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

From 29th January to 14th April, 1846.

Being the Fourth Session of the Thirteenth General Assembly.



FREDERICTON, NEW BRUNSWICK:

JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

1846.



By His Excellency Sir WILLIAM MACBEAN GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE, *Lt. Governor.*

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the twenty fourth day of June instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the fourth Tuesday in September next.

Given under my Hand and Seal at Fredericton, the ninth day of June, in the year of our Lord one thousand eight hundred and forty five, and in the eighth year of Her Majesty's Reign.

By His Excellency's Command.

A. READE.



By His Excellency Sir WILLIAM MACBEAN GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE, *Lt. Governor.*

A PROCLAMATION.

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

Given under my Hand and Seal at Fredericton, the tenth day of September, in the year of our Lord one thousand eight hundred and forty five, and in the ninth year of Her Majesty's Reign.

By His Excellency's Command.

JOHN S. SAUNDERS.



By His Excellency Sir WILLIAM MACBEAN GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to the fourth Tuesday in this instant month of December, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to Thursday the twenty ninth day of January next, then to meet at Fredericton for despatch of business.

Given under my Hand and Seal at Fredericton, the twenty second day of December, in the year of our Lord one thousand eight hundred and forty five, and in the ninth year of Her Majesty's Reign.

By His Excellency's Command.

JOHN S. SAUNDERS.

JOURNAL

LEGISLATIVE COUNCIL

OF THE

Province of New Brunswick.

FOURTH SESSION OF THE THIRTEENTH GENERAL ASSEMBLY.

ANNO NONO VICTORIÆ REGINÆ.

His Excellency Sir William Macbean George Colebrooke, K. H., Lieutenant Governor and Commander in Chief.

At Fredericton in the Province of New Brunswick.

LEGISLATIVE COUNCIL CHAMBER, Thursday, 29th January, 1846.

The General Assembly having been by three Proclamations prorogued to this day, the House met—

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Kinnear,
Mr. Peters.*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Minchin,*

PRAYERS.

The House was adjourned during pleasure.

After some time the House resumed.

At two o'clock, His Excellency Sir William Macbean George Colebrooke, Knight of the Hanoverian Guelphic Order, Lieutenant Governor and Commander in Chief of the Province, came to the Council Chamber, and being seated in the Chair on the Throne, the Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know—"It is His Excellency's pleasure that they attend him immediately in this House."

Who

Who being come, with their Speaker,

His Excellency was pleased to open the Session by the following Speech to both Houses :—

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

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

“ I N calling you together at the usual period of the year, it has been gratifying to me to find that, however important are the interests depending on your deliberations, the situation of the Province has not required that I should subject you to the inconvenience of meeting earlier in Session.

“ From the Reports which I have received in regard to the failure of the Potato Crop in the last year, and which will be laid before you, I apprehend that in some Districts the scarcity will be severely felt ; but the Harvest being otherwise favourable, I indulge a hope that, with due precautions, and the prospect of continued employment for the people, the distress apprehended in the ensuing season may, in a great measure, be averted.

“ The Fisheries may henceforth be expected to constitute a valuable resource to the Province, under the encouragement you have given to them ; and I have the satisfaction to inform you, that on the representations made to Her Majesty’s Government, the further extension of the privileges sought by the American Government will not be conceded.

“ From recent occurrences some defects in the Criminal Laws have been made apparent, which I recommend to your attention.

“ Some further revision of the Election Laws will also be required.

“ The Act of 1844, for the settlement of the Indian Reserves, has been found to be defective, without amendment, for the attainment of the objects contemplated.

“ The views of Her Majesty’s Government in regard to the Act of the last Session for the regulation of King’s College, will be communicated to you, and I hope will meet with your concurrence and support.

“ Abstracts of the Reports of the Inspectors of the Parochial and other Schools having been printed for greater facility of reference, I rely on your adoption of effectual measures to remedy their acknowledged defects.

“ Various Reports relative to the erection of a Provincial Lunatic Asylum will be laid before you, and which, from the condition of that afflicted class of persons in the present defective establishment, will claim your early consideration.

“ Some improvements will be required in the Provincial Penitentiary for the better security and accommodation of its inmates.

“ The Survey undertaken by Her Majesty’s Government, with a view to the opening of a Military Road through these Provinces, having been ably executed by the Officers employed upon it, a proposal has for some time been under consideration for the construction of a Railway, for which the Country has been found to present great facilities.

facilities. The intercourse arising from the completion of such a work, and the vast impulse it would give to the settlement of the Province, and the development of its resources, entitle it to all the encouragement you may be prepared to afford to the undertaking.

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

“ As the Revenue of the last year has considerably exceeded an average amount, giving proof of the growing prosperity of the Province, I hope that it will be found practicable to effect such a reduction of the Import Duties as will tend further to extend its Commerce, and lead to the liberation of the intercolonial Trade in particular from the injurious restrictions imposed on it.

“ The Provincial Accounts made up for the past year, and duly audited, will be laid before you, with the estimates for the current year.

“ Some Reports which I have obtained from the Supervisors and Commissioners of Roads will be communicated to you, and will suggest the advantage of acquiring accurate information as a guide in making appropriations for such works.

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

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

“ The Commissioners appointed to carry into effect the Fourth Article of the Treaty of Washington, and who have prosecuted their labours with great assiduity, have made several Reports to me for the information of Her Majesty's Government, Copies of which will be laid before you.

“ I regret that it has not been found practicable to effect a satisfactory arrangement with the Government of Canada, for defining the Boundary between the two Provinces. The negotiation having been finally closed by the Governor General, after a protracted correspondence, the question has been again referred to Her Majesty's Government, by whom the claims of New Brunswick will, I doubt not, be duly considered. Meanwhile, the jurisdiction of this Province, which has been heretofore exercised over the Territory in dispute, has continued to be maintained.

“ In the present aspect of affairs, and from the many and urgent claims upon your attention, I rely on your application to the business of the Session with that cordial unanimity which will evince at once your public spirit, and your regard for the welfare of a people so distinguished for loyalty to their Sovereign and attachment to the Institutions of their Country, and who, I earnestly hope, under Providence, may be secured in the peaceful possession of the blessings, which as British subjects they have so long cherished and so justly appreciated.”

Which being ended,

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

His Honor the President reported His Excellency's Speech.

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

ORDERED,

ORDERED, That the Honorable Messieurs Botsford and Kinnear be appointed a Committee for that purpose.

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

On motion made and seconded—

RESOLVED, That the Honorable Mr. Shore be appointed a Member of the Joint Committee of this House and the Assembly, to have the management of the Legislative Library, in the place of the Honorable Mr. Justice Street, retired from this House.

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 30th January, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Kinnear,
Mr. Peters.*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Minchin,*

PRAYERS.

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

ORDERED, That the Report be received, and the said Draft was again read by the Clerk.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

To His Excellency Lieutenant Colonel Sir WILLIAM MACBEAN GEORGE COLEBROOKE, Knight of the Hanoverian Guelphic Order, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

THE HUMBLE ADDRESS OF HER MAJESTY'S LEGISLATIVE COUNCIL IN GENERAL ASSEMBLY.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Legislative Council in General Assembly, beg to express our thanks for Your Excellency's Speech at the opening of the present Session; gratified as we are to find that the favourable situation of the affairs of the Province is such as not to have required a meeting of the Legislature at an earlier period than usual.

The failure of the Potato Crop last year must, in many Districts, be severely felt by all, especially the poorer classes; and we participate with Your Excellency in the hope that by due precautions, and the continued employment of the people, the distress which is apprehended in the ensuing season may in a great measure be alleviated.

Sensible of the paramount importance which attaches to the valuable Fisheries of our Coast, and of the necessity of maintaining unimpaired those rights which we have hitherto enjoyed, it affords us great satisfaction, in being informed by Your Excellency, that Her Majesty's Government have declined to accede to the proposition of the American Government for a further extension of the privilege to fish in our waters.

We shall readily give our attention to such amendments as will remedy any existing defects in the Criminal Laws.

The revision of the Election Laws shall receive our best consideration.

We shall willingly give our assent to any amendment to the Act for the settlement of the Indian Reserves, that will secure the objects contemplated.

We look forward with interest to the communication announced by Your Excellency of the views of Her Majesty's Government in regard to the Act of the last Session for the regulation of King's College; and we will devote that profound attention to their consideration which the source from which they emanate, and the vital importance of the subject demand; in the earnest hope that they will be found such as will add to the usefulness of that Institution.

Fully aware of the momentous interests involved in the establishment of Parochial and other Schools, and of the propriety of affording Legislative support, and agreeing with Your Excellency, that the existing Laws for their encouragement are defective; we shall cordially aid in the adoption of such measures as will tend to place them in a more efficient state.

Any suggestions for the improvement of the condition of the afflicted class of persons confined in the Lunatic Asylum, shall receive our early and favorable consideration. We thank Your Excellency for the assurance that the various Reports relative to the erection of a Provincial Lunatic Asylum shall be laid before us.

We will give our concurrence to such improvements as are required for the better security and accommodation of the inmates of the Provincial Penitentiary.

We are happy to be informed by Your Excellency, that the Survey undertaken by Her Majesty's Government, with a view to the opening of a Military Road through these Provinces, is proposed to be made available for the construction of a Railway, as the country has been found to present great facilities for this vastly superior mode of communication. We anticipate, with Your Excellency, that great and incalculable benefits will result from the completion of this magnificent and truly imperial work, by developing the various resources of the Province—by giving an immense impulse to the settlement of its Wilderness Lands, of great extent and fertility—by facilitating the intercourse, to a degree hitherto un hoped for, of these Her Majesty's North American Colonies, and between them and the Parent State—and by strengthening the ties which now so happily bind the loyal people of this Province to their Queen and Country. Deeply impressed with these sentiments, we shall heartily afford every encouragement and assistance in furthering this great National undertaking.

We thank Your Excellency for the promised information respecting the labours of the Commissioners appointed to carry into effect the Fourth Article of the Treaty of Washington.

We fully participate in the regret expressed by Your Excellency, on the unsatisfactory termination of the negotiation for defining the boundary between this Province and Canada. While the highest confidence is entertained, that Her Majesty's Government will settle the claims of New Brunswick on principles of justice, we are, at the same time, glad to learn, that Your Excellency continues to maintain the Jurisdiction of this Province over the territory in dispute, as it always has been exercised.

It will be our most anxious desire to address ourselves to the business of the Session, with the unanimity and public spirit the interesting and important matters referred to by Your Excellency so evidently demand; and we trust that the blessings arising from Institutions so long and so peacefully enjoyed by this Province, as an integral portion of the British Empire, may continue to be cherished by Her Majesty's devoted and attached people, and, under Divine Providence, transmitted unimpaired to the remotest generations.

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

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 31st January, 1846.

PRESENT :

THE HON.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,*

Mr. Black, President.

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,*

Mr.

*Mr. Kinnear,
Mr. Peters.*

Mr. Minchin,

PRAYERS.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 2d February, 1846.

PRESENT :

Mr. Black, President.

THE HON.

*Mr. Cunard,
Mr. Saunders,
Mr. Attorney General,
Mr. Kinnear,
Mr. Minchin,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Johnston,
Mr. Peters.*

PRAYERS.

The Honorable Mr. Botsford, from the Joint Committee of the Legislative Library, in compliance with the Resolution of this House of the eleventh day of April last, lays before the House for its approval, a recommendation of the Joint Committee relative to the reporting and publishing the Debates of the Legislature during the present Session.

ORDERED, That the said Report be received.

The same being read, is approved of by the House, and is as follows :—

The Joint Committee of the Legislative Library having taken into consideration the subject of reporting and publishing the Debates of the Legislature during the present Session, referred to them by Resolutions of both Houses, beg leave to recommend that an appropriation of three hundred and fifty pounds be made for that purpose.

WILLIAM END,
CHARLES FISHER,
GEO. SHORE,
A. E. BOTSFORD,
W. B. KINNEAR.

January 31st, 1846.

At half past one o'clock the House proceeded to the Government House with their Address in answer to His Excellency's Speech at the opening of the Session, and having returned,

The

The Honorable the President reported, that His Excellency had been pleased to receive the same, and to return an answer thereto, of which he had obtained a copy, which he read; and it was again read by the Clerk, as follows:—

Mr. President, and Honorable Gentlemen,

I receive with great satisfaction your dutiful and loyal Address.

From your devotion to the Public Interests, I anticipate the application of your zealous efforts to the attainment of a prosperous and honorable issue to the Session.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 3d February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Attorney General,
Mr. Kinnear,
Mr. Peters.*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Johnston,*

PRAYERS.

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

A Petition from Daniel Keith, William Johnston, and seventeen other Firemen in the Town of Chatham, in the County of Northumberland, praying an Act may pass exempting them from serving on Juries at the Courts of Nisi Prius and Oyer and Terminer, and that the exemption may extend to such persons as may have served as Firemen for fifteen years consecutively :

A Petition from Robert B. Wasson, John DeCantillon, and seventeen other inhabitants of Blissville, in Northumberland, praying aid to open a Road from a Settlement on Bartholomew's River to DeCantillon's :

A Petition from Alexander Davidson, John Fraser, and eighteen other Justices of the Peace, the Grand Jury, and other inhabitants of the County of Northumberland, praying a sum of money for the Road from Alexander Goodfellow's, in the County of Northumberland, by the Coast, to Bathurst, in the County of Gloucester :

A Petition from the Reverend John Sweeney, C. M., George Taylor, Martin Cranney, and two hundred and one other persons in Miramichi, professing the Catholic Religion, praying that a Bill may pass enabling the Right Reverend William Dollard, Roman Catholic Bishop of New Brunswick, and his Successors, being Bishops in communion with the See of Rome, to be a Body Corporate, for acquiring and holding Real Estate for religious purposes :

A Petition from Robert B. Wasson, John DeCantillon, and ninety three other inhabitants of Blissville, in Northumberland, praying for the erection of a Bridge across the South West Branch of the Miramichi River : and

A Petition from John U. Campbell, Sheriff of Restigouche, praying an alteration may be made in the mode of remuneration for his Public Services.

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

The

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

A Petition from the Reverend Ferdinand Gauvereau, of Westmorland, in behalf of French Inhabitants in the Parishes of Dorchester and Moncton, praying an Act may pass to authorize the Roman Catholic Bishop to hold Lands for the purposes of the Roman Catholic Church: and

A Petition from Samuel Napier, praying compensation for Gauging at Bathurst.

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

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

A Petition from William H. Street, of Saint John, praying a return of Duties on Goods destroyed by fire in his Warehouse in Saint John in July last: and

A Petition from Messieurs Allison and Spurr, of the City of Saint John, praying a return of Duty on Rum exported in the schooner Martha Brae to Amherst, in Nova Scotia, in November last.

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

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

A Petition from the Justices of the Peace of the County of Northumberland, praying for a sum of money for erecting a Bridge over the South West Branch of the Miramichi River:

A Petition from William Henderson, Henry B. Allison, John Fraser, and twenty eight other persons, praying a sum of money to continue and support a Grammar School taught by John Sivewright, in Newcastle:

A Petition from the Reverend Michael Egan, Thomas Drinan, John Burgan, Michael Flinn, and seven hundred others, of Northumberland, in communion with the Church of Rome, praying that the Right Reverend William Dollard, and his Successors, being Bishops of New Brunswick, in communion with the Church of Rome, should be constituted and declared by Law to hold Land for religious purposes: and

A Petition from John Wilson, Ferryman at Beaubair's Point, in Northumberland, praying aid to enable him to continue to run a Team Boat at the Ferry.

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

The Honorable Mr. Kinnear, by leave, presented a Petition from John Ward, Daniel M'Gobreck, and William Doherty, Church Wardens, and one hundred and thirteen others, Catholic Parishioners of Saint John, praying that the operation of the Bill respecting the Catholic Church Lands in this Province may not be allowed to extend to Saint John.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 4th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Johnston,
Mr. Peters.*

*Mr. Cunard,
Mr. Saunders,
Mr. Attorney General,
Mr. Kinnear,
Mr. Minchin,*

PRAYERS.

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

A Petition from Gideon Fowler, Samuel White, David Parks, and forty six others, inhabitants of the County of Queens, praying a sum of money to improve the Road between White's Ferry, on the Washademoak, and the River Saint John : and

A Petition from R. L. Saunders, praying compensation for teaching a School at Loch Lomond for Coloured Children.

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

The Honorable Mr. Shore, by leave, presented a Petition from George Fields, the Son of an old Soldier, praying for pecuniary aid.

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

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

A Petition from Anne Ellis, a licenced Teacher, in the Parish of New Bandon, praying remuneration for teaching a School in that Parish, for reasons therein set forth : and

A Petition from the Justices of the Peace of Gloucester, praying an Act may pass to authorize an assessment on the County to enable them to pay off the County Debts, and for other purposes.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 5th January, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin,*

*Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Peters.*

PRAYERS.

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

The Honorable the President read the same, and it was again read by the Clerk as follows:—

NEW BRUNSWICK.

Message to the Legislative Council,

4th February, 1846.

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the House, the copy of a Despatch referred to in his opening Speech, relative to King's College.

W. M. G. C.

KING'S COLLEGE.

(Copy)

[No. 342.]

Downing Street, 12th November, 1845.

SIR,—Referring to the correspondence which has already taken place between us on the subject of the Act of the last Session of the Legislature of New Brunswick, to amend the Charter of King's College, I have now to convey to you the necessary instructions for your guidance in that case.

On the authority of the Solicitor General of the Province, and of the great American Jurist, Mr. Story, you suggest a preliminary doubt, which, if well founded, must supersede all further discussion of this Act. It is the doubt whether the Local Legislature possesses any Constitutional right to alter a Royal Charter, without the express consent of the corporate Body, and whether such an Act, if passed, would have the authority of Law.

In applying the decision of Mr. Story (whatever that decision may be) to the case of a British Colony, there must obviously be great room for error, unless the most exact attention be given to the inherent distinctions between the Constitutions of various States united together in one Federal Government, and those of our own Provinces united together as Members of one extended Empire. That Colonial Laws, repugnant to the Law of England, are null and void, has indeed been repeatedly and very recently enacted by Parliament. But with that exception it has not occurred to me to hear of any cases in which the Courts of any British Colony could lawfully refuse to enforce obedience to the Acts of the Local Legislature.

I do not, however, propose to pursue further this abstract enquiry, since the question to which it refers does not really arise in the present case. It is not the fact, that the Charter of King's College is a Royal Charter, in the proper sense of that term. It was not granted by the Crown in the unaided exercise of the Royal Prerogative, but on the authority of the Provincial Act of 1823, (4 Geo. 4, cap. 3) which enabled the Trustees of the College to surrender their Charter to His late Majesty King George the Fourth, on condition that His Majesty would grant another Charter for the re-incorporation of the College, the terms of which new Charter were partly prescribed by the Act of 1823, and were partly left by that Act to the discretion of the Crown. The question in debate is, therefore, not whether the local Legislature have power to alter a Royal Charter proceeding from the Royal grace and favour, but whether they have power to alter a Charter, the promulgation of which was expressly authorized by themselves, and which, without their authority, could not have been so promulgated.

Neither is King's College exclusively a Royal Endowment. For the General Assembly, first in 1823, and again in 1829, granted large funds for the support of it, and for the erection of the Buildings in which the College is held. After the acceptance of such Grants, the Crown cannot claim the same unlimited rights as might perhaps have been asserted if the Royal bounty had been the only source of the Collegiate property. The Legislature and the Crown are, at least, Joint Founders, and as no Legislative Act on this (or indeed on any) subject can be passed without the consent of the Crown, so can no Royal Grant, changing the basis of this Institution, be properly issued without the

concurrence.

concurrence of the Legislative Council and Assembly. Between those Houses and the Crown a virtual, if not a formal, compact, must be held to result from the Acts, which they have thus already done in concert and concurrence with each other. In such a state of things, it would be at once impolitic and unjust to insist on, or even to propound extreme, and at best but questionable rights.

It follows, that if the Act transmitted to me for the Queen's assent were otherwise unobjectionable, Her Majesty would be advised to assent to it, without raising any objections to that form of proceeding. But it can hardly be said to be exempt from serious objections, since it is certain, that the changes introduced by it are highly offensive to one considerable class of Her Majesty's subjects in New Brunswick, and that the class so offended are precisely those for whose more especial advantage the College was originally founded. Even they, however, have most distinctly recorded their opinion, that the Charter requires some great amendments, and that, in its present form, it has failed to produce any advantage commensurate with the expenditure incurred for its support. It has not, indeed, been merely unsuccessful; it has been productive of much positive evil; it has formed a monument, but too impressive, of the futility of a great project which had aimed at the highest public good, a monument dissuading and discouraging similar undertakings. However just may be the objections to the changes actually proposed in the Charter, it is therefore impossible to deny that numerous and great amendments of it are indispensable.

I have no hesitation in acknowledging my own inability to suggest what those amendments should be. Even if the College were to be established in England, for the education of young men for the highest pursuits of life amongst themselves, I should not scruple to avow the incapacity of Her Majesty's Executive Government to prescribe the right course of Academical instruction and discipline to be observed in it. To form a correct estimate of such questions, a far deeper familiarity with them is necessary than is to be acquired during a pupilage in early life at one of our Universities. The science of Education, especially in its higher walks, must be learnt like other sciences by patient study and long experience. All our Collegiate Institutions in England have been originally founded or progressively moulded by learned and scholastic men. We have no such Institution deriving its internal economy from an Act of Parliament. The failure of a College regulated by an Act of the Provincial Legislature is no just subject of surprise.

The great requisite in the present case, appears to be, that the alterations to be made should be maturely weighed and recommended by men possessing an intimate acquaintance both with the theory and the practice of educating in Religion, in Literature, and in Science, those youths who from their birth, their fortune, or their natural talents, are probably destined for the public service as Legislators, Divines, Jurists, or Physicians, or as Magistrates, or as Merchants on an extensive scale. To obtain such advice, it would be necessary that a Commission should be constituted, and that it should be armed with all powers requisite for conducting and defraying the expense of the necessary enquiries. It should be composed of men unanimous in the desire to promote public education amongst the wealthier classes of society on Christian principles. Their range of enquiry should be as unlimited as is the object itself. Yet there is happily one principle on which amidst all the discussions before me, a general agreement prevails, and by that principle therefore the Commissioners ought to be bound. It is that King's College should be open so far as its advantages, emoluments, and honors are concerned, to every denomination of christians, but that according to the original design, the public worship performed within its walls should be that of the Church of England, and that the Chair of Theology should be occupied by a Clerk in Holy Orders of that Church, of which of course therefore all Graduates in Divinity must be members. These reservations in favor of the Church of England are made in no spirit to which the members of any other Church could even plausibly object. They proceed on no claim of ascendancy or superiority. Their object is simply to retain for the Anglican Church the advantage actually enjoyed by every other body of Christians in New Brunswick, of having one place of public education in which young men may be trained up as Ministers of the Gospel.

On this head I perceive indeed but one question on which any doubt has been thrown: It relates to the Religious test to be taken by Graduates in Divinity. The Act before me proposes to substitute for the tests taken at Oxford, a declaration of belief in the Holy Scriptures, and in the doctrine of the Trinity. Now, if it were proposed that Theological Degrees should be granted to Christians of every denomination, I could understand the motive which might suggest such an innovation. But when it

is agreed that the Graduates are to be Members of the Church of England, the imposition on them of a test at once so new and so indefinite, is recommended by no reason which I can either discover or conjecture. Whatever opinions may be entertained regarding the Oxford tests by those who dissent from the Church of England, it would seem entirely at variance with the spirit of Religious liberty to forbid the imposition of those tests by those and on those who concur in holding them sacred.

If the Council and Assembly will concur in providing for the appointment of such a Commission as I have suggested, and for defraying the necessary expenses of it, I trust that no insuperable difficulty would arise in the choice of competent Commissioners. Aided by their Report, a law might be framed either for altering the Constitution of the College in accordance with it, or for enabling the Crown to issue a Charter for that purpose. The whole of this question might thus be withdrawn from debate in a popular Assembly, to a more tranquil, and for this purpose, a more competent tribunal. Without the excitement of those feelings which must animate and occasionally discompose the deliberations of the Representative Branch of the Legislature, it would, I trust, be settled on such a basis as to conciliate the feelings, satisfy the judgment, and promote the interests of all classes, as far as such results are attainable in affairs of this nature.

In that hope Her Majesty's decision on the Act under consideration will be postponed until you shall have ascertained and reported how far the Legislative Council and Assembly are willing to concur in the course of proceeding which I have thus pointed out.

I have the honor, &c.

(Signed)

STANLEY.

The Honorable Mr. Johnston, also by direction of His Excellency the Lieutenant Governor, lays before the House—

An Abstract of the Revenue of the Province for the Year 1845, including a Comparative Statement of Revenue for 1844 and 1845.

ABSTRACT OF THE REVENUE OF THE PROVINCE OF NEW BRUNSWICK FOR THE YEAR 1845.

	Loan Fund.	Ordinary Revenue.	Export Duty.	Casual Revenue.	Supreme Court Fees.	Rec. from the Officers of Customs.	Auction Duties.	Pedlars' Licences.	Emigrant Duties.	Lt. House Duties.	S. & D. Seamen's Duties.	TOTALS.
Saint John,.....	5,838 7	64,407 9	2 6	12,593 7	7 7	12,593 7	1,370 12	2 10	0 0	0 0	991 12	98,831 12
Miramichi,.....	822 14	5,888 4	10 1	0 0	0 0	2,334 15	8 4	0 0	6 15	317 17	541 11	13,206 12
Dalhousie,.....	136 6	1,801 6	1 1	0 0	0 0	434 15	0 0	0 0	1 10	87 10	82 18	3,890 12
Bathurst,.....	169 5	1,986 7	8 5	0 0	0 0	393 5	0 0	0 0	0 0	28 0 3	26 0 1	2,326 3 8
Richibucto,.....	169 5	1,173 0	5 5	0 0	0 0	343 5	0 0	0 0	0 0	63 1 6	60 1 5	2,418 7 7
Schiediac,.....	9 18	40 12	4 4	0 0	0 0	0 0	0 0	0 0	0 0	8 12 0	4 10 6	157 5 3
Bay Verte,.....	6 13	34 13	5 5	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	48 16 11
Dorchester,.....	12 18	182 11	11 4	0 0	0 0	0 0	0 0	0 0	0 0	38 18 5	13 8 7	429 8 8
Hopewell, 1844,.....	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	5 4 6	0 0	63 10 11
Do. 1845,.....	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	181 17 1
Woodstock,.....	27 10	385 12	4 4	0 0	0 0	145 19	6 8	4 0	115 6	290 6 2	173 2 0	563 2 7
Saint Andrews,.....	81 8	1,639 11	11 1	0 0	0 0	523 12	7 9	7 0	0 0	101 19 5	63 2 8	3,514 10 5
Saint Stephen,.....	214 9	450 4	11 3	0 0	0 0	0 0	0 0	7 0	0 0	76 9 1	47 4 2	1,068 4 0
Saint George,.....	40 1 8	164 6	4 4	0 0	0 0	0 0	0 0	0 0	0 0	37 17 4	13 9 8	681 16 10
West Isles, 1844,.....	17 19	57 10	8 8	0 0	0 0	0 0	0 0	0 0	0 0	51 5 9	28 3 6	126 17 4
Do. 1845,.....	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	5 2 0	0 0	119 11 9
Grand Manan,.....	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	5 2 0
TOTALS,.....	£8,631 12	23,53,668 18	104 20	10,750 0	955 10	425,304 14	9,386 6	1 16	1,372 6	84,454 19	82,049 8	441,27,753 1 9

COMPARATIVE STATEMENT.

	1844.	1845.	Increase.	Decrease.
Loan Fund,.....	£5,331 11	£8,631 12	1 1½	£0 0 0
Ordinary Revenue,.....	40,147 12	53,668 18	10½	0 0 0
Export Duty,.....	8,675 7	20,162 9	10	0 0 0
Casual Revenue,.....	8,051 7	10,750 0	2 3	0 0 0
Supreme Court Fees,.....	327 7	955 10	4	0 0 0
Received from the Customs,.....	21,519 18	25,304 14	9	0 0 0
Auction Duties,.....	597 2	386 6	1	210 16 3½
Pedlars' Licences,.....	18 15	16 15	0	2 0 0
Emigrant Duties,.....	567 5	1,372 6	8	0 0 0
Light House Duties,.....	4,444 17	4,454 19	8	0 0 0
Sick and Disabled Seamen's Duties,.....	1,652 8	2,049 8	4½	0 0 0
TOTALS,.....	£92,333 14	£127,753 1 9½	£35,632 3 11	£212 16 3½

Treasury, Saint John, 1st January, 1846.

B. ROBINSON, P. T.

A Message was brought from the Assembly by Mr. Taylor, with a Bill to continue an Act, intituled "An Act relating to the collection of Duty on Timber and other Lumber," to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

A Petition from William M'Donald, Pastor, James Driscoll, Hugh M'Grath, and sixty other residents of the Parish of Saint Andrews, in Charlotte County, praying an Act may pass conferring upon the Roman Catholic Bishop of New Brunswick, and his Successors, the salutary and paternal control of the property set apart for the purposes of the Catholics in this Province, in the same way as their Catholic fellow subjects in the Colonies have had their wishes complied with:

A Petition from William M'Donald, William C. M'Stay, B. R. Fitzgerald, Committee of a Parochial School in Saint Andrews, and twelve others, praying that a Grant heretofore made for the School may be continued: and

A Petition from Robert Watson, a Deputy Treasurer in Charlotte County, praying a return of expenditures made by him in the prosecution of articles seized by him as Deputy Treasurer.

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

The Honorable Mr. Peters, by leave, presented a Petition from the Commissioners of the Seamens' Fund in Miramichi, praying for the approval of the erection of a Building, and authorizing the sum of £38 0 3 to be paid.

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 6th February, 1846.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Peters.*

*Mr. Robinson,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue an Act, intituled "An Act relating to the collection of Duty on Timber and other Lumber," was read a second time.

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

A Message was brought from the Assembly by Mr. Smith, with a Bill to increase the Representation of the County of Albert, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Fisher, with a Bill to provide for the management of the temporalities of the Church of England in this Province in certain cases, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Barberie, with a Bill to authorize the Justices of the Peace for the County of Restigouche to levy an assessment to pay off the County Debt, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

A Petition from Michael L. Griffin, Henry Scott, Michael M'Grath, and one hundred and sixty four other persons, inhabitants of Saint Stephen, professing the Roman Catholic Religion, praying that an Act of Incorporation may be passed enabling the Right Reverend William Dollard, Roman Catholic Bishop of New Brunswick, and his Successors, to hold Land and acquire Real Estate for religious purposes in connection with the Church of Rome :

A Petition from Mary Jane Perkins, of Charlotte County, praying an allowance for teaching a School :

A Petition from Flora M'Kenzie, of the same County, with a like prayer :

A Petition from Michael Griffin, of the same County, with a like prayer :

A Petition from Thomas Bowser, of the same County, with a like prayer :

A Petition from Mary C. Albee, of the same County, with a like prayer : and

A Petition from Samuel Hill, living on the Road between Woodstock and Saint Andrews, praying for assistance.

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

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

A Petition from William H. Mowatt, William Whitlock, and one hundred and sixty other inhabitants of Saint Andrews' and Saint Stephen's Parishes, praying an alteration may be made in the Road leading from Saint Andrews to Saint Stephen, and for a sum of money to aid in making the alteration :

A Petition from the Overseers of Poor for the Parish of Saint Andrews, praying a sum of money for supporting Emigrants in the years 1842, 1843, and 1844.:

A Petition from Martha Pendleton, of Charlotte County, the Widow of an old Soldier, praying a Pension enjoyed by her late Husband may be continued to her :

A Petition from Jane Hawkins, with a similar prayer :

A Petition from John Snell, Keeper of a Light House in Charlotte County, praying an increase of Salary : and

A Petition from John Pendleberry, praying his increased allowances, as Keeper of a Light House, may be continued to him.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 9th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin.*

PRAYERS.

On motion—

The following Bills were severally read a second time :—

A Bill to increase the Representation of the County of Albert :

A Bill to provide for the management of the temporalities of the Church of England in this Province, in certain cases : and

A Bill to authorize the Justices of the Peace for the County of Restigouche to levy an assessment to pay off the County Debt.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to continue an Act, intituled “ An Act relating to the collection of Duty on Timber and other Lumber.”

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Hill, with a Bill to amend an Act, intituled “ An Act for the Naturalization of Aliens in this Province,” to which they desire the concurrence of this House.

The said Bill was read a first time.

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

Several Messages from His Excellency the Lieutenant Governor were delivered by the Honorable Mr. Johnston, a Member of Her Majesty's Executive Council.

The Honorable the President read the same, and they were again read by the Clerk as follows :—

NEW BRUNSWICK.

Message to the Legislative Council,
5th February, 1846.

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor, referring to his opening Speech, lays before the House copies of five Reports which have been made to him by the Commissioners appointed to carry into effect the Fourth Article of the Treaty of Washington.

W. M. G. C.

[*See Appendix No. 1.*]

NEW BRUNSWICK.

Message to the Legislative Council,
7th February, 1846.

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Council, copies of a Correspondence which he has held with the Secretary of State for the Colonies, relative to the proposed exchange of certain lots of Land with the Master General and Board of Ordnance, in the City of Fredericton.

W. M. G. C.

[*See Appendix No. 2.*]

NEW BRUNSWICK.

Message to the Legislative Council,
9th February, 1846.

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Council, the copy of a Despatch from the Secretary of State for the Colonies, communicating the Answer which the Queen has commanded to be returned to the Joint Address of the Legislative Council and Assembly, on the subject of the Post Office.

W. M. G. C.

POST OFFICE.

(Copy)

[No: 336.]

Downing Street, 1st October, 1845.

SIR,—I have received your Despatch of the 26th April, No. 27, enclosing a Joint Address from the Legislative Council and Assembly of New Brunswick, together with a Report of the Select Committee of the latter House, on the subject of the Post Office of that Province. I have laid this Address before the Queen, and I have received Her Majesty's commands to instruct you to return the following answer to the two Houses of the local Legislature on the subject to which that Address refers.

It appears from the enquiries which have been instituted into the allegations contained in the Address, that some misapprehension exists in regard to the high rate of Postage established by the Treasury Warrant of October, 1843; the fact being, that, with the exception of the introduction of the system of weight, instead of enclosures, and in those cases in which a reduction of charge has been effected, the rates are the same as those previously existing in British North America. I

I am informed by the Postmaster General that there is also some mistake respecting the expense of managing the Provincial Post Office, the increase for that service since January, 1842, not being by any means so great as the Address represents.

I enclose herewith an extract from a Report made to the Lords Commissioners of the Treasury by the Postmaster General, which will explain with exactness the instances in which there has been an increase or decrease in the Salaries of the Department, together with the grounds for the same.

The Address in the next place complains of diminished accommodation afforded by the Post Office Department, and that owing to the recent abandonment of some of the lines, many of the oldest and most cultivated Districts of the Province are now left without any Post Office accommodation. Upon this point, the Postmaster General has made observations which I could not abridge with advantage. I therefore transmit a copy of them to you, in order that they may be communicated to the two Houses of the Legislature.

The Address concludes with certain proposals for the reduction of the rates of Postage; the remission of the Postage on Printed Votes and Newspapers, and for the establishment of additional lines of communication. Upon these points, I am to state, first, that I learn from the Postmaster General, that the principal objection to the reduction of the Postage rates in New Brunswick, arises from the fear that the Revenue of the Department would not be sufficient to meet the expenditure. But, at the same time, His Lordship has observed that the offer made by the Legislature of guaranteeing for a term of years such additional sum as might be required to defray the current charges of the Department, would meet this objection, and appears to be a fair and reasonable proposition. There would, however, be considerable inconvenience in the establishment of a totally different scale of Postage in New Brunswick from that prevailing in Nova Scotia and Canada.

Her Majesty's Government cannot consent to the abolition of the Postage on printed Votes and Newspapers as prayed for in the Address, considering that the Newspapers in New Brunswick are not liable to Stamp Duty, and that the cost of Mail conveyance is exceedingly heavy in that Province; but the establishment of such additional lines of Post Communication as may be suggested by the Provincial Legislature will be authorized by the Postmaster General, when the necessary funds are provided, it being understood that those Posts shall be set up by the Postmaster General, in order that the rates of Postage may be levied according to Law, and that they shall be subject to His Lordship's control, and to the general official regulations adopted throughout the Empire.

There will be no objection whatever to a detailed return of the Revenue and Expenditure of the Post Office Department being annually submitted to you by the Deputy Postmaster General, for the purpose of being laid before the Provincial Legislature; and Her Majesty's Government will be ready to sanction any appropriation of the Surplus Revenue of the Post Office in New Brunswick, either for the extension of the Posts and Postal Communication, or to the Public Service of the Province in any manner that may be consistent with the provisions of the Law.

I have, &c.

(Signed)

STANLEY.

Lieutenant Governor Sir William Colebrooke.

Extract of a Report from the Earl of Lonsdale to the Lords Commissioners of Her Majesty's Treasury, dated General Post Office, 14th August, 1845.

“According to the statement of the Accountant General of this Department, it appears that by the Books of this Office, the amount actually paid from the Revenue under the head of Salaries for the years mentioned, was as follows:—

	Sterling.	Currency.
Years ending 5th January, 1842,	£1,111 19 5	£1,334 7 3
“ “ 5th January, 1843,	1,217 11 2	1,461 1 5
“ “ 5th January, 1845,	1,625 14 10	1,950 17 9

For the two former years however in addition to the expenditure here set down for Salaries the whole of the Postmasters enjoyed the Franking Privilege, and the emoluments of the present Deputy Postmaster General, (then merely Postmaster of St. John,) from the Newspaper perquisite and other sources, averaged about £42 Currency per annum; while the Postmaster of St. Andrews derived in the

the year ended the 5th January 1842, £281 17 8½, and in the succeeding year £263 16 6 from Commission allowed by the United States Post Office for the collection of its Postage in New Brunswick. This Commission, as well as the Postage on Post Master's private correspondence, (all of which is now subject to charge,) and the Postage on Newspapers, is now carried to the credit of the Revenue, and there is reason to believe that the produce from these sources at present exceeds the compensations awarded, which amounted during the last year to £373 15s. Sterling, but which are constantly falling in from death or resignation of the parties to whom they were granted.

From the foregoing statement Your Lordship will see that the increased expenditure for Salaries in New Brunswick, is much less than is stated in the Address, and the actual increase can be readily accounted for in a satisfactory manner.

In the first place there are four additional Offices brought into the Accounts of New Brunswick for the past year, which were formerly included in the charge of the Deputy Postmaster General of Canada. The Salaries of these Officers have added £70 16 4 Currency to the expenditure of New Brunswick; but on the other hand, the Revenue collected at them has increased the amount of the Gross Receipt in New Brunswick, a fact which has not been taken notice of.

The Deputy Postmaster General, although with decidedly an increased responsibility, actually receives, under his present fixed Salary of £600 Currency per annum, £4 5 6 Currency less than he derived from the Commission of 20 per cent. upon his Collection in the year ended the 5th July 1842, and only £4 13s. Currency per annum more than the average of his official Income for the three years ended on that day.

The increased expense at St. John for Salaries since January 1843, has been occasioned by the appointment of two additional Clerks and a Surveyor.

The Salary of the first Clerk has also been raised from £60 to £100 Sterling. This last measure was only an act of justice to the individual filling the office, who has now been fourteen years in the service, and who was fairly entitled to increased remuneration.

The appointment of a second Clerk was reported by Mr. Page when he visited St. John in September 1842, as being urgently required for the ordinary duties of the St. John Office, while he stated that a third would be indispensable if St. John were made the Head Quarters of a Deputy Postmaster General, which was shortly afterwards decided upon.

With respect to the Surveyor, this appointment was strongly recommended by the Commissioners of Post Office Enquiry in British North America; and there can be no doubt of the great benefit which is derived from the active and personal superintendence of such an Officer. In fact it would be impossible for the Deputy Postmaster General to carry on the service throughout the Province in an efficient manner without the assistance of a Surveyor.

Since the appointment has been made, and mainly owing to enquiries instituted through this Officer, several of the Riding Work Contracts in different parts of the Province have been put up to public competition, by which a considerable saving has been or will be shortly effected in the expenditure of the Department.

The only remaining increase in the Salaries of the New Brunswick Establishment since January 1843, is in the case of the Postmaster of Dorchester, the frontier town on the Nova Scotia side, to whom a fixed Salary of £80 Sterling has been granted in lieu of the Commission of 20 per cent., which in 1842 produced about £27 a year.

The advantage, however, which in consideration of this Salary, has been gained by making Dorchester a Forward Office for the English Mails to and from Miramichi and the other towns in that section of the Province, is very considerable, as a delay of no less than seven days would have been experienced by sending the correspondence for those towns in the general Mail for St. John.

I think the foregoing remarks will shew Your Lordships that there has been no unnecessary increase of expenditure in the Post Office of New Brunswick on account of Salaries, and that the Assembly could not have had all the facts before them when this Address was drawn up."

Extract of a Report from the Earl of Lonsdale to the Lords Commissioners of Her Majesty's Treasury, dated General Post Office, 14th August, 1845.

"I now proceed to the complaint of diminished accommodation afforded by the Department, respecting which it is stated in the Address, that by the recent abandonment of some of the lines, many of the

the oldest and most cultivated Districts of the Province are now left without any Post Office accommodation.

There can be no doubt that the observations are intended to refer to the route from a point called the Finger Board to Fredericton, and to one from Fredericton to Saint Andrews, from both of which routes the Couriers have been withdrawn since January 1843.

I am not aware that Posts established by this Department have been withdrawn on any other lines in New Brunswick.

With respect to the first of these Rides, I must explain to Your Lordships, that its discontinuance was occasioned by the refusal of the House of Assembly in the Spring of 1843, to vote the sum which they had for some years granted to parties who ferried the Mails across the Washademoac and Jemseg Lakes, in consequence of which, the passage of the Mails was refused, until the sum which the Ferrymen conceived to be due to them was paid.

It is right also to state, that there was but one Way Office throughout the line, and that the correspondence delivered or taken up by the Courier was very inconsiderable, although the expense was £300 a year.

The Courier between Fredericton and Saint Andrews was discontinued in April last year, (when the funds of the Department were in a very low state,) upon my attention being very properly directed, by my Officer in New Brunswick, to the fact, that the Ride was scarcely necessary, as there was a communication between Fredericton and the United States five times a week, *via* Woodstock, and opportunities of forwarding correspondence to and from Saint Andrews three times a week, *via* Saint John. It further appeared that there was but one settlement of any extent on the route, the weekly average number of Letters for which did not exceed four.

Under these circumstances I conceived myself fully justified in the course I adopted.

The expense saved was £80 per annum.

NEW BRUNSWICK.

Message to the Legislative Council,

7th February, 1846.

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor communicates to the Council, the copy of a Despatch from the Secretary of State for the Colonies, relative to the Act passed in the last Session to authorize the sale of certain Lands in the County of York, belonging to the late Mr. W. F. Odell, deceased.

W. M. G. C.

SALE OF HERMITAGE.

(Copy)

[No. 322.]

Downing Street, 18th August, 1845.

SIR,—I have had under my consideration the Act passed by the Legislature of New Brunswick in the month of March last, (No. 1537,) with a suspending clause, to authorize the sale of certain Lands in the County of York, belonging to the late Mr. W. F. Odell, deceased, &c.

I deem it right, in the first instance, to refer this Act for the consideration of the Law Officers of the Crown in this Country. I transmit herewith a copy of the Report which they have made to me in reply to that reference.

Adverting to that Report, I have to acquaint you that it will not be in my power to advise the Queen to make any order for the confirmation of this Act.

I have, &c.

(Signed)

STANLEY.

Lieutenant Governor Sir William Colebrooke, &c. &c. &c.

(Copy)

Temple, August 12th, 1845.

MY LORD,—We have the honor to acknowledge the receipt of Mr. Hope's letter of the 11th of July last, in which he stated he was directed by Your Lordship to transmit to us the transcript of

an Act passed with a suspending clause by the Legislature of New Brunswick (No. 1537) to authorize the sale of certain Lands in the County of York, lately belonging to Mr. W. F. Odell, deceased, &c.

He also enclosed copies of the Reports which accompanied this Act from the Lieutenant Governor, and from the Law Officers of the Province.

Your Lordship was pleased to direct him to signify to us your desire that we would report to Your Lordship our joint opinion whether there is any objection to this Act receiving the confirmation of Her Majesty in Council.

In humble obedience to Your Lordship's commands, we beg to report that we cannot recommend to Her Majesty in Council to confirm this Act. The Will is made 18th July, 1843, the death was in December, 1844. Three months after this latter period it is proposed to give a power of sale which the Testator did not think proper to give, and as the Law Officers in New Brunswick very justly say, without a sufficient case of necessity being made out.

We have, &c.

(Signed)

FRED. THESIGER,
FITZROY KELLY.

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

The Honorable Mr. Johnston, also by direction of His Excellency the Lieutenant Governor, lays before the House the following Accounts and Documents:—

*Abstract of the Receipt and Expenditure of the Casual and Territorial Revenues
for the Year 1845.*

1844		RECEIPT.		
Dec. 31.	Balance in favor of the Province,.....			£212 15 5
1845	Proceeds of Mileage on Licences to cut Timber and Lum- to ber, and Tonnage on Excesses unlicenced,.....	£4,835	3 3	
Dec. 31.	Proceeds of Land sold,.....	7,839	12 10	
	Contingencies collected at the Secretary's Office the fourth Quarter of 1844, part of the second Quarter and the third Quarter of 1845,.....	327	11 8	
	Contingencies collected at Crown Land Office,.....	208	7 11	
	Fines in Courts of Law,.....	0	5 0	
	Proceeds of Militia Clothing,.....	20	0 0	
	Transferred from Surplus Civil List, being advances made to Normal School Teachers from Funds in the hands of George Baillie, Esquire,.....	138	8 4	
	Conscience money restored,.....	2	0 0	
	Paid in by the Attorney General,.....	860	0 0	
				<hr/>
				14,231 9 0
				<hr/>
				£14,444 4 5
				<hr/>
		EXPENDITURE.		
1845	Paid for Surveys and Inspections Crown Land and Timber,	£388	16 2	
to	“ “ “ Indian Lands,.....	286	1 7	
Dec. 31.	“ J. Allan, Salary and Contingencies of Office,....	427	14 7	
	“ Seizing Officers' Dues,.....	40	19 9	
	“ Expenses of Crown Prosecutions,.....	45	5 7	
	“ Clerk Hire, Crown Land Office,.....	1,010	0 0	
				<hr/>
	<i>Carried forward,</i>	£2,198	17 8	

	<i>Brought forward</i> ,.....	£2,198	17	8	
Paid	Contingencies of Crown Land Office,.....	159	9	6	
"	Rent and Contingencies of Audit Office,.....	60	16	10	
"	" " Receiver General's Office,	23	19	3	
"	Travelling Expenses and Contingencies of Executive Councillors,.....	289	12	5	
"	Surveyor General, Receiver General, and Auditor's Postages,.....	206	5	7	
"	Deposits on Land and Timber returned,.....	63	7	0	
"	Printing, Advertising, Gazettes, &c.....	183	1	3	
"	Clerk Hire, &c. Commissioners of Crown Debts,.....	50	19	10	
"	Provincial Secretary's Contingencies for 1844,.....	105	0	0	
"	For taking Account of Timber under Export Act,.....	18	15	0	—£3,360 4 4
"	The Provincial Treasurer,.....		10,750	0	0
"	Balance in favor of the Province,.....		334	0	1
					<u>£14,444 4 5</u>

1845

Dec. 31.	Balance due the Province,.....		£334	0	1
	Made up as follows:—				
	Balance in Receiver General's hands,.....	£361	5	1	
	Less—Unpaid Warrants, 490, £6 15s.; 495, £9: 109, £4 10s.: 412, £2 5s.: 505, £1: 54, £3 15s...		27	5	0
					<u>£334 0 1</u>

NOTE.—The Contingencies collected in the Secretary's Office the first Quarter of 1845, and part of those collected in the second Quarter, were appropriated to pay the Provincial Secretary's Office Contingencies for 1843, by order of the Executive; the amount was £105.

Audit Office, 15th January, 1846.

F. P. ROBINSON.

CIVIL LIST OF THE PROVINCE OF NEW BRUNSWICK FOR THE YEAR 1845.

First Quarter—to 31st March.

Paid Sir Wm. M. G. Colebrooke,	Lieutenant Governor,	£865	7	8
Alfred Reade, Esquire,	Private Secretary,	57	13	10
Hon. Ward Chipman,	Chief Justice, Supreme Court,	274	0	9
" William Botsford,	Justice Do. Do.	187	10	0
" James Carter,	Do. Do. Do.	187	10	0
" Robert Parker,	Do. Do. Do.	187	10	0
" Thomas Baillie,	Surveyor General,	300	0	0
" F. P. Robinson,	Auditor General,	86	10	9
" Thomas C. Lee,	Receiver General,	86	10	9
" Charles J. Peters,	Attorney General,	158	13	0
" G. F. Street,	Solicitor General,	57	13	10
" G. F. Street,	Donation to King's College,	277	15	6
Commissioners of Indians,	Donation,	15	0	0
Anthony Lockwood, Esquire,	Annuity,	43	5	4
M. H. Perley, Esquire,	Acting Emigrant Agent,	28	16	11
The Salary of the Provincial Secretary and Registrar and Clerk of the Executive Council,		399	17	9
Alfred Reade, Esquire,	Provincial Secretary & Registrar,			
Wm. H. Odell, Esquire,	Clerk of the Executive Council,			
	<i>Carried forward,</i>			
				<u>£3,213 16 1</u>

Brought forward,

£3,213 16 1

Second Quarter—to 30th June.

Paid Sir Wm. M. G. Colebrooke,	Lieutenant Governor,	£865 7 8
Alfred Reade, Esquire,	Private Secretary,	57 13 10
Hon. Ward Chipman,	Chief Justice, Supreme Court,	274 0 9
“ William Botsford,	Justice, Supreme Court,	187 10 0
“ James Carter,	Do. Do.	187 10 0
“ Robert Parker,	Do. Do.	187 10 0
“ Thomas Baillie,	Surveyor General,	300 0 0
“ F. P. Robinson,	Auditor General,	86 10 9
“ Thomas C. Lee,	Receiver General,	86 10 9
“ Charles J. Peters,	Attorney General,	158 13 0
“ George F. Street,	Solicitor General,	57 13 10
“ George F. Street,	Donation to King's College,	277 15 6
Commissioners of Indians,	Donation,	15 0 0
Anthony Lockwood, Esquire,	Annuity,	43 5 4
M. H. Perley, Esquire,	Acting Emigrant Agent,	28 16 11
The Salary of the Provincial Secretary and Clerk of the Executive Council,		399 17 9
Alfred Reade, Esquire,	Provincial Secretary & Registrar,	
William H. Odell, Esquire,	Clerk Executive Council,	
		3,213 16 1

Third Quarter—to 30th September.

Paid Sir Wm. M. G. Colebrooke,	Lieutenant Governor,	£865 7 8
Alfred Reade, Esquire,	Private Secretary,	57 13 10
Hon. Ward Chipman,	Chief Justice, Supreme Court,	274 0 9
“ William Botsford,	Justice Supreme Court,	187 10 0
“ James Carter,	Do. Do.	187 10 0
“ Robert Parker,	Do. Do.	187 10 0
“ Thomas Baillie,	Surveyor General,	300 0 0
“ F. P. Robinson,	Auditor General,	86 10 9
“ Thomas C. Lee,	Receiver General,	86 10 9
“ Charles J. Peters,	Attorney General,	158 13 0
“ George F. Street,	Solicitor General,	57 13 10
“ George F. Street,	Donation to King's College,	277 15 6
Commissioners of Indians,	Donation,	15 0 0
Anthony Lockwood, Esquire,	Annuity,	43 5 4
M. H. Perley, Esquire,	Acting Emigrant Agent,	28 16 11
The Salary attached to the Office of Provincial Secretary and Re- gistrar and Clerk of the Executive Council, held by the Rec. General to a separate Account,		399 17 9
		3,213 16 1

Fourth Quarter—to 31st December.

Paid Sir Wm. M. G. Colebrooke,	Lieutenant Governor,	£865 7 8
Alfred Reade, Esquire,	Private Secretary,	57 13 10
Hon. Ward Chipman,	Chief Justice, Supreme Court,	274 0 9
“ William Botsford,	Justice, Supreme Court,	187 10 0
“ James Carter,	Do. Do.	187 10 0
“ Robert Parker,	Do. Do.	187 10 0

Carried forward,

£1,759 12 3

£9,641 8 3

	<i>Brought forward,</i>	£1,759 12 3	£9,641 8 3
Paid Hon. Thomas Baillie,	Surveyor General,	300 0 0	
“ F. P. Robinson,	Auditor General,	86 10 9	
“ Thomas C. Lee,	Receiver General,	86 10 9	
“ Charles J. Peters,	Attorney General,	158 13 0	
“ George F. Street,	Solicitor General,	57 13 10	
“ George F. Street,	Donation to King's College,	277 15 6	
Commissioners of Indians,	Donation,	15 0 0	
Anthony Lockwood, Esquire,	Annuity,	43 5 4	
M. H. Perley, Esquire,	Acting Emigrant Agent,	28 16 11	
The Salary attached to the office of Provincial Secretary and Registrar and Clerk of the Executive Council, held by the Rec. General to a separate Account,		399 17 9	3,213 16 1
	Total for the year,		£12,855 4 4
	Amount of Civil List,		14,500 0 0
	Surplus on the year,		£1,644 15 8

Office of Audit, 30th January, 1846.

F. P. ROBINSON.

Distribution of the Surplus Civil List Fund for the Year ending 31st December, 1845.

1845.—Feb. 10. No. 72. To W. B. Phair, Secretary's Postage, Quarter ending 31st December, 1844,		£20 8 2	
April 7. “ 74. To T. C. Lee, to refund the Casual Revenue £113 5s. Sterling, (Bills @ 10 per cent.) drawn from the hands of George Baillie, Salary and compensation to Mr. and Mrs. Dickson, retained as Normal School Teachers,		138 8 4	
Mar. 31 to Dec. 31. Nos. 73, 75, 76, 78. F. P. Robinson, to pay Salary of Auditor's Clerk for 1845,		153 17 0	
			£312 13 6
1845.—Jan. 1. Balance in the Receiver General's hands at date,		£7,522 3 0	
Dec. 31. Surplus on the year ending this date,		1,644 15 8	
			9,166 18 8
Dec. 31. Balance now in the Receiver General's hands,			£8,854 5 2

Audit Office, 30th January, 1846.

F. P. ROBINSON.

*Account of Salaries paid to the Clerks and others on the Indoor Establishment of the Crown Land Office from 1st of January to 31st December, 1845.**First Quarter—to 31st March.*

Paid Robert Gowan,	Accountant,	£50 0 0	
Andrew Inches,	Draftsman,	50 0 0	
Timothy O'Connor,	Assistant Draftsman,	37 10 0	
Anthony Lockwood, Jr.	Do. do.	37 10 0	
Jacob Elligood, Jr.	Clerk,	15 0 0	
John Grant,	Compiler,	50 0 0	
Thomas Sweade,	Messenger,	12 10 0	
	<i>Carried forward,</i>		£252 10 0

Brought forward, £252 10 0

Second Quarter—to 30th June.

Paid Robert Gowan,	Accountant,	£50	0	0
Andrew Inches,	Draftsman,	50	0	0
Timothy O'Connor,	Assistant Draftsman,	37	10	0
Anthony Lockwood, Jr.	Do. Do.	37	10	0
Jacob Elligood, Jr.	Clerk,	15	0	0
John Grant,	Compiler,	50	0	0
Thomas Sweade,	Messenger,	12	10	0
		252	10	0

Third Quarter—to 30th September.

Paid Robert Gowan,	Accountant,	£50	0	0
Andrew Inches,	Draftsman,	50	0	0
Timothy O'Connor,	Assistant Draftsman,	37	10	0
Anthony Lockwood, Jr.	Do. do.	37	10	0
George P. Wolhaupter,	Clerk,	15	0	0
John Grant,	Compiler,	50	0	0
Thomas Sweade,	Messenger,	12	10	0
		252	10	0

Fourth Quarter—to 31st December.

Paid Robert Gowan,	Accountant,	£50	0	0
Andrew Inches,	Draftsman,	50	0	0
Timothy O'Connor,	Assistant Draftsman,	37	10	0
Anthony Lockwood, Jr.	Do. do.	37	10	0
George P. Wolhaupter,	Clerk,	15	0	0
John Grant,	Compiler,	50	0	0
Thomas Sweade,	Messenger,	12	10	0
		252	10	0

£1,010 0 0

Office of Audit, January 30, 1846.

F. P. ROBINSON.

ORDERED, That the same do lie on the Table.

A Message was brought from the Assembly by Mr. Wark, with a Bill to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the Contingent Expenses of the said County, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by the Honorable Mr. M'Leod, with a Bill to remove doubts respecting the competency of Witnesses in certain cases, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. End, with a Bill to authorize Her Majesty's Justices of the Peace of the County of Gloucester to assess the said County for the payment of the County Debts, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Rankin, with a Bill to authorize Her Majesty's Justices of the Peace for the County of Northumberland to assess the said County to pay off the County Debts, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

A Petition from the Trustees of the Savings' Bank in the City of Saint John, praying the Treasurer or his Deputies may be authorized to receive Deposits from the Trustees of Savings' Banks, to the amount of twenty thousand pounds, in addition to the sum at present allowed by Law: and

A Petition from the Reverend James Dunphy, the Reverend James Quinn, William Doherty, William M'Donagh, and one thousand six hundred and thirty nine Catholic Inhabitants of the City of Saint John and Parish of Portland, praying an Act may pass, giving to the Right Reverend William Dollard, Roman Catholic Bishop of New Brunswick, like powers of holding Real Estate for the benefit of the Church, which the Roman Catholic Bishops of Toronto and Kingston possess, under an Act of the General Assembly of Canada passed the twenty ninth day of March last.

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

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

A Petition from Christiana Walker, of the Parish of Saint George, in Charlotte County, praying an allowance for teaching a School in the said Parish: and

A Petition from John G. Lorimer, praying Legislative aid to enable him to continue a Weekly Publication for the use of Children.

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

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

A Petition from Joseph Walton, William Ker, Richard M. Andrews, and one hundred and thirty other inhabitants of Saint Andrews, in Charlotte County, praying a modification of the Import Duties on Flour and other articles:

A Petition from Nathaniel Doggett, of the Island of Grand Manan, setting forth an act of incendiarism committed on his property, while pursuing his duty as Wreck Master at that Island, and praying relief for losses sustained in discharge of his duty: and

A Petition from the Reverend William M'Donald, Roman Catholic Pastor at Saint George, with fifty eight others, praying that an Act may pass to enable the Roman Catholic Bishop of New Brunswick to hold Real Estate belonging to their Church.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY

TUESDAY, 10th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue an Act, intituled "An Act relating to the collection of Duty on Timber and other Lumber," was read a third time and passed.

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

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill to amend an Act, intituled "An Act for the Naturalization of Aliens in this Province:"

A Bill to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the Contingent Expenses of the said County:

A Bill to remove doubts respecting the competency of Witnesses in certain cases:

A Bill to authorize Her Majesty's Justices of the Peace of the County of Gloucester to assess the said County for payment of the County Debts: and

A Bill to authorize Her Majesty's Justices of the Peace for the County of Northumberland to assess the said County to pay off the County Debts.

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

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

The Honorable the President read the same, and it was again read by the Clerk as follows:—

NEW BRUNSWICK.

*Message to the Legislative Council,
4th February, 1846.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the House, copies of the Reports relative to the failure of the Potato Crop, which he referred to in his opening Speech.

W. M. G. C.

ORDERED, That the Reports accompanying His Excellency's Message do lie on the Table.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the Justices of the Peace for the County of Restigouche to levy an assessment to pay off the County Debt.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to increase the Representation of the County of Albert.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Jordan, with Resolutions of Appropriation dated the ninth day of February instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

A Message was brought from the Assembly by Mr. Fisher, with a Bill to vacate the Seats of Members of the Assembly in certain cases, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

A Petition from Arthur M'Cann, Peter Slean, Michael O'Connor, and two hundred and seventy other persons, Roman Catholics of Fredericton and its vicinity, praying an Act may pass incorporating their Bishop in the manner the Roman Catholic Bishops of Kingston and Toronto, in Canada, are incorporated by an Act passed in Canada in March last, with the exception of the Section of the Bill expressed as the selling clause: and

A Petition from Thomas Millaney, Andrew Murray, William O'Halloran, and one hundred other persons, inhabitants of the County of Sunbury, in communion with the Church of Rome, praying a Bill to be brought under the consideration of this House to incorporate the Roman Catholic Bishop of New Brunswick, for the purpose of holding Lands in perpetuity for religious purposes connected with the Church, may be allowed to become a Law.

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

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

A Petition from John Gibson Macgregor, of the City of Saint John, praying aid to enable him to continue his services as Teacher of a School in the said City: and

A Petition from Alfred Kortwright, Lieutenant in Her Majesty's Navy, and attached to the Survey now in progress in the Bay of Fundy and places contiguous, praying a return of Duties paid by him on Wines, &c., made use of by him while prosecuting such service.

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

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

A Petition from the Reverend Andrew Barron, Joseph Read, and John M'Kenna, Managing Committee of a Roman Catholic School at Bathurst, in the County of Gloucester, praying aid in support of the establishment: and

A Petition from Henry Steeves, Ralph Mitton, George Colepitts, and seventy five other inhabitants of the Parish of Coverdale, praying that should an Act be under consideration to alter the present Line between the Counties of Westmorland and Albert, the Parish of Coverdale may be re-attached to the County of Westmorland.

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

The Honorable Mr. Wyer, by leave, presented a Petition from B. R. Fitzgerald, of Saint Andrews, in Charlotte County, praying a return of Duties paid by him in April last.

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

The Honorable Mr. Shore, by leave, presented a Petition from John Ward, Lauchlan Donaldson, Robert W. Crookshank, James White, Henry Gilbert, Ralph M. Jarvis, and one thousand five hundred inhabitants of the City and County of Saint John, praying a Charter in such form and with such privileges as may seem just, to bring into effect a Line of Railway from the City of Saint John to the Grand Falls, *via* Fredericton and Woodstock.

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

The Honorable Mr. Chandler, by leave, presented a Petition from Matilda Mills, Teacher of a School in Moncton, praying for an allowance for services.

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

The Honorable Mr. Saunders, by leave, presented a Petition from Moses M. Sargeant, James M'Nutt, John Hickey, and forty other inhabitants of Newcastle, in the County of Northumberland, praying an Act laying a Tax on Dogs, may be repealed.

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

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

A Petition from the President and Directors of the Charlotte County Agricultural Society, praying a sum of money to enable them to procure Seed Potatoes from abroad, to supply such persons as may be considered entitled to assistance, subject to such regulations as the General Assembly may think proper to prescribe: and

A Petition from the Trustees of the Estate of the late James Rait, of Charlotte County, praying that certain sums of money paid into the Crown Land Office, by the said James Rait, in his life time, and not credited in Account, should be repaid to the Trustees, for the reason set forth.

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

The

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

A Petition from the Justices of the Peace for the City and County of Saint John, praying that more effectual provision may be made by the Legislature for the establishment of a Provincial Lunatic Asylum in some part of the Province out of the City of Saint John :

A Petition from the same Justices, praying for an Act to authorize them to erect a County Building for keeping the Public Registry and other Records of the County :

A Petition from the same Justices, praying an Act may be passed for enabling the several Courts of Sessions in this Province more effectually to secure the payment of any Public Funds of the said Counties in the hands of their Officers : and

A Petition from the same Justices, praying that certain unpaid Debentures of the Provincial Penitentiary may be assumed by the Province, in order to enable them to commence paying off the new Gaol Loan Debentures.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 11th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to authorize the Justices of the Peace for the County of Restigouche to levy an assessment to pay off the County Debt : and

A Bill to increase the Representation of the County of Albert.

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

Pursuant to the Order of the Day, the Bill to vacate the Seats of Members of the Assembly in certain cases, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the Contingent Expenses of the said County.

The

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize Her Majesty's Justices of the Peace of the County of Gloucester to assess the said County for payment of the County Debts.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend an Act, intituled "An Act for the Naturalization of Aliens in this Province."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Several Messages from His Excellency the Lieutenant Governor were delivered by the Honorable Mr. Johnston, a Member of Her Majesty's Executive Council.

The Honorable the President read the same, and they were again read by the Clerk as follows:—

NEW BRUNSWICK.

Message to the Legislative Council,

9th February, 1846.

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor communicates to the Council, an Extract of a Despatch from the Secretary of State for the Colonies, on the subject of an Act passed in the last Session, relating to certain Fees of the Office of Provincial Secretary.

W. M. G. C.

PROVINCIAL SECRETARY'S FEES.

EXTRACT OF A DESPATCH FROM LORD STANLEY TO SIR WILLIAM COLEBROOKE,

DATED DOWNING STREET, AUGUST 9, 1845.

[No. 317.]

The Act relating to certain Fees, (distinguished in the Records of this Office as No. 1533,) abolishes, without any compensation, the Fees of the Office of the Provincial Secretary. The effect will be to reduce, by a sum varying from £350 to £400 per annum, the fund by which the expenses of that Office have hitherto been defrayed. Consequently the Provincial Secretary must either pay those charges out of the Income appropriated to his own support, or he must receive the deficiency from the Surplus of the Civil List Revenue.

To

To throw the burden on him would be obviously unjust. It would therefore be injurious to the Legislative Council and Assembly, to understand the Act as having been passed with any such view. The suggestion that their real object was to curtail the Surplus of the Civil List Fund, a suggestion adopted by yourself, appears therefore as by far the more probable explanation of the policy of this enactment.

So understanding it, I could not advise Her Majesty to give the assent, without which the Act must be inoperative.

If the Surplus of the Civil List be really excessive, the far more convenient mode of proceeding would be to address the Crown to agree to a diminution of it. Her Majesty's Government can have no motive for wishing to maintain any charge on the Revenues of the Province, as a Surplus of the Civil List; but the belief that the possession of such a resource may be essential or conducive to the general welfare of the Queen's subjects in New Brunswick. If that belief can be shewn to be erroneous, there will be no reluctance to consent to any retrenchment of the Fund which may be compatible with the public interests.

You will communicate to the Legislative Council and Assembly the preceding remarks on this Act, and will inform them, that Her Majesty cannot be advised to assent to it, unless some unexceptionable mode can be pointed out, of meeting the deficiency which the allowance of it must create in the Funds devoted to the support of the Office of the Provincial Secretary.

(Signed)

STANLEY.

NEW BRUNSWICK.

Message to the Legislative Council,

9th February, 1846.

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Council, the copy of a Despatch from the Secretary of State for the Colonies, conveying Her Majesty's Answer to their Address on the subject of the Salaries of the Offices of Provincial Secretary, Registrar, and Clerk of the Executive Council, which had become vacant.

W. M. G. C.

SALARY OF PROVINCIAL SECRETARY, REGISTRAR, AND CLERK OF EXECUTIVE COUNCIL.

[No. 314.]

Downing Street, 28th July, 1845.

SIR,—I have laid before the Queen, the Address to Her Majesty, from the House of Assembly of New Brunswick, enclosed in your Despatch of the 26th April, 1845, No. 26, praying that certain reductions may be made in the salaries of some of the Officers for whom provision is made by the Civil List Act of that Province.

The principles by which the decision has hitherto been guided on this subject, and to which Her Majesty proposes to adhere, are few and simple.

They are to stipulate for such a provision for the support of Her Majesty's Officers in the Province, as will enable the Crown to secure the services, in that capacity, of men, whose talents, education, and character, may afford an adequate security for the faithful discharge of their public duties: to defer to the deliberate judgment of the Local Legislature, as to the amount of the provision that may be necessary for the maintenance of Officers possessing those qualifications: and to maintain inviolate every pledge, expressed or implied, by which the faith of the Crown is engaged in favor of any present holder of Office.

Such of the Public Officers of New Brunswick, included in the Civil List, as held their places before the date of that compact, are in possession of such a claim as I have mentioned, on the faith of the Crown; and the Queen is well assured, that the House of Assembly of New Brunswick would be as reluctant to advise, as Her Majesty would be unwilling to adopt, any measure which should disappoint the just and reasonable expectations of any of Her Majesty's Public Servants. On the

other hand, such of the Public Officers of New Brunswick as have succeeded to their places since the date of that compact, accepted them with full knowledge of the assurance of His late Majesty King William the Fourth, conveyed by Lord Glenelg through your predecessor to the Assembly, that the amount of their emoluments would be subject to revision. Whatever reductions might be made from their salaries, and however soon such reductions might be made to take effect, those Officers would, therefore, not be entitled to say that, in their persons, the pledged faith of their Sovereign had been in any respect violated.

Subject to this distinction, the Queen fully acknowledges that the Local Legislature possess means of information and opportunities of arriving at a sound conclusion, not accessible at this distance; nor has Her Majesty any motive for wishing to maintain a scale of Expenditure for the support of Her Officers in New Brunswick, exceeding that which the two Houses may consider sufficient for the efficient discharge of the Public Service. It is however important that this question, when once deliberately adopted, should not be again brought into debate; and the Queen trusts that whatever arrangement may now be proposed will be such as not to call for a frequent or early revision.

I have, &c.

(Signed)

STANLEY.

The Honorable Mr. Johnston, also by direction of His Excellency the Lieutenant Governor, lays before the House—

Abstracts shewing the state of the Central Bank of New Brunswick on the second day of June, 1845, and first day of December, 1845 :

An Abstract shewing the state of the Bank of New Brunswick on the fifth day of January, 1846 :

Abstracts shewing the state of the Saint Stephen's Bank on the first Monday in July, 1845, and the first Monday in January, 1846 :

An Abstract shewing the state of the Charlotte County Bank on the first Monday in May, 1845 :

A statement of the affairs of the Globe Assurance Company on the sixth day of December, 1845; with a List of the names of Stockholders :

A copy of a statement of the affairs of the Saint John Mechanics' Whale Fishing Company on the first day of August, 1845; and a List of the names of the Stockholders.

ORDERED, That the same do lie on the Table.

A Message was brought from the Assembly by Mr. Boyd, with a Bill to authorize Her Majesty's Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable Mr. Botsford, by leave, presented a Petition from the Justices of the Peace of the County of Kent, praying an Act may pass authorizing an assessment upon the County for the payment of the ordinary expenses of the County.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 12th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Botsford,

Mr. Chandler,

Mr. Hatch,

Mr. Johnston,

Mr. Saunders,

Mr. Attorney General,

Mr. Wyer,

Mr. Kinnear,

Mr. Minchin.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize Her Majesty's Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to remove doubts respecting the competency of Witnesses in certain cases.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A insert the words—" or where the said Towns or Parishes may in any manner be affected."

At B insert the words—" or where the said Town or Parish may in any manner be affected."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to amend an Act, intituled "An Act for the Naturalization of Aliens in this Province."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

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

The Honorable the President read the same, and it was again read by the Clerk as follows:—

NEW BRUNSWICK.

Message to the Legislative Council,
12th February, 1846.

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor, referring to his opening Speech, lays before the Council, copies of two Reports from the Commissioners of the Provincial Penitentiary.

W. M. G. C.

[*See Appendix No. 3.*]

The Honorable Mr. Johnston, also by direction of His Excellency the Lieutenant Governor, lays before the House—

Accounts of the State of King's College.

ORDERED, That they do lie on the Table.

KING'S COLLEGE.

PROFESSORS.

The Reverend Edwin Jacob, D. D., Classical Literature, History, Moral Philosophy, Metaphysics and Divinity.

James Robb, Esquire, M. D., Chemistry and Natural History.

William B. Jack, Esquire, A. M., Mathematics and Natural Philosophy.

E. W. W. G. Houseal, Esquire, Tutor in Modern Languages.

Fredericton, 6th February, 1846.

GEO. FRED. STREET, *Registrar.*

STUDENTS.

RESIDENT.

E. B. Chandler,
W. Q. Ketchum,
R. B. Street,
J. C. Street,
John M'Givern,
J. D. Keator,
G. C. DeVeber,
W. P. Dolé,
William Jaffray,
Edward DuVernet,
Jacob Ellegood.

NON-RESIDENT.

C. H. Connell,
C. P. Bliss,
Charles Odell,
W. H. Street,
W. B. Robinson,
R. T. Ketchum,
J. M. Allan,
G. R. M. Wetmore,
J. F. Peters,
William Doak,
John Saunders,
A. H. K. Allan,
Hodson Peters,
E. B. Fisher,
Hurd Peters,
Beverly Robinson.

Fredericton, 6th February, 1846.

GEO. FRED. STREET, *Registrar.*

INCOME

INCOME AND EXPENDITURE.

1845.		DR.			
Jan. 1.	To Balance from last Account,	...	...	...	£176 7 4
	“ Crown Grant from Casual Revenue,	...	...	£1,111 2 0	
	“ Provincial Grant,	...	...	1,100 0 0	— 2,211 2 0
	“ Warrants on Account of Douglas Medals,	...	...	...	100 0 0
	“ Amount of Rents received,	...	...	...	157 7 4
	“ Interest on Monies advanced on Real Estate,	...	...	...	84 0 0
	“ Received from Students for Books,	...	...	...	48 14 6
					£2,777 11 2

1845.		CR.			
Jan. 1.	By Salaries to Professors and others, viz:—				
	Dr. Jacob, Vice President, &c.,	...	...	£500 0 0	
	The same, as Professor of Divinity,	...	...	150 0 0	
	James Robb, Esquire, M. D.,	...	...	300 0 0	
	W. B. Jack, Esquire,	...	...	300 0 0	
	E. W. W. G. Houseal, Esquire, (one Quarter,) in- cluding allowance for Commons,	...	...	42 14 2	
	E. J. Jacob, Librarian,	...	...	20 0 0	
	Honorable G. F. Street, Registrar,	...	...	100 0 0	
	The Steward,	...	...	60 0 0	
	“ Beadle,	...	...	40 0 0	
	“ Gate Keeper,	...	...	10 0 0	
	“ Forester,	...	...	5 0 0	
	George Roberts, Head Master of the Grammar School,	...	...	200 0 0	
	James Holbrook, Assistant Master,	...	...	150 0 0	
	The same for House Rent,	...	...	25 0 0	
					£1,902 14 2
	“ The Library—for Books purchased,	...	...	...	35 16 8
	“ Scholarships—To W. Q. Ketchum, for the year ending Trinity 1845,	...	...	...	25 0 0
	“ Incidental Expenses, viz:—				
	Fuel for the year,	...	...	£40 0 0	
	Pew Rent,	...	...	11 5 0	
	Livery for the Beadle,	...	...	7 1 1	
	J. Simpson, Advertising, &c.,	...	...	16 3 1	
	J. Phillips, Ditto,	...	...	0 9 0	
	H. S. Beek, Stationer,	...	...	24 11 0	
	Duty &c., on Books imported,	...	...	1 12 7	
	S. Fleming, for Root House and other Out Offices,	...	...	164 13 10	
	James Drake, Coals for Library,	...	...	9 11 0	
	Paid the Passage out, &c., of the Tutor of Modern Languages,	...	...	42 15 7	
	Carpenters', Painters', Glaziers', and sundry small Bills,	...	...	21 13 0	— 339 15 2
Dec. 3.	By Balance to debit in new Account,	...	...	...	474 5 2
					£2,777 11 2

(E. E.)

Fredericton, 6th February, 1846.

GEO. FRED. STREET, Registrar.

L

A

A Message was brought from the Assembly by Mr. Fisher, with a Bill to amend the Law relating to Absconding Debtors, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

A Petition from John M'Gill, of Charlotte County, praying Legislative aid to enable him to improve his establishment at Otter Brook for the manufacture of Cloth: and

A Petition from Thomas Hardy, of the same County, praying a sum of money to enable him to convey the Mail between Saint Andrews and Saint Stephen, and for remuneration for past services.

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

The Honorable Mr. Wyer, by leave, presented a Petition from Mary Harvey, of Charlotte County, praying an allowance for teaching a School for four months.

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

The Honorable Mr. Shore, by leave, presented a Petition from Ira Ingraham, George Morehouse, and eight other persons, praying an Act may pass to annex Great Bear Island and Little Goat Island, in York County, to the Parish of Queensbury.

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

The Honorable Mr. Johnston, by leave, presented a Petition from Charles Whitckir, of Saint John, praying a return of Duty paid on twenty seven casks of Seeds exported by him in the Brig Splendid to the United States.

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 13th February, 1846.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kennear,
Mr. Minchin.*

PRAVERS.

Pursuant to the Order of the Day, the Bill to remove doubts respecting the competency of Witnesses in certain cases, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to amend the Law relating to Absconding Debtors, was read a second time.

ORDERED,

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize Her Majesty's Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by the Honorable Mr. M'Leod, with a Bill relating to the acknowledgment of Deeds and other Conveyances of Real Estate by Femmes Covert for the barring of Dower, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to authorize Her Majesty's Justices of the Peace of the County of Gloucester to assess the said County for payment of the County Debts.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Kinnear presented to the House a Bill relative to the holding of Special Sessions in the several Counties of this Province.

The said Bill was read a first time.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the contingent expenses of the said County.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and the Bill, as amended, be read a third time on Monday next.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to authorize Her Majesty's Justices of the Peace for the County of Northumberland to assess the said County to pay off the County Debts. The

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to amend an Act, intituled "An Act for the Naturalization of Aliens in this Province."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

From A expunge the remainder of the Bill, and insert as follows:—

"An Act made and passed in the eighth year of the Reign of Her present Majesty, intituled 'An Act to revive and continue an Act for the Naturalization of Aliens in this Province,' be and the same is hereby repealed.

"II. And be it enacted, That from and after the passing of this Act all persons of Foreign birth, who have inhabited and resided in this Province for the space of seven years or more previous to the time of the passing of this Act, and shall not have been during such period of seven years stated residents in any Foreign Country, and who shall at any time within three years after the time of the passing of this Act take and subscribe the Oath of Allegiance and Residence, (or, being one of the persons allowed by Law to affirm in Civil cases, Affirmation,) prescribed in the Schedule to this Act, if they be of full age of sixteen years at that time, and if not at the full age of sixteen years at the time of the passing of this Act, then within three years from their attaining that age, before any Judge of the Supreme Court of this Province, shall be deemed, adjudged and taken to be entitled to all the privileges of Her Majesty's natural born subjects, to all intents, constructions and purposes as if they and every of them had been or were born in Her Majesty's dominions; which said Oath or Affirmation and Subscription, any of the said Judges is hereby authorized and empowered to administer and take: and the taking and subscribing of every such Oath or Affirmation shall be before any such Judge in open Court, either at Bar or Nisi Prius, between the hours of nine and twelve in the forenoon; and such subscription shall be made in a book to be kept for that purpose; and such Judge shall cause a certificate or return thereof to be transmitted to the Office of the Secretary of the Province, and such Secretary shall cause an entry of such certificate or return to be made in a book to be kept for that purpose in his Office.

"III. And be it enacted, That a testimonial or certificate under the Seal of this Province, of such Alien having taken and subscribed the said Oath or Affirmation, shall be deemed and taken to be a sufficient testimony and proof thereof, and of his or her being entitled to all the privileges of a natural born subject of Her Majesty, to all intents and purposes, and in all Courts whatsoever.

"IV.

“ IV. And be it enacted, That if any person taking and subscribing the Oath or Affirmation required by this Act shall falsely swear or affirm as to the fact of residence in such Oath or Affirmation contained, such person so falsely swearing or affirming shall be deemed guilty of perjury, and shall be liable to the pains and penalties incident by law to the crime of perjury, and moreover upon conviction of such offence, shall be adjudged to have forfeited and lost, and shall forfeit and lose all the privilege of a natural born subject, to which he or she might otherwise have been entitled by virtue of having been naturalized under this Act.

“ SCHEDULE.

“ FORM OF OATH.

“ I do swear (or, being one of the persons allowed by Law to affirm in Civil Cases, do affirm) that I have resided seven years in this Province, without having been, during that time, a stated resident in any Foreign Country, and that I will be faithful and bear true allegiance to the Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province, as dependent thereon.—So HELP ME GOD.”

At B in the Title, strike out the remainder of the Title, and insert the words—

“ To repeal ‘An Act to revive and continue an Act for the Naturalization of Aliens in this Province,’ and to make further provision for the same.”

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

ORDERED, That they be engrossed, and the Bill as amended be read a third time on Monday next.

The Honorable Mr. Botsford presented to the House a Bill, intituled “An Act to incorporate the Chignecto Steam Navigation Company.”

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Brown, with a Bill to amend and explain an Act, intituled “An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provision for the same,” to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Smith, with a Bill relating to the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Albert, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

ORDERED, That the House be put into a Committee of the whole presently, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the ninth day of February instant, and recommended that the

House should concur in the same, with an exception, which the Committee recommend should not be concurred in, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation, dated the ninth day of February instant, were concurred in, with the following exception :—

To the Master in Chancery appointed to carry Messages from the Legislative Council to the House of Assembly, the sum of twenty five pounds for his services during the present Session.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Resolutions of Appropriation, with the exception before stated.

On motion made and seconded—

ORDERED, That the House do go into Committee of the whole House on Tuesday next, to take into consideration the Message of His Excellency conveying the Despatch from the Secretary for the Colonies, relating to the Provincial Secretary's Salary.

The Honorable Mr. Johnston, by leave, presented a Petition from Samuel Scovil, Harry Peters, Nathaniel H. DeVeber, and one hundred and sixty other inhabitants of Queen's County, praying a Company, under the name of the New Brunswick Railway Company, may be incorporated for the purpose of carrying into effect a projected Railway from the City of Saint John to the Grand Falls, *via* Woodstock.

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

The Honorable Mr. Kinnear, by leave, presented a Petition from Humphrey T. Gilbert, praying a return of a sum of money paid by him for Duties on Timber, which was wrongfully seized.

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

The Honorable Mr. Saunders, by leave, presented a Petition from James White, Patrick Harrigan, John Gallivan, and thirty inhabitants of Saint John, praying a grant in aid of individual subscription to improve the Road from the City of Saint John to Sand Point, in Portland.

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

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

A Petition from the President, Directors and Company of the Bank of New Brunswick, praying a Contract with the Provincial Government may be construed so as to relieve the Petitioners from any claim of Interest :

A Petition from John Herrington, of the City of Saint John, praying for remuneration for services as a School Master :

A Petition from Isaac Woodward and John Garrison Woodward, of the City of Saint John, Merchants, praying a return of Duties paid on Steam Boat Machinery used in a Boat plying between the City of Saint John, in this Province, and Boston, in the United States of America : and

A Petition from Messieurs Crookshank and Walker, Merchants, of Saint John, praying a return of Duties on Goods exported to Nova Scotia.

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

The

The Honorable Mr. Kinnear, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying authority further to assess the inhabitants of the said City and County, to pay the contingent expenses of the said County.

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

The Honorable Mr. Shore, by leave, presented a Petition from William M'Intosh, Teacher of a School in the Parish of Dumfries, in York County, praying for additional remuneration.

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

The Honorable Mr. Chandler, by leave, presented a Petition from Robert Scott, George Pittfield, Oliver Jones, Solomon Graves, and five hundred and eight inhabitants of that part of the Parish of Salisbury which is now included in the County of Albert, praying relief for having been separated from the old County of Westmorland, without their knowledge and consent, and against their feelings, wishes and interests.

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

The Honorable Mr. Wyer, by leave, presented a Petition from Grizilla Sherwood, of Charlotte County, praying the continuance to her of the Provincial allowance to the Widows of old Soldiers.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 16th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act for the Naturalization of Aliens in this Province," as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the contingent expenses of the said County :

A Bill to authorize Her Majesty's Justices of the Peace of the County of Gloucester to assess the said County for payment of the County Debts : A

A Bill to authorize Her Majesty's Justices of the Peace for the County of Northumberland to assess the said County to pay off the County Debts : and

A Bill to authorize Her Majesty's Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt.

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

On motion made and seconded—

ORDERED, That a Select Committee of three Members be appointed to examine and report upon such Bills relating to Corporations as may be referred to them the present Session ; and that the Honorable Messieurs Botsford, Chandler, and Hatch, do compose the Committee.

Pursuant to the Order of the Day, the Bill to incorporate the Chignecto Steam Navigation Company, was read a second time.

ORDERED, That the said Bill be referred to the Committee appointed to examine and report upon Bills relating to Corporations.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill relating to the acknowledgement of Deeds and other Conveyances of Real Estate by Femmes Covert for the barring of Dower :

A Bill relative to the holding of Special Sessions in the several Counties of this Province :

A Bill to amend and explain an Act, intituled "An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provisions for the same : " and

A Bill relating to the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Albert.

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

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

A Bill for the safe keeping of the Public Records of the City and County of Saint John : and

A Bill relating to County and Parish Officers in the City and County of Saint John.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

A Message was brought from the Assembly by Mr. Perley, with a Bill to authorize the Justices of the Peace for the County of Carleton to levy an assessment to pay off the County Debts, to which they desire the concurrence of this House. .

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Johnston, a Member of Her Majesty's Executive Council, lays before the House the following Documents, by direction of the Lieutenant Governor :

(Copy)

(Copy)

Government House, Prince Edward Island, 11th June, 1845.

SIR,—I have the honor to transmit to Your Excellency a copy of the Resolution passed by the House of Assembly of this Island, upon the subject of the Lunatic Asylum, as proposed in Your Excellency's Despatch of the _____

I also beg leave to place in Your Excellency's hands a plan of the Lunatic Asylum now building here, and which will be finished in September or October, when it will be ready to receive such persons as may be deemed fit objects for such an Institution.

I have, &c.

(Signed)

H. V. HUNTLEY, *Lieut. Governor.*

His Excellency Sir W. M. G. Colebrooke, &c. &c. &c.

(Copy)

*Prince Edward Island,**In the House of Assembly, April 16th, 1845.*

Resolved, That this House doth concur in opinion with the House of Assembly of the Province of New Brunswick, on the importance of the measure of establishing a Lunatic Asylum for the unfortunate class of persons from either of the three Provinces, who may be in need of such an Institution.

Resolved, That this House will readily co-operate with the other Branches of the Legislature, in any measure calculated to meet the concurrence of the Legislatures of the Province of New Brunswick and Nova Scotia, whereby the Lunatic Asylum now in course of erection near Charlotte Town, according to a plan approved of by the Imperial Government, may be adapted to serve for those Provinces as well as for this Island, and by which any equitable arrangement may be made for apportioning and expense and yearly maintenance of the said Establishment.

Resolved, That an Address be sent to His Excellency the Lieutenant Governor, with copies of the foregoing Resolutions, and that His Excellency be respectfully requested to communicate the same to the Lieutenant Governor of the Province of New Brunswick, and to procure and forward therewith a plan of the said Lunatic Asylum now in course of erection, and a description of the site thereof, and also copies of the Acts of Assembly of this Island, passed for the erection and support of the said Establishment.

(Signed)

WILLIAM CUTLER, *Clerk.*

(Copy)

Saint John, 24th December, 1845.

SIR,—I have the honor of transmitting to you, for His Excellency the Lieutenant Governor's information, a communication to His Excellency from the Commissioners of this Province, accompanied by the Report of the Joint Commissioners of the Province of Nova Scotia and New Brunswick, on the subject of the establishment of a Joint Lunatic Asylum for the two Provinces, and to remain, Sir,

Your very obedient servant,

(Signed)

JOHN ROBERTSON.

The Hon. John S. Saunders, Province Secretary.

(Copy)

Saint John, 20th May, 1845.

SIR,—The undersigned Commissioners of the Provincial Lunatic Asylum, beg leave to state for the information of His Excellency the Lieutenant Governor, that in consequence of urgent applications for the admission to the Asylum of a number of pauper Lunatics, several being cases of peculiar hardship, they have taken upon themselves to procure a new Building in the neighbourhood of the present Asylum, at a rent of £30 per annum, and which will probably afford accommodation for thirty patients.

The Commissioners trust, that under these circumstances the course which they have adopted will meet with the approbation of His Excellency.

They have, &c.

(Signed)

W. JACK,
GEO. P. PETERS, } *Commissioners.*
JOHN WARD, JUN. }

Alfred Reade, Esq., Private Secretary.

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The undersigned Commissioners, appointed by the respective Governments of Nova Scotia and New Brunswick to consider the practicability of erecting and sustaining a Lunatic Hospital, at the joint expense of the lower Colonies, met in the City of Saint John on Tuesday the 15th July, instant, and after a full consideration of the subject referred to them have agreed to report as follows:—

That whilst they concur in the absolute necessity of a more ample provision for the numerous insane who are now sustained at the Public expense, and for the reception of those which, for want of accommodation, it is impossible to receive into the present temporary Asylums, they are unanimously of opinion, that the difficulties attending a joint Establishment are so numerous and insuperable that they would not be justified in recommending such a measure.

(Signed)

H. BELL,
S. P. FAIRBANKS,
WM. WRIGHT,
JOHN ROBERTSON,
GEORGE P. PETERS, M. D.
ALEX. F. SAWERS, M. D.

City of Saint John, 17th July, 1845.

(Copy)

Saint John, N. B., 10th November, 1845.

MAY IT PLEASE YOUR EXCELLENCY,

Having been appointed by Your Excellency to meet and confer with the Commissioners selected by the Government of Nova Scotia, on the practicability of establishing a Lunatic Asylum, at the joint expense, and for the joint benefit of the lower Provinces, we have now the honour to submit to Your Excellency the unanimous Report of the joint Commission, a duplicate original of which we herewith enclose.

We have, &c.

(Signed)

WM. WRIGHT,
GEO. P. PETERS, M. D.

His Excellency Sir Wm. M. G. Colebrooke, K. H. &c. &c. &c.

The Honorable Mr. Johnston, also by direction of His Excellency the Lieutenant Governor, lays before the House—

A copy of a Report from George P. Peters, William Jack, and John Ward, Junior, Commissioners of the Provincial Lunatic Asylum.

[See Appendix No. 4.]

Also, a semi-annual Return of the affairs of the New Brunswick Marine Assurance Company, ending the first day of January, 1846, at three o'clock, in compliance with the thirty first Section of the Act incorporating the Company.

ORDERED, That the same do lie on the Table.

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

A Bill to alter and amend the Laws relating to the Fisheries in the County of Gloucester: and

A Bill relating to Dog Tax in the several Counties in this Province.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

A Message was brought from the Assembly by Mr. S. Earle, with a Bill to enable the Rector, Church Wardens and Vestry of Trinity Church, in Springfield, King's County, to dispose of certain Lands held by them in exchange for other Lands, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Rankin, with a Bill to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Towns of Newcastle and Chatham, in the County of Northumberland, and to make regulations more suitable to the said Towns, and for other purposes therein mentioned, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Fisher, with a Bill to annex certain Islands in the River Saint John to the Parish of Queensbury, in the County of York, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by the Honorable Mr. Wilmot, with the following Resolution :—

“ *House of Assembly, February 13th, 1846.*

“ *Resolved*, That an Humble and Dutiful Address be presented to Her Most Gracious Majesty, on the subject of the Boundary between this Province and Canada, and that the Honorable the Legislative Council be requested to join in such Address.

“ CHAS. P. WETMORE, *Clerk.*”

The said Resolution was read by the Clerk.

RESOLVED, That this House will join the Assembly in the proposed Address.

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

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

A Petition from the Saint John Water Company, praying that an Act may pass further to facilitate the means of supplying the City of Saint John with Water, and for the more effectual prevention and extinguishment of Fires within the said City :

A Petition from Letitia J. Lowery, Conductress of an Infant School at Saint John, praying Legislative aid : and

A Petition from Robert S. Bennison, Teacher of the African School in Saint John, praying the usual allowance for teaching the said School in the years 1845 and 1846.

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

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

A Petition from James Gillies and John Grimmer, of Charlotte County, praying a sum of fifty pounds, paid under the late Act for the importation of Seamen, may be returned to them : and

A Petition from William Campbell and Peter Brown, Overseers of Poor in the Parish of Saint Stephen, praying the return of a sum of money advanced for Sick and Distressed Emigrants during the past year.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 17th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Halch,
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to provide for the safe keeping of the Public Records of the City and County of Saint John :

A Bill relating to County and Parish Officers in the City and County of Saint John :

A Bill to authorize the Justices of the Peace for the County of Carleton to levy an assessment to pay off the County Debts :

A Bill to alter and amend the Laws relating to the Fisheries in the County of Gloucester :

A Bill relating to Dog Tax in the several Counties in this Province :

A Bill to enable the Rector, Church Wardens and Vestry of Trinity Church, in Springfield, King's County, to dispose of certain Lands held by them in exchange for other Lands :

A Bill to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Towns of Newcastle and Chatham, in the County of Northumberland, and to make regulations more suitable to the said Towns, and for other purposes therein mentioned : and

A Bill to annex certain Islands in the River Saint John to the Parish of Queensbury, in the County of York.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend and explain an Act, intituled "An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provisions for the same.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill relating to the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Albert.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Brown, with a Bill to establish the Road leading from Brockway's to Saint Stephen, in the County of Charlotte, as one of the Great Roads of this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Barberie, with a Bill to authorize the Justices of the Peace in the several Counties to levy assessments to defray the contingent expenses of their respective Counties, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Chandler presented to the House the following Bills:—

A Bill, intituled "An Act to remedy certain difficulties in legal proceedings occasioned by the late division of the County of Westmorland:" and

A Bill, intituled "An Act for the more effectual administration of Justice."

The said Bills were severally read the first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

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

A Petition from the Magistrates of the County of Carleton, in General Sessions assembled, praying aid to assist in payment of expenses incurred in building a temporary Gaol:

A Petition from Simon J. Wheten, of the County of Kent, praying an additional grant for a School taught by him in the County: and

A Petition from the Reverend Richard Veriker, Thomas Collins, John Whiteman, Jeremiah Murphy, and two hundred and sixty others, inhabitants of the County of Carleton, praying that an Act may pass incorporating the Roman Catholic Bishop of the Province of New Brunswick to hold lands for the use of the Church.

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

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

A Petition from William Carman, Gauger for the County of Northumberland, praying for remuneration for services in that capacity for the years 1844 and 1845 : and

A Petition from Henry A. Scovil, Josiah Marvin, and seventy inhabitants of Springfield, in King's County, praying a Mail may be directed to be conveyed between the Finger Board, in King's County, to the Seat of Government.

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

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

A Petition from George Bond, of Saint John, praying Legislative protection in any Act that may pass relating to the Navigation of the River and Harbour of Saint John :

A Petition from David Collins, and forty other proprietors of Lands in the Mechanics' Settlement, in the County of Albert, praying Legislative aid for a communication to that Settlement :

A Petition from J. L. Bedell, Treasurer of the County of Saint John, praying an Act may pass allowing him further compensation for services :

A Petition from James Harris and Thomas Hilyard, Commissioners of Roads for the Parish of Portland, in Saint John, praying a sum of money to improve the Road between the City of Saint John and Indian Town, in the Parish of Portland :

A Petition from Messieurs Peters and Tilley, of Saint John, Druggists, praying a return of Duties paid by them on Medicines imported in the Ship Caroline from London :

A Petition from A. B. Sharp, Charles Connell, John Bedell, and thirty three other inhabitants of the Parish of Woodstock, praying that an Act may pass for the repairs of the Highways by assessment within a certain district :

A Petition from James P. Payne, John Duncan, John Wishart, and seven other persons, praying a Bill may pass for the incorporating a Company to introduce and work Payne's Patent Process for the preservation of Wood and other materials : and

A Petition from James Ritchie, a licenced Teacher, praying compensation for teaching a School at Loch Lomond, in Saint John, in 1842.

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

The Honorable Mr. Wyer, by leave, presented a Petition from George M'Kenzie, of the Parish of Saint George, in Charlotte County, praying to be exempted from the operation of the Export Duty Law, for reasons set forth in his Petition.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 18th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin.*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to amend and explain an Act, intituled "An Act to repeal all the Acts in force relating to Trespasses, and make more effectual provisions for the same," was read a third time and passed.

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

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill, intituled "An Act for the more effectual administration of Justice :"

A Bill, intituled "An Act to remedy certain difficulties in legal proceedings occasioned by the late division of the County of Westmorland :"

A Bill to authorize the Justices of the Peace in the several Counties to levy assessments to defray the contingent expenses of their respective Counties : and

A Bill to establish the Road leading from Brockway's, in Saint Stephen, in the County of Charlotte, as one of the Great Roads of this Province.

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

A Message was brought from the Assembly by Mr. Hanington, with a Bill to alter the Division Line between the Counties of Westmorland and Albert, and also certain Parish Lines in the said County of Albert, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill relating to Dog Tax in the several Counties of this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A

A Message was brought from the Assembly by Mr. Connell, with a Bill to provide for the repair of the Streets and Highways in part of the Parish of Woodstock, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. W. H. Street, with a Bill for the better prevention of Illicit Trade, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by the Honorable Mr. M'Leod, that the Assembly have concurred in the amendments sent down from this House to the Bill to remove doubts respecting the competency of Witnesses in certain cases.

A Message was brought from the Assembly by the Honorable Mr. Wilmot, with the following Resolution:—

“ House of Assembly, February 18, 1846.

“ Resolved, That a Committee be appointed to join such Committee as may be appointed by the Legislative Council to prepare an Address to Her Majesty on the subject of the Boundary between this Province and Canada.

“ Ordered, That Mr. Wilmot, the Honorable Mr. Hazen, Mr. End, and Mr. Brown, do compose the said Committee.

“ CHAS. P. WETMORE, Clerk.”

RESOLVED, That the Honorable Messieurs Saunders and Chandler be a Committee on the part of this House to join the Committee appointed by the House of Assembly to prepare an Address to Her Majesty on the subject of the Boundary between this Province and Canada.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill relating to the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Albert.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section I. expunge the word “sixth,” and insert the word “seventh.”

At B expunge the words “in full force and effect in,” and insert the words “hereby extended to and in all respects made applicable to.”

At C insert the word “recited.”

At

At D insert the word "recited."

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

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

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

A Petition from John H. Huestis and Lewis H. Huestis, Proprietors of Big Coack Island and Bloodworth Island, praying the said Islands may be included in the Act proposed to be passed to include certain Islands in the River Saint John to the Parish of Queensbury, in the County of York: and

A Petition from Elizabeth Adams, the Daughter of the late Catharine Fero, the Widow of an old Soldier, praying the pension due to the said Catharine Fero at the time of her death, may be paid to her.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to annex certain Islands in the River Saint John to the Parish of Queensbury, in the County of York.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Towns of Newcastle and Chatham, in the County of Northumberland, and to make regulations more suitable to the said Towns, and for other purposes therein mentioned.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to enable the Rector, Church Wardens and Vestry of Trinity Church, in Springfield, King's County, to dispose of certain Lands held by them in exchange for other Lands.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to alter and amend the Laws relating to the Fisheries in the County of Gloucester.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Payne, with a Bill to incorporate a Company for the purpose of introducing into this Province Payne's Patent Process for the preservation of Wood and other materials, and for working the same, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty Third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That it be referred to the Select Committee appointed to examine and report upon Bills relating to Corporations.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the Justices of the Peace for the County of Carleton to levy an assessment to pay off the County Debts.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

A Petition from Henry Coulter, of Charlotte County, praying remuneration for teaching a School in Charlotte County: and

A Petition from John Wilson, George M'Kay, and fifty others, inhabitants of the Parish of Saint Patrick, in Charlotte County, praying that an Act may pass to empower the Commissioners of Highways to lay out and establish a Public Landing in the said Parish.

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

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

A Petition from the Rector, Warden and Vestry of Trinity Church, in the Parish of Springfield, in King's County, praying an Act may pass to authorize the exchange of a certain piece of Land belonging to that Corporation for a like quantity owned by Mr. Marvins:

A Petition from Thomas Lamb, Keeper of the Light House at Quaco, praying an addition to his salary, to enable him to employ an assistant:

A Petition from William Scovil, Thomas Harding, Daniel Ansley, and one hundred and seventy Freeholders and others, in the City of Saint John, praying an Act may pass to restrict the erection of Wooden Buildings in the City beyond the present limits: and

A Petition from the Mayor, Aldermen and Commonalty of Saint John, praying an Act may pass for the more effectual prevention of Fires in the City of Saint John.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 19th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Robinson,
Mr. Botsford,
Mr. Wyer,
Mr. Johnston,*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the Bill relating to the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Albert, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed:—

A Bill to authorize the Justices of the Peace for the County of Carleton to levy an assessment to pay off the County Debts:

A Bill to alter and amend the Laws relating to the Fisheries in the County of Gloucester:

A Bill relating to Dog Tax in the several Counties in this Province:

A Bill to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Towns of Newcastle and Chatham, in the County of Northumberland, and to make regulations more suitable to the said Towns, and for other purposes therein mentioned: and

A Bill to annex certain Islands in the River Saint John to the Parish of Queensbury, in the County of York.

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

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill for the better prevention of Illicit Trade:

A

A Bill to alter the Division Line between the Counties of Westmorland and Albert, and also certain Parish Lines in the said County of Albert: and

A Bill to provide for the repair of the Streets and Highways in part of the Parish of Woodstock.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to establish the Road leading from Brockway's to Saint Stephen, in the County of Charlotte, as one of the Great Roads of this Province.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the Justices of the Peace in the several Counties to levy assessments to defray the contingent expenses of their respective Counties.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

Whereupon it was

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to enable the Rector, Church Wardens and Vestry of Trinity Church, in Springfield, King's County, to dispose of certain Lands held by them in exchange for other Lands.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill for the more effectual administration of Justice.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill be engrossed and read the third time to-morrow.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to remedy certain difficulties in legal proceedings occasioned by the late division of the County of Westmorland.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

A Message was brought from the Assembly by Mr. Hill, that the Assembly had agreed to the amendments made by this House to the Bill to amend an Act, intituled "An Act for the Naturalization of Aliens in this Province."

A Message was brought from the Assembly by Mr. Jordan, with a Bill to enable the Justices of the Peace for the City and County of Saint John to make an assessment for the payment of the County Contingencies, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

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

A Petition from Andrew Blair, Thomas B. Wilson, Thomas Berry, and one hundred and thirty others, praying an Act may pass establishing a Country Market in the Town of Saint Andrews, in the County of Charlotte :

A Petition from Edward Wilson, Robert Walton, and Joseph Walton, Merchants, of Saint Andrews, praying a return of Duties paid on a Cargo of Lumber shipped to Honduras : and

A Petition from Edward Wilson, Robert Walton, and fifty two other inhabitants of Saint Andrews, praying aid to erect a Steam Boat Landing or Wharf.

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

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

A Petition from Henry T. Partelow, Nathaniel Hubbard, George W. Hoben, and fifty four other inhabitants of the County of Sunbury, praying an Act may pass to revoke the powers possessed by certain Magistrates to solemnize Marriage : and

A Petition from Sarah Creekmore, the Widow of an old Soldier, praying a Pension.

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

The Honorable Mr. Wyer, by leave, presented a Petition from John Porter and George M. Porter, praying a Grant of £407 10s. to enable them to meet a Bond to the Crown therein mentioned ; and also a Grant to compensate them for expenses incurred in the erection of certain Dams, Sluices, &c. therein mentioned.

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 20th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin.*

*Mr. Robinson,
Mr. Botsford,
Mr. Wyer,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill for the more effectual administration of Justice was read a third time and passed.

ORDERED, That the Title be—

An Act for the more effectual administration of Justice.

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

Pursuant to the Order of the Day, the Bill to remedy certain difficulties in legal proceedings occasioned by the late division of the County of Westmorland, was read a third time and passed.

ORDERED, That the Title be—

An Act to remedy certain difficulties in legal proceedings occasioned by the late division of the County of Westmorland.

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

Pursuant to the Order of the Day, the Bill to enable the Rector, Church Wardens and Vestry of Trinity Church, in Springfield, King's County, to dispose of certain Lands held by them in exchange for other Lands, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to enable the Justices of the Peace for the City and County of Saint John to make an assessment for the payment of the County Contingencies, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to alter the Division Line between the Counties of Westmorland and Albert, and also certain Parish Lines in the said County of Albert. The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to provide for the repair of the Streets and Highways in part of the Parish of Woodstock.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Hanington, with a Bill to establish the Road leading from the Post Road near Fort Cumberland, to Gaspereaux, at Bay DeVerte, in the County of Westmorland, one of the Great Roads of the Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill for the better prevention of Illicit Trade.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Minchin, by leave, presented a Petition from William J. Bedell and Company, John Glazier, Thomas E. Perley, and nine other persons, for themselves and on behalf of the Lumberers on the Upper Saint John, praying a further sum of money to aid in removing obstructions at the Grand Falls.

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

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

A Petition from Patrick Buckley, late of Cornwallis, in Nova Scotia, praying relief from the Legislature from the effects of a seizure made on Horses brought into this Province from Nova Scotia: and

A Petition from Eloise Akerley, a licenced Teacher, praying for the Provincial allowance for teaching a School in Fredericton.

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

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

A Petition from David Vaughan, James Moran, Isaiah Smith, and forty inhabitants of the Parish of Saint Martins, in Saint John, praying aid to enable them to erect a Breakwater at Quaco, in the said Parish:

A Petition from Messieurs Stephen Wiggins and Son, James Kirk, John Duncan, Messieurs Robert Rankin and Company, and fifty nine other persons, Ship-Owners, Branch Pilots, Light House Commissioners, of Saint John, praying Legislative aid to erect a Breakwater at Dipper Harbour, in the County of Saint John: and

A Petition from John Crear, William M. Emslie, Nathaniel Adams, and seventy four other Boot and Shoe Makers in Saint John, praying for Legislative protection.

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

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

A Petition from Simon Ballard, of the County of Carleton, praying to be remunerated for past services in aiding Mail Carriers from Fredericton to Canada, at the Arestook River: and

A Petition from Francis Elligood, of York County, praying remuneration for damages sustained by the alteration of the Great Road from Fredericton to Woodstock.

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

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

A Petition from the Reverend James Madron, Joseph D. Doucett, Michael Achie, and five hundred and ninety other persons, of the Parishes of Bathurst and Beresford, in the County of Gloucester, praying the Roman Catholic Bishop of New Brunswick, and his Successor and Successors, may be incorporated under an Act with similar clauses and restrictions as are contained in an Act passed by the General Assembly in Canada the twenty ninth day of March, 1845 :

A Petition from the Reverend Hector Drolet, Roman Catholic Missionary at Caraque, in Gloucester, Germain Morais, Joachim Therian, Jean Lantaigne, and seven hundred and fifty other inhabitants of Shippegan, La Mecque, and Grand Aunce, with a like prayer: and

A Petition from Arthur M'Nutt, Albert DesBrisay, H. Pickard, Charles F. Allison, and thirty other persons, Ministers, Pewholders, and other inhabitants of the County of Westmorland, praying the Act of the General Assembly of this Province, 4 W. 4, cap. 46, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province," may be amended.

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

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 21st February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to alter the Division Line between the Counties of Westmorland and Albert, and also certain Parish Lines in the said County of Albert: and

A Bill to provide for the repair of the Streets and Highways in part of the Parish of Woodstock.

ORDERED,

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

Pursuant to the Order of the Day, the Bill to establish the Road leading from the Post Road near Fort Cumberland, to Gaspereaux, at Bay DeVerte, in the County of Westmorland, one of the Great Roads of this Province, was read a second time.

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

The Honorable the Attorney General presented to the House the following Bills:—

A Bill, intituled “An Act to repeal an Act, intituled ‘An Act in addition to an Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province;’ and to make other provisions in lieu thereof:” and

A Bill, intituled “An Act to facilitate the carrying into effect conditional Pardons granted by the Crown.”

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time on Monday next.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to amend the Law relating to Absconding Debtors.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Johnston, a Member of Her Majesty’s Executive Council.

The Honorable the President read the same, and it was again read by the Clerk as follows:—

NEW BRUNSWICK.

Message to the Legislative Council,

20th February, 1846.

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor, referring to his opening Speech, lays before the Council, copy of a Report which has been made to him by one of the Commissioners appointed under the Act of 1844, for the settlement of the Indian Reserves; the defective provisions of which, for the attainment of the objects contemplated, he recommends to their early consideration.

W. M. G. C.

(Copy)

Saint John, 14th February, 1846.

SIR,—Referring to my Report of 20th January last, upon the Indian Lands, I now have the honor to submit some suggestions relative to the Indians and their affairs generally.

The Reports of the Commissioners appointed under the Act for the management and disposal of the Indian Reserves, shew clearly that little or nothing has been done toward settling the numerous difficulties connected with the Squatters on those Reserves, and that the operation of the Act is such as to afford little hope of an arrangement with the Squatters, or a provision for the Indians.

It is clear from all the Papers referred for my Report, that no Settler on Indian Land in any part of the Province, will take a lease of the Crown. Those in Northumberland told me plainly that they never would do so; they said, they were willing to purchase, and felt confident that the Crown would not forcibly eject them. The Act gives no power either to effect compromises with them, or expel them in a summary manner. The Squatters are dissatisfied, reckless and troublesome, the Indians are not much better, and matters will thus continue until a settlement of existing difficulties take place.

The Commissioners have expended a great deal of time and labor, for which they have received no remuneration. Mr. Dibblee and Mr. Salter have collected some trifling sums; the other Commissioners nothing. Their necessary expenses and travelling charges must be borne by the Province; and the Indian Lands, instead of yielding any thing toward an Indian fund, will only entail a constant expenditure to be borne by the Provincial Revenue.

The appointment of Commissioners in each County tends only to embarrass the Indian business. From these appointments arises the want of a uniform system, owing to the different views of the several Commissioners as to their respective duties, and the local influences which may bear upon them. Their correspondence, especially on matters of detail, is so multiplied as to become really burdensome; expenses of all kinds are increased, and there is altogether too much machinery for the object to be attained.

The provision of the Indian Act, requiring these appointments, needs immediate amendment to prevent the expenses they create, which appear likely to continue and increase.

From a careful consideration of the whole subject, I have arrived at the conclusion, that a full and final settlement of all the difficulties which embarrass the affairs of the Indians can only be effected by entering into negotiation with the different Tribes to relinquish all the Reserves in the Province, except such of them, or such portions, as they now actually occupy, or other portions they may wish to retain for future occupation, and in lieu of the land given up to grant the Indians an annuity, as has been done in Canada, in proportion to the extent and value of the land surrendered.

If such a negotiation could be effected, and the amount of the annuity agreed upon, the land relinquished would be transferred to the Crown Land Department, to be managed under the Civil List Act, and all the principal difficulties would at once be obviated. The annual grant from the Assembly for seed, and the relief of the destitute, would merge in the annuity: the amount could be distributed among the Indians, according to a scale to be agreed upon, and the constant and useless expense to which the Province is now subjected, would be wholly saved; while the Public Departments would be relieved from an endless correspondence and the continued agitation of vexatious questions, which there are no means of determining in a satisfactory manner. The Squatters would be relieved from the annoyances to which they are now subjected, and could obtain title to the land they occupy in the regular manner. To them such an arrangement would be a great boon, and the Country would be benefited by bringing into the market the large and valuable tracts, which now greatly retard settlement in several highly favorable situations.

By the grant of an annuity, a fixed and certain fund would be at command for the improvement of the moral, social and physical condition of the Indians, and for the adoption of such measures as would lead to their permanent settlement in the locations they may select.

From the conversations I had with the Miramichi Indians on my recent visit to them, and my knowledge of the Indians of the Province generally, I have reason to believe that an agreement for a relinquishment of so much of the Reserves as are not required for their use, and the acceptance of an annuity, could be effected with them, if fully explained and made clear to their comprehension by some person in whom they have confidence.

I am fully of opinion that any measure short of what I have proposed, will only palliate the evils which now exist, and not remove them; while a settlement of the difficulties would relieve the Government and the Legislature from much annoyance, effect a saving to the Province, open valuable tracts for settlement, and confer important and lasting benefits, as well on the Indians, as on the settlers upon the Indian Lands.

I have the honor, &c.

(Signed)

M. H. PERLEY.

The Hon. J. S. Saunders.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill for the better prevention of Illicit Trade.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to enable the Justices of the Peace for the City and County of Saint John to make an assessment for the payment of the County Contingencies.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received; and it was thereupon

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to provide for the safe keeping of the Public Records of the City and County of Saint John.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill relating to County and Parish Officers in the City and County of Saint John.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The

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

A Petition from William Carvill, of Saint John, praying a return of Duties paid on Patent Machinery imported from Liverpool for a Manufactory for Cordage in Saint John :

A Petition from Thomas Wallace, of Saint John, praying a return of Duties paid on Machinery for the same Manufactory imported from the United States of America : and

A Petition from John Wishart, Daniel Leavitt, and sixty one other persons of Saint John, praying an Act may pass to extend John or Water Street to the prolongation of the South side of the New Custom House.

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

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

A Petition from James Albee, George M. Porter, and twenty nine other persons, of Charlotte, praying a sum of money to pay a Mail Carrier from the Post Office, Saint Stephen, to Mill Town : and

A Petition from Nehemiah Marks, James Albee, and eighty two other persons, to incorporate the Saint Croix River Canal Company.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 23d February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill for the better prevention of Illicit Trade :

A Bill to amend the Law relating to Absconding Debtors : and

A Bill to provide for the safe keeping of the Public Records of the City and County of Saint John.

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

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A

A Bill, intituled "An Act to repeal an Act, intituled 'An Act in addition to an Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province,' and to make other provisions in lieu thereof:" and

A Bill, intituled "An Act to facilitate the carrying into effect conditional Pardons granted by the Crown."

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

The Honorable Mr. Kinnear presented to the House a Bill, intituled "An Act in addition to and amendment of an Act to provide for the more convenient administration of Justice in the Supreme Court, and to establish a Circuit Court in the County of Albert, and to alter the time of holding the Circuit Court in the County of Kings."

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act relative to the holding of Special Sessions in the several Counties of this Province."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

A Message was brought from the Assembly by the Honorable Mr. M'Leod, with a Bill to establish the Road leading from Loch Lomond (on the Great Road from the City of Saint John to Quaco) to Sussex Vale, as one of the Great Roads of Communication, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Smith, that the Assembly had agreed to the amendments made by this House to the Bill relating to the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Albert: and with

A Bill to establish the Road from Isaac Derry's, in the Parish of Harvey, to the Line between the Counties of Albert and Saint John, one of the Great Roads of this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations, beg leave to report, that they have had under their consideration the Bill, intituled “ An Act to incorporate the Chignecto Steam Navigation Company,” and recommend the same without amendment to the adoption of the House.

Respectfully submitted.

A. E. BOTSFORD, *Chairman.*

Committee Room, 23d February, 1846.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bill, and the Report of the Select Committee thereon, into consideration.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill relating to the acknowledgment of Deeds and other Conveyances of Real Estate by Femes Covert for the barring of Dower.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

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

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

A Petition from L. Donaldson, Noah Disbrow, George Bond, Benjamin Smith, Charles Ward, and ninety six other Freeholders of the City of Saint John, praying authority to widen Saint John Street, and its continuation to Duke Street, in the City of Saint John :

A Petition from the Members of the Chamber of Commerce of Saint John, praying such arrangement may be made with the Post Office Department, either by Grant or otherwise, as will ensure the transmission of Mails from Halifax, and also for forwarding the Mails from Saint John in time to meet the sailing of the Steamers from Halifax :

A Petition from James Kirk, Noah Disbrow, Daniel Leavitt, and one hundred and two other Merchants of Saint John, praying that all Taxes on Bread Stuffs may be excluded from the Revenue Bill of the present year :

A Petition from Thomas Pickard, of Fredericton, praying the appropriation of three hundred pounds in the year 1835, to aid in building a Steam Boat to ply on the River Saint John, above Fredericton, may be granted to him for reasons in his Petition set forth :

A Petition from James Drake, of Fredericton, praying an exclusive privilege for seven years of running a Steam Boat between the Grand Falls and River Saint Francis, for the conveyance of Passengers and Freight :

A Petition from Robert Golding, Robert G. Vanwart, John Murdock, and eighteen other inhabitants of Queen's County, praying a Grant of money in aid of individual subscription

subscription to enable them to employ a Mail Carrier once a week between the Post Office in Gagetown and Golding's in Wickham : and

A Petition from John Allingham, of Petersville, Queen's County, praying remuneration for extra services in conveying the Mails between Gagetown and the Nerepis in 1844.

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

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

A Petition from Henry Gilbert, Thomas Harding, Francis Leavitt, and thirty other persons in Saint John, praying an Act may pass incorporating a Fire Insurance Company on the principle of mutual Insurance : and

A Petition from H. E. Dibblee, Sub-Collector and Deputy Treasurer at Woodstock, praying further remuneration for services.

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

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

A Petition from A. Barron, Missionary, Joseph Read, John Ultican, John Browne, and two hundred and seventy other Roman Catholic inhabitants of the Parishes of Bathurst and Beresford, in the County of Gloucester, praying an Act may pass to incorporate the Roman Catholic Bishop of New Brunswick, and his Successors, with powers similar to those given to the Roman Catholic Bishops of Toronto and Kingston : and

A Petition from James Doak and Thomas Hill, of Fredericton, praying the return of Duties paid on a Power Press imported from the United States.

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

The Honorable Mr. Hatch, by leave, presented a Petition from John Spear and Joshua Knight, Commissioners of Roads in Pennfield, in Charlotte County, praying a sum of £25 may be granted to them, for reasons set forth in the Petition.

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

The Honorable Mr. Wyer, by leave, presented a Petition from John Black, of the Parish of Pennfield, praying a sum of £10, allowed to his Father as a Soldier of the Revolutionary War, and not paid at the time of his Father's death, may be given to him.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 24th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,*

Mr.

Mr. Wyer,
Mr. Kinnear,
Mr. Minchin.

Mr. Hatch,
Mr. Johnston,

PRAYERS.

Pursuant to the Order of the Day, the Bill relative to the holding of Special Sessions in the several Counties of this Province, was read a third time and passed.

ORDERED, That the Title be—

An Act relative to the holding of Special Sessions in the several Counties in this Province.

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

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill, intituled “An Act in addition to and amendment of an Act to provide for the more convenient administration of Justice in the Supreme Court, and to establish a Circuit Court in the County of Albert, and to alter the time of holding the Circuit Court in the County of Kings :”

A Bill to establish the Road leading from Loch Lomond (on the Great Road from the City of Saint John to Quaco) to Sussex Vale, as one of the Great Roads of Communication : and

A Bill to establish the Road from Isaac Derry's, in the Parish of Harvey, to the Line between the Counties of Albert and Saint John, one of the Great Roads of this Province.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Chignecto Steam Navigation Company, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to repeal an Act, intituled “An Act in addition to an Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province,” and to make other provisions in lieu thereof.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED,

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to provide for the management of the temporalities of the Church of England in this Province in certain cases.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

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

A Petition from Charles Connell, John Bedell, A. S. Carman, J. R. Tupper, William Wiley, and fifty other inhabitants of the County of Carleton, praying the Act 4 W. 4, cap. 66, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province," may be amended:

A Petition from Joseph Gaynor, of Fredericton, Administrator on the Estate of Jedediah Slason, of that place, praying an Act may pass to authorize the exchange of a lot of Land at Meductic:

A Petition from the Commissioners of the York County Alms House, praying the sum of £24 3 7 may be granted to them from the Emigrant Fund:

A Petition from Joseph Gaynor, Robert Chestnut, and Thomas Pickard, Trustees of the Wesleyan Chapel in Fredericton, praying a return of £4 5 1, Duties paid on a Bell imported from England for the use of the Chapel:

A Petition from Nicholas Wheeler, Preventive Revenue Officer in Fredericton, praying an additional allowance for his services:

A Petition from L. D. Wigan, Thomas Main, Robert Waugh, and eighty other inhabitants of the District of Stanley, in York County, praying a part of the Parishes of Saint Mary's and Douglas may be made a separate and distinct Parish: and

A Petition from Abraham Yerxa, Daniel Yerxa, Whiteman Harris, and ninety seven other inhabitants of York County, praying an Act may pass to incorporate the Madam Keswick Boom Company.

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

The Honorable Mr. Johnston, by leave, presented a Petition from Thomas Beer, Justus S. Wetmore, LeBaron Drury, James White, Lauchlan Donaldson, and one thousand and forty two others, inhabitants of King's County and Saint John, praying aid to establish a Steam Ferry Boat at Gondola Point, in the River Kennebecasis.

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

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

A Petition from James Albee, of Charlotte County, praying remuneration for services performed by him:

A Petition from Edward Snell, of Saint Andrews, praying the continuance of the allowance for running a Packet between Grand Manan, Campo Bello, West Isles, and Saint Andrews :

A Petition from the Reverend William Miller, Samuel Getty, Michael Murphy, and fifty seven other inhabitants of Charlotte County, praying amendments to the Act extending the privilege of solemnizing Marriage to the Ministers and Teachers of the several Religious Congregations in this Province : and

A Petition from the Reverend Adam D. Thomson, and fifty five other inhabitants of the same County, with a like prayer.

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

The Honorable Mr. Kinnear, by leave, presented a Petition from several Ministers of the Free Presbyterian, Baptist, Methodist, and Congregational Churches, in the City and County of Saint John, and nine hundred and fifty others, Members and Pewholders of the said Churches, praying the removal of certain restrictions contained in the Act to extend the privileges of solemnizing Marriage in this Province.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 25th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act to repeal an Act, intituled 'An Act in addition to an Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province,' and to make other provisions in lieu thereof," was read a third time and passed.

ORDERED, That the Title be—

An Act to repeal an Act, intituled "An Act in addition to an Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province," and to make other provisions in lieu thereof.

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

Pursuant

Pursuant to the Order of the Day, the Bill, intituled "An Act to incorporate the Chignecto Steam Navigation Company," was read a third time and passed.

ORDERED, That the Title be—

An Act to incorporate the Chignecto Steam Navigation Company.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act to facilitate the carrying into effect conditional Pardons granted by the Crown.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, have had under their consideration "A Bill to incorporate a Company for the purpose of introducing into this Province Payne's Patent Process for the preservation of Wood and other materials, and for working the same;" they have prepared certain amendments thereto, which they recommend to the favorable consideration of the House.

Respectfully submitted.

Committee Room, 25th February, 1846.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bill, and the Report of the Select Committee thereon, into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to provide for the management of the temporalities of the Church of England in this Province in certain cases.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Botsford, by leave, presented a Petition from the Overseers of Poor in Bathurst, County of Gloucester, praying a return of money expended for a sick and indigent Emigrant Pauper.

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

The

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

A Petition from Daniel Perkins, Robert Robertson, Robert Gillespie, and one hundred and one others, inhabitants of the Parishes of Saint David, Saint James, and Saint Patrick, in Charlotte County, praying an alteration in the Road from Oak Bay to Eel River:

A Petition from William D. Swainson, of Charlotte County, praying an allowance for teaching a School:

A Petition from Susan Rogers, of the same County, with a like prayer: and

A Petition from John Wilson, of Saint Andrews, praying a return of Duties paid on a Cargo of Boards shipped for Demerara in January last.

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

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

A Petition from William Botsford, William Scovil, Benjamin L. Peters, Charles Ward, Henry Gilbert, John Sears, and five hundred and forty one other persons, British American Loyalists, their descendants, and other inhabitants of Saint John, praying a sum of money in aid of individual subscription to erect a monument in the City of Saint John, in commemoration of the event of the Landing of the Loyalists in New Brunswick and Nova Scotia in the year 1783:

A Petition from Robert Rankin and Company, James Kirk, Stephen Wiggins and Son, John Duncan, and eighty one Ship-Owners, Merchants, and other persons in Saint John, praying aid for an establishment at Saint John to be designated "A Sailor's Home," for the benefit of Mariners:

A Petition from George J. Harding, M. D., Health Officer at Partridge Island, praying an allowance for professional services performed:

A Petition from the Mechanics' Institute at Saint John, praying Legislative aid towards liquidating its Debts, and for extending its general usefulness: and

A Petition from the President and Directors of the Saint John Gas Light Company, praying an amendment of the Act incorporating the Company.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 26th February, 1846.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin.*

PRAYERS.

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act to facilitate the carrying into effect conditional Pardons granted by the Crown," was read a third time and passed.

ORDERED, That the Title be—

An Act to facilitate the carrying into effect conditional Pardons granted by the Crown.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate a Company for the purpose of introducing into this Province Payne's Patent Process for the preservation of Wood and other materials, and for working the same, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

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

At A in the Title, expunge the words—"for the purpose of introducing into this Province Payne's Patent Process for the preservation of Wood and other materials, and for working the same,"—and insert the words—"by the name of the New Brunswick Wood Patent Company."

At B in the Preamble, expunge the words—"we should avail ourselves of."

At C insert the words—"should be introduced into this Province."

At D in Section I. insert the word "the."

At E insert the words—"for the purpose of introducing into this Province Payne's Patent Process for the preservation of Wood and other materials, and for working the same."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to provide for the management of the temporalities of the Church of England in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

The

The Chairman further reported, that on the question, Whether the amendment at A in Section I. should pass, the Committee divided—

CONTENT.
 Mr. Black,
 Mr. Robinson,
 Mr. Botsford,
 Mr. Attorney General,
 Mr. Chandler,
 Mr. Wyer,
 Mr. Hatch,
 Mr. Kinnear,
 Mr. Johnston,
 Mr. Owen.

NON-CONTENT.
 Mr. Shore,
 Mr. Saunders,
 Mr. Minchin.

And so it passed in the affirmative.

And that on the question, Whether, the amendment at D in Section II. should pass, the Committee divided—

CONTENT.
 Mr. Black,
 Mr. Robinson,
 Mr. Botsford,
 Mr. Attorney General,
 Mr. Wyer,
 Mr. Hatch,
 Mr. Owen,
 Mr. Johnston.

NON-CONTENT.
 Mr. Shore,
 Mr. Saunders,
 Mr. Chandler,
 Mr. Kinnear,
 Mr. Minchin.

And so it passed in the affirmative.

ORDERED, That the Report be received.

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

At A in Section I. expunge the words—"in which the Sittings shall be or shall have been declared to be free,"—and insert the words—"in which the Sittings for the Congregations shall be free and open to all persons, without any price or rent being paid therefor; and also of any Church, already erected or hereafter to be erected, in which the Sittings shall not be free and open as aforesaid, in which the Rector, Church Wardens and Vestry thereof, may, with the consent and approbation of all the Pew owners and occupants, to be signified in writing, declare the Seats to be thenceforth free and open."

At B expunge the words—"to all the incidents of a Church Corporation,"—and insert the words—"shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province."

At C in Section II. expunge the words—"or the Parish next adjoining."

At D expunge the word "five," and insert the word "twenty."

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

ORDERED,

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

The Honorable Mr. Johnston, by direction of His Excellency the Lieutenant Governor, lays before the House—

A Report from the Board of Health in Northumberland, relating to the Lazaretto on Sheldrake Island.

(Copy)

Miramichi, 18th February, 1846.

MAY IT PLEASE YOUR EXCELLENCY,

I have the honor herewith to enclose for Your Excellency's information, an account of the expense incurred in upholding the Lazaretto on Sheldrake Island, from the 7th February, 1845, to the 23d January last, amounting to £651 12 3¼, including the expense of erecting Buildings to supply the place of the one which was destroyed on the 16th of October last. All the vouchers connected with the expenditure have been forwarded to the proper officer.

In reporting on the state of the Establishment, I regret to say, that although the Board have made it the object of their study to provide every comfort for the Inmates of the Establishment that appeared to them reasonably necessary, they have not succeeded in reconciling the Lepers to their isolated situation. Every inducement has been held out to them to encourage cleanliness, and payment has been liberally made for any work they have performed. The liberality of the Board, they do not appreciate; on the contrary, they appear anxious to throw every obstacle in the way. As the Board cannot call in aid to keep the Lazaretto or the persons of the Lepers in a satisfactory state of cleanliness, the nature of the disease rendering it unsafe for any one but themselves undertaking the task, the Lepers make use of this circumstance to its full extent, to give annoyance.

The Medical Officer has been unable during the last twelve months to induce any of them to follow his prescriptions for the amelioration of the disease. They readily attend to his directions so far as external applications are recommended, but all internal remedies they refuse.

Nothing has transpired since my letter of the 18th October, to throw any new light on the circumstances under which the Building occupied by the Lepers took fire. I am still under the impression that the fire was not accidental.

The Lepers who escaped in July last, except one, are still absent.

The Board sent Mr. Peters and an active Constable in pursuit of them, but they only succeeded in bringing one back, the others have, for some time, I am informed, been concealed in the woods, and are determined not to return if they can avoid it. Two of the boys died during the last month, and the number now on the Island is fourteen—six women and one child, two boys and five men. Some new cases are reported as having recently appeared at Neguac and Tracadie.

I annex an estimate of the sum that I think will be required to uphold the Establishment for the ensuing year, amounting to £500, and if no unforeseen difficulties should arise, the expenditure will be within that amount.

I have, &c.

(Signed)

GEORGE KERR,
Secretary of the Board of Health.

His Excellency Sir W. M. G. Colebrooke, K. H. Lieut. Governor, &c. &c. &c.

ESTIMATE FOR 1846.

Keeper and Guard's Salary,	£100	0	0
Medical Officer,	70	0	0
Provisions,	200	0	0
Firewood, Hay and Ferriages,	40	0	0
Clothing, Furniture, Bedding, and allowance to the Lepers for Cleaning,	60	0	0
Contingencies,	30	0	0
	<hr/>		
	£500	0	0

ORDERED, That the same do lie on the Table.

A

A Message was brought from the Assembly by Mr. W. H. Street, with a Bill for the collection of the Revenue of the Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province; and with

Resolutions of Appropriation, dated the twenty fourth day of February; to which they desire the concurrence of this House.

The same were severally read a first time.

ORDERED, That the said Bill be read a second time to-morrow; and that the said Resolutions of Appropriation be referred to the Committee of the whole House upon Resolutions of Appropriation.

The Honorable Mr. Saunders, from the Joint Committee of the Legislative Council and Assembly, appointed to prepare an Address to Her Majesty upon the subject of the Boundary Line between this Province and Canada, reported a Draft thereof, which he read in his place.

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

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

A Petition from the Justices of the Peace for the County of York, praying Legislative aid to enable them to pay off the Debt due on the new Gaol erected in that County:

A Petition from Isaac Kilburn, William Camber, Aaron Hartt, and twenty three inhabitants of the Parishes of Kingsclear and Douglas, praying Legislative aid towards paying expenses incurred in the removal of a Meeting House, in consequence of the alteration in the Great Road leading from Fredericton to the Canada Line:

A Petition from Amos Dickenson, praying for indemnity for money paid by him on Timber cut under a Licence from the Crown:

A Petition from the Venerable Archdeacon Coster, in behalf of a School to be re-established in Fredericton for teaching Poor Female Children:

A Petition from David Pickard, George Pidgeon, James Hays, and one hundred other persons, inhabitants of Tay, Cardigan, and Bird Settlements, against annexing part of the Parish to another Parish: and

A Petition from Asa Coy and Zebedee Gable, Trustees of the Baptist Chapel in Fredericton, praying a return of Duty paid by them on an Organ imported for the use of the Chapel.

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

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

A Petition from Mary Whelpley, of King's County, the Widow of an old Soldier, praying the usual Provincial allowance:

A Petition from Sabra Lyon, of the same County, with a similar prayer: and
A Petition from Kezia Austin, of the same County, with a like prayer.

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

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

A Petition from Justus S. Wetmore, Ebenezer Smith, and eighty other inhabitants of King's County, praying that an Act may pass to encourage the establishment of a Railway between Saint John and the Grand Falls, *via* Fredericton and Woodstock, and for such Provincial aid towards the accomplishment of this undertaking as to the Legislature may seem meet: and

A Petition from Hugh M'Monagle, Walter Seely, and one hundred and twenty three others, inhabitants of Sussex and Upham, in King's County, praying that the Road leading from the City of Saint John to Sussex Vale, in Loch Lomond, may be established a Great Road.

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

The Honorable Mr. Saunders, by leave, presented a Petition from John Dibblee, of Carleton, praying remuneration for services performed as Commissioner of Indian Reserves.

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

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

A Petition from L. P. W. DesBrisay, John P. Ford, and others, inhabitants of the County of Kent, praying that Reserves of Crown Lands for Mills may not be interfered with:

A Petition from Matthew Grieves, Light House Keeper at Cape Enrage, praying additional allowance for services:

A Petition from James White, Sheriff of Saint John, praying remuneration for certain services performed by him in the execution of Crown Process: and

A Petition from T. R. Robertson, H. Garcelon, Joseph Gaynor, and sixty others, Merchants and Inhabitants of Fredericton, praying alterations in the mode of disposing of the produce of the Crown Forest Lands.

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

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

A Petition from Timothy Killeen and James Willox, Sureties for Simon Killeen, praying compensation for loss in making part of the Great Road between Fredericton and Woodstock: and

A Petition from the Young Men's Abstinence Society, Thomas R. Robertson, William D. Hartt, Joseph Gaynor, and one hundred and fifteen other inhabitants of Fredericton, praying a sum of money to aid in building a Town Hall in Fredericton, for the convenience of Public Meetings.

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

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

A Petition from the Mayor, Aldermen and Commonalty of Saint John, praying authority to erect a Bridge from Carleton to Navy Island :

A Petition from same Corporation, praying the repeal of a Section of a late Act by which they are restrained from making the Fire Department of the said City efficient :

A Petition from same Corporation, praying to be reimbursed for expenses incurred in support of sick Emigrants at Partridge Island :

A Petition from same Corporation, relative to Fences of Squares in the City :

A Petition from same Corporation, praying aid to provide convenient Landings for sea-going Steamers :

A Petition from Ann M'Mahon, Widow of an old Soldier, praying an annuity :

A Petition from the President and Directors, and others, Stockholders of the Mechanics' Whale Fishing Company, praying an amendment in their Charter of incorporation :

A Petition from Thomas Sandall, of Saint John, praying remuneration for losses sustained at a recent fire :

A Petition from George Peters, M. D., praying remuneration for services performed by him in 1842, as Medical Attendant of the Lunatic Asylum :

A Petition from Edward L. Jarvis, James Kirk, Frederick A. Wiggins, and others, praying for the establishment of an Ice Company :

A Petition from the Ministers, Pewholders, and others, Ministers of the Wesleyan and Baptist Denominations in Fredericton, and other inhabitants thereof, praying relief from the present restrictions contained in the Law to extend the privilege of solemnizing Marriage :

A Petition from the Total Abstinence Society in Saint John, praying aid to carry into further effect the operations of the Society :

A Petition from A. Smithers, John Duncan, and others, praying aid towards the support of the British School established in Saint John : and

A Petition from Peter M'Kenna, a Pensioner, praying a Grant of Land in return for Land taken from him some years ago.

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

The Honorable Mr. Hatch, by leave, presented a Petition from William M'Donald, William Armstrong, George Phillips, and fifty nine other inhabitants of Saint George, Charlotte County, praying a Bill may pass to invest certain Real Estate in the Roman Catholic Bishop.

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 27th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin.*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills, as amended, were severally read a third time and passed :—

A Bill to provide for the management of the temporalities of the Church of England in this Province, in certain cases: and

A Bill to incorporate a Company for the purpose of introducing into this Province Payne's Patent Process for the preservation of Wood and other materials, and for working the same.

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

Pursuant to the Order of the Day, the Bill for the collection of the Revenue of the Province, was read a second time.

ORDERED, That the said Bill be referred to a Select Committee of three Members to examine and report thereon.

ORDERED, That the Honorable Messieurs Botsford, Wyer, and Johnston, do compose the said Committee.

Pursuant to the Order of the Day, the Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province, was read a second time.

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

A Message was brought from the Assembly by Mr. End, with a Bill to incorporate the Roman Catholic Bishop of New Brunswick, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Committee appointed to examine and report upon all Bills relating to Corporations.

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

A Bill to establish Polling Places in the County of Albert: and

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

And that the Assembly had agreed to the Bill, intituled "An Act to remedy certain difficulties in legal proceedings occasioned by the late division of the County of Westmorland," with amendments, to which they desire the concurrence of this House.

The said first mentioned Bills were severally read a first time.

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

The House proceeded to take into consideration the amendments sent up from the Assembly to the Bill, intituled "An Act to remedy certain difficulties in legal proceedings occasioned by the late division of the County of Westmorland."

The same were read by the Clerk, as follows:—

At A add the following new Sections:—

"II. 'And whereas, until a Gaol be erected and prepared within the said County of Albert, it is expedient to establish the present Gaol, and Limits thereof, at Dorchester, in the County of Westmorland, also to be the Gaol of the said County of Albert;' Be it therefore enacted, That the Gaol, and Limits thereof, at Dorchester, in the County of Westmorland, shall also, for all intents and purposes, be deemed and used as the Common Gaol, and Limits thereof, for the said County of Albert, until it be notified by Proclamation of the Lieutenant Governor or Administrator of the Government for the time being, that a Common Gaol has been erected in the said County of Albert.

"III. And be it enacted, That every Sheriff, Coroner, Constable, or other Officer in and for the said County of Albert, who may be required and authorized to take and commit any person to the Common Gaol of the said County of Albert, by virtue of any process, civil or criminal, shall be and he is hereby authorized and empowered to convey and commit such person to the said Gaol at Dorchester, in the County of Westmorland, in the same manner as if the said Gaol was actually situate within the limits of the said County of Albert; and that the Gaoler for the said County of Westmorland shall also be deemed to be the Gaoler of the said County of Albert: Provided always, that nothing in this Act shall be construed to impose any duty or liability on the Sheriff of the said County of Westmorland: Provided also, that in case of any Debtor who may be so imprisoned by the Sheriff of the County of Albert in the Gaol of the said County of Westmorland, shall and may be examined under the Insolvent Debtors' Act, by the Justices of the Inferior Court of Common Pleas, or any Justice of the Peace for the said County of Westmorland, in the same manner, and entitled to the same relief, in all respects the same, as if such Debtor had been arrested and committed to Gaol by the Sheriff of the said County of Westmorland.

"IV. 'And whereas it would be more convenient that the appointment of Town or Parish Officers for the said County of Albert should be made at the General Sessions to be holden on the second Tuesday in November in each year;' Be it therefore enacted, That the Justices of the Peace for the said County of Albert shall, and they are hereby empowered, at the General Sessions of the Peace to be holden

holden in the said County on the second Tuesday in November in each year, to appoint the Town or Parish Officers for the said County; and that so much of an Act made and passed in the twenty sixth year of the Reign of His Majesty King George the Third, intituled 'An Act for the appointment of Town or Parish Officers in the several Counties in this Province,' as requires the appointment to be made at the first General Sessions annually, shall, so far as regards the said County of Albert, be and the same is hereby repealed.

"V. And be it enacted, That the powers and authorities of the present Town or Parish Officers within the said County of Albert, who were appointed by the Court of General Sessions of the Peace for the County of Westmorland, holden on the third Tuesday in November last, shall continue in all respects as Town or Parish Officers for the said County of Albert, until the second Tuesday in November next.

"VI. 'And whereas in all cases where the Surrogate for the said County of Westmorland may have granted Probate, Letters Testamentary, or of Administration, before the said first recited Act came into operation, it is expedient that such Surrogate should be empowered still to proceed in any matter relating thereto to the same extent as if the said Act had not passed;' Be it therefore enacted, That in all cases where the Surrogate of the said County of Westmorland may have granted Probate, Letters Testamentary on any Will, or Letters of Administration on any Estate, before the said first recited Act came into operation, it shall and may be lawful for such Surrogate still to proceed with any matter relating to any such Administration, whether by way of hearing, decree or otherwise, in all respects the same as if the said first recited Act had not been passed: Provided always, that any notice or process which he may direct or issue as such Surrogate, which may require to be served, posted up, or levied within the said County of Albert, shall be directed to and executed by the proper Officer of the said County of Albert, within the limits of the said County of Albert, in the same manner as the like process or notice could be executed if issued by the Surrogate of the said County of Albert."

At B in the Title, add the words—"and for other purposes relating to the County of Albert."

The same being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

On motion made and seconded—

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency will be pleased to cause to be laid before this House, copy of any Despatch or Despatches which may have been received from Her Majesty's Government on the subject of the contemplated Railway or Railways throughout this Province; together with copies of any correspondence which His Excellency may have had with the Governments of the adjoining Colonies regarding Railway Communication; as well as any other information in His Excellency's possession which he may be pleased to afford.

ORDERED, That the Honorable Messieurs Saunders and Wyer be a Committee to present the same.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill relating to County and Parish Officers in the City and County of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to vacate the Seats of Members of the Assembly in certain cases.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to establish the Road leading from Brockway's to Saint Stephen, in the County of Charlotte, as one of the Great Roads of this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received ; and it was thereupon

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to establish the Road leading from the Post Road near Fort Cumberland, to Gasperaux, at Bay DeVerte, in the County of Westmorland, one of the Great Roads of the Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received ; and it was thereupon

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

On

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to establish the Road leading from Loch Lomond (on the Great Road from the City of Saint John to Quaco) to Sussex Vale, as one of the Great Roads of Communication.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received ; and it was thereupon

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to establish the Road from Isaac Derry's, in the Parish of Harvey, to the Line between the Counties of Albert and Saint John, one of the Great Roads of this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received ; and it was thereupon

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Joint and Humble Address of this House and the House of Assembly to Her Majesty upon the subject of the Boundary Line between this Province and Canada.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Joint Address, and recommended the same to the adoption of the House.

ORDERED, That the Report be received.

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

“To the Queen's Most Excellent Majesty.

“The Joint and Humble Address of Her Majesty's Legislative Council and House of Assembly of the Province of New Brunswick; in General Assembly convened.

“MAY IT PLEASE YOUR MAJESTY,

“We, the Legislative Council and Assembly of New Brunswick, in Provincial Parliament assembled, beg leave to approach Your Majesty with renewed assurances of our devoted attachment to Your Majesty's Person and Government.

“The

“ The occasion of this our Humble and Dutiful Address, is one of vital importance to the present and future interests of this Province ; and, confident in the justice of the claims now to be preferred for Your Majesty’s Royal consideration, we cannot for a moment doubt the decision which Your Majesty will be graciously pleased to pronounce in the premises.

“ From the first erection of this Province into a separate Government, in the year 1785, down to the year 1842, the Territorial Rights, as well as the Legal Jurisdiction of this Province, have been undisputed on the Upper Saint John and its Tributaries, save by the American Government.

“ During the whole of that period, the Government of this Province exercised Jurisdiction over the said Territory, and the inhabitants residing thereon, in like manner as in other parts of the Province, videlicet, by granting Lands, organizing Militia, appointing Magistrates and Parish Officers, making Roads and building Bridges, relieving the Poor, serving Writs and Process of every description, and granting Licences to cut Logs and Timber ; and even pending the dispute with the American Government, the accustomed Jurisdiction was retained by this Province, except in the disposal of Lands and Timber, which was suspended by agreement between the two Nations.

“ Upon the Treaty of Washington being concluded, we reasonably supposed that our accustomed Jurisdiction would be continued without interruption over the residue of the Territory ; but to our astonishment we learned in 1843 that the Canadian Government for the first time had asserted a right by selling Logs and Timber from the Lands on the River Saint Francis, and other Rivers and Streams in that vicinity.

“ Knowing that the Southern Boundary of Canada had been already defined by the Act of Parliament 14th Geo. 3, cap. 83, and that by no possible construction of that Act could its Southern Boundary be extended to include any of the Rivers flowing into the main Saint John, and thence to the Sea ; we had hoped that the remonstrances of the Government of this Province would at once have put an end to the unwarrantable claims of Canada, and prevented us from further interruption ; but we regret to inform Your Majesty, that in this respect we have been disappointed, and that at the present time, the two Provinces are exercising a conflicting jurisdiction over the same Territory.

“ The Province of Canada is described in the Royal Proclamation of 1763, and by the Act above referred to, as being ‘ Bounded on the South by a Line from the Bay of Chaleurs along the High Lands which divide the Rivers that fall into the River Saint Lawrence, from those which fall into the Sea, to a point in 45° of Northern latitude on the Eastern Bank of the River Connecticut.’ And we entertain not the smallest doubt, that it will appear as clearly to Your Gracious Majesty as it does to us, that no part of the Province of Canada can possibly be situated on the Southern side of the Line described with so much clearness in the said Act, and which can at any time be surveyed and marked upon the ground without difficulty.

“ Yet notwithstanding the explicit language of the Act thus defining the Boundary, the Canadian Government now so far oversteps the same, as to claim as their Southern Boundary, a Line running from the Mouth of Restigouche River to Mars Hill, as indicated by the Yellow Line on the Map hereunto annexed ; a claim, which, if sustained, would deprive this Province of more than one quarter of its Territory.

“ Having

“ Having brought under Your Majesty’s notice the former occupation and jurisdiction of this Province, together with the Southern Boundary of Canada as fixed by Act of Parliament, in contrast with the present claims of that Province, we would now respectfully submit for Your Royal consideration, the equitable as well as legal right of this Province to the Territory in question, arising out of the compact entered into between Your Majesty’s late Royal Uncle, of revered and blessed memory, and the Legislature of this Province.

“ By the Provincial enactment 8th Wm. 4, cap. 1, entitled ‘ An Act for the support of the Civil Government of this Province,’ and the terms of which were settled by the Imperial Government before its enactment, it was provided among other things, that the proceeds of all Sales and Leases of Crown Lands, Woods, Mines and Royalties, deducting the expenses of collection, should be paid over to the Provincial Treasury for the use of the Province; and in return therefor, the sum of fourteen thousand five hundred pounds currency was charged upon all the Revenues of the Province, for the support of the Civil Government; which Act was afterwards made perpetual, and confirmed by Your Most Gracious Majesty in Council.

“ We would now humbly submit to Your Majesty’s consideration, that at the time the said Act was passed, and the Civil List guaranteed in perpetuity, we had no reason to apprehend that the Line of Boundary, as then claimed by the British Government, and disputed by the Government of the United States, would be abandoned, whereby a large extent of territorial resources for defraying the Civil List would be lost to this Province.

“ We need not remind Your Majesty, that throughout the whole of the negotiations with the United States, the Territory in question was claimed by Your Majesty’s Government as a part of New Brunswick; nor did we ever learn, that during that protracted dispute, any such claim was made as is now set up by the Canadian Government.

“ Your Majesty’s Government, however, in the exercise of its undoubted power, was pleased to concede to the American Government, by the Treaty of Washington, at least three fifths of the Territory then in dispute, which embraced by far the most valuable portion thereof, both for Agricultural and Lumbering operations.

“ We assure Your Majesty, that although the Loyal Inhabitants of this Province were greatly disappointed by the terms of the said Treaty, they were unwilling to complain of a result, however injurious to their interests, seeing that it was confirmed by Your Majesty’s Government and approved of by the British Parliament; but when a neighbouring Colony now seeks to deprive us, not only of the residue of the said Territory, but of a large additional portion, the proceeds whereof have been transferred to us by a solemn compact with the Imperial Government, we cannot but complain. And while we lay before Your Gracious Majesty at this time, our protest against the unwarranted encroachments of the Canadian Government, and their usurpation of our Territory, we assure Your Majesty, that we entertain the most unshaken confidence in Your Royal judgment, and that the result of this our humble and dutiful appeal, will afford the inhabitants of this truly British Province another proof, that in the hands of Your Majesty, their rights and interests will ever be protected.

“ We therefore most humbly and dutifully implore Your Majesty to order the Line of Boundary in question to be surveyed and marked out in the terms of the Act of Parliament,

Parliament, commencing at the Bay of Chaleurs, and thence passing along between the Heads of the Rivers that fall into the River Saint Lawrence and those that fall into the Sea, to a point in the Line of Boundary lately established by the Treaty of Washington; and also to secure to this Province the quiet and peaceable possession of the whole of the Territory lying on the Southern side of this Line of Boundary, with all the privileges, profits and advantages now arising, or which may hereafter arise from the same."

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

A Message was brought from the Assembly by Mr. Wilmot, as follows:—

"House of Assembly, February 26th, 1846.

"Ordered, That Mr. Wilmot do acquaint the Legislative Council that the House have agreed to the Joint Address to Her Majesty upon the subject of the Boundary between this Province and Canada.

"CHAS. P. WETMORE, Clerk."

RESOLVED, That the Honorable Mr. Saunders be a Committee, with such Committee as the House of Assembly shall appoint, to wait upon His Excellency the Lieutenant Governor with the Joint Address of both Houses to Her Majesty upon the subject of the Boundary Line between this Province and Canada, and request that he will be pleased to transmit the same, to be laid at the Foot of the Throne.

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

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

"House of Assembly, February 27th, 1846.

"Resolved, That a Committee of this House be appointed, to join such Committee as may be appointed by the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the Joint Address to Her Majesty on the subject of the Canadian Boundary, and request that His Excellency will be pleased to transmit the same, to be laid at the Foot of the Throne.

"Ordered, That Mr. Wilmot and Mr. End be the Committee on the part of this House.

"CHAS. P. WETMORE, Clerk."

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

A Petition from Thomas Moses, John Snell, John M'Neil, Samuel Fountain, and three hundred other persons, residing on the Sea Board of the Province, on the Islands of the Bay of Fundy, in Charlotte County, praying a continuance of the Provincial Grant for Bounty to encourage Fishermen, and those connected with them, in their pursuits:

A Petition from Thomas Moses, Deputy Treasurer, of West Isles, praying an increase of Salary:

A Petition from J. T. C. Moses, of Indian Island, in the County of Charlotte, praying that he may receive a Bounty claimed by him in sending a Vessel on a Fishing voyage, which Vessel was wrecked before the Bounty was due :

A Petition from Wilford Fisher, Lorenzo Drake, James Neals, and forty one other persons, of Grand Manan, praying a sum of money to build a Breakwater at Dark Harbour, and to aid in making a Road to it: and

A Petition from Daniel Bennett, Sub-Collector at Campo Bello, praying an allowance for two Tide Waiters.

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

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

A Petition from Daniel Sullivan, of the City of Saint John, praying a return of money he has been chargeable with in prosecuting a claim to Goods illegally seized by Officers of the Customs, and for inquiry into the administration of the Law in the Court of Admiralty :

A Petition from John Hutchinson, of Saint John, praying encouragement for improvements made by him in the mode of lighting Light Houses, as well as Machine for ringing a Bell, to be useful to Mariners and others in foggy weather :

A Petition from the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Kingston, praying aid to establish a Steam Ferry Boat at Gondola Point, on the Kennebecasis River: and

A Petition from G. Whannell, Lieutenant Colonel commanding Her Majesty's Thirty third Regiment, praying a Legislative Grant to pay Duties on Wines, &c. consumed and made use of by the Mess of the Regiment.

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

The Honorable Mr. Wyer, by leave, presented a Petition from the Rector, Church Wardens and Vestry of Saint George, in Charlotte County, praying a return of Duty paid on a Bell imported from the United States of America.

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

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 28th February, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin.*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A

A Bill to establish Polling Places in the County of Albert : and

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

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

The Honorable Mr. Saunders, from the Joint Committee of the Legislative Council and Assembly, appointed to wait upon His Excellency the Lieutenant Governor with their Joint Address to Her Majesty, on the subject of the Boundary between this Province and Canada, reported, that the Committee had attended to that duty, and that His Excellency was pleased to say that he would comply with the wishes of the Houses.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill relating to County and Parish Officers in the City and County of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section II. expunge the words—“ or in any other manner.”

At B expunge the words—“ in a manner satisfactory to the said Justices.”

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

ORDERED, That they be engrossed, and the Bill as amended be read a third time on Monday next.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to alter and amend an Act, intituled “ An Act to incorporate the Saint John Gas Light Company,” to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time on Monday next.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon the Bill for the collection of the Revenue of the Province, presented a Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Select Committee to whom was referred the “ Bill for the collection of the Revenue of the Province,” report, that they have had the said Bill under consideration, and they have prepared certain amendments thereto, which they recommend to the adoption of the House.

A. E. BOTSFORD, *Chairman.*

Committee Room, 28th February, 1846.

ORDERED, That the House be put into a Committee of the whole on Monday next, to take the said Bill, and the Report of the Select Committee thereon, into consideration.

Adjourned until Monday next at 12 o'clock.

MONDAY, 2d March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Peters.*

*Mr. Robinson,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill relating to County and Parish Officers in the City and County of Saint John, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to alter and amend an Act, intituled “ An Act to incorporate the Saint John Gas Light Company,” was read a second time.

ORDERED, That the said Bill be referred to the Committee appointed to examine and report upon Bills relating to Corporations.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to

to take into consideration the Bill for the collection of the Revenue of this Province, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to establish Polling Places in the County of Albert.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the Justices of the Peace for the County of Albert to assess the said County for erecting a Court House and Gaol therein.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Chandler presented to the House a Bill, intituled "An Act relating to the appointment of Sheriffs."

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable the Attorney General presented to the House a Bill, intituled "An Act relating to the crime of Manslaughter."

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 3d March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Owen,
Mr. Peters.*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin,*

PRAYERS.

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to establish Polling Places in the County of Albert : and

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

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

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill, intituled “ An Act relating to the appointment of Sheriffs :” and

A Bill, intituled “ An Act relating to the crime of Manslaughter.”

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill for the collection of the Revenue of the Province.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Wyer, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House, praying His Excellency would be pleased to cause to be laid before this House, a copy of any Despatch or Despatches which may have been received from Her Majesty's Government on the subject of the contemplated Railway or Railways throughout this Province ; together with copies of any correspondence which His Excellency may have had with the Governments of the adjoining Colonies regarding Railway Communications ; as well as any other information in His Excellency's possession, which he may be pleased to afford, reports, that they have attended to that duty, and His Excellency was pleased to say, the wishes of the House should be complied with.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations, report, that they have had under their consideration “ A Bill to incorporate the Roman Catholic Bishop of New Brunswick.” As this Bill involves a question of some magnitude,

magnitude, the Committee beg to submit that point to the consideration of the whole House; and should the principle of the Bill be sustained, they have prepared an amendment to the same, which they recommend to the adoption of the House.

Respectfully submitted.

Committee Room, 3d March, 1846.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into a Committee of the whole on Monday next, to take the said Bill, and the Report of the Select Committee thereon, into consideration.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to incorporate the Mutual Insurance Company; and with

Resolutions of Appropriation, dated the second day of March; to which they desire the concurrence of this House.

The same were severally read a first time.

ORDERED, That the said Bill be read a second time to-morrow; and that the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

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

A Petition from John Fraser, Thomas C. Moses, C. M. Sargeant, and sixty other inhabitants of Newcastle, in Northumberland, praying improvements may be made in the present Road Law:

A Petition from Thomas C. Allan, Henry M'Callum, John Nesmith, and fifty eight others, inhabitants of Northumberland, praying a further sum of money to explore a Road from the Chaplin Island Road to Pabino Falls, in the County of Gloucester:

A Petition from Leonard Hawbolt, of Northumberland, Commissioner of Buoys and Beacons for the River and Port of Miramichi, praying an allowance for services performed:

A Petition from Matthew Carruthers, of Bathurst, in the County of Gloucester, a Deputy Surveyor, praying the amount of expenses incurred by him, and remuneration for the loss of time occupied in defending certain charges made against him, which charges were not sustained:

A Petition from John Turnbull, Charles Campbell, Stephen Dunn, and one hundred and ten other inhabitants of Northumberland, praying the Act 4th W. 4, cap. 46, relating to the privilege of solemnizing Marriage, may be amended:

A Petition from William Johnson, a Mail Carrier between Chatham and Dalhousie, praying a sum of money to relieve him from losses sustained:

A Petition from Francis Elliott, of Miramichi, praying the sum of one thousand and nine pounds fifteen shillings and two pence may be granted to him, as a balance due him for building a Bridge over Bathurst Basin, in compliance with a Contract entered into with him:

A Petition from Michael Mahony, Nicholas Horan, Charles M'Arthur, and sixty other inhabitants of Blackville, in Northumberland, praying aid for a Road from Cain's River to the Main South West River:

A Petition from Thomas W. Underhill, Alexander M'Laggan, Charles Campbell, and one hundred and fifty other persons, praying aid for a Road from the Forks, at the Mouth of Cain's River, to the Mills on Sabby's, a Branch of Cain's River:

A Petition from John Nesmith, Hugh Morell, Henry B. Allison, and one hundred inhabitants of Newcastle, Northumberland, praying that no alteration may be made in the Statute Labour Laws, and setting forth that some of the Petitioners had been misled when signing a Petition for an alteration of the said Laws : and

A Petition from Messieurs Johnson and Mackie, of Miramichi, praying the return of two pounds eight shillings and four pence, Duties paid by them.

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

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

A Petition from George Bell and Hector M'Lean, praying remuneration for ferrying Her Majesty's Mails over the River Richibucto : and

A Petition from John Wheten, James Law, Robert A. Chesley, John Miller, and eighty other inhabitants of the County of Kent, praying an alteration may be allowed to be made in the Act 4th W. 4, cap. 46, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province."

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 4th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Peters.*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Mutual Insurance Company, was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon Bills relating to Corporations.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill, intituled "An Act relating to the crime of Man-slaughter."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

A Message was brought from the Assembly by Mr. Hill, with a Bill to revive, continue and amend an Act, intituled "An Act for the incorporation of the Saint John and Saint Croix River Canal Company," to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon Bills relating to Corporations.

A Message was brought from the Assembly by Mr. End, that the Assembly had agreed to the Bill, intituled "An Act to facilitate the carrying into effect conditional Pardons granted by the Crown," with an amendment, to which they desire the concurrence of this House.

The House proceeded to take into consideration the amendment sent up from the Assembly.

The same was read by the Clerk, as follows:—

At A expunge the words—"Governor or Commander in Chief of the Province,"—and insert—"Lieutenant Governor or Administrator of the Government for the time being."

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

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the twenty fourth day of February last, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in by the House.

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

The Honorable Mr. Saunders, by leave, presented a Petition from George Woods, of Fredericton, praying redress from the Legislature in respect of certain Lands of which he has been deprived.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY

THURSDAY, 5th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin,*

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act relating to the crime of Manslaughter," was read a third time and passed.

ORDERED, That the Title be—

An Act relating to the crime of Manslaughter.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill for the collection of the Revenue of the Province, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

The said Bill was read a third time and passed.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to vacate the Seats of Members of the Assembly in certain cases.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

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

At A in Section I. insert the words—"of the Supreme Court, the Clerk of the Crown of the Supreme Court."

At

At B in same Section, expunge the words—"or any office, commission or appointment connected with or relating to the collection, expenditure or auditing of the Revenue of the Province, or any part thereof,"—and insert the words—"Auditor General, Receiver General, or Province Treasurer."

At C expunge the words—"commission or appointment."

At D expunge the whole Section.

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

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

A Message was brought from the Assembly by Mr. Perley, with a Bill to incorporate the Tobique Boom Company, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Jordan, that the Assembly had agreed to the amendments made by this House to the Bill relating to County and Parish Officers in the City and County of Saint John.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act relating to the appointment of Sheriffs."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the second day of March, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation, dated the second day of March, were concurred in by the House.

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

A Message was brought from the Assembly by Mr. W. H. Street, with a Bill to continue and amend the Act, intituled "An Act imposing Duties for raising a Revenue," to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and the said Bill be read a second time.

The said Bill was read a second time.

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

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

A Petition from James Brittain, Alexander Reid, George Morrow, and thirty six other persons, inhabitants of the Parish of Westfield, in King's County, praying that the Provincial Dredging Machine may be employed to clear out the Channel at the entrance of the Nerepis River :

A Petition from James Smith, Benjamin Dodge, John Wright, Commissioners of Highways, and fifty six other inhabitants of Hampton, King's County, praying aid to erect a Bridge across Hammond River, at or near Smith's Mills :

A Petition from William Cox, of King's County, an old Soldier, praying the usual Provincial allowance :

A Petition from Seymour Pickett, of King's County, praying pecuniary assistance for his Establishment for the manufacture of Cloth :

A Petition from Eliza Hanford, of the City of Saint John, Widow, Guardian of Thomas T. Hanford, of the said City, a Minor, praying on his behalf that a Bill to extend John or Water Street to the Southward may not be allowed to pass into a Law :

A Petition from the same persons, praying that an Act may pass declaratory of the true intent and meaning of an Act, intituled "An Act to prevent the establishment of a Fish Market in one of the Slips in the City of Saint John."

A Petition from Richard Nowlan, William Burk, Robert Allen, and three hundred others, Freeholders, Freemen and Inhabitants of the City of Saint John, praying no Act may pass extending the limits within which Wooden Buildings may now by Law be erected in Saint John : and

A Petition from William Olive, Thomas Coram, Josiah Wetmore, and two hundred and fifty other Inhabitants and Freemen, of the City of Saint John, residing and owning property on the Western side of the Harbour, praying a Bill relating to the Public Debt of the Corporation of the City of Saint John may not be allowed to pass into a Law.

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

The Honorable Mr. Peters, by leave, presented a Petition from George Kerr, Henry Cunard, John T. Williston, and two hundred and nineteen other persons, of Northumberland, praying a Grant may pass to enable them to explore and open a direct line of Road from Dixon's Ferry, opposite the Town of Chatham, to Bartibog, and that the Road be established part of the Great Road from Newcastle to Bathurst.

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

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

A Petition from Peter Bogan, Henry M'Cullough, John Sinnott, and fifty eight others, Pewholders and Parishioners of Saint Malachy's and Saint Peter's Churches, in the City of Saint John, praying certain alterations in the Bill for incorporating the Roman Catholic Bishop of New Brunswick : and

A Petition from James Peters, Junior, of the City of Saint John, praying no Law may be passed to interfere with his rights as Clerk of the Peace and Inferior Court of Common Pleas of the City and County of Saint John.

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

The Honorable Mr. Hatch, by leave, presented a Petition from the Reverend William Hall, Pastor of the Saint George Baptist Church, and fifty five others, Pewholders and Members of the Presbyterian, Methodist, Baptist, and Independent denominations, praying amendments in the Act 4th W. 4, cap. 46, extending the privilege of solemnizing Marriage.

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 6th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin,*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the Bill relating to the appointment of Sheriffs, was read a third time and passed.

ORDERED, That the Title be—

An Act in amendment of the Law relating to the appointment of Sheriffs.

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

Pursuant to the Order of the Day, the Bill to vacate the Seats of Members of the Assembly in certain cases, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue and amend the Act, intituled "An Act imposing Duties for raising a Revenue." The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

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

The said Bill was read a third time and passed.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Message from His Excellency the Lieutenant Governor conveying the Despatch from the Secretary of State for the Colonies relating to the Provincial Secretary's Salary.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Message and Despatch, and that it was resolved, as the opinion of the said Committee, that the Office of the Clerk of the Executive Council should be separated from that of the Secretary of the Province; and that it was further resolved, as the opinion of the said Committee, that in the event of the separation of such Offices, a permanent Salary of £750 per annum should be borne on the Civil List for the services of the Office of Secretary and Registrar; and also the sum of £200 per annum as the Salary of the Clerk of the Executive Council.

And the Chairman further reported, that on the question of filling up the blank for the Salary of the Secretary with the sum of £600, the Committee divided as follows:

CONTENT.

Mr. Black,
Mr. Chandler,
Mr. Johnston,
Mr. Owen,
Mr. Minchin.

NON-CONTENT.

Mr. Shore,
Mr. Botsford,
Mr. Attorney General,
Mr. Wyer,
Mr. Hatch,
Mr. Kinnear,
Mr. Peters.

And so it passed in the negative.

And on the question for filling up the blank with £750, the Committee again divided as follows:—

CONTENT.

Mr. Shore,
Mr. Botsford,
Mr. Attorney General,
Mr. Wyer,
Mr. Hatch,
Mr. Kinnear,
Mr. Peters.

NON-CONTENT.

Mr. Black,
Mr. Chandler,
Mr. Johnston,
Mr. Owen,
Mr. Minchin.

And so it passed in the affirmative.

ORDERED, That the Report be received.

On

On motion made and seconded—

RESOLVED, As the opinion of this House, That the Office of the Clerk of the Executive Council should be separated from that of the Secretary of the Province.

RESOLVED, As the opinion of this House, That a permanent Salary of £750 per annum should be borne on the Civil List for the services of the Office of Secretary and Registrar of this Province; and that a permanent Salary of £200 per annum should be borne on the Civil List for the services of the Clerk of the Executive Council.

RESOLVED, That a copy of the foregoing Resolutions be transmitted to the Colonial Department, and that an Humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency will be pleased to transmit the Resolutions to Her Majesty's Secretary of State for the Colonies.

ORDERED, That the Honorable Messieurs Botsford and Wyer be a Committee to present the said Address.

The Honorable Mr. Owen, by leave, presented a Petition from M. G. H. Ross, President of the Gun Room Mess of Her Majesty's Steam Vessel Columbia, employed Surveying the Bay of Fundy, praying a return of £20 6 1, Duties paid on Wines, &c. provided for their use.

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

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 7th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin,*

PRAYERS.

A Message was brought from the Assembly by Mr. Payne, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act to repeal an Act, intituled 'An Act in addition to an Act for erecting a Parish in the City of Saint John, and incorporating the Rector, Church Wardens and Vestries of the Church of England in the several Parishes in this Province,' and to make other provisions in lieu thereof;"

And that the Assembly had agreed to the amendments made by this House to the Bill to incorporate a Company for the purpose of introducing into this Province Payne's Patent Process for the preservation of Wood and other materials, and for working the same.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations, report, that they have had under their consideration “A Bill to incorporate the Mutual Insurance Company,” and “A Bill to incorporate the Tobique Boom Company ;” and beg leave to recommend the said Bills to the adoption of the House.

Respectfully submitted.

A. E. BOTSFORD, *Chairman.*

Committee Room, 7th March, 1846.

ORDERED, That the House be put into a Committee of the whole on Monday next, to take the said Bills, and the Report of the Select Committee thereon, severally into consideration.

The House adjourned during pleasure.

After some time the House resumed.

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

The House attended accordingly.

His Excellency then gave His assent to the following Bills, intituled—

An Act to continue and amend the Act, intituled “An Act imposing Duties for raising a Revenue :”

An Act for the collection of the Revenue of the Province :

An Act to continue an Act, intituled “An Act relating to the collection of Duty on Timber and other Lumber :”

An Act to remove doubts respecting the competency of Witnesses in certain cases :

An Act to amend and explain an Act, intituled “An Act to repeal all the Acts now in force relating to Trespasses, and to make more effectual provision for the same :”

An Act to repeal an Act to revive and continue “An Act for the Naturalization of Aliens in this Province,” and to make further provision for the same :

An Act to alter and amend the Laws relating to the Fisheries in the County of Gloucester :

An Act to alter the Division Line between the Counties of Westmorland and Albert, and also certain Parish Lines in the said County of Albert :

An Act to authorize the Justices of the Peace for the County of Restigouche to levy an assessment to pay off the County Debt :

An Act to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the contingent expenses of the said County :

An Act to authorize Her Majesty’s Justices of the Peace of the County of Gloucester to assess the said County for payment of the County Debts :

An Act to authorize Her Majesty’s Justices of the Peace for the County of Northumberland to assess the said County to pay off the County Debts :

An Act to authorize Her Majesty's Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt :

An Act relating to Dog Tax in the several Counties in this Province :

An Act to authorize the Justices of the Peace for the County of Carleton to levy an assessment to pay off the County Debts : and

An Act to increase the Representation of the County of Albert, (*with a suspending clause.*)

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

The Honorable the President lays before the House—

A Return of the State of the Central Bank of New Brunswick on the second day of March, 1846 :

Returns of the State of the Commercial Bank of New Brunswick on the twelfth day of April, 1845, and eleventh day of October, 1845.

ORDERED, That the same do lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 9th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Peters.*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin,*

PRAYERS.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Roman Catholic Bishop of New Brunswick, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Tobique Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Taylor, with Resolutions of Appropriation, dated the seventh day of March, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the seventh day of March, and recommended that the House should not concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation, dated the seventh day of March, granting—

To Asa Coy and Zebedee G. Gabel the sum of £14 10 4, being return of Duties paid on an Organ imported for the use of the Baptist Chapel in Fredericton:

To Joseph Gaynor, Robert Chestnut, and Thomas Pickard, the sum of £4 5 1, being Return Duties paid on a Bell imported for the use of the Methodist Chapel in Fredericton,—were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

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

A Petition from Sarah Moore, the Widow of an old Soldier, praying the usual Provincial allowance: and

A Petition from James Gilchrist, of York County, praying an allowance for teaching a School.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 10th March, 1846.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,*

Mr.

Mr. Wyer,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.

Mr. Hatch,
Mr. Johnston,
Mr. Minchin,

PRAYERS.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to incorporate the Roman Catholic Bishop of New Brunswick, and the Report of the Select Committee thereon.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

The Chairman further reported, that in the Committee it was moved—

That from A in Section I. the remainder of the Section be expunged, and that the following words should be inserted :—

“The several and respective Priests and Pastors from time to time to be appointed according to the usages of the Roman Catholic Church, in and over the several and respective Roman Catholic Churches or Chapels erected or to be erected in this Province, together with twelve Members of the said Churches or Chapels belonging to or in attendance at the said Churches or Chapels respectively, to be chosen as hereinafter mentioned, and their respective Successors, shall be Bodies Politic and Corporate, in deed and in name, and shall have succession forever, by the name of the Pastor and Wardens of the several and respective Roman Catholic Churches to which they belong, and shall by the same name have perpetual succession, and a Common Seal, and alter, change or amend the said Seal at pleasure; and shall by the name aforesaid from time to time and at all times hereafter, be able and capable in Law to have, hold, purchase, acquire, possess, and enjoy, for the general use or uses eleemosynary, ecclesiastical or educational of the said several and respective Churches or Chapels, and of the people in connection therewith, any lands, tenements or hereditaments, and the same Real Estate or any part thereof, for the purposes aforesaid, from time to time to let or demise by Indenture, under the Seal of the said Corporation respectively, for any period not exceeding twenty one years from the day of the making thereof; and shall and may be able and capable in Law to sue and be sued, implead and be impleaded, answer and be answered unto, in all Courts of Law and Equity, and places whatever: Provided always, that the lands and premises so to be holden by the said respective Corporations shall not at any time exceed the annual value of five hundred pounds in any one Parish in this Province.”

And on the question, Whether the said amendment should pass, the Committee divided—

CONTENT.

Mr. Black,
Mr. Shore,
Mr. Robinson,
Mr. Attorney General,
Mr. Hatch,
Mr. Kinnear,
Mr. Owen.

NON-CONTENT.

Mr. Saunders,
Mr. Botsford,
Mr. Chandler,
Mr. Wyer,
Mr. Johnston,
Mr. Minchin,
Mr. Peters.

And so it passed in the negative.

And the Chairman further reported, that on the question, Whether the said first Section of the Bill, as ultimately amended, should pass, the Committee divided—

CONTENT.

Mr. Saunders,
Mr. Botsford,
Mr. Attorney General,
Mr. Chandler,
Mr. Wyer,
Mr. Johnston,
Mr. Minchin,
Mr. Peters.

NON-CONTENT.

Mr. Black,
Mr. Shore,
Mr. Robinson,
Mr. Hatch,
Mr. Kinnear,
Mr. Owen.

And so it passed in the affirmative.

Upon the question that the Report be received, the House divided—

CONTENT.

Mr. Black,
Mr. Saunders,
Mr. Botsford,
Mr. Attorney General,
Mr. Chandler,
Mr. Wyer,
Mr. Johnston,
Mr. Minchin,
Mr. Peters.

NON-CONTENT.

Mr. Shore,
Mr. Robinson,
Mr. Hatch,
Mr. Kinnear,
Mr. Owen.

And so it passed in the affirmative.

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

At A in Section I. expunge the word “ of,” and insert “ in.”

At B insert the words—“ and being British born Subjects, or duly naturalized.”

At C expunge the words—“ or three lives at most.”

At D add—“ Provided always, that the lands and premises so to be holden by the said Corporation shall not at any time exceed the annual value of five hundred pounds in any one Parish in this Province; and further provided, that the rents and profits arising from any such lands and premises shall be applied for the uses and purposes of the Church or Churches within the Parish where such lands are situate, and not elsewhere.”

At E in Section II. expunge the words—"of New Brunswick."

At F in the Preamble, expunge the word "of," and insert "in."

At G in the Title, expunge the word "of," and insert "in."

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

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

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

A Bill to extend the powers of Grand Jurors in the County of Charlotte :

A Bill to amend an Act for the return of Duties in certain cases : and

A Bill to amend and explain an Act to authorize the Justices of the Peace in the several Counties in this Province to make regulations for Markets.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

A Message was brought from the Assembly by Mr. Taylor, that the Assembly had agreed to the Bill, intituled "An Act in amendment of the Law relating to the appointment of Sheriffs," with amendments, to which they desire the concurrence of this House ; and with

A Bill for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish, to which they desire the concurrence of this House.

The said Bill and amendments were read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. J. A. Street, with Resolutions of Appropriation, dated the ninth day of March, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

The Honorable Mr. Botsford, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House on the subject of the Salaries of the Secretary of the Province and the Clerk of the Executive Council, reported, that they have attended to that duty, and His Excellency was pleased to say, the wishes of the House should be complied with.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to incorporate the Tobique Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

The

The Honorable Mr. Chandler, by leave, presented a Petition from the Trustees of the Wesleyan Academy, Sackville, praying an appropriation of a portion of the Public Revenue to them.

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

The Honorable Mr. Johnston, by leave, presented a Petition from Ebenezer Smith, Samuel Foster, Jabez Upham, and two hundred other persons of Kings' County, praying a Law may be allowed to pass, authorizing a Boom to be erected across the Hammond River, to secure Logs for the use of Mills.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 11th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Roman Catholic Bishop of New Brunswick, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to incorporate the Tobique Boom Company was read a third time and passed.

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

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to extend the powers of Grand Jurors in the County of Charlotte :

A Bill to amend an Act for the return of Duties in certain cases :

A Bill to amend and explain an Act to authorize the Justices of the Peace in the several Counties in this Province to make regulations for Markets : and

A Bill for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish.

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

A Message was brought from the Assembly by Mr. S. Earle, with a Bill to empower the owners of certain Saw Mills on Hammond River, in Kings' County, to erect and keep up a Boom or Booms for the securing of Saw Logs on the said River, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Jordan, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act to incorporate the Chignecto Steam Navigation Company;" and with

A Bill to authorize the extension of the Gaol Limits in the County of Sunbury, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. J. A. Street, with a Bill to incorporate the Highland Society of New Brunswick, at Miramichi; and with

A Resolution of Appropriation dated the tenth day of March instant; to which they desire the concurrence of this House.

The said Resolution was read a first time.

ORDERED, That it be referred to the Committee of the whole House upon Resolutions of Appropriation.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

The Honorable Mr. Chandler, by leave, presented a Petition from the Central Fire Insurance Company of New Brunswick, praying an amendment may be made to their Act of Incorporation.

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

The Honorable Mr. Chandler presented to the House a Bill, intituled "An Act to amend the Act to incorporate the Central Fire Insurance Company of New Brunswick."

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

The Honorable Mr. Kinnear presented to the House a Bill, intituled "An Act to amend the Law relating to Corporations."

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED,

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

The House proceeded to take into consideration the amendment sent up from the Assembly to the Bill, intituled "An Act in amendment of the Law relating to the appointment of Sheriffs."

The same was read by the Clerk, as follows:—

At A add a new Section, as follows:—

"And be it enacted, That in all cases where the High Sheriff of the County is or shall be permitted to reside out of the Shire Town of the County, it shall be the duty of such Sheriff, and he is hereby required, not only to keep a Deputy or Under Sheriff resident in the Shire Town of the said County, but also an Office as near as conveniently may be to the Court House, which such Sheriff is hereby required to keep open at all reasonable times for the transaction of business."

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

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act in addition to and in amendment of an Act to provide for the more convenient administration of Justice in the Supreme Court, and to establish a Circuit Court in the County of Albert, and to alter the time of holding the Circuit Court in the County of Kings."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Mutual Insurance Company, and the Report of the Select Committee thereon.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the ninth and tenth days of March, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation, dated the ninth and tenth days of March, were concurred in by the House.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 12th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Minchin,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act in addition to and in amendment of an Act to provide for the more convenient administration of Justice in the Supreme Court, and to establish a Circuit Court in the County of Albert, and to alter the time of holding the Circuit Court in the County of Kings," was read a third time and passed.

ORDERED, That the Title be—

An Act in addition to and in amendment of an Act to provide for the more convenient administration of Justice in the Supreme Court, and to establish a Circuit Court in the County of Albert, and to alter the time of holding the Circuit Court in the County of Kings.

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

Pursuant to the Order of the Day, the Bill to incorporate the Mutual Insurance Company, was read a third time and passed.

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

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill to authorize the extension of the Gaol Limits in the County of Sunbury: and

A Bill to empower the owners of certain Saw Mills on Hammond River, in Kings' County, to erect and keep up a Boom or Booms for the securing of Saw Logs on the said River.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to extend the powers of Grand Jurors in the County of Charlotte.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received; and it was thereupon

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend and explain an Act to authorize the Justices of the Peace in the several Counties in this Province to make regulations for Markets.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section I. insert the words—"and they are hereby authorized to establish and define."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend an Act for the return of Duties in certain cases.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

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

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill, intituled "An Act to amend the Law relating to Corporations."

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 13th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Saunders,

Mr. Attorney General,

Mr. Wyer,

Mr. Kinnear,

Mr. Minchin,

Mr. Robinson,

Mr. Botsford,

Mr. Chandler,

Mr. Hatch,

Mr. Owen,

Mr. Peters.

PRAYERS.

Pursuant to the Order of the Day, the Bill to amend and explain an Act to authorize the Justices of the Peace in the several Counties in this Province to make regulations for Markets, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to amend an Act for the return of Duties in certain cases, was read a third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to empower the owners of certain Saw Mills on Hammond River, in Kings' County, to erect and keep up a Boom or Booms for the securing of Saw Logs in the said River.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the extension of the Gaol Limits in the County of Sunbury.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

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

A Bill to extend the Great Road leading from the Finger Board to Fredericton, from the lower side of the River Nashwaak to the Great Road from Fredericton to Newcastle : and

A Bill to alter the Great Road from Fredericton to Saint Andrews.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Chandler, by His Excellency the Lieutenant Governor's command, presented to the House, Correspondence regarding Railway Communications, together with a List thereof, which List was read by the Clerk, as follows :—

- No. 1. Sir William Colebrooke to Lord Stanley, No. 82, Extract, dated August 29th, 1845 :
- No. 2. Sir William Colebrooke to Lord Stanley, No. 88, dated Sept. 26th, 1845 :
- No. 3. Sir William Colebrooke to Lord Stanley, No. 100, dated 12th Nov. 1845 :
Enclosure—M. H. Perley to Alfred Reade, Esquire, dated 10th Nov. 1845.
- No. 4. Lord Falkland to Lord Stanley, No. 353, dated 17th November, 1845 :
- No. 5. Mr. John Grant to Sir William Colebrooke, dated 27th November, 1845 :
- No. 6. Lord Falkland to Lord Metcalfe, dated 24th November, 1845 :
- No. 7. Sir William Colebrooke to Lord Stanley, No. 103, dated 28th Nov. 1845 :
- No. 8. Sir William Colebrooke to Lord Stanley, No. 105, dated Dec. 11th, 1845 :
 - 1. Enclosures—Lord Falkland to Sir Wm. Colebrooke, dated Nov. 28, 1845 :
 - 2. Sir William Colebrooke to Lord Falkland, dated Dec. 11, 1845 :
 - 3. Sir William Colebrooke to Lord Cathcart, dated Dec. 11, 1845 :

No. 9. Lord Cathcart to Sir William Colebrooke, dated 24th December, 1845 :

No. 10. Secretary of the Colonies, Mr. Gladstone, to Sir William Colebrooke,—
Circular—Dated 15th January, 1846 :

No. 11. Ditto to ditto, No. 4, dated 2d February, 1846.

ORDERED, That the said Papers do lie on the Table.

A Message was brought from the Assembly by Mr. Jordan, with Resolutions of Appropriation, dated the eleventh day of March, to which they desire the concurrence of this House.

The said Resolutions of Appropriation were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation.

The Honorable Mr. Peters, by leave, presented a Petition from Alexander Rankin, of Northumberland, praying an Act may pass to incorporate the Highland Society of Miramichi.

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

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 14th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Botsford,

Mr. Wyer,

Mr. Hatch,

Mr. Owen,

Mr. Minchin,

Mr. Peters.

PRAYERS.

There not being eight Members present, the House adjourned until Monday next at 12 o'clock.

MONDAY, 16th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Robinson,

Mr. Botsford,

Mr. Attorney General,

Mr. Chandler,

Mr. Wyer,

Mr. Hatch,

Mr. Owen,

Mr. Minchin,

Mr. Peters.

PRAYERS.

On motion—

The following Bills were severally read a third time and passed :—

A Bill to empower the owners of certain Saw Mills on Hammond River, in Kings' County, to erect and keep up a Boom or Booms for the securing of Saw Logs on the said River: and

A Bill to authorize the extension of the Gaol Limits in the County of Sunbury.

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

On motion—

The following Bills were severally read a second time:—

A Bill to extend the Great Road leading from the Finger Board to Fredericton, from the lower side of the River Nashwaak to the Great Road from Fredericton to Newcastle: and

A Bill to alter the Great Road from Fredericton to Saint Andrews.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation, dated the eleventh day of March, they had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented two Reports.

ORDERED, That the Reports be received.

The same were then read by the Clerk, as follow:—

The Committee to whom were referred all Bills relating to Corporations, report, that they have had under consideration, "A Bill to revive, continue and amend an Act, intituled 'An Act for the Incorporation of the Saint John and Saint Croix River Canal Company.'" As this Bill revives an Act which had never gone into operation, and

and provides important amendments to the same, under an amended Title, your Committee deem it inconvenient to have two Acts in force on the Statute Book relating to the same Corporation, and therefore recommend that the further consideration of the said Bill be postponed for three months.

Respectfully submitted.

Committee Room, 13th March, 1846.

A. E. BOTSFORD, *Chairman.*

The Committee to whom were referred all Bills relating to Corporations, report, that they had under their consideration "A Bill to incorporate the Highland Society of New Brunswick, at Miramichi;" also, "A Bill, intituled 'An Act to amend the Act to incorporate the Central Fire Insurance Company of New Brunswick;'" and have prepared certain amendments to the said Bills, which they recommend to the favorable consideration of the House.

Respectfully submitted.

Committee Room, 13th March, 1846.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills, and the Reports of the Select Committee thereon, severally into consideration.

The Honorable the President lays before the House—

An Abstract, shewing the state of the Central Fire Insurance Company on the third day of March instant, received by him from the Provincial Secretary.

ORDERED, That the same do lie on the Table.

The Honorable Mr. Wyer, by leave, presented a Petition from George Smith, of Kings' County, praying an allowance for teaching a School in the Parish of Greenwich, in the said County.

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

The Honorable Mr. Botsford, by leave, presented a Petition from James Barnes, of Westmorland, praying the Provincial Bounty may be allowed on Fish taken by him.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 17th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,
Mr. Minchin,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Peters.*

PRAYERS.

PRAYERS.

Pursuant to the Order of the Day, the Bill for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish, was read a third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to alter the Great Road from Fredericton to Saint Andrews.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Highland Society of New Brunswick, at Miramichi, and the Report of the Select Committee thereon.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section I. insert the words—“and such other person or persons as are now or may hereafter be admitted Members of the Society agreeably to the Rules and Bye Laws of the said Corporation.”

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to revive, continue and amend an Act, intituled “An Act for the Incorporation of the Saint John and Saint Croix River Canal Company,” and the Report of the Select Committee thereon.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received ; and it was thereupon

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

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

A Bill to incorporate the Barristers' Society of New Brunswick :

A Bill to incorporate the New Brunswick Ice Company : and

A Bill to establish the Road leading from James Tilley's, in the Parish of Sheffield, in the County of Sunbury, to the Road from Fredericton to the Bend of Petitcodiac, as one of the Great Roads of Communication : and with

Resolutions of Appropriation, dated the eleventh and twelfth days of March, to which they desire the concurrence of this House :

And that the Assembly had agreed to the Bill sent down from this House, intituled "An Act relating to the crime of Manslaughter."

The first mentioned Bills and Resolutions of Appropriation were severally read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards

The Bill to incorporate the Barristers' Society : and

The Bill to incorporate the New Brunswick Ice Company ;

And that the said Bills be read a second time.

The said Bills were severally read a second time.

ORDERED, That they be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

ORDERED, That the Bill to establish the Road leading from James Tilley's, in the Parish of Sheffield, in the County of Sunbury, to the Road from Fredericton to the Bend of Petitcodiac, as one of the Great Roads of Communication, be read a second time to-morrow :

And that the Resolutions of Appropriation be referred to the Committee of the whole House upon Resolutions of Appropriation.

The Honorable Mr. Hatch presented to the House a Bill, intituled "An Act to incorporate the Saint Croix River Canal Company."

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Fisher, with a Bill to quiet the Titles to certain Lands in Fredericton, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions, dated the eleventh and twelfth days of March, and recommended that the House should concur in the same, with one exception, which the Committee recommended should not be concurred in, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation, dated the eleventh and twelfth days of March, were concurred in, with the following exception:—

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred pounds towards the erection of a Bridge over the South West Branch of the Miramichi River;

Which was not concurred in.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation, dated the eleventh and twelfth days of March, with the exception before recited.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 18th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Saunders,

Mr. Attorney General,

Mr. Wyer,

Mr. Johnston,

Mr. Minchin,

Mr. Robinson,

Mr. Botsford,

Mr. Chandler,

Mr. Hatch,

Mr. Owen,

Mr. Peters.

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Highland Society of New Brunswick, at Miramichi, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to alter the Great Road from Fredericton to Saint Andrews, was read a third time and passed.

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

Pursuant

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill to establish the Road leading from James Tilley's, in the Parish of Sheffield, in the County of Sunbury, to the Road from Fredericton to the Bend of the Petitcodiac, as one of the Great Roads of Communication: and

A Bill to quiet the Titles to certain Lands in Fredericton.

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

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, report, that they have had under their consideration "A Bill to alter and amend an Act, intituled 'An Act to incorporate the Saint John Gas Light Company.'" The Standing Order of this House, requiring that any application for alterations in any Act of Incorporation shall proceed from or be sanctioned by the Stockholders at a General Meeting, legally convened, not having been complied with, your Committee cannot recommend the said Bill to the favorable consideration of the House.

Respectfully submitted.

Committee Room, 18th March, 1846.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bill, and the Report of the Select Committee thereon, into consideration.

A Message was brought from the Assembly by Mr. Jordan, with Resolutions of Appropriation, dated the seventeenth day of March, to which they desire the concurrence of this House.

The said Resolutions of Appropriation were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the thirteenth day of March, and recommended that the House should concur in the same, with an exception, which the Committee recommended should not be concurred in, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation, dated the thirteenth day of March, were concurred in, with the following exception:—

To

To the Trustees of Schools of Caraquet Parish the sum of twenty pounds to remunerate Abraham Piton for teaching a School in that Parish for one year ending in December, one thousand eight hundred and twenty eight ;

Which was not concurred in.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation, dated the thirteenth day of March, with the exception before recited.

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the amendments made by this House to the Bill to provide for the management of the temporalities of the Church of England in this Province, in certain cases.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations, report, that they have had under consideration “ An Act for the Incorporation of the Saint Croix River Canal Company ;” also, “ A Bill to incorporate the Barristers’ Society of New Brunswick ;” and recommend the said Bills to the adoption of the House. They have also examined “ A Bill to Incorporate the New Brunswick Ice Company,” and have prepared an amendment to the same, which they recommend to the favorable consideration of the House.

Respectfully submitted.

Committee Room, 18th March, 1846.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills, severally, and the Report of the Select Committee thereon, into consideration.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 19th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin,*

*Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to alter and amend an Act, intituled “ An Act to incorporate the Saint John Gas Light Company,” and the Report of the Select Committee thereon.

The

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received; and it was thereupon

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Barristers' Society of New Brunswick, and the Report of the Select Committee thereon.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

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

At A in Section II. insert the words—"being Members."

At B in Section V. expunge the words—"and remove and eject the said Society therefrom."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill, intituled "An Act to incorporate the Saint Croix River Canal Company," and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the New Brunswick Ice Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

The

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

At A in Section I. insert the words—“ for the purpose of exporting Ice to the West Indies and other parts of the world.”

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

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

A Message was brought from the Assembly by Mr. Jordan, with a Resolution of Appropriation, dated the eighteenth day of March, to which they desire the concurrence of this House.

The said Resolution was read a first time.

ORDERED, That the said Resolution be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the seventeenth day of March, and recommended that the House should concur in the same, with certain exceptions, which the Committee recommended should not be concurred in, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation, dated the seventeenth day of March, were concurred in, with the following exceptions :—

To Isaac and John G. Woodward the sum of one hundred and twenty pounds to reimburse them Duties paid on an Engine and Machinery on an improved principle, for a Steam Vessel, imported from the United States :

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding eighty pounds, as a Bounty of twenty shillings per ton, on a Vessel to be fitted out by Edward M. Lowden, of Dalhousie ; the same to be paid on the registered tonnage of said Vessel on her return from a Seal voyage, and after having in every respect prosecuted satisfactorily the enterprise.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Resolutions of Appropriation, with the exceptions before recited.

A Message was brought from the Assembly by Mr. Hill, with a Bill to extend the Terms of the Supreme Court, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Adjourned until To-morrow at 12 o'clock.

FRIDAY

FRIDAY, 20th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Minchin,*

*Mr. Robinson,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills, as amended, were severally read a third time and passed :—

A Bill to incorporate the Barristers' Society of New Brunswick : and

A Bill to incorporate the New Brunswick Ice Company.

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

Pursuant to the Order of the Day, the Bill, intituled "An Act to incorporate the Saint Croix River Canal Company," was read a third time and passed.

ORDERED, That the Title be—

An Act for the Incorporation of the Saint Croix River Canal Company.

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

Pursuant to the Order of the Day, the Bill to extend the Terms of the Supreme Court, was read a second time.

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

A Message was brought from the Assembly by Mr. Jordan, with a Bill to incorporate the New Brunswick Railway Company ; and with

Resolutions of Appropriation, dated the nineteenth day of March ; to which they desire the concurrence of this House.

The said Bill and Resolutions were severally read a first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation ; and

That the Twenty third Rule of this House be dispensed with, as regards the said Bill, and that it be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. End, that the Assembly had agreed to the amendments sent down by this House to the Bill to incorporate the Roman Catholic Bishop of New Brunswick.

On

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to establish the Road leading from James Tilley's, in the Parish of Sheffield, in the County of Sunbury, to the Road from Fredericton to the Bend of Petitcodiac, as one of the Great Roads of Communication.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received; and it was thereupon

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to extend the Great Road leading from the Finger Board to Fredericton, from the lower side of the River Nashwaak to the Great Road from Fredericton to Newcastle.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received; and it was thereupon

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

The Honorable Mr. Johnston, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying that no Act may be allowed to pass to abridge the power of the Corporation in making such erections and regulations for Market accommodation as the circumstances of the said City may from time to time require.

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

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 21st March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,
Mr. Minchin,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Peters.*

PRAYERS.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolution of Appropriation, dated the eighteenth day of March, and recommended that the House should not concur in the same.

That the Committee had gone into consideration of the Resolutions of Appropriation, dated the nineteenth day of March, they had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolution of Appropriation, of the eighteenth day of March, granting—

To the President and Officers of the Saint John Total Abstinence Society the sum of twenty five pounds to enable them to advance the Total Abstinence cause,

Was not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council do not concur in the said Resolution.

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

A Bill to authorize the widening of Saint John Street, and the continuation thereof to Duke Street, in the City of Saint John: and

A Bill to authorize the Justices of the Peace for the County of Saint John to make further provision for the payment of the Treasurer of that County.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time on Monday next.

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

A Bill to continue an Act to prevent the spreading of a Disorder now existing in certain parts of the Counties of Gloucester and Northumberland: and

A Bill to continue an Act to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time on Monday next.

A Message was brought from the Assembly by Mr. J. A. Street, that the Assembly had agreed to the amendments made by this House to the Bill to incorporate the Highland Society of New Brunswick, at Miramichi.

A Message was brought from the Assembly by Mr. Taylor, with a Resolution of Appropriation, dated the twentieth day of March, to which they desire the concurrence of this House.

The said Resolution was read a first time.

ORDERED, That it be referred to the Committee of the whole House upon Resolutions of Appropriation.

Adjourned until Monday next at 12 o'clock.

MONDAY, 23^d March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,
Mr. Minchin,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to authorize the widening of Saint John Street, and the continuation thereof to Duke Street, in the City of Saint John :

A Bill to authorize the Justices of the Peace for the County of Saint John to make further provision for the payment of the Treasurer of that County :

A Bill to continue an Act to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche : and

A Bill to continue an Act to prevent the spreading of a Disorder now existing in certain parts of the Counties of Gloucester and Northumberland.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolution of Appropriation, dated the twentieth day of March, and recommended that the House should concur in the same.

That the Committee had gone into further consideration of the Resolutions of Appropriation, dated the nineteenth day of March, they had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon

Whereupon the Resolution of Appropriation, dated the twentieth day of March, was concurred in by the House.

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

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

A Bill to provide for the Inspection of Fish and other articles : and

A Bill to continue an Act to encourage the Fisheries of this Province.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill, intituled “ An Act to amend the Act to incorporate the Central Fire Insurance Company of New Brunswick,” and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 24th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Robinson,

Mr. Botsford,

Mr. Attorney General,

Mr. Chandler,

Mr. Wyer,

Mr. Hatch,

Mr. Johnston,

Mr. Owen,

Mr. Minchin,

Mr. Peters.

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled “ An Act to amend the Act to incorporate the Central Fire Insurance Company of New Brunswick,” was read a third time and passed.

ORDERED, That the Title be—

An Act to amend the Act to incorporate the Central Fire Insurance Company of New Brunswick.

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

Pursuant

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to provide for the Inspection of Fish and other articles : and

A Bill to continue an Act to encourage the Fisheries of this Province.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Perley, with a Bill to amend an Act to prevent Pedlars travelling and selling within this Province without License, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act to prevent the spreading of a Disorder now existing in certain parts of the Counties of Gloucester and Northumberland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the Justices of the Peace for the County of Saint John to make further provision for the payment of the Treasurer of that County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations, report, that they have examined “A Bill to incorporate the New Brunswick Railway Company,” and beg to recommend the same to the favorable consideration of the House.

Respectfully submitted.

Committee Room, 23d March, 1846.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bill, and the Report of the Select Committee thereon, into consideration.

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

A Petition from Samuel Strange, Henry Porter, Lewis Burns, and one hundred and twenty other inhabitants of the City of Saint John, praying such provisions may be made as will enable the Administrator of the Government to compensate a Superintendent of Fisheries, invested with powers and authority to keep the peace and regulate the differences that may arise among the Fishermen in the Island of Grand Manan :

A Petition from Martha Campbell, the Widow of an old Soldier, praying the Provincial Pension may be allowed to her : and

A Petition from Thomas H. Black, of the County of Saint John, a Schoolmaster, praying a Grant may pass to him for long services.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 25th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.*

*Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to authorize the Justices of the Peace for the County of Saint John to make further provision for the payment of the Treasurer of that County : and

A Bill to continue an Act to prevent the spread of a Disorder now existing in certain parts of the Counties of Gloucester and Northumberland.

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

Pursuant

Pursuant to the Order of the Day, the Bill to amend an Act to prevent Pedlars travelling and selling within this Province without License, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the New Brunswick Railway Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

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

At A in Section XXVII. expunge the word “the,” and insert the words—“any Court of Oyer and Terminer or.”

At B expunge the words—“Court of Quarter.”

At C insert the words—“Court of Oyer and Terminer or.”

At D expunge the words—“Court of Quarter.”

At E add the words—“which said fine shall be exclusive of any claim for damages which any party may sustain by any such neglect or failure as aforesaid.”

At F insert a new Section, as follows, and alter the numbers of the remaining Sections:—

“L. And be it enacted, That if any other Railway Company incorporated by Law shall build and construct any other Railway from any place or places in this Province, it shall be lawful for the said Railway Company so building and constructing the said other Railway to form a junction with the main trunk, or any branch thereof which may be built and constructed by the said New Brunswick Railway Company, at such point or points, place or places as may be desired, or considered most advantageous by such Railway Company; and the said New Brunswick Railway Company shall convey and transport all passengers, goods, chattels and merchandize of every kind, so arriving at the said junction, onwards and backwards, at all convenient and usual times, on the said trunk, or any branch thereof, without any unnecessary delay or hindrance, to their respective destination, subject to the payment of such rates, tolls or dues per mile as may be paid in similar cases to the said New Brunswick Railway Company.”

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

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

A Message was brought from the Assembly by Mr. Taylor, that the Assembly had agreed to the amendments made by this House to the following Bills:—

A Bill to incorporate the Barristers' Society of New Brunswick; and

A Bill to incorporate the New Brunswick Ice Company:

And

And with the following Bills, to which they desire the concurrence of this House:—

A Bill, intituled “An Act to authorize the granting of Mill Reserves in certain cases:” and

A Bill to explain an Act for the amendment of the Charter of the City of Saint John.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to continue an Act to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A insert the words—“and the several Acts thereby revived and continued.”

At B expunge the word “is,” and insert the word “are.”

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

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

The Honorable Mr. Kinnear, by leave, presented a Petition from Lauchlan Donaldson, Mayor of Saint John, Robert W. Crookshank, John Ward, John V. Thurgar, Daniel Leavitt, and three hundred and forty eight other Merchants and Inhabitants of Saint John, praying relief with regard to the management of the Post Office in this Province.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 26th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.*

PRAYERS.

PRAYERS.

Pursuant to the Order of the Day, the following Bills, as amended, were severally read a third time and passed :—

A Bill to incorporate the New Brunswick Railway Company : and

A Bill to continue an Act to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche.

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

A Message was brought from the Assembly by Mr. W. H. Street, with a Bill, intituled "An Act to facilitate the making of a Railway from the City of Saint John, through Fredericton and Woodstock, to the Grand Falls of the River Saint John, and from thence to the Boundary Line of the Province of Canada, by the New Brunswick Railway Company," to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to authorize the widening of Saint John Street, and the continuation thereof to Duke Street, in the City of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to quiet the Titles to certain Lands in Fredericton.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made an amendment thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

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

At A in the Preamble, insert as follows :—

"And whereas also His late Majesty King George the Third did, by Letters Patent under the Great Seal of this Province, bearing date the ninth day of May in the year of our Lord one thousand eight hundred, and in the fortieth year of his Reign, grant unto the Rector, Church Wardens and Vestry of Christ Church, in the Parish of

Fredericton, and their successors for ever, a lot or tract of land situate in the Town plot of Fredericton, and then occupied as a Burying Ground; and also the lot or piece of ground on which Christ Church, as the Parish Church of Fredericton aforesaid, then stood and now stands, with a space of ground surrounding the same, on the tract reserved for a Common and other public uses, in front of Block number eleven in the said Town plot, as particularly designated, distinguished and described by proper metes and bounds in the said grant, reference being thereunto had, or to the registry thereof in the office of the Secretary and Register of this Province, will more fully appear: And whereas also His Majesty King George the Third did, by Letters Patent under the Great Seal of this Province, bearing date the first day of December in the year of our Lord one thousand eight hundred and ten, and in the fifty first year of his Reign, grant unto the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, and their successors for ever, three certain lots or blocks of land, containing in the whole ten acres two roods and thirty one perches, more or less, situate, lying and being near the Southwesterly bank of the River Saint John, at the Northwest end of part of the Town plot of Fredericton, in the County of York, and particularly designated, distinguished and described by proper metes and bounds in the said grant, reference being had thereunto, or the registry thereof in the office of the Secretary and Register of this Province, will more fully appear: And whereas His Majesty King George the Fourth did, by Letters Patent under the Great Seal of this Province, bearing date the twenty third day of August in the year of our Lord one thousand eight hundred and twenty, grant to Anthony Lockwood one rood and thirteen perches of land, being particularly designated, distinguished and described by proper metes and bounds in the said grant, reference being thereunto had, or the registry thereof in the office of the Secretary and Register of the Province, will more fully appear: And whereas His said Majesty King George the Third did, by Letters Patent under the Great Seal of this Province, bearing date the seventeenth day of May in the year of our Lord one thousand eight hundred and seventeen, and in the fifty seventh year of the Reign of His said Majesty King George the Third, grant to Richard Winter one rood and twelve perches of land, being particularly designated, distinguished and described by proper metes and bounds in the said grant, reference being thereunto had, or the registry thereof in the office of the Secretary and Register of the Province, will more fully appear."

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill, intituled "An Act to amend the Law relating to Corporations."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received; and it was thereupon

RESOLVED,

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

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill to explain an Act for the amendment of the Charter of the City of Saint John: and

A Bill, intituled “An Act to authorize the granting of Mill Reserves in certain cases.”

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

A Message was brought from the Assembly by Mr. Barberie, with a Bill further to amend an Act to afford relief to persons unfortunate in business, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Hill, that the Assembly had agreed to the Bill, intituled “An Act for the Incorporation of the Saint Croix River Canal Company.”

A Message was brought from the Assembly by Mr. J. Earle, with Resolutions of Appropriation, dated the twenty third day of March, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to extend the Terms of the Supreme Court.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received; and it was thereupon

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

The Honorable Mr. Botsford, by leave, presented a Petition from Thomas Baillie, Surveyor General of the Province, praying that an Act may pass for appointing Arbitrators to settle and determine the question of disputed Accounts between the Crown and Petitioner.

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY

FRIDAY, 27th March, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Boisford,
Mr. Chandler,
Mr. Kinnear,
Mr. Minchin,*

*Mr. Robinson,
Mr. Attorney General,
Mr. Hatch,
Mr. Johnston,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to quiet the Titles to certain Lands in Fredericton, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill further to amend an Act to afford relief to persons unfortunate in business : and

A Bill, intituled “ An Act to facilitate the making of a Railway from the City of Saint John, through Fredericton and Woodstock, to the Grand Falls of the River Saint John, and from thence to the Boundary Line of the Province of Canada, by the New Brunswick Railway Company.”

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to authorize the widening of Saint John Street, and the continuation thereof to Duke Street, in the City of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Palmer, with Resolutions of Appropriation, dated the twenty sixth day of March, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill, intituled “ An Act to authorize the granting of Mill Reserves in certain cases.”

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A insert the words—“and which may have been erected and in operation before the passing of this Act.”

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

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

A Message was brought from the Assembly by Mr. Taylor, with a Bill in addition to the Acts now in force relating to Sewers, and for the better encouraging the Draining of Lands, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

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

A Petition from John Dibblee, John Bedell, Charles Connell, and seventy four other inhabitants of the County of Carleton, praying the Act to prevent Pedlars travelling and selling in this Province without Licence, may be amended: and

A Petition from John M'Min, of Restigouche, praying an allowance for teaching a School.

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

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 28th March, 1846.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Kinnear,
Mr. Minchin,*

*Mr. Saunders,
Mr. Attorney General,
Mr. Hatch,
Mr. Johnston,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled “An Act to authorize the granting of Mill Reserves in certain cases,” as amended, was read a third time and passed.

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

M*

Pursuant

Pursuant to the Order of the Day, the Bill in addition to the Acts now in force relating to Sewers, and for the better encouraging the Draining of Lands, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to authorize the widening of Saint John Street, and the continuation thereof to Duke Street, in the City of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section III. insert the words—“taking down and removing all buildings or parts of buildings or erections on the said Street and continuation thereof and.”

At B in Section V. expunge the word “thereupon,” and insert—“immediately after receiving the amount to be assessed as hereinbefore mentioned for building up and completing the said Street and continuation thereof.”

At C at the end of the Section, add the words—“and any obstruction to the authorities aforesaid in taking such possession of the said Street and buildings or erections, or removal of such buildings or erections as aforesaid, or building up and completing the said Street and continuation as aforesaid, by any person or persons whomsoever, shall and is hereby declared to be a misdemeanor; and for every offence such person or persons shall and may be indicted and punished as in ordinary cases of misdemeanor; and moreover the said buildings and erections are hereby declared to be and shall be treated as common nuisances.”

At D in Section VIII. expunge the remainder of the Section, and insert the words—“shall in the first place hold and retain from and out of the first payments made to him on account of such assessments, the amount so to be assessed for taking down and removing the buildings or erections, and building and completing the said Street as aforesaid, to the Order of the said Mayor, Aldermen and Commonalty, to be by them used and applied to and for the purpose of taking down and removing the said buildings or erections, and building and completing the said Street as aforesaid; and shall in the next place, from and out of the said assessments, make the several payments in and by the seventh section of this Act directed to be made; and lastly, pay the respective Commissioners and all other parties and expenses hereinbefore mentioned, agreeably to the assessments aforesaid.”

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

ORDERED, That they be engrossed, and the Bill as amended be read a third time on Monday next.

A Message was brought from the Assembly by Mr. Payne, with a Bill further to extend the provisions of an Act, intituled "An Act to encourage the establishment of Banks for Savings in this Province;" and with

Resolutions of Appropriation, dated the twenty seventh day of March; to which they desire the concurrence of this House.

The same were severally read a first time.

ORDERED, That the said Bill be read a second time on Monday next; and

That the Resolutions of Appropriation be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the twenty third day of March, and recommended that the House should concur in the same, with an exception, which the Committee recommended should not be concurred in, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions were concurred in by the House, with the exception of the following grant:—

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds for the erection of a Wharf on the front of Kemble's Manor, on the Road leading to and from the Jerusalem Settlement, in the Parish of Hampstead, in Queens' County, in aid of individual subscription;

Which was not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation, dated the twenty third day of March, with the exception before entered.

Adjourned until Monday next at 12 o'clock.

MONDAY, 30th March, 1846.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin.*

*Mr. Robinson,
Mr. Attorney General,
Mr. Kinnear,
Mr. Owen,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the widening of Saint John Street, and the continuation thereof to Duke Street, in the City of Saint John, as amended, was read a third time and passed.

ORDERED,

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

Pursuant to the Order of the Day, the Bill further to extend the provisions of an Act, intituled "An Act to encourage the establishment of Banks for Savings in this Province," was read a second time.

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

A Message was brought from the Assembly by Mr. Payne, that the Assembly had agreed to the amendments made by this House to the Bill to incorporate the New Brunswick Railway Company: and with

A Bill to amend and explain an Act to permit the establishment of a Fish Market in one of the Public Slips in the City of Saint John, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the Bill, intituled "An Act to amend the Act to incorporate the Central Fire Insurance Company of New Brunswick."

A Message was brought from the Assembly by Mr. End, that the Assembly had concurred in the amendments made by this House to the Bill to continue an Act to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the nineteenth and twenty seventh days of March, and recommended that the House should concur in the same, with an exception, which the Committee recommended should not be concurred in, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in, with the following exception:—

To the New Brunswick and Nova Scotia Land Company the sum of four hundred pounds for the Roads through the Settlements on the Company's Lands, in aid of the appropriation made by the Company for that object; out of which, thirty pounds to be expended on the Road leading to Campbelton, on the Old Road leading to Boiestown.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Resolutions of Appropriation, with the exception before stated.

The Honorable Mr. Saunders, by leave, presented a Petition from John M'Lauchlan, of York County, praying aid for services as a Schoolmaster.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 31st March, 1846.

PRESENT :

THE HON.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.*

Mr. Black, President.

*Mr. Robinson,
Mr. Attorney General,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin,*

PRAYERS.

The Honorable Mr. Chandler, by leave, presented a Petition from Asa Coy, William J. Bedell, Joseph Gaynor, and sixty other inhabitants of York County, praying that an Act may pass, repealing the Act to afford relief to persons unfortunate in business in certain cases.

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

Pursuant to the Order of the Day, the Bill to amend and explain an Act to permit the establishment of a Fish Market in one of the Public Slips in the City of Saint John, was read a second time.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill further to amend an Act to afford relief to persons unfortunate in business.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

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

Expunge the Preamble of the Bill.

From A in Section I. expunge the remainder of the Bill, and insert the words—"an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled 'An Act to afford relief to persons unfortunate in business in certain cases;' and also an Act made and passed in the eighth year of the same Reign, in amendment thereof, intituled 'An Act to explain and amend the Act to afford relief to persons unfortunate

unfortunate in business in certain cases,' be and the same are hereby repealed: provided always, that in any case where the Master of the Rolls, before the passing of this Act, shall have made his Order for the calling of a Meeting of the Creditors of any petitioning Debtor, the same may be proceeded with to the final discharge of such Debtor from all debts and liabilities, in all respects the same as if the said recited Acts had not been repealed."

At B in the Title of the Bill, expunge the words—"further to amend an Act,"—and insert the words—"to repeal the Acts."

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act to facilitate the making of a Railway from the City of Saint John, through Fredericton and Woodstock, to the Grand Falls of the River Saint John, and from thence to the Boundary Line of the Province of Canada, by the New Brunswick Railway Company."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation, dated the twenty sixth day of March, they had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Hanington, with a Bill, intituled "An Act to provide for the necessities occasioned by the failure of the Potato Crop during the past year," to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 1st April, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Kinneear,
Mr. Owen,
Mr. Peters.*

*Mr. Saunders,
Mr. Attorney General,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin,*

PRAYERS.

Pursuant to the Order of the Day, the Bill further to amend an Act to afford relief to persons unfortunate in business, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill, intituled "An Act to facilitate the making of a Railway from the City of Saint John, through Fredericton and Woodstock, to the Grand Falls of the River Saint John, and from thence to the Boundary Line of the Province of Canada, by the New Brunswick Railway Company," was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill, intituled "An Act to provide for the necessities occasioned by the failure of the Potato Crop during the past year, was read a second time.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to provide for the Inspection of Fish and other articles.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Boyd, with a Bill to alter and amend an Act for the more efficient Inspection of Flour and Meal, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Payne, with Resolutions of Appropriation, dated the thirtieth day of March, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to amend an Act to prevent Pedlars travelling and selling within this Province without License.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

On the question that the Report be received, it was decided in the negative.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to explain an Act for the amendment of the Charter of the City of Saint John.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received; and it was thereupon

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to amend and explain an Act to permit the establishment of a Fish Market in one of the Public Slips in the City of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the thirtieth day of March, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon

Whereupon the Resolutions of Appropriation, dated the thirtieth day of March, were concurred in by the House.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the twenty sixth day of March, and recommended that the House should concur in the same, with an exception, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation, dated the twenty sixth day of March, were concurred in, with the following exception:—

To John M'Ninn, of the Parish of Colborne, in the County of Restigouche, the sum of thirty pounds to compensate him for teaching a School in the said Parish for a period of eighteen months up to the sixth day of December last past.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have concurred in the Resolutions of Appropriation, dated the twenty sixth day of March, with the exception before entered.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 2d April, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Hatch,
Mr. Johnston,
Mr. Minchin,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to alter and amend an Act for the more efficient Inspection of Flour and Meal, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill, intituled "An Act to provide for the necessities occasioned by the failure of the Potato Crop during the past year."

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The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Brown, with a Bill in amendment of the Laws now in force relating to Grammar Schools, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Partelow, with a Bill relating to the Public Debt of the Corporation of the City of Saint John, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Chandler presented to the House a Bill, intituled "An Act to make provision for winding up the affairs of the Savings' Bank at Fredericton."

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill further to extend the provisions of an Act, intituled "An Act to encourage the establishment of Banks for Savings in this Province."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to amend and explain an Act to permit the establishment of a Fish Market in one of the Public Slips in the City of Saint John.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received; and it was thereupon

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

A Message was brought from the Assembly by Mr. Payne, with a Bill to authorize an assessment on the City and County of Saint John for the payment of the County Contingencies; and with

A Resolution of Appropriation, dated the first day of April; to which they desire the concurrence of this House.

The said Bill and Resolution were severally read a first time.

ORDERED, That the said Bill be read a second time to-morrow; and

That the said Resolution of Appropriation be referred to the Committee of the whole House upon Resolutions of Appropriation.

RESOLVED, That a Select Committee of three Members be appointed to investigate the Contingent Accounts of this House for the present Session.

ORDERED, That the Honorable Messieurs Botsford, Johnston, and Hatch, do compose the Committee.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to provide for the Inspection of Fish and other articles.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received; and it was thereupon

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill in addition to the Acts now in force relating to Sewers, and for the better encouraging the Draining of Lands.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 3d April, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,
Mr. Minchin,*

*Mr. Botsford,
Mr. Chandler,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.*

PRAYERS:

Pursuant

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill further to extend the provisions of an Act, intituled “ An Act to encourage the establishment of Banks for Savings in this Province :” and

A Bill, intituled “ An Act to provide for the necessities occasioned by the failure of the Potato Crop during the past year.”

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

The Honorable Mr. Johnston, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying for a Legislative enactment, relating to the Public Debt of the said City.

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

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill in amendment of the Laws now in force relating to Grammar Schools :

A Bill to authorize an assessment on the City and County of Saint John for the payment of the County Contingencies : and

A Bill relating to the Public Debt of the Corporation of the City of Saint John.

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

A Message was brought from the Assembly by Mr. Jordan, that the Assembly had agreed to the amendments made by this House to the following Bills :—

A Bill to authorize the widening of Saint John Street, and the continuation thereof to Duke Street, in the City of Saint John : and

A Bill, intituled “ An Act to authorize the granting of Mill Reserves in certain cases :” and with

A Bill relating to the Old Gaol in the County of York, and to provide for the liquidation of the County Debt, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. J. Earle, with a Resolution of Appropriation, dated the second day of April, to which they desire the concurrence of this House.

The said Resolution was read a first time.

ORDERED, That it be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the Bill, intituled “ An Act to make provision for winding up the affairs of the Savings’ Bank at Fredericton,” was read a second time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this

this Bill, and that the House be put into a Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Messages were brought from the Assembly by Mr. Payne, with the following Bills, to which they desire the concurrence of this House :—

A Bill to repeal the second Section of an Act, intituled “ An Act in addition to an Act, intituled ‘ An Act for the better extinguishing of Fires which may happen in the City of Saint John,’ and to continue a certain Act relative to the same matter therein mentioned :” and

A Bill further to facilitate the means of supplying the City of Saint John with Water, and for the more effectual prevention and extinguishment of Fires within the said City.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to alter and amend an Act for the more efficient Inspection of Flour and Meal.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill in addition to the Acts now in force relating to Sewers, and for the better encouraging the Draining of Lands.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to continue an Act to encourage the Fisheries of this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the amendments made by this House to the Bill to quiet the Titles to certain Lands in Fredericton.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolution of Appropriation, dated the first day of April, and recommend that the House should concur in the same ;

That the Committee had gone into consideration of the Resolution of Appropriation, dated the second day of April, they had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolution of Appropriation, dated the first day of April, was concurred in.

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

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 4th April, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,
Mr. Minchin,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to alter and amend an Act for the more efficient Inspection of Flour and Meal, was read a third time and passed.

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

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill relating to the Old Gaol in the County of York, and to provide for the liquidation of the County Debt :

A Bill to repeal the second Section of an Act, intituled " An Act in addition to an Act, intituled ' An Act for the better extinguishing of Fires which may happen in the City

City of Saint John,' and to continue a certain Act relative to the same matter therein mentioned:" and

A Bill further to facilitate the means of supplying the City of Saint John with Water, and for the more effectual prevention and extinguishment of Fires within the said City.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill relating to the Public Debt of the Corporation of the City of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize an assessment on the City and County of Saint John for the payment of the County Contingencies.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill in amendment of the Laws now in force relating to Grammar Schools.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section II. expunge the word "twenty," and insert the word "fifteen."

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

ORDERED, That it be engrossed, and the Bill as amended be read a third time on Monday next.

A Message was brought from the Assembly by Mr. Payne, with Resolutions of Appropriation, dated the third day of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED,

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Brown, with a Bill to explain an Act, intituled "An Act to amend the Charter of King's College," to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time on Monday next.

A Message was brought from the Assembly by Mr. Barberie, that the Assembly had agreed to the amendments made by this House to the Bill further to amend an Act to afford relief to persons unfortunate in business.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to continue an Act to encourage the Fisheries of this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A expunge the word "fifty," and insert the words—"forty seven."

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

ORDERED, That it be engrossed, and the Bill as amended be read a third time on Monday next.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolution of Appropriation, dated the second day of April, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolution of Appropriation, dated the second day of April, was concurred in by the House.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill, intituled "An Act to make provision for winding up the affairs of the Savings' Bank at Fredericton."

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Adjourned until Monday next at 12 o'clock.

MONDAY, 6th April, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,
Mr. Minchin,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills, as amended, were severally read a third time and passed :—

A Bill to continue an Act to encourage the Fisheries of this Province : and

A Bill in amendment of the Laws now in force relating to Grammar Schools.

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

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill relating to the Public Debt of the Corporation of the City of Saint John : and

A Bill to authorize an assessment on the City and County of Saint John for the payment of the County Contingencies.

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

Pursuant to the Order of the Day, the Bill to explain an Act, intituled "An Act to amend the Charter of King's College," was read a second time.

ORDERED, That the House be put into a Committee of the whole on Wednesday next, to take the said Bill into consideration.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the third day of April, and recommended that the House should concur in the same, with the exception of the grant

To the Trustees of Schools for the Parish of Saint Stephen the sum of thirty pounds in aid of the High School in Saint Stephen, and to make the same more efficient ;
Which the Committee recommended should not be concurred in :

The Chairman further reported, that in the Committee, on the question, Whether the Resolution granting

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two thousand five hundred pounds towards the erection of a Provincial Lunatic Asylum in the vicinity of the City of Saint John ; this sum to be expended under the direction of Commissioners to be appointed for that purpose, and upon such site as will combine the advantages of climate and varied scenery, and near enough to the active and changing scenes of life to arrest the attention and to amuse the inmates,

Should be concurred in, the Committee divided—

CONTENT.

Mr. Black,
Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Attorney General,
Mr. Kinnear,
Mr. Johnston,
Mr. Owen,
Mr. Peters.

NON-CONTENT.

Mr. Shore,
Mr. Saunders,
Mr. Wyer,
Mr. Minchin.

And so it passed in the affirmative :

The Chairman further reported, that he was directed by the Committee to ask for leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation, dated the third day of April, were concurred in, with the exception before entered.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have concurred in the said Resolutions, with the exception before entered.

A Message was brought from the Assembly by Mr. Wilmot, with a Bill to encourage the building of a Steamer to run between the Great Falls and the River Saint Francis, on the Upper Saint John, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Taylor, with Resolutions of Appropriation, dated the fourth day of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the fourth day of April, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation, dated the fourth day of April, were concurred in by the House.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill, intituled "An Act to make provision for winding up the affairs of the Savings' Bank at Fredericton."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to repeal the second Section of an Act, intituled "An Act in addition to an Act, intituled 'An Act for the better extinguishing of Fires which may happen in the City of Saint John,' and to continue a certain Act relating to the same matter therein mentioned."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to facilitate the means of supplying the City of Saint John with Water, and for the more effectual prevention and extinguishment of Fires within the said City.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 7th April, 1846.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Saunders,

Mr. Attorney General,

Mr. Wyer,

Mr. Johnston,

Mr. Minchin,

Mr. Robinson,

Mr. Botsford,

Mr. Chandler,

Mr. Kinnear,

Mr. Owen,

Mr. Peters.

PRAYERS.

Pursuant to the Order of the Day, the Bill to repeal the second Section of an Act, intituled "An Act in addition to an Act, intituled 'An Act for the better extinguishing of Fires which may happen in the City of Saint John,' and to continue a certain Act relative to the same matter therein mentioned," was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to encourage the building of a Steamer to run between the Grand Falls and the River Saint Francis, on the Upper Saint John, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill, intituled "An Act to make provision for winding up the affairs of the Savings' Bank at Fredericton."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

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

A Message was brought from the Assembly by Mr. Wilmot, with a Bill relating to an exchange of Lands in Fredericton with the Ordnance Department, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A

A Message was brought from the Assembly by Mr. Barberie, with Resolutions of Appropriation, dated the sixth day of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill further to facilitate the means of supplying the City of Saint John with Water, and for the more effectual prevention and extinguishment of Fires within the said City.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill relating to the Old Gaol in the County of York, and to provide for the liquidation of the County Debt.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the sixth day of April, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation, dated the sixth day of April, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have concurred in the said Resolutions of Appropriation.

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

A Bill to amend the Law relating to Highways and Roads, so far as regards the Parish of Portland: and

A Bill to amend the Act, intituled "An Act to make provision for the regulation of Seamen."

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill in addition to the Acts now in force relating to Sewers, and for the better encouraging the Draining of Lands.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received; and it was ^{Mr.}ereupon

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

A Message was brought from the Assembly by Mr. End, with a Bill relating to Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 8th April, 1846.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Robinson,

Mr. Saunders,

Mr. Botsford,

Mr. Attorney General,

Mr. Chandler,

Mr. Kinnear,

Mr. Johnston,

Mr. Minchin.

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act to make provision for winding up the affairs of the Savings' Bank at Fredericton," was read a third time and passed.

ORDERED, That the Title be—

An Act to make provision for winding up the affairs of the Savings' Bank at Fredericton.

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

Pursuant

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill relating to the Old Gaol in the County of York, and to provide for the liquidation of the County Debt : and

A Bill further to facilitate the means of supplying the City of Saint John with Water, and for the more effectual prevention and extinguishment of Fires within the said City.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendments.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill relating to an exchange of Lands in Fredericton with the Ordnance Department :

A Bill to amend the Law relating to Highways and Roads, so far as regards the Parish of Portland : and

A Bill to amend the Act, intituled “ An Act to make provision for the regulation of Seamen.”

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

Pursuant to the Order of the Day, the Bill relating to Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts, was read a second time.

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

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Payne, with Resolutions of Appropriation, dated the seventh day of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to explain an Act, intituled “ An Act to amend the Charter of King’s College.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had

had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

Upon the question that the Report be received, the House divided—

CONTENT.	NON-CONTENT.
Mr. Botsford,	Mr. Black,
Mr. Attorney General,	Mr. Shore,
Mr. Kinnear,	Mr. Robinson,
Mr. Johnston,	Mr. Saunders.
Mr. Minchin.	

And so it passed in the affirmative.

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

From A in the Preamble, expunge the remainder of it.

At B in Section I. expunge the remainder of the Section, and insert the words—
“said fourth Section of the said in part recited Act shall extend or be construed to extend to any Graduate in the said University being a Member of the Church of England.”

At C in the Title, expunge the word “explain,” and insert the word “amend.”

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the seventh day of April, and recommended that the House should concur in the same, with an exception, which the Committee recommended should not be concurred in, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in, with the following exception:—

To the Board of Education for the County of Kent the sum of one hundred and fifty pounds to enable them to establish a Normal and Training School in that County, in terms of the Report of the Education Committee.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Resolutions of Appropriation, with the exception before entered.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 9th April, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Kinnear,
Mr. Minchin,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Johnston,
Mr. Peters.*

PRAYERS.

The Honorable Mr. Botsford, by leave, presented a Petition from William D. Hartt, Nicholas Murray, F. W. Hatheway, and one hundred other inhabitants of Fredericton, praying this House will defer any action on a Bill passed by the Assembly, to vest the Title of certain Public Lands in the City of Fredericton, in the Ordnance Department, and to receive certain Lands of the Department in exchange therefor, until the Petitioners interested may be heard thereon by Counsel, and that the Bill may be amended.

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

Pursuant to the Order of the Day, the Bill to explain an Act, intituled "An Act to amend the Charter of King's College," as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill relating to Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts, was read a third time and passed.

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

A Message was brought from the Assembly by Mr. J. Earle, with Resolutions of Appropriation, dated the eighth day of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the eighth day of April, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon

Whereupon the Resolutions of Appropriation, dated the eighth day of April, were concurred in by the House.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to encourage the building of a Steamer to run between the Great Falls and the River Saint Francis, on the Upper Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

On the question that the Report be received, the House divided—

CONTENT.

Mr. Black,
Mr. Shore,
Mr. Robinson,
Mr. Saunders,
Mr. Botsford,
Mr. Kinnear,
Mr. Johnston,
Mr. Minchin,
Mr. Peters.

NON-CONTENT.

Mr. Attorney General.

And so it passed in the affirmative.

ORDERED, That the said Bill be read a third time on Saturday next.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend the Act, intituled "An Act to make provision for the regulation of Seamen."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received; and it was thereupon

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend the Law relating to Highways and Roads, so far as regards the Parish of Portland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill,

Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill relating to an exchange of Lands in Fredericton with the Ordnance Department.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

DISSENTIENT

To the Bill to explain an Act, intituled "An Act to amend the Charter of King's College."

First—Because the Bill, of which the present is an amendment, passed the two Branches of the Legislature last Session, and having been assented to but not enacted by the Lieutenant Governor, was sent home with a suspending clause, declaring that it should not come into operation or be in force until Her Majesty's Royal approbation be first had and declared ; and as such a Bill can have no legal force or existence till specially confirmed, ratified and finally enacted by an Order of the Queen in Council, an attempt to alter and amend it, when Her Majesty has not only declined to assent to such Bill, but has, through the Secretary for the Colonies, stated Her reasons for so doing, tends to sanction a practice unconstitutional, highly injurious in its tendency, and subversive of the constitutional checks established by the paternal solicitude of the Imperial Government, and essential to the maintenance of a just policy and full protection to all classes of Her Majesty's Colonial Subjects.

Second—Because Her Majesty declined to confirm the said Bill, and Lord Stanley, as Secretary for the Colonies, in his Despatch, No. 342, of the 12th of November, 1845, after having given the fullest consideration to the subject, recommended, as an essential preliminary measure, that a Commission should be constituted, consisting of men possessing an intimate acquaintance both with the theory and practice of educating in Religion, in Literature, and in Science, by whom all necessary alterations in the Constitution of the College might be maturely weighed and recommended, and thereby establish the College on such a basis as would conciliate the feelings, satisfy the judgment, and promote the interests of all classes : And because, as His Lordship remarks, it appears "most desirable to withdraw a subject of this nature from debate in a popular Assembly to a more tranquil, and for that purpose, a more competent tribunal, without the excitement of those feelings which must animate and occasionally discompose the deliberations of the Representative Branch of the Legislature : " And because, as His Lordship further remarks, the changes introduced by it are highly offensive to one considerable class of Her Majesty's Subjects in New Brunswick : And because such

such powerful considerations clearly shew the necessity of constituting a Commission as recommended by the Secretary for the Colonies, and point it out as the only safe course for introducing into the Constitution of the College such well digested alterations as may secure to the increasing population of this young Colony all the blessings and benefits that superior Education can bestow.

WILLIAM BLACK,
GEO. SHORE,
W. H. ROBINSON,
JOHN S. SAUNDERS.

Adjourned until Saturday next at 12 o'clock.

SATURDAY, 11th April, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Kinnear,
Mr. Minchin.*

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to encourage the building of a Steamer to run between the Great Falls and the River Saint Francis, on the Upper Saint John, was read a third time and passed.

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

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

A Bill to revive, continue and amend the several Acts relating to Fires in the Parish of Fredericton : and

A Bill, intituled " An Act to alter and amend the Act, intituled ' An Act for the collection of the Revenue of the Province.' "

The said Bills were severally read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards these Bills, and that they be read a second time.

The said Bills were severally read a second time.

ORDERED, That the House be put into a Committee of the whole this day to take the said Bills severally into consideration.

A Message was brought from the Assembly by Mr. Brown, that the Assembly had agreed to the amendments made by this House to the following Bills :—

A Bill in amendment of the Laws now in force relating to Grammar Schools : and

A Bill to explain an Act, intituled " An Act to amend the Charter of King's College : " and with

A Bill, intituled "An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province," to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

A Message was brought from the Assembly by the Honorable Mr. M'Leod, that the Assembly had agreed to the Bill to make provision for winding up the affairs of the Savings' Bank at Fredericton.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act to alter and amend the Act, intituled 'An Act for the collection of the Revenue of the Province.'"

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Payne, with a Bill to extend the provisions of an Act further to amend the Law relating to Bankruptcy, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The said Bill was read a third time and passed.

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

On

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to revive, continue and amend the several Acts relating to Fires in the Parish of Fredericton.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The said Bill was read a third time and passed.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill relating to an exchange of Lands in Fredericton with the Ordnance Department.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The said Bill was read a third time and passed.

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

The House was adjourned during pleasure.

After some time the House resumed.

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

The House attended accordingly.

His Excellency then gave his assent to the following Bills, intituled—

An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Towns of Newcastle and Chatham, in the County of Northumberland, and to make regulations more suitable to the said Towns, and for other purposes therein mentioned :

An Act to annex certain Islands in the River Saint John to the Parish of Queensbury, in the County of York :

An Act to enable the Rector, Church Wardens and Vestry of Trinity Church, in Springfield, Kings' County, to dispose of certain Lands held by them in exchange for other Lands :

An Act to provide for the safe keeping of the Public Records of the City and County of Saint John :

An Act to provide for the repair of the Streets and Highways in part of the Parish of Woodstock :

An Act to amend the Law relating to Absconding Debtors :

An Act relating to the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Albert :

An Act to remedy certain difficulties in legal proceedings occasioned by the late division of the County of Westmorland, and for other purposes relating to the County of Albert :

An Act to authorize the Justices of the Peace for the County of Albert to assess the said County for erecting a Court House and Gaol therein :

An Act to establish Polling Places in the County of Albert :

An Act to facilitate the carrying into effect conditional Pardons granted by the Crown :

An Act to repeal an Act, intituled "An Act in addition to an Act for erecting a Parish in the City of Saint John, and incorporating the Rector, Church Wardens and Vestries of the Church of England in the several Parishes in this Province," and to make other provisions in lieu thereof :

An Act to incorporate a Company by the name of the New Brunswick Wood Patent Company :

An Act in amendment of the Law relating to the appointment of Sheriffs :

An Act relating to County and Parish Officers in the City and County of Saint John :

An Act to incorporate the Mutual Insurance Company :

An Act to incorporate the Chignecto Steam Navigation Company :

An Act to incorporate the Tobique Boom Company :

An Act to amend and explain an Act to authorize the Justices of the Peace in the several Counties in this Province to make regulations for Markets :

An Act to authorize the extension of the Gaol Limits in the County of Sunbury :

An Act to empower the owners of certain Saw Mills on Hammond River, in Kings' County, to erect and keep up a Boom or Booms for the securing of Saw Logs on the said River :

An Act to alter the Great Road from Fredericton to Saint Andrews :

An Act relating to the crime of Manslaughter :

An Act for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish :

An Act to provide for the management of the temporalities of the Church of England in this Province, in certain cases :

An Act to incorporate the Highland Society of New Brunswick, at Miramichi :

An Act to continue an Act to prevent the spread of a Disorder now existing in certain parts of the Counties of Gloucester and Northumberland :

An Act to authorize the Justices of the Peace for the County of Saint John to make further provision for the payment of the Treasurer of that County :

An Act to incorporate the New Brunswick Ice Company :

An Act to incorporate the Barristers' Society of New Brunswick :

An Act for the Incorporation of the Saint Croix River Canal Company :

An Act to continue an Act to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche :

An Act to amend the Act to incorporate the Central Fire Insurance Company of New Brunswick :

An Act to make provision for winding up the affairs of the Savings' Bank at Fredericton :

An Act relating to the Public Debt of the Corporation of Saint John :

An Act for the better prevention of Illicit Trade, (*with a suspending clause*) : and

An Act to incorporate the Roman Catholic Bishop in New Brunswick, (*with a suspending clause.*)

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 13th April, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Johnston,*

*Mr. Robinson,
Mr. Botsford,
Mr. Chundler,
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill, intituled " An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province : " and

A Bill, intituled " An Act to alter and amend the Act, intituled ' An Act for the collection of the Revenue of the Province. ' "

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendments.

The Select Committee appointed to examine and report upon the Contingencies of this House for the present Session, beg leave to report, that they have attended to that duty, and find that they amount to the sum of five hundred and seventy eight pounds seventeen shillings and three pence ; the several Accounts forming this aggregate are satisfactory, and they recommend the same to be allowed.

Respectfully submitted.

Committee Room, 13th April, 1846.

A. E. BOTSFORD, *Chairman.*

RESOLVED, That the Contingent Expenses of this House for the present Session amount to the sum of five hundred and seventy eight pounds seventeen shillings and three pence.

A

A Message was brought from the Assembly by Mr. Brown, with the following Resolutions of Appropriation, dated the eighth day of April, to which they desire the concurrence of this House :—

“ *Resolved*, That there be granted

“ To the Postmaster at Fredericton, the sum of three hundred and forty two pounds sixteen shillings and nine pence, being the amount of Postages of the Legislature during the present Session :

“ To the Clerk of the House of Assembly the sum of two thousand two hundred and twenty two pounds one shilling and nine pence, being the Contingencies of the present Session.”

The said Resolutions being read, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

The Honorable Mr. Botsford, from the Standing Committee of the Joint Library of the two Houses, lays before the House, for its approval, certain additional Rules for the government of the Legislative Library.

The same being read by the Clerk, were approved, and are as follows :—

1st.—No more than two Volumes to be taken out at any one time, nor kept longer than one week.

2nd.—No person to be admitted into the Library but on the introduction of a Member of the Legislature, and such introduction not to extend beyond the day of admission.

3rd.—No person introduced by a Member to be allowed to take any Book from the shelves for the purpose of reading in the Library, but through the Librarian.

A Message was brought from the Assembly by Mr. Brown, with a Bill, intituled “ An Act to appropriate a part of the Public Revenue for the services therein mentioned,” to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

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

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

The said Bill was read a third time and passed.

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

A Message was brought from the Assembly by the Honorable Mr. Hazen, with the following Resolution :—

“ House of Assembly, 13th April, 1846.

“ Resolved, unanimously, That an humble Address be presented to His Excellency the Lieutenant Governor, communicating the Resolution of this House of the second instant, which places at the disposal of His Excellency, by and with the advice and consent of the Executive Council, a certain sum of money to meet any emergency which the present state of the Foreign relations of the United Kingdom may present ; and further Resolved, that this House entertain every disposition to augment such Grant, should circumstances render it necessary ; and that the said Resolution be communicated to the Honorable the Legislative Council, and that their concurrence be requested thereto.

“ CHAS. P. WETMORE, Clerk.”

The said Resolution was read by the Clerk.

RESOLVED, That this House will join the Assembly in the proposed Address.

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

A Message was brought from the Assembly by Mr. Payne, that the Honorable Mr. Hazen, and Mr. Partelow, are appointed a Committee on the part of the Assembly, to join the Committee of this House, to present the said Address.

ORDERED, That the Honorable Mr. Botsford be a Committee on the part of this House, to join the Committee appointed by the House of Assembly, to present the said Address.

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

Adjourned until To-morrow at half-past 10 o'clock.

TUESDAY, 14th April, 1846.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Minchin.*

*Mr. Saunders,
Mr. Attorney General,
Mr. Johnston,*

PRAYERS.

The House adjourned during pleasure.

After some time the House resumed.

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

The House attended accordingly.

His

His Excellency then gave His assent to the following Bills, intituled—

An Act to authorize the granting of Mill Reserves in certain cases :

An Act further to extend the provisions of an Act, intituled “ An Act to encourage the establishment of Banks for Savings in this Province :”

An Act to quiet the Titles to certain Lands in Fredericton :

An Act to authorize the widening of Saint John Street, and the continuation thereof to Duke Street, in the City of Saint John :

An Act to alter and amend an Act for the more efficient Inspection of Flour and Meal :

An Act to repeal the Acts to afford relief to persons unfortunate in business :

An Act to authorize an assessment on the City and County of Saint John for the payment of the County Contingencies :

An Act to repeal the second Section of an Act, intituled “ An Act in addition to an Act, intituled ‘ An Act for the better extinguishing of Fires which may happen in the City of Saint John,’ and to continue a certain Act relative to the same matter therein mentioned :”

An Act relating to Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts :

An Act relating to the Old Gaol in the County of York, and to provide for the liquidation of the County Debt :

An Act further to facilitate the means of supplying the City of Saint John with Water, and for the more effectual prevention and extinguishment of Fires within the said City :

An Act in amendment of the Laws now in force relating to Grammar Schools :

An Act to encourage the building of a Steamer to run between the Great Falls and the River Saint Francis, on the Upper Saint John :

An Act to revive, continue and amend the several Acts relating to Fires in the Parish of Fredericton :

An Act to extend the provisions of an Act further to amend the Law relating to Bankruptcy :

An Act to alter and amend an Act, intituled “ An Act for the collection of the Revenue of the Province :”

An Act to provide for the necessities occasioned by the failure of the Potato Crop :

An Act to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province :

An Act to appropriate a part of the Public Revenue for the services therein mentioned :

An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province :

An Act to incorporate the New Brunswick Railway Company, (*with a suspending clause*) :

An Act to facilitate the making of a Railway from the City of Saint John, through Fredericton and Woodstock, to the Grand Falls of the River Saint John, and from thence to the Boundary Line of the Province of Canada, by the New Brunswick Railway Company, (*with a suspending clause*) :

An Act to amend an Act, intituled “ An Act to amend the Charter of King’s College,” (*with a suspending clause*) : and

An

An Act relating to an exchange of Lands in Fredericton with the Ordnance Department, (*with a suspending clause.*)

And as regards the Bill, intituled "An Act to amend an Act for the return of Duties in certain cases," His Excellency was pleased to reserve the same.

His Excellency was then pleased to deliver the following Speech:—

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

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

" In bringing the present Session of the Legislature to a close, it is incumbent on me to express to you the satisfaction I have derived from the cordial unanimity with which you have applied yourselves to the public business, and the laudable attention you have given to various objects of interest to the Province which had been referred to your deliberations.

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

" I thank you for the Supplies which you have granted, and my acknowledgments in particular are due to you for the liberal Appropriations you have made for the Militia, and for the pledge you have given to increase them if it should become necessary to embody that force, under the existing Laws, for the defence of the Province, and for maintaining the honor of the Crown.

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

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

" Confiding in the loyalty of the People, and assuring them in return of the most effective support from Her Majesty's Government in any exigency which may arise, I may nevertheless be permitted to indulge the hope that the public tranquillity will not be interrupted, and that they may continue in the peaceful pursuit of that career of improvement which has opened to them, and which, by developing the great resources of these Provinces, may be expected to render them amongst the most prosperous and prominent dependencies of the Empire.

" In returning to your several Counties, I rely on you to foster and promote those loyal dispositions by which the People have hitherto testified their sense of the blessings secured to them as British Subjects, and of which, I devoutly hope, under Providence, they may long remain in the undisturbed possession."

After which, the President of the Council, the Honorable Mr. Black, by His Excellency's command, declared the General Assembly to be prorogued until the last Tuesday in June next.

WILL. TYNG PETERS, *Clerk.*

APPENDIX.

No. 1.

[See Journal 9th February, 1846.]

(Copy)

Madawaska, 31st May, 1845.

MAY IT PLEASE YOUR EXCELLENCY,

We have the honor to inform Your Excellency, that upon receipt of Mr. Secretary Read's Letter of the 2d April last, notifying our appointment as Commissioners for the settlement of the claims of the Settlers at Madawaska under the Treaty of Washington, and directing us to employ Messieurs H. M. Garden, James Nelson, Michael Harley, and John Davidson, as Suveyors, for defining the limits of the occupancies, we immediately communicated our appointment and instructions to Messieurs Garden, Nelson, Davidson, and Harley, directing them to meet us at this place on the 20th ultimo, and after making the necessary arrangements for our departure, proceeded without delay, to this place, and arrived here on the 11th ultimo.

Upon consideration we deemed it advisable to divide the Districts of Country from which the claims would arise into two Tracts; the first commencing below the grant to Simon Hebert, at the mouth of the Madawaska River, and extending down the River Saint John to its intersection by the North Line, and including the settlements on Green River, Quisibis, and Grand River, and also the several concessions in rear of the Church and Green River: the second Tract commencing at the mouth of the Madawaska River, and extending from thence up the River Saint John to the upper Settlement on the River Saint Francis, and including the Settlements on both sides of the Madawaska River.

After having caused the inhabitants to be notified of our appointment and arrival, we commenced on the 14th ultimo receiving under oath the several applications of the claimants to lands on both sides of the Madawaska River.

Upon the arrival of the Surveyors we proceeded on the 21st ultimo to examine the Instruments and Chains to be used in the Survey, in order to insure a correspondence in all the courses and measurements, and having ascertained the variation upon the lines of several old grants on both sides of the River, and employed the Surveyors in extending the lines of the several grants for the purpose of determining the rear lines, we commenced establishing the bounds of the Lots on the Madawaska River on the 30th ultimo.

In the performance of this part of our duty, we have been very particular in placing Cedar Posts at the Banks of the River, marked on the point with our own initials and the year, and on the sides with the initials of the claimants' names and the number of each allotment, and have extended the side lines of the Lots from these Posts

in such a manner as to give to each person the improvements made by him on the land claimed. This will account for the variety of courses on the accompanying Plan of the Lots on the Madawaska River.

In consequence of the rising of the water we were obliged to discontinue the Survey of the Madawaska River at Lot number thirty one on the East side, and at Lot number twenty five on the West side of the River; the course of the River above these points has been ascertained as near as practicable by a Survey of the Degelé Road, making off-sets to the River at various places. The Survey of the River will be resumed by Deputy Garden as soon as the falling of the water will admit.

After having finished the settlement of the boundaries on the Madawaska River, we commenced receiving the applications of all persons having claims to lands from the Madawaska to Green River (including the Concession) downwards, and from the Madawaska to Michaud's, a distance of about six miles upwards. The number of Lots claimed in this District amounts to one hundred and fifteen.

On the 16th instant we proceeded to Green River and received the applications of persons claiming lands between that River and the Quisibis, as also the Lots upon the Quisibis Island and River. The number of Lots claimed in this District amounts to fifty nine.

On the 20th instant we began to establish the bounds of the Lots fronting on the River Saint John between the Madawaska and Quisibis Rivers, and continued this employment until yesterday, when we were obliged to discontinue at the third Lot above the Quisibis River in consequence of the rising of the water. The boundaries and courses in this District have been marked and established in the same manner as those upon the Madawaska River, and the Survey of the River Saint John in connexion with these allotments has been carried on by Deputy Garden whenever the height of the water has not rendered it impracticable.

In order to determine the rear line of the Lots on the West side of the Madawaska River, we found it necessary to extend the side lines of some of the Lots on the River Saint John above the Madawaska River, which has been done as far as the upper line of Lot number six, as will appear by the Plan accompanying this Report.

The whole number of Lots laid out by us on both sides of the Madawaska River amounts to eighty one; two Lots on the West side of the River are marked "vacant," as it did not appear to us that the claimants had made sufficient improvements thereon to bring them within the spirit of the Treaty, but they having expressed a wish to become the purchasers, we deemed it advisable that the Lots should be laid out and numbered for the information of the Government, in case any application should hereafter be made for the purchase of them. The other unnumbered and vacant Lot on the West side of the River has not been applied for, it is principally swamp for upwards of half a mile from the River. The unnumbered and vacant Lot on the East side of the River was claimed by the persons holding lands on each side of it, but the claim was disallowed by us in consequence of the land not being improved.

The whole number of Lots fronting on the River Saint John, between the Madawaska and Quisibis Rivers, and established by us, amounts to sixty five, to which are to be added three others, left undecided in consequence of the high water.

Three of the Surveyors are now employed in extending the side and rear lines of the Lots on the Madawaska River, and the coloured lines marked on the Plan will shew

shew to what extent the work has proceeded up to the present time. The Posts set up by us as the boundaries of the Lots are of the most durable description that can be procured, they have in every instance been furnished by the claimants of the land, and have been marked and numbered under our own inspection.

Throughout the whole of our intercourse with the Inhabitants of this Settlement, we have never heard any dissatisfaction expressed with the Government of this Province, or any wish on the part of the people to be annexed to the Province of Canada; on the contrary, we are of opinion, that the people always have considered, and do now consider themselves as Inhabitants of this Province, and wish to continue so; and that it is to this Province alone that they look to be secured and protected in their rights to their property.

(Signed)

We have, &c.

J. A. MACLAUHLAN, }
JOHN C. ALLEN, } *Commissioners.*

To His Excellency Sir Wm. M. G. Colebrooke, K. H. &c. &c. &c.

(Copy)

Madawaska, 26th July, 1845.

MAY IT PLEASE YOUR EXCELLENCY,

We have the honor to inform Your Excellency, that since our Report of the 31st May last, we have continued to receive the claims of persons to lands in different parts of the Settlement, and have established the Boundaries of ninety three allotments from the entrance of the Little Madawaska River to the vicinity of Fish River, in addition to which, we have also established the bounds for several of the Islands in the Saint John.

The Survey of the lands claimed on the Little Madawaska River has been completed, and the Surveyors are now employed in extending the lines of the several Lots on the Saint John, between the Madawaska and Quisibis Rivers, as will appear by the accompanying Plan which shows the progress of the Survey from its commencement to the present time. We also beg, as the Survey of the Saint John is not yet complete to the Saint Francis, to furnish Your Excellency with a List of the Settlers from the Madawaska River to the Saint Francis, and extending upwards in the order they have been claimed and settled, by which Your Excellency will perceive that the Canadian French are so intermixed with Acadians and others, that no line can possibly be drawn to distinguish where the one description of settlers begins, and the other ends, and that consequently the Canadians in thus settling themselves on the River Saint John must have considered that they had changed their residence in Canada for one in New Brunswick, particularly as they have always been under the jurisdiction of the Laws of New Brunswick, and not of Canada.

We would further beg to state to Your Excellency, that the upper settlers on the River Saint John and Saint Francis, are natives of the Mother Country, Nova Scotia, United States, and this Province, and that there are no settlers on the River Saint Francis beyond three miles from its confluence with the Saint John, until you reach the Bridge on the Portage Road between the Temisquata and the River Saint Lawrence.

We have, &c.

(Signed)

J. A. MACLAUHLAN.
JOHN C. ALLEN.

List

List of Settlers on the River Saint John, between the Madawaska and Saint Francis Rivers.

Simon Hebert,	Acadian.
Francis Rice,	Irish.
Michael Fighe,	Do.
Marcisse Defour,	Acadian.
Francis Picarde,	Canadian.
Joseph D. Ryan,	Do.
Benjamin Omlette,	Do.
Michel Lawey,	Do.
Peter Lacombe,	Do.
Louis De Chene,	Do.
John Bapteste Omelette,	Do.
Joseph Hebert,	Acadian.
Jacque Boulé,	Canadian,
Eugene Boulé,	Do.
Fierman Nedean,	Canadian origin, born in Madawaska.
Francis Calvet,	Canadian.
Paul Omlette,	Do.
André Omlette,	Do.
Etienne Gognion,	Do.
Alexis Nedean,	Canadian origin, born in Madawaska.
Joseph Omlette,	Canadian.
Desiré Pelkié,	Canadian origin, born in Madawaska.
Joseph Pluarde,	Canadian.
Joseph Michaud,	Do.
Fierman Albert,	Canadian origin, born in Madawaska.
Oliver Chassé,	Do.
Paul Marquis,	Canadian.
Joseph Chassé,	Canadian origin, born in Madawaska.
Joseph Albert,	Do.
Francis H. Albert,	Do.
Joseph Albert, Junior,	Do.
Augustus Daigle,	Acadian.
Alexander Cormeau,	Canadian.
Prospere Gognion,	Do.
Francis Gognion,	Do.
Thomas Chassé,	Acadian.
Oliver Chassé,	Canadian origin, born in Madawaska.
Hilaire Cyre,	Acadian.
Raphael Albert,	Canadian origin, born in Madawaska.
Alexander Gognion,	Canadian.
John Nedean,	Canadian origin, born in Madawaska.
Marguerite Albert,	Acadian.
Oital Cyre,	Do.
Frederick Cyre,	Do.

Hilairion Daigle,	Acadian.
Joseph Daigle,	Do.
Louis Nedean,	Canadian origin, born in Madawaska.
Fiermin Cyre,	Acadian.
John Marquis,	Canadian.
Francis R. Martin,	Acadian.
Fiermin M. Dechêne,	Canadian.
Chrysostome Martin,	Acadian.
Elois Pelletier,	Canadian origin, born in Madawaska.
Augustus Daigle,	Acadian.
Henry Chassé,	Canadian origin, born in Madawaska.
Dominique Daigle,	Acadian.
German Gognion,	Canadian.
Augustus Daigle,	Acadian.
John Baker,	American.
Alexander Omlette,	Canadian.
George Omlette,	Do.
Lambert LeVecque,	Do.
John Bt. Gujmond,	Do.
George Gujmond,	Do.
Thomas Pelletier,	Do.
William Pelletier,	Do.
André Pelletier,	Do.
Chrysostome Martin,	Acadian.
Abraham Debay,	Canadian.
Germain Loucier,	Canadian origin, born in Madawaska.
Desiré Nedean,	Do.
Desiré Martin,	Acadian.
Thomas Martin,	Do.
Agapit Nedean,	Canadian origin, born in Madawaska.
John Charles Omlette,	Canadian.
Simon Nedean,	Canadian origin, born in Madawaska.
Oliver Nedean,	Do.
Paul Corron,	Canadian.
Joseph Daigle,	Acadian.
John Bt. Paradis,	Canadian.
Urbain Butot,	Do.
Zepharin Butot,	Do.
Hyacinth Butot,	Do.
Ramis LeVecque,	Do.
John Corron,	Do.
Michel Long,	Do.
George Long,	American.
Ramis Long,	Canadian.
William Thompson,	Scotch.
Alexander Boyne,	Do.

Francis Gaudin,	Canadian.
Thomas Terrian,	Acadian.
Thomas Lemarde,	Canadian.
Thomas Kennedy,	Do.
Michael M'Cawley,	Irish.
Peter Lizotte,	Canadian.
John Michaud,	Do.
John B. Michaud,	Do.
Helaire Landré,	Do.
Pierre La Wasseur,	Do.
Francis Malenfant,	Do.
Benjamin Stone,	American.
Didime Buchard,	Canadian.
Fergus M'Lean,	Scotch.
Edward Pelletier,	Acadian.
Luke Violette,	Do.
Zephrerin Cyre,	Do.
Charles Omlette,	Canadian.
Abraham Beauchaut,	Do.
Herminigild Pelletier,	Do.
Louis Albert,	Canadian origin, born in Madawaska.
Enoch Baker,	New Brunswick.
Antoine Landré,	Canadian.
Theodore Cyre,	Acadian.
Didime Cyre,	Do.
Louis Albert,	Canadian origin, born in Madawaska.
Augustus Webster,	Nova Scotian.
Peter Landré, Junior,	Canadian.
Basil Gognion,	Canadian origin, born in Madawaska.
Alenius Oakes,	American.
John Keaton,	Nova Scotian.
John Thomas,	English.
Benjamin Vaughan,	New Brunswick.
James E. Perley,	Do.
Charles M'Pherson,	Scotch.
Francis Londreau,	Canadian.
Augustus Picarde,	Do.
Germain Pelletier,	Do.
John Bridge,	English.
James Foley,	Irish.
Samuel Moores,	New Brunswick.
Absolem Kendall,	Do.
William Cook Hammond,	Do.
Thomas M'Keohan,	Do.

(Signed)

J. A. MACLAUCHLAN.
JOHN C. ALLEN.

(Copy)

Madawaska, 4th October, 1845.

MAY IT PLEASE YOUR EXCELLENCY,

We have the honor to inform Your Excellency, that since our Report of the 26th July last, we have continued to receive the applications of persons having claims to lands in this Settlement, and have established the boundaries of ninety allotments on the River Saint John, from the vicinity of Fish River Rapids to the entrance of the River Saint Francis. We have also established the boundaries, and caused Surveys to be made of the several Islands in the River Saint John, adjacent to the above mentioned allotments. During the present week we have been engaged in ascertaining the boundaries of lands in the Concession in rear of the Chapel, and have established the boundaries of seventeen Lots in that Settlement.

In determining the boundaries of these several allotments, we have had regard to the extent of the improvements made on the land, and have in several instances partially disallowed the claims, in consequence of the applicants not having in our opinion, made sufficient improvements on the land to bring them within the spirit of the Treaty; we have however laid out this unimproved land in Lots, described as vacant, in order that it may be available to purchasers without further expense to the Government; the accompanying Sketch will shew the number and extent of these Lots.

We have also reserved for the use of the Government several tracts of land in situations where we considered such reservations might be advantageous for public purposes; our attention was called to this subject by a letter from the Surveyor General, dated 23d April last, enclosing Plans of proposed Town Plats to be laid out near the mouth of the River Saint Francis, and opposite Fish River. The lands reserved at these places, we consider eligible for such purposes.

The two reserved Lots opposite Fish River, have been claimed by Augustus Webster and Belding Best, respectively, but as the occupation of them commenced at a very recent period before the Treaty, and the improvements thereon were but trifling, we did not consider that the applicants had established a sufficient claim to them; still if the land should not be required by the Government, we are of opinion, that the claimants are entitled to a preference in case of a sale.

Three of the Lots shewn on the accompanying sketch, are distinguished by letters instead of numbers; these Lots were claimed by the occupants of the adjoining Lots respectively, and were originally laid out and numbered by us as parts of those Lots; but upon subsequent consideration, and after the Lots on either side had been surveyed and numbered, their claims were disallowed as to these parts; we were therefore obliged to distinguish them by numbers in order to prevent confusion.

We consider it advisable to reserve the Lot "B," near the entrance of Little River, as it will probably be necessary to establish a Public Ferry at that place, the land being too low to admit of a Bridge being built without very considerable expense.

Since the commencement of our duties in April last, we have established the boundaries of two hundred and fifty allotments between the Saint Francis and Quisibis Rivers, eighty three Lots on the Madawaska River, seventeen Lots in the Concession, and forty Island Lots, making in the whole three hundred and ninety allotments.

The Survey of the Lots has been completed nearly up to the Fish River Rapids,
and

and the Surveyors are now employed in extending the lines of the Lots in that vicinity. The accompanying sketch will show the progress made in the Survey up to the present time.

We request that Your Excellency will allow us to discontinue the Survey for the season, whenever the weather may prove so unfavourable as in our opinion to render the further prosecution of it disadvantageous to the Government.

We have, &c.

(Signed)

J. A. MACLAUHLAN, }
JOHN C. ALLEN, } *Commissioners.*

His Excellency Sir Wm. M. G. Colebrooke, K. H., &c. &c. &c.

(Copy)

Fredericton, 13th October, 1845.

MAY IT PLEASE YOUR EXCELLENCY,

In compliance with Your Excellency's request, that I should state my opinion of the effect of the unsettled state of the Boundary between this Province and Canada, and the benefits which would probably arise from a speedy termination of that question, I have the honor to inform Your Excellency, that since I have been employed in the settlement of the claims of the Settlers in Madawaska, under the Treaty of Washington, I have had my attention frequently called to the extreme inconvenience and hardship which is suffered by the Settlers above the Grand Falls, in consequence of the claims of Canada to that Territory. Your Excellency is well aware, that in that part of the country, agriculture has hitherto been little attended to, and that the principal occupation of many of the Settlers is lumbering. Numbers of persons from other parts of the Province, have also, since the Treaty of Washington, annually resorted to that country for a similar object, and a large amount of capital is invested in that business.

The claims of Canada have induced the Government of this Province to refuse the issuing of any licences to cut Timber on the Territory in dispute, and to forbid by Proclamation, all persons from trespassing on it. This has been productive of very serious loss to many individuals, who, having made extensive preparations for lumbering, were afterwards obliged to abandon their business altogether, or else to apply to the American Government for permission to cut Timber in that country at an extravagant rate of tonnage, whereby the Revenue of this Province has sustained a very considerable loss. And the injury arising from the unsettled state of the question is, that other lumberers having less regard to the laws of the Country, and taking advantage of the uncertainty existing in respect to the ownership of the Territory, have carried on their operations without the authority of the Government of this Province or of Canada, and without any limit as to the quantity of Timber to be cut: thus in a short time, the whole of the valuable Pine Timber in that part of the country (one of the principal sources of Revenue to this Province,) will be destroyed, and lawless habits encouraged among the Lumberers.

Previous to the settlement of the Boundary between this Province and the United States, it is well known that the Legislature of this Province declined making any Appropriations for Roads in the Disputed Territory. That long pending question being at length determined, the Inhabitants of Madawaska reasonably supposed that they

they would then be allowed to participate in a share of the Public Monies, equally with the other parts of the Province; but they were doomed to be disappointed, for Canada having almost immediately after claimed the Territory, and the title remaining in dispute, the Legislature has not appropriated a sufficient part of the Public Revenues to open the Roads above the Grand Falls, no doubt considering that it would be inexpedient to expend money in a part of the country which might afterwards be determined to belong to Canada; consequently a great part of the country now in dispute, is entirely without Roads, and the only mode of communication through it, is by canoes and boats towed by horses, at all times a tedious and expensive, and frequently a dangerous conveyance.

I also have no doubt that the present dispute tends very much to retard the settlement of that country; for the natives of this Province, and those Emigrants who have made it their adopted home, are averse to settling themselves in that part of the country while there is any probability of their being transferred to a Province whose Laws and Institutions differ so very materially in many respects from those of their own.

Another very serious injury arising from the dispute now pending, is the lawless conduct of a number of the transient persons in that part of the country, and the impunity with which many offences are committed. This is owing to the heavy expense which is necessarily incurred in bringing offenders to justice. When it is considered that the County Gaol is at Woodstock, about one hundred and forty five miles distant from the River Saint Francis, at present the upper Boundary of the County; that above the Grand Falls there are only about twenty five miles of Road capable of being travelled on with any description of wheel carriages, and that the journey from Woodstock to the Saint Francis cannot be accomplished in less than four and frequently five days, and at very considerable expense, it cannot be a matter of surprise that offenders are frequently allowed to escape, and that the Laws are too often set at defiance. The only remedy for this evil, at present, I conceive, is to divide the County; the Bill for which has already passed the Legislature of this Province, but awaits, I believe, the settlement of the Boundary before it can go into operation.

The erection of the upper part of what is now the County of Carleton, into a separate County, the establishment of Judicial Tribunals for the punishment of crime, the more speedy and less expensive means of bringing offenders to justice, will tend in a great measure to promote good order and obedience to the Laws in that part of the country.

It cannot but be a matter of surprise to Your Excellency, that during the whole of the protracted dispute between the British Government and the United States, respecting this Territory, Canada should have remained passive; if she had a right to the Madawaska Settlement, and that she should have allowed the Government of the Province to bear the expense of calling out and organizing its Militia to defend her Territory, while she remained apparently an indifferent spectator of the result. It seems also somewhat surprising, that if the Territory belonged to Canada, she should for upwards of fifty years have allowed the Government of this Province to exercise undisputed jurisdiction and authority above the Grand Falls, by appointing Militia Officers, Magistrates, and other Public Officers, and that no attempt has ever been made

made to enforce the Laws of Canada; but that on the contrary the Laws of this Province have already been in operation, and offences committed there have always been punished by the Courts of this Province.

It is also probably within Your Excellency's knowledge, that some years ago, in consequence of a failure of the Crops in Madawaska, many of the inhabitants were reduced almost to starvation, and that the Legislature of this Province appropriated a portion of the Public Money to relieve the wants of the people, while Canada contributed nothing towards alleviating the distress.

Many other instances might be adduced to show that until within a very recent period, Canada has never set up any claim to the Territory, but enough has I think been stated to prove that the claim of this Province, as far as the High Lands dividing the Waters which fall into the Saint Lawrence from those which fall into the Saint John, is founded upon every principle of equity and justice.

I have the honor to be

Your Excellency's most obedient servant,

(Signed)

JOHN C. ALLEN.

His Excellency Sir Wm. M. G. Colebrooke, K. H., &c. &c. &c.

(Copy)

Fredericton, 24th December, 1845.

MAY IT PLEASE YOUR EXCELLENCY,

Having received Your Excellency's approval to our suggestion in October last, to discontinue the Madawaska Survey when we considered it advisable to do so from the unfavorable state of the weather; we have now the honor to report to Your Excellency, that we have recently closed our operations for the season, with an intention of commencing them again early in April next, and hope to complete the whole Survey by August, or early in September next.

Since entering upon our duties in April last, we have received the claims, established the Boundaries, and caused Surveys to be made of all the Lots between the Quisibis and Saint Francis Rivers, a distance of upwards of fifty miles on the Saint John, including the Islands, the Concession or back Settlement, and nearly all upon Green River. The number of allotments established and surveyed during the season, amounts to four hundred and fifty, most of which are in the actual occupation of the claimants, and the whole of them, more or less, improved and under cultivation; the nature and extent of these several occupancies, with the manner in which they have been attained, and the extent of the improvements, will be fully stated in our final Report, at the termination of the Survey.

We have every reason to think that our decisions upon the claims of the Settlers have given general satisfaction, and that the Survey so far as it has proceeded, has been executed in such a manner as to prevent future disputes and litigation respecting the Boundaries: indeed it was remarked by one of the American Surveyors who had been engaged in laying out the Lots on the American side of the River, under the Treaty of Washington, that had they commenced their Survey after having seen the manner in which ours was executed, they would have adopted the same method.

From our observations while engaged in this service, and being in constant communication with the Inhabitants in different parts of the Settlement, we do not hesitate

to

to say that they are perfectly satisfied with the Government of this Province, and that they have always considered themselves as belonging to New Brunswick, and not to Canada.

We cannot close this Report without again bringing under Your Excellency's notice the injurious effects of the unsettled state of the Boundary between this Province and Canada. It may be stated as a fact, that the principal part of the lumbering of the Province is now carried on above the Madawaska River, and upon the Territory in dispute between this Province and Canada; experience has proved that wherever Timber can be found on Crown Lands, persons will engage in lumbering without permission of the Government, trusting to be able, by the payment of extra duties, to make subsequent arrangements with the Government to allow the Timber to pass to the Port of shipment in the Spring. This has been peculiarly the case above the Madawaska, where the unsettled state of the Boundary has induced the Government of this Province to refuse to issue any Licences to cut Timber; the consequence is, that numerous lumbering parties resort to that Country every year, and cut Timber wherever and to any extent they please, without authority or limit as to quantity.

In the numerous parties now engaged in lumbering in that Country, frequent collisions can scarcely be avoided. In such an event, without any Law to restrain them, the strongest party of course must prevail; but the consequences of such disputes may and probably will be very serious. It also operates very injuriously upon persons, who, though wishing to engage in lumbering, are unwilling to do so with the prospect of having a dispute with a stronger party, and who, perhaps, after having made all the preparations for lumbering, and incurred heavy expense in the transport of provisions, &c. find the land which they had selected claimed by another party who is prepared to maintain his claim by force. Many other arguments might be used to show the evil which results to this Province from these lawless acts; but we think it unnecessary to multiply them; and shall conclude this Report, by pointing out to Your Excellency other disadvantages and inconveniences which the Madawaska Settlers labor under from the unsettled state of the Boundary. It is this we believe which prevents the Bill which has passed the Legislature of this Province, for dividing the County of Carleton, and erecting the upper part of it into a separate County, from receiving the Royal Assent, and becoming a Law of the land. As the Shire Town of the County is situated at Woodstock, a distance of seventy miles from the lower part of the Madawaska Settlement, and about double that distance from the upper part of it, it must be evident that persons from Madawaska attending the Courts at Woodstock as Jurors, and in other capacities, are subject to heavy expenses and great loss of time, particularly when it is remembered that more than half the distance from the Grand Falls to the Saint Francis is without roads, and the only mode of travelling is by canoes, a description of conveyance both tedious and expensive. Again, the distance from the County Gaol, and the consequent expense of conveying prisoners there, is the cause of many offenders being allowed to commit crimes with impunity, and to set the Laws at defiance. As the whole extent of country from the Grand Falls to the Saint Francis, now forms but one Parish, it labors under the disadvantage of being deprived of a fair proportion of the Public Revenue, in consequence of the limited number of Schools which are allowed by Law to each Parish; thus the Parish of Madawaska, which extends seventy miles along the banks of the River Saint John, will

will only be entitled to receive the same amount for the support of its Schools as a Parish of not more than one fourth its extent. It also suffers for the want of a competent number of Commissioners of Roads, the Law only allowing three to each Parish, which number in so extensive a Parish as Madawaska is entirely insufficient. Similar remarks may be applied to most of the other Parish Officers.

As at present circumstanced, the Madawaska Settlers cannot be considered as represented in the General Assembly. The disputed Boundary between Great Britain and the United States having prevented the Government from granting any Lands in that section of the country for a number of years past, a great majority of the inhabitants are consequently mere Squatters, and not entitled to vote in the choice of Representatives. To this in a great measure may be attributed the small share of the Public Monies expended in Madawaska for Roads, &c. and as Canada set up a claim to the Territory immediately after the Treaty of Washington, the grants of Public Money to Madawaska have since been very limited and altogether too small to open the necessary Roads through the Settlement.

The Settlement of the Boundary, and the assent of Her Majesty to the Bill for dividing the County of Carleton, consequent thereon, will remove all these difficulties, and many others that might be mentioned; the people would be fairly represented, Courts of Justice would be established within the reach of all, offenders would be brought to Justice, and the Laws enforced and respected throughout the country.

Many other arguments might be used to show the disadvantages of the state of the inhabitants, and the benefits which must result from the removal of the existing difficulties; but enough has been already stated to show how desirable it is, not only for the inhabitants of Madawaska, but for the government of the Province, that the present dispute between this Province and Canada should be speedily terminated; and we consider that a Line running northeast from the outlet of the Pohewagamock Lake, to the Waters of the Restigouche, would probably be satisfactory both to the Settlers at Madawaska and the inhabitants of the Province generally.

We have the honor to be, &c.

(Signed)

J. A. MACLAUHLAN, }
JOHN C. ALLEN, } *Commissioners.*

His Excellency Sir Wm. M. G. Colebrooke, &c. &c. &c.

Fredericton, 23d January, 1846.

SIR,—We have the honor to acknowledge the receipt of your letter of the 17th instant, enclosing an abstract of the Report of Mr. Papineau, the Commissioner of Crown Lands for Canada, and requesting us to report thereon for the information of His Excellency the Lieutenant Governor.

In reply thereto, we beg to state that we are not prepared positively to say to what extent the population above the Grand Falls of the River Saint John, are Acadians or Canadians, though we are of opinion that the great majority of the inhabitants between the Grand Falls and the Madawaska River, are Acadians, who, or whose fathers, settled in that part of the country upwards of fifty years ago, under Grants of Land from New Brunswick. Of late years, Emigrants from the Mother Country, and natives of this Province, have become residents and proprietors of land in this part of
the

the Settlement. The proportion of Acadians, Canadians and others above the Madawaska River, was fully stated in our Report to His Excellency the Lieutenant Governor, in July last, to which we beg leave to refer. But whatever may have been the origin of the inhabitants of the Madawaska Settlement, whether Acadians or Canadians, it is a fact beyond dispute, that since settling there they have been exclusively governed by the Laws of New Brunswick, the Courts of New Brunswick alone have exercised jurisdiction over them, and we are not aware of any instance where the Laws of Canada have been attempted to be enforced among them.

We do not hesitate to assert that in all cases heretofore, when Canadians may have come to reside in the Madawaska Settlement, they did so under the conviction that they were thereby acquiring a new domicile in the Province of New Brunswick, and not merely changing their residence from one part of Canada to another.

We cannot forbear particularly remarking upon one statement in Mr. Papineau's Report, where, in speaking of the Settlers upon the River Saint John, he says those settled below the outlet of the Madawaska are desirous of remaining with Canada, whose Laws they understand, and which they have been used to since their childhood.

The correctness of this statement we most positively deny for the following reasons: First. That the inhabitants there spoken of, or a great majority of them, are Acadians, many of them born in Madawaska, and never having been subjects of Canada, could not be desirous of remaining with Canada. Secondly. That they are totally unacquainted with the Laws of Canada, because they have always lived under and been governed by those of New Brunswick. Thirdly. That from our continual intercourse with the inhabitants of Madawaska, for the last nine months, we are well persuaded that they do now and always have considered themselves as belonging to this Province, that they are perfectly satisfied with its Government, and have no wish to be transferred to Canada. In addition to our own observations on this subject, we have the assurances of some of the Magistrates and other influential men in the Settlement, that what we have expressed are really the wishes of the people.

We also feel ourselves warranted in disputing the statement in the Report, that the inhabitants were not fully aware of the purport of the Petition which they signed praying not to be annexed to Canada. We have the authority of one of the oldest Magistrates in the Settlement, and who took a very active part in getting up the Petition, that the people were made fully acquainted with its purport, and that out of several hundred persons who were present when the subject was discussed, there were only two or three who dissented from the sentiments contained in the Petition, or expressed a wish to be under the Government of Canada.

It appears to us as a very remarkable circumstance, that if the Territory in dispute clearly belongs to Canada, as is stated in Mr. Papineau's Report, that Province should have allowed its claim to remain dormant for upwards of fifty years, and permitted the Government of New Brunswick to exercise undisputed authority over the Territory by the appointment of Magistrates, Militia Officers, and other Public Officers, and by enforcing obedience to its Laws whenever the circumstances of the County required them.

It also seems extraordinary that if the Territory belonged to Canada she should never have attempted to resist the encroachments of the United States, but allowed the Government of this Province to call out its Militia to defend their Territory, while she

she remained apparently an indifferent spectator of the result. When, too, on several occasions, the failure of the Crops in Madawaska reduced the inhabitants almost to a state of starvation, it was to the Government of this Province that they applied for relief and not to the Government of Canada, nor did the Government of Canada on these occasions come forward and relieve their distress.

From all these circumstances the conclusion seems irresistible to our minds, not only that the people of Madawaska consider themselves as subjects of New Brunswick, but that the Government of Canada has, until very recently, entertained the same opinion.

We have already in our Report of the 24th December last, fully stated our opinions upon the injurious effect of the unsettled state of the Boundary between this Province and Canada, and the benefits which we anticipate will result to the inhabitants of Madawaska from a speedy termination of that dispute. We deem it therefore unnecessary on the present occasion to do more than refer His Excellency to that Document for a full exposition of our views on the subject.

We have the honor to be, Sir,

Your most obedient servants,

(Signed)

J. A. MACLAUHLAN, }
JOHN C. ALLEN, } *Commissioners.*

The Honorable John S. Saunders, Provincial Secretary.

No. 2.

[See Journal 9th February, 1846.]

(Copy)

Military—No. 7.

Downing Street, 15th July, 1843.

SIR,—With reference to the correspondence which has passed relating to the intended exchange of certain Lands at Fredericton, for two plots of Ground belonging to the Ordnance Department, I now transmit to you copies of a letter and of its enclosures which have been received from that Department.

You will, no doubt, think it necessary to transmit to me a distinct answer to the statements contained in Lieutenant Colonel Calder's Report; but I have to call your especial attention to the concluding paragraph of the communication from the Board of Ordnance, and to desire that you will take the necessary measures for guarding against the appropriation of the Ground lying between the Barrack Blocks and the River Saint John, in any manner which may become detrimental to the Ordnance property. You will report to me the steps which you may propose to take in order to secure this object.

I have, &c.

(Signed)

STANLEY.

Lieutenant Governor Sir W. M. G. Colebrooke, &c. &c. &c.

(Copy)

(Copy)

Office of Ordnance, 28th June, 1843.

SIR,—With reference to your letter, dated 21st June, 1842, and the former correspondence between the Secretary of State for the Colonies and the Ordnance Department, on the subject of the proposed exchange of certain Land at Fredericton, (lying between the Barrack Blocks and the River,) in possession of the Colony, for two plots of Ordnance Ground, stated to be required for the improvement of the Town—

I have the honor, by command of the Master General and Board of Ordnance, to transmit to you, for Lord Stanley's information, a copy of a Report from the Commanding Royal Engineer in New Brunswick to the Inspector General of Fortifications, dated 23d ultimo, with its enclosures in original, by which it would appear that the question of the exchange alluded to is at an end.

Under these circumstances, the Master General and Board request you will move His Lordship to adopt such measures as may be deemed advisable to guard against the appropriation of the Ground thus retained by the Colony, in any manner that can be regarded as detrimental to the Ordnance property, as suggested by Lieutenant Colonel Calder.

I have, &c.

(Signed)

G. BUTLER, for the Secretary.

P. S.—I am to request you will have the goodness to return the original enclosures of Lieutenant Colonel Calder's letter, copies of which, however, shall be forwarded to you if required.

(Signed)

G. B.

James Stephen, Esquire.

(Copy)

Royal Engineer's Office, Halifax, N. S., 23d May, 1843.

SIR,—In explanation of the first paragraph of my letter, No. 15, and with reference to that of the Board, dated 24th June, 1842, S-106, relative to the exchange of Ground at Fredericton, N. B., forwarded in No. 572, dated first July last, I beg to state, that when I had the honor of an interview with the Lieutenant Governor of New Brunswick, in September last, His Excellency seemed well inclined to carry out the arrangements necessary to effect the exchange in question, in the manner referred to in the Board's letter, so soon as the Legislative Assembly met; but subsequently I received from the Provincial Secretary a letter, dated 29th December, stating that all the Ground the Lieutenant Governor and Council could offer in exchange for the six Town Lots and the old Hospital Lot, without an Act of Assembly, consisted of the Land lying in front of the Military Blocks, reserving the Streets and Landings, as established by Law, as shown in the accompanying Plan, on which the portions proposed to be given up are shaded yellow.

On comparing this Plan (which is enclosed) with the original proposition, I found the Ground coloured yellow, in addition to its being so divided as to be of no benefit to the Department by increasing the Barrack accommodation, about half of what was offered by the inhabitants in 1838, and declined by the Board's letter of 23d January, 1839, as well as previously, unless Carleton Street was included; in consequence

consequence of which, after a careful perusal of the correspondence which has taken place at different times on this subject since 1826, I begged the Provincial Secretary respectfully to acquaint His Excellency, that I could not take upon myself to forward it to you for the consideration of the Master General and Board, which proceeding I trust you will approve.

The Session of the Legislative Assembly having terminated some weeks ago, and no further communication being received from the Provincial Secretary, I apprehend the temper of that Body towards His Excellency's measures precludes his recommending the subject for their consideration, with any chance of success, which leads me to suggest, as under existing circumstances the Executive Government may grant the Land lying between the Barrack Blocks and the River for private purposes, that it is desirable some measure be adopted through the Secretary of State for the Colonies, to restrain the exercise of such power, by restricting its being built upon or applied to any use which may become detrimental to the Ordnance property, unless the Home Government, as ungranted Land, can require its being surrendered for the better accommodation of the Military Establishment at the Seat of Government at New Brunswick.

On reference to the extract of the Act of Assembly establishing the Public Landings, and the copy of the Record of the Street called Campbell Street, attached to the enclosed Plan, you will perceive that these Acts which now appear obstacles to the exchange wished for by the inhabitants, were created after they had made the proposition, and whilst they were urging their request upon the Board.

I have, &c.

(Signed)

PAT. D. CALDER,
Lt. Col. Royal Engineers.

The Inspector General of Fortifications.

(Copy)

Extract.

“ An Act to establish and regulate Public Landing Places in Fredericton.”

Passed 19th March, 1827.

“ Whereas great inconvenience and delays in the lading and unlading of vessels have arisen from the want of regular and unobstructed Landing Places in the Town of Fredericton; for remedy whereof,”

“ I. Be it enacted by the Lieutenant Governor, Council and Assembly, That there shall be eleven landing places in the said Town of Fredericton, in the County of York, for vessels and boats to lade and unlade their cargoes, that is to say: the first or lower, commonly called Avery's landing, opposite to the Inn called the Golden Ball, to measure two hundred feet in length, on the margin of the River; the second landing to be a continuation of Sunbury Street, and to extend on the margin of the River up Stream, from the lower line of the said street, two hundred feet; that the third landing be a continuation of Church Street, to measure also two hundred feet in length on the margin of the River; the fourth landing to be a continuation of Saint John Street, to measure also two hundred feet in length on the margin of the River; the fifth landing to be bounded by a continuation of the said lines of the lot granted

granted to the Justices of the Peace of the County of York for a Market; the sixth, commonly called the Steam Boat Landing, at the junction of Regent Street with the River, to measure from the lower line of the said Street three hundred feet in length, on the margin of the said River, up stream; and at the continuation of the five following Streets, namely; Carleton Street, York Street, Westmorland Street, Northumberland Street, and Smyth Street, there shall be similar landing places, each measuring two hundred feet on the margin of the River; which said landing places shall be considered to extend to the top of the Bank, and shall be surveyed and distinctly marked out by posts or other sufficient marks, by such person as the Governor or Commander in Chief for the time being shall appoint, and a return and plan thereof, and of the avenues leading thereto, made and returned into the Surveyor General's Office."

RECORD of the Street or Highway laid out by the Commissioners of Highways for the Parish of Fredericton, in front of the Town of Fredericton, commencing at the most Western corner of the Grant to Richard Winter; thence along the upper end of the said Grant to the most Northern corner thereof; thence South 55° East twelve chains and sixty five links to the Northwestern side of Phoenix Square; thence South 48° East twelve chains, passing the corner of Elliott's House to the Northwestern side of Carleton Street; thence South 47° East one chain and one link to the Southeastern side of same Street; thence South 42° East four chains and forty links to the front line of the Officers' Barracks; prolonged thence South 30° East four chains and sixty links to the Northwestern side of Regent Street, and more particularly marked and described on the Plan of Survey hereunto annexed. The said Street hereby recorded to be four rods in width throughout in front or on the River side of the course above given.

Dated at Fredericton, the 13th January, 1831.

(Signed)

D. LUDLOW ROBINSON,
GEORGE E. KETCHUM,
Commissioners of Highways.

The above is a true copy of the original Record filed in my Office.

(Signed)

GEO. J. DIBBLEE, *Clerk of the Peace, York.*
Fredericton, 20th December, 1842.

(Copy)

[No. 82.]

Fredericton, N. B., August 29, 1843.

MY LORD,—Referring to Your Lordship's Despatch, Military, No. 7, dated July 15th, I have now the honor to enclose to Your Lordship copies of the correspondence of this Government with the Commanding Engineer on the proposed exchange with the Ordnance Department of certain plots of ground in Fredericton.

It is to be regretted that the grounds originally reserved for the use of the Military, and on which permanent Barracks have been erected, should not have been granted; and as Colonel Holloway is coming from Montreal with instructions to confer with me on the subject of the Military Reserve at the Grand Falls, I wish the opportunity could be taken of a final settlement also of the Reserve in Fredericton.

At

From

From the enclosed correspondence, elucidated by the Plan No. 1, Your Lordship will perceive that the Street and Public Landings, being established by Acts of the Provincial Legislature, and the Inhabitants being prepared to oppose the closing of these thoroughfares, the Government has been precluded from bringing forward a proposal for the exchange desired by the Ordnance Department.

The Inhabitants claim the six Lots marked red in the Town Plot, and also the whole of the ground marked yellow, situated along the North side of the Military Plots marked A and B, which are coloured blue; and as the Military Buildings extend over this ground, which is not included in the Reserve, and the disposal of it, and of the space marked yellow, between the Landings on the River, would be extremely inconvenient to the Military, it would be desirable if these Grounds were to be included in the Reserve, even though the closing of the Streets should not be assented to, and the six Lots marked red, being from their situation comparatively unimportant to the Military, even if their claim to them were not disputed, the exchange, though less favorable than if the Streets were included, would still be advantageous. On the other hand, the conversion as proposed by the Ordnance, of the six Lots, (blue) into a Fuel Yard, would be regarded as so prejudicial to the adjoining property of the Inhabitants in the centre of the Town, from the consequences to be apprehended in a case of fire, that strong remonstrances would be made to such an arrangement.

How far the old Hospital Lots, marked red, which are not let on rent by the Ordnance, could be made available for a Fuel Yard, I do not undertake to determine, but if objected to for this purpose, the removal of the Wood from the present yard in Lot A, (blue) might be effected by the addition of the vacant ground, (marked yellow) to the Reserve.

I have, &c.

(Signed)

W. M. G. COLEBROOKE.

The Right Honorable Lord Stanley.

(Copy)

[No. 56.]

Fredericton, N. B., 11th July, 1844.

MY LORD,—I have the honor to enclose to Your Lordship, copy of a letter received from the Commanding Officer of Engineers, respecting the Lands claimed by the Ordnance Department in the Town of Fredericton, and of the answer which I have directed to be made to it, with copies of the proceedings in the Assembly in the Session of 1843, to whom I referred the correspondence.

I regret that there is but little prospect of inducing the Assembly to agree to the terms of adjustment proposed by the Ordnance, as the Inhabitants of the Town consider it would be prejudicial to the interests of Property that the Street should be closed leading through the Ordnance allotments to the River; and equally so that the Ordnance should make a Fuel Yard as contemplated on the six lots, which they hold on a disputed title, in the heart of the Town.

I think that the terms of a reasonable accommodation might be adjusted to the advantage of all parties, and that the Ordnance allotments would be improved by the grant to them of the bank of the River, without closing the thoroughfares, which could not be done without an Act of the Assembly.

I have, &c.

(Signed)

W. M. G. COLEBROOKE.

The Right Honorable Lord Stanley.

(Copy)

(Copy)

Secretary's Office, Fredericton, 10th July, 1844.

SIR,—I have the honor to acknowledge the receipt of your letter of the 3d instant, on the subject of the proposed exchange with the Ordnance Department, of Lands in Fredericton, and in answer, to state to you that the Lieutenant Governor on the 14th February, 1843, submitted to the Assembly the whole of the correspondence on the subject, by which Body it was on the 7th of March following, referred to a Select Committee to report. The Report, of which I have the honor to enclose you a copy, was made on the first of April, and accepted by the House, since which time no action has been taken.

I have, &c.

(Signed)

WM. F. ODELL.

Lt. Col. Calder, Royal Engineers.

(Copy)

*Military—No. 15.**Downing Street, 2d November, 1844.*

SIR,—I have to acknowledge the receipt of your Despatch, No. 56, of the 11th of July last, with its enclosures, relating to the question now pending between the Ordnance Department and the Inhabitants of Fredericton.

You intimate that the closing of the public thoroughfare which passes through the Ordnance allotments would be considered by the Inhabitants as prejudicial to the interests of property, and that such an arrangement could not be effected without an Act of the Assembly; but you are of opinion that the terms of a reasonable accommodation might be adjusted to the satisfaction of all parties, and that the Ordnance property would be much improved by the addition of the River frontage.

I shall be glad to receive from you an explanation of the terms on which you consider that these conflicting claims might be satisfactorily adjusted; but although it is very apparent that the Ordnance property would be improved by the addition of the River frontage, it is scarcely to be expected that the Master General and Board will acquiesce in the proposal to retain the thoroughfare through the allotments. You have not, indeed, explained in what manner the closing of that thoroughfare would interfere with private property, nor why that measure would require the sanction of the local Legislature; but it is material to bear in mind, that in a military point of view, the establishment of the thoroughfare, as necessarily having the effect of separating the officers from the men, is open to serious objections.

I recommend this subject to your immediate notice, and request that any proposals which you may have occasion to transmit to me, with a view to an adjustment, may be accompanied by a Ground Plan.

I have, &c.

(Signed)

STANLEY.

Lieut. Governor Sir Wm. M. Colebrooke, &c. &c. &c.

(Copy—No. 4.)

Extract from a Despatch to the Right Honorable Lord Stanley, from Sir William Colebrooke Dated Fredericton, N. B., February 10, 1845.

MY LORD,—On the receipt of Your Lordship's Despatch, No. 15, Military, of November 2d, I referred to the Surveyor General for his Report on the subject of the exchange

exchange of certain Lots of Land in Fredericton, claimed respectively by the Town's people and the Ordnance Department; but the arrival of Mr. Elliott, the Ordnance Commissioner, from Canada, with instructions to arrange for the Grants of all Lands required by the Ordnance, has enabled him to obtain such precise information of the question at issue, as will facilitate their final settlement; and as an Act has been this day passed to incorporate the Board of Ordnance in the Province, no time will be lost in completing the necessary Grants, when the Commanding Engineer, on receiving Mr. Elliott, the Commissioner's Report, shall have obtained the concurrence of the Board in the definition of the limits he may be prepared to recommend.

(Copy)

Military—No. 17.*Downing Street, 24th March, 1845.*

SIR,—I have to acknowledge the receipt of your Despatch, No. 4, of the 10th of February last.

I shall be glad to learn that the questions now pending between the Ordnance Department and the Inhabitants of Fredericton have been settled to the satisfaction of all parties. At all events, you will not fail to apprise me of the issue of Mr. Elliott's proceedings on the subject.

I have, &c.

(Signed)

STANLEY.

Lieut. Governor Sir W. M. G. Colebrooke, &c. &c. &c.

(Copy)

Military—No. 19.*Downing Street, 6th November, 1845.*

SIR,—Having received no further communication from you relating to the Land Questions pending between the Inhabitants of Fredericton, and the Ordnance Department, since your Despatch, No. 4, of the 10th February last, I am under the necessity of sending you copies of the enclosed letter, and of its enclosure from the Board of Ordnance, and of calling your immediate attention to the subject.

I have, &c.

(Signed)

STANLEY.

Lieutenant Governor Sir Wm. Colebrooke, &c. &c. &c.

(Copy)

Office of Ordnance, 27th October, 1845.

SIR,—With reference to your letter dated the 28th August, 1844, enclosing the copy of a Despatch from the Lieutenant Governor of New Brunswick, suggesting the expediency of the Master General and Board of Ordnance assenting to an "amicable and equitable arrangement" of the Land Questions pending between the inhabitants of Fredericton and the Ordnance Department—

I have the honor, by desire of the Master General and Board, to transmit to you,

you, for Lord Stanley's information, the accompanying copy of a letter from the Commanding Royal Engineer in New Brunswick, to the Inspector General of Fortifications, dated 30th August last, as to the most advisable mode of concluding such an arrangement; and I am to request you will state to His Lordship, that the Master General and Board are still ready to carry out the exchange assented to in their letter of the 23rd January, 1839, E-41, provided the Colonial Authorities and Legislature are prepared to assent to the concentration of the Military Establishment, and to the possession of the River frontage by this Department.

I have, &c.

(Signed)

R. BYHAM.

J. Stephen, Esq., &c. &c. &c., Colonial Office.

(Copy)

Royal Engineer Office, Halifax, 30th August, 1845.

SIR,—I have the honor to acquaint you, with reference to the Board's Letter under date the 23rd October, 1844, S-153, forwarded with your Minute, No. 702, that when at Fredericton, on my annual inspection, I had some conversation with the Lieutenant Governor of New Brunswick, relative to the exchange of ground so long pending at that station, which induced His Excellency to consult the Law Officers of the Crown on the best means of carrying out the measure, which he considers as desirable for the Inhabitants generally, as for the Military; and having received the opinion of these Gentlemen, through the Lieutenant Governor's Secretary, to the following effect, viz:—

“ We think the present difficulties to effecting the object in view, might be removed, provided the case was properly explained by the Government to the Legislature, at its next meeting:”

“ That if Lieutenant Colonel Calder would address an official letter to His Excellency, pointing out the necessity of this additional Land being granted to the Government to provide for the better accommodation of the Military Establishment here, and offering to relinquish the claim of the Ordnance to the Hospital Lot, and the other Lots mentioned and proposed to be given in exchange, pointing out that the ground between the Barracks and the River, cannot be built upon, as it is within the limits prescribed by the Ordnance, and that if this arrangement is not effected so as to enable the Military Establishment to be perfected, it may ultimately lead to the necessity of quartering a part of the Troops in Garrison on the Inhabitants; such letter being laid before the Legislature by special Message, by His Excellency, with a Bill properly prepared as a Government measure, we are of opinion the Legislature would then see the propriety of passing the same; and this course we recommend:”

May I therefore solicit the Master General and Board's authority to make such a proposition to the Lieutenant Governor, with the understanding that should the course recommended fail, the negotiations so long pending shall at once end, and that the Board will then cause the six Town Lots to be enclosed and appropriated as a Fuel Yard as formerly proposed.

I have, &c.

(Signed)

P. D. CALDER, Lt. Col.

Commanding Royal Engineers.

The Inspector General of Fortifications, &c. &c. &c.

B†

(Copy)

(Copy)

[No. 111.]

Fredericton, N. B., 30th December, 1845.

MY LORD,—I have had the honor to receive Your Lordship's Despatch, Military, No. 19, dated the 6th of November last, on the subject of the proposed exchange with the Ordnance Department of certain Lands in the City of Fredericton.

Having communicated to Lieutenant Colonel Calder, when at this place, the Report of the Attorney General, alluded to in his letter of the 30th of August, in which it was recommended that the Master General and Board shall be advised to accede to the arrangements therein proposed, if the Local Legislature, whose concurrence is required in closing a public thoroughfare, should be induced to sanction it, I deferred again to report to Your Lordship, until I should be apprized of the result of this reference.

I propose to lay the correspondence before the two Houses in the ensuing Session, and will not delay to inform Your Lordship if they are disposed to concur in the arrangement as alluded to in Mr. Byham's letter of the 27th of October.

I have, &c.

(Signed)

W. M. G. COLEBROOKE.

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

(Copy)

Fredericton, 29th July, 1845.

SIR,—We have the honor to return the communication of Colonel Calder, referred to me by His Excellency's command, for our opinion on the different points raised by him, viz:—

First.—“The ground lying between the Barracks and the River, having been granted by an Order of Council for Military purposes in 1829, in consideration of the contemplated exchange, could the Commissioners of Highways legally lay out the Street, called Campbell Street.”

Secondly.—“Is the simple record of such Street by the Commissioners of Highways legal without the approval of the Assembly.”

Thirdly.—“As the ground is ungranted, may not the Crown, under the Act of the Province, require to be reinvested in it according to Law, for the better accommodation of the Troops sent into the Province for its defence, and as it belongs neither to a body corporate or a private individual, (being reserved for public use) without compensation.”

As respects the first question—Colonel Calder is under a mistake in supposing the Minute of Council made the 29th February, 1829, in the nature of a Grant from the Crown. The object of that Minute of Council was merely to express the consent of that body to transfer the Land described therein to the Crown, *if the contemplated exchange should be carried into effect*, which exchange was prevented, in consequence of not obtaining the sanction of the Legislature to an Act necessary to carry the same into effect; of which the tenor of the subsequent Order in Council, dated 2d December, 1842, is full evidence.

As to the second question—The Commissioners of Highways having laid out and caused the Road to be recorded agreeably to the provisions of the Act of Assembly in such case provided, is final and binding without the approval of the Assembly.

As to the third question—The Land referred to in our opinion does not come within the

the provisions of the Acts of Assembly of the Province, 43 and 53 George the 3d, relating to the Crown reinvesting itself in the title to Lands required for Military purposes.

But we think the present difficulties to effecting the object in view, might be removed, provided the case was properly explained by the Government to the Legislature at its next meeting. That is, if Colonel Calder would address an official letter to His Excellency, pointing out the necessity of this additional Land being granted to the Government, to provide for the accommodation of the Military Establishment here, and offering in exchange to relinquish the claim of the Ordnance to the Hospital Lot, and the other Lots mentioned and proposed to be given in exchange; and also pointing out the probable consequence of this arrangement not being effected; such letter to be laid before the Legislature by special Message from His Excellency, with a Bill properly prepared, as a Government measure, we are of opinion the Legislature would then see the propriety of passing the same, which is the course we recommend.

(Signed) We have, &c. CHARLES J. PETERS, *Atty. Gen.*

No. 3.

[See Journal 12th February, 1846.]

Extract from the Minutes of a Meeting of the Commissioners of the Provincial Penitentiary, held on Tuesday the 20th January, 1846.

PRESENT :

W. H. Street, *Chairman*,
J. V. Thurgar,
Wm. H. Scovil,

Henry Porter, and
J. M. Robinson, *Esquires.*

Ordered, That the Chaplain's Salary be raised to the sum of forty pounds; that the Surgeon's frequent applications for increase of Salary be complied with, by making it seventy five pounds; both to commence from 1st January, instant.

Ordered, That in consequence of the Secretary's increased duties, and the understanding that he provide Office room wherein to hold Meetings of the Board, his Salary be increased to fifty pounds for the current year.

True Extract.

(Signed) SAM. D. BERTON, *Secretary.*

(Copy)

Saint John, 20th January, 1846.

SIR,—The annual Report and Returns of the Commissioners of the Provincial Penitentiary being now in course of transmission, I esteem it necessary to forward for His Excellency's information, extracts from the Minutes of Orders made by the Board, by which it will be seen that the Chaplain's allowance for the year now entered upon, is increased from £25 to £40; the Surgeon, from £50 to £75; and the Secretary, from £35 to £50.

The

The Commissioners have felt great reluctance in increasing the charges of the Institution, but the above Officers having from the first been very inadequately remunerated for the services by them performed, the addition to their respective stipendiary allowance has been made as a necessary means of retaining them as Officers of the Institution.

The annual Report of the Commissioners will best show the necessity of the immediate erection of a Building for a Hospital, for which, unless Legislative provision be made, as also for the more secure enclosure of the Grounds, humanity in the one case, and a necessary regard to the Commissioners' protection on the other, against legal liability for the escape of Prisoners, will probably render it impossible to procure the services of competent parties as Commissioners.

Should His Excellency direct it, the Commissioners will cause plans and estimates to be made of the improvements most immediately necessary.

I have, &c.

(Signed)

W. H. STREET.

Hon. J. S. Saunders, Prov. Sec., &c. &c. &c.

Report of the Commissioners of the Provincial Penitentiary for the year commencing 1st January, and ending 31st December, 1845.

The annual Abstract Account submitted herewith, exhibits a total expenditure amounting to one thousand four hundred and thirty eight pounds ten shillings and three pence half penny, which has been provided for by two several Warrants on the Provincial Treasury for three hundred and five hundred pounds, making in the whole eight hundred pounds; and there has been received as proceeds—Sales Bricks, six hundred and three pounds three shillings and ten pence; other promiscuous articles, produce of prisoners' labor, sixty four pounds eighteen shillings and four pence half penny; diets for Soldiers, ninety pounds eleven shillings and nine pence half penny; making a total receipt of one thousand five hundred and fifty eight pounds fourteen shillings; leaving a balance in the hands of the Commissioners of one hundred and twenty pounds three shillings and eight pence half penny.

In consequence of the calamitous fire in the City of Saint John in July last, all the Brick that could be manufactured met with immediate sale, and caused the prisoners' labor to be more productive than in any preceding year.

One Convict escaped in July last, and though known to be at his usual place of residence in the County of Westmorland, has not been recaptured by the Sheriff of that County, to whom a warrant for his apprehension was transmitted.

The presiding Judge of the last Circuit Court having expressed that in the event of any future escape from the Prison, the Commissioners would be proceeded against by indictment, the Commissioners are compelled to direct attention to the three preceding year's Reports, in respect to the deficient fence with which the Grounds are enclosed, which can only be remedied by the erection of Stone and Brick walls, and till which is accomplished it is impossible for the Commissioners to put it in the power of the Keepers to prevent occasional escape of the inmates.

The unavoidable occasional delivery of Bricks and other materials, prior to payment being made, having induced the Commissioners to take legal advice, if payment of such

such property could be recovered by suit, and being advised that the present law did not give such power, the Commissioners are of opinion, that additional Legislative enactment is necessary to the due protection of the Public property.

The heretofore trifling number of the prisoners suffering from fever or other disease, has prevented till recently any serious inconvenience being experienced for want of a sick ward, or separate apartment for the treatment of sick persons. This has recently become of serious importance, and humanity demands that provision be made as early as possible for the better treatment of invalids. Several cases of fever and ulceration and swelling of the limbs, have of late occurred, the Patients increasing, and no means exist either for the treatment many of these cases require, or of separating such from the healthy inmates.

By order of the Board.

W. H. STREET, *Chairman.*

Account of Expenditure and Receipts by the Commissioners of the Provincial Penitentiary, for the period commencing 1st January 1845, and ending 31st December following.

1845.		DEBTOR.		
Jan.	1	To Balance due the Chairman, per Acct. to 31st Dec. 1844,		£1 19 11
March	31	To amount per Account No. 1, transmitted to His Excellency with Vouchers Nos. 1 to 57,	366 18 7	
June	30	To amount per Account No. 2, transmitted to do. with Vouchers Nos. 58 to 91,	262 6 6½	
Sept.	30	To amount per Account No. 3, transmitted to do. with Vouchers Nos. 92 to 115,	295 1 8	
Dec.	31	To amount per Account No. 4, transmitted to do. with Vouchers Nos. 116 to 164,	512 3 7	
				£1,438 10 3½
1845.		CREDIT.		
Jan.	9	By 7000 Bricks sold W. Brundage,	£12 5 0	
"	21	" 1000 " " Morey, delivered 1844,	1 17 6	
"	"	" 500 " " " " " "	0 18 9	
"	27	" 775 common Bricks sold George Salter,	0 17 5½	
"	30	" 3850 Bricks sold Alms House, delivered 1844,	5 13 4½	
Feb.	1	" 62 diets Soldiers, 33rd, in December, 31s. Sterling,	1 17 2½	
"	4	" 9300 common Bricks sold Crosby, 1844,	9 6 0	
"	11	" 1500 Stock " " E. S. Northrop,	2 5 0	
"	18	" 107 diets Men Royal Artillery, 53s. 6d. Sterling,	3 4 2	
"	26	" 500 pressed Bricks sold Leach,	0 12 6	
March	1	" 4000 common " " Hailes,	4 10 0	
"	5	" 2800 " " " Owens & Duncan,	3 3 0	
"	"	" a Wheelbarrow " " " 1844,	0 17 6	
"	22	" 21½ yards Cloth, @ 3s,	3 4 6	
"	31	" 9000 Stock Bricks sold J. Robertson, 1844,	13 10 0	
"	"	" Warrant on Treasury,	300 0 0	
April	15	" 43½ yards Cloth,	5 16 10½	
"	17	" 174 diets Soldiers 33rd Regiment, in months of January, February and March, 87s. Sterling,	5 4 2	
"	22	" 6 yards Cloth,	0 16 9	
				£375 19 9

Carried forward,

£375 19 9

		<i>Brought forward</i>	£375 19 9
1845.			
May	5	By 168 diets Soldiers, Royal Artillery, 84s. Sterling,	5 0 9½
"	7	" 5 yards Cloth @ 2s. 6d.	0 12 6
"	8	" 3½ " 3s.	0 9 9
"	9	" 2050 Bricks sold J. W. Scott, 25s.	2 11 3
"	13	" 2½ yards Cloth @ 2s. 6d.	0 5 7½
"	15	" 5 " 3s.	0 15 0
"	16	" 2½ " 2s. 6d.	0 6 3
"	23	" 10½ " 3s.	1 10 9
June	3	" work done on Chair bottoms for Green,	2 8 1½
"	20	" a Horse Brush sold D. Wetmore,	0 7 0
"	"	" 2 Brushes " Mr. Harrison,	0 8 7
"	30	" 7 yards Cloth to Payne, 5 do. to Magee,	1 16 0
"	"	" 4200 Bricks sold Nelson, 22s. 6d.	4 14 6
"	"	" 116 diets Soldiers 33rd Regiment, for months of April, May and June, 58s. Sterling,	3 9 7
Aug.	9	" 2 M. common Bricks sold T. C. Everitt, 22s. 6d.	2 5 0
Sep.	2	" 71,050 Bricks, Stock, 30s.	106 11 6
"	"	" 7200 common Bricks, 22s. 6d.	8 2 0
"	"	" Cartage of part, (sold H. Chubb,)	6 9 9—121 3 3
Oct.	6	" 989 diets Soldiers 33rd Regiment, in months of July, August and September, Sterling £24 14 6,	29 13 5
"	"	" amount from Thomas Corkery for Pigs,	10 10 0
"	14	" 60 M. Bricks sold Walker, 30s.	90 0 0
"	18	" 1000 " 9000 refuse do. sold Pidgeon,	9 6 3
Nov.	7	" 3500 " sold Davidson, 35s.	6 2 6
"	11	" 481 diets Soldiers 33rd Regiment, in Oct., £12 0 6	14 8 7½
"	14	" 1000 Bricks and Cartage to Hailes,	2 2 6
"	19	" 297 Sheep Skins, 2d., 65 do. 4d. delivered B. Ansley in 1844,	3 11 2
"	"	" 4000 Bricks sold B. Ansley in 1845,	6 0 0
Dec.	16	" 114,110 " @ 30s.	211 13 4
"	"	" 268 Spf. feet Granite @ 2s. 6d. sold O. Small,	33 10 0—245 3 4
"	"	" 460 diets Soldiers in November, Sterling £11 10 6,	13 16 0
"	30	" 40 M. Bricks sold J. L. Marsh,	58 16 8
"	31	" 463 diets Soldiers 33rd Regiment, in this month, Sterling £11 11 6,	13 17 10
"	"	" net proceeds sales by W. D. W. Hubbard, sundry Brushes and 58 yards Cloth,	31 2 0
"	"	" Warrant on Treasury,	500 0 0
			£1558 14 0

Balance remaining in hands of the Chairman, £120 3 8½

Saint John, 31st December, 1845. (E. E.) W. H. STREET, *Chairman.*

I, William H. Street, do make oath that I am a Commissioner for the Provincial Penitentiary, and that the within Account for Expenditure and Receipts by the Commissioners of the Provincial Penitentiary is just and true to the best of my knowledge and belief.—SO HELP ME GOD.

W. H. STREET.

Sworn before me at Saint John, this 19th day of January, 1846.—J. KIRK, *J. P.*

Certified as correct.—F. P. ROBINSON, *Auditor General.*

10th February, 1846.

STATEMENT showing the number of Prisoners admitted into and discharged from the Provincial Penitentiary from 1st January 1845, to 31st December following, the Rations required, and the employment of Prisoners for each month.

Month.	Male Prisoners.				Female Prisoners.				Employment of Male Prisoners for each month.	Employment of Female Prisoners for each month.
	In Prison on 1st each month.	Discharged within the month.	Remain'g at end each month.	Diets required.	In Prison on 1st each month.	Discharged within the month.	Remain'g at end each month.	Diets required.		
January,	17	11	622	499	11	1	210	349	222 days general labor, 35 days blacksmith work, 26 days tailoring, 34 days shoemaking, 25 days weaving.	104 days general labor, 65 days wool dressing, 28 days spinning, 33 days knitting, 7 days sewing.
February,	22	4	323	643	10	3	211	298	49 days shoemaking, 15 days tailoring, 21 days weaving.	114 days general labor, 73 days wool dressing, 21 days spinning, 49 days knitting, 3 days sewing.
March,	22	6	424	688	11	1	210	328	26 days tailoring, 26 days weaving.	76 days general labor, 61 days wool dressing, 34 days spinning, 40 days knitting, 1 day sewing.
April,	24	7	823	655	10	5	9	329	305 days general labor, 104 days carpenter work, 51 days blacksmith work, 27 days tailoring, 45 days shoemaking, 26 days weaving.	68 days general labor, 55 days wool dressing, 30 days spinning, 37 days knitting, 13 days sewing.
May,	23	3	1016	576	9	4	7	6207	104 days general labor, 245 days brickmaking, 77 days carpenter work, 31 days blacksmith work, 20 days tailoring.	88 days general labor, 25 days wool dressing, 12 days spinning, 19 days knitting, 12 days sewing.
June,	16	17	598	619	6	8	5	9275	73 days general labor, 291 days brickmaking, 53 days carpenter work, 22 days weaving, 6 days brushmaking, 25 days blacksmith work.	37 days general labor, 74 days wool dressing, 10 days spinning, 23 days knitting, 25 days sewing.
July,	28	25	1142	1061	9	9	8	10322	50 days general labor, 432 days brickmaking, 91 days carpenter work, 114 days blacksmith work, 32 days brushmaking, 9 days weaving.	51 days general labor, 47 days wool dressing, 8 days spinning, 32 days knitting, 45 days sewing.
August,	42	11	1637	1243	10	5	9	6309	8 days blacksmith work, 84 days brushmaking, 26 days weaving.	136 days general labor, 59 days wool dressing, 31 days spinning, 32 days sewing.
September,	37	14	645	1227	6	5	4	7237	96 days general labor, 39 days carpenter work, 868 days brickmaking, 9 days weaving.	93 days general labor, 19 days wool dressing, 11 days spinning, 19 days knitting, 26 days sewing.
October,	45	9	1341	1277	7	7	5	9289	390 days general labor, 482 days brickmaking, 84 days carpenter work, 6 days blacksmith work, 28 days shoemaking, 30 days weaving.	77 days general labor, 9 days wool dressing, 34 days knitting, 44 days sewing.
November,	41	7	642	1263	9	5	4	10348	763 days general labor, 137 days carpenter work, 40 days blacksmith work, 60 days shoemaking, 22 days weaving.	72 days general labor, 72 days wool dressing, 29 days spinning, 6 days knitting, 42 days sewing.
December,	42	5	443	1318	10	1	5	6220	368 days general labor, 127 days carpenter work, 64 days black and tin smith work, 56 days shoemaking, 80 days tailoring, 388 days brushmaking, 20 days weaving.	62 days general labor, 27 days wool dressing, 16 days spinning, 27 days knitting, 24 days sewing.

By Order of the Board.

W. H. STREET,
Chairman of Board of Commissioners.

William H. Street makes oath that the foregoing statement is made up from the Monthly Returns of the Keeper, and is true to the best of his knowledge and belief.
Sworn before me at Saint John, the 19th day of January, 1846—J. KIRK, J. P.
W. H. STREET.

No. 4.

[See Journal 16th February, 1846.]

(Copy)

Saint John, 20th January, 1846.

SIR,—The Commissioners of the Provincial Lunatic Asylum beg leave to submit herewith, an account of the expenditure in support of the Establishment for the Quarter ending 31st December, amounting to £403 11 10, with the accompanying vouchers.

The Commissioners also submit an Account Current for the year ending at the same period, shewing a balance in their favour of £337 2 6, and from which it will be seen that the expenditure comes within a small sum of the estimate furnished by them at the beginning of the year.

They regret, that in consequence of the House of Assembly having only allowed £1000 to meet the expenditure of the past year, the Commissioners have been obliged to borrow the balance of £337 2 6 upon their own personal credit, and are also obliged to procure in like manner such further sums as may be required for the current expenses of the Institution, for all of which they are paying interest at the rate of six per cent., per annum, and they humbly trust that the House of Assembly will make such arrangements for the support of the Institution in future, as will support the public credit, and relieve them from this inconvenience.

The Commissioners have, in consequence of the increase in the number of Patients during the past year, procured an additional Building for their accommodation, as will appear by their Special Report of the circumstance to His Excellency the Lieutenant Governor on the 20th May last, but they feel bound to state that the Patients still labour under the most serious inconvenience from the confined state of the Sleeping Apartments, and from the want of Ground on which they might receive the benefits of air and exercise so necessary for their complete restoration to health; in addition to which the present buildings are so much dilapidated and out of repair as to be quite unfit for the purposes for which they are at present used.

The Commissioners beg leave respectfully to state these facts for His Excellency's information, and to request that His Excellency will call the attention of the Legislature thereto. They also respectfully request that His Excellency will call upon the Legislature for such grant of money as will remunerate them for the balance of £337 2s. 6d. above stated to be due to them, and also for a grant of such money as may be thought reasonable to meet the current expenses of the Institution, of which an estimate amounting to £1,821 9s. is herewith submitted.

This increase in the amount required for the support of the Institution arises chiefly from two causes, first: The great increase of Patients, the number of Patients admitted in 1844 being 116, and the number admitted in 1845 being 119. The average daily number in 1844 being 71, while the average number in 1845 was 84, shewing a steady increase of permanent Patients, arising from the accumulation of incurable cases, and which of course remain in the establishment.

Another cause being the great advance in the price of provisions, and particularly of the ordinary articles required for every day's consumption.

The Commissioners consider that the remuneration allowed hitherto to the Medical Gentleman attached to the Institution, is entirely too small for the arduous duties performed

performed by that Gentleman, and the great responsibility which falls upon him, respectfully recommend that suitable provision therefor should be made by the Legislature.

The undersigned have the honor to be, &c. &c.

(Signed)

GEORGE P. PETERS, M. D.

W. JACK,

JOHN WARD, Jr., } Commissioners.

Estimate of Supplies, &c. required for the support of the Provincial Lunatic Asylum in the City of Saint John for the year in prospect, say from 1st January to 31st December, 1846.

Diet Ordinary and Extra for 90 individuals during the year, each 52 weeks, @ 4s. 1d., for which rate see Diet Table annexed,	£955	10	0
1500lb Soap, @ 3d.	18	15	0
80lb Candles, @ 7½	2	10	0
40 Gallons Pale Seal Oil, @ 3s. 6d.	7	0	0
100lb Tobacco, @ 6d.	2	10	0
3 Tons Straw, @ 50s.	7	10	0
5 Tons Hay, @ 90s.	22	10	0
Bran and other short feed, say,	10	0	0
40 Chaldrons Coal, with hauling, @ 25s.	50	0	0
60 Cords Fire Wood, do. @ 25s.	75	0	0
Rents,	70	4	0
Salaries, Doctor, and Keepers,	200	0	0
Bed and Body Clothing,	200	0	0
Miscellaneous,	100	0	0
	£1,721	9	0
Allowance to Commissioners superintending the purchasing of the Supplies, &c.	100	0	0
	£1,821	9	0

(Signed)

GEORGE PETERS, M. D.

W. JACK.

JOHN WARD, Junior.

Saint John, January, 1846.

ORDINARY DIET TABLE.

	BREAKFAST.	DINNER.	SUPPER.
Sunday,	Bread, Tea, Milk, & Sugar,	Beef, Soup & Turnips,	Bread, Tea, Milk, & Sugar.
Monday,	ditto,	Rice and Molasses,	Meal Pudding & Molasses.
Tuesday,	ditto,	Beef, Soup & Turnips,	ditto.
Wednesday,	ditto,	Rice and Molasses,	ditto.
Thursday,	ditto,	Beef, Soup & Turnips,	ditto.
Friday,	ditto,	Fish and Potatoes,	ditto.
Saturday,	ditto,	Beef, Soup & Turnips,	ditto.

NOTE.—Extras, as Butter, Eggs, Wine, &c., supplied for particular Patients when absolutely required and ordered by the Doctor.

Supposed average number of Inmates, Patients and Keepers for the year, in prospect, say 90.

Ordinary Diet Allowance for one Individual per Week.

8 $\frac{1}{4}$ lb Bread,	cost say,	17d.
1 $\frac{1}{2}$ oz. Tea, ....	....	2 2-8ths.
$\frac{3}{4}$ lb Sugar, ....	....	3 4-8ths.
2 $\frac{1}{4}$ lb Beef, ....	....	6 6-8ths.
$\frac{1}{4}$ lb Barley, ....	....	11-16ths.
$\frac{3}{4}$ lb Rice, ....	....	2 15-16ths.
$\frac{1}{2}$ lb Oat Meal, ....	....	1 3-8ths.
1 $\frac{1}{2}$ lb Corn Meal, ....	....	2 2-8ths.
3 gills Molasses, ....	....	1 5-8ths.
$\frac{1}{2}$ lb dry Fish, ....	....	6-8ths.
3-16ths bush. Turnips,	4 4-8ths.
1-16th bush. Potatoes,	3d.
		3s. 10d. 5-8ths.
Extras of all kinds,	2d. 3-8ths.
		4s. 1d.

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