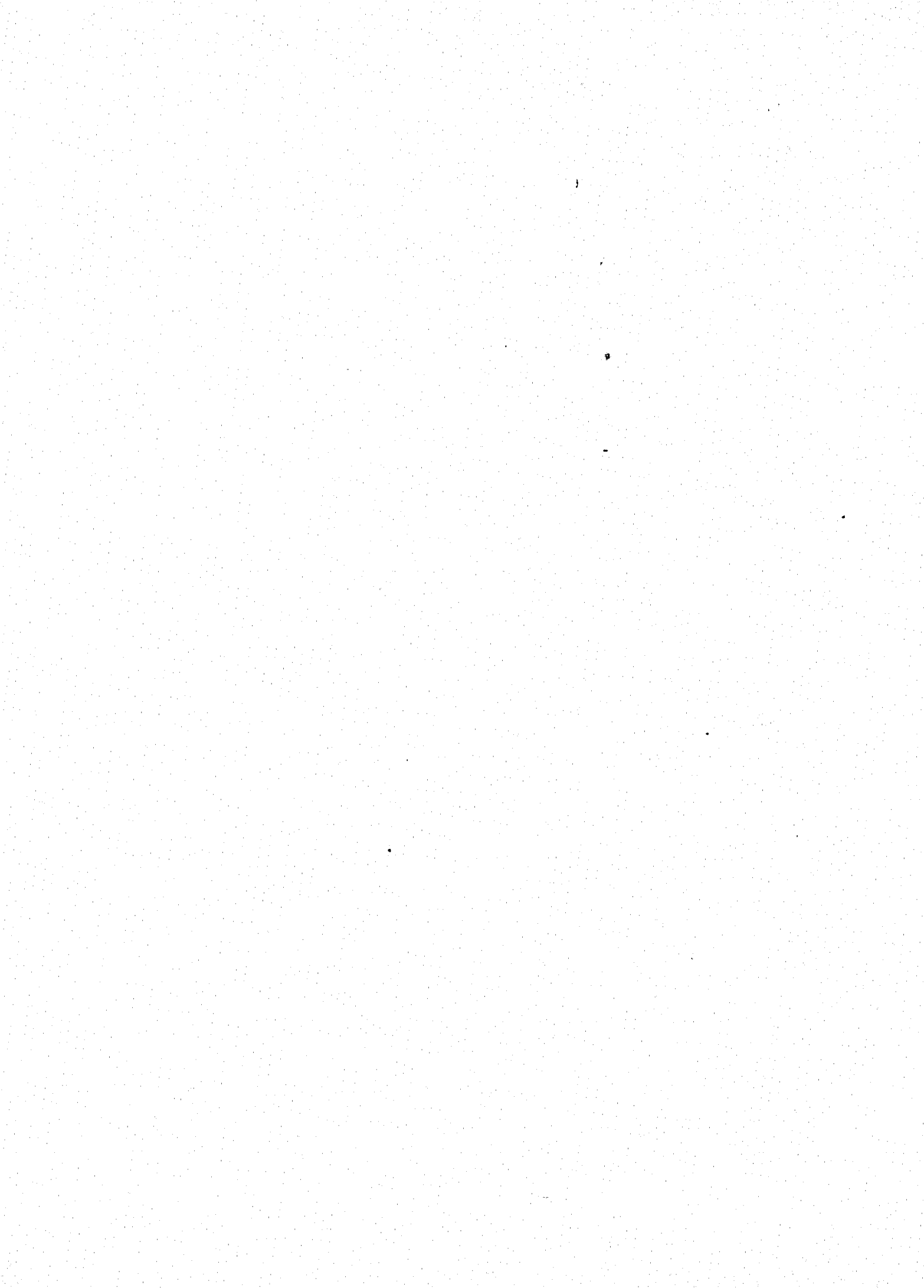
All these proceedings would be unparliamentary, unusual, and in all probability lead to no beneficial result. That rule of Parliament which declares that the same matter once decided upon, shall not again be introduced during the same Session, is founded in wisdom, and the experience of its usefulness has shewn that it ought to be carefully observed.

Any attempt by one House to obtain a favorite object through a departure from this rule, should always be resisted by the other, since it must generally lead to altercation; the rules of Parliament are framed so as to prevent precipitancy in the proceedings; the time they afford for deliberation is ample; in every stage of a Bill, the subject is open to discussion, and therefore, the determination, when made, should be final.

It would indeed be better to abolish the rules than to violate them; for while the rules exist, Members feel themselves safe from surprise and unfair dealing; but if no rules existed, they could not be taken by surprise, as they would always be upon the watch to prevent it.

If as majorities may happen to vary and change sides, by the absence of some Members, and the coming in of others, there were no rules to prevent it, the same measure might receive a dozen contradictory decisions, and the Houses become the scene of cabal and intrigue. In legislating, care and deliberation should always be observed; and these having been observed, even if a majority should have changed its opinion, it is better to abide by the rules, unless they are laid aside by the general consent of all.

So important has the observance of this rule been considered, that Parliament has been prorogued for a short time, that a new Session might permit a Bill upon the same subject to be introduced; and even when a Bill is again brought in upon the same subject, by the consent of every Member, the usage is to alter the title, so that the Journals may not show that the rules has been violated.



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- Tatamagouche; Bill to authorise assessment for, brought from H. A. 52; read 1st time, 53; read 2d time, and ordered to Committee, 57; reported without amendment, 60; read 3d time and agreed to, 61; sent to H. A. 62; assent, 106.

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- Marriage Licenses ; Bill relating to, brought from H. A. 22 ; read 1st time, 24 ; referred to Select Committee, 25 ; report, 26 ; read 2d and 3d time and agreed, and sent to H. A. 28 ; assent, 106.
- Meeting House, Rogers' Hill ; Bill to enable Proprietors to sell, brought from H. A. 21 ; read 1st time, 23 ; read 2d time and ordered to Committee, 26 ; reported without amendment, read 3d time and agreed, and sent to H. A. 28 ; assent, 106.
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- Militia ; Bill to apply certain sums for, brought from H. A. 52 ; read 1st time, 53 ; read 2d time and ordered to Committee, 57 ; reported without amendment, 55 ; read 3d time and agreed to, Resolution relative to, Bill sent to H. A. 67 ; assent, 106.
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- Mirè Grant ; Bill to settle Titles in, brought from H. A. 21 ; read 1st time, 23 ; read 2d, time and ordered to Committee, 32 ; amended, amendment agreed to, 46 ; read 3d time, agreed to, and sent to H. A. 46 ; Message from H. A. agreeing to amendment, Bill finally agreed to, and sent to H. A. 92 ; assent, 107.
- Moose River Mills Company ; Bill to Incorporate, brought from H. A. read 1st time, 54 ; read 2d time and ordered to Committee, 57 ; reported without amendment, 60 ; read 3d time and agreed to, 61 ; sent to H. A. 62 ; assent, 106.
- Morse, Mr. ; Leave of absence to, 18.
- Mortgages ; Bill for more easy redemption, &c. of, brought from H. A. 22 ; read 1st time, 24 ; referred to Select Committee, 25 ; report, 26 ; read 2d and 3d time, agreed to, and sent to H. A. 27—8 ; assent, 105.

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- New-Brunswick, Invasion of ; Motion for Address to H. E. relative to, Committee to prepare address, reported, 41 ; adopted, 42, Committee to present, report of Committee, 42 ; Committee to prepare Resolution on, 43 ; report and Resolutions, 43 ; agreed to, Committee to

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Police Office; Fees at—Bill to define, brought from H. A. and read 1st time, 108; read 2d time and ordered to Committee, 110; recommended to be referred to Select Committee, 113; Report and Bill deferred, 121.

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- Public Grounds; Supervisors of—Bill for appointing, brought from H. A. 22; read 1st time, 24; referred to Select Committee, 25; report, 26; read 2d and 3d time, agreed to, and sent to H. A. 27, 28; assent, 105.
- Property, Pictou—Bill for appointing Trustees of, brought from H. A. and read 1st time, 54; read 2d time and ordered to Committee, 57; recommended to be referred to Select Committee, and referred, 60; Report and Bill ordered to Committee of whole, 63; reported without amendment, 63; read 3d time, agreed to, and sent to H. A. 63; assent, 106.
- Pugwash Harbor; Bill to preserve, brought from H. A. 22; read 1st time, 24; referred to Select Committee, 25; report, 26; read 2d and 3d time, agreed to, and sent to H. A. 27, 28; assent, 105.

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- Quarantine; Bill brought from H. A. 22; read 1st time, 24; referred to Select Committee, 25; report, 26; read 2d and 3d time, agreed to, and sent to H. A. 27, 28; assent, 105.

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- Road between Halifax and St. Mary's; Bill to provide for opening, brought from H. A. 48; read 1st time, 49; read 2d time, 50; reported without amendment, 70; read 3d time, agreed to, and sent to H. A. 110; assent, 126.
- In King's County; Bill to shut up, brought from H. A. 87; read 1st time, 88; read 2d time, and ordered to Committee, 90; recommended to be deferred, and deferred, 96.
- Roads and Bridges; Bill to regulate expenditure of money on, brought from H. A. 22;

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- Timber ; Survey of, Bill to regulate, brought from H. A. 87 ; read 1st time, 88 ; referred to Select Committee, Report read 2d and 3d time, and agreed to, 90 ; sent to H. A. 93 ; assent, 107.
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- Water Street, Halifax, Lot in, Bill to alter Lines of, presented, read 1st time, and ordered to be published, and order for 2d reading, 64; read 2d time, 90; ordered to Committee, 91; reported without amendment, and ordered to be engrossed, 97; read 3d time, agreed to and sent to H. A. 98; H. A. agree to Bill with amendment, amendment agreed to, 93, 100; Bill sent to H. A. 100; H. A. agree to Bill, 111; assent, 127.
- Wickwire Dyke Rates; Bill relative to assessment of, brought from H. A. and read 1st time, 79; read 2d time and ordered to Committee, 80; reported without amendment, 82, read 3d time, agreed to, and sent to H. A. 85; assent, 107.
- Wilkins, Mr.; Leave of absence to, 21, 59.
- Wills, &c.; Bill to continue Acts in force relative to, brought from H. A. 21; read 1st time, 24; referred to Select Committee, 25; report, 26; read 2d and 3d time, agreed to, and sent to H. A. 26, 28; assent, 105.
- Wilmot Pier Company; Bill to incorporate, brought from H. A. and read 1st time, 79; read 2d time, and ordered to Committee, 80; amended, 82; amendment agreed to, 83; read 3d time, agreed to, and sent to H. A. 85—6; H. A. agree to amendment, 92; Bill finally agreed to, and sent to H. A. 92; assent, 107.
- Windsor—Streets in, Bill to provide funds for repair of, brought from H. A. and read 1st time, 14; read 2d time and deferred three months, 15.
- Burial Ground; Bill to enable Inhabitants to enclose, brought from H. A. and read 1st time, 49; read 2d time and ordered to Committee, 51; reported without amendment, 54; read 3d time, agreed to, and sent to H. A. 55; assent, 106.
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X**Y****Z**

