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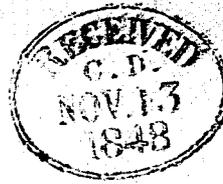
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JOURNAL



AND

PROCEEDINGS



OF HER MAJESTY'S

LEGISLATIVE COUNCIL,

OF THE

PROVINCE OF NOVA-SCOTIA.

1848.

HALIFAX:

PRINTED BY J. H. CROSSKILL,

Printer to the Queen's Most Excellent Majesty.



A PROCLAMATION.

BY HIS EXCELLENCY MAJOR-GENERAL

SIR JOHN HARVEY,

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

J. HARVEY.

WHEREAS, the General Assembly of this Province stands prorogued until Tuesday, the First day of June next :

I have thought fit further to prorogue the said General Assembly until Tuesday, the Sixth day of July next—of which all persons concerned are desired to take notice and govern themselves accordingly.

Given under my Hand and Seal at Arms, at Halifax, this 26th day of May, 1847, in the Tenth Year of Her Majesty's Reign.

By His Excellency's Command,

RUPERT D. GEORGE.

GOD SAVE THE QUEEN.

A PROCLAMATION.

BY HIS EXCELLENCY LIEUTENANT-GENERAL

SIR JOHN HARVEY,

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

J. HARVEY.

WHEREAS, I have thought fit to *Dissolve the General Assembly* of this Province, which now stands prorogued to Tuesday, the Sixth day of July next—I do, for that purpose, publish this Proclamation ; and accordingly, by these Presents, do *Dissolve the said General Assembly*.

And I do hereby notify the Members of the Legislative Council, as well as the Representatives of this Her Majesty's Province, severally, as they are returned from the Counties and Townships, that they are discharged from further attendance in the said General Assembly.

And, by these Presents, I further declare, that I have this day given orders to issue Writs, in due form, for calling a new General Assembly—which Writs will bear teste on the Twenty-fourth instant, and be returnable on Tuesday, the Thirty-first day of August next.

Given under my Hand and Seal at Arms, at Halifax, this 23d day of June, in the Eleventh Year of Her Majesty's Reign, and in the Year of Our Lord, 1847.

By His Excellency's Command,

RUPERT D. GEORGE.

GOD SAVE THE QUEEN.



A PROCLAMATION.

BY HIS EXCELLENCY LIEUTENANT-GENERAL

SIR JOHN HARVEY,

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

J. HARVEY.

WHEREAS, by the Writs issued for the Election of Members to serve in General Assembly, bearing teste on the Twenty-fourth day of June last, the Sheriffs of the several Counties in this Province were commanded to summon the persons who should be elected and chosen, according to the exigency of the said Writs, to attend Her Majesty's Service in General Assembly, at such time and place as should be duly notified by Proclamation for that purpose :

I do, accordingly, by this Proclamation, give Notice, that I have thought fit to appoint Saturday, the Twenty-second day of January next, at Halifax, for the Meeting of the said General Assembly *For the Despatch of Business* ; and I hereby require the Members of the Legislative Council and House of Assembly to attend in General Assembly on the said day, at Halifax, for the said purpose.

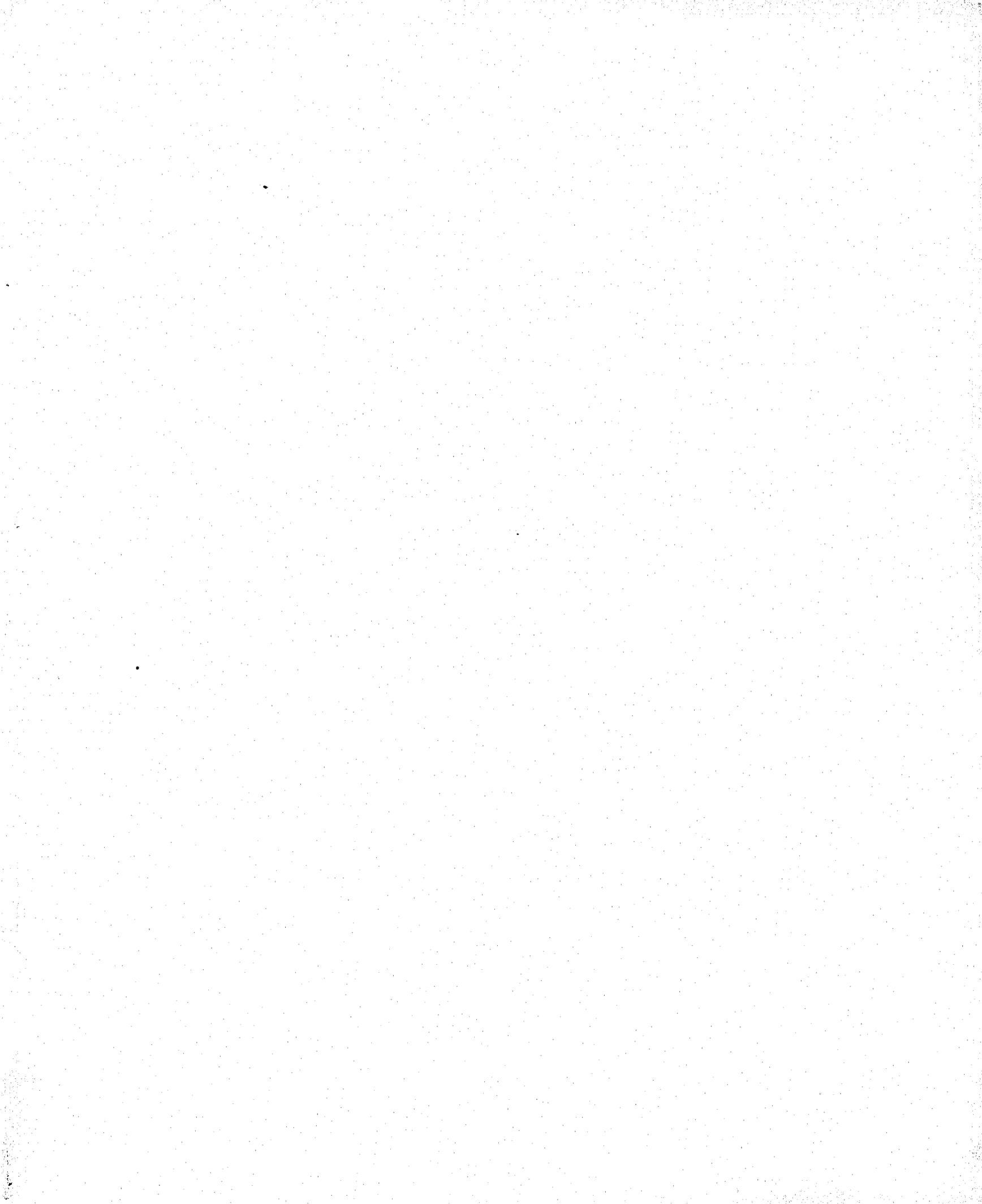
Whereof they, and all others concerned, are desired to take notice and govern themselves accordingly.

Given under my Hand and Seal at Arms, at Halifax, the 1st day of December, A. D., 1847, and in the Eleventh Year of Her Majesty's Reign.

By His Excellency's Command,

RUPERT D. GEORGE.

GOD SAVE THE QUEEN.



JOURNAL

OF THE

PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

OF THE

PROVINCE OF NOVA-SCOTIA.

FIRST SESSION OF THE NINETEENTH GENERAL ASSEMBLY.

ANNO UNDECIMO VICTORIÆ REGINÆ.

AT HALIFAX, IN THE PROVINCE OF NOVA-SCOTIA.
LEGISLATIVE COUNCIL CHAMBER,

Saturday, 22d January, 1848.

Writs having been issued for a new Election of Representatives to meet in General Assembly on the 31st day of August, in the year of our Lord One Thousand Eight Hundred and Forty-seven, and the said General Assembly having been, by Proclamation, prorogued to this day—the Council met—

P R E S E N T—

The Honorable S. B. ROBIE, President.

The Right Reverend and Honorable the LORD BISHOP.

The Honorable MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
JOHN E. FAIRBANKS.

At two of the clock, P. M., His Excellency Lieutenant-General SIR JOHN HARVEY, Knight Commander of the Most Honorable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c., came to the Council Chamber, attended as usual, and, being seated, the Gentleman Usher of the Black Rod received His Excellency's command to let the House of Assembly know, "It is Excellency's will and pleasure they attend him immediately in this House"—who, being come, H. E. comes to Council Chamber. H. A. attend.

the President of this House said:

Gentlemen

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

II. A. directed to
choose Speaker.

I have it in command from His Excellency the Lieutenant-Governor to inform you that His Excellency will declare the causes of his calling this General Assembly, as soon as the House of Assembly have chosen a Speaker. It is therefore the pleasure of the Lieutenant-Governor that the Gentlemen of the House of Assembly do repair to the place where they usually sit, and there proceed to the choice of a Speaker, and present the person so chosen for His Excellency's approbation.

The House of Assembly then retired, and, after some time, having returned, Herbert Huntington, Esquire, Member for the County of Yarmouth, addressed His Excellency as follows:

May it please Your Excellency—

Speaker presented.

The House of Assembly, agreeably to Your Excellency's command, have proceeded to the choice of a Speaker, and have elected William Young, Esquire, Member for the County of Inverness, to that office; and, by their direction, I beg leave to present him for the approbation of Your Excellency.

To which His Excellency was pleased to say:

Mr. Young—

Accepted.

I willingly assent to the choice which this Assembly has made of you as its Speaker; and in Her Majesty's name I allow and confirm you in that high office.

Then the Speaker of the Assembly said:

May it please Your Excellency—

Speaker claims pri-
vileges.

Your Excellency's ready approval of the choice with which I have been honored by the House, having constituted me in due form the Speaker of the House of Assembly, it has now become my duty, in the name of the Representatives of Her Majesty's loyal subjects the people of this Province, respectfully to demand all their accustomed rights and privileges—that they may have freedom of speech in their debates—that they may be free from arrest during their attendance on Parliament—and that I, as their Speaker, may have free access to Your Excellency's person.

To which His Excellency replied:

Granted.

I grant the usual privileges.

Then His Excellency was pleased to open the Session with a Speech to both Houses, as follows:

Speech.

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

I have pleasure in meeting the Legislature of this ancient and loyal Colony at this the first Session of its Nineteenth General Assembly.

It will be my duty, at an early period, to lay before you a Despatch from Her Majesty's Principal Secretary of State for the Colonies, explanatory of His Lordship's views of the principles affecting the Administration of Colonial Government, as applicable to this Province, in some important particulars.

These principles cannot fail to exercise a powerful influence over the future prosperity of Nova-Scotia; and I am happy to encourage the belief that you will justly appreciate the enlightened and liberal sentiments of the Imperial Government which pervade this Despatch; and that His Lordship's expectation of the spirit in which these sentiments will be met, in this Country, will not be disappointed.

Next in interest and importance is the fact, which I am enabled to announce to you,

you, that a good and practicable Line for the projected Rail Road between this Port and Quebec, has been ascertained by the Officers to whom that Exploration was confided. I am prepared to concur with you in making the necessary provision for the payment, by this Province, of the proportion of the expenses which have attended that Exploration; and I shall be gratified to afford my aid in forwarding such measures as may be proper, consistently with the varied interests and wants of this Province, for promoting so great a National Undertaking.

I invite your early attention to a question which I regard as one of very great importance to the future interests of this Province; namely that of the surrender of the Crown Estate in Nova-Scotia to the control and management of the Local Legislature, in exchange for a Civil List.

This question was presented for consideration in a Despatch of the Secretary of State, dated 17th November, 1846, which, at the last Session, was communicated to the Legislature, and in which the views of Her Majesty's Government are fully explained.

It will be the occasion of much gratification to me if your deliberations shall lead to a final and satisfactory adjustment of this long pending negotiation.

I trust before the close of this Session to be prepared to lay before you for consideration, a proposal for the future management of the Post Office Department throughout the North American Provinces, and the regulation of the postage payable on the transmission of Letters,—a proposal which, I confidently expect, will be found conducive to the convenience and the social and the intellectual advancement of the people, and the general interests of the Province.

We have again to deplore a deficiency in the Crops; but I have reason to believe that the Fisheries have in general, during the last season, reached their ordinary productiveness; and it is gratifying to know that the Revenue paid and secured during 1847, equals in amount that of the preceding year.

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

The accounts of the Public Receipts and Expenditure during the last year will be laid before you at the earliest practicable period, and although some considerable expenses have been unavoidably incurred in consequence of an unexpected influx of Pauper Emigration, attended with much sickness, yet I do not, on that account, abstain from tendering to you my congratulations upon the comparative exemption which has been experienced by Nova Scotia during the past year, from that sad extent of calamity by which the neighbouring Provinces of Canada and New Brunswick have been, and still continue to be afflicted; but although our visitation in this respect has been comparatively slight, yet I regret to say that distress to a very considerable extent exists amongst our own Settlers, and Indians, in several parts of the Province, especially Cape Breton, in consequence of the failure of the Crops generally, but particularly of that of Potatoes.

In these cases, relief has been afforded, under such precautions for the ultimate protection of the Revenue as were in my power, to a moderate, and, it is believed, a sufficient extent, to guard against absolute destitution.

The Accounts of these Expenditures will be laid before you.

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

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

Before I leave you to your deliberations, I renew to you the assurance of my readiness at all times freely to communicate, and cordially to co-operate with you for the advancement of any object which may appear to us calculated to promote the true interests, prosperity, and happiness of Her Majesty's Loyal Subjects of Nova-Scotia.

H. A. withdraw.
H. E. retires.

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

Election of Representatives King's County Bill read 1st time.

Mr. Morton presented a Bill relating to the Election of Representatives in the County of King's County to serve in the General Assembly—which was read a first time.

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

Speech reported.

The President reported His Excellency's Speech, and the same being read by the Clerk—

Address in answer moved.

Mr. Morton moved that an Address be presented to His Excellency in answer to his Speech—which he read in his place, and afterwards delivered it to the Clerk, who read the same as follows :

TO HIS EXCELLENCY LIEUTENANT-GENERAL

SIR JOHN HARVEY,

Address

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

THE ADDRESS OF THE LEGISLATIVE COUNCIL.

MAY IT PLEASE YOUR EXCELLENCY—

We, Her Majesty's loyal subjects, the Legislative Council of Nova-Scotia, thank Your Excellency for the Speech with which you have been pleased to open the present Session of the General Assembly.

We shall receive with interest the Despatch from Her Majesty's Principal Secretary of State for the Colonies, explanatory of his views of the principles affecting the Government of this Province, and will give to it the consideration which the influence it may exert upon the future prosperity and happiness of the People of this Province, demand from us.

We learn with much satisfaction that the Exploration of a Line of Railroad between Halifax and Quebec has been finished, and that no insurmountable difficulties oppose themselves to its accomplishment. This great work will have such an important influence upon the development of the vast resources of the British North American Colonies, that we shall be most desirous of lending our aid to the perfecting of such measures as will lead to its completion, having due regard to all the varied interests and wants of this Province.

The subject of the surrender of the Crown Estate to the control and management of the Local Legislature, in exchange for a Civil List, will be considered by us with every disposition to bring to a just and proper determination, a negotiation for so many years pending between the Imperial Government and this Province, mindful alike of the rights of the Crown, and the advantage of the Colony.

We shall be happy to receive any communication on the subject of the Post Office Department, whenever Your Excellency may be able to lay it before us, and to bestow upon it that consideration, which a subject so connected with the convenience and the social and intellectual advancement of the people, claims.

We learn with deep regret that the Crops have been again deficient; but trust to that merciful Providence which has saved us from the severity of the sufferings that have been felt around us, to protect this Colony from the miseries and horrors of famine; and, while we humbly indulge this hope, we join in thankfulness for the successful result of the labours of our Fishermen; nor can we fail to rejoice that the Revenue of the Country has sustained no diminution.

It

It will be alike our duty and our happiness cordially to co-operate in every measure calculated to advance the welfare of the Province, and the true interests of its Inhabitants.

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

Ordered, That Mr. Tobin, Mr. Morton, Mr. Bell, Mr. Almon, and Mr. Brown, Com. of Privileges be appointed a Committee to consider of the Orders and Customs of this House, and Privileges of Parliament.

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

MONDAY, 24th JANUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Right Reverend and Honorable the LORD BISHOP,

The Honorable MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
JOHN E. FAIRBANKS.

PRAYERS.

The Minutes of Saturday were read.

The Address of this House in answer to the Speech of His Excellency the Lieutenant-Governor at the opening of the Session, was read a second time; and, Address read 2d and 3d time, by order, the said Address was read a third time, and the question was put by the President,

Whether this Address do pass?

It was resolved in the affirmative.

Ordered, That the said Address be presented to His Excellency the Lieutenant-Governor by the whole House. And agreed to.

Ordered, That a Committee be appointed to wait upon His Excellency the Lieutenant-Governor, and ascertain when he will be pleased to receive this House Com. to ascertain when H. E. will receive Address. with their Address.

Ordered, That Mr. Morton, Mr. Tobin, and Mr. Bell, be a Committee for that Committee. purpose.

The Committee proceeded to the Government House, and, being returned to the Council Chamber, Mr. Morton reported that His Excellency had been pleased to Report of Com. appoint the hour of Three of the clock, P. M., of this day, for receiving the said Address.

At Three of the clock, P. M., the House proceeded to the Government House House wait on H. E. with Address. with their Address, and, being returned to the Council Chamber, the President reported that His Excellency had been pleased to receive the said Address, and to make the following Reply thereto:

Mr. President, My Lord, and Honorable Gentlemen:

In Her Majesty's name I tender you my thanks for this loyal and dutiful Address, and beg to assure you that the prompt and satisfactory manner in which the Reply. Legislative Council has responded to the observations which I deemed it to consist with

with my duty to address to the General Assembly on the occasion of opening its present Session, is most gratifying to my feelings.

Adjourn.

On motion made and seconded—the House adjourned until Wednesday at Two o'clock.

WEDNESDAY, 26th JANUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Right Reverend and Honorable the LORD BISHOP,

The Honorable MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS.

PRAYERS.

The Minutes of Monday were read.

Message from H. E. with Correspondence of Ex. Council, & Earl Grey's Despatch on Col Govt.

Mr. Almon, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Despatches and Letters :

Copy of a Despatch, No. 17, dated February 2nd, 1847, from Lieutenant-Governor Sir John Harvey to Earl Grey, inclosing—

Copy of a Communication from the Members of the Executive Council to His Excellency Sir John Harvey, dated 30th January, 1847, accompanied by a Letter to His Excellency, from the Attorney General, dated 5th September, 1846.

Copy of a Despatch dated 2nd March, 1847, from the Right Hon. Earl Grey to Lieutenant-Governor Sir John Harvey.

Copy of a Despatch, No. 25, dated 31st March, 1847, from the Right Hon. Earl Grey to Lieutenant-Governor Sir John Harvey.

The said Despatches were read, and, on motion, ordered to be printed.

(*Vide Appendix No. 1.*)

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

Com. of Public Accounts of H. A.

Ordered, That Mr. McNab, Mr. Fraser, Mr. Campbell, Mr. Mignowitz, and Mr. Killam, be a Committee of this House for the purpose of examining the Public Accounts, jointly, with a Committee of the Legislative Council.

Com. of Council.

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

Adjourn.

On motion made and seconded—the House adjourned until Friday at Two o'clock.

FRIDAY,

FRIDAY, 28th JANUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President.

The Honorable MICHAEL TOBIN,
JOHN MORTON,
STAYLEY BROWN,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO.

PRAYERS.

The Minutes of Wednesday were read.

Mr. Almon rose in his place, and said :

Mr. President—

I deem it to be right to inform the House, that, in consequence of a Resolution passed in the other Branch of the Legislature on Wednesday evening last, Her Majesty's Executive Council have considered it their duty to tender to His Excellency, this morning, the resignation of their seats at the Council Board—which resignation His Excellency was pleased to accept, at the same time expressing his desire that they should retain office till their successors should be appointed; and in this position, therefore, they consider themselves now placed.

Resignation of Executive Council communicated.

On motion made and seconded—the House adjourned until Tuesday next at Two o'clock. Adjourn.

TUESDAY, 1st FEBRUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS.

PRAYERS.

The Minutes of Friday were read.

A Bill, entitled, An Act relating to the Election of Representatives in the County of King's County, to serve in the General Assembly, was read a second time. Election, King's Cy. Bill read 2d time,

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

On motion made and seconded—the House adjourned until Friday next at Two o'clock. Adjourn.

FRIDAY,

FRIDAY, 4th FEBRUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS.

PRAYERS.

The Minutes of Tuesday were read.

Adjourn

There being no business before the House—on motion made and seconded—the House adjourned until Tuesday next at Two o'clock.

TUESDAY, 8th FEBRUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,

PRAYERS.

The Minutes of Friday were read.

Com. on Bills.

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

Report Election
King's Cy. Bill
without am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act relating to the Election of Representatives in the County of King's County, to serve in the General Assembly—and had agreed to the same without any amendment.

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

Pet. of A. Gesner.

Mr. Morton presented a Petition from Abraham Gesner, praying aid towards the publication of a work he was preparing, on the Industrial Resources of Nova-Scotia—which was read, and ordered to lie on the Table.

Message from H. E.

Mr. Tobin, by the command of His Excellency the Lieutenant-Governor, laid before the House—

With Despatch rel.
to Sir R. George's
offices.

A copy of a Despatch from the Secretary of State for the Colonies, dated 31st March, 1847, relative to the Offices held by Sir Rupert George, and a compensation being made to him in case of his resigning the Office of Secretary of the Province—which was read, and ordered to lie on the Table.

(*Vide Appendix No. 2.*)

Provincial Treasurer's
Accounts.

Also, the Provincial Treasurer's Accounts for the year 1847.

(*Vide Appendix No. 3.*)

Mr.

Mr. Bell presented the Accounts of the Pooors' Asylum at Halifax for the year 1847—which were ordered to lie on the Table. Poor House Ac- counts.

On motion made and seconded—the House adjourned until Thursday at Two o'clock. Adjourn.

THURSDAY, 10th FEBRUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
MATHER B. ALMON,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS.

PRAYERS.

The Minutes of Tuesday were read.

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

TUESDAY, 15th FEBRUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
MATHER B. ALMON,
EDWARD KENNY,
JAMES D. HARRIS,

The Honorable ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS.
JAMES McNAB.

PRAYERS.

The Minutes of Thursday were read.

Mr. Tobin, by the command of His Excellency the Lieutenant-Governor, laid before the House— Message from H. E.

A Despatch from the Secretary of State for the Colonies, dated 30th September, 1847, relative to the Bill passed in the last Session of the General Assembly, relative to the disposal of Crown Lands, and the Bill relative to the Crown Land Department of this Province. With Despatch rel. to Crown Land, &c.

(*Vide Appendix No. 4.*)

Also the following Despatches and Letters relative to the Post Office :

A Despatch, dated 13th October, 1847, from the Secretary of State for the Colonies to the Lieutenant-Governor. Post Office.

A Letter, dated 9th February, 1847, from Mr. Hawes to Mr. Trevelyan.

A Letter, dated 10th September, 1847, from Mr. Trevelyan to Mr. Stephen.

A Letter, dated 18th August, 1847, from the Earl of Clanricarde, Post Master General, to the Lords Commissioners of the Treasury.

A Letter, dated 24th September, 1847, from Mr. Trevelyan to Mr. Stephen.

A Letter, dated 10th September, 1847, from the Earl of Clanricarde to the Lords Commissioners of the Treasury.

An Account of the Post Office Expenditure for Nova-Scotia.

A Letter, dated 28th August, 1847, from the Governor-General to the Lieutenant-Governor of Nova-Scotia.

(*Vide Appendix No. 5.*)

Railroad.

Also the following Despatches and Letters relative to the Railroad between Halifax and Quebec.

Despatch, 18th June, 1847, Secretary of State for the Colonies to the Lieutenant-Governor.

Despatch, 18th June, 1847, Secretary of State for the Colonies to the Governor General.

Despatch, 17th November, 1847, Secretary of State for the Colonies to the Lieutenant-Governor.

Memorandum from the Right Hon. Mr. Pakenham.

Despatch, 23d October, 1847, the Secretary of State for the Colonies to the Lieutenant-Governor.

Letter, 5th July, 1847, the Lieutenant-Governor to the Governor General.

(*Vide Appendix No. 6.*)

Light Houses.

Also a Report from the Commissioners of Light Houses.

(*Vide Appendix No. 7.*)

Indians.

Also a Report from Dr. Gesner, Commissioner for Indian Affairs.

(*Vide Appendix No. 8.*)

Casual Revenue.

Also the Account of the Treasurer of Her Majesty's Casual and Territorial Revenue for the year 1847; together with an Abstract of the Arrears due to the Public Officers whose Salaries are payable out of those Revenues.

(*Vide Appendix No. 9.*)

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

Mr. McNab introduced, and takes Oaths.

The Honorable James McNab was introduced, and presented a Commission from His Excellency the Lieutenant-Governor, appointing him a Member of the Legislative Council, provisionally, until Her Majesty's pleasure should be known—whereupon the Oath of Allegiance was administered to him by the President, (by virtue of a Commission to him for that purpose directed,) and after giving and receiving salutations to and from the Members present, his seat was assigned to him next to Mr. Fairbanks.

Message from H. E. with Estimates.

Mr. Bell, by the command of His Excellency the Lieutenant-Governor, laid before the House the Estimate for the Expenses of the Civil Government for the year 1848—which was ordered to lie on the Table.

(*Vide Appendix No. 10.*)

Petition of Acadian School.

Mr. Bell presented the Petition of the Executive Committee of the Royal Acadian School, praying aid to that Institution—which was ordered to lie on the Table.

Message from H. E. with Despatches, &c. relative to Emigration.

Mr. Tobin, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Despatches and Papers relative to Emigration:

Extract of a Despatch, dated 1st April, 1847, from Lieutenant-Governor to the Secretary of State for the Colonies.

Despatch, 29th April, 1847, Secretary of State for the Colonies to the Lieutenant-Governor.

Despatch, 14th May, 1847, Secretary of State for the Colonies to the Lieutenant-Governor, enclosing

Letter,

Letter, 7th May, 1847, from Colonial Land and Emigration Office to Mr. Stephen.

Despatch, 2d December, 1847, from Secretary of State for the Colonies to the Lieutenant-Governor, enclosing

Despatch, 1st December, 1847, from Secretary of State for the Colonies to the Governor General.

Despatch, dated 16th December, 1847, from Secretary of State for the Colonies to the Lieutenant-Governor.

Letter, dated 30th October, 1847, from S. A. Christian, President of the Royal College of Physicians, Edinburgh, to Mr. Hawes.

Letter, dated 2d November, 1847, from R. Collins, President of the King and Queen's College of Physicians in Ireland, to Mr. Hawes.

Letter, dated 5th November, 1847, from Edward Ban, Master Apothecary's Hall, to Mr. Hawes.

Letter, dated 18th November, 1847, from Benjamin Travers, President of the Royal College of Surgeons of England, to Mr. Hawes.

Letter, dated 26th November, 1847, from Colonial Land and Emigration Office to Mr. Hawes.

A List of Vessels sailing from various Ports in Great Britain and Ireland with Passengers.

(*Vide Appendix No. 11.*)

The same were ordered to lie on the Table.

On motion made and seconded—the House adjourned until Friday next, at Two o'clock.

FRIDAY, 18th FEBRUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS.

PRAYERS.

The Minutes of Tuesday were read.

A Bill, entitled, An Act relating to the Elections of Representatives in the County of King's County to serve in General Assembly, was read a third time: Elections King's Co. Bill read 3d time.

Whereupon, it was moved that the said Bill be again committed to a Committee of the whole House: which, being seconded, and the question being put, was agreed to.

Mr. Tobin, by the command of His Excellency the Lieutenant-Governor, laid before the House— Message from H. E. with

The following Despatches and Letters relative to the Coal Mines: Despatches rel. to Coal Mines.

Despatch, dated 9th January, 1848, the Secretary of State for the Colonies to the Lieutenant-Governor.

Letter, dated 28th December, 1847, Mr. Trevelyan to Mr. Hawes.

Letter, dated 26th June, 1847, Mr. Cunard to Mr. Trevelyan.

(*Vide Appendix No. 12.*)

Also

- Electric Telegraph. Also the following Despatch and Letter relative to the Electric Telegraph Company :
 • Despatch, dated 6th January, 1848, from the Secretary of State for the Colonies to the Lieutenant-Governor, enclosing
 Letter, dated 4th December, 1847, from the Office of the Commissioners of Railways, Whitehall, to Mr. Porter.
(Vide Appendix No. 13.)
- Indians. Also a Report of Dr. Gesner, Commissioner for Indian Affairs, relative to the Indians.
(Vide Appendix No. 14.)
- Copyright. Also the following Despatches and Papers relative to the Act passed in the last Session of the Legislature, to regulate the Importation of Books, and to protect the British author :
 Despatch, dated 11th December, 1847, the Secretary of State for the Colonies to the Lieutenant-Governor, enclosing
 Mr. Labouchere's observations on the New Brunswick Act ; and also
 The New Brunswick Act.
(Vide Appendix No. 15.)
- Aliens. Also the following Despatch and Paper relative to the Naturalization of Aliens, (marked Circular) :
 Despatch, dated 25th September, 1847, from the Secretary of State for the Colonies to the Lieutenant-Governor, enclosing
 Imperial Act 10th and 11th Victoria, ch. 83, for the Naturalization of Aliens.
(Vide Appendix No. 16.)
- Inter-Colonial Trade. Also the following Despatches relative to the Inter-Colonial Trade :
 Despatch, dated 26th March, 1847, from the Lieutenant-Governor of Newfoundland to the Lieutenant-Governor of Nova-Scotia.
 Despatch, dated 31st March, 1847, from the Governor General to the same.
 Despatch, dated 16th April, 1847, from the Lieutenant-Governor of New Brunswick to the same.
 Despatch, dated 4th May, 1847, from the Lieutenant-Governor of Prince Edward Island, enclosing
 A Resolution of the House of Assembly of P. E. Island.
 Despatch, dated 26th May, 1847, from the Governor General to the Lieutenant-Governor.
 Despatch, dated 19th June, 1847, from the Lieutenant-Governor of New Brunswick to the same.
(Vide Appendix No. 17.)
- Order in Council. Also an Order in Council, dated 22nd November, 1847, confirming seventy-two Acts passed in the last Session of the Legislature.
(Vide Appendix No. 18.)
- Ditto. Also an Order in Council, dated 22nd November, 1847, confirming two Acts passed in the last Session of the Legislature.
(Vide Appendix No. 19.)
- Trade, Customs, and Post Office. Also a Despatch dated 31st December, 1846, from the Secretary of State for the Colonies to the Governor General, relative to the Inter-Colonial Trade, Customs, and Post Office.
(Vide Appendix No. 20.)
- Prov. Penitentiary. Also an Abstract of the Accounts, and a List of the Prisoners in the Provincial Penitentiary

Penitentiary in the year 1847, and Estimate of the expenses of that Establishment for the year 1848.

The same were read, and ordered to lie on the Table.

Mr. Bell produced a copy of a Letter, dated 15th April, 1847, addressed by him to the Secretary of State for the Colonies, relative to the Coal Mines, which is referred to in the Despatch of the Colonial Secretary this day transmitted by the Lieutenant-Governor. Mr. Bell's Letter to Col. Secretary rel. to Coal Mines.

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

(Vide Appendix No. 21.)

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

A Bill, entitled, An Act to Naturalize Frederick Mantovani, Doctor of Laws of the University of Pavia. Dr. Mantovani's, and

A Bill, entitled, An Act in further amendment of the Act concerning the performance of Statute Labour on Highways. Statute Labor Bills,

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Ordered, That the first Bill be referred to a Select Committee to examine and report upon. Read 1st time.
Dr. Mantovani's Bill ref. to Sel. Com.

Ordered, That Mr. Almon, Mr Bell, and Mr. Fairbanks, be a Committee for that purpose. Committee.

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

On motion, the House was adjourned, during pleasure, and put into Committee on a Bill, entitled, An Act relating to the Election of Representatives in the County of King's County, to serve in the General Assembly.—After some time the House was resumed, and Mr. Tobin reported that the Committee had gone through the said Bill, and had made two amendments thereto. Election King's Co. Bill committed
And amended.

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

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

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

TUESDAY, 22d FEBRUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Right Reverend and Honorable the LORD BISHOP,

The Honorable MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. MCDUGALL,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES MCNAB.

PRAYERS.

The Minutes of Friday were read.

A Bill, entitled, An Act relating to the Elections of Representatives in the County of King's County to serve in the General Assembly, was read a third time, and the question was put by the President, Elections, King's Co. Bill read 3d time,

Whether this Bill shall pass ?
 It was resolved in the affirmative.

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

Statute Labour Bill
 read 2d time, A Bill, entitled, An Act in further amendment of the Act concerning the per-
 And ord. to Com. formance of Statute Labor on Highways, was read a second time.
 S. O. S. Ordered, That the said Bill be committed to a Committee of the whole House.
 Resolved unanimously, That the Standing Order of this House, Number 72,
 relative to Bills not being read or proceeded with twice in the same day, be sus-
 pended as respects the said Bill.

Bill committed. On motion, the House was adjourned, during pleasure, and put into a Commit-
 tee on the said Bill.—After some time the House was resumed, and Mr. Morton
 Rep. without Am. reported that the Committee had gone through the said Bill, and had agreed to the
 same without any amendment.

Read 3d time, The said Bill was then read a third time, and the question was put by the Pre-
 sident,
 Whether this Bill shall pass ?
 It was resolved in the affirmative.

Agreed to,
 And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
 To return the said Bill, and acquaint them that this House have agreed to the
 same, without any amendment.

Com. on Dr. Manto- Mr. Almon, the Chairman of the Committee to whom a Bill, entitled, An Act
 vani's Bill, report. to Naturalize Frederick Mantovani, Doctor of Laws of the University of Pavia,
 was referred, reported that the Committee had examined the said Bill, and recom-
 mended it to the favourable consideration of the House.

Bill read 2d time, The said Bill was read a second time.
 And ord. to Com. Ordered, That the said Bill be committed to a Committee of the whole House.
 S. O. S. Resolved unanimously, That the Standing Order of this House, Number 72,
 relative to Bills not being read or proceeded with twice in the same day, be sus-
 pended as respects the said Bill.

Bill committed. On motion, the House was adjourned, during pleasure, and put into a Committee
 on the said Bill.—After some time the House was resumed, and Mr. Morton report-
 ed that the Committee had made some progress.

Report progress.
 Adjourn. On motion made and seconded—the House adjourned until Friday next, at Two
 o'clock.

FRIDAY, 25th FEBRUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Right Reverend and Honorable the LORD BISHOP,

The Honorable MICHAEL TOBIN,
 JOHN MORTON,
 HUGH BELL,
 STAYLEY BROWN,
 ALEXR. MCDUGALL,
 MATHER B. ALMON,
 EDWARD KENNY,

The Honorable JAMES D. HARRIS,
 ALEXANDER KEITH,
 WILLIAM A. BLACK,
 DAVID CRICHTON,
 HENRY G. PINEO,
 JOHN E. FAIRBANKS,
 JAMES MCNAB.

PRAYERS.

The Minutes of Tuesday were read.

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

1. A Bill, entitled, An Act additional to the Act for dividing the Township of Douglas Poor Douglas into separate Districts for the support of the Poor.

2. A Bill, entitled, An Act to regulate the Importation of Books, and to protect the British Author. Importation of Books.

3. A Bill, entitled, An Act to repeal so much of the Act respecting Commissioners of Streets as relates to the Village of Antigonishe. Streets, Antigonishe.

4. A Bill, entitled, An Act in further amendment of the Act for the encouragement of Schools. Schools.

5. A Bill, entitled, An Act in amendment of the Act to establish the Toll to be taken at Grist Mills. Toll, Grist Mills, &

6. A Bill, entitled, An Act to Incorporate the Navigation and Commercial Company of Liverpool, Nova-Scotia. Navigation Compy. Liverpool Bills.

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Ordered, That the first Bill be referred to a Select Committee, to examine and report upon. Douglas Poor Bill ref. to Sel. Com.

Ordered, That Mr. McDougall, Mr. Harris, and Mr. McNab, be a Committee for that purpose. Committee.

Ordered, That the second Bill be referred to a Select Committee, to examine and report upon. Incorporation of Books Bills ref. to Sel. Com.

Ordered, That Mr. Almon, Mr. McDougall, and Mr. Bell, be a Committee for that purpose. Committee.

Ordered, That the third Bill be referred to a Select Committee, to examine and report upon. Streets Antigonishe Bill ref. to Sel. Com.

Ordered, That Mr. McDougall, Mr. Fairbanks, and Mr. Bell, be a Committee for that purpose. Committee.

Ordered, That the fourth and fifth Bills be read a second time at a future day. Schools & Grist Mill Bills to be read 2d time.

Ordered, That the sixth Bill be referred to a Select Committee, to examine and report upon. Com. Compy. Liverpool Bill ref. to Sel. Com.

Ordered, That Mr. Kenny, Mr. Black, and Mr. Brown, be a Committee for that purpose. Committee.

Mr. Tobin, by the command of His Excellency the Lieutenant-Governor, laid before the House— Message from H. E. with

The following Despatch and Report relative to the mode of keeping the Colonial Accounts : Despatch in rel. to Colonial Accounts.

Despatch, dated 27th September, 1847, (marked Circular,) the Secretary of State for the Colonies to the Lieutenant-Governor, enclosing

A Report of a Committee of the House of Commons, relative to the mode of keeping the Colonial Accounts.

(Vide Appendix No. 22.)

Also a Despatch, dated 20th December, 1847, (marked Circular,) from the Secretary of State for the Colonies to the Lieutenant-Governor, relative to the rank and titles of the Roman Catholic Prelates in the Colonies. Roman Catholic Prelates.

(Vide Appendix No. 23.)

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

Mr. Fairbanks presented a Bill, entitled, An Act to limit the responsibility of Co-partners in certain cases—which was read a first time. Limited Co-partnerships' Bill read 1st time.

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

On motion, the House was adjourned, during pleasure, and put into a Committee

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

1. A Bill, entitled, An Act additional to the Act for dividing the Township of Douglas Poor Douglas into separate Districts for the support of the Poor.
2. A Bill, entitled, An Act to regulate the Importation of Books, and to protect the British Author. Importation of Books.
3. A Bill, entitled, An Act to repeal so much of the Act respecting Commissioners of Streets as relates to the Village of Antigonishe. Streets, Antigonishe.
4. A Bill, entitled, An Act in further amendment of the Act for the encouragement of Schools. Schools.
5. A Bill, entitled, An Act in amendment of the Act to establish the Toll to be taken at Grist Mills. Toll, Grist Mills, &
6. A Bill, entitled, An Act to Incorporate the Navigation and Commercial Company of Liverpool, Nova-Scotia. Navigation Compy. Liverpool Bills.

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Ordered, That the first Bill be referred to a Select Committee, to examine and report upon. Douglas Poor Bill ref. to Sel. Com.

Ordered, That Mr. McDougall, Mr. Harris, and Mr. McNab, be a Committee for that purpose. Committee.

Ordered, That the second Bill be referred to a Select Committee, to examine and report upon. Incorporation of Books Bills ref. to Sel. Com.

Ordered, That Mr. Almon, Mr. McDougall, and Mr. Bell, be a Committee for that purpose. Committee.

Ordered, That the third Bill be referred to a Select Committee, to examine and report upon. Streets Antigonishe Bill ref. to Sel. Com.

Ordered, That Mr. McDougall, Mr. Fairbanks, and Mr. Bell, be a Committee for that purpose. Committee.

Ordered, That the fourth and fifth Bills be read a second time at a future day. Schools & Grist Mill Bills to be read 2d time.

Ordered, That the sixth Bill be referred to a Select Committee, to examine and report upon. Com. Compy. Liverpool Bill ref. to Sel. Com.

Ordered, That Mr. Kenny, Mr. Black, and Mr. Brown, be a Committee for that purpose. Committee.

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(Vide Appendix No. 23.)

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

Mr. Fairbanks presented a Bill, entitled, An Act to limit the responsibility of Co-partners in certain cases—which was read a first time. Limited Co-partnerships' Bill read 1st time.

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

On motion, the House was adjourned, during pleasure, and put into a Committee

D. Mantovani's Bill committed.

Amended.

Amdt. read,

tee for the further consideration of a Bill, entitled, An Act to Naturalize Frederick Mantovani, Doctor of Laws of the University of Pavia.—After some time the House was resumed, and Mr. Morton reported that the Committee had gone through the said Bill, and had made several amendments thereto.

The amendments were read by the Clerk, as follows :

IN THE PREAMBLE.

4th line.—Instead of the word "become," insert the words, "be entitled to the rights of."

5th line.—After the word "of," insert the words, "Her Majesty within."

6th to 9th lines.—Leave out the words, "employed for the last five years, or thereabouts, as Professor of Modern Languages in the University of King's College at Windsor, in this Province," and insert instead the following words: "honorably and usefully engaged, for the last five years, in the University of King's College at Windsor, where he has diligently fulfilled the duties allotted to him, by communicating valuable knowledge in Modern Languages and Literature."

14th line.—Instead of the word "Persuasion," insert the word "Church."

IN THE CLAUSE.

9th line.—Leave out the words "natural born."

And agreed to.

Motion to recommit Bill.

And the said amendments being read a second time, were agreed to by the House. Whereupon, Mr. Tobin moved that the said Bill be recommitted for the purpose of amending the same, by leaving out the last Preamble—which Preamble is as follows: "*And whereas*, the said Frederick Mantovani professes to be a member of the Roman Catholic Persuasion": which, being seconded, and the question being put, there appeared, for the motion, three; against the motion, ten.

Negatived.

For the motion—

Mr. Tobin,
" Bell,
" Brown.

Against the motion—

Mr. Kenny,	Mr. Fairbanks,
" McNab,	" Pineo,
" Harris,	" Almon,
" McDougall,	" Crichton,
" Keith,	The Lord Bishop.

So it passed in the negative.

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

Adjourn.

On motion made and seconded—the House adjourned until Tuesday next, at Two o'clock.

TUESDAY, 29th FEBRUARY, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable MICHAEL TOBIN,
JOHN MORTON,
STAYLEY BROWN,
ALEXR. McDUGALL,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES MCNAB.

PRAYERS.

The Minutes of Friday were read.

Dr. Mantovani's Bill read 3d time.

A Bill, entitled, An Act to Naturalize Frederick Mantovani, Doctor of Laws of the University of Pavia—was read a third time, and the question was put by the President,

Whether

Whether this Bill, with the amendments, shall pass ?

It was resolved in the affirmative.

Agreed to with am.

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

And sent to H. A.

To return the said Bill, and acquaint them that this House have agreed to the same, with amendments, to which amendments their concurrence is desired.

A Bill, entitled, An Act to limit the responsibility of Co-partners, in certain Co-partners, cases ; also,

A Bill, entitled, An Act in further amendment of the Act for the encourage- ment of Schools ; also,

A Bill, entitled, An Act in amendment of the Act to establish the Toll to be taken at Grist Mills.

Read 2nd time,

Were read a second time.

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

And ordered to Com.

Mr. Pineo presented a Petition from the Rev. W. B. King and others, praying immediate relief for the destitute Poor at Parrsborough—which was read, and ordered to lie on the Table.

Petition of W. B. King and al.

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

A Bill, entitled, An Act to amend the Act further to improve the Administra- tion of the Law.

Administration of Law,

A Bill, entitled, An Act to continue the Act additional concerning Nuisances.

Nuisances,

A Bill, entitled, An Act to continue the Act in relation to the support of the Poor in certain parts of the Township of Egerton.

Poor, Egerton,

A Bill, entitled, An Act to continue the Act in relation to the gathering of Sea Manure in the Township of Digby.

Sea Manure, Digby,

A Bill, entitled, An Act to continue the Act for dividing the Township of Digby into separate Districts for the support of the Poor.

Poor, Digby,

A Bill, entitled, An Act to continue the Act to make regulations to prevent Geese going at large.

Geese,

A Bill, entitled, An Act to continue the Acts for Regulating the Militia.

Militia,

A Bill, entitled, An Act to continue the Act to Incorporate Agricultural So- cieties.

Agricultural So- cieties,

A Bill, entitled, An Act to continue the Act in relation to the expenditure of Public Monies on the Highways.

Monies on High- ways, and

A Bill, entitled, An Act to continue the Act relating to Marriage Licenses.

Marriage License Bills.

Resolved, That out of the sum of Three Hundred Pounds appropriated last Session for the service of the Main Shore Road in the County of Halifax, and remaining undrawn, in consequence of the Loan therein contemplated not having been obtained, the sum of One Hundred and Sixty-three Pounds Six Shillings and Nine-pence, be applied and appropriated as follows :

£163 6s. 9d. change of appropriation Road in Halifax Co.

To pay David Annand an over-expenditure on the new Musquodoboit Road to Corbet's Road, near Gay's River,	£19 5 0
“ James Kerr, amount expended by him on the Main Road from Halifax to Musquodoboit,	11 6 9
“ James Kelly, amount expended by him on the new Guysborough Road, from James Kerr's to Pollock's,	10 15 0
“ Lauchlin McQuarry, Twelve Pounds expended in rebuilding and repairing certain Bridges,	12 0 0
“ Sir Rupert D. George, amount advanced to the Reverend Mr. Kennedy for relief of distressed persons at Chizetcook,	10 0 0

L. C. 6

To

To repay amount advanced for relief of distressed Settlers during the last year, £100 0 0

£163 6 9

Read 1st time.

To which Bills and Resolution they desired the concurrence of this House. The same were read a first time.

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

Adjourns

On motion made and seconded—the House adjourned until Friday next, at Two o'clock.

FRIDAY, 3rd MARCH, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable ALEXR. CAMPBELL,	The Honorable JAMES D. HARRIS,
MICHAEL TOBIN,	ALEXANDER KEITH,
JOHN MORTON,	WILLIAM A. BLACK,
HUGH BELL,	DAVID CRICHTON,
STAYLEY BROWN,	HENRY G. PINEO,
ALEXR. MCDUGALL,	JOHN E. FAIRBANKS,
MATHER B. ALMON,	JAMES MCNAB.
EDWARD KENNY,	

PRAYERS.

The Minutes of Tuesday were read.

Administration of Law,

A Bill, entitled, An Act to amend the Act further to improve the Administration of the Law ; also,

Nuisances,

A Bill, entitled, An Act to continue the Act additional concerning Nuisances ; also,

Poor, Egerton,

A Bill, entitled, An Act to continue the Act in relation to the support of the Poor in certain parts of the Township of Egerton ; also,

Sea Manure, Digby,

A Bill, entitled, An Act to continue the Act in relation to the gathering of Sea Manure in the Township of Digby ; also,

Poor, Digby,

A Bill, entitled, An Act to continue the Act for dividing the Township of Digby into separate Districts for the support of the Poor ; also,

Geese,

A Bill, entitled, An Act to continue the Act to make regulations to prevent Geese going at large ; also,

Militia,

A Bill, entitled, An Act to continue the Acts for regulating the Militia ; also,

Agricultural Societies,

A Bill, entitled, An Act to continue the Act to Incorporate Agricultural Societies ; also,

Monies on Highways, and

A Bill, entitled, An Act to continue the Act in relation to the expenditure of Public Monies on Highways ; also,

Marriage License Bills,

A Bill, entitled, An Act to continue the Act relating to Marriage Licenses—

Read 2d time,

Were read a second time.

And ord. to Com.

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

Rep. of Com. on Public Accounts.

Mr. Tobin, the Chairman of the Committee of this House appointed to join a Committee of the House of Assembly to examine the Public Accounts, made his Report, which he read in his place.

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

(Vide Appendix No. 24.)

On

On motion, *ordered*, that a Bill, entitled, An Act to amend the Act further to improve the Administration of the Law, be referred to a Select Committee to examine and report upon. Administration of Law Bill ref. to Sel. Com.

Ordered, That Mr. McDougall, Mr. Morton, and Mr. Fairbanks, be a Committee for that purpose. Committee.

Mr. Almon, the Chairman of the Committee to whom a Bill, entitled, An Act to regulate the Importation of Books, and to protect the British Author, was referred, reported that the Committee had examined the said Bill, and proposed some amendments thereto, and recommended it to the favourable consideration of the House. Com. on Importation of Books Bill, rep.

The said Bill was read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House at a future day. Bill read 2d time, And ord. to Com.

Resolved unanimously, That the Standing Order of this House, Number 72, s. o. s. relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills now before the Committee.

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act in amendment of the Act to establish the Toll to be taken at Grist Mills, and had directed him to report that it was the opinion of the Committee that the said Bill should be referred to a Select Committee, to examine and report upon. Recommend Toll at Grist Mills Bill be ref. to Sel. Com.

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

Ordered, That Mr. Morton, Mr. Black, Mr. Bell, and Mr. Brown, be a Committee for that purpose. Committee.

The Chairman also reported that the Committee had gone through,

A Bill, entitled, An Act in further amendment of the Act for the encouragement of Schools; also, Report—Schools,

A Bill, entitled, An Act to continue the Act additional concerning Nuisances; also, Nuisances,

A Bill, entitled, An Act to continue the Act in relation to the support of the Poor in certain parts of the Township of Egerton; also, Poor, Egerton,

A Bill, entitled, An Act to continue the Act in relation to the gathering of Sea Manure in the Township of Digby; also, Sea Manure, Digby,

A Bill, entitled, An Act to continue the Act for dividing the Township of Digby into separate Districts for the support of the Poor; also, Poor, Digby,

A Bill, entitled, An Act to continue the Act to make regulations to prevent Geese going at large; also, Geese,

A Bill, entitled, An Act to continue the Acts for regulating the Militia; also, Militia,

A Bill, entitled, An Act to continue the Act to Incorporate Agricultural Societies; also, Agricultural Societies,

A Bill, entitled, An Act to continue the Act in relation to the expenditure of Public Monies on Highways; also, Public Monies on Highways, and

A Bill, entitled, An Act to continue the Act relating to Marriage Licenses. Marriage License Bills,

And had agreed to the same without any amendment. Without am.

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

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to limit the responsibility of Co-partners in certain cases, and had made an amendment thereto. Rep. Co-partner's Bill with am.

Which

- Am. agreed to. Which amendment being read twice by the Clerk, was agreed to by the House.
Ordered, That the said Bill be engrossed, and read a third time at a future day.
- Message from H. E. Mr. Tobin, by the command of His Excellency the Lieutenant-Governor, laid
with before the House—
- Blue Book. The Blue Book for the year 1846.
- Despatch rel. to Also a Despatch, dated 7th February, 1848, from the Secretary of State for the
Railway expenses. Colonies to the Lieutenant-Governor, relative to the expenses of the Survey of a
Line of Railway from Halifax to Quebec—which was read, and ordered to lie on
the Table.

(*Vide Appendix No. 25.*)

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

MONDAY, 6th MARCH, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable ALEXR. CAMPBELL,	The Honorable JAMES D. HARRIS,
MICHAEL TOBIN,	ALEXANDER KEITH,
JOHN MORTON,	WILLIAM A. BLACK,
HUGH BELL,	DAVID CRICHTON,
STAYLEY BROWN,	HENRY G. PINEO,
ALEXR. MCDUGALL,	JOHN E. FAIRBANKS,
MATHER B. ALMON,	JAMES McNAB.
EDWARD KENNY,	

PRAYERS.

The Minutes of Friday were read.

- Co-partners Bill read 3d time, A Bill, entitled, An Act to limit the responsibility of Co-partners, in certain cases—was read a third time, and the question was put by the President,
Whether this Bill shall pass ?
- Agreed to, It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To carry down the said Bill, and desire their concurrence thereto.
- Schools, A Bill, entitled, An Act in further amendment of the Act for the encouragement
of Schools ; also,
- Nuisances, A Bill, entitled, An Act to continue the Act additional concerning Nuisances ;
also,
- Poor, Egerton, A Bill, entitled, An Act to continue the Act in relation to the support of the
Poor in certain parts of the Township of Egerton ; also,
- Sea Manure, Digby, A Bill, entitled, An Act to continue the Act in relation to the gathering of Sea
Manure in the Township of Digby ; also,
- Poor, Digby, A Bill, entitled, An Act to continue the Act for dividing the Township of Digby
into separate Districts for the support of the Poor ; also,
- Geese, A Bill, entitled, An Act to continue the Act to make regulations to prevent
Geese going at large ; also,
- Militia, A Bill, entitled, An Act to continue the Acts for regulating the Militia ; also,
- Agricultural So- A Bill, entitled, An Act to continue the Act to Incorporate Agricultural So-
cieties, cieties ; also,
- Public Monies on Highways, and A Bill, entitled, An Act to continue the Act in relation to the expenditure of
Public Monies on Highways ; also,

A Bill, entitled, An Act to continue the Act relating to Marriage Licenses—
Were read a third time, and the question was put by the President,
Whether this Bill shall pass ?

Marriage License
Bills,
Read 3d time,

It was resolved in the affirmative.

Agreed to,
And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,
To return the said Bills, and acquaint them that this House have agreed to the
same, without any amendment.

Mr. Bell presented the Petition of Andrew Henderson, praying aid to his School
near Annapolis—which was ordered to lie on the Table.

Pet. of A. Henderson.

Mr. McDougall, the Chairman of the Committee to whom a Bill, entitled, An
Act to amend the Act further to improve the Administration of the Law, was refer-
red, reported that the Committee had examined the said Bill, and recommended it
to the favourable consideration of the House.

Com. on Administra-
tion of Law Bill
rep.

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

Bill ord. to Com.

Mr. Morton, the Chairman of the Committee to whom a Bill, entitled, An Act
in amendment of the Act to establish the Toll to be taken at Grist Mills, was re-
ferred, reported that the Committee had examined the said Bill, and proposed an
amendment thereto, and recommended the same to the favourable consideration of
the House.

Com. on Toll Grist
Mills Bill rep.

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

Bill again ord. to
Com.

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

A Bill, entitled, An Act further to amend the Act for the Summary Trial of
Actions before Justices of the Peace.

Summary Trials be-
fore J. P. Bill.

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

£20,000 Roads and
Bridges.

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

The same were read a first time.

Read 1st time.

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

Mr. Kenny, the Chairman of the Committee to whom a Bill, entitled, An Act
to Incorporate the Navigation and Commercial Company of Liverpool, Nova-Scotia,
was referred, reported that the Committee had examined the said Bill, and recom-
mended it to the favourable consideration of the House.

Com. on Nav. Co.
Liverpool Bill rep.

The said Bill was read a second time.

Read 2nd time,

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

And ordered to Com.

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

Com. on Bills.

The Chairman also reported that the Committee had gone through a Bill, en-
titled, An Act to amend the Act further to improve the Administration of the Law,
and had agreed to the same without any amendment.

Rep. Administration
of Law Bill with-
out am.

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

The Chairman also reported that the Committee had gone through a Bill, enti-
tled, An Act to regulate the Importation of Books, and to protect the British
Author, and had made two amendments thereto.

Rep. Importation of
Books Bill with
am.

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

Am. read,

SECOND CLAUSE.

3rd line.—After the word “bound” leave out the word “or.”
After the word “covers,” insert the words “or in sheets.”

And agreed to.

And the said amendments being read a second time, were agreed to by the House.
Ordered, That the said Bill be read a third time at a future day.

Report Toll at
Grist Mills Bill
with am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act in amendment of the Act to establish the Toll to be taken at Grist Mills, and had made an amendment thereto.

Am. read,

The said amendment was read by the Clerk, as follows :

At the end of the Bill insert the following clause—

And be it enacted, That this Act shall continue and be in force for five years, and from thence to the end of the then next Session of the General Assembly.

And agreed to.

And the said amendment being read a second time, were agreed to by the House.

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

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

Immigrant Bill,

A Bill, entitled, An Act to regulate Immigrant Vessels and Passengers.

To which Bills they desired the concurrence of this House.

Read 1st time,

The said Bill was read a first time.

And ref. to Sel. Com.

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

Committee.

Ordered, That Mr. Brown, Mr. Crichton, Mr. McNab, and Mr. McDougall, be a Committee for that purpose.

Adjourn.

On motion made and seconded—the House adjourned until Wednesday next, at Two o'clock.

WEDNESDAY, 8th MARCH, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable ALEXR. CAMPBELL,

The Honorable JAMES D. HARRIS,¹

MICHAEL TOBIN,

ALEXANDER KEITH,

JOHN MORTON,

WILLIAM A. BLACK,

HUGH BELL,

DAVID CRICHTON,

STAYLEY BROWN,

HENRY G. PINEO,

ALEXR. MCDUGALL,

JOHN E. FAIRBANKS,

MATHER B. ALMON,

JAMES McNAB.

EDWARD KENNY,

PRAYERS.

The Minutes of Monday were read.

Administration of
Law Bill read 3d
time,

A Bill, entitled, An Act to amend the Act further to improve the Administration of the Law—was read a third time, and the question was put by the President,

Whether this Bill shall pass ?

Agreed to,

It was resolved in the affirmative.

And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.

Importation of Books
Bill read 3d time.

A Bill, entitled, An Act to regulate the Importation of Books, and to protect the British Author—was read a third time, and the question was put by the President,

Whether

Whether this Bill, with the amendments, shall pass ?

Whereupon, it was moved that the amendments made by this House to the said Bill be not adhered to, but that the said Bill be agreed to as originally sent up : which, being seconded, and the question being put, passed in the affirmative.

Motion not to adhere to am. agreed to,

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

And Bill sent to H. A.

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

A Bill, entitled, An Act in amendment of the Act to establish the Toll to be taken at Grist Mills—was read a third time, and the question was put by the President,

Toll Grist Mills Bill read 3d time.

Whether this Bill, with the amendment, shall pass ?

It was resolved in the affirmative.

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

Agreed to,

And sent to H. A.

To return the said Bill, and acquaint them that this House have agreed to the same, with an amendment, to which amendment their concurrence is desired.

A Bill, entitled, An Act further to amend the Act for the Summary Trial of Actions before Justices of the Peace—was read a second time.

Sum. Trials before J. P.'s Bill read 2nd time, And ord. to Com.

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

The Resolution for granting the sum of Twenty Thousand Pounds for the service of Roads and Bridges for the present year—was read a second time, and the question was put by the President,

£20,000 Roads and Bridges, read 2nd time.

Whether this Resolution shall be agreed to ?

It was resolved in the affirmative.

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

Agreed to, and Sent to H. A.

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

Mr. Brown, the Chairman of the Committee to whom a Bill, entitled, An Act to regulate Immigrant Vessels and Passengers was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.

Com. on Immigrant Vessels Bill rep.

The said Bill was read a second time.

Bill read 2d time,

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

And ord. to Com.

Resolved unanimously, That the Standing Order of this House, Number 72, s. o. s. relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills now before the Committee of the whole House.

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

Com. on Bills.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to Incorporate the Navigation and Commercial Company of Liverpool, Nova-Scotia, and had made an amendment thereto.

Rep. on Nav. Co. Liverpool Bill with am.

The said amendment was read by the Clerk, as follows :

Am. read,

SECOND CLAUSE.

7th and 8th lines.—Leave out the words “ in arithmetical progression, beginning with Number One,” and insert instead the words “ from Number One to Number Sixty-four, in regular succession.”

And the said amendment being read a second time, was agreed to by the House.

And agreed to.

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

The

Rep. Sum. Trials J.
P. Bill with am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act further to amend the Act for the Summary Trial of Actions before Justices of the Peace, and had made an amendment thereto.

Am. read.

The said amendment was read by the Clerk, as follows :

FIRST CLAUSE.

4th, 5th, and 6th lines.—Leave out the words “in the Counties of Cape-Breton, Richmond, or Inverness, respectively.”

And agreed to.

And the said amendment being read a second time, was agreed to by the House. Ordered, That the said Bill be read a third time at a future day.

Adjourn

On motion made and seconded—the House adjourned until Friday next, at Two o'clock.

FRIDAY, 10th MARCH, 1848.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable S. B. ROBIE, President,

The Honorable ALEXR. CAMPBELL,
MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. McDougall,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES McNAB.

PRAYERS.

The Minutes of Wednesday were read.

Nav. Co. Liverpool
Bill read 3d time.

A Bill, entitled, An Act to Incorporate the Navigation and Commercial Company of Liverpool, Nova-Scotia—was read a third time, and the question was put by the President,

Agreed to with am.

Whether this Bill, with the amendment, shall pass ?

And sent to H. A.

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the same, with an amendment—to which amendment their concurrence is desired.

Sum. Trials J. P.
Bill read 3d time.

A Bill, entitled, An Act further to amend the Act for the Summary Trial of Actions before Justices of the Peace—was read a third time, and the question was put by the President,

Motion to defer 3
months neg.

Whether this Bill, with the amendment, shall pass ?

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

Question put.

Then the question was put—Whether this Bill, with the amendment, shall pass ?

Bill agreed to with
am.

It was resolved in the affirmative.

And sent to H. A.

A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the same, with an amendment—to which amendment their concurrence is desired.

Com. on Bills.

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

Rep. Immigration
Bill without am.

The Chairman also reported that the Committee had gone through a Bill, entitled,

ted, An Act to regulate Immigrant Vessels and Passengers, and had agreed to the same, without any amendment.

Resolved unanimously, That the Standing Order of this House, Number 72, s. o. s. relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the said Bill.

The said Bill was read a third time, and the question was put by the President, *Bill read 3d time.*

Whether this Bill shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk, *Agreed to,*
To return the said Bill, and acquaint them that this House have agreed to the same, without any amendment. *And sent to H. A.*

A Message was brought from the House of Assembly by Mr. Whidden, *H. A. agree to am.*
To inform the House that the House of Assembly agreed to the amendment pro- *to Tolls Grist Mills*
posed by this House to a Bill, entitled, An Act to establish the Toll to be taken at *and*
Grist Mills.

Also to the amendment proposed by this House to a Bill, entitled, An Act to *Nav. Co. Liverpool*
incorporate the Navigation and Commercial Company of Liverpool, Nova-Scotia. *Bills.*

The said Bills were then read, as amended, and the question was put by the Pre- *Bills finally agreed*
sident on each Bill, *to,*

Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

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

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

MONDAY, 13th MARCH, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable ALEXR. CAMPBELL,
MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. McDOUGALL,

The Honorable MATHER B. ALMON,
ALEXANDER KEITH,
DAVID CRICHTON,
JOHN E. FAIRBANKS.

PRAYERS.

The Minutes of Friday were read.

On motion made and seconded—the House adjourned until Wednesday next, at *Adjourn.*
Two o'clock.

WEDNESDAY, 15th MARCH, 1848.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. ROBIE, President,

The Honorable ALEXR. CAMPBELL,
MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. MCDUGALL,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES MCNAB.

PRAYERS.

The Minutes of Monday were read.

A Message was brought from the House of Assembly by Mr. Whidden,
To inform the House that the House of Assembly agreed to the amendment proposed by this House to a Bill, entitled, An Act further to amend the Act for the Summary Trial of Actions before Justices of the Peace.

Also with the following Bills and Resolution :

1. A Bill, entitled, An Act to set off a part of the Township of Shelburne as a separate District for the support of the Poor.

2. A Bill, entitled, An Act additional to the Act for regulating the Dartmouth Common.

3. A Bill, entitled, An Act to continue and alter the Act to regulate the Harbor of Saint Mary's.

4. A Bill, entitled, An Act to amend the Act to make provision for a Harbor Master at Spanish River, Cape Breton.

5. A Bill, entitled, An Act to continue and amend the Act to prevent obstructions to the Ferry across the Harbor of Halifax.

Resolved, That the sum of Twenty Pounds, granted last Session for the repair of the Road from Jesse Oak's Line to Salmon River, second Division, in the County of Digby, and remaining undrawn, be laid out and expended on the Road between the Farm of Baptiste Sonia and that of Peter Godet, and from thence to the Tusket Road in Clare.

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

The said Bills and Resolution were read a first time.

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

Ordered, That Mr. Brown, Mr. Morton, and Mr. Crichton, be a Committee for that purpose.

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

Ordered, That the three last Bills be referred to a Select Committee, to examine and report upon.

Ordered, That Mr. McNab, Mr. Tobin, and Mr. McDougall, be a Committee for that purpose.

The Resolution changing the appropriation of the sum of £20 on a Road in the County of Digby—was, by order, read a second time, and the question was put by the President,

Whether this Resolution be agreed to ?

It was resolved in the affirmative.

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

H. A. agree to am.
Summary Trials
J. P. Bill.

Poor, Shelburne,

Common, Dartmouth,

Harbor, St. Mary's,

Harbor Master Spanish River,

Ferry, Halifax,

£20 change of appropriation, Digby,

Read 1st time,

Poor, Shelburne, Bill ref. to Sel. Com.

Committee.

Common, Dartmouth Bill to be read 2nd time.

St. Mary's Harbor, Spanish River, & Ferry, Halifax, Bills ref. to Sel. Com.

Committee.

£20 change of appropriation, Digby, read 2nd time.

Agreed to,

And sent to H. A.

To

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

A Bill, entitled, An Act further to amend the Act for the Summary Trial of Actions before Justices of the Peace—was read as amended, and the question was put by the President, Sum. Trials J. P. Bill,

Whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them therewith. Finally agreed to, And sent to H. A.

The Resolution for changing the appropriation of the sum of £163 6s. 9d. for a Road in the County of Halifax—was read a second time, and the question was put by the President, £163 6s. 9d. change appropriation, Halifax, read 2d time.

Whether this Resolution be agreed to ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk, To return the said Resolution, and acquaint them that this House have agreed to the same, without any amendment. Agreed to, and Sent to H. A.

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

THURSDAY, 16th MARCH, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable WILLIAM RUDOLF,
ALEXR. CAMPBELL,
MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. MCDUGALL,
MATHER B. ALMON,

The Honorable EDWARD KENNY,
JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES McNAB.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act additional to the Act for regulating the Dartmouth Common, was read a second time. Common, Dartmouth, Bill read 2d time,

Ordered, That the said Bill be committed to a Committee of the whole House at a future time. And ord. to Com.

Mr. Brown, the Chairman of the Committee to whom a Bill, entitled, An Act to set off a part of the Township of Shelburne as a separate District for the support of the Poor, was referred, reported that the Committee had examined the said Bill, and recommended it to the favourable consideration of the House. Com. on Poor, Shelburne, Bill, rep.

The said Bill was read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House at a future time. Bill read 2d time, And ord. to Com.

Mr. McDougall, (in the absence of Mr. McNab), from the Committee to whom a Bill, entitled, An Act to continue and amend the Act to prevent obstructions to the Ferry across the Harbour of Halifax ; also, Com. on Ferry, Halifax,

Harbor Master, Spanish River, and	A Bill, entitled, An Act to amend the Act to make provision for a Harbor Master at Spanish River, Cape Breton; also,
Harbor, St. Mary's, Bills,	A Bill, entitled, An Act to continue and alter the Act to regulate the Harbor of Saint Mary's,
Report.	Were referred, reported that the Committee had examined the said Bills, and recommended them to the favourable consideration of the House.
Bills read 2d time,	The said Bills were read a second time.
And ord. to Com.	<i>Ordered</i> , That the said Bills be committed to a Committee of the whole House at a future time.
Insolvent Debtor's Bill read 1st time,	Mr. Almon presented a Bill, entitled, An Act to amend the Act for relieving Insolvent Debtors from Imprisonment—which was read a first time.
And ref. to Sel. Coin. Committee.	<i>Ordered</i> , That the said Bill be referred to a Select Committee, to examine and report upon.
S. O. S.	<i>Ordered</i> , That Mr. McDougall, Mr. Almon, Mr. Brown, Mr. Morton, and Mr. Bell, be a Committee for that purpose.
Committee.	<i>Resolved unanimously</i> , That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills now before the Committee of the whole House.
Report—	On motion, the House was adjourned, during pleasure, and put into Committee on Bills.—After some time the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.
Common, Dartmouth,	The Chairman also reported that the Committee had gone through,
Poor, Shelburne,	A Bill, entitled, An Act additional to the Act for regulating the Dartmouth Common; also,
Ferry, Halifax,	A Bill, entitled, An Act to set off a part of the Township of Shelburne as a separate District for the support of the Poor; also,
Harbor Master, Spanish River, and	A Bill, entitled, An Act to continue and amend the Act to prevent obstructions to the Ferry across the Harbor of Halifax; also,
Harbor, St. Mary's, Bills,	A Bill, entitled, An Act to amend the Act to make provision for a Harbor Master at Spanish River, Cape Breton; also,
Without am.	A Bill, entitled, An Act to continue and alter the Act to regulate the Harbor of Saint Mary's—
	And had agreed to the same, without any amendment.
	<i>Ordered</i> , That the said Bills be read a third time at a future day.
	A Message was brought from the House of Assembly by Mr. Whidden, with the following Bills:
Judges of Sup. Court,	A Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal.
Road, Aylesford, and	A Bill, entitled, An Act in relation to a certain Road in Aylesford, and appropriations therefor.
Commrs. of Sewers Bills,	A Bill, entitled, An Act further to amend the Act for the appointment of Commissioners of Sewers.
Read 1st time.	To which Bills they desired the concurrence of this House.
	The said Bills were read a first time.
	<i>Ordered</i> , That the two first Bills be read a second time at a future day.
Commrs. of Sewers Bill ref. to Sel. Com. Committee.	<i>Ordered</i> , That the last Bill be referred to a Select Committee, to examine and report upon.
	<i>Ordered</i> , That Mr. Morton, Mr. Harris, and Mr. Fairbanks, be a Committee for that purpose.
Adjourn.	On motion made and seconded—the House adjourned until To-morrow, at Two o'clock.

FRIDAY, 17th MARCH, 1848.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. ROBIE, President,

The Honorable ALEXR. CAMPBELL,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. MCDUGALL,
MATHER B. ALMON,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRIGHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act additional to the Act for regulating the Dartmouth Common, Dartmouth, Common ; also,

A Bill, entitled, An Act to set off a part of the Township of Shelburne as a separate District for the support of the Poor; also, Poor, Shelburne,

A Bill, entitled, An Act to continue and amend the Act to prevent obstructions to the Ferry across the Harbor of Halifax; also, Ferry, Halifax,

A Bill, entitled, An Act to amend the Act to make provision for a Harbor Master at Spanish River, Cape Breton; also, Harbor Master Spanish River,

A Bill, entitled, An Act to continue and alter the Act to regulate the Harbor of Saint Mary's— Harbor, St. Mary's, Bills

Were read a third time, and the question was put by the President, on each Bill, Read 3d time,

Whether this Bill shall pass ?

It was resolved in the affirmative.

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

To return the said Bills, and acquaint them that this House have agreed to the same, without any amendment. Agreed to, And sent to H. A.

A Bill, entitled, An Act in relation to a certain Road in Aylesford, and appropriations therefor, was read a second time. Road, Aylesford, Bill read 2nd time.

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

Mr. Morton, the Chairman of the Committee to whom a Bill, entitled, An Act further to amend the Act for the appointment of Commissioners of Sewers, was referred, reported that the Committee had examined the said Bill, and recommended it to the favourable consideration of the House. Com. on Comms. of Sewers Bill rep.

The said Bill was read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House at a future day. Bill read 2d time, And ord. to Com.

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

TUESDAY, 21st MARCH, 1848.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. ROBIE, President,

<p>The Honorable WILLIAM RUDOLF, ALEXR. CAMPBELL, MICHAEL TOBIN, JOHN MORTON, HUGH BELL, STAYLEY BROWN, ALEXR. MCDUGALL, MATHER B. ALMON, EDWARD KENNY,</p>	<p>The Honorable JAMES D. HARRIS, ALEXANDER KEITH, WILLIAM A. BLACK, DAVID CRICHTON, HENRY G. PINEO, JAMES MCNAB, WILLIAM STAIRS, JONATHAN McCULLY.</p>
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PRAYERS.

The Minutes of Friday were read.

Mr. Stairs introduced
and takes Oath.

William Stairs, Esquire, was introduced, and presented a Commission from His Excellency the Lieutenant-Governor, appointing him a Member of the Legislative Council, provisionally, until Her Majesty's pleasure should be known—whereupon the Oath of Allegiance was administered to him by the Honorable Joseph Howe, Secretary of the Province, one of the Commissioners named in a Commission for that purpose, signed by His Excellency; and after giving and receiving salutations to and from the Members present, his seat was assigned to him next to Mr. McNab.

Mr. McCully introduced
and takes
Oath.

Jonathan McCully, Esquire, was introduced, and presented a Commission from His Excellency the Lieutenant-Governor, appointing him a Member of the Legislative Council, provisionally, until Her Majesty's pleasure should be known—whereupon the Oath of Allegiance was administered to him by the Honorable Joseph Howe, Secretary of the Province, one of the Commissioners named in a Commission for that purpose, signed by His Excellency; and after giving and receiving salutations to and from the Members present, his seat was assigned to him next to Mr. Stairs.

Judges Sup. Court
Bill read 2d time,

A Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal, was read a second time.

And ord. to Com.

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

Message from H. E.
with

Mr. Tobin, by the command of His Excellency the Lieutenant-Governor, laid before the House—

Despatch, and Order
in Council con-
firming Act for re-
peal of Custom
Duties.

A Despatch, dated 24th February, 1848, from the Secretary of State for the Colonies to the Lieutenant-Governor, enclosing

An Order in Council specially confirming An Act passed in the last Session, entitled, "An Act to repeal certain Duties of Customs."

*(Vide Appendix No. 26.)*Despatch, and Order
in Council con-
firming 13 Acts.

Also a Despatch, dated 24th February, 1848, from the Secretary of State for the Colonies to the Lieutenant-Governor, enclosing

An Order in Council confirming thirteen Acts passed in the last Session.

*(Vide Appendix No. 27.)*Despatch and Papers
rel. to Customs
Establishment.

Also the following Despatches and Papers relative to the Customs Establish-
ment—

Despatch,

Despatch, dated 24th February, 1848, from the Secretary of State for the Colonies to the Lieutenant-Governor.

Letter, dated 19th February, 1848, Mr. Trevelyan to Mr. Merrivale, with Lists of Customs Establishments in New Brunswick and Nova-Scotia.

Letter, dated 4th January, 1848, Mr. Trevelyan to Mr. Hawes, with Copy of a Treasury Minute, dated 24th December, 1847, with Appendix marked A.

Also, Appendix marked B.

(Vide Appendix No. 28.)

The said Despatches, Orders in Council, and Papers, were read, and ordered to lie on the Table.

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

Resolved, That the sum of Seven Thousand Five Hundred Pounds be granted £7,500 Great Roads, and appropriated to the Great Road service in the present year.

1. A Bill, entitled, An Act for granting Duties of Impost for the support of Duties of Impost, Her Majesty's Government within this Province.

2. A Bill, entitled, An Act in relation to the Trade between the British North American Possessions. Trade, British Possessions,

3. A Bill, entitled, An Act to continue and amend certain Acts relating to the Colonial Revenue. Colonial Revenue.

4. A Bill, entitled, An Act for regulating the Court House Ground at Amherst, in the County of Cumberland. Court House, Amherst,

5. A Bill, entitled, An Act concerning the Acts relating to Highways, Roads, and Bridges. Highways,

6. A Bill, entitled, An Act to continue the Act to extend to the Town of Dartmouth the Act to regulate the Assize of Bread. Bread, Dartmouth,

7. A Bill, entitled, An Act to continue the several Acts to provide for the Accommodation and Billeting of Her Majesty's Troops, or of the Militia, when on their march from one part of the Province to another. Billeting Troops,

8. A Bill, entitled, An Act to continue the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Acts in amendment thereof. County Rates,

9. A Bill, entitled, An Act to continue the Acts to regulate the Pilotage of Vessels at the Port of Halifax. Pilotage, Halifax.

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

11. A Bill, entitled, An Act to continue the Acts now in force relating to Trespasses, and passes. Trespasses, and

12. A Bill, entitled, An Act to continue the Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of deceased persons. Courts of Probate Bills,

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

The same were read a first time.

Read 1st time.

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

Ordered, That the first and third Bills be referred to a Select Committee, to examine and report upon. Duties of Impost & Colonial Revenue Bills ref. to Sel. Com.

Ordered, That Mr. McNab, Mr. Almon, and Mr. Tobin, be a Committee for that purpose. Committee.

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

On motion of Mr. McDougall, *ordered*, that a Bill, entitled, An Act in relation to a certain Road in Aylesford, and appropriations therefor, be referred to a Select Committee, to examine and report upon. Road, Aylesford, Bill ref. to Sel. Com.

Ordered,

- Committee. *Ordered*, That Mr. McDougall, Mr. Morton, and Mr. Harris, be a Committee for that purpose.
- Com. on Duties of Impost Bill rep. Mr. McNab, the Chairman of the Committee to whom a Bill, entitled, An Act for granting Duties of Impost for the support of Her Majesty's Government within this Province, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.
- S. O. S. *Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the said Bill.
- Bill read 2nd time, And ordered to Com. The said Bill was read a second time.
- Committed. *Ordered*, That the said Bill be committed to a Committee of the whole House presently.
- Rep. without am. The House was adjourned, during pleasure, and put into Committee on the said Bill.—After some time the House was resumed, and Mr. Rudolf reported that the Committee had gone through the said Bill, and had agreed to the same, without any amendment.
- Read 2nd time, The said Bill was read a third time, and the question was put by the President, Whether this Bill shall pass?
- Agreed to, and Sent to H. A. It was resolved in the affirmative.
- A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the same, without any amendment.
- Amherst Court House Bill ref. to Sel. Com. On motion, *ordered*, that a Bill, entitled, An Act for regulating the Court House Ground at Amherst, in the County of Cumberland, be referred to a Select Committee, to examine and report upon.
- Committee. *Ordered*, That Mr. Pineo, Mr. Campbell, and Mr. McCully, be a Committee for that purpose.
- H. E. comes to Council Chamber. At quarter past six o'clock, P. M., His Excellency Lieutenant-General Sir JOHN HARVEY, Knight Commander of the Most Honorable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c., came to the Council Chamber, attended as usual, and, being seated, the Gentleman Usher of the Black Rod received His Excellency's commands to let the House of Assembly know, "It is His Excellency's will and pleasure they attend him immediately in this House"—who, being come, with their Speaker, His Excellency was pleased to give his assent to twenty-three Bills, entitled as follows:
- Statute Labor, An Act in further amendment of the Act concerning the performance of Statute Labor on Highways.
- schools, An Act in further amendment of the Act for the encouragement of Schools.
- Nuisances. An Act to continue the Act additional concerning Nuisances.
- Poor, Egerton. An Act to continue the Act in relation to the support of the Poor in certain parts of the Township of Egerton.
- Sea Manure, Digby. An Act to continue the Act in relation to the gathering of Sea Manure in the Township of Digby.
- Poor, Digby. An Act to continue the Act for dividing the Township of Digby into separate Districts for the support of the Poor.
- Geese. An Act to continue the Act to make regulations to prevent Geese going at large.
- Militia. An Act to continue the Acts for regulating the Militia.
- Agricultural Soc. An Act to continue the Act to Incorporate Agricultural Societies.
- Public Monies, Highways. An Act to continue the Act in relation to the expenditure of Public Monies on Highways.
- Marriage Licenses. An Act to continue the Act relating to Marriage Licenses.

An Act to amend the Act further to improve the Administration of the Law. Administration of Law.
 An Act to regulate the Importation of Books, and to protect the British Author. Importation of Books.
 An Act to regulate Immigrant Vessels and Passengers. Immigrant Vessels.
 An Act in amendment of the Act to establish the Toll to be taken at Grist Mills. Toll, Grist Mills.
 An Act to Incorporate the Navigation and Commercial Company of Liverpool, Nova-Scotia. Nav. Co. Liverpool.
 An Act further to amend the Act for the Summary Trial of Actions before Justices of the Peace. Sum. Trials before J. P.
 An Act additional to the Act for regulating the Dartmouth Common. Common, Dartmouth.
 An Act to set off a part of the Township of Shelburne as a separate District for the support of the Poor. Poor, Shelburne.
 An Act to continue and amend the Act to prevent obstructions to the Ferry across the Harbour of Halifax. Ferry, Halifax.
 An Act to amend the Act to make provision for a Harbor Master at Spanish River, Cape-Breton. Harbor Master Spanish River.
 An Act to continue and alter the Act to regulate the Harbor of Saint Mary's. Harbor, St. Mary's.
 An Act for granting Duties of Impost for the support of Her Majesty's Government within this Province. Duties of Impost.
 The House of Assembly then withdrew, and His Excellency was pleased to retire soon after. H. A. withdraw. H. E. retires.
 On motion made and seconded—the House adjourned until To-morrow, at Two o'clock. Adjourn.

WEDNESDAY, 22nd MARCH, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable WILLIAM RUDOLF,
 ALEXR. CAMPBELL,
 MICHAEL TOBIN,
 JOHN MORTON,
 HUGH BELL,
 STAYLEY BROWN,
 ALEXR. MCDUGALL,
 MATHER B. ALMON,
 EDWARD KENNY,

The Honorable JAMES D. HARRIS,
 ALEXANDER KEITH,
 WILLIAM A. BLACK,
 DAVID CRICHTON,
 HENRY G. PINEO,
 JAMES MCNAB,
 WILLIAM STAIRS,
 JONATHAN MCCULLY.

PRAYERS.

The Minutes of yesterday were read.

The President laid before the House the Petition of James Wilson, setting forth the ruinous consequences that would ensue to the Distillers of Spirituous Liquors within the Province, from the alteration of the Duties made by the Revenue Law, and praying relief—which was read, and ordered to lie on the Table. Petition of J. Wilson.

Ordered, That the Clerk do transmit to the Chief Justice, and the Master of the Rolls, copies of the Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal. Judges Sup. Court. Bill to be sent to Chief Justice and Mas. of Rolls.

Ordered, That it be the Order of the Day for Friday next for a Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal, to be considered in a Committee of the whole House, and that the Members be summoned. Bill made Order of Day—

Com. on Aylesford
Road Bill rep.

Mr. McDougall, the Chairman of the Committee to whom a Bill, entitled, An Act in relation to a certain Road in Aylesford, and appropriations therefor, was referred, reported that the Committee had examined the said Bill, and that a majority of the Committee recommended it to the favourable consideration of the House.

Bill ord. to Com.

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

Com. on Insolvent
Debtor's Bill rep.

Mr. McDougall, the Chairman of the Committee to whom a Bill, entitled, An Act to amend the Act for relieving Insolvent Debtors from Imprisonment, was referred, reported that the Committee had examined the said Bill, and that a majority of the Committee recommended it to the favourable consideration of the House.

Bill read 2d time,
And ord. to Com.

The said Bill was read a second time.

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

£7,500 Great Roads
read 2d time.

The Resolution for granting the sum of £7,500 for the Great Roads—was read a second time, and the question was put by the President, Whether this Resolution be agreed to ?

Agreed to,
And sent to H. A.

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk, To return the said Resolution, and acquaint them that this House have agreed to the same, without any amendment.

Letter to Mr. Cutler.

By the direction of the House, the following Letter was addressed to Mr. Cutler by the Clerk :

*Legislative Council Chamber,
Halifax, 22nd March, 1848.*

SIR,—The subject of your absence having been taken into consideration by the House, I am directed by the House to request you will, at your earliest convenience, inform the House as to your intentions relative to your seat ; and whether it is your intention to attend in your place during the next Session.

I have the honor to be, Sir,

Your most obedient Servant,

JOHN C. HALLIBURTON, C. L. C.

The Hon. R. M. CUTLER, Guysborough.

Trade, British Pos-
sessions,

A Bill, entitled, An Act in relation to the Trade between the British North American Possessions ; also,

Highways,

A Bill, entitled, An Act concerning the Acts regulating Highways, Roads, and Bridges ; also,

Bread, Dartmouth,

A Bill, entitled, An Act to continue the Act to extend to the Town of Dartmouth the Act to amend the Act to regulate the Assize of Bread ; also,

Billeting Troops,

A Bill, entitled, An Act to continue the several Acts to provide for the Accommodation and Billeting of Her Majesty's Troops, or of the Militia, when on their march from one part of the Province to another ; also,

County Rates,

A Bill, entitled, An Act to continue the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Acts in amendment thereof ; also,

Pilotage, Halifax,

A Bill, entitled, An Act to continue the Acts to regulate the Pilotage of Vessels at the Port of Halifax ; also,

Pickled Fish,

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

Trespasses, and

A Bill, entitled, An Act to continue the Acts now in force relating to Trespasses ; also,

A Bill, entitled, An Act to continue the Act relating to the Courts of Probate, Probate Courts Bills, and to the settlement and distribution of the Estates of deceased persons—

Were read a second time.

Ordered, That the said Bills be committed to a Committee of the whole House Read 2nd time,
And ord. to Com. at a future time.

Resolved unanimously, That the Standing Order of this House, Number 72, s. o. s. relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills now before the Committee.

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

The Chairman also reported that the Committee had gone through,

A Bill, entitled, An Act in relation to the Trade between the British North American Possessions; also, Report—
Trade, British Possessions,

A Bill, entitled, An Act concerning the Acts relating to Highways, Roads, and Bridges; also, Highways,

A Bill, entitled, An Act to continue the Act to extend to the Town of Dartmouth the Act to amend the Act to regulate the Assize of Bread; also, Bread, Dartmouth,

A Bill, entitled, An Act to continue the several Acts to provide for the Accommodation and Billeting of Her Majesty's Troops, or of the Militia, when on their march from one part of the Province to another; also, Billeting Troops,

A Bill, entitled, An Act to continue the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Acts in amendment thereof; also, County Rates,

A Bill, entitled, An Act to continue the Acts to regulate the Pilotage of Vessels at the Port of Halifax; also, Pilotage, Halifax,

A Bill, entitled, An Act to continue the Acts now in force relating to Trespasses; also, Trespasses, and

A Bill, entitled, An Act to continue the Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of deceased persons, Probate Courts Bills

And had agreed to the same without any amendment.

Ordered, That the said Bills be read a third time at a future day. Without am.

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act further to amend the Act for the appointment of Commissioners of Sewers, and that the Committee recommended that the Bill should be again referred to a Select Committee, to examine and report upon. Recommend Sewers' Bill to be ref. to Sel. Com.

Ordered, That the said Report be received, and that the said Bill be again referred to a Select Committee, to examine and report upon. Bill ref. to Sel. Com.

Ordered, That Mr. Morton, Mr. Harris, Mr. Pineo, Mr. Brown, and Mr. McCully, be a Committee for that purpose. Committee.

Mr. Crichton presented a Bill, entitled, An Act to amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein—which was read a first time. Administration of Law Bill read 1st time.

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

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

FRIDAY, 24th MARCH, 1848.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. ROBIE, President,

The Right Reverend and Honorable the LORD BISHOP,

The Honorable WILLIAM RUDOLF,
ALEXR. CAMPBELL,
MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. MCDUGALL,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES MCNAB,
WILLIAM STAIRS,
JONATHAN McCULLY.

PRAYERS.

The Minutes of Wednesday were read.

Trade, British Possessions Bill read 3d time.

A Bill, entitled, An Act in relation to the Trade between the British North American Possessions, was read a third time, and the question was put by the President,

Whether this Bill shall pass ?

It was resolved in the affirmative.

Agreed to, and Sent to H. A.

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

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

Highways Bill read 3d time.

A Bill, entitled, An Act concerning the Acts regulating Highways, Roads, and Bridges, was read a third time.

Motion to recommit Bill agreed to.

Whereupon Mr. Morton moved that the said Bill be referred back to a Committee of the whole House: which, being seconded, and the question being put, was agreed to.

Bread, Dartmouth,

A Bill, entitled, An Act to continue the Act to extend to the Town of Dartmouth the Act to amend the Act to regulate the Assize of Bread; also,

Billeting Troops,

A Bill, entitled, An Act to continue the several Acts to provide for the Accommodation and Billeting of Her Majesty's Troops, or of the Militia, when on their march from one part of the Province to another; also,

County Rates,

A Bill, entitled, An Act to continue the Act to direct and ascertain the mode of assessing Town and County Rates, and for other purposes, and the Acts in amendment thereof; also,

Pilotage, Halifax,

A Bill, entitled, An Act to continue the Acts to regulate the Pilotage of Vessels at the Port of Halifax; also,

Trespasses,

A Bill, entitled, An Act to continue the Acts now in force relating to Trespasses; also,

Courts of Probate Bills,

A Bill, entitled, An Act to continue the Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of deceased persons—

Read 3d time,

Were read a third time, and the question was put by the President, on each Bill,

Whether this Bill shall pass ?

It was resolved in the affirmative.

Agreed to,

And sent to H. A.

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

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

A Bill, entitled, An Act to amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein, was read a second time. Administration of Law Bill read 2d time.

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

Mr. McNab, the Chairman of the Committee to whom a Bill, entitled, An Act to continue and amend certain Acts relating to the Colonial Revenue, was referred, reported that the Committee had examined the said Bill, and proposed some amendments, and recommended it to the favorable consideration of the House. Com. on Colonial Revenue Bill rep.

The said Bill was read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House at a future time. Bill read 2d time, And ord. to Com.

Mr. Morton, the Chairman of the Committee to whom a Bill, entitled, An Act further to amend the Act for the appointment of Commissioners of Sewers, was referred, reported that the Committee had examined the said Bill, and proposed some amendments, and recommended it to the favorable consideration of the House. Com. on Commrs. of Sewers Bill rep.

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

Mr. Pineo, the Chairman of the Committee to whom a Bill, entitled, An Act for regulating the Court House Ground at Amherst, in the County of Cumberland, was referred, reported that the Committee had examined the said Bill, and proposed some amendments, and recommended it to the favourable consideration of the House. Com. Amherst Court House Bill rep.

The said Bill was read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House at a future day. Read 2nd time, And ord. to Com.

Mr. Tobin, by the command of His Excellency the Lieutenant-Governor, laid before the House— Message from H. E. with Observations of Ch. Justice and Master of the Rolls on Judges of Sup. Court, &c. Bill.

Observations by the Chief Justice, and the Master of the Rolls, on a Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal.

The same were read, and ordered to lie on the Table.

(*Vide Appendix No. 29.*)

The Clerk laid before the House the following Letter from the Chief Justice : Letter from Ch. Justice, with do.

Halifax, March 23d, 1848.

SIR—I have received your Letter enclosing a copy of “ a Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal,” and I beg to return my respectful thanks to the Legislative Council, for their kind consideration in directing this Bill to be transmitted to me.

I have availed myself of that kindness to make some observations upon it, which I request you will be so good as to lay before them.

I have the honor to be, Sir,

Your obedient Servant,

BRENTON HALLIBURTON,
Chief Justice of Nova-Scotia.

To the Clerk of the Legislative Council, &c.

For Observations *vide Appendix No. 29.*

The Clerk also laid before the House the following Letter from the Master of the Rolls : Letter from the Master of the Rolls rel. to Bill.

Halifax, March 23d, 1848.

SIR,—I beg to acknowledge the receipt of your Letter of yesterday, enclosing the copy of a Bill now before the Honorable the Legislative Council, entitled, "An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal."

I request you will have the goodness to tender my thanks to that Honorable Body, for the opportunity thus afforded to me of submitting such observations thereon as may occur to me as worthy of their attention.

But important as this Bill is in all its aspects, I think I cannot, with propriety, avail myself of the opportunity without the commands of His Excellency, to whom, as Chancellor, I have the honor to stand, by Law, in the confidential relation of responsible adviser in matters concerning the Court in which, as Master of the Rolls, I preside.

I have the honor to be, Sir,

Your most obedient humble Servant,

ALEXANDER STEWART.

JNO. C. HALLIBURTON, Esq., Clerk of the Hon. Legislative Council.

The said Letters and Observations were read, and ordered to lie on the Table.

S. O. S. on Revenue Bill

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act to continue and amend certain Acts relating to the Colonial Revenue.

Motion for Com. on Bills.

Mr. Tobin moved that the House do resolve itself into a Committee of the whole House for the consideration of Bills, which was agreed to.

Motion that Mr. Morton be Chairman of Com.

Mr. Tobin moved that Mr. Morton be the Chairman of the said Committee: which, being seconded, and the question being put, there appeared, for the motion, eight; against the motion, nine.

For the motion—

Mr. Tobin,
" McCully,
" Kenny,
" Campbell,
" McNab,
" McDougall,
" Bell,
" Brown,

Against the motion—

Mr. Harris,
" Fairbanks,
" Almon,
" Black,
" Keith,
" Morton,
" Crichton,
" Pineo,

The Lord Bishop.

Negatived

So it passed in the negative.

Motion that Mr. Rudolf be Chairman, agreed to,

Whereupon, it was moved that Mr. Rudolf be the Chairman of the said Committee: which, being seconded, and the question being put, passed in the affirmative.

Com. on Bills.

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

Rep. Colonial Revenue Bill without am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to continue and amend certain Acts relating to the Colonial Revenue—and had agreed to the same without any amendment.

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

Rep. Judges of Sup. Court Bill with am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal—and had made two amendments thereto.

The

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

FIRST CLAUSE.

At the end of the Clause insert the following Proviso :

Provided, that no Judicial Officer as aforesaid shall be removed, unless the Address of the Legislative Council and the House of Assembly shall express, in distinct terms, the specific charges alleged against such Officer ; and in the case of an appeal before the Privy Council, as hereinbefore provided, the prosecution against the Judicial Officer charged shall be confined to the allegation specified in the Address, as aforesaid ; and the said Officer shall not be required to answer any other charges than such as shall be so specified, and in support of which evidence shall have been offered.

At the end of the Bill add the following clause—

And be it enacted, That nothing herein contained shall be of any force or effect until Her Majesty's assent shall be signified hereto.

And the said amendments being read a second time, were agreed to by the House.

Am. read,
And agreed to.

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

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act in relation to a certain Road in Aylesford, and appropriations therefor—and had agreed to the same, without any amendment.

Rep. Road Aylesford
Bill without am.

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

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act to continue and amend certain Acts relating to the Colonial Revenue.

S. O. S. on Colonial
Revenue Bill.

The said Bill was read a third time, and the question was put by the President, Whether this Bill shall pass ?

Read 3d time,

It was resolved in the affirmative.

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

Agreed to,

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

And sent to H. A.

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

A Bill, entitled, An Act further to amend the Act to preserve and regulate the Navigation of the Harbor of Pictou.

Harbor, Pictou, and

A Bill, entitled, An Act concerning the Electric Telegraph.

Electric Telegraph
Bills,

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Read 1st time.

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

Harbor, Pictou, Bill
ref. to. Sel. Com.

Ordered, That Mr. Brown, Mr. Crichton, and Mr. Pineo, be a Committee for that purpose.

Committee.

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

Electric Telegraph
Bill to be ref. to
Sel. Com.

Ordered, That Mr. Almon, Mr. Bell, Mr. McCully, Mr. Tobin, and Mr. McNab, be a Committee for that purpose.

Committee.

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

Adjourn.

SATURDAY, 25th MARCH, 1848.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. ROBIE, President,

The Right Reverend and Honorable the LORD BISHOP.

The Honorable WILLIAM RUDOLF,
ALEXR. CAMPBELL,
MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. McDUGALL,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES McNAB,
WILLIAM STAIRS,
JONATHAN McCULLY.

PRAYERS.

The Minutes of yesterday were read.

Judges Sup. Court
Bill read 3d time.

A Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal, was read a third time, and the question was put by the President,

Whether this Bill, with the amendments, shall pass ?

Agreed to with am.
And sent to H. A.

It was resolved in the affirmative.

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

Com. on Aylesford
Road Bill read
3d time.
Motion to defer 3
months,

A Bill, entitled, An Act in relation to a certain Road in Aylesford, and appropriations therefor, was read a third time—

Whereupon, Mr. McDougall moved that the further consideration of the said Bill be deferred to this day three months : which, being seconded, and the question being put, there appeared, for the motion, nine ; against the motion, ten.

For the motion—

Mr. McCully,
“ Tobin,
“ Brown,
“ Stairs,
“ McNab,
“ McDougall,
“ Kenny,
“ Campbell,
“ Bell.

Against the motion—

Mr. Harris,
“ Almon,
“ Black,
“ Fairbanks,
“ Pineo,
“ Keith,
“ Morton,
“ Rudolf,
“ Crichton,

The Lord Bishop.

Negatived.

So it passed in the negative.

Motion that Bill do
pass agreed to.

Then Mr. Morton moved that the said Bill do pass : which, being seconded, and the question being put, passed in the affirmative.

Bill sent to H. A.

A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the same, without any amendment.

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

Aliens,

A Bill, entitled, An Act relating to the Naturalization of Aliens within this Province.

A Bill, entitled, An Act for the regulation of the County Gaol at Halifax. Gaol, Halifax,
 A Bill, entitled, An Act to continue the Acts for granting Duties on Licenses Licenses, Halifax,
 for the Sale of Spirituous Liquors, and Sales by Auction, in Halifax. and
 A Bill, entitled, An Act to continue and amend the Acts for granting Duties on License Bills,
 Licenses for the sale of Spirituous Liquors.
 To which Bills they desired the concurrence of this House.
 The said Bills were read a first time. Read 1st time.
Ordered, That the three first Bills be read a second time at a future day.
Ordered, That the fourth Bill be referred to a Select Committee, to examine License Bill ref. to
 and report upon. Sel. Com.
Ordered, That Mr. Crichton, Mr. Bell, and Mr. McDougall, be a Committee Committee.
 for that purpose.

On motion, the House was adjourned, during pleasure, and put into a Commit- Com on Bills.
 tee on Bills.—After some time the House was resumed, and Mr. Rudolf reported
 that the Committee had made some progress.
 The Chairman also reported that the Committee had had under consideration a Recommend High-
 Bill, entitled, An Act concerning the Acts regulating Highways, Roads, and ways Bill to be ref.
 Bridges, and recommended that the said Bill should be referred to a Select Com- to Sel. Com.
 mittee, to examine and report upon.
Ordered, That the said Report be received, and that the said Bill be referred to Bill ref. to Sel. Com.
 a Select Committee, to examine and report upon.
Ordered, That Mr. Brown, Mr. Fairbanks, Mr. McDougall, Mr. Morton, and Committee.
 Mr. Pineo, be a Committee for that purpose.
 On motion made and seconded—the House adjourned until Monday next, at Two Adjourn.
 o'clock.

MONDAY, 27th MARCH, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable WILLIAM RUDOLF,
 ALEXR. CAMPBELL,
 JOHN MORTON,
 HUGH BELL,
 STAYLEY BROWN,
 ALEXR. McDUGALL,
 MATHER B. ALMON,
 JAMES D. HARRIS,

The Honorable ALEXANDER KEITH,
 WILLIAM A. BLACK,
 DAVID CRICHTON,
 HENRY G. PINEO,
 JOHN E. FAIRBANKS,
 JAMES McNAB,
 JONATHAN McCULLY.

PRAYERS.

The Minutes of Saturday were read.

A Bill, entitled, An Act relating to the Naturalization of Aliens within this Pro- Aliens, and
 vince; also, Licenses, Halifax,
 A Bill, entitled, An Act to continue the Acts for granting Duties on Licenses
 for the Sale of Spirituous Liquors, and Sales by Auction, in Halifax—
 Were read a second time. Bills read 2nd time,
Ordered, That the said Bills be committed to a Committee of the whole House And ord. to Com.
 at a future day.

A Bill, entitled, An Act for the regulation of the County Gaol at Halifax, was Gaol, Halifax, Bill
 read a second time. read 2d time,

- And ref. to Sel. Com. *Ordered*, That the said Bill be referred to a Select Committee, to examine and report upon.
- Committee. *Ordered*, That Mr. McDougall, Mr. McCully, and Mr. Fairbanks, be a Committee for that purpose.
- Com. on Electric Telegraph Bill rep. Mr. Almon, the Chairman of the Committee to whom a Bill, entitled, An Act concerning the Electric Telegraph, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.
- Bill read 2d time, The said Bill was read a second time.
- And ord. to Com. *Ordered*, That the said Bill be committed to a Committee of the whole House at a future day.
- Com. on Highways Bill rep. Mr. Brown, the Chairman of the Committee to whom a Bill, entitled, An Act concerning the Acts relating to Highways, Roads and Bridges, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.
- Bill ord. to Com. *Ordered*, That the said Bill be again committed to a Committee of the whole House.
- Com. on Licenses Bill rep. Mr. Crichton, the Chairman of the Committee to whom a Bill, entitled, An Act to continue and amend the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.
- Bill read 2nd time, The said Bill was read a second time.
- And ord. to Com. *Ordered*, That the said Bill be committed to a Committee of the whole House at a future time.
- Com. on Harbor Bill rep. Mr. Brown, the Chairman of the Committee to whom a Bill, entitled, An Act further to amend the Act to preserve and regulate the Navigation of the Harbor of Pictou, reported that the Committee had examined the said Bill, and differed in opinion thereon, that a majority considered it to be a local Bill, and that the Standing Orders of this House had not been complied with.
- S. O. S. *Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills before the Committee.
- Com. on Bills. On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.
- Report Highways Bill without am. The Chairman also reported that the Committee had gone through a Bill, entitled, An Act concerning the Acts regulating Highways, Roads, and Bridges, and had agreed to the same, without any amendment.
- Report Licenses Bill with am. *Ordered*, That the said Bill be read a third time at a future day. The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to continue and amend the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors, and had made an amendment thereto.
- Am. read, The said amendment was read by the Clerk, as follows :
Between the first and second Clauses insert the following Clause—
And be it enacted, That instead of the penalties heretofore imposed, any person who may at any time hereafter be convicted of a breach of any of the provisions of the Acts herein mentioned, shall forfeit for every offence a sum not exceeding Twenty Pounds, nor less than One Pound.
- And agreed to. And the said amendment being read a second time, was agreed to by the House.
Ordered, That the said Bill be read a third time at a future day.

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

A Bill, entitled, An Act to consolidate the Acts respecting the Incorporation of the City of Halifax. Incorporation, Halifax,

A Bill, entitled, An Act to empower the Presbyterian Congregation at River John, in the County of Pictou, to appoint Trustees for the purpose of holding Lands for the use of the said Congregation. Pres. Church, River John, and

A Bill, entitled, An Act to commute the Crown Revenues of Nova-Scotia, and to provide for the Civil List thereof. Civil List Bills,

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Ordered, That the first Bill be referred to a Select Committee, to examine and report upon. Read 1st time.
Incorporation, Halifax, Bill ref. to Sel. Com. Committee.

Ordered, That Mr. Bell, Mr. Keith, Mr. Kenny, Mr. Stairs, Mr. Almon, and Mr. McDougall, be a Committee for that purpose.

Ordered, That the second Bill be referred to a Select Committee, to examine and report upon. Pres. Church, River John Bill ref. to Sel. Com. Committee.

Ordered, That Mr. Campbell, Mr. Crichton, and Mr. Pineo, be a Committee for that purpose.

Ordered, That the third Bill be referred to a Select Committee, to examine and report upon. Civil List Bill ref. to Sel. Com.

Ordered, That Mr. Morton, Mr. Almon, Mr. McNab, Mr. McCully, and Mr. Pineo, be a Committee for that purpose. Committee.

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

TUESDAY, 28th MARCH, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Honorable WILLIAM RUDOLF,
ALEXR. CAMPBELL,
MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. MCDUGALL,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES MCNAB,
WILLIAM STAIRS,
JONATHAN MCCULLY.

PRAYERS.

The Minutes of yesterday were read.

On motion, *resolved*, that a Committee be appointed to take into consideration the Contingent Expenses of this House for the present Session. Com. on Contingent Expenses.

Ordered, That Mr. Tobin, Mr. Kenny, and Mr. Black, be a Committee for that purpose. Committee.

A Bill, entitled, An Act concerning the Acts relating to Highways, Roads, and Bridges, was read a third time, and the question was put by the President, Highways Bill read 3d time,

Whether this Bill shall pass ?
It was resolved in the affirmative.

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

Agreed to,
And sent to H. A.

To

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

Licenses Bill read
3d time.

A Bill, entitled, An Act to continue and amend the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors, was read a third time, and the question was put by the President,

Agreed to with am.

Whether this Bill, with the amendment, shall pass ?

And sent to H. A.

It was resolved in the affirmative.

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

To return the said Bill, and acquaint them that this House have agreed to the same, with an amendment—to which amendment their concurrence is desired.

Rep. on Harbor, Pic-
tou, Bill consider-
ed,

The House proceeded to the consideration of the Report of the Select Committee on a Bill, entitled, An Act further to amend the Act to preserve and regulate the Navigation of the Harbor of Pictou—and, after short debate,

And decided not to
be a local Bill.

It was *resolved*, that the said Bill is not a local Bill within the meaning of the Standing Orders of this House.

Bill read 2d time.

The said Bill was then read a second time.

Motion to defer 3
months.

Whereupon, Mr. Pineo moved that the further consideration of the said Bill be deferred to this day three months: which, being seconded, and the question being put, after short debate, passed in the negative.

Negatived.

Bill ord. to Com.

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

Com. on Gaol, Hal-
ifax, Bill.

Mr. McDougall, the Chairman of the Committee to whom a Bill, entitled, An Act for the regulation of the County Gaol at Halifax, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.

Bill ord. to Com.

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

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

Postage Bill.

A Bill, entitled, An Act to enable the Governor in Council to make Orders and Regulations for establishing an uniform Rate of Postage throughout British America.

£315 16s. 1d. Ex-
penses of Tran-
sient Paupers.

Resolved, That the sum of Three Hundred and Eighteen Pounds Sixteen Shillings and One Penny be granted and paid to defray the several amounts following—pursuant to the Report of the Committee on the subject of expenses incurred for the support of Transient Paupers—that is to say :

To the Overseers of the Poor for the Township of Granville,	£4 10 0
John D. Putnam of Pugwash, for attendance and supplies to an Insane Pauper,	4 12 6
Wm. Watt, for expenses incurred on a Transient Pauper in 1846,	6 7 11
The Overseers of the Poor for the Township of Granville, for a Transient Pauper more than 100 years of age,	13 0 0
The Overseers of the Poor for the Township of Argyle, for expenses incurred in confining and keeping a Lunatic who had escaped from the Halifax Poor Asylum,	15 0 0
The Overseers of the Poor for the Township of Fal- mouth,	£3 0 0
Dr. Fraser,	4 5 6
	7 5 6
The Overseers of the Poor Saint Mary's, County of Guysborough,	4 2 0
Doctor Tupper, for attendance on Paupers and Indians at Fort Lawrence,	3 0 0
To	To

To the Overseers of the Poor for the Township of Lunenburg, Dr. Culpepper,	£7 0 0 4 17 6	
		£11 17 6
Doctor Forbes of Liverpool, The Overseers of the Poor for the Township of Horton— To pay Elijah Parker's Bill,	£4 2 6	
" Joshua Reid's "	2 5 0	
" Dr. Fitch's "	2 5 0	
		8 12 6
Doctor Tupper, Health Officer, Amherst, for support and Medical attendance to Paupers, in connection with the Board of Health,		45 13 10
S. P. Watson for support of a Transient Pauper at Annapolis,		7 0 0
The Overseers of the Poor for Dorchester, County of Sydney,		21 6 1
R. & J. Mulhall, for passage of Shipwrecked Seamen from the Island of Tobago to Liverpool, N. S.,	£17 10 0	
For Governor of Tobago's Certificate,	2 6 11	
		19 16 11
The Overseers of the Poor for the first section of the Township of Pictou,		52 15 0
The Overseers of the Poor for the Township of Guysborough,		21 4 6
" " " Sydney, C. B.,		5 9 0
" " " Windsor—		
For Dr. Pyke's Bill,	£4 5 9	
For William Maxner,	2 13 0	
For E. MacNamara,	1 10 0	
		8 8 9
Doctor Fox, under direction of the Overseers of the Poor for the Township of Guysborough,	5 17 6	
Do. do. Board of Health,	7 0 0	
		12 17 6
Doctor Carritt, for attendance on Transient Paupers in Township of Melford, County of Guysborough,		12 10 0
William Smith, Overseer of Poor, Pugwash, for charges of an Insane Pauper,		£3 0 0
The Overseers of the Poor for the Township of Melford— For James McNair's Bill,	£4 0 0	
" R. Pendergast,	4 0 0	
" passage of two Passengers,	2 0 0	
" ——— Breck's Bill,	5 17 0	
		15 17 0
The Overseers of the Poor for the Township of Truro,		10 9 7
		£318 16 1

Resolved, That such sum be granted and placed at the disposal of the Governor as will suffice to defray the additional expense which may be incurred by abolishing the present Mail Route from Terfry's to Maitland, and establishing instead thereof two lines, the first starting from Mr. Parker's Office, at Shubenacadie, and running thence to Maitland, and thence by Noel, Gore, and Nine Mile River, back to Mr. Parker's; the second commencing at the Scotch Village, in Newport, and running thence up the Kennebec Road to the Gore, in Douglas—thence by the Gore to Upper Rawdon—thence by Lower Rawdon to Woodruff's Corner, and thence back to Scotch Village—provided the additional expense do not exceed Fifteen Pounds

£15 Mail Route, Co. of Hants.

- £75 Mail Route, Colchester and Cumberland.** *Resolved,* That such sum be granted and placed at the disposal of the Governor as will suffice, instead of keeping up the present Mail Route from Truro to Wallace, passing through Tatamagouche, to establish, in lieu thereof, two separate Routes, that is to say: one going direct from Truro to Tatamagouche, the Mail to be delivered on the North side of the French River; and the other commencing at Londonderry, and going thence by the Wallace River, and through Wallace to Pugwash—provided the whole expense of both Routes do not exceed Seventy-five Pounds.
- £5 Mail Route, Co. of Shelburne.** *Resolved,* That such sum be granted and placed at the disposal of the Governor, as will suffice to cover any further expenditure which may be caused by the change of the Route of the Courier from Dunlop's to Locke's Island, in the County of Shelburne, whereby such Courier, instead of following the Road now pursued, shall go into Lewis' Head, or Little Harbor, both going to and returning from Lock's Island—provided the extra expense shall not exceed Five Pounds.
- £20 Mail Route, Co. of Pictou.** *Resolved,* That such sum be granted and placed at the disposal of the Governor, as will suffice to establish a Weekly Mail from New Glasgow by the Glen Road to Webster's, and thence by the Blue Mountains to the Garden of Eden, returning (as soon as the state of the Road will permit) by the new Road from William Ross' by the Marsh—provided the same do not exceed Twenty Pounds.
- £10 Mail Route, King's Co.** *Resolved,* That such sum be granted and placed at the disposal of the Governor, as will suffice to extend the Post at present running through Cornwallis, from the Western part thereof, along the North Mountain and by the back Road to the County Line—provided the same do not exceed Ten Pounds.
- £20 Mail Route, old Road Chester to Windsor.** *Resolved,* That such sum be granted and placed at the disposal of the Governor, as will suffice to establish a Weekly Mail on the old Post Line of Road lying between Chester and Windsor—provided the same do not exceed Twenty Pounds.
- £15 Mail Route, Co. of Pictou.** *Resolved,* That such sum be granted and placed at the disposal of the Governor, as will suffice to establish a Weekly Mail at Barney's River, in the County of Pictou, commencing at Donald Murray's, and proceeding thence up the West side of the River to some convenient place at the head thereof, thence running on to East Branch and coming down the East side of the River to the place of beginning—provided that the same do not exceed Fifteen Pounds.
- Way Office, Mahone Bay.** *Resolved,* That such sum be granted and placed at the disposal of the Governor, as will suffice to defray the expense of establishing and maintaining a Way Office at Mahone Bay.
- £4 M. Walsh.** *Resolved,* That the sum of Four Pounds be granted and paid to Maurice Walsh, for carrying the Mails over the Ferry at Pugwash during the last year.
- £6 R. McNutt.** *Resolved,* That the sum of Six Pounds be granted and paid to Robert McNutt, for carrying the Mails over the Ferry at River Philip during the last year.
- Extension of Mail Route, Co. of Pictou.** *Resolved,* That such sum be granted and placed at the disposal of the Governor, as will suffice, in addition to the sum already paid, to extend the Route of the Mail Courier at present established between New Glasgow and Holmes', to Fraser's Mills, the whole of such Route having been first offered for public competition.
- £20 Mail Route, L. Bedeque, &c.** *Resolved,* That such sum be granted and placed at the disposal of the Governor, as will suffice to establish a Weekly Mail between Little Bedeque and Whycocmagh—provided the same do not exceed Twenty Pounds.
- £7 10s. Mail Route, Queen's Co.** *Resolved,* That such sum be granted and placed at the disposal of the Governor, as will suffice to establish and maintain a Weekly Mail from Brookfield to Caledonia Corner and Harmony—provided the same do not exceed Seven Pounds and Ten Shillings.
- £10 Mail Route, Co. Richmond.** *Resolved,* That such sum be granted and placed at the disposal of the Governor, as will suffice to defray the expense of keeping up a Weekly Mail between L'Ardoise and Grand River—provided the same do not exceed Ten Pounds.
- £2 10s. Edw. Whiteman.** *Resolved,* That the sum of Two Pounds and Ten Shillings be granted and paid

to Edward J. Whitman and William Whitman, amount of Duties on Flour lost at sea—pursuant to the Report of the Committee on Trade.

Resolved, That the sum of Ten Pounds be granted and paid to John Keith, in full of his claim for return of Duties on two puncheons of Rum, totally lost by leakage, in the Warehouse—pursuant to the Report of the Committee on Trade. £10 John Keith.

Resolved, That the sum of Four Pounds Four Shillings and Seven-pence be granted and paid to the Cornwallis Agricultural Society, return of Duties on Agricultural Implements imported by them—pursuant to the Report of the Committee on Trade. £4 4s. 7d. Cornwallis Agricultural Soc.

Resolved, That the sum of Forty-five Pounds Four Shillings and Three-pence be granted and paid to J. R. Patillo, drawback of Duties on Pork exported—pursuant to the Report of the Committee on Trade. £55 4s. 3d. J. R. Patillo.

Resolved, That the sum of Sixty Pounds be granted and paid to the Clerk of the Board of Revenue for his services for the present year—pursuant to the Report of the Committee on Trade. £60 Clerk of Board of Revenue.

Resolved, That the sum Forty-five Pounds be granted and paid to Bowden B. Oxley, in full, in addition to his Salary for past services as Clerk of the Board of Revenue—pursuant to the Report of the Committee on Trade. £45 B. B. Oxley.

Resolved, That the sum of Sixty Pounds be granted and paid to Robert Stone, for his services as Revenue Officer at Wilmot—pursuant to the Report of the Committee on Trade. £60 R. Stone.

Resolved, That the sum of Forty-two Pounds Five Shillings and Two-pence be granted and paid to Joshua Newton, Esquire, Sub-Collector of Customs at Liverpool, being amount paid into Treasury on Flour seized by him and condemned and sold—such amount to be by him distributed amongst the several owners of the Flour so seized, in rateable proportions according to the quantity owned by each individual, excepting Lothrop Dogget—pursuant to the Report of the Committee on Trade. £42 5s. 2d. Joshua Newton, amt. seizures.

Resolved, That the sum of One Pound Eight Shillings and Nine-pence be granted and paid to George E. Jean, being amount overpaid by him into the Treasury in 1847—pursuant to the Report of the Committee on Trade. £1 8s. 9d. G. E. Jean.

Resolved, That the sum of Five Pounds Twelve Shillings and Eight-pence be granted and paid to the Trustees of the Lunenburg Academy, being return of Duties upon Apparatus imported for the use of the said Academy—pursuant to the Report of the Committee on Trade. £5 12s. 8d. Trustees Lunenburg Acad.

Resolved, That the sum of Eleven Pounds Twelve Shillings and One Penny be granted and paid to John L. Tremain, Esquire, Sub-Collector of Customs at Port Hood—pursuant to the Report of the Committee on Trade. £11 12s. 1d. J. L. Tremain.

Resolved, That the sum of Seven Pounds and Ten Shillings be granted and paid to Dominique Boudreau, of Tusket Ledge, in full for his services in securing a Foreign vessel and cargo, subsequently condemned in the Vice Admiralty Court at Halifax—pursuant to the Report of the Committee on Trade. £7 10s. D. Boudreau.

Resolved, That the sum of Fourteen Pounds and Sixteen Shillings be granted and paid to Mayhew Beckwith and John C. Hall, Esquires, being amount expended under their direction to prevent the destruction of the Hall's Harbor Breakwater. £14 16s. M. Beckwith and J. C. Hall.

Resolved, That the sum of Thirty Pounds be granted and placed at the disposal of the Governor, to aid in the erection of a Breakwater at Green Cove, Beaver River, County of Yarmouth—to be drawn and applied for that purpose when it shall appear to the satisfaction of the Governor in Council, that the sum of Ninety Pounds has been subscribed by the inhabitants and expended on such Breakwater, and that the site thereof has been conveyed for the use of the public. £30 Breakwater, Bear River, Yarmouth.

Resolved, That the sum of Sixty Pounds be granted and placed at the disposal of the Governor, to aid in the completion of the Breakwater at Aylesford—to be drawn £60 do. Aylesford.

drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor in Council, that the sum of One Hundred and Eighty Pounds has been subscribed by the inhabitants, and expended on such Breakwater, and that the site thereof has been conveyed to the use of the public.

£15 Buoys Arichat Harbor.

Resolved, That the sum of Fifteen Pounds be granted and placed at the disposal of the Governor, to aid in the placing of Buoys in Arichat Harbor—to be drawn and applied for that purpose when it shall be made satisfactorily to appear to the Governor in Council, that the inhabitants have raised by subscription and expended a like sum in the undertaking.

£15 E. Frost.

Resolved, That the sum of Fifteen Pounds be granted and paid to Eunice Frost, of Argyle, for damages sustained by her on account of a Road passing through her lands—pursuant to the Report of the Committee.

£32 10s. S. Donovan.

Resolved, That the sum of Thirty-two Pounds and Ten Shillings be granted and paid to Simon Donovan, Esquire, Twelve Pounds and Ten Shillings of this sum being in full for his services and expenses incurred as a Commissioner appointed by the Government to investigate the Accounts connected with the “*Maria*,” and the remaining sum of Twenty Pounds, in full for his expenses incurred in attending before a Committee of the House of Assembly—agreeably to the Report of the Committee.

£12 10s. C. F. Harrington.

Resolved, That the sum of Twelve Pounds and Ten Shillings be granted and paid to C. F. Harrington, Esquire, in full for expenses incurred and services rendered by him as Commissioner appointed by Government to investigate the Accounts connected with the “*Maria*”—agreeably to the Report of the Committee.

£105 & £58 7s. 3d. Med. Attendance Barque Maria.

Resolved, That the sum of One Hundred and Five Pounds, in equal proportions of Thirty-five Pounds each, be granted and paid to Doctors Madden and the Messrs. Fixott, of Arichat, in full for their Medical attendance on the Passengers and Crew of the Barque “*Maria*”; and the further sum of Fifty-eight Pounds Seven Shillings and Three-pence, in full for Medicines furnished to the said Passengers and Crew; making altogether One Hundred and Sixty-three Pounds Seven Shillings and Three-pence—agreeably to the Report of the Committee.

£10 Dr. C. Fixott.

Resolved, That the sum of Ten Pounds be granted and paid to Doctor Charles Fixott, of Arichat, in full for his services in visiting wrecked Passengers at Framboise, in September last—agreeably to the Report of the Committee.

£3 10s. N. H. Martin.

Resolved, That the sum of Three Pounds and Ten Shillings be granted and paid to N. H. Martin, Esquire, to reimburse him for expenses incurred in visiting the “*Maria*,” wrecked at Framboise—agreeably to the Report of the Committee.

£4 H. McEachran.

Resolved, That the sum of Four Pounds be granted and paid to Hugh McEachran, in full for the price of his Vessel employed by N. H. Martin, Esqr., in visiting the wreck of the “*Maria*”—agreeably to the Report of the Committee.

£10 each, Ferrymen Grandique.

Resolved, That the sum of Ten Pounds each be granted to the two Licensed Ferrymen at the Mouth of the Grandique River, in the County of Richmond—to be paid by Warrant from the Governor, upon certificate of the Court of General Sessions of the Peace for that County that the work has been faithfully performed, and the public properly accommodated.

To which Bill and Resolutions they desired the concurrence of this House.

Read 1st time.

The same were read a first time.

Postage Bill ref. to Sel. Com.

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

Committee.

Ordered, That Mr. McCully, Mr. Tobin, and Mr. Almon, be a Committee for that purpose.

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

Mr.

Mr. McCully presented the Petition of Joshua Chandler and others, praying encouragement to the Railroad from Halifax to Quebec—which was read, and ordered to lie on the Table. Pet. of J. Chandler, & al.

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

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein—and had agreed to the same, with several amendments. Report Administration of Law Bill with am.

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

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

WEDNESDAY, 29th MARCH, 1848.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable S. B. ROBIE, President,

The Honorable WILLIAM RUDOLF,
 ALEXR. CAMPBELL,
 MICHAEL TOBIN,
 JOHN MORTON,
 HUGH BELL,
 STAYLEY BROWN,
 ALEXR. McDUGALL,
 MATHER B. ALMON,
 EDWARD KENNY,

The Honorable JAMES D. HARRIS,
 ALEXANDER KEITH,
 WILLIAM A. BLACK,
 DAVID CRICHTON,
 HENRY G. PINEO,
 JOHN E. FAIRBANKS,
 JAMES McNAB,
 WILLIAM STAIRS,
 JONATHAN McCULLY.

PRAYERS.

The Minutes of yesterday were read.

Mr. Bell, the Chairman of the Committee to whom a Bill, entitled, An Act to consolidate the Acts respecting the Incorporation of the City of Halifax, was referred, reported that the Committee had examined the said Bill, and recommended it to the favourable consideration of the House. Com. on Halifax Incorporation Bill rep.

A Message was brought from the House of Assembly by Mr. Whidden, To inform the House that the House of Assembly did not agree to the first amendment proposed by this House to a Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal—and that they agreed to the second amendment proposed by this House to the said Bill. Message from H. A. not agreeing to 1st and agreeing to 2nd amendt. to Judges independence Bill.

The Messenger also brought up the following Bills :

1. A Bill, entitled, An Act to provide for the Collection of the Revenue. Collection of Revenue,
2. A Bill, entitled, An Act to continue and alter the Acts for granting Duties on Licenses for the sale of Spirituous Liquors. Licenses,
3. A Bill, entitled, An Act relating to the Grandique Ferry, in the County of Richmond. Grandique Ferry,
4. A Bill, entitled, An Act additional to the Act to regulate certain Landings in the County of King's County. Landings, Kings Co. and
5. A Bill, entitled, An Act for the amendment of the Law and the better advancement of Justice. Amendment of Law, Bills,

To which Bills they desired the concurrence of this House.
 The said Bills were read a first time.
Ordered, That the first Bill be referred to a Select Committee, to examine and report upon.
Ordered, That Mr. Almon, Mr. Morton, Mr. Tobin, Mr. Fairbanks, and Mr. McNab, be a Committee for that purpose.
Ordered, That the three next Bills be read a second time at a future day.
Ordered, That the fifth Bill be referred to a Select Committee, to examine and report upon.
Ordered, That Mr. McDougall, Mr. Morton, and Mr. McCully, be a Committee for that purpose.

Mr. McCully, the Chairman of the Committee to whom a Bill, entitled, An Act to enable the Governor in Council, to make Orders and Regulations for establishing an uniform Rate of Postage throughout British America, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.

A Bill, previously entitled, An Act to amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein, but now entitled, An Act to amend the Act to facilitate proceedings before Justices of the Peace and others—was read a third time, and the question was put by the President, Whether this Bill shall pass ?
 It was resolved in the affirmative.
 A Message was sent to the House of Assembly by the Clerk,
 To carry down the said Bill and desire their concurrence thereto.

Mr. Tobin moved that the House do proceed to the consideration of the first amendment proposed by this House to a Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal—which amendment has not been agreed to by the House of Assembly : which being seconded, after short debate, Mr Crichton moved that the House do adjourn : which, being seconded, and the question being put, passed in the affirmative.

The House was adjourned until To-morrow at One o'clock.

Read 1st time.
 Collection of Revenue Bill ref. to Sel. Com.
 Committee.
 Amendment of Law Bill ref. to Sel. Com.
 Committee.
 Com. on Postage Bill rep.
 Administration of Law Bill now
 Bill to facilitate Proceedings before J. P.
 Read 3d time.
 Passed,
 And sent to H. A.
 Motion to consider am. to Judges independence Bill.
 Motion to adjourn carried.
 Adjourn.

THURSDAY, 30th MARCH 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Right Revd. and Honorable the LORD BISHOP.

The Honorable WILLIAM RUDOLF,
 ALEXR. CAMPBELL,
 MICHAEL TOBIN,
 JOHN MORTON,
 HUGH BELL,
 STAYLEY BROWN,
 ALEXR. MCDUGALL,
 MATHER B. ALMON,
 EDWARD KENNY,

The Honorable JAMES D. HARRIS,
 ALEXANDER KEITH,
 WILLIAM A. BLACK,
 DAVID CRICHTON,
 HENRY G. PINEO,
 JOHN E. FAIRBANKS,
 JAMES MCNAB,
 WILLIAM STAIRS,
 JONATHAN MCCULLY.

PRAYERS.

The Minutes of yesterday were read.

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

A Bill, entitled, An Act to amend the Act for granting Duties of Impost for the support of Her Majesty's Government within this Province. Duties of Impost,

A Bill, entitled, An Act in relation to Distilleries and the Exportation of Distilled Liquors. Distilleries, and

A Bill, entitled, An Act to postpone the next Term and Sittings for Trial there- after of the Supreme Court at Halifax. Sup. Court Bills,

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Read 1st time.

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the two first Bills. S. O. S on Duties of Impost and Distilleries Bills.

The said two Bills were read a second time.

Bills read 2d time,

Ordered, That the said Bills be committed to a Committee of the whole House presently. And ord. to Com.

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

A Bill, entitled, An Act to continue and alter the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors, was read a second time. License Bill read 2d time,

Ordered, That the said Bill be committed to a Committee of the whole House at a future time. And ord. to Com.

Mr. Almon, the Chairman of the Committee, to whom a Bill, entitled, An Act to provide for the Collection of the Revenue, was referred, reported that the Committee had examined the said Bill, and that a majority of the Committee recommended it to the favorable consideration of the House. Com. on Collection of Rev. Bill rep.

The said Bill was read a second time.

Read 2d time,

Ordered, That the said Bill be committed to a Committee of the whole House at a future time. And ord. to Com.

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the Bills relating to the Provincial Revenue. S. O. S. on Revenue Bills.

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

The Chairman also reported that the Committee had gone through

Report—

A Bill, entitled, An Act to continue and alter the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors and Sales by Auction in Halifax ; also, Licenses, Halifax,

A Bill, entitled, An Act to continue and alter the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors ; also, Licenses, and

A Bill, entitled, An Act to amend the Act for granting Duties of Impost for the support of Her Majesty's Government within this Province, Duties of Impost Bills,

And had agreed to the same without any amendment.

Without am.

Ordered, That the said Bills be read a third time presently.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act in relation to Distilleries and the Exportation of Distilled Liquors, and had made an amendment thereto. Report Distilleries Bill with am.

The said amendment was read by the Clerk as follows :

Am. read,

SECOND CLAUSE.

Leave out this Clause, which Clause is as follows : “ *And be it enacted*, That no Distillery for the purpose of manufacturing, compounding, or extracting, any Rum, Gin, Whiskey, or other Spirituous Liquors, other than such as shall have been already

already commenced and may now be in course of erection, shall hereafter be set up or established within any part of this Province, and that any person who shall hereafter erect, or cause to be erected, or who shall conduct, or cause to be conducted, any Distillery, when so erected in violation of the provisions of this Clause, shall forfeit and pay for every day such Distillery so erected shall be in operation, the sum of Ten Pounds, to be sued for, and recovered and applied as other Penalties for breach of the Revenue Laws are directed to be sued for, recovered, and applied.

And agreed to

And the said amendment being read a second time, was agreed to by the House.

Ordered, That the said Bill be read a third time presently.

Rep. Collection of
Revenue Bill with
am

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to provide for the Collection of the Revenue, and had made an amendment thereto.

Motion not to re-
ceive rep

Whereupon, Mr. McDougall moved that the said Report be not received: which, being seconded, and the question being put, there appeared for the motion, ten; against the motion, nine.

For the motion—

Mr. McCully,
“ Stairs,
“ Kenny,
“ Campbell,
“ McNab,
“ Tobin,
“ McDougall,
“ Brown,
“ Bell,
“ Rudolf.

Against the motion—

Mr. Harris,
“ Fairbanks,
“ Almon,
“ Black,
“ Pineo,
“ Keith,
“ Crichton,
“ Morton,
The Lord Bishop.

Agreed to

So it passed in the affirmative.

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

Distressed Settlers,
and

A Bill, entitled, An Act to authorize Assessments for the relief of distressed Settlers, in certain cases.

Practice Sup. Court
Bills.

A Bill, entitled, An Act for altering and improving the practice of the Supreme Court.

To which Bills they desired the concurrence of this House.

S. O. S. on Rev.
Bills.

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects

Licenses, Halifax,

A Bill, entitled, An Act to continue and alter the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors, and Sales by Auction, in Halifax; also,

Licenses, and

A Bill, entitled, An Act to continue and alter the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors; also,

Duties of Impost
Bills,

A Bill, entitled, An Act to amend the Act for granting Duties of Impost for the support of Her Majesty's Government within this Province.

Read 3d time,

The said Bills were then read a third time, and the question was put by the President on each Bill,

Whether this Bill shall pass?

Agreed to,

It was resolved in the affirmative.

And sent to H. A.

A Message was sent to the House of Assembly by the Clerk, To return the said Bills, and acquaint them that this House have agreed to the same, without any amendment.

S. O. S. on Distil-
leries Bill.

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended.

pending as respects a Bill, entitled, An Act in relation to Distilleries and the Exportation of Distilled Liquors.

The said Bill was then read a third time, and the question was put by the President, Bill read 3d time.

Whether this Bill, with the amendment, shall pass ?

It was resolved in the affirmative.

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

To return the said Bill, and acquaint them that this House have agreed to the same with an amendment, to which amendment their concurrence is desired. And sent to H. A.

Mr. Tobin moved that the House do resolve itself into a Committee of the whole House for the consideration of Bills, which was agreed to. Motion for Com. on Bills agreed to.

Mr. Tobin moved that Mr. Morton be the Chairman of the said Committee : which, being seconded, Mr. Pineo moved, in amendment, that Mr. Rudolf be the Chairman of the said Committee : which, being seconded, and the question being put, there appeared, for the amendment, nine ; against the amendment, ten. Motion that Mr. Morton be Chairman. Amendment that Mr. Rudolf be Chairman.

For the amendment—

Mr. Harris,
 “ Fairbanks,
 “ Almon,
 “ Black,
 “ Pineo,
 “ Keith,
 “ Crichton,
 “ Morton,
 The Lord Bishop.

Against the amendment—

Mr. McCully,
 “ Stairs,
 “ Kenny,
 “ Campbell,
 “ McNab,
 “ Tobin,
 “ McDougall,
 “ Brown,
 “ Bell,
 “ Rudolf.

So it passed in the negative.

The question was then put upon the original motion, and agreed to. Negatived.

The House was accordingly adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Morton reported that the Committee had made some progress. Original motion agreed to. Com. on Bills.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to provide for the Collection of the Revenue—and had agreed to the same, without any amendment. Report Collection of Revenue Bill without am.

Resolved unanimously, That the Standing Order of this House, Number 72, s. o. s. relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the said Bill.

The said Bill was accordingly read a third time, and the question was put by the President, Bill read 3d time.

Whether this Bill shall pass ?

It was resolved in the affirmative.

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

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

A Bill, entitled, An Act to authorize Assessments for the relief of distressed Settlers, in certain cases. Distressed Settlers, and

A Bill, entitled, An Act for altering and improving the practice of the Supreme Court. Practice Sup. Court Bills read 1st time.

Were read a first time.

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

Ordered, That the second Bill be referred to a Select Committee, to examine and report upon. Practice Sup. Court Bill ref. to Sel. Com.

- Committee. **Ordered,** That Mr. McDougall, Mr. Morton, and Mr. McCully, be a Committee for that purpose.
- Message from H. A. agreeing to am. to Distilleries Bill. A Message was brought from the House of Assembly by Mr. Whidden, To inform the House that the House of Assembly agreed to the amendment proposed by this House to a Bill, entitled, An Act in relation to Distilleries, and the exportation of Distilled Liquors.
The said Bill was then read, as amended, and the question was put by the President,
Whether this Bill shall pass ?
It was resolved in the affirmative.
- Bill finally agreed to, And sent to H. A. A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them therewith.
- H. E. comes to Council Chamber. At six o'clock, p. m., His Excellency Lieutenant-General Sir JOHN HARVEY, Knight Commander of the Most Honorable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c., came to the Council Chamber, attended as usual, and, being seated, the Gentleman Usher of the Black Rod received His Excellency's command to let the House of Assembly know, "It is His Excellency's will and pleasure they attend him immediately in this House"—who, being come, with the Speaker, His Excellency was pleased to give his assent to fifteen Bills, entitled as follows :
- Trade British Poss. An Act in relation to the Trade between the British North American Possessions.
- Bread, Dartmouth. An Act to continue the Act to extend to the Town of Dartmouth the Act to amend the Act to regulate the Assize of Bread.
- Billeting Troops. An Act to continue the several Acts for the Accommodation and Billeting of Her Majesty's Troops, or of the Militia, when on their march from one part of the Province to another.
- County Rates. An Act to continue the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.
- Pilotage, Halifax. An Act to continue the Acts to regulate the Pilotage of Vessels at the Port of Halifax.
- Trespasses. An Act to continue the Acts now in force relating to Trespasses.
- Courts of Probate. An Act to continue the Acts relating to the Courts of Probate, and to the settlement and distribution of the Estates of Deceased Persons.
- Colonial Revenue. An Act to continue and amend certain Acts relating to the Colonial Revenue.
- Road, Aylesford. An Act in relation to a certain Road in Aylesford, and appropriations therefor.
- Highways. An Act concerning the Acts regulating Highways, Roads and Bridges.
- Licenses, Halifax. An Act to continue and alter the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors, and Sales by Auction, in Halifax.
- Licenses. An Act to continue and alter the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors.
- Duties of Impost. An Act to amend the Act for granting Duties of Impost for the support of Her Majesty's Government within this Province.
- Collection of Rev. Distilleries. An Act to provide for the Collection of the Revenue.
An Act in relation to Distilleries and the Exportation of Distilled Liquors.
The House of Assembly then withdrew, and His Excellency was pleased to retire soon after.
- H. A. withdraw. H. E. retires.
- Adjourn. On motion made and seconded—the House adjourned until To-morrow, at One o'clock.

FRIDAY, 31st MARCH, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President,

The Right Revd. and Honorable the LORD BISHOP.

The Honorable WILLIAM RUDOLF,
ALEXR. CAMPBELL,
MICHAEL TOBIN,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. MCDUGALL,
MATHER B. ALMON,
EDWARD KENNY,

The Honorable JAMES D. HARRIS,
ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES MCNAB,
WILLIAM STAIRS,
JONATHAN MCCULLY.

PRAYERS.

The Minutes of yesterday were read.

Mr. Tobin moved that the Committee appointed to consider and report to the House the amount which will be required for its Contingent Expenses, be discharged : which, being seconded, and the question being put, was agreed to. Motion to discharge
Com. carried.

The House proceeded to the consideration of the first amendment proposed by this House to a Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal—which amendment has not been agreed to by the House of Assembly. 1st amndt. to Judges
independence Bill
carried.

The said amendment was read by the Clerk.

Whereupon, Mr. Bell moved that the said amendment be not adhered to : which, being seconded, and the question being put, after long debate, there appeared, for the motion, ten ; against the motion, nine. Am. read.
Motion not to adhere
to am.

For the motion—

Mr. McCully,
“ Stairs,
“ Tobin,
“ Campbell,
“ McDougall,
“ McNab,
“ Bell,
“ Brown,
“ Kenny,
“ Rudolf.

Against the motion—

Mr. Harris,
“ Fairbanks,
“ Almon,
“ Black,
“ Keith,
“ Pineo,
“ Crichton,
“ Morton,
The Lord Bishop.

So it passed in the affirmative.

Agreed to.

DISSENTIENT.—1st—Because the independence and uprightness of the Judges are essential to the impartial administration of justice, and to the security of the right and liberties of the Subject ; and because this Bill will destroy the independence of the Judges of the Superior Courts of this Province, by making their tenure of Office to depend upon the vote of a mere majority in the two Houses of the General Assembly. Dissent, with reasons.

2nd—Because it is particularly objectionable to render the Judges thus dependent upon the Local Government, in a small Community in which *Eleven* Members form a majority in the Legislative Council, and *Twenty-six* Members in the House of Assembly, admitting that all the Members of both are present.

3rd—Because the loss of an amendment to this Bill, proposed by this House—which amendment required that an Address for the removal of a Judge should specify

specify the charges on which the Address was founded, exposes such Judge to removal, while he may be entirely ignorant of the cause of such removal ; and it is manifestly unjust, and contrary to the principles of the British Constitution, that any Subject should be condemned unheard, and be deprived of his rights, his character, and his support, without accusation, and opportunity for impartial trial.

4th—Because although this Bill professes to allow an appeal to Her Majesty's Privy Council—the allowance of such appeal is deceptive and illusory, as it would be impossible for a removed Judge to defend himself while ignorant of what he is accused—and equally impossible for the Tribunal to which the appeal is nominally allowed, to give any judgment or form any opinion.

5th—Because although Judges in England are removable upon the Joint Address of the House of Lords and Commons, (by 1st Geo. 3rd, Chapter 23), there is little analogy in the circumstances which belong to that Act, and those which must apply to this Bill. The large number of Members in those august Bodies forms a material discrepancy. But a still more important difference exists in the constant presence of the Lord Chancellor, and generally of one or more of the Chief Justices of the Higher Courts of Westminster, in the House of Lords, where, in any case affecting the removal of a Judge, those high Officers are always heard, and heard with effect—thus, in some measure, representing the whole Bench, and protecting the Judges if protection should be required from any wrong ; while in Nova-Scotia, all the Judges are excluded from those Seats in the Legislative Council, which some of them formerly occupied, and held at the time when the Provincial Act of 29, George 3rd, Chapter 12, provided for the permanent Salaries of the Puisne Judges, and at the same time made them removable, upon the Joint Address of the Council and Assembly.

6th—Because a measure of such great importance involving the purity of the administration of justice should not be passed except by a clear majority, whereas, in the Legislative Council, when Twenty Members were present, Ten voted for this Bill, and Ten were opposed to it—and the Ten opposed to it included the President of the Council ; while under similar circumstances no Bill could have passed in the Upper House of Parliament in England.

S. B. ROBIE,
JOHN NOVA-SCOTIA,
W. A. BLACK,
JOHN E. FAIRBANKS,
M. B. ALMON,
JOHN MORTON,
A. KEITH,
JAMES D. HARRIS,
DAVID CRICHTON,
H. G. PINEO,

Motion to send Bill
to H. A.

Mr. Bell then moved that the Clerk do return the said Bill to the House of Assembly, and inform them that this House do not adhere to their first amendment thereto : which, being seconded, Mr. Fairbanks moved, in amendment, that the further consideration of the said Bill be deferred to this day three months : which, being seconded, and the question being put, there appeared, for the motion, nine ; against the motion, ten.

Motion in am. to de-
fer 3 months.

For the motion—
 Mr. Harris,
 “ Fairbanks,
 “ Almon,
 “ Black,
 “ Keith,
 “ Pineo,
 “ Crichton,
 “ Morton,
 The Lord Bishop.

Against the motion—
 Mr. McCully,
 “ Stairs,
 “ Tobin,
 “ Campbell,
 “ McDougall,
 “ McNab,
 “ Bell,
 “ Brown,
 “ Kenny,
 “ Rudolf,

So it passed in the negative.

Then the question was put upon the original motion, and passed in the affirmative.

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

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

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

A Bill, entitled, An Act for improving the Law of Evidence.

A Bill, entitled, An Act to provide for the building of Wallace Bridge.

A Bill, entitled, An Act to Incorporate a Temperance Hall Company in Halifax.

To which Bills they desired the concurrence of this House.

Mr. McNab, by the command of His Excellency the Lieutenant-Governor, laid before the House—

A copy of a Despatch, dated 3d May, 1847, from the Secretary of State for the Colonies to the Lieutenant-Governor, relating to the Salary of the Lieutenant-Governor.

Also a Letter, dated 1st April, 1847, from the Executive Council, relative to the same subject.

(Vide Appendix, No. 30.)

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

SATURDAY, 1st APRIL, 1848.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. ROBIE, President,

The Right Revd. and Honorable the LORD BISHOP.

The Honorable WILLIAM RUDOLF,
 ALEXR. CAMPBELL,
 MICHAEL TOBIN,
 JOHN MORTON,
 HUGH BELL,
 STAYLEY BROWN,
 ALEXR. MCDUGALL,
 MATHER B. ALMON,
 EDWARD KENNY,

The Honorable JAMES D. HARRIS,
 ALEXANDER KEITH,
 WILLIAM A. BLACK,
 DAVID CRICHTON,
 HENRY G. PINEO,
 JOHN E. FAIRBANKS,
 JAMES McNAB,
 WILLIAM STAIRS,
 JONATHAN McCULLY.

PRAYERS.

The Minutes of yesterday were read.

Negatived.

Original motion agreed to.

Message to H. A.

Evidence,

Wallace Bridge, and

Temperance Hall Bills.

Message from H. A. with

Despatch rel. to increase of Governor's Salary.

Minute of Executive Council rel. to do.

Mr. Cutler's excuse. The Clerk read the following Letter, addressed to him by the Honble. R. M. Cutler :

Guysborough, March 27, 1848.

DEAR SIR—

I have to acknowledge the receipt of your Note of the 22nd instant, written by direction of the Legislative Council, wishing to be informed as to my intention relative to my seat there ; I have now to state, for the information of the House, that I fully intended to have given my attendance this Session, but was unfortunately prevented from doing so in consequence of illness of myself and several of the members of my family ; but should my life and health be spared, I shall certainly give my attendance the next Session.

I have the honor to be,

Your very humble Servant,

(Signed)

R. M. CUTLER.

JOHN C. HALLIBURTON, Esq., C. L. C.

- Evidence Bill read 1st time, And ref. to Sel. Com. Committee. A Bill, entitled, An Act for improving the Law of Evidence, was read a first time. *Ordered*, That the said Bill be referred to a Select Committee, to examine and report upon. *Ordered*, That Mr. McDougall, Mr. Morton, and Mr. Rudolf, be a Committee for that purpose.
- Wallace Bridge, and Temperance Hall Co. Bills, Read 1st time. A Bill, entitled, An Act to provide for the building of Wallace Bridge ; also, A Bill, entitled, An Act to incorporate a Temperance Hall Company at Halifax, Were read a first time. *Ordered*, That the said Bills be read a second time at a future day.
- Grandique, Landings, King's Co. Postage, and Sup. Court, Hx. Bills, Read 2nd time, And ord. to Com. A Bill, entitled, An Act relating to the Grandique Ferry, in the County of Richmond ; also, A Bill, entitled, An Act additional to the Act to regulate certain Landings in the County of King's County ; also, A Bill, entitled, An Act to enable the Governor in Council to make Orders and Regulations for establishing an Uniform Rate of Postage throughout British America ; also, A Bill, entitled, An Act to postpone the next Term, and Sittings for Trial there-after, of the Supreme Court at Halifax, Were read a second time. *Ordered*, That the said Bills be committed to a Committee of the whole House at a future time.
- Distressed Settlers Bill read 2nd time, And ref. to Sel. Com. Committee. A Bill, entitled, An Act to authorize Assessments for the relief of distressed Settlers, in certain cases—was read a second time. *Ordered*, That the said Bill be referred to a Select Committee, to examine and report upon. *Ordered*, That Mr. Bell, Mr. Harris, Mr. McDougall, and Mr. Fairbanks, be a Committee for that purpose.
- Incorporation, Hx. Bill read 2nd time, And ord. to Com. A Bill, entitled, An Act to consolidate the Acts respecting the Incorporation of the City of Halifax, was read a second time. *Ordered*, That the said Bill be committed to a Committee of the whole House at a future day.
- Made Order of Day. Mr. Kenny moved that it be the Order of the Day for Monday next for the said Bill to be considered in a Committee of the whole House : which, being seconded, and

and the question being put, there appeared, for the motion, ten ; against the motion, nine :

For the motion—

Mr. McCully,
 “ Stairs,
 “ Kenny,
 “ Campbell,
 “ McNab,
 “ Tobin,
 “ Brown,
 “ Bell,
 “ Rudolf.

The President.

Against the motion—

Mr. McDougall,
 “ Harris,
 “ Fairbanks,
 “ Almon,
 “ Black,
 “ Pineo,
 “ Keith,
 “ Crichton,
 “ Morton,

So it passed in the affirmative.

The Clerk read the following Statement of the amount required for the Contingent Expenses of this House for the present Session :

Contingencies of Council.

The Salary of the Clerk,	£200	0	0
“ of the Law Clerk and Clerk of the Parliament,	150	0	0
“ of the Gentlemen Usher of the Black Rod and Sergeant at Arms,	75	0	0
“ of the Chaplain,	25	0	0
“ of the Messengers, viz :			
First Messenger,	£45	0	0
Second do.	30	0	0
		75	0
W. C. Manning’s Account for Stationery, balance for last year and for the present year—binding Laws, Journals, Standing Orders and Journals of Lords and Commons,	95	7	10
Joseph Graham’s Account for last year and the present year,	50	17	5½
McKenzie & Co’s Account,	1	9	9
J. H. Crosskill’s Account, Gazette 4 years,	8	8	11½
Morning Post for Advertising,	3	17	11
Gossip & Coade’s Account for Marshall’s Justice, and Times,	3	10	0
DeChezeau & Crow’s Account,	0	19	3
Fuel, &c., to be accounted for by Clerk,	20	0	0
This sum for Contingencies of the Council, to be expended under direction of a Committee of the House,	60	0	0
To pay the Reporter,	50	0	0
		£819	11 2

Ordered, That the said Statement be received and adopted.

On motion, *resolved*, that a Conference be desired with the House of Assembly, by Committee, on the General State of the Province, and that the Committee of this House do communicate to the Committee of the House of Assembly the amount required to defray the Contingent Expenses of this House for the present Session.

Conference on Genl. State of Province, rel. to Con.

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

Conference asked.

Mr. Campbell, the Chairman of the Committee to whom a Bill, entitled, An Act to empower the Presbyterian Congregation at River John, in the County of Pictou, to appoint Trustees for the purpose of holding Lands for the use of said Congregation,

Com. on Pres. Church River John Bill, rep.

gregation, was referred, reported that the Committee had examined the said Bill, and recommended it to the favourable consideration of the House.

Bill read 2d time,
And ord. to Com.

The said Bill was read a second time.

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

Com. on Civil List
Bill, rep.

Mr. Morton, the Chairman of the Committee to whom a Bill, entitled, An Act to commute the Crown Revenues of Nova-Scotia, and to provide for the Civil List thereof, was referred, made the following Report, agreed to by a majority of the Committee :

REPORT.

Report.

This Bill states that the former Bill of 1844 was not disallowed on account of the Scale of Salaries it contained.

As it respects the Salaries to be paid to Officers to be subsequently appointed, that may be correct ; but it is evident from Lord Stanley's Despatch of the 15th November, 1845, that the principal objection to the Bill was, that it did not enable Her Majesty to keep the public faith with those persons then in office. His Lordship dwells chiefly upon the Arrears then due to them ; but there is nothing in that Despatch which sanctions an opinion that any reduction of the Salaries annexed to the offices of the then incumbents, would have received Her Majesty's assent.

The Right Hon. W. E. Gladstone, in his Despatch to Lord Falkland, dated 29th April, 1846, is very explicit on this point. After stating that " Her Majesty is convinced that Her faithful subjects in Nova-Scotia would deprecate and oppose any measures by which the public faith, so pledged, would be violated in any instance or to the slightest extent," proceeds : " From these positions, it follows that no Civil List Bill can ever be accepted by the Crown, which does not make provision for the payment of all Arrears due to all Her Majesty's Officers in Nova Scotia. The same principle not less clearly forbids the acceptance of any Civil List which involves the reduction of the Salaries of any of the Judges at present holding office in Nova-Scotia. From the Address presented to Her Majesty, it would appear that the Assembly consider that the terms of the Bill of 1844 were unconditionally accepted : nothing, however, appears in the correspondence to sustain that opinion. Her Majesty has invariably maintained the position which she still maintains, that it would be a violation of the public faith, and therefore wholly inadmissible, that the funds on which the existing Civil Establishment has been formed should be surrendered until provision has been made for the liquidation of every present debt, and of every existing liability, with the payment of which these funds have been lawfully charged."

Mr. Gladstone concludes this Despatch as follows : " Your Lordship rightly understands that the Act of 1844 is finally disposed of, and will not be assented to by Her Majesty ; but that if a Civil List is to be granted, it will be necessary to legislate anew for that purpose."

In contemplation of that renewed legislation, the Right Honble. Lord Grey, in his Despatch to His Excellency Sir John Harvey, dated 17th Novr., 1846, says : " The views which I have submitted to the Queen, for Her Majesty's sanction, and which Her Majesty has been graciously pleased to approve, are then as follows : The transfer to the Local Legislature, of the right to appropriate to the Public service the proceeds of the Crown Revenue, I do not regard as the sacrifice of any useful or desirable power ; but the reverse. I know not what really advantageous object would be effected by retaining that authority ; and the inconvenience is at once manifest and considerable."

In this passage, the present Right Hon. the Secretary of State manifests the most entire willingness to transfer the future management of the Revenue to the Local Legislature. He continues : " But

“ But though I am not merely willing, but desirous, to divest the Officers of the Crown of the control over these funds, which they have hitherto exercised, there are certain conditions which must be attached to that surrender, and without which it could not be made, except at the expense of neglecting the highest obligations: Of these conditions, the first and most indispensable is, that every debt for which the property to be surrendered is responsible, should be fully satisfied before the transfer is made: of those debts the arrears of the Salaries of the Public Officers of the Province constitute the most urgent. To give up the only means of satisfying them, without, at the same time, stipulating for their previous payment, would be to commit a breach of the pledged faith, and a violation of the honor of the Crown, to which no imaginable considerations of convenience or of interest would ever reconcile the Queen, or Her Majesty's confidential advisers. This, therefore, you will understand as being the essential and indispensable preliminary to any such arrangement. If of a lower degree, yet of the same general nature is the claim of all the existing Incumbents of Public Offices appointed by the Queen, to continue during their incumbencies in the receipt of the same rate of Salary as they at present enjoy. I have no reason to suppose, that by acting on this principle, any serious burthen will be thrown on the finances of the Province; but I cannot advise the Queen to abandon the means of fulfilling the reasonable expectations and just hopes of her servants in Nova-Scotia, unless, at the same moment, some effectual security shall be taken for the fulfilment of those expectations and hopes from other and sufficient sources.”

Thus, it appears, that three successive Secretaries of State, however they may have differed in their political opinions, all concur in those honorable sentiments which are the safest guides both in public and private life. All unite in declaring that the public faith will be violated if the Crown Revenues are transferred without securing the payment of all arrears due to the Public Officers, and of their present Salaries to the present Incumbents of Office.

The Bill referred to your Committee is not framed upon these principles.

The arrears due to Lord Falkland, amount to	£2375 0 0	Leaving due,
The Bill only provides for the payment of	750 0 0	
		£1625 0 0
Due to the Chief Justice,	927 1 8	
Payment proposed,	328 0 0	
		599 1 8
Due to Judge Wilkins' Estate,	157 12 1	
“ Judge Hill,	157 12 1	
“ Judge Bliss,	157 12 1	
“ Estate of late Master of the Rolls, (Archibald),	185 8 4	
“ Late Attorney General, (Johnston),	556 5 0	
“ Late Secretary, (George),	468 15 2	
		1683 4 9
Leaving this sum totally unprovided for,		£3907 6 5

The omission of the sums due to these several Officers is made upon the presumption that the Bill of 1844 is to be deemed a Law as it respects them, although it was passed with a clause suspending its operation until it should receive Her Majesty's assent, which assent was never given, and which the Secretary of State, (Mr. Gladstone, in his Despatch of the 29th April, 1846,) informed Lord Falkland would not be given.

Your Committee are of opinion that such presumption is not well founded, and that none of Her Majesty's subjects can be bound by any Bill which passes with a clause “suspending its operation until Her Majesty's pleasure is known,” until

such Bill receives the Royal assent. They, therefore, think that those Officers were all entitled to their respective Salaries, and that upon the sound principles so forcibly expressed by the three Right Honorable Secretaries of State, provision should be made for the payment of them before this House concurs in any Bill for the transfer of the Royal Revenues in exchange for a Civil List.

This Bill also violates the principle which the Right Honorable Secretaries of State think the honor of the Crown is pledged to pursue, of securing their present rate of Salary to the present Incumbents of Office.

Your Committee beg leave to state, that although they have brought under the notice of this Honorable House the sentiments and opinions of the several Secretaries of State upon this important subject, and stated that, for the reasons assigned by them, this Bill ought not to be concurred in, your Committee would not have done so if they did not themselves fully participate in the sentiments upon which those opinions are founded.

JOHN MORTON, Chairman.

Bill read 2d time,
And ord. to Com.

The said Bill was read a second time.

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

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

£17 10s. change of
appropriation
King's Co.

Resolved, That the sum of Seven Pounds Ten Shillings, appropriated out of the Road Money for King's County in 1845, to repair the Road from A. Coit's, on the Nictau Road, Easterly, and which was by the Resolution of this House in 1847 ordered to be applied to the building of a Bridge on the new Road from Trenholm's Mill to William Taylor's, and not expended, and returned undrawn; and also, the further sum of Ten Pounds, appropriated out of the Road Money in 1847 for the new Road from William Taylor's to Trenholm's Mill, and undrawn, making together Seventeen Pounds Ten Shillings, be appropriated for the new Road leading to Black River.

Audit of Public Ac-
counts Bill,

A Bill, entitled, An Act to provide for a more accurate Audit and Inspection of Public Accounts in this Province, and for the appointment of certain Public Officers therein.

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

Read 1st time.

The same were read a first time.

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

S. O. S. on Sup.
Court, Halifax,
Bill.

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended, as respects a Bill, entitled, An Act to postpone the next Term, and Sittings for trial thereunder, of the Supreme Court at Halifax.

Com. on Bills.

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

Report—

The Chairman also reported that the Committee had gone through—

Aliens, and

A Bill, entitled, An Act relating to the Naturalization of Aliens within this Province; also,

Gaol, Halifax, Bills,
without amdt.

A Bill, entitled, An Act for the regulation of the County Gaol at Halifax, And had agreed to the same without any amendment.

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

Report Electric Te-
legraph Bill, with
amtds.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act concerning the Electric Telegraph, and had made two amendments thereto.

The

The said amendments were read by the Clerk as follows :

Amdts. read, and

THIRD CLAUSE.

116th and 117th lines—Leave out the words “ Proprietors of the land,” and insert instead the word “ Commissioners.”

At the end of the Clause insert the following Proviso :

“ *Provided always*, that such trees and underwood so cut down as aforesaid, shall continue the property of the Proprietor of the said lands, if not required for the said works.”

And the said amendments being read a second time, were agreed to by the House. Agreed to.

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

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to postpone the next Term, and Sittings for trial thereafter, of the Supreme Court at Halifax, and had made several amendments thereto. Report Sup. Court, Hx. Bill, with amdts.

The said amendments were read by the Clerk as follows :

Amdts. read,

IN THE TITLE.

2d and 3d lines—Leave out the words “ and Sittings for trial thereafter.”

FIRST CLAUSE.

6th line—After the word “ April” insert the words “ instead of the first Tuesday of April”—after the word “ year” insert the words “ and shall continue for one week only.”

8th line—Instead of the word “ fourth” insert the word “ third.”

10th line—Instead of the words “ instead of the times” insert the words “ as now.”

11th line—Leave out the word “ heretofore.”

And the said amendments being read a second time, were agreed to by the House. And agreed to.

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

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

To inform the House that the House of Assembly agreed to the Conference desired by this House on the General State of the Province. H. A. agree to Conference.

Ordered, That Mr. McDougall, Mr. Fairbanks, and Mr. Stairs, be a Committee of this House to manage the said Conference. Committee.

And the Managers went to the Conference, and being returned, Mr. McDougall reported that the Committee had held the said Conference, and that he had communicated his instructions to the Committee of the House of Assembly. Report.

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act to postpone the next Term, and Sittings for trial thereafter, of the Supreme Court at Halifax. S. O. S. on Sup. Court, Hx. Bill.

The said Bill was read a third time, and the question was put by the President, Whether this Bill, with the amendments, shall pass ? Bill read 3d time,

Whether this Bill, with the amendments, shall pass ?

It was resolved in the affirmative.

Agreed to with amendments, and sent to H. A.

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

To return the said Bill, and acquaint them that this House have agreed to the same with amendments, to which amendments their concurrence is desired.

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

 MONDAY, 3rd APRIL, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. ROBIE, President.

The Right Revd. and Honorable the LORD BISHOP.

<p>The Honorable WILLIAM RUDOLF, ALEXANDER CAMPBELL, MICHAEL TOBIN, JOHN MORTON, HUGH BELL, STAYLEY BROWN, ALEXR. MCDUGALL, MATHER B. ALMON, EDWARD KENNY,</p>	<p>The Honorable JAMES D. HARRIS, ALEXANDER KEITH, WILLIAM A. BLACK, DAVID CRICHTON, HENRY G. PINEO, JOHN E. FAIRBANKS, JAMES McNAB, WILLIAM STAIRS, JONATHAN McCULLY</p>
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PRAYERS.

The Minutes of Saturday were read.

Resignation of Pre-
sident.

The Hon. Mr. Robie rose in his place, and stated that he had this morning sent a letter to His Excellency the Lieutenant-Governor, containing a resignation of his office of President of this House—that he had not brought a copy of this letter which contained his reasons for taking this step, but would transmit one without delay; and then, after bowing to the House, he retired.

President's Letter to
Lieut.-Governor.

The following is a copy of the letter above referred to.

MAY IT PLEASE YOUR EXCELLENCY—

A Bill having passed the two Houses, for rendering the Judges of the Supreme Court, and the Master of the Rolls, independent of the Crown, but which makes those Officers removable upon the vote of a majority in the Legislative Council and the House of Assembly, without any specific charges being necessary, will destroy the independence of the Judges of those High Courts, by rendering the tenure of office insecure. Although I think no Bill of the kind to be necessary, yet, if the House of Assembly had concurred in an amendment proposed by the Council, that specific charges should be made the ground of the Address for the removal of any Judge, I should have agreed to it; but the House having rejected that amendment, have substituted a much more dangerous dependence than that upon the Crown, as it takes away the present security of an appeal to the Crown against any Judge who might possess sufficient influence in either branch of the General Assembly to protect him.

Another Bill, for commuting the Casual Revenue of the Crown, and granting a Civil List, has passed the House of Assembly, and is now before the Legislative Council: This Bill reduces the Salaries of the Chief Justice and other Judges far below what they now are, and have been for many years past, contrary to the very strongly expressed opinions of many of Her Majesty's Secretaries of State for the Colonies, and very recently of Mr. Gladstone and Earl Grey, who have declared that Her Majesty could not be advised to consent to any measure that did not preserve the rights of the present incumbents of office, and enable her to preserve the public faith with her servants. The Bill also makes very inadequate provision for the payment of the Arrears due from the Casual Revenue, as some of those do not appear to be at all provided for; and the Bill provides for the payment only of about £750 to the late Lieutenant-Governor, Lord Falkland, instead of £2,375 due to him, and makes provision for other Arrears in the same diminished proportion—though I have been informed, and believe, that Her Majesty's Government in
England

England have paid to Lord Falkland the whole amount of the larger sum, and have charged it as part of the Arrears due from that Revenue, and although the amounts due to the several other Officers depend on the same principle.

These measures having been introduced by Your Excellency's Government, it would seem proper that the President of the Council should not oppose them; but as I think the first will most certainly destroy the independence of the Judges of the Superior Courts, and that security for the rights of the subject which can only be preserved by their independence, I cannot assent to it; and as the other measure not only contravenes the directions of the Colonial Secretaries before referred to, but will, in my opinion, do injustice to Public Officers, I must refuse my assent to that also. I hope I need not assure Your Excellency how gratifying it would have been to me to have given my humble support to every measure of your Administration; and how reluctantly I am now compelled, by the views I have taken of these measures, to say that I cannot agree to them without violating those principles which I have endeavoured through life to preserve. For these reasons, I beg to inform Your Excellency that I can no longer retain the office of the President of the Legislative Council, and most respectfully now resign it, and my seat in that Assembly, with a request that Your Excellency will have the goodness to transmit this letter to Earl Grey, with a copy of the Protest made in the Council to the Bill relating to the Judges.

I have the honor to remain,
Your Excellency's
Most obedient Servant,
(Signed)

S. B. ROBIE.

His Excellency the Lieutenant-Governor, &c. &c.

3d April, 1848.

The Hon. Mr. Rudolf, as senior Member present, took the Chair—

Whereupon, Mr. Kenny moved that a Committee be appointed to wait upon His Excellency the Lieutenant-Governor, to inform him that the House is at present without a President, and is desirous of knowing His Excellency's pleasure concerning this matter. Resolution to inform H. E.

Resolved, That Mr. Tobin, Mr. Bell, and Mr. McNab, be a Committee for that purpose. Committee.

Then the House adjourned until Four o'clock, P.M.

Adjourn.

At Four o'clock, P.M., the House met pursuant to the adjournment; Mr. Rudolf sat as President. House meets.

Mr. Tobin, the Chairman of the Committee appointed to wait upon His Excellency the Lieutenant-Governor, and inform him that the House is at present without a President, reported that the Committee had performed that duty, and that His Excellency had been pleased to state he would take immediate steps to fill the Chair by appointing another President. Report of Com. to wait on H. E.

The Hon. Mr. Tobin presented the following Commission, which was read by the Clerk: Mr. Tobin presents Commission as President.

BY HIS EXCELLENCY LIEUTENANT-GENERAL,

SIR JOHN HARVEY,

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

Sd. J. HARVEY.

TO THE HONORABLE MICHAEL TOBIN.

GREETING :

Commission.

Having confidence in your loyalty, integrity, and discretion, I do, by these precepts, with the advice and consent of Her Majesty's Executive Council, constitute and appoint you to be, provisionally, President of the Legislative Council in this Province, until Her Majesty's pleasure shall be known—to hold the said office, unto you the said Michael Tobin, during pleasure, and your residence within the said Province.

Given under my Hand and Seal at Arms, at Halifax, this Third day of April, in the Eleventh Year of Her Majesty's Reign, A.D., 1848.

By His Excellency's Command.

(Signed).

JOSEPH HOWE.

Mr. Tobin takes Oaths,

Whereupon, the Oath of Allegiance, and the Oath of Office, were administered to Mr. Tobin by the Hon. Joseph Howe, Secretary of the Province, and the Hon. James B. Uniacke, Attorney General, and then Mr. Tobin took the Chair as President of this House.

And the Chair,

Aliens, and

A Bill, entitled, An Act relating to the Naturalization of Aliens within this Province ; also,

Gaol, Halifax, Bills,
Read 3d time,

A Bill, entitled, An Act for the Regulation of the County Gaol at Halifax—
Were read a third time, and the question was put by the President on each Bill,
Whether this Bill shall pass ?

Agreed to,

It was resolved in the affirmative.

And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,
To return the said Bills, and acquaint them that this House have agreed to the same without any amendment.

Electric Telegraph
Bill, read 3d time.

A Bill, entitled, An Act concerning the Electric Telegraph—was read a third time, and the question was put by the President,
Whether this Bill, with the amendments, shall pass ?

Agreed to with am.

It was resolved in the affirmative.

And sent to H. A.

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

Wallace Bridge, and
Tem. Hall Bills,

A Bill, entitled, An Act to provide for the building of Wallace Bridge ; also,
A Bill, entitled, An Act to Incorporate a Temperance Hall Company at Halifax—

Read 2nd time,

Were read a second time.

And ord. to Com.

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

Message from H. A.

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

Agreeing to Independence of Judges Bill as amended

To inform the House, that the House of Assembly agreed to a Bill, entitled, An Act to render the Judges of the Supreme Court and the Master of the Rolls independent of the Crown, and to provide for their removal, as now amended.

Also,

Also, to inform the House, that the House of Assembly did not agree to the amendments proposed by this House to a Bill, entitled, An Act to postpone the next Term, and Sittings for Trial thereafter, of the Supreme Court at Halifax. Not agreeing to am. to Supreme Court, Halifax, Bill.

Also, to inform the House, that the House of Assembly agreed to a Bill, entitled, An Act to amend the Act to facilitate proceedings before Justices of the Peace, and others, without any amendment. Agreeing to Bill to facilitate proceedings before J.P.

Also, with the following Bills :

A Bill, entitled, An Act relating to the Crown Land Department of this Province ; Crown Land Dept.

A Bill, entitled, An Act for the regulation of Juries— And Juries Bills.
To which Bills they desired the concurrence of this House.

A Bill, entitled, An Act to render the Judges of the Supreme Court, and the Master of the Rolls, independent of the Crown, and to provide for their removal— Independence of Judges Bill,
was read as amended, and the question was put by the President,

Whether this Bill, as now amended, shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk, Finally agreed to, and sent to H. A.
To return the said Bill, and acquaint them therewith.

The House proceeded to the consideration of the amendments proposed by this House to a Bill, entitled, An Act to postpone the next Term, and Sittings for Trial thereafter, of the Supreme Court at Halifax—which amendments have not been agreed to by the House of Assembly. Am. to Sup. Court, Hx. Bill considered.

Whereupon, Mr. Kenny moved that the said amendments be not adhered to : Motion not to adhere to am.
which, being seconded, and the question being put, there appeared, for the motion, nine ; against the motion, eight.

For the motion—

Mr. McCully,
“ Stairs,
“ McDougall,
“ McNab,
“ Brown,
“ Campbell,
“ Bell,
“ Kenny,
“ Rudolf,

Against the motion—

Mr. Harris,
“ Almon,
“ Black,
“ Pineo,
“ Fairbanks,
“ Crichton,
“ Keith,
“ Morton.

So it passed in the affirmative.

Then Mr. McCully moved that the said Bill do pass : which, being seconded, Agreed to, Bill passed,
and the question being put, passed in the affirmative.

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

To return the said Bill, and acquaint them that this House do not adhere to And sent to H. A.
their amendments thereto.

Mr. Bell, the Chairman of the Committee to whom a Bill, entitled, An Act to Com. on Distressed Settlers Bill rep.
authorize Assessments for the relief of distressed Settlers in certain cases, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.

The said Bill was read a second time.

Bill read 2nd time,

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

Mr. McDougall, the Chairman of the Committee to whom a Bill, entitled, An Com. on Evidence Bill rep.
Act for improving the Law of Evidence, was referred, reported that the Committee had examined the said Bill, and recommended that the further consideration thereof should be deferred to this day three months.

The

Order of Day on Hx.
Incorporation Bill
postponed.

The Order of the Day for the House to be put into a Committee of the whole House for the consideration of a Bill, entitled, An Act to consolidate the Acts respecting the Incorporation of the City of Halifax being read—

On motion, *resolved*, that the Order of the Day be postponed until To-morrow.

H. E. comes to
Council Chamber.

At six o'clock, P.M., His Excellency Lieutenant-General Sir JOHN HARVEY, Knight Commander of the Most Honorable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c., came to the Council Chamber, attended as usual, and, being seated, the Gentleman Usher of the Black Rod received His Excellency's commands to let the House of Assembly know "It is His Excellency's will and pleasure they attend him immediately in this House—who, being come with their Speaker, His Excellency was pleased to give his assent to five Bills, entitled as follows :

H. A. attend.

H. E. assents to five
Bills.

Proceedings before
J. P.

An Act to amend the Act to facilitate Proceedings before Justices of the Peace, and others.

Aliens,

An Act relating to the Naturalization of Aliens within this Province.

Gaol, Halifax,

An Act for the regulation of the County Gaol at Halifax.

Independence of
Judges, and

An Act to render the Judges of the Supreme Court and Master of the Rolls independent of the Crown, and to provide for their removal.

Sup. Court, Hx.

An Act to postpone the next Term, and Sittings for trial thereafter, of the Supreme Court at Halifax.

H. A. withdrew.

H. E. retires.

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

Adjourn.

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

TUESDAY, 4th APRIL, 1848.

The House met pursuant to adjournment.

PRESENT—

The Honorable MICHAEL TOBIN, President,

The Honorable WILLIAM RUDOLF,
ALEXR. CAMPBELL,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. MCDUGALL,
MATHER B. ALMON,
EDWARD KENNY,
JAMES D. HARRIS,

The Honorable ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES McNAB,
WILLIAM STAIRS,
JONATHAN McCULLY.

PRAYERS.

The Minutes of yesterday were read.

Leave of absence to
Mr. Campbell.

On motion of Mr. Morton,
Ordered, That Mr. Campbell have leave of absence, after to-morrow, to return home on urgent private business.

Crown Land Dept.
Bill read 1st time,
and

Ref. to sel. Com.

A Bill, entitled, An Act relating to the Crown Land Department of this Province—was read a first time.

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

Ordered,

Ordered, That Mr. Almon, Mr. Black, and Mr. Keith, be a Committee for that purpose. Committee.

A Bill, entitled, An Act for the Regulation of Juries—was read a first time.

Ordered, That the said Bill be referred to a Select Committee to examine and report upon. Juries Bill read 1st time, And referred to Sel. Com.

Ordered, That Mr. McDougall, Mr. Brown, Mr. Bell, Mr. McCully, and Mr. Morton, be a Committee for that purpose. Committee.

A Bill, entitled, An Act for improving the Law of Evidence—was read a second time. Evidence Bill read 2nd time, and

On motion of Mr. McDougall, *ordered*, that the further consideration of the said Bill be deferred to this day three months. Deferred 3 months.

Mr. McDougall, the Chairman of the Committee to whom a Bill, entitled, An Act for altering and improving the Practice of the Supreme Court ; also, Com. on Prac. Sup. Court, and

A Bill, entitled, An Act for the amendment of the Law, and the better advancement of Justice, Amend. of Law Bill.

Were referred, reported that the Committee had examined the said Bills, and recommended them to the favorable consideration of the House. Report,

The said Bills were read a second time.

Ordered, That the said Bills be committed to a Committee of the whole House at a future day. Bills read 2nd time, And ord. to Com.

A Bill, entitled, An Act to provide for a more accurate Audit and Inspection of Public Accounts in this Province, and for the appointment of certain Public Officers therein—was read a second time. Audit of Pub. Accounts Bill read 2nd time.

Mr. Almon presented the petition of Mr. Fairbanks, the Provincial Treasurer, stating the circumstances under which he was appointed to that office, and praying the said Bill might not be assented to—which, was read. Pet. of Treasurer rel. to Bill.

Whereupon, Mr. Morton moved that the further consideration of the said Bill be deferred to this day three months : which, being seconded, and the question being put, there appeared, for the motion, eight ; against the motion, nine. Motion to defer Bill 3 months.

For the motion—

Mr. Harris,
 “ Almon,
 “ Fairbanks,
 “ Black,
 “ Keith,
 “ Crichton,
 “ Morton,
 “ Pineo.

Against the motion—

Mr. McCully,
 “ Stairs,
 “ Campbell,
 “ Kenny,
 “ McNab,
 “ McDougall,
 “ Brown,
 “ Bell,
 “ Rudolf.

So it passed in the negative.

Ordered, That the said Bill be committed to a Committee of the whole House at a future time. Negatived. Bill ord. to Com.

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

A Bill, entitled, An Act to enable the Halifax Water Company to construct a Reservoir on the Common of Halifax. Water Co.,

A Bill, entitled, An Act for the regulation of the Salmon Fishery in the Rivers of this Province. Salmon Fishery, and

A Bill, entitled, An Act to Naturalize Frederick Mantovani, Silas Bliss Wing, Charles P. Allen, and John B. Fay— Naturalization of F. Mantovani & al. Bills,

To which Bills they desired the concurrence of this House.

- Read 1st time. The said Bills were read a first time.
Ordered, That the said Bills be read a second time at a future day.
- Com. on Bills. On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.
- Recommend Pictou Harbor Bill to be def. 3 months. The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act further to amend the Act to preserve and regulate the Navigation of the Harbor of Pictou—and that the Committee recommended that the further consideration of the said Bill should be deferred to this day three months.
- Bill deferred. *Ordered*, That the said Report be received, and that the further consideration of the said Bill be deferred to this day three months.
- Message from H. A. agreeing to an. to Electric Telegraph Bill. A Message was brought from the House of Assembly by Mr. Whidden, To inform the House, that the House of Assembly agreed to the amendments proposed by this House to a Bill, entitled, An Act concerning the Electric Telegraph.
- £12 change of appropriation, Shelburne. The Messenger also brought up the following Resolutions :
Resolved, That the sum of Twelve Pounds, granted in the last Session for the repair of the Road from Andrew Smith's to the Main Road, in the County of Shelburne, and remaining undrawn, be applied to the alteration of the Road from John Nickerson's to the Great Bend, (so called).
- £6 10s. do. Colchester. *Resolved*, That the sum of Six Pounds and Ten Shillings, appropriated out of the Road Money for Colchester, to repair the Road from Paul McDonald's to the Pictou County Line, in 1844, and not yet expended, and reported undrawn, be now applied to repair the Road from McKay's Mill to Widow Ross', in Earl Town.
- £7 do. Annapolis. *Resolved*, That the sum of Seven Pounds, granted last year for the Road on the West end of the Road from the Handley Mountain Road to the Widow Westlake's corner, in the County of Annapolis, and remaining undrawn, be appropriated and applied for the repair of the Road from the Phinney Mountain Road to the Gates Mountain Road, past the Spa Springs—
To which Resolutions they desired the concurrence of this House.
- Read 1st time. The said Resolutions were read a first time.
Ordered, That the said Resolutions be read a second time at a future day.
- Order of day on Hx. Incorporation Bill postponed. The Order of the Day for the House to be put into a Committee of the whole House for the consideration of a Bill, entitled, An Act to consolidate the Acts respecting the Incorporation of the City of Halifax, being read,
On motion, *resolved*, that the Order of the Day be postponed until a future time.
- Adjourn. On motion made and seconded—the House adjourned until To-morrow, at One o'clock.

WEDNESDAY, 5th APRIL, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable MICHAEL TOBIN, President.

The Right Revd. and Honorable the LORD BISHOP.

The Honorable WILLIAM RUDOLF,
ALEXANDER CAMPBELL,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. McDUGALL,
MATHER B. ALMON,
EDWARD KENNY,
JAMES D. HARRIS,

The Honorable ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES McNAB,
WILLIAM STAIRS,
JONATHAN McCULLY.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act concerning the Electric Telegraph, was read as amended, and the question was put by the President, Electric Telegraph Bill,

Whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk, Finally agreed to,
And sent to H. A.
To return the said Bill, and acquaint them therewith.

A Bill, entitled, An Act to enable the Halifax Water Company to construct a Reservoir on the Common of Halifax—was read a second time. Water Co. Bill read
2d time,

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

A Bill, entitled, An Act for the regulation of the Salmon Fishery in the Rivers of this Province—was read a second time. Salmon Fishery Bill
read 2d time,

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

Ordered, That Mr. Campbell, Mr. McDougall, and Mr. Rudolf, be a Committee for that purpose. Committee.

A Bill, entitled, An Act to naturalize Frederick Mantovani, Silas Bliss Wing, Charles P. Allen, and John B. Fay—was read a second time. Naturalization Bill
read 2d time,

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

Ordered, That Mr. Almon, Mr. McCully, and Mr. Fairbanks, be a Committee for that purpose. Committee.

The following Resolutions for granting money, viz :

£318	16	1	Expenses of Transient Paupers,	
15	0	0	Mail Route, County of Hants,	
75	0	0	“ “ Colchester and Cumberland,	
5	0	0	“ “ Shelburne,	
20	0	0	“ “ Pictou,	
10	0	0	“ “ King's County,	
20	0	0	“ Windsor to Chester,	
15	0	0	“ County of Pictou,	
			Way Office, Mahone Bay,	
4	0	0	M. Walsh,	

Money votes,

£6	0	0	Robert McNutt,
			Extension of Mail Route, County of Pictou,
20	0	0	Mail Route, Little Bedeque to Whycomagh,
7	10	0	“ County of Queen’s County,
10	0	0	“ “ “ Richmond,
2	10	0	Drawback to E. & W. Whitman,
10	0	0	Return of Duties, John Keith,
4	4	7	Cornwallis Agricultural Society,
45	4	3	J. R. Patillo,
60	0	0	Clerk of Board of Revenue,
45	0	0	B. B. Oxley,
60	0	0	Robert Stone,
42	5	2	Joshua Newton,
1	8	9	George E. Jean,
5	12	8	Trustees of Lunenburg Academy,
11	12	1	John L. Tremain,
7	10	0	Dominique Boudreaux,
14	16	0	M. Beckwith and J. C. Hall,
30	0	0	Breakwater at Beaver River,
60	0	0	“ Aylesford,
15	0	0	Buoys, Arichat Harbor,
15	0	0	E. Frost,
32	10	0	S. Donovan,
12	10	0	C. F. Harrington,
105	0	0	} Medical attendance and Medicines for Passengers of Barque
58	7	3	
10	0	0	D. Fixott,
3	10	0	N. H. Martin,
4	0	0	H. McEachran,
10	0	0	Each, Ferrymen Grand-dique River,
17	10	0	Change of appropriation Road in King’s County,
12	0	0	“ “ “ County of Shelburne,
6	10	0	“ “ “ “ Colchester,
7	0	0	“ “ “ “ Annapolis,

Read 2d time,

Were read a second time, and the question was put by the President on each Resolution,

Whether this Resolution be agreed to ?

Agreed to,

It was resolved in the affirmative.

And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,
To return the said Resolutions, and acquaint them that this House have agreed to the same, without any amendment.

Mes. from H. E. with
Despatch rel. to
Pro. Sec.

Mr. Bell, by the command of His Excellency the Lieutenant-Governor, laid before the House,

An extract from a Despatch, dated 21st February, 1848, from the Secretary of State for the Colonies to the Lieutenant-Governor, relative to the retiring Pension of the late Provincial Secretary.

(*Vide Appendix, No. 31*).

The same was read and ordered to lie on the Table.

Com. on Bills.

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

The

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to commute the Crown Revenues of Nova-Scotia, and to provide for the Civil List thereof—and had agreed to the same without any amendment. Report Civil List Bill without am.

Whereupon, Mr. Morton moved that the said Report be not received : which, being seconded, and the question being put, there appeared, for the motion, eight ; against the motion, nine. Motion not to receive Report,

For the motion—

Mr. Harris,
 “ Almon,
 The Lord Bishop,
 Mr. Crichton,
 “ Keith,
 “ Morton,
 “ Black,
 “ Pineo.

Against the motion—

Mr. McCully,
 “ Stairs,
 “ McNab,
 “ Campbell,
 “ Kenny,
 “ McDougall,
 “ Brown,
 “ Bell,
 “ Rudolf.

So it passed in the negative.

Negatived.

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

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

THURSDAY, 6th APRIL, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable MICHAEL TOBIN, President,

The Right Revd. and Honorable the LORD BISHOP,

The Honorable WILLIAM RUDOLF,
 ALEXR. CAMPBELL,
 JOHN MORTON,
 HUGH BELL,
 STAYLEY BROWN,
 ALEXR. McDUGALL,
 MATHER B. ALMON,
 EDWARD KENNY,
 JAMES D. HARRIS,

The Honorable ALEXANDER KEITH,
 WILLIAM A. BLACK,
 DAVID CRICHTON,
 HENRY G. PINEO,
 JOHN E. FAIRBANKS,
 JAMES McNAB,
 WILLIAM STAIRS,
 JONATHAN McCULLY.

PRAYERS.

The Minutes of yesterday were read.

Mr. Almon, the Chairman of the Committee to whom a Bill, entitled, An Act to Naturalize Frederick Mantovani, Silas Bliss Wing, Charles P. Allen, and John B. Fay, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House. Com. on Naturalization Bill rep.

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

Mr. McDougall, the Chairman of the Committee to whom a Bill, entitled, An Act for the Regulation of Juries, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House. Com. on Juries Bill rep.

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

Com. on Salmon
Fishery Bill rep.

Mr. Campbell, the Chairman of the Committee to whom a Bill, entitled, An Act for the Regulation of the Salmon Fishery in the Rivers of this Province, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.

Bill ord. to Com.

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

Civil List Bill read
3d time.

A Bill, entitled, An Act to commute the Crown Revenues of Nova-Scotia, and to provide for the Civil List thereof—was read a third time.

Motion for Confer-
ence.

Whereupon, Mr. Almon moved the following Preamble and Resolution :

Whereas, the Legislature of this Province did, in the Session of 1844, pass a Bill, entitled, An Act to provide for the Civil List of Nova-Scotia, and to commute the Casual and Territorial Revenues—which Bill was not to go into operation until Her Majesty's assent should be signified thereto.—*And whereas*, such assent has not been given to the said Bill, as well because it did not provide for the payment of the full amount of Salaries to the then existing Incumbents, as also of the Arrears of Salaries due to such Incumbents.

And whereas, The Right Honorable Earl Grey, Her Majesty's Secretary of State for the Colonies, in his Despatch, dated 17th November, 1846, to the Lieutenant-Governor, stated Her Majesty's willingness to surrender the Crown Revenues upon "certain conditions—which must be attached to that surrender—and without which it could not be made except at the expense of neglecting the highest obligations;" of which conditions "the first and most indispensable is—that every debt for which the property to be surrendered is responsible should be fully satisfied before the transfer is made;" and that "of those debts, the Arrears of the Salaries of the Public Officers of the Province, constitute the most urgent," and that "to give up the only means of satisfying them without at the same time stipulating for their previous payment, would be to commit a breach of the pledged faith, and violation of the honor of the Crown, to which no imaginable considerations of convenience or of interest could ever reconcile the Queen or Her Majesty's confidential advisers;" and that His Excellency the Lieutenant-Governor was to understand this "as being the essential and indispensable preliminary to any such arrangement;" and further, that "the claim of all existing Incumbents of Public Offices appointed by the Queen, to continue during their incumbencies in the receipt of the same rate of Salary as they at present enjoy," was "of the same general nature;" and that "he could not advise the Queen to abandon the means of fulfilling the reasonable expectations, and just hopes of Her Servants in Nova-Scotia, unless at the same moment some effectual security" should be taken for the "fulfilment of those expectations and hopes, from other and sufficient sources."

And whereas, the only Officers now holding Office affected by the Bill hereinbefore mentioned, who were appointed previous to the passing thereof, are the Chief Justice, and Mr. Justice Hill, and Mr. Justice Bliss.

And whereas, all Officers subsequently appointed were informed that their Salaries were to be regulated by the Legislature.

And whereas, in the year 1838, the Chief Justice, at the request of Her Majesty's Government, agreed to accept a Salary of £1000, Sterling, and to discontinue receiving fees previously taken by him; and to the Puisne Judges, a Salary of £650, Sterling, was at the same time allotted.

And whereas, by the Bill now before the House, entitled, An Act to commute the Crown Revenues of Nova-Scotia, and to provide for the Civil List thereof, the Salary of the present Chief Justice is £880, Sterling, and of the Puisne Judges, is £560, Sterling—so that the whole difference amounts to but £300, Sterling, per annum.

And whereas, in and by the said Bill provision is made for a portion of the Arrears due to the Officers whose Salaries are payable out of the Crown Revenues, but

but not the whole thereof as required by the before recited Despatch—and without which, such Revenues will not be surrendered to this Legislature.

And whereas, the Casual and Territorial Revenue is annually increasing, and during the last year exceeded the annual charges thereon by the sum of £1265, so that in a few years, not only all Arrears and dues thereon would be fully paid and satisfied, but a large surplus would remain.

And whereas, it is highly desirable that the long agitated question of the Civil List should be finally adjusted :

Resolved therefore, That a Conference be desired with the House of Assembly, by Committee, on the General State of the Province, and that the Committee of this House be directed to inform the Committee of the House of Assembly, that this House is most anxious to settle the said question, and will assent to any Bill which provides for the payment of the Salaries and the Arrears, as required by the Colonial Secretary. That, as the difference between the Salaries required by the Secretary of State, and those given by the said Bill, amounts only to £300, Sterling, per annum, during the lives of the present Chief Justice, and Mr. Justice Hill, and Mr. Justice Bliss, this House hopes such a Bill may be passed by the Legislature, providing for the Arrears due from the Crown Revenues, and the Salaries of present Incumbents, as will enable Her Majesty to give Her assent thereto without a breach of the pledged faith, and violation of the honor of the Crown ; and from the increasing value of the Revenues—to be assigned by such Bill—this House is convinced, that in a short time, a large surplus will accrue to the Province from such Revenues.

Which, being seconded, and the question being put, there appeared, for the motion, nine ; against the motion, ten. So it passed in the negative.

Negatived.

Then Mr. Almon moved that the said Bill be committed to a Committee of the whole House, for the purpose of reviewing the Salaries of the existing Incumbents, and the retiring Pension to Sir Rupert D. George, Baronet : which, being seconded,

Motion to recommit Bill.

Mr. Kenny moved in amendment that the said Bill do pass : which, being seconded, and the question being put, there appeared, for the amendment, nine ; against it, nine.

Motion in am. that Bill do pass.

For the amendment—

Mr. Stairs,
 “ Kenny,
 “ McDougall,
 “ McCully,
 “ Brown,
 “ Bell,
 “ Campbell,
 “ Rudolf,
 “ McNab.

Against the amendment—

Mr. Almon,
 “ Fairbanks,
 “ Crichton,
 “ Harris,
 “ Pineo,
 “ Keith,
 “ Morton,
 The Lord Bishop,
 Mr. Black.

Whereupon the President gave his vote in favour of the amendment—so it passed Carried. in the affirmative.

Ordered, That the said Bill do pass.

DISSENTIENT.—1st—Because this Bill makes no provision for the payment of Arrears due to many of the Public Officers, and diminishes greatly those due to others, and Her Majesty has repeatedly directed Her Representative, to inform the Legislature of Nova-Scotia, that no Civil List Bill can receive the Royal Assent, which does not enable the Crown fully and faithfully to discharge all the Arrears due to Her Majesty’s Public Officers in this Province. Protest.

2d—Because this Bill diminishes the Salaries heretofore paid to some of the Judges, and Her Majesty has also directed Her Representative to inform the Legislature,

gislation, that the faith and honor of the Crown are pledged to preserve their present Salaries to the then Incumbents of office during their incumbency.

3d—Because the only Judges who can now claim the benefit of this pledge are, the Chief Justice, and Mr. Justice Hill, and Mr. Justice Bliss.—The Salary of the former is diminished by this Bill £120 Sterling, and of the two latter £90 each, making together only £300 Sterling, for which trifling saving, this Bill requires Her Majesty to violate that pledge to Her Public Servants, which she has so repeatedly declared she would faithfully fulfil.

4th—Because there is no reason to suppose that a different view may be taken of this subject by Her Majesty's present Advisers, as the Right Hon. Earl Grey the present Secretary of State for the Colonies, informed His Excellency Sir John Harvey, in his Despatch of the 17th November, 1846, that "he could not advise the Queen to abandon the means of fulfilling the reasonable expectations and just hopes of Her Majesty's Servants in Nova Scotia, unless, at the same moment, some effectual security shall be taken for the fulfilment of these expectations and hopes from other and sufficient sources."

5th—Because Her Majesty is called upon by this Bill to transfer Her Crown Revenue to the Local Legislature, without securing to Her Servants in Nova Scotia what she has thus repeatedly declared the faith and honor of the Crown are pledged to secure to them, at a time when that Revenue has not only become adequate to defray all the annual charges now upon it, but has actually afforded the means of paying off one-fourth of the Arrears due at the commencement of the present year.

6th—Because it appears to be trifling with the dignity of the Crown to transmit a Bill for the Royal Assent which Her Majesty is pledged to withhold, and the adjustment of the Civil List must, in consequence, be indefinitely postponed, when the present time appears to be most favorable to bring it to a termination, as the Right Honorable Earl Grey, in the Despatch already cited, states that Her Majesty is not only willing, but desirous, to divest the Officers of the Crown of the control over these funds which they have hitherto exercised, provided the surrender can be made without neglecting the highest obligations, or committing a breach of the pledged faith, and violation of the honor of the Crown, "to which no imaginable consideration of convenience or of interest could ever reconcile the Queen, or Her Majesty's confidential advisers."

M. B. ALMON,
JOHN MORTON,
JAMES D. HARRIS,
A. KEITH,
W. A. BLACK,
JOHN NOVA-SCOTIA,
JOHN E. FAIRBANKS,
DAVID CRICHTON,
H. G. PINEO.

Bill sent to H. A.

A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.

Com. on Bills

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

Report Audit of Public Accts. Bill without am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to provide for a more accurate Audit and Inspection of Public Accounts in this Province, and for the appointment of certain Public Officers therein—and had agreed to the same without any amendment.

Whereupon,

Whereupon, Mr. Pineo moved that the said Report be not received : which, being seconded, and the question being put, there appeared, for the motion, nine ; against the motion, nine. Motion not to receive Report.

For the motion—

Mr. Fairbanks,
 “ Almon,
 The Lord Bishop,
 Mr. Pineo,
 “ Harris,
 “ Crichton,
 “ Morton,
 “ Keith,
 “ Black.

Against the motion—

Mr. Rudolf,
 “ Campbell,
 “ Stairs,
 “ Kenny,
 “ McNab,
 “ McCully,
 “ McDougall,
 “ Brown,
 “ Bell.

Whereupon, the President gave his vote against the amendment.
 So it passed in the negative. Negatived.

Ordered, That the said Report be received, and that the said Bill be read a third time at a future day.

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

FRIDAY, 7th APRIL, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable MICHAEL TOBIN, President,

The Right Revd. and Honorable the LORD BISHOP.

The Honorable WILLIAM RUDOLF,
 ALEXR. CAMPBELL,
 JOHN MORTON,
 HUGH BELL,
 STAYLEY BROWN,
 ALEXR. MCDUGALL,
 MATHER B. ALMON,
 EDWARD KENNY,
 JAMES D. HARRIS,

The Honorable ALEXANDER KEITH,
 WILLIAM A. BLACK,
 DAVID CRICHTON,
 HENRY G. PINEO,
 JOHN E. FAIRBANKS,
 JAMES McNAB,
 WILLIAM STAIRS,
 JONATHAN McCULLY.

PRAYERS.

The Minutes of yesterday were read.

Mr. Crichton moved the following Preamble and Resolution :

Whereas, the Members of the several Houses of Assembly in the British North American Colonies, and also the Members of the Legislative Council in some of those Colonies, receive certain allowances from their respective Provincial Treasuries for travelling, and other incidental expences incurred during their attendance on the discharge of their public Legislative Duties.

And whereas, it is but just that the Members of the Legislative Council in this Province should not be required to make any unreasonable private sacrifice for the promotion of the Public Service.

And whereas, it is considered that at a first Session of a new House of Assembly, it is the proper time to bring such a subject under the consideration of such House of Assembly :

Resolved therefore, That a Conference be desired with the House of Assembly, by Committee, upon the General State of the Province, for the purpose of submitting the views of the Legislative Council on this subject to the House of Assembly :

L. C. 21

Which,

Resolution relative to pay of Councillors.

- Conference asked. Which, being seconded, and the question being put, were agreed to.
A Message was sent to the House of Assembly by the Clerk,
To desire the said Conference.
- Audit Public Accounts Bill read 3d time. A Bill, entitled, An Act to provide for a more accurate Audit and Inspection of Public Accounts in this Province, and for the appointment of certain Public Officers therein—was read a third time.
- Amendment made. Then the following amendment was made.
At the end of the Bill add the following Clause:
And be enacted, That nothing herein contained shall be of any force or effect until Her Majesty's assent shall be signified hereto.
Then the question was put,
Whether this Bill, with the amendment, shall pass ?
It was resolved in the affirmative.
- Protest. **DISSENTIENT.**—First—Because the Officer who is to receive and pay the Public Money, and be responsible to the Legislature, whether he be called Treasurer or Receiver General, ought not to be a Member of that Legislature, or in the position of a Political Officer.
Second—Because the present Treasurer will receive great injustice and injury from the effect of this Bill ; he was, as appears from Despatches and other Documents submitted to this House, selected for the Office on account of his eminent qualifications for it—and the offer of it was made to him without solicitation on his part ; and fearing that questions might be raised as to the propriety of making the office political, he respectfully enquired, previous to accepting it, whether the office was permanent, and was told upon authority from the Secretary of State for the Colonies, that it was to be so considered. Upon this authority he separated himself from a respectable Constituency whom he had represented for ten years—he abandoned a profitable legal practice which has passed into other hands—he sold his property at much loss that he might remove to Halifax with his large family,—and now, without the suggestion of any fault or deficiency, he is to be cast upon the world because he confided in the faith of the Representative of Her Majesty, supported by Her Majesty's Secretary of State for the Colonies.
- JOHN NOVA-SCOTIA,
JOHN MORTON,
A. KEITH,
M. B. ALMON,
W. A. BLACK,
H. G. PINEO,
JAMES D. HARRIS,
JOHN E. FAIRBANKS,
DAVID CRICHTON.**
- Bill sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the same with an amendment, to which amendment their concurrence is desired.
- A Message was brought from the House of Assembly by Mr. Whidden, with the following Bills and Resolutions :
- Assessment, Sydney A Bill, entitled, An Act to authorize an Assessment in the Township of Sydney.
And Dalhousie College Bills. A Bill, entitled, An Act to amend the Act to authorize the appointment of a new Board of Governors for Dalhousie College.
- Sums borne on Civil List. *Resolved,* That in the event of a Bill, entitled, An Act to commute the Crown Revenues of Nova-Scotia and to provide for the Civil List thereof, receiving Her Majesty's assent, and passing into a Law, the sum of Two Hundred Pounds, Sterling, be granted and paid to the present Lieutenant-Governor for contingencies for the

the present year, it not being intended to renew such grant to any future Lieutenant-Governor.

And also in the like event, the sum of Two Hundred and Fifty Pounds, Sterling, to the present Lieutenant-Governor, for a Private Secretary for the present year, it not being intended to renew such grant to any future Lieutenant-Governor.

And also in the like event, the sum of One Hundred Pounds, Sterling, to the Superintendent of Mines in Cape-Breton for the present year.

And also in the like event, the sum of Four Hundred and Sixty Pounds, Sterling, for the Salaries of the Clerks in the Provincial Secretary's Office, to be applied and appropriated by the Provincial Secretary.

And also in the like event, a sum not exceeding One Hundred Pounds, Sterling, for Stationary and other contingencies of the Provincial Secretary's Office for the present year; the expenditure to be accounted for at the next Session of the General Assembly.

And also in the like event, the sum of Thirty Pounds, Sterling, to the Master of the Rolls, the Judge of the Vice Admiralty, and the Judge of Probate, at Halifax, for Fuel and Criers of their Courts for the present year.

Resolved, That the sum of One Hundred and Eighty-seven Pounds, Three Shillings and Two Pence, be granted and placed at the disposal of the Governor, to cover that amount advanced for certain expenses incurred for the transportation and relief of Shipwrecked Passengers. £187 3s. 2d. advances for wrecked Passengers.

Resolved, That the sum of Twenty-five Pounds each be granted and paid to John Gibbs, and John Jennings, as old and faithful Servants of the House of Assembly. £25 J. Gibbs, £25 J. Jennings.

Resolved, That the sum of Ten Pounds each, be granted and paid to O. S. Weeks, J. Willoughby, and James Belcher, in consideration of their services in Reporting the Debates of the House of Assembly during the present Session. £30 Reporters.

Resolved, That the sum of Ten Pounds be granted and paid to Donald Urquhart, in full for his services, and to pay all accounts connected with the running of the Lines of certain Electoral Districts in the County of Colchester, under the direction of the Surveyor General during the last year. £10 D. Urquhart.

Resolved, That the sum of Forty Pounds be granted and placed at the disposal of the Governor, to enable him to continue a suitable Revenue Boat at Sydney, Cape-Breton. £40 Revenue Boat, Cape-Breton.

Resolved, That the sum of Ten Pounds be granted and paid to Lemuel Morehouse, Mail Courier between Digby and Brier Island, to enable him to pay for the conveyance of the Mail across Petit and Grand Passage for the last year. £10 L. Morehouse.

Resolved, That the sum of Seventeen Pounds Eight Shillings and Seven Pence be granted and paid to Gossip and Coade, being balance of their Account for Printing against the Provisional Committee of the Halifax and Quebec Railway. £17 8s. 7d. Gossip & Coade.

Resolved, That the sum of Five Hundred Pounds be granted and placed at the disposal of the Governor, for the purpose of employing the Schooner "Daring," (when not employed in the Sable Island service), for the protection of the Fisheries on the Coasts of this Province. £500 Schr. Daring.

Resolved, That the sum of Five Pounds be granted and paid to the Overseers of the Poor for Upper Musquodoboit, pursuant to the prayer of their petition presented last Session. £5 Overseers Poor, U. Musquodoboit.

Resolved, That the sum of Nine Pounds be granted and paid to John Givan as remuneration for his services as a Seizing Officer at Givan Wharf, Cornwallis, for the last two years. £9 J. Givan.

Resolved, That the sum of One Thousand and Two Pounds and Seventeen Shillings be granted and placed at the disposal of the Governor to defray the following accounts and charges for Public Printing, that is to say: £1002 17s. Printing.

To

To repay advance made from Treasury to Queen's Printer during the last year,	£525	0	0
Pay John H. Crosskill balance of his account as Queen's Printer,	456	18	3
Pay Ritchie & Nugent,	18	15	0
Pay William Annand,	2	3	9
	<hr/>		
	£1002	17	0

£120 Inspector of Distilleries.

Resolved, That the sum of One Hundred and Twenty Pounds be granted and paid to the Chief Inspector of Distilleries in Halifax, for his services for the present year, instead and in lieu of all other allowances whatever.

£300 Indians.

Resolved, That the sum of Three Hundred Pounds be granted and placed at the disposal of the Governor for the benefit of the Indians for the present year—to be expended agreeably to the Acts of the General Assembly to provide for the instruction and permanent settlement of the Indians.

£10 Post communication, Country Harbour to St. Mary's.

Resolved, That the sum of Ten Pounds be granted and placed at the disposal of the Governor, to extend the line of Post Communication at present established from Guysborough to Country Harbor, thence to the Forks of Saint Mary's.

£30 Revenue Boat, Pictou.

Resolved, That the sum of Thirty Pounds be granted and placed at the disposal of the Governor, for the purpose of continuing a suitable Boat to assist in the protection of the Revenue at the Port of Pictou for the present year, under the direction of the Collector of Excise at that Port.

£20 16s. 9d. J. Johnson.

Resolved, That the sum of Twenty Pounds Sixteen Shillings and Nine Pence be granted to James Johnson, to repay that amount expended in the support and preservation of the Battery at Pictou—to be paid when the accounts therefor are certified as correct by three Justices of the Peace for the County of Pictou.

Pay of Members.

Resolved, That the sum of One Pound per day be granted and paid to each and every Member of the House of Assembly, for his attendance in General Assembly for the present Session—to be paid on the certificate of the Speaker—also the Travelling Charges as heretofore: *Provided*, that no Member shall receive pay for more than forty days attendance.

£100 each, Clerks of H. A.

Resolved, That the sum of One Hundred Pounds each be granted and paid to the Clerk and Clerk Assistant of the House of Assembly, for their extra services during the present Session.

£500 Casualty vote.

Resolved, That if any of the Bridges on the Main Post Roads of this Province shall give way during the recess, or any of such Roads shall be unexpectedly obstructed by any unforeseen obstacle or accident, it shall be lawful for the Governor to order a Commissioner to re-build such Bridges, or to remove such obstruction; and it shall be lawful further for the Governor to draw Warrants on account and in favor of such Commissioner: *Provided*, the sum so to be drawn shall not exceed for the year the sum of Five Hundred Pounds; and the respective sums so drawn shall be charged at the next Session of Assembly against the several Counties in which the same shall be respectively expended.

£300 Drawback on Officers Wines.

Resolved, That the Board of Revenue shall allow a Drawback upon all Wines imported for, or consumed by, the Commissioned Officers of the Army, composing the several Regimental Messes of the Garrison at Halifax, or shall relinquish the Duties upon all such Wines, upon proof being made to the satisfaction of the Board, that the Wines whereon Drawback or relinquishment of Duty is claimed, were imported for, or consumed by, such Officers of the Army: *Provided*, the whole amount do not exceed the sum of Three Hundred Pounds in the year.

£132 10s. 5d. Stationery of H. A.

Resolved, That the sum of One Hundred and Thirty-two Pounds Ten Shillings and Five Pence be granted and paid to the Clerk of the House of Assembly, to defray the expense of Stationery, and binding of Journals and Laws for the House of Assembly, during the last year.

Resolved,

Resolved, That the sum of Ten Pounds each be granted and paid to the two Chairmen of the Committees on Bills and of Supply, for their services for the present Session. £10 each Chairmen of H. A.

Resolved, That the sum of Two Hundred and Sixty-five Pounds be granted and paid to defray the expense of extra Messengers and other services, and for Fuel and other articles for the House of Assembly, according to estimate—the said sum to be drawn and applied by the Clerk of the House of Assembly under the sanction of the Speaker. £265 Contingencies of H. A.

Resolved, That the sum of Eight Hundred and Nineteen Pounds Eleven Shillings and Two Pence be granted and paid to defray the expenses of the Legislative Council for the present year. £819 11s. 2d. Expenses of L. Council.

Resolved, That the sum of Ten Hundred and Twenty-nine Pounds and Nine Shillings be granted and placed at the disposal of the Governor, to repay certain expenses incurred by the Board of Health at Halifax during the last year. £1029 9s. Board of Health, Halifax.

Resolved, That the sum of Fifteen Pounds be granted and placed at the disposal of the Honorable the Speaker, to procure various Books and Publications necessary for conducting the business of the Assembly—and the further sum of Fifty Pounds for the same purpose, for the present year. £65 Speaker, for Books.

Resolved, That the sum of Twenty Pounds be granted and placed at the disposal of the Governor, to be applied towards defraying the expense of removing two deaf and dumb Boys, the children of John Campbell, of Saint Paul's, from an Asylum in the United States to their friends in this Country, pursuant to the Report of the Committee. £20 deaf and dumb children of J. Campbell.

Resolved, That the sum of Six Hundred and Eighteen Pounds Six Shillings and Six Pence be granted and paid to the Commissioners of Public Buildings, to defray the balance of expenses incurred by them during the last year. £618 6s. 6d. Comrs. Public Buildings.

Resolved, That the sum of Fifteen Pounds be granted and placed at the disposal of the Governor, to be applied towards defraying the expense of removing a deaf and dumb Boy, the son of James Stephens, of Horton, from an Asylum in Scotland to his friends in this Country, pursuant to the Report of the Committee. £15 deaf and dumb boy of J. Stephens.

Resolved, That the sum of Thirteen Hundred and Fifty-four Pounds Sixteen Shillings and Eight Pence be granted and paid to the Commissioners of the Provincial Penitentiary, to defray the expense of Medical Attendance—and Twenty-five Pounds for the Chaplain for the past year, and to defray the outlay and other expenses for the present year, pursuant to the Report of the Committee. £1354 16s. 8d. Provincial Penitentiary—£25 Chaplain.

Resolved, That the sum of Ten Pounds be granted and placed at the disposal of the Governor, to be applied towards defraying the expense of removing a deaf and dumb Boy, the son of James Allison, of Windsor, from an Asylum in the United States to his friends in this Country, pursuant to the Report of the Committee. £10 deaf and dumb boy of J. Allison.

Resolved, That the sum of Ten Pounds be granted and placed at the disposal of the Governor, to be applied towards defraying the expense of removing Jane Bolman, a blind child, from an Asylum in the United States to her friends, pursuant to the Report of the Committee. £10 Jane Bolman.

Resolved, That the sum of Sixty Pounds be granted and paid to Dr. Anderson, and the further sum of Sixty Pounds to Dr. Johnston, and the further sum of Twenty-five Pounds to Dr. W. Cooke, all of Pictou, for their attendance and services on, and connected with, sick Emigrants during the present year. £60 Dr. Anderson, £60 Dr. Johnson, £25 Dr. W. Cooke.

Resolved, That the sum of Two Hundred Pounds be granted and paid to Dr. Hoffman—and the further sum of One Hundred and Eighty Pounds to Dr. James C. Hume, for their services as Health Officers at Halifax during the last year. £200 Dr. Hoffman, £180 J. C. Hume.

Resolved, That the sum of Sixty Pounds be granted and paid to James Skinner, of Pictou, in full of his claim connected with the use of his House and Farm for certain persons infected with Small Pox. £60 James Skinner.

- £50 Jacob Miller. *Resolved*, That the sum of Fifty Pounds be granted and paid to Jacob Miller, for his services as Quarantine Officer in the Harbor of Halifax during the past year.
- £589 1s. 3d. Board of Health, Pictou. *Resolved*, That the sum of Five Hundred and Eighty-nine Pounds One Shilling and Three Pence be granted and placed at the disposal of the Governor, to repay certain expenses incurred by the Board of Health at Pictou during the last year.
- £5 10s. and £17 10s. Dr. Hoffman. *Resolved*, That the sum of Five Pounds and Ten Shillings be granted and paid to Doctor Hoffman, for his attendance on sick Emigrants suffering under Small Pox, at the request of the Mayor of the City of Halifax—and also the further sum of Seventeen Pounds and Ten Shillings for his services as Health Officer going on board Ships of War last year.
- £25 Overseers of Poor, Liverpool. *Resolved*, That the sum of Twenty-five Pounds be granted and paid to the Overseers of the Poor for the Township of Liverpool, in full for expenses incurred under their direction in certain cases of Small Pox during the last year.
- £35 10d. Board of Health, Yarmouth. *Resolved*, That the sum of Thirty-five Pounds and Ten Pence be granted and paid to the Board of Health at Yarmouth, in full for expenses incurred in cases of Small Pox there, Twenty Pounds thereof to be paid by them to Dr. H. G. Farish.
- £18 Dr. W. Dennison. *Resolved*, That the sum of Eighteen Pounds be granted and paid to Dr. William Dennison, of Newport, in full for his attendance on certain sick Emigrants during the last year.
- £99 13s. 6d. advance for Indians. *Resolved*, That the sum of Ninety-nine Pounds Thirteen Shillings and Six Pence be granted and placed at the disposal of the Governor, for the purpose of defraying that amount overexpended by the Government during the last year for the benefit of the Indians, pursuant to the Report of the Committee.
- £18 5s. 10d. various accts. relative to Indians. *Resolved*, That the sum of Eighteen Pounds Five Shillings and Ten Pence be granted and placed at the disposal of the Governor, to pay the following amounts for attendance upon, and supplies furnished to, Indians during the last year, pursuant to the Report of the Committee viz :
- | | | | | | | | | | |
|--|---|---|---|---|---|---|----|---|----|
| To Dr. Willobischi, of Liverpool, | - | - | - | - | - | - | £5 | 0 | 0 |
| “ Dr. Hamilton, of Cornwallis, | - | - | - | - | - | - | 5 | 0 | 0 |
| “ Dr. James Fraser Forbes, of Liverpool, | - | - | - | - | - | - | 5 | 0 | 0 |
| “ Overseers of Poor, Liverpool, | - | - | - | - | - | - | 2 | 1 | 10 |
| “ Wm. Scott & Co., | - | - | - | - | - | - | 1 | 4 | 0 |
- £200 Steam-boat, Annapolis, Digby, and St. John. *Resolved*, That the sum of Two Hundred Pounds be granted and placed at the disposal of the Governor to compensate some person for carrying the Mails between Annapolis, Digby, and Saint John, N. B., at least once in each week during the present year: *Provided*, the said Mails be conveyed in a good and sufficient Steamboat—the voyage to be extended at all times when practicable to Annapolis—the service to be performed at such times, and under such regulations, as may be established by the Deputy Post Master General—the said sum to be drawn quarterly, upon the certificate of the Deputy Post Master General, that the duty has been faithfully performed.
- £50 Guysborough Beacon Light. *Resolved*, That the sum of Fifty Pounds be granted and placed at the disposal of the Governor, to be expended under the direction of the Commissioners of Light Houses towards keeping a Light in the Beacon at Guysborough for the present year: *Provided*, that this Resolution shall not in any manner be considered as authorizing the erection of a Keeper's House.
- £510 Oat Mills. *Resolved*, That a sum not exceeding Five Hundred and Ten Pounds be granted and placed at the disposal of the Governor, to aid in the erection of Oat Mills and Kilns in the different Counties during the present year: *Provided*, that no greater amount than Thirty Pounds be allowed for any one County—that no person who has heretofore received aid for such purpose shall be entitled to any participation in the Grant—that no more than Fifteen Pounds be applied in aid of any one Oat Mill

Mill or Kiln, and only to that amount in cases where the Kiln is at least fourteen feet in diameter—that no aid be granted where the Kiln shall not be eleven feet in diameter, and only Ten Pounds where such Kiln shall be eleven feet but not fourteen feet in diameter—and that no sum shall be paid hereunder until it shall appear by certificate, to the satisfaction of the Governor in Council, that the Oat Mill and Kiln for which any such Grant may be claimed are ready to be put in operation—which certificate shall also state the diameter of the Kiln, and that the person claiming has never before received any Grant for that purpose.

Resolved, That the sum of Twenty-seven Pounds Fourteen Shillings and Eleven Pence be granted and paid to John C. Hall, Esquire, to defray the following charges connected with the Provincial Horse Norfolk, viz :

£27 14s. 11d. J. C. Hall, for Horse Norfolk.

Messrs. Wilkins, Hall, and Thorne, for excess of expense of keeping Horse,	£22 9 8
Do. for expenses of articles for Horse,	4 7 9
To pay A. Knight's Bill,	0 17 6

£27 14 11

Resolved, That the sum of Eighteen Pounds Two Shillings and Nine Pence be granted and paid to Reginald B. Porter, Esquire, in full of his account for charges connected with the Provincial Horse Norfolk.

£18 2s. 9d. R. B. Porter, Horse Norfolk.

Resolved, That the sum of Six Pounds and Three Shillings be granted and paid to Hiram Hyde, for keeping the Provincial Horse Norfolk up to the Tenth of April, 1848, in compliance with the Orders of the House.

£6 3s. H. Hyde, Horse Norfolk.

Resolved, That the sum of One Thousand and Seven Hundred Pounds be granted and placed at the disposal of the Governor, to be placed in sums of One Hundred Pounds for each County, in the hands of Commissioners in the County, to be appointed by the Governor in Council, and which sums shall be by them laid out in the purchase of Seed, where absolutely required, for distribution among the poorer classes: *Provided always*, that if such Commissioners, so appointed in any County, shall report that no sum, or a less amount is required for such purpose than the said sum of One Hundred Pounds, or any balance thereof not so required, shall be applied by the Governor in Council for the service of Roads and Bridges in such County.

£1700 Seed.

Resolved, That the sum of Three Pounds Three Shillings and Seven Pence be granted and paid to David LeBlanc, being amount paid into the Treasury from a seizure of Rum made by Simon Donovan, Seizing Officer at Arichat, from said LeBlanc.

£3 3s. 7d. D. LeBlanc.

Resolved, That the sum of Fifty Pounds be granted and paid to James Campbell, formerly Teacher in the Arichat Academy, in full for his services in that capacity, pursuant to the Report of the Committee on Education.

£50 J. Campbell.

Resolved, That such sum be granted and placed at the disposal of the Governor, as will enable him to transmit to the Colonial Office Nine Pounds and Nine Shillings, Sterling, in payment of Reports of the Judicial Committee of the Privy Council—it being however the opinion of this House, that only two copies of such Work should be taken in future.

£9 9s. Stg. Reports of Privy Council.

Resolved, That the sum of One Hundred Pounds be granted and placed at the disposal of the Governor, to defray the expense incurred in the execution of the Commission issued by the Governor-General, on the subject of adopting an uniform Postal Arrangement throughout British America.

£100 Post Office Commission.

Resolved, That the sum of Two Hundred and Thirty-five Pounds Fourteen Shillings and Three Pence be granted and placed at the disposal of the Governor, to defray that amount advanced from the Treasury to maintain the Post Office Establishment in this Province during the last year.

£235 14s. 3d. Post Office advances.

Resolved,

£15 S. Donovan.

Resolved, That the sum of Fifteen Pounds be granted and paid to Simon Donovan, Seizing Officer at Arichat, for his services and expenses incurred in proceeding from Arichat to Guysborough in relation to sundry Goods irregularly imported during the last year, pursuant to the Report of the Committee.

£15 Widow Moon.

Resolved, That the sum of Fifteen Pounds be granted and placed at the disposal of the Governor, to be paid to the Widow of Donald Moon, late Light House Keeper at St. Paul's Island, who lost his life in attempting to save two men who had drifted from the Island in a Boat, pursuant to the Report of the Committee.

£3572 Customs Department.

Resolved, That a sum not exceeding Three Thousand Five Hundred and Seventy-two Pounds, Currency, be granted and placed at the disposal of the Governor, to enable him to defray the expense of the Customs Establishment up to the time when their Accounts can be finally closed with the Province.

£500 advance to Commrs. Public Buildings.

Resolved, That the sum of Five Hundred Pounds be granted and placed at the disposal of the Governor, to be from time to time paid to the Commissioners of Public Buildings, in order to the more economical expenditure of the Funds required to be expended thereon, by payment of ready money and otherwise.

£7 10s. change of appropriation, Guysboro'.

Resolved, That the sum of Seven Pounds Ten Shillings, granted during the Session of 1847, and not yet expended, to erect a Bridge over Ecumsecum River, be appropriated for the service of Roads in the County of Guysborough, in the present year—to be expended on the Road from Clay Head to Ecumsecum River.

£600 Light House Black Rock Point.

Resolved, That the sum of Six Hundred Pounds, part of the Grant of Twelve Hundred and Fifty Pounds appropriated to erect a Light House on the Isle Haute, be appropriated to the erection of a Light House on Black Rock Point, on the South Shore of the Bay of Fundy, and that so much of the balance of the said sum as may be necessary therefor be applied towards the erection of a Light House at Apple River: *Provided* an equal amount be granted by New Brunswick towards the same object, pursuant to the Report of the Committee on Navigation Securities.

Change of appropriation of Agricultural monies.

Resolved, That all monies from Grants heretofore made for the encouragement of Agriculture, now remaining in the Treasury, and not liable to be drawn, as reported by the Central Board of Agriculture; and also, all monies now in the hands of the Central Board of Agriculture, and not required to meet expenditures already incurred, or the necessary expenses and services of such Board, be respectively placed at the disposal of the Governor, to be at once expended in the purchase of Seed, to be distributed among distressed Settlers in the Counties most imperatively requiring the same.

£20 School in Parrsborough.

Resolved, That the sum of Twenty Pounds, granted in aid of a superior Common School at Parrsborough, be placed at the disposal of the Board of School Commissioners for that District, to be applied in aid of Common Schools therein, during the continuance of the present School Act.

£100 change of appropriation, Antigonish Academy.

Resolved, That instead of the sum of One Hundred Pounds, appropriated by the Act passed in the Eighth Year of Her present Majesty's Reign, entitled, An Act for the encouragement of Schools, for the support of Grammar Schools in the County of Sydney, the said sum of One Hundred Pounds be appropriated for an Academy at Antigonish, under the provisions of that Act.

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

Read 1st time.

The same were read a first time.

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

H. A. agree to Conference.

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

Committee.

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

And

And the Managers went to the Conference, and being returned, Mr. Rudolf reported that the Committee had held the said Conference, and that he had communicated his instructions to the Committee of the House of Assembly. Report.

Mr. Almon, the Chairman of the Committee to whom a Bill, entitled, An Act relating to the Crown Land Department of this Province, was referred, reported that the Committee had examined the said Bill, and were of opinion that it should not receive the assent of this House. Com. on Crown Land Bill report unfavorably.

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

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to consolidate the Acts respecting the Incorporation of the City of Halifax—and had made two amendments thereto. Report Hx. Incorporation Bill, with amtds.

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

SEVENTEENTH CLAUSE.

14th line—After the words “ Chief Justice,” insert the words “ or one of the Judges of the Supreme Court.”

LAST CLAUSE.

3rd line—After the word “ force,” leave out the remainder of the Clause, and insert instead the following words : “ until the First day of April, which will be in the Year of Our Lord One Thousand Eight Hundred and Forty-nine, and no longer.”

And the said amendments being read a second time, were agreed to by the House. And agreed to.

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

A Message was brought from the House of Assembly by Mr. Whidden, To inform the House that the House of Assembly agreed to a Bill, entitled, An Act to limit the responsibility of Co-partners in certain cases, with amendments, to which amendments they desired the concurrence of this House. Message from H. A. agreeing to Co-partner's Bill, with amtds.

Also, to inform the House, that the House of Assembly agreed to the amendment proposed by this House to a Bill, entitled, An Act to provide for a more accurate Audit and Inspection of Public Accounts in this Province, and for the appointment of certain Public Officers therein. Agreeing to am. to Audit Public Accounts Bill.

Mr. Bell, by the command of His Excellency the Lieutenant-Governor, laid before the House the following Despatch from the Right Honble. the Secretary of State for the Colonies, to His Excellency : Message from H. A. with Despatch rel. to birth of Princess.

CIRCULAR.

Downing Street, 23d March, 1848.

SIR—

I have the honor to announce to you that at 8 o'clock on the morning of the 18th instant, the Queen was happily delivered of a Princess.

It is very satisfactory to me to be able to add, that Her Majesty and the infant Princess have continued to do well up to the present time.

I have, &c.

GREY.

Lieut.-Governor Sir JOHN HARVEY, &c., Nova-Scotia.

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

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

SATURDAY, 8th APRIL, 1848.

The House met pursuant to adjournment.

PRESENT—

The Honorable MICHAEL TOBIN, President,
 The Right Revd. and Honorable the LORD BISHOP,
 The Honorable WILLIAM RUDOLF, The Honorable ALEXANDER KEITH,
 ALEXR. CAMPBELL, WILLIAM A. BLACK,
 JOHN MORTON, DAVID CRICHTON,
 HUGH BELL, HENRY G. PINEO,
 STAYLEY BROWN, JOHN E. FAIRBANKS,
 ALEXR. MCDUGALL, JAMES MCNAB,
 MATHER B. ALMON, WILLIAM STAIRS,
 EDWARD KENNY, JONATHAN MCCULLY.
 JAMES D. HARRIS,

PRAYERS.

The Minutes of yesterday were read.

The following Resolutions for granting Money, viz :

Money Votes,

Various sums borne on the Civil List.			
£187	3	2	Advances for Wrecked Passengers.
25	0	0	J. Gibbs.
25	0	0	J. Jennings.
30	0	0	Reporters of H. A.
10	0	0	D. Urquhart.
40	0	0	Revenue Boat, Cape-Breton.
10	0	0	L. Morehouse.
17	8	7	Gossip & Coade.
500	0	0	Schooner Daring.
5	0	0	Overseers of Poor, Upper Musquodoboit.
9	0	0	J. Givan.
1002	17	0	Printing.
120	0	0	Inspector of Distilleries.
300	0	0	Indians.
10	0	0	Post Communication, Country Harbour.
30	0	0	Revenue Boat, Pictou.
20	16	9	J. Johnson.
100	0	0	Each, Clerks of H. A.
500	0	0	Casualty Vote.
300	0	0	Drawback on Officers Wines.
132	10	5	Stationery of H. A.
10	0	0	Each, Chairmen of H. A.
265	0	0	Contingencies of H. A.
819	11	2	Expenses of Legislative Council.
1029	9	0	Board of Health, Halifax.
15	0	0	} Speaker of H. A., for Books.
50	0	0	
20	0	0	Deaf and Dumb Children of J. Campbell,
618	6	6	Commissioners of Public Buildings.
15	0	0	Deaf and Dumb Boy of J. Stephen's.
1354	16	8	Provincial Penitentiary.
25	0	0	Chaplain of do.
10	0	0	Deaf and Dumb Boy of James Allison.
10	0	0	Jane Bolman.

£600

£60	0	0	Dr. Anderson.
60	0	0	“ Johnston.
25	0	0	“ W. Cook.
200	0	0	“ Hoffman.
180	0	0	“ J. C. Hume.
60	0	0	James Skinner.
50	0	0	Jacob Miller.
589	1	3	Board of Health, Pictou.
5	10	0	} Dr. Hoffman.
17	10	0	
25	0	0	Overseers Poor, Liverpool.
25	0	10	“ “ Yarmouth.
18	0	0	Dr. W. Dennison.
99	13	6	Advances for Indians.
18	5	10	Various Accounts relative to Indians.
200	0	0	Steamboat, Annapolis, Digby, and St. John's.
50	0	0	Guysborough Beacon Light.
510	0	0	Oat Mills.
27	14	11	J. C. Hall, for Horse Norfolk.
18	2	9	R. B. Porter.
6	3	0	H. Hyde.
1700	0	0	Seed.
3	3	7	D. LeBlanc.
50	0	0	J. Campbell.
9	9	0	Sterling, Reports of Privy Council.
100	0	0	Post Office Commission.
235	14	3	Post Office advances.
15	0	0	S. Donovan.
15	0	0	Widow Moon.
3572	0	0	Customs Department.
500	0	0	Advances to Commissioners of Public Buildings.
7	0	0	Change of appropriation, Guysborough.
			Change of appropriation, Light House Isle Haute.
			Change of appropriation of Agricultural Monies.
20	0	0	Change of appropriation, School in Parrsborough.
100	0	0	Change of appropriation, Antigonish Academy—

Were read a second time, and the question was put by the President on each Resolution, Read 2d time,

Whether this Resolution be agreed to ?

It was resolved in the affirmative.

Agreed to,
And sent to H. A.

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

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

A Bill, entitled, An Act to consolidate the Acts respecting the Incorporation of the City of Halifax—was read a third time, and the question was put by the President, Hx. Incorporation
Bill read 3d time,
Whether this Bill, with the amendments, shall pass ?

It was resolved in the affirmative.

Agreed to with am.
And sent to H. A.

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

To return the said Bill, and acquaint them that this House have agreed to the same with amendments, to which amendments their concurrence is desired.

A Bill, entitled, An Act to provide for a more accurate Audit and Inspection of Public Accounts in this Province, and for the appointment of certain Public Officers therein—was read as amended, and the question was put by the President, Audit of Public Ac-
counts Bill,

Whether

- Whether this Bill, as amended, shall pass ?
 It was resolved in the affirmative.
 A Message was sent to the House of Assembly by the Clerk,
 To return the said Bill, and acquaint them therewith.
- Finally agreed to,
 And sent to H. A.
- Assessment, Sydney,
 and
 Dalhousie College
 Bills,
 Read 2nd time,
 And ord. to Com.
- A Bill, entitled, An Act to authorize an Assessment in the Township of Sydney ;
 also,
 A Bill, entitled, An Act to amend the Act to authorize the appointment of a new
 Board of Governors for Dalhousie College—
 Were read a second time.
Ordered, That the said Bills be committed to a Committee of the whole House
 at a future day.
- Com. on Bills.
- On motion, the House was adjourned, during pleasure, and put into a Commit-
 tee on Bills.—After some time the House was resumed, and Mr. Rudolf reported
 that the Committee had made some progress.
- Report—
 Wallace Bridge,
 Pickled Fish,
- The Chairman also reported that the Committee had gone through—
 A Bill, entitled, An Act to provide for the building of Wallace Bridge ; also,
 A Bill, entitled, An Act to continue the Acts in force relative to the Inspection
 of Pickled Fish ; also,
- Pres. Church, River
 John,
- A Bill, entitled, An Act to empower the Presbyterian Congregation at River
 John, in the County of Pictou, to appoint Trustees for the purpose of holding
 Lands for the use of the said Congregation ; also,
- Grandique Ferry, and
 Landings, Kings, Co.
 Bills,
 Without am.
- A Bill, entitled, An Act relating to the Grandique Ferry, in the County of
 Richmond ; also,
 A Bill, entitled, An Act additional to the Act to regulate certain Landings in
 the County of King's County—
 And had agreed to the same without any amendment.
Ordered, That the said Bills be read a third time at a future day.
- Report Jurics Bill,
 with am.
- The Chairman also reported that the Committee had gone through a Bill, enti-
 tled, An Act for the Regulation of Juries, and had made several amendments
 thereto.
- Am. read,
- The said amendments were read by the Clerk as follows :
- FIRST CLAUSE.
- 28th line—Leave out the word "said"—after the word "County" insert the
 words "of Halifax."
- 29th line—After the word "Pounds" insert the words "and within any other
 County of this Province of the value of One Hundred Pounds."
- SEVENTH CLAUSE.
- 17th line—After the word "lists" insert the words "so folded as to conceal
 the names therein."
- TWELFTH CLAUSE.
- At the end of the Clause add the following Proviso: *Provided*, that no *Tales
 de circumstantibus* shall be awarded, unless at least Seven persons named in the
 regular Panel shall have first answered to their names."
- And the said amendments being read a second time, were agreed to by the
 House.
Ordered, That the said Bill be read a third time at a future time.
- And agreed to.
- Crown Land Bill read
 2d time.
- A Bill, entitled, An Act relating to the Crown Land Department of this Pro-
 vince—was read a second time.
- Motion to defer 3
 mos.
- Whereupon, Mr. Almon moved that the further consideration of the said Bill
 be deferred to this day three months : which, being seconded, and the question
 being put, there appeared, for the motion, nine ; against the motion, nine.
- For

For the motion—

Mr. Harris,
 “ Fairbanks,
 “ Almon,
 “ Black,
 “ Pineo,
 “ Keith,
 “ Crichton,
 “ Morton,
 The Lord Bishop.

Against the motion—

Mr. Stairs,
 “ McCully,
 “ Campbell,
 “ Kenny,
 “ McNab,
 “ McDougall,
 “ Bell,
 “ Brown,
 “ Rudolf.

Whereupon, the President gave his vote against the motion—so it passed in the negative.

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

Resolved unanimously, That the Standing Order of this House, Number 72, S. O. S. on Bill. relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the said Bill.

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

Resolved, That the sum of Twenty Thousand Pounds, granted for the service of Roads and Bridges in the present year, be applied as follows: Division of Re-
Vote.

In the County of Yarmouth,	- - - - -	£1000
“ “ Shelburne,	- - - - -	1000
“ “ Digby,	- - - - -	1000
“ “ Sydney,	- - - - -	1000
“ “ Guysborough,	- - - - -	1000
“ “ Queen’s County,	- - - - -	1000
“ “ Richmond,	- - - - -	1000
“ “ Halifax,	- - - - -	1520
“ “ Hants,	- - - - -	1400
“ “ Inverness,	- - - - -	1380
“ “ Cape-Breton,	- - - - -	1460
“ “ King’s County,	- - - - -	1100
“ “ Pictou,	- - - - -	1460
“ “ Colchester,	- - - - -	1200
“ “ Cumberland,	- - - - -	1200
“ “ Lunenburg,	- - - - -	1240
“ “ Annapolis,	- - - - -	1040

£20000

Resolved, That the sum of One Thousand Three Hundred and Eighty Pounds, allotted for Roads and Bridges in the County of Inverness, and the sum of One Thousand Four Hundred and Sixty Pounds, allotted for Roads and Bridges in the County of Pictou, out of the sum of Twenty Thousand Pounds granted for the service of Roads and Bridges in the present year, be respectively placed at the disposal of the Governor, to be expended in that service in said Counties, respectively, as heretofore. Subdivision—Inver-
ness,
Pictou,

Also, a Resolution subdividing the sum of One Thousand Pounds, granted for the service of Roads and Bridges in the County of Yarmouth.

Also, a Resolution subdividing the sum of One Thousand Pounds, granted for the service of Roads and Bridges in the County of Shelburne.

Also, a Resolution subdividing the sum of One Thousand Pounds, granted for the service of Roads and Bridges in the County of Digby.

Sydney,	Also, a Resolution subdividing the sum of One Thousand Pounds, granted for the service of Roads and Bridges in the County of Sydney.
Guysborough,	Also, a Resolution subdividing the sum of One Thousand Pounds, granted for the service of Roads and Bridges in the County of Guysborough.
Queen's Co.,	Also, a Resolution subdividing the sum of One Thousand Pounds, granted for the service of Roads and Bridges in the County of Queen's County.
Richmond,	Also, a Resolution subdividing the sum of One Thousand Pounds, granted for the service of Roads and Bridges in the County of Richmond.
Halifax,	Also, a Resolution subdividing the sum of One Thousand Five Hundred and Twenty Pounds, granted for the service of Roads and Bridges in the County of Halifax.
Hants,	Also, a Resolution subdividing the sum of One Thousand and Four Hundred Pounds, granted for the service of Roads and Bridges in the County of Hants.
Cape-Breton,	Also, a Resolution subdividing the sum of One Thousand Four Hundred and Sixty Pounds, granted for the service of Roads and Bridges in the County of Cape-Breton.
King's Co.,	Also, a Resolution subdividing the sum of One Thousand and One Hundred Pounds, granted for the service of Roads and Bridges in King's County.
Colchester,	Also, a Resolution subdividing the sum of One Thousand and Two Hundred Pounds, granted for the service of Roads and Bridges in the County of Colchester.
Cumberland,	Also, a Resolution subdividing the sum of One Thousand and Two Hundred Pounds, granted for the service of Roads and Bridges in the County of Cumberland.
Lunenburg,	Also, a Resolution subdividing the sum of One Thousand Two Hundred and Fifty Pounds, granted for the service of Roads and Bridges in the County of Lunenburg.
Annapolis,	Also, a Resolution subdividing the sum of One Thousand and Forty Pounds, granted for the service of Roads and Bridges in the County of Annapolis.
Read 1st time.	To which Resolutions they desired the concurrence of this House. The said Resolutions were read a first time. <i>Ordered</i> , That the said Resolutions be read a second time at a future day.
Com. on Bills.	On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Rudolf reported that the Committee had made some progress.
Report Crown Land Bill without amdt.	The Chairman also reported that the Committee had gone through a Bill, entitled, An Act relating to the Crown Land Department of this Province, and had agreed to the same without any amendment. <i>Ordered</i> , That the said Bill be read a third time at a future time.
Report Amherst Court House Bill with amdts.	The Chairman also reported that the Committee had gone through a Bill, entitled, An Act for regulating the Court House Ground at Amherst, in the County of Cumberland, and had made several amendments thereto
Amdts. read,	The said amendments were read by the Clerk as follows :

FIRST CLAUSE.

6th line—After the word “persons” insert the words “residing within the County.”

THIRD CLAUSE.

2nd line—After the word “vacancy” insert the words “or vacancies.”

4th line—After the word “office” insert the words “or permanent removal from the said County.”

6th line—After the word “removal” insert the words “from office.”

12th line—After the word “two” insert the words “or more”—after the word “persons” insert the words “as may be necessary, being double the number of Trustees required.”

14th line—After the word “one” insert the words “or more person or persons”
—after the word “vacancy” insert the words “or vacancies.”

FOURTH CLAUSE.

2nd line—After the word “Trustees” insert the words “or any two of them.”

FIFTH CLAUSE.

2nd & 19th lines—Instead of the word “Justices” insert the word “Trustees.”

SEVENTH CLAUSE.

5th line—After the word “Jail” insert the words “or other Public Buildings.”

Last line—After the word “in” insert the words “their General”—after the word “Sessions” insert the words “of the Peace.”

And the said amendments being read a second time, were agreed to by the House. *And agreed to. Ordered, That the said Bill be read a third time, at a future day.*

On motion of Mr. Bell, *resolved*, that a Committee be appointed to draw up an Address of congratulation to Her Majesty on the birth of the Princess. *Com. to Address H. M. on birth of Princess.*

Ordered, That Mr. Bell, Mr. Almon, and Mr. McCully, be a Committee for that purpose. *Committee.*

A Message was brought from the House of Assembly by Mr. Whidden, with A Resolution subdividing the sum of £7500, granted for the service of the Great Roads— *Subdivision of £7500 for Great Roads,*

To which Resolution they desired the concurrence of this House.

The said Resolution was read a first time.

Ordered, That the said Resolution be read a second time, at a future day. *Read 1st time.*

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act relating to the Crown Land Department of this Province. *S. O. S. on Crown Land Bill.*

The said Bill was read a third time, and the question was put by the President, Whether this Bill shall pass? *Bill read 3d time.*

When there appeared for passing the Bill, nine; against passing the Bill, nine. *Division on Bill,*

For passing the Bill—

- Mr. Stairs,
- “ McCully,
- “ Campbell,
- “ Kenny,
- “ McNab,
- “ McDougall,
- “ Bell,
- “ Brown,
- “ Rudolf.

Against passing the Bill—

- Mr. Harris,
- “ Fairbanks,
- “ Almon,
- “ Black,
- “ Pineo,
- “ Keith,
- “ Crichton,
- “ Morton,
- The Lord Bishop.

Whereupon the President voted in favour of passing the Bill.

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

To return the said Bill, and acquaint them that this House have agreed to the same without any amendment. *And sent to H. A.*

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act for the Regulation of Juries. *S. O. S. on Juries Bill.*

The said Bill was read a third time, and the question was put by the President, Whether this Bill, with the amendments, shall pass? *Bill read 3d time,*

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Clerk, *Agreed to with amds. And sent to. H. A.*

To

To return the said Bill, and acquaint them that this House have agreed to the same with amendments, to which amendments their concurrence is desired.

Adjourn

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

MONDAY, 10th APRIL, 1848.

The House met pursuant to adjournment.

PRESENT—

The Honorable MICHAEL TOBIN, President,
The Right Revd. and Honorable the LORD BISHOP.

The Honorable WILLIAM RUDOLF,	The Honorable ALEXANDER KEITH,
ALEXR. CAMPBELL,	WILLIAM A. BLACK,
JOHN MORTON,	DAVID CRICHTON,
HUGH BELL,	HENRY G. PINEO,
STAYLEY BROWN,	JOHN E. FAIRBANKS,
ALEXR. McDUGALL,	JAMES McNAB,
MATHER B. ALMON,	WILLIAM STAIRS,
EDWARD KENNY,	JONATHAN McCULLY.
JAMES D. HARRIS,	

PRAYERS.

The Minutes of Saturday were read.

Wallace Bridge,	A Bill, entitled, An Act to provide for the building of Wallace Bridge; also,
Pickled Fish,	A Bill, intitled, An Act to continue the Acts in force relative to the inspection of Pickled Fish; also,
Pres. Church, River John,	A Bill, entitled, An Act to empower the Presbyterian Congregation at River John, in the County of Pictou, to appoint Trustees for the purpose of holding Lands for the use of the said Congregation; also,
Grandique Ferry, &	A Bill, entitled, An Act relating to the Grandique Ferry in the County of Richmond; also,
Landings, King's Co. Bills,	A Bill, entitled, An Act additional to the Act to regulate certain Landings in the County of King's County—
Read 3d time,	Were read a third time, and the question was put by the President on each Bill,
	Whether this Bill shall pass?
Agreed to,	It was resolved in the affirmative.
And sent to H. A.	A Message was sent to the House of Assembly by the Clerk, To return the said Bills, and acquaint them that this House have agreed to the same without any amendment.

Amdts. of H. A. to Co-partner's Bill, considered,	The House proceeded to the consideration of the amendments proposed by the House of Assembly to a Bill, entitled, An Act to limit the responsibility of Co-partners in certain cases.
And agreed to,	The said amendments were read three times by the Clerk, and agreed to by the House.
And Message to H. A.	A Message was sent to the House of Assembly by the Clerk, To carry down the said Bill, and acquaint them that this House have agreed to the amendments proposed by them to the said Bill.

Division and sub-division of Road Money read 2d time,	The Seventeen Resolutions received from the House of Assembly on Saturday, dividing and subdividing the sum of Twenty Thousand Pounds, granted for the service of Roads and Bridges for the present year—were read a second time, and the question was put by the President on each Resolution,
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Whether

Whether this Resolution be agreed to ?

It was resolved in the affirmative.

Agreed to,
And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,
To return the said Resolutions, and acquaint them that this House have agreed to the same without any amendment.

The Resolution dividing the sum of £7500, granted for the service of the Great Roads for the present year—was read a second time, and the question was put by the President,

Division of £7500
for Great Roads,
read 2d time,

Whether this Resolution be agreed to ?

It was resolved in the affirmative.

Agreed to,
And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,
To return the said Resolution, and acquaint them that this House have agreed to the same, without any amendment.

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

Com. on Bills.

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act further to amend the Act for the appointment of Commissioners of Sewers, and recommended that the further consideration of the said Bill should be deferred to this day three months.

Recommend Sewers
Bill to be defd.

Whereupon, Mr. Morton moved that the said Report be not received: which, being seconded, and the question being put, passed in the negative.

Motion not to receive Report negatived.

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

Bill deferred.

The Chairman also reported that the Committee had gone through,

Report—

A Bill, entitled, An Act to Naturalize Frederick Mantovani, Silas Bliss Wing, Charles P. Allen, and John B. Fay, and had agreed to the same with one amendment—

Bill to Naturalize
Mantovani & al.
with amdt.

Which amendment being read twice by the Clerk, was agreed to by the House.

Amdt. read and
agreed to.

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

The Chairman also reported that the Committee had gone through,

Report—

A Bill, entitled, An Act to Incorporate a Temperance Hall Company in Halifax; also,

Temperance Hall
Co.

A Bill, entitled, An Act to enable the Halifax Water Company to construct a Reservoir on the Common of Halifax; also,

Water Co.,

A Bill, entitled, An Act to enable the Governor in Council to make Orders and Regulations for establishing an uniform Rate of Postage throughout British America; also,

Postage,

A Bill, entitled, An Act for the regulation of the Salmon Fishery in the Rivers of this Province; also,

Salmon Fishery,

A Bill, entitled, An Act to authorize an Assessment in the Township of Sydney; also,

Assessment, Sydney,
and

A Bill, entitled, An Act to authorize Assessments for the relief of distressed Settlers, in certain cases,

Distressed Settlers
Bills,

And had agreed to the same without any amendment.

Without amdt.

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

Resolved unanimously, That the Standing Order of this House, Number 72, S. O. S. relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the said Bills.

The said Bills were read a third time, and the question was put by the President on each Bill,

Bills read 3d time,

Whether this Bill shall pass ?

It was resolved in the affirmative.

Agreed to,

- And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Bills, and acquaint them that this House have agreed to the same without any amendment.
- S. O. S. on Bill to Naturalize Mantovani & al. *Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act to Naturalize Frederick Mantovani, Silas Bliss Wing, Charles P. Allen, and John B. Fay.
- Bill read 3d time, The said Bill was read a third time, and the question was put by the President,
Whether this Bill, with the amendment, shall pass ?
- Agreed to, It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the same with an amendment, to which amendment their concurrence is desired.
- Com. on Bills. On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Morton reported that the Committee had made some progress.
- Rec. amdt. of Law Bill to be deffd. The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act for the amendment of the Law and the better advancement of Justice, and recommended that the further consideration of the said Bill should be deferred to this day three months.
- Bill deffd. *Ordered*, That the said Report be received, and that the further consideration of the said Bill be deferred to this day three months.
- Rep. Dalhousie College Bill without amdt. The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend the Act to authorize the appointment of a new Board of Governors for Dalhousie College, and had agreed to the same without any amendment.
- Rep. Practice Sup. Court Bill with amdt. *Ordered*, That the said Bill be read a third time.
The Chairman also reported that the Committee had gone through a Bill, entitled, An Act for altering and improving the practice of the Supreme Court, and had agreed to the same with one amendment—
- Amdt. read and agreed to. Which amendment being read twice by the Clerk, was agreed to by the House.
Ordered, That the said Bill be read a third time.
- S. O. S. on Bill. *Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the said Bill.
- Bill read 3d time, The said Bill was read a third time, and the question was put by the President,
Whether this Bill, with the amendment, shall pass ?
- Agreed to with am. It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the same with an amendment, to which amendment their concurrence is desired.
- S. O. S. on Dalhousie College Bill. *Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act to amend the Act to authorize the appointment of a new Board of Governors for Dalhousie College.
- Bill read 3d time, The said Bill was read a third time, and the question was put by the President,
Whether this Bill shall pass ?
- Agreed to, It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.
- A Message was brought from the House of Assembly by Mr. Whidden, To

To inform the House that the House of Assembly did not agree to the amendments proposed by this House to the first Clause of a Bill, entitled, An Act for the regulation of Juries—that they agreed to the amendment proposed by this House to the seventh Clause of the said Bill—and that they agreed to the amendment proposed to the twelfth Clause thereof, with an amendment, to which amendment they desired the concurrence of this House.

Mes. from H. A. ref. to amds. to Juries Bill.

Also, to inform the House, that the House of Assembly agreed to the amendments proposed by this House to a Bill, entitled, An Act to consolidate the Acts respecting the Incorporation of the City of Halifax.

Agreeing to amds. to Hx. Incorporation Bill.

A Bill, entitled, An Act for regulating the Court House Ground at Amherst, in the County of Cumberland—was read a third time, and the question was put by the President,

Court House, Amherst Bill read 3d time,

Whether this Bill, with the amendments, shall pass ?

It was resolved in the affirmative.

Agreed to with amds. And sent to H. A.

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

To return the said Bill, and acquaint them that this House have agreed to the same with amendments, to which amendments their concurrence is desired.

The House proceeded to the consideration of the amendments proposed by this House to the first Clause of a Bill, entitled, An Act for the Regulation of Juries ; the same were read :

Amdts. to Jury Bill considered.

Whereupon it was moved that the said amendments be not adhered to : which, being seconded, and the question being put, there appeared, for the motion, twelve ; against the motion, four.

Amdt. to 1st clause

For the motion—

Mr. McCully,	Mr. Fairbanks,
“ McNab,	“ Black,
“ Brown,	“ Keith,
“ Stairs,	“ Morton,
“ Bell,	“ Campbell,
“ Almon,	“ Kenny.

Against the motion—

Mr. McDougall,
“ Harris,
“ Pineo,
“ Crichton.

So it passed in the affirmative

Not adhered to.

Then the House proceeded to the consideration of the amendment proposed by the House of Assembly to the amendment proposed by this House to the twelfth Clause of the said Bill.

Amdt. of H. A. to am. to 12th clause

The said amendment was read as follows :

At the end of the Proviso proposed by the Council to be added to said 12th Clause, add the following : “ except in cases where such *Tales* shall be assented to by both parties, or their Counsel.”

And on motion, *resolved*, that the said amendment be agreed to.

Agreed to.

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

Mes. to H. A.

To return the said Bill, and acquaint them that this House do not adhere to their amendments to the first Clause of the said Bill, and agree to the amendment proposed by the House of Assembly to the amendment of this House to the twelfth Clause of the said Bill.

A Bill, entitled, An Act to consolidate the Acts respecting the Incorporation of the City of Halifax—was read as amended, and the question was put by the President,

Hx. Incorporation Bill finally agreed to,

Whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

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

And sent to H. A.

To return the said Bill and acquaint them therewith.

Mr.

Mr. Bell, by the command of His Excellency the Lieutenant-Governor, laid before the House,
 Mes. from H. E. with Despatch—
 Rel. to late Pro. Sec. and
 A Despatch dated 23d March, 1848, from the Secretary of State for the Colonies to the Lieutenant-Governor, relative to the retiring allowance to the late Provincial Secretary.

(*Vide Appendix, No. 32.*)

Also, a Despatch dated 24th March, 1848, from the Secretary of State for the Colonies to the Lieutenant-Governor, relative to the Office of Advocate General in the Court of Admiralty.
 Rel. to Advocate General.

(*Vide Appendix, No. 33.*)

The same were read, and ordered to lie on the Table.

Mr. Bell, the Chairman of the Committee appointed to draw up an Address of Congratulation to Her Majesty on the birth of a Princess, reported the draft of an Address, which he read in his place, and afterwards delivered it to the Clerk, who read the same, as follows :
 Com. to prepare Address to H. M. report

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,—

We, the Legislative Council of Nova-Scotia, humbly beg leave to convey to Your Majesty our cordial congratulations on the birth of a Princess, to continue, and we hope to perpetuate, in our beloved Parent Land, that Sovereignty which exhibits to the world the stability of a Throne, based on the affections of the People.
 Address.

Ordered, That the said Address be received and adopted.

Adopted.
 Address to H. E.

The Chairman also reported the following Address to His Excellency the Lieutenant-Governor :

TO HIS EXCELLENCY LIEUTENANT-GENERAL,

SIR JOHN HARVEY,

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

MAY IT PLEASE YOUR EXCELLENCY—

The Legislative Council have passed an Address of congratulation to Her Majesty on the birth of a Princess, which they respectfully pray Your Excellency will be pleased to transmit to the Right Honorable the Secretary of State for the Colonies, to be laid at the foot of the Throne.

Ordered, That the said Address be received and adopted.

Adopted
 Com. to present

Ordered, That the Committee who prepared the said Addresses be a Committee to present the same to His Excellency the Lieutenant-Governor.

The Resolution relative to the pay of the Members of the House of Assembly— was read a second time.

Whereupon, Mr. Crichton moved that the said Resolution be not agreed to : which, being seconded, and the question being put, there appeared, for the motion, nine ; against the motion, eight.

For the motion—

Mr. McCully,
 “ McDougall,
 “ Fairbanks,
 “ Black,
 “ Crichton,
 “ Campbell,
 “ Morton,
 “ Pineo,
 “ Rudolf,

Against the motion—

Mr. Stairs,
 “ Harris,
 “ McNab,
 “ Brown,
 “ Bell,
 “ Almon,
 “ Keith,
 “ Kenny.

So it passed in the affirmative.

A Message was brought from the House of Assembly by Mr. Whidden,
 To inform the House that the House of Assembly agreed to a Bill, entitled, An Act to limit the responsibility of Co-partners in certain cases, as amended.

H. A. agree to Co-partners Bill, as amd.

Also, to inform the House, that the House of Assembly agreed to the amendment proposed by this House to a Bill, entitled, An Act to naturalize Frederick Mantovani, Silas Bliss Wing, Charles P. Allen, and John B. Fay.

H. A. agree to amdt. to Mantovani & al. Bill.

Also, with the following Resolution :

Resolved, That the following sums granted in One Thousand Eight Hundred and Forty-seven for the service of Roads and Bridges in the County of Halifax, and undrawn from the Treasury, that is to say—

£129 15s. 10d. change of appropriation, Roads in Halifax.

£59 16 0	Out of the Main Shore Road Vote,
10 0 0	From Musquodoboit to Gourley's Mills,
10 0 0	For the Road through Lawrence Town,
10 19 10	To open Cross Road in Preston,
10 0 0	From Cole Harbor to Dartmouth,
10 0 0	From Sheet Harbor towards Pope's Harbor,
10 0 0	For Cross Road Surveys at Preston,
9 0 0	From Philips' to Thomas Preston's,

£129 15 10

be appropriated and applied as follows :

To pay Thomas W. Orman for repairs of Porter's Lake Bridge,	£2 18 5
“ Daniel Hattie over-expenditure in 1846,	15 0 0
“ Antoine Fouchette for repairs of Chizetcook Bridge,	3 10 0
“ Toler for damage done by Road through his Land,	10 0 0
“ this amount advanced out of the Casualty Fund in 1846, 1847, and 1848,	98 7 4
	<hr/>
	£129 15 10

To which Resolution they desired the concurrence of this House.

The said Resolution was read a first time.

Read 1st time.

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

A Bill, entitled, An Act to naturalize Frederick Mantovani, Silas Bliss Wing, Charles P. Allan, and John B. Fay—was read as amended, and the question was put by the President,

Mantovani & al. Bill finally agreed to,

Whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

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

And sent to H. A.

A Message was brought from the House of Assembly by Mr. Whidden,
 To inform the House that the House of Assembly agreed to the amendments proposed

H. A. agree to amdt. to Court House, Amherst, Bill.

posed by this House to a Bill, entitled, An Act for regulating the Court House Ground at Amherst, in the County of Cumberland.

Also, with the following Bill and Resolution :

Hospitals, Halifax
and Pictou, Bill.

A Bill, entitled, An Act to authorize the Grand Juries in the Counties of Halifax and Pictou, to assess said Counties for the erection of Hospitals therein.

£50 change of ap-
propriation School
Monies, Halifax.

Resolved, That the sum of Fifty Pounds be charged in equal proportions on the Six Schools in Halifax which draw One Hundred Pounds each from the Treasury, under the Act of One Thousand Eight Hundred and Forty-four, and that the same be applied to the support of the School attached to St. Patrick's Church in Dutch Town, for the present year.

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

Read 1st time.

The same were read a first time.

S. O. S. on Hospitals
Bill.

Resolved unanimously, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects the said Bill.

Bill read 2d time,
And ord. to Com.

The said Bill was read a second time.

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

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

Court House, Am-
herst, Bill finally
agreed to,

A Bill, entitled, An Act for regulating the Court House Ground at Amherst, in the County of Cumberland—was read as amended, and the question was put by the President,

Whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

And sent to H. A.

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

Adjourn.

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

TUESDAY, 11th APRIL, 1848.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable MICHAEL TOBIN, President,

The Right Revd. and Honorable the LORD BISHOP,

The Honorable WILLIAM RUDOLF,
ALEXR. CAMPBELL,
JOHN MORTON,
HUGH BELL,
STAYLEY BROWN,
ALEXR. McDUGALL,
MATHER B. ALMON,
EDWARD KENNY,
JAMES D. HARRIS,

The Honorable ALEXANDER KEITH,
WILLIAM A. BLACK,
DAVID CRICHTON,
HENRY G. PINEO,
JOHN E. FAIRBANKS,
JAMES McNAB,
WILLIAM STAIRS,
JONATHAN McCULLY.

PRAYERS.

The Minutes of yesterday were read.

Motion to rescind
disagreement to
Members' Pay
vote agreed to.

Mr. McNab, pursuant to notice, moved that the Resolution of this House, passed yesterday, not to agree to the Resolution relative to the pay of the Members of the House of Assembly, be rescinded : which, being seconded, and the question being put, passed in the affirmative.

Members' Pay vote
agreed to, and

On motion, *resolved*, that the Resolution received on the 7th instant, relative to the pay of the Members of the House of Assembly, be agreed to.

A

A Message was sent to the House of Assembly by the Clerk,
To return the said Resolution, and acquaint them that this House have agreed
to the same without any amendment. Sent to H. A.

The following Money Resolution, viz : Money Vote,
£129 15 10, change of appropriation of Road Money in the County of Halifax,
Was read a second time, and the question was put by the President, Read 2d time,
Whether this Resolution be agreed to ?

It was resolved in the affirmative. Agreed to, and
Sent to H. A.

A Message was sent to the House of Assembly by the Clerk,
To return the said Resolution, and acquaint them that this House have agreed
to the same without any amendment.

The Resolution changing the appropriation of the sum of £50 for a School in
Halifax—was read a second time, and the question was put by the President, Money vote read 2d
time,
Whether this Resolution be agreed to ?

It was resolved in the negative. Disagreed to,

A Message was sent to the House of Assembly by the Clerk,
To return the said Resolution, and acquaint them that this House have not
agreed to the same. And sent to H. A.

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

The Chairman also reported that the Committee had gone through a Bill, en- Rep. Hospitals, Ha-
lifax and Pictou
Bill without amdt.
titled, An Act to authorise the Grand Juries in the Counties of Halifax and Pictou
to assess said Counties for the erection of Hospitals therein, and had agreed to
the same without any amendment.

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

Resolved unanimously, That the Standing Order of this House, Number 72, s. o. s.
relative to Bills not being read or proceeded with twice in the same day, be sus-
pended as respects the said Bill.

The said Bill was read a third time, and the question was put by the President, Bill read 3d time,
Whether this Bill shall pass ?

It was resolved in the affirmative. Agreed to,
And sent to H. A.

A Message was sent to the House of Assembly by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the
same without any amendment.

A Message was brought from the House of Assembly by Mr. Whidden, H. A. agree to Ju-
ries Bill, as now
and.
To inform the House that the House of Assembly agreed to a Bill, entitled, An
Act for the regulation of Juries, as now amended.

Also, that the House of Assembly agreed to the amendment proposed by this H. A. agree to amdt.
to Practice Sup.
Court Bill.
House to a Bill, entitled, An Act for altering and improving the Practice of the
Supreme Court.

Also, with the following Resolution :

Resolved, That His Excellency the Lieutenant-Governor be respectfully request- £600 Halifax, £200
Pictou, for ereo-
tion of Hospitals,
ed to take measures for the erection of Hospitals in Halifax and Pictou, for the
relief of sick and destitute Emigrants and Seamen, and this House will, at its next
Session, grant two-fifths of the cost thereof, respectively, not to exceed Six Hun-
dred Pounds for Halifax, and Two Hundred Pounds for Pictou: *Provided* the
other three-fifths be assessed, respectively, off the City and County of Halifax,
and County of Pictou; and if any further amount shall be required for the erection
of such Hospitals, the same shall not be a charge under any form on this Legislature.

To which Resolution they desired the concurrence of this House.

- Read 1st and 2d time, The said Resolution was read a first time, and, by order, read a second time, and the question was put by the President,
Whether this Resolution be agreed to ?
- Agreed to, It was resolved in the affirmative.
And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Resolution, and acquaint them that this House have agreed to the same without any amendment.
- Juries Bill, A Bill, entitled, An Act for the Regulation of Juries, was read, and the question was put by the President,
Whether this Bill, as now amended, shall pass ?
- Finally agreed to, It was resolved in the affirmative.
And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Bill, and acquaint them therewith.
- Practice Sup. Court Bill, A Bill, entitled, An Act for altering and improving the Practice of the Supreme Court, was read as amended, and the question was put by the President,
Whether this Bill, as amended, shall pass ?
- Finally agreed to, It was resolved in the affirmative.
And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Bill, and acquaint them therewith.
- Appropriation Bill, A Message was brought from the House of Assembly by Mr. Whidden, with the following Bill and Resolutions :
A Bill, entitled, An Act for applying certain Monies therein mentioned for the service of the year of Our Lord One Thousand Eight Hundred and Forty-eight, and for other purposes.
- Advances for Printing, *Resolved*, That His Excellency the Lieutenant-Governor be authorised and respectfully requested to direct advances from the Treasury, of such sums as may be required towards defraying the expense of Public Printing : *Provided* that no greater sum be advanced in the whole than Five Hundred Pounds, and this House will provide for the same at its next Session.
- Do. for Post Office, *Resolved*, That His Excellency the Lieutenant-Governor be authorised and respectfully requested to direct such advances of Monies from the Treasury, as may be necessary to keep up the Post Office Communication throughout the Province for the current year, and that this House will provide for the same at its next Session.
- Read 1st time, To which Bill and Resolutions they desired the concurrence of this House.
The same were read a first time.
Ordered, That the said Bill and Resolutions be read a second time at a future time.
- S. O. S. on Appropriation Bill, *Resolved unanimously*, That the Standing Order of this House, Number 72, relative to Bills not being read or proceeded with twice in the same day, be suspended as respects a Bill, entitled, An Act for applying certain monies therein mentioned for the service of the Year of Our Lord One Thousand Eight Hundred and Forty-eight, and for other purposes.
- Bill read 2d & 3d time, The said Bill was read a second and third time, and the question was put by the President,
Whether this Bill shall pass ?
- Agreed to, It was resolved in the affirmative.
And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.
- Advances for Printing, and The Resolution authorizing advances for Public Printing.

Also,

Also, the Resolution authorizing advances for keeping up the Post Communi- Post Office, cation—

Were, by order, read a second time—and the question was put by the President Read 2d time, on each Resolution,

Whether this Resolution be agreed to ?

It was resolved in the affirmative.

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

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

Agreed to,

And sent to H. A.

At three o'clock, P.M., His Excellency Lieutenant-General Sir JOHN HARVEY, Knight Commander of the Most Honorable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c., came to the Council Chamber, attended as usual, and, being seated, the Gentleman Usher of the Black Rod received His Excellency's command to let the House of Assembly know, "It is His Excellency's will and pleasure they attend him immediately in this House"—who, being come, with their Speaker, His Excellency was pleased to give his assent to Twenty-four Bills, entitled as follows :

H. E. comes to Council Chamber.

H. A. attend.

H. E. assents to 24 Bills, viz :

An Act concerning the Electric Telegraph.

Electric Telegraph,

An Act to commute the Crown Revenues of Nova-Scotia, and to provide for the Civil List thereof.

Civil List,

An Act to provide for a more accurate Audit and Inspection of Public Accounts in this Province, and for the appointment of certain Officers therein.

Audit Public Accts.,

An Act relating to the Crown Land Department of this Province.

Crown Land Department,

An Act to provide for the building of Wallace Bridge.

Wallace Bridge,

An Act to continue the Acts in force relative to the Inspection of Pickled Fish.

Pickled Fish,

An Act to empower the Presbyterian Congregation at River John, in the County of Pictou, to appoint Trustees for the purpose of holding Lands for the use of the said Congregation.

Meeting House, River John,

An Act relating to the Grandique Ferry, in the County of Richmond.

Grandique Ferry,

An Act additional to the Act to regulate certain Landings in the County of King's County.

Landings King's Co.,

An Act to Incorporate a Temperance Hall Company at Halifax.

Temp. Hall Co.,

An Act to enable the Halifax Water Company to construct a Reservoir on the Common of Halifax.

Water Company,

An Act to enable the Governor in Council to make orders and regulations for the establishing an uniform Rate of Postage throughout British America.

Postage,

An Act for the regulation of the Salmon Fishery in the Rivers of this Province.

Salmon Fishery,

An Act to authorize an Assessment in the Township of Sydney.

Assessment, Sydney,

An Act to authorize Assesments for the relief of Distressed Settlers in certain cases.

Distressed Settlers,

An Act to amend the Act to authorize the appointment of a new Board of Governors for Dalhousie College.

Dalhousie College,

An Act to consolidate the Acts respecting the Incorporation of the City of Halifax.

Halifax Incorporation,

An Act to limit the responsibility of Co-partners in certain cases.

Co-partners,

An Act to naturalize Frederick Mantovani, Silas Bliss Wing, Charles P. Allen, and John B. Fay.

Naturalizing Mantovani & al.,

An Act for regulating the Court House Ground at Amherst, in the County of Cumberland.

Court House, Amherst,

An Act to authorize the Grand Juries in the Counties of Halifax and Pictou, to Assess said Counties for the erection of Hospitals therein.

Hospitals, Halifax and Pictou,

An Act for the regulation of Juries.

Juries,

Practice, Sup. Court,
Appropriation.

An Act for altering and improving the practice of the Supreme Court.
An Act for applying certain monies therein mentioned, for the service of the Year of Our Lord One Thousand Eight Hundred and Forty-eight, and for other purposes.

After which His Excellency was pleased to close the Session with the following

SPEECH:

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

Speech.

It becomes my pleasing duty to release you from the labors of a Session, which may be regarded without parallel in the history of this old and loyal Colony, as respects the number and importance of the measures which have been matured.

In referring to these results, I will remark, that nearly half my professional life having been passed in British North America, either in the discharge of Military Duties, or in the Administration of Colonial Government, I have watched with deep interest the introduction and progress of those principles of Administration which are interwoven in the political changes that have been recently extended in practice to this Colony. The concession of Constitutional Government presupposed, on the part of the Crown, a firm reliance upon the intelligence and moderation of the people of Nova-Scotia, in Parliament assembled; and I earnestly hope that, while these measures will increase that confidence in your discretion, and tend to develop more rapidly the varied interests of this fine Province, the system, now happily established, will also have a tendency to perpetuate, in the breasts of Her Majesty's loyal subjects in Nova-Scotia, respect for Imperial policy, and reverent attachment to the Throne, deepening with the growth of our population, and with the lapse of years.

I trust I need not assure you that, during the recess, every exertion on my part shall be used to give effect to your wishes, and to bring into practical operation, as speedily as circumstances will permit, the provisions of those Laws to which I have felt myself at liberty to give an unqualified assent.

The Act to commute the Crown Revenues, and provide for a Civil List, I regard as a measure honorable to the Legislature, as I trust it may be satisfactory to Her Majesty's Government. I shall regret if the expectations which individuals have been induced to form are not fully realized by its provisions; but a regard for the quiet of the Country, and the strong opinions of the Constituencies, so recently expressed, constrain me to regard it as my duty to use my legitimate influence to obtain Her Majesty's sanction to an Act, by which, should it pass into a Law, so many sources of controversy and angry discontent will be closed.

The Act to provide for a more accurate audit and inspection of the Public Accounts, and the Act relating to the Crown Land Department, are essential to the practical working of the new and improved system of Administration. They will give to the Government the security, without which there would be waste of the Public Funds, and very inadequate control over important branches of the Public Service.

I shall regard it as my duty to call the attention of Her Majesty to the Bill passed to render the Judges independent of the Crown, and to provide for their removal, as a proof of your anxiety to introduce the necessary guarantees for the due Administration of the Law.

The Act to regulate Immigrant Vessels and Passengers has been forwarded to the Right Honorable the Secretary of State for the Colonies, for circulation in the Mother Country. I sincerely regret that provisions so stringent should have been forced upon the Colonial Legislatures by the distressing scenes which were presented, last year, in all these Provinces. The discretionary powers conferred under this Law shall be exercised, not only with due regard for the public health, but with

with a view to what should be our true policy, the settlement of our Waste Lands with the hardy and redundant population of Europe.

In providing (out of the Provincial Funds, and without seeking to be reimbursed from the Imperial Treasury), for the heavy expenses incurred during the past year for the relief of sick and destitute Emigrants from the Mother Country, you have displayed a liberality honorable to the Colony, and that cannot fail to be appreciated at Home. I trust that your resources may not, during the current year, be taxed so heavily with casualties of that description, and that a people who, while sympathizing with others, have borne their own trials with steadiness and patience, may be blest by Providence, in the coming season, with an abundant harvest.

In the Act for constructing an Electric Telegraph from the Capital to the Northern Frontier of Nova-Scotia, inviting the adjoining Colonies to an instantaneous inter-communication of intelligence and interchange of thought—in that which invests me with powers to co-operate with the Imperial and Colonial Governments for the establishment of a cheap and uniform rate of Postage—and in your action in relation to the great Colonial enterprize, of connecting the Atlantic and Quebec by Railroad—Her Majesty's Government will not fail to perceive, and your fellow subjects to recognize, a desire to elevate the latter in the scale of civilization, and to unite and strengthen this most important portion of Her Majesty's Dominions.

The Act to provide for the Collection of the Revenues has been rendered indispensable by the repeal of the Imperial Duties. The powers it confers upon the Lieutenant-Governor, to be called into exercise when the Lords of the Treasury shall have completed the contemplated arrangements, are gratifying proofs of the confidence you repose in my government, and I shall take care that the policy upon which that measure is based, is steadily kept in view.

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

In Her Majesty's name I thank you for the liberal supplies you have granted, and I trust I need not assure you that they will be carefully applied, with a due regard to the public service.

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

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

The intelligence, just received, of the birth of a Princess, has called forth a renewed expression of your solicitude for the happiness of the Royal Parent, and the permanence of her Dominion, which it will give me unmixed pleasure to forward to the foot of the Throne.

In returning to your homes, permit me to assure you, that the manner in which your Legislative duties have been discharged, has impressed me with the gratifying conviction, that it will be your aim to strengthen, in the districts where you reside, those feelings of loyalty for which this Province has ever been distinguished ; while you endeavor to soften and obliterate the traces of past political conflicts, which, I confidently anticipate, upon many important points, there will be no future occasion to renew.

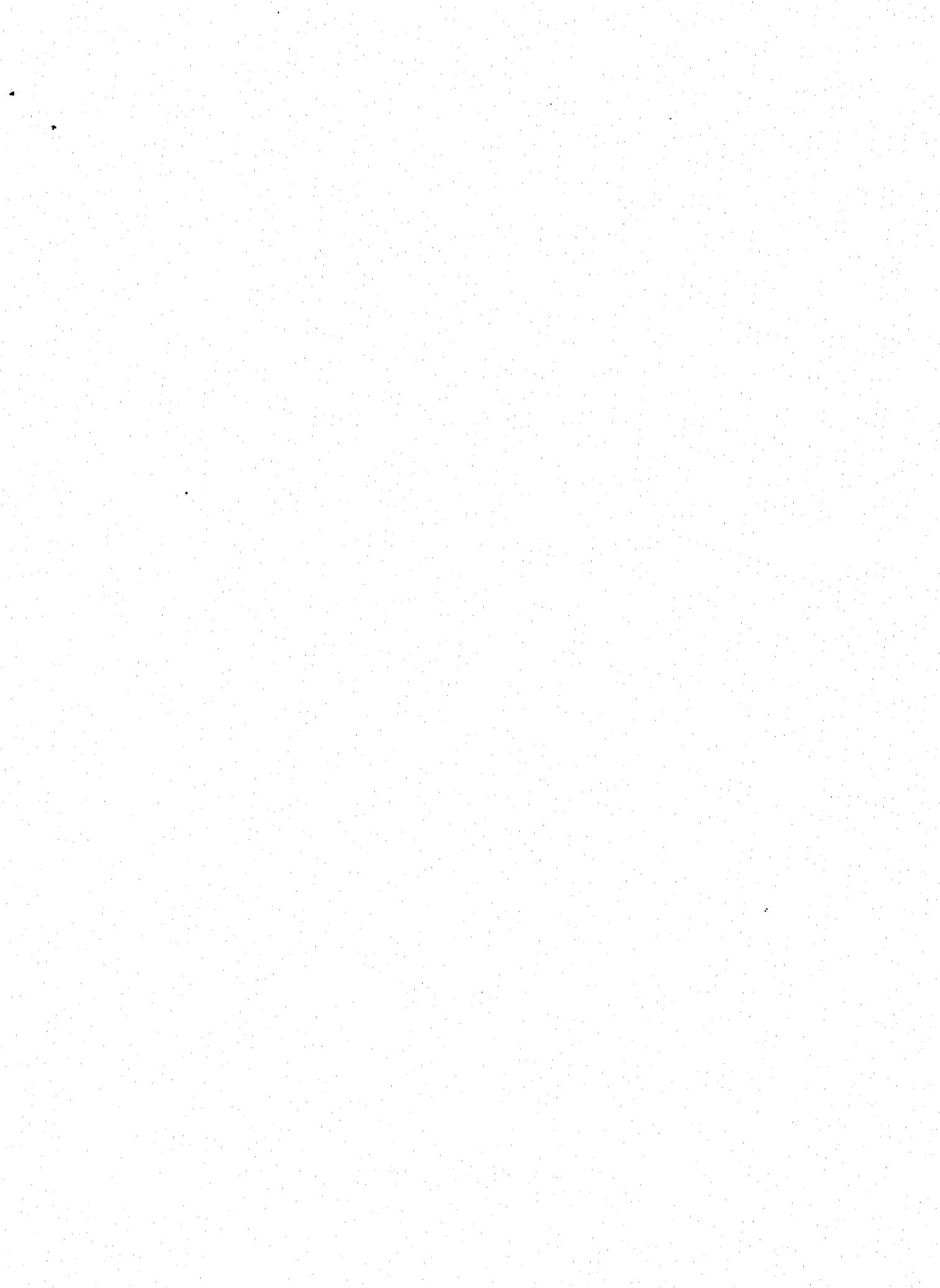
Then the President of the Council, by His Excellency's command, said—

GENTLEMEN—

It is the pleasure of His Excellency the Lieutenant-Governor that this General Assembly be prorogued to Thursday, the First day of June next ; and this General Assembly is accordingly prorogued to Thursday, the First day of June next, to be then here held.

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

JOHN C. HALLIBURTON,
Clerk of the Legislative Council.



APPENDICES

TO THE

JOURNALS

OF THE

LEGISLATIVE COUNCIL,

OF THE

PROVINCE OF NOVA-SCOTIA.

1848.

APPENDICES
TO THE
JOURNALS
OF THE
LEGISLATIVE COUNCIL.

APPENDIX No. 1.

(See Page 10.)

[COPY.]

No. 17.

*Government House, Halifax,
February 2nd, 1847.*

My LORD—

At the request of the Executive Council, I enclose the copy of a Letter which they have addressed to me for the purpose of being forwarded to Your Lordship, as well as a printed copy of a previous communication I had received from that body, being in reply to a paper signed by certain leading Members of the Opposition—which, together with other communications connected with it, I not long since had the honor to transmit to Your Lordship, with a private and confidential Despatch.

Concurring entirely in the representations made by the Council with respect to the circumstances of the Colony—its political condition, and the nature of its principal Offices, I feel it to be of the greatest moment to the welfare of the Country, that the very important subjects thus brought to Your Lordship's notice, should receive the earliest and most careful consideration that may be consistent with your Lordship's convenience.

I know not that I can afford to Your Lordship a proof less equivocal of my earnest desire to continue to act with sincerity and cordiality with the gentlemen composing the present Council, than by abstaining from any other observation upon their comments upon my partial disclosure to them of the contents of my private, separate, and confidential correspondence with Your Lordship, than that *that course has been prescribed to me by a sense of public duty.*

I send herewith the copy of a Letter from the Attorney General to me, dated 5th September, 1846, and referred to in the Letter of the Council, with a printed copy of the Resolutions of the Assembly, referred to by the Attorney General.

I have, &c.

(Signed)

J. HARVEY.

The Right Hon. EARL GREY.

Halifax, 30th January, 1847.

MAY IT PLEASE YOUR EXCELLENCY—

Your Excellency has communicated to us, since the termination of the efforts made for introducing into the Executive Council Members from the party in opposition, some extracts from a Despatch to Your Excellency, from the Right Honorable

able

able the Principal Secretary of State for the Colonies, touching the mode of filing up the Council, and some general principles of Provincial Administration.

Your Excellency not having seen it proper to communicate to us the whole of that Despatch, nor any portion of that part of it which you mentioned to the Attorney General and Mr. Dodd two days ago, related to the Legislative Council, we can form but such imperfect idea of the views of His Lordship, as can be derived from the two short extracts in writing, furnished on the 6th instant to Sir Rupert D. George for our information, and from the recollection retained by the Attorney General and Mr. Dodd of some passages read to them by Your Excellency, on the occasion referred to.

From one of these latter passages, it appeared that Your Excellency had conveyed to the Secretary of State a written paper furnished to you by some of the leading Members of the Opposition.

Your Excellency is aware that we are entirely unacquainted, as well with the contents of that paper, as with the nature and purport of Your Excellency's communication to Earl Grey; and that we are also ignorant of the information Your Excellency may yourself have possessed, or views you may have entertained, on the past history or present prospects of the Province, when corresponding with His Lordship, Your Excellency not having seen it necessary to procure our representation of facts or statements of opinion, on any of the subjects which may have been touched in that correspondence.

Your Excellency will very naturally understand that we are unwilling to be judged by the statements, whether of facts or principles, that our opponents may furnish. How wide the difference between us is, in this respect, the correspondence through Your Excellency, just closed, evinces.

Our solicitude, however, does not so much concern the impressions affecting ourselves that may be received from the past, as it is directed to the influences by which the future prospects of this Country may be determined.

As to the former, we solicit the attention of Earl Grey to the paper addressed by us to Your Excellency, dated the 28th instant, in answer to a paper addressed to Your Excellency by several Members of the Opposition, dated 17th December last.

Understanding from Your Excellency that a copy of the latter paper was some time ago transmitted to His Lordship, and totally differing, as we do, from every important statement of that document, it would be highly satisfactory to us that His Lordship should be furnished with a copy of our reply, and of the documents annexed to it.

Beyond this, we think it would be improper to say more, than that we are prepared to explain and to vindicate the policy and conduct of the Provincial Government in all its particulars, from the dissolution of the House, in 1843, until Your Excellency's assumption of the Government, should it have been impugned, or should His Lordship desire to be acquainted with our views.

As to the future prospects of the Country, we think our duty to address the Secretary of State is more certain and pressing. From the general tenor of His Lordship's observations, as far as communicated to us, we gather that His Lordship not improbably looks upon the condition of this Province as different from what it really is in some essential particulars.

Deeply interested in the welfare of the Province, we earnestly desire that it may be saved from the mischiefs of partial change, calculated to promote individual objects, but unsuited to its existing circumstances, and fraught with evils to its social and political interests: and, therefore, we seize the occasion presented to us of engaging the attention of Her Majesty's Government, in the hope that His Lordship at the head of Colonial affairs, dealing with the matters as a *whole*, and giving to the Province the benefit of his knowledge, experience, and ability, may determine what

what changes are necessary in our Provincial Government, and the modes of conducting the Administrative and Legislative business of the Country, before the British system of Government can be perfected here ; how far, and in what manner, the concurrence of the people in such changes should be obtained ; the manner in which the changes should be effected, supposing such concurrence should be given ; and the general adaptation of an Administration by Heads of Departments to so small a Colony.

It is a necessary preliminary that His Lordship should be acquainted, with some minuteness, with the nature of our Public Offices and modes of business, and even with the meaning attached here to some terms in common use ; and we regret that the pressure of our daily and unavoidable engagements precludes our offering the necessary information in the manner which would be satisfactory, before the departure of the next Mail.

The only Public Officers in the Executive Council are the Attorney General and Solicitor General, and the Provincial Secretary, being the Clerk of the Council. Of these the Attorney General and Solicitor General are in the Legislature. The Council has consisted, since 1840, for considerable periods, of nine, ten, eight, and six Members ; and it will be apparent, that, as regards the conduct of the Public Business, its numbers are unimportant. Here is a controlling distinction : Were the Council formed of Heads of Departments, a vacancy in the Council would infer a vacancy in some Public Office, and a consequent detriment to the Public Service : at present it affects merely the *number* of advisers.

The Provincial Treasurer and the Collector of Excise are Officers excluded from the Legislature by Law, or the Despatch of the Secretary of State, and for reasons the most conclusive, as we conceive.

The first of these Officers receives and pays the whole Revenue, standing at the counter, in his own person ; he keeps his own books, and, in the same office, conducts the Provincial Savings' Bank, of which he is a Director, and also acts as Auditor of Public Accounts. For the whole of these services, (and this brief enumeration but imperfectly conveys an idea of them,) he receives a Salary of £600 Currency, equal to £480 Sterling, and has the assistance of one Clerk, who receives £250 Currency, equal to £200 Sterling. The Collector of Excise at Halifax, (an inappropriate term,) secures and receives all Provincial Duties there—receives the entries of Importations—superintends the body of Provincial water-side Officers, and is, in fact, the Collector of Provincial Customs at Halifax, at a Salary of £700 Currency, equal to £560 Sterling, out of which he pays his own Clerks.

To reason on the case of Officers like these, seems unnecessary. It is only to imagine them in the Government and Legislature, dependent on the returns of a General Election every four years, to perceive the neglect of daily office duty, the almost unavoidable subserviency to political supporters, and the perilous temptations which would ensue, unless important changes, requiring a largely increased expense, were made ; and, indeed, it is difficult to imagine any particular change that would not leave some of the worst mischiefs unremoved.

The Secretary of the Province, the Surveyor General and Commissioner of Crown Lands at Halifax, for Nova-Scotia Proper, and a similar Officer at Sydney, for Cape-Breton, conduct the remaining Public Offices, under circumstances that would require, in a greater or less degree, increased assistance and modifications.

But all these gentlemen have held their Offices for many years, and in the exercise of their official duties, to which they have devoted themselves, have acquired habits unsuited for Legislative pursuits ; their Salaries, unlike those of the Treasurer, and Collector of Excise, have been adjusted by arrangements with the Imperial Government, and are paid out of the Crown Revenues.

The

The Attorney and Solicitor Generals are the only Officers who are in a situation to come under the operation of the system.

The initiative in Money Grants may be said, in the most emphatic manner, to be *not* with the Government.

The qualification of Members of the Assembly is Forty Shillings per annum, from freehold Estate.

The tenure of the Legislative Council for life, depends on a Despatch of the Secretary of State.

There is no Pension Fund, or any approach to it, and a very decided repugnance exists in this Country to its establishment.

The extravagant comparisons and illustrations used in relations to this Province, and the style in which a spirit and feeling is assumed to exist throughout the Country, very different from the pervading sentiments of the people, may well mislead a distant party.

Nova-Scotia numbers about 250,000 inhabitants, a large proportion of them occupying the shores, or contending with the hardships of rugged situations and new cultivation, are poor, and destitute of the means of education, except the most limited.

In the oldest and more favoured parts of the country, the capital and labour so essential to the improvement of Agriculture are wanting; the Commerce of the Province is limited, and its Manufactures still more so. The annual Revenue averages about £80,000.

It is a young Country, having many elements of future promise—but not yet sufficiently matured to bear the full weight of a system of Administration, that hereafter would be calculated to promote its welfare. We have no class born to fortune and leisure. Every man at twenty-one years of age has his livelihood to acquire, and, as a general rule, those who receive Office are dependent on its Salary for a subsistence.

In the present system the Public Offices are under a strict supervision. It is the interest of both Government and the Opposition to see that the duties are well performed, and the interest of none to screen malversation; and the Officer, fulfilling his duties with integrity and ability, is removed above the temptation either of unworthy subserviency or pecuniary delinquencies that would assail him, were the subsistence of his family dependent on party support, in a Country where politics *must* turn on considerations referable to persons, not principles.

We desire in no degree to weaken the responsibility of the Provincial Government to the Legislature.

Hence, one of the first Acts of the Attorney General after Your Excellency's arrival, was to inform Your Excellency, in his Letter dated the 5th September, 1846, of the Resolutions passed by the Assembly on the 5th March, 1844, (Journals, pages 66—71) to which we invite His Lordship's attention—and of the acknowledged principles of action by which he held himself governed while one of Your Excellency's advisers.

What we do desire is, that it may not be left to accident or individual interest to enforce those changes which suit personal views, on the erroneous idea that they are but the incidents of a system already introduced, or for which the Country has been prepared.

His Lordship will perceive that one object, which, amongst other things, we have had prominently in view in this communication, has been to make His Lordship acquainted with the peculiar circumstances distinguishing our Colonial condition and polity in a very striking degree, not only from that of the Imperial State, but of Canada also; and whilst referring to the past, we feel that much evil has arisen from protracted and exciting discussion in the Legislature respecting abstract theories of Government, concerning the *application* of which alone it is that a difference

ference exists. We would respectfully suggest, in reference to the future, that an authoritative declaration should be made of the extent to which it is the design of Her Majesty's Government that the mode and principles of English Administration, with their incidents, as respects the tenure of Offices as dependent on the changes of political parties, shall henceforth be held to be in practical operation in Nova-Scotia.

We beg Your Excellency to forward this Letter to the Secretary of State by the present Mail, and we trust His Lordship will excuse the hasty manner in which we have been compelled by the pressure of our Legislative and other duties to prepare it, and that he will accept it as evidence of our desire that the Government and Institutions of this Country should be subjected to a comprehensive, enlightened, and disinterested review.

We have the honor, &c. &c.

(Signed)

S. B. ROBIE,
R. D. GEORGE,
J. W. JOHNSTON,
EDMUND M. DODD,
M. B. ALMON,
LEWIS M. WILKINS, JR.

[COPY.]

Halifax, 5th September, 1846.

SIR—

In relation to the communication Your Excellency did me the honor to make to me in conversation on Thursday, I think it is my duty to bring to Your Excellency's knowledge existing facts connected with the Provincial Government, and which I was prevented by absence from doing yesterday.

I shall probably adopt the most authentic and satisfactory mode in my power, if Your Excellency will permit me to request your perusal of the Resolution which passed the Assembly on the 5th March, 1844, as embodying certain acknowledged principles of Colonial Government.

This Resolution was concurred in by the Members of the Executive Council in the House, (Mr. Dodd, myself, and I may add, Mr. Wilkins,) with the assent of the Lieutenant-Governor, and has since been recognized and acted upon in the Administration of the Government of the Colony; and Your Excellency will not fail to perceive the relations in which the Members composing the Executive Council stand, and the contingencies which may arise, demanding Your Excellency's action.

I have, &c.

(Signed)

J. W. JOHNSTON.

His Excellency Major-General Sir JOHN HARVEY.

[COPY.]

Downing Street, 2d March, 1847.

SIR—

I have received your Despatch of the 2d February, inclosing various papers, of which the most important are two Letters to you from your Executive Council. These appear to close the correspondence between Your Excellency and the lead-

ers of the two parties, with a view to some arrangement whereby both might be enabled to co-operate in assisting you to carry on the Government of the Province.

Viewing these Letters in conjunction with that from the leaders of the Opposition, which you transmitted with your Despatch of the 17th December, I think I may regard the negotiation to which they belong, as terminated, and the proposed arrangement as abandoned.

There is much to admire in the ability with which the Representatives of both parties have argued in favour of their respective conclusions. It is therefore the more to be regretted that precautions were not taken to prevent these communications from exhibiting that tone of acrimony that unfortunately disfigures them.

Indeed it would have been far better, and more in accordance with our own practice in similar cases, had the communication of each party been addressed to you in strict confidence, and withheld from the other. Your efforts to moderate the animosities of party, and strengthen your Government, were rather exertions of personal influence than part of the ordinary duties of Administration; and as such, they, like other exertions of such influence, should have been the subject of confidential communication, rather than of a kind of public discussion.

While I regret your want of success in efforts prompted by your anxiety for the efficiency of the Public Service, I must add that I am not surprised at the result.

The experience of free Countries shews that it but rarely happens that that coalition of political leaders, which often appears the easiest solution of many political difficulties, can be arranged to the honor and satisfaction of those who are included in it, or can form any permanent foundation for an efficient Government. And however injurious party animosities may often be to those small communities which can ill afford the exclusion from their affairs of any of the practical ability which is contained within their limits, experience has taught that those animosities exhibit themselves at least as keenly, in small, as in large societies; and that the public necessities are as little effectual there as elsewhere, in inducing those who are separated by personal and political repugnances to unite their counsels for the common good. The letters which constitute the correspondence in the present case must have convinced you, as they have convinced me, that the personal and political differences which separate those who bore a part in it are so wide as to render it impossible for the two parties, in the present state of their political feelings, to act together honorably or usefully.

It is very problematical whether any lapse of time, or any change of circumstances, will ever bring these parties into a state of feeling more favourable to the arrangement which you contemplated. I am therefore of opinion that the present negotiation being at an end, no attempt should be made to renew it. Your present advisers will naturally continue to constitute your Executive Council. The question, whether the vacancies in that body shall be filled up may best be left to the Council itself to determine; though I wish to state my very decided opinion that six is a quite sufficient number for the Executive Council of Nova-Scotia.

The two contending parties will have to decide their quarrel at present in the Assembly, and ultimately at the Hustings, and, until a decision adverse to your present advisers shall be pronounced in one way or the other, the composition of your Council will require no further interposition on your part.

What I have now said will suffice for your guidance on such matters as call for an immediate decision. The last Letter from the Executive Council raises some points with respect to the question of Responsible Government, which undoubtedly require more detailed instruction than I have yet given. These I must postpone till the next Packet, when I hope to have had time to consider them with the attention which they demand.

I have, &c.

(Signed)

Lieutenant-Governor Sir JOHN HARVEY.

GREY.

[COPY.]

No. 25.

[COPY.]

Downing Street, 31st March, 1847.

SIR—

I have already acknowledged the receipt of your Despatch of the 2d February, enclosing two Letters to yourself, from your Executive Council; and I now propose to communicate the conclusions at which I have arrived, after that attentive consideration which I have felt due, as well to the intrinsic merits of the views stated by your advisers, as to the respectable source from which the statement emanates.

In doing so, it will be convenient that I should, at the same time, advert to the correspondence, which, soon after your assumption of the Government of Nova-Scotia, you had with Mr. Howe and his friends.

Upon a careful comparison of these very able papers, in which the Members of your Council and their political opponents have stated their respective views as to the manner in which the Executive Government of Nova-Scotia ought to be conducted, I am led to the conclusion that there is not, in reality, so wide a difference of principle between the conflicting parties as would at first sight appear to exist; and that it may not be impossible to chalk out a system of Administration to be hereafter adopted—to which, without the slightest sacrifice of consistency, both might assent.

On the one hand, I find that the Members of your Council declare, that they “desire in no degree to weaken the responsibility of the Provincial Government to the Legislature”; and I gather from the general tenor of their papers of the 28th and 30th of January, that they are aware that in the present state of affairs, and of public opinion in Nova-Scotia, it is necessary that the Governor of the Province should, in administering its affairs, have the advice and assistance of those who can command the confidence of the Legislature, and more especially of that Branch of the Legislature which directly represents the people.

On the other hand, I can hardly doubt that the gentlemen of the opposite party, who have insisted so strongly upon the necessity of what is termed “Responsible Government,” would admit the justness and importance of many of the arguments which have been used, in order to show the danger and inconvenience of making the general tenure of Offices in the Colonial Service to depend upon the fluctuations of political contests in the Assembly. I am the more convinced that the gentlemen of the Opposition will recognise the force of these arguments, because I observe in the various papers in which they have stated their views, frequent references, either direct or implied, to the practice of this Country, as that which affords the best model for imitation in laying down rules as to the manner in which the Government of Nova-Scotia should be carried on.

Now, there is scarcely any part of the system of Government in this Country, which I consider of greater value than that, which, though not enforced by any written law, but deriving its authority from usage and public opinion, makes the tenure of the great majority of Offices in the Public Service to depend upon good behaviour. Although, with the exception of those who hold the higher judicial situations, or situations in which judicial independence has been considered to be necessary, the whole body of Public Servants in the United Kingdom hold their Offices technically during the pleasure of the Crown—in practice, all but the very small proportion of Offices which are distinguished as political, are held independently of party changes; nor are those who have once been appointed to them, ever, in point of fact, removed, except in consequence of any obvious misconduct or unfitness. Thus, in fact, though the legal tenure “during good behaviour” is rare, tenure during good behaviour, in the popular sense of the term, may be said to be the general rule of our Public Service.

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The exception is in the case of those high Public Servants, whom it is necessary to invest with such discretion as really to leave in their hands the whole direction of the policy of the Empire in all its various departments. Such power must, with a Representative Government, be subject to constant control by Parliament, and is, therefore, administered only by such persons as from time to time enjoy the confidence of Parliament as well as of the Crown. These heads of Departments, or Ministers, together with their immediate subordinates, who are required to represent or support them in Parliament, are almost invariably Members of one or the other House, and hold their offices only as long as they enjoy the confidence of Parliament.

Though it is not without some inconveniences, I regard this system as possessing, upon the whole, very great advantages. We owe to it that the Public Servants of this Country, as a body, are remarkable for their experience and knowledge of Public affairs, and honorably distinguished by the zeal and integrity with which they discharge their duties without reference to party feeling; we owe to it also, that, as the transfer of power from one party in the State to another is followed by no change in the holders of any but a few of the highest Offices, political animosities are not, in general, carried to the same height, and do not so deeply agitate the whole frame of society, as in those Countries in which a different practice prevails. The system, with regard to the tenure of Office, which has been found to work so well here, seems, therefore, well worthy of imitation in the British American Colonies; and the small population and limited Revenue of Nova-Scotia, as well as the general occupation and social state of the community, are, in my opinion, additional reasons for abstaining, so far as regards that Province, from going further than can be avoided, without giving up the principle of Executive responsibility, in making the tenure of Offices in the Public Service dependent upon the result of party contests. In order to keep the Executive Government in harmony with the Legislature, it is doubtless necessary that the direction of the internal policy of the Colony should be entrusted to those who enjoy the confidence of the Provincial Parliament; but it is of great moment not to carry the practice of changing Public Officers further than is absolutely necessary for the attainment of that end, lest the Administration of Public Affairs should be deranged by increasing the bitterness of party spirit, and subjecting the whole machinery of Government to perpetual change and uncertainty.

In the practical application of those views, there will, I am aware, be room for considerable difference of opinion. In this case, as in all questions of classification, varying circumstances, and the various views taken by different men, will give rise to discussions and occasional alterations with respect to particular Offices. Your acquaintance with what has passed, and is passing in the Mother Country, will suggest to you instances in which the question has been raised, whether a particular Office should, or should not, be a Parliamentary Office; and some in which different Offices have been deliberately removed from the one into the other class.

The question, how many of the Public Officers in Nova-Scotia ought to be regarded as political, is one to be determined on the general principles I have before laid down; and with reference to various considerations arising from the peculiar exigencies of the Public Service, and the finances, and social state of the Colony. The practical end of Responsible Government would be satisfied by the removability of a single Public Officer, provided that, through him, public opinion could influence the general administration of affairs. Without quite assenting to the too modest estimate which your present Council have given of the resources of the Province, I admit that the smallness of the community, its want of wealth, and the comparative deficiency of a class possessing leisure and independent incomes, preclude it from, at present, enjoying a very perfect division of public employments.

Small and poor communities must be content to have their work cheaply and somewhat

somewhat roughly done. Of the present Members of your Council, the Attorney General and Provincial Secretary, to whom the Solicitor General should perhaps be added, appear to me sufficient to constitute the responsible advisers of the Governor. The holders of these Offices should henceforth regard them as held on a political tenure; and, with a view to that end, the Provincial Secretary should be prepared, in the event of any change, to disconnect from his office that of the Clerkship of the Council, which seems to be one that should, on every account, be held on a more permanent tenure.

It is possible that in the event of any change being rendered necessary by the course of events in the Provincial Parliament, the party succeeding to power might insist on increasing this number of political Offices, by adding to the list of those to be so regarded. In case such a question should arise, I must leave it to your discretion, on a view of various local and temporary circumstances, which I am unable at present to appreciate, to form your own decision with respect to any such demand.

I should feel no objection to somewhat increasing the number of political Offices (for instance, by appointing a Financial Secretary, and a Responsible Chief of the Department of Public Lands and Works), should the expense of doing so, without injustice to those now in the Public Service, be found to be not more than the Colonial Revenue would conveniently bear. But I rely on your using your influence to resist that disposition, which a party succeeding to power often exhibits, to throw open the various Offices of emolument to their friends, without sufficient regard to the mischiefs thereby permanently entailed on the Public Service. And it is but due to what I have seen of the conduct of the principal advocates of Responsible Government in Nova-Scotia, to express my reliance on their public spirit, and sober estimate of their Country's position and interests, as the most effectual safeguard against any abuse of power.

There is another safeguard, which, even with the less considerate Members of any party, you will, I think, find sufficient to protect the Public Interests against any great disposition unnecessarily to place Offices hitherto held on what has practically been a tenure of good behaviour, on one of a more precarious nature.— However desirous the people of Nova-Scotia may be to establish the principle of Responsible Government, they would, I feel assured, shrink from effecting any reform, however just or necessary, at the cost of injustice to individuals. Now, when individuals have engaged in the Public Service under a belief, sanctioned by custom, that they obtained a tenure of their Offices during good behaviour, it would be most unjust to change that tenure to one of dependence on a Parliamentary majority, without ensuring them a provision that would make up for the loss of official income. I think that the consideration that the improvident grasping at any particular Office would necessitate the provision of an adequate pension for its occupant, will be a salutary check on any disposition to carry Party Government beyond its just limit.

This condition must be applied to the removal of those Public Officers who now have seats in your Executive Council, unless where they have clearly accepted Office on an understanding to the contrary effect. I cannot suppose that the necessity of providing the requisite pensions, will be deemed by the Assembly an unreasonable accompaniment of the establishment of Parliamentary Government. And hereafter I think it would be proper to recognize as an invariable rule, that no person should, without such provision, be deprived of any Office, (except upon the ground of unfitness or misconduct), unless he had accepted it on the distinct understanding that it was to be held virtually, as well as nominally, during pleasure.

I entertain a strong conviction that the adoption of such a rule will be found conducive, not only to the interests of the holders of Offices, but also to those of the public, and to a true economy of the public money. As I have already ob-

served, it is impossible to expect that men of superior capacity will devote themselves to the Public Service, unless they are assured that their employment will be permanent, or are offered emoluments so large as to make up for the uncertainty of the tenure by which they are enjoyed.

If the emoluments of public employment are small, and its tenure at the same time uncertain, a strong temptation is given to the holders to endeavour to make up for these disadvantages by irregular gains, and thus to give rise to practices equally injurious to the community in a pecuniary, and in a moral point of view.

You will observe that in the preceding observations, I have assumed that those only of the Public Servants who are to be regarded as removable on losing the confidence of the Legislature, are to be Members of the Executive Council.

This I consider to follow from the principles I have laid down. Those Public Servants who hold their Offices permanently, must, upon that very ground, be regarded as subordinate, and ought not to be Members of either House of the Legislature, by which they would necessarily be more or less mixed up in party struggles; and, on the other hand, those who are to have the general direction of affairs, exercise that function by virtue of their responsibility to the Legislature, which implies their being removable from Office, and also that they should be Members either of the Assembly or the Legislative Council. But this general direction of affairs, and the control of all subordinate Officers, it is the duty of the Governor to exercise through the Executive Council; hence the seats in that Council must be considered as in the nature of political Offices, and if held in connection with other Offices, must give to these also a political character. This, however, leads me to observe that, if only two or three of the principal Offices are to be regarded as political, it may very probably be advisable to assign Salaries to two or three of the Executive Councillors, as such. The Executive Council has duties of a very important character to perform; those duties, and the defects in the manner in which they had then, generally, been discharged, I find thus described in a confidential Despatch which the late Lord Sydenham, then Mr. P. Thompson, addressed to Lord J. Russell from Halifax, in the year 1840:

“The functions of the Executive Council, on the other hand, are, it is perfectly clear, of a totally different character. They are a body upon whom the Governor must be able to call at any or at all times for advice—with whom he can consult upon the measures to be submitted to the Legislature, and in whom he may find instruments, within its walls, to introduce such amendments in the Laws as he may think necessary, or to defend his acts and his policy.

“It is obvious, therefore, that those who compose this body must be persons whose constant attendance on the Governor can be secured, principally, therefore, Officers of the Government itself; but when it may be expedient to introduce others, men holding seats in one or other House, taking a leading part in political life, and, above all, exercising influence over the Assembly.

“The last, and, in my opinion, by far the most serious defect in the Government, is the utter absence of power in the Executive, and its total want of energy to attempt to occupy the attention of the Country upon real improvements, or to lead the Legislature in the preparation and adoption of measures for the benefit of the Colony. It does not appear to have occurred to any one that it is one of the first duties of the Government to suggest improvements where they are wanted. That the Constitution having placed the power of legislation in the hands of an Assembly and a Council, it is only by acting through these bodies that this duty can be performed, and that if these proper and legitimate functions of Government are neglected, the necessary result must be, not only that the improvements which the people have a right to expect, will be neglected, and the prosperity of the Country checked, but that the popular branch of the Legislature will misuse its power, and the public mind

mind be easily led into excitement upon mere abstract theories of Government, to which their attention is directed as the remedy for the uneasiness they feel."

In this view of the proper functions of the Executive Council I entirely concur; but I greatly doubt whether they could be adequately discharged by a Council composed of only two or three persons holding Offices in the Public Service, and of gentlemen serving gratuitously. It is hardly possible to expect that those so serving should devote any large portion of their time to their public duties; and it therefore appears to me highly desirable that Salaries should be assigned to at least one or two seats in the Executive Council.

On such terms as these, which I have thus detailed, it appears to me that the peculiar circumstances of Nova-Scotia present no insuperable obstacle to the immediate adoption of that system of Parliamentary Government which has long prevailed in the Mother Country, and which seems to be a necessary part of Representative Institutions in a certain stage of their progress.

I have thought it due to you to enter thus fully into the practical difficulties to be encountered in giving effect to those general principles which, in my Despatch of the 3d of November, I laid down for your guidance in the selection of your responsible advisers. I am in hopes that the present Despatch will leave you in no doubt as to the course to be pursued by you in the event of any change, of which you may anticipate the contingency.

I owed it to you to make myself clearly understood on this point—and I trust that what I have now said will be regarded by your Council as amounting to such a declaration of my views as was requested by them in their Letter of the 30th of January.

I have, &c. &c.

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY, &c.

APPENDIX No. 2.

(See Page 12.)

[COPY.]

No. 26.

Downing Street, 31st March, 1847.

SIR—

Referring to my Despatch of this date, on the subject of the composition of the Executive Council of Nova-Scotia, I have to call your attention to the effect, which, adopting the suggestions it contains, would have upon the interests of Sir Rupert George. I am of opinion that the Office of Colonial Secretary is that, which, of all others, ought most properly to be considered as of a political character, and also, one which ought not to be united with any other Office; but, at the same time, I am most anxious that in acting upon these views, the strong claims which Sir Rupert has upon Her Majesty, and upon the Province, owing to his long and useful Public Service, should not be overlooked; and that if he should decide upon retaining the one of his present Offices which is not of a political character, ample compensation should be made to him for the surrender of the emoluments of his Office of Colonial Secretary.

I have to desire that you will strongly recommend this claim to the consideration of the Legislature, if circumstances should render it necessary so to do.

I have, &c.

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY.

APPENDIX No. 3.

(See Page 12.)

DR. THE PROVINCE OF NOVA-SCOTIA,

For Payments made by the Treasurer, between the 1st January and 31st December, 1847, inclusive.

To paid sundry Warrants, in full, of the Salary of the Lieutenant-Governor,	£2500	0	0	
Sundry Warrants, in full, of the Grant for support of H. M. Customs,	7144	18	8	
Sundry Warrants for Salaries to the Officers of Government, per Abstract,	5695	0	0	
				£15339 18 8
Sundry Warrants for Legislative Expenses, including pay of Members, per Abstract,				4241 19 9
Sundry Warrants for support of Colleges, Academies, and Common Schools, as per Vouchers and Abstract,				13978 7 3
On account of sundry Warrants for encouragement of Agriculture, as per Vouchers and Abstract,				1035 16 8
Sundry Warrants for allowance to Excise Waiters, Revenue Boats, and other expenses in aid of Revenue, as per Abstract,				1989 10 7
Sundry Warrants for Drawbacks, as per Abstract,				460 18 6
Sundry Warrants for Bounty for killing Wolves, as per Abstract,				25 0 0
Sundry Warrants to Commissioners of Poor, Halifax, as per Abstract,				1900 0 0
Sundry Warrants to Commissioners of Penitentiary, as per Abstract,				1450 0 0
Sundry Warrants for compensation to proprietors of Lands taken for Road alterations, as per Abstract,				664 11 8
Sundry Warrants for advances from the Casualty Vote, as per Abstract, viz :				
Halifax County,	£41	10	7	
Hants County,	39	0	0	
King's County,	21	4	6	
Cumberland County,	9	19	6	
Pictou County,	50	0	4	
Inverness County,	14	0	11	
Richmond County,	12	0	0	
Lunenburg County,	13	1	9	
Colchester County,	51	15	6	
Sydney County,	90	19	0	
Annapolis County,	60	3	0	
Queen's County,	34	17	0	
				429 12 1

To paid sundry Warrants for improvement of Roads and Bridges, and for advances for relief of destitute in several Counties, directed to be charged to this service, as per General Abstract, viz :

County of Halifax,	£3057	18	5	
“ Hants,	2451	7	7	
“ King’s,	1851	18	0	
“ Annapolis,	1652	12	0	
“ Digby,	1470	5	3	
“ Yarmouth,	1590	0	0	
“ Shelburne,	1547	4	0	
“ Queen’s,	1725	0	0	
“ Lunenburg,	2170	5	8	
“ Cumberland,	1813	15	10	
“ Sydney,	1854	5	0	
“ Guysboro’,	1210	15	8	
“ Cape-Breton,	3751	7	0	
“ Pictou,	2600	11	10	
“ Inverness,	3879	12	9	
“ Colchester,	2041	12	4	
“ Richmond,	2021	11	2	
	<hr/>			£36690 2 6
Sundry Warrants for expenditure on Roads and Bridges, granted in former years, and then undrawn, as per Abstract,				976 3 3
Sundry Warrants for support of Light Houses, as per Abstract,				5719 10 8
Sundry Warrants to Commissioners of Sable Island, as per Abstract,				2695 19 10
Sundry Warrants for expense cleaning Militia Arms,				151 13 8
Sundry Warrants holding Coroners’ Inquests, as per Abstract,				292 10 0
Sundry Warrants for Rations to Troops, as per Abstract,				119 0 6
Sundry Warrants for Grants in aid of Transient Poor, per Abstract,				339 14 0
Sundry Warrants for cost of Criminal Prosecutions, viz :				
J. C. Hall,	£14	4	8	
J. Creighton,	68	14	6	
L. M. Wilkins,	66	2	8	
C. Twining,	17	16	10	
J. T. Hill,	54	7	2	
C. F. Harrington,	6	0	0	
	<hr/>			227 5 10
Sundry Warrants for Grants in aid of Steam Boats, Packets, and Ferries :				
James Whitney,	£750	0	0	
Ditto.	50	0	0	
George Handley,	150	0	0	
William Weeks,	20	0	0	

John Copeland,	£10	0	0	
William Horton,	50	0	0	
Eliphalet Reid,	15	0	0	
Richard Carter,	10	0	0	
Lemuel Morehouse,	10	0	0	
Duncan McPhee,	10	0	0	
James Whitney,	50	0	0	
John and Charles Pernette,	15	0	0	
Cornelius Craig,	10	0	0	
Alexander McPherson,	20	0	0	
James Whitney,	50	0	0	
Edmund Crowell,	20	0	0	
Joseph Vickers,	20	0	0	
Richardson & McDonald,	20	0	0	
John Whitney,	50	0	0	
Cunningham & Knowles,	15	0	0	
McMillan & Forrestall,	30	0	0	
W. H. Scovil,	250	0	0	
Isaiah Smith,	30	0	0	
John Copeland,	10	0	0	
				£1665 0 0
To paid sundry Warrants for Grants in aid of				
Piers and Breakwaters, per Abstract,				
viz :				
King's County,	£3	14	2	
Yarmouth County,	30	0	0	
Givan's Harbour, King's County,	46	5	10	
Annapolis County,	100	0	0	
Givan's Wharf, King's County,	25	0	0	
				205 0 0
Sundry Warrants for Travelling Expenses				
of Judges, per Abstract, viz :				
Judge Haliburton,	£40	16	8	
Judge Hill,	33	16	8	
Judge Haliburton,	24	10	0	
Judge Bliss,	49	0	0	
Chief Justice Halliburton,	9	6	8	
Ditto,	37	6	8	
Judge Bliss,	39	13	4	
Judge Haliburton,	50	3	4	
Ditto.	17	10	0	
				334 16 8
Sundry Warrants on account of the General Grant in aid of the Indians, per Abstract,				
				385 0 0
Warrant for payment of sums granted in payment of relief afforded destitute Indians,				
				549 14 2
Sundry Warrants and Orders for Postages, and extension of Mail Routes, per Abstract,				
				1451 9 4
Warants for Principal and Interest of Funded Debt, as per Abstract,				
				12202 16 5
				To

To paid sundry Orders for advances to Savings' Bank,	£1150	0	0
Sundry Warrants and Orders on account of charges for Public Printing, as per Abstract,	1423	5	3
Sundry Warrants to adjutants of Militia, as per Abstract,	598	12	7
On account of Warrant to Commissioners of Public Buildings,	1992	1	5
Sundry Warrants and Orders on account of Passenger Fund,	2539	13	4
Sundry Warrants for Miscellaneous Services, as per Abstract, viz :			
John Fuller,	£1	10	0
The Treasurer, in aid of destitute in Ireland and Scotland,	1250	0	0
Donald McKay,	10	0	0
Coloured Population,	500	0	0
Commissioners of Lunatic Asylum,	10	0	0
Daniel Farrel,	25	0	0
Francis Bourneuf,	10	18	9
Fraser & Tremain,	150	0	0
Commissioners of Sable Island,	67	15	4
John Chamberlain,	40	0	0
Robert Stone,	50	0	0
Hon. T. N. Jeffery,	20	0	0
James Blair,	4	0	0
John Romans,	28	15	0
Doctor Desbrisay,	25	0	0
Joseph Langley,	15	0	0
George Grassie,	10	10	0
Commissioners of Lunatic Asylum,	100	0	0
Overseers of Poor, Horton,	22	3	3
David Chute,	15	0	0
Thomas Bolton,	15	15	0
Clerk of Assembly,	62	9	6
Adam McNutt,	20	0	0
Sawyer & Kaulback,	50	0	0
Henry Horton,	3	0	0
Joseph Oxley,	2	10	0
John Givan,	5	10	0
Diadem McNeil,	5	0	0
Richard Starr,	3	0	0
James Cain,	10	0	0
Secretary of the Province,	1	3	4
Comms. for issuing Treasury Notes,	175	0	0
Overseers of Poor, Wilmot,	8	5	0
Philip Weybrant,	4	17	6
Margaret Nickerson,	12	0	0
Joseph Stoneman,	7	7	6
Collector of Colonial Duty,	62	14	0
John Hannah,	15	0	0
James Sentell,	50	0	0
Alexander Fraser,	13	5	2

Lemuel Morehouse,	£13	5	2	
J. J. Sawyer and others,	61	10	0	
Mark Amiro,	15	0	0	
Agricultural Society, Clare,	2	0	0	
Wilkins & Porter,	56	18	4	
J. J. Sawyer and others,	207	16	7	
Dr. Gregor,	50	0	0	
Dominique Boudreau,	30	0	0	
Donald McDonald,	15	0	0	
Overseers of Poor, Cornwallis,	4	2	2	
Peter Dawson,	1	10	0	
	<hr/>			£3336 6 5
To paid Provincial Secretary, from deposit made by H. W. Crawley, Esq., Fees of Grants, Sundry advances made by order of Go- vernment, as per Abstract, viz :				45 7 3
William McGuire,	£17	10	0	
Relief to Magdalen Islands,	215	1	0	
Ditto, ditto,	34	8	0	
Wm. McGuire,	25	0	0	
	<hr/>			291 19 0
				£116898 17 6
				10923 18 7
Balance,				<hr/>
				£127822 16 1

IN ACCOUNT CURRENT WITH SAMUEL P. FAIRBANKS, TREASURER.

By Balance in hand 31st December, 1846,
Cash from Collector of Impost and Excise,
Halifax :

March Quarter,	£8150	0	0	
June do.	14750	0	0	
September do.	12100	0	0	
December do.	13050	0	0	
	<hr/>			48050 0 0

Cash from Collectors of Impost and Excise at
the Out Ports, as follows :

Lunenburg,	£282	6	10
Amherst,	364	10	4
Pugwash,	31	0	0
Guysboro',	16	18	9
Yarmouth,	740	11	4
Pictou,	1617	4	7
Digby,	411	13	7
Annapolis,	493	11	2
Windsor,	155	4	0
Maitland,	147	15	0
Westport,	36	10	9
Weymouth,	28	15	9
Cornwallis,	83	0	6
Liverpool,	171	2	6
Shelburne,	95	0	0

Port Hood,	£17	0	0
Londonderry,	165	17	6
Parrsborough,	20	8	5
Cape Breton,	342	14	2
Antigonishe,	0	7	9
Givan's Wharf, King's County,	23	0	0
Gut of Canso,	20	0	0
Arichat, Estate of Turnbull,	56	0	0
Do. Jean, Acting Collector,	46	10	0
Do. Donovan,	259	4	4
Argyle,	23	0	0
Barrington,	229	5	2
Truro,	194	7	8
Wilmot,	291	2	7
			£6364 2 11

By Cash received from Collectors of Light Duty, viz :

Halifax,	£1075	8	5
New Edinburgh,	95	10	0
Annapolis,	21	6	1
Digby,	52	5	10
Canso, (Bigelow)	373	16	4
Do. (Carre)	32	10	0
Liverpool,	114	14	4
Guysboro',	0	3	6
Barrington,	36	18	3
Westport,	28	19	3
Argyle,	54	18	6
Sydney, Cape-Breton,	458	17	5
Cumberland,	16	19	6
Pictou,	1024	1	6
Wallace,	159	3	3
Shelburne,	6	11	1
Yarmouth,	241	15	0
Arichat,	103	19	5
Lunenburg,	34	4	5
Londonderry,	15	12	6
Windsor,	140	13	6
Maitland,	34	14	9
Cornwallis,	17	15	4
Antigonishe,	8	16	8
Wilmot,	8	3	10
			4147 18 8
Amount received from the Collector of H. M. Customs,			36564 13 7
Amount from Province of Canada, towards St. Paul's and Scattarie Light Houses,	£616	9	11
Ditto from New-Brunswick,	250	0	0
Ditto from Prince Edward's Island,	36	19	6
			903 9 5
Cash from Collector of Impost and Excise, Halifax, proceeds of 10 per cent. Duties,			212 8 11
Received from Collector of Customs, on account of Head Money, under Passenger Act, as per Abstract,			366 3 0

By received from the Attorney General on account of balance due by C. Wallace, Esq., late Treasurer,	£46 19 0
Received from Board of Revenue on account of Fines and Forfeitures,	50 0 0
Received from Collector of Excise, Halifax, on account of Seizures,	5 7 8
Received by draft on Lords of Treasury, in re-payment of advances on account of Shipwrecked Seamen,	28 4 6
Amount repaid by Counties, being advances on account of Casualty Vote,	287 17 7
Amount received from Savings' Bank,	5950 0 0
Amount of Bill of Exchange on Lords of Treasury, in aid of Sable Island expenses,	495 11 1
	£127822 16 1

[Errors Excepted.]

Treasurer's Office, Halifax, N. S., 31st December, 1847.

SAMUEL P. FAIRBANKS, Treasurer.

APPENDIX No. 4.

(See Page 13.)

[COPY.]

No. 38.

Downing Street, 30th Septsmbler, 1847.

SIR—

I have had under my consideration the two undermentioned Acts, passed by the Legislature of Nova-Scotia, in the month of March last, entitled, "An Act in addition to, and altering the Acts for, establishing Regulations for the disposal of Crown Lands within the Province," and "An Act relating to the Crown Land Department of this Province."

I have not failed to lay before the Queen the Address transmitted in your Despatch, No. 23, of the 1st April, from the House of Assembly of Nova-Scotia, praying Her Majesty to pass the former of these Laws; but it has not been in my power to advise Her Majesty to comply with that Address of the Assembly, for the following reasons:

It is proposed by this Act to reduce the price to be paid for Ungranted or Escheated and Wilderness Lands in Nova-Scotia from 1s. 9d. to 1s. Sterling, per acre, the former price having been fixed as the maximum upset price by an Act passed in the Session of 1843, and continued for three years by an Act passed in the course of last year.

I have reason to believe that much inconvenience has resulted from frequent changes in the price of Crown Lands in the North American Colonies, and I consider that it would not be advisable to sanction the repeal of a Law passed so recently as last year to continue provisions which the present Act would necessarily alter. But, independently of those objections, I am far from being satisfied that any reduction in the price of Crown Lands would facilitate the objects contemplated by the Act, of promoting the settlement and improvement of the Country, or substantially assisting the Emigrant.

It

It has, on a former occasion, been considered by Her Majesty's Government, that the rate of 1s. 9d. per acre for Land in Nova-Scotia, was too low when it is a maximum as well as a minimum price; but in deference to the superior local knowledge of the Lieutenant-Governor, and adverting to the inferiority of the soil of Nova-Scotia, as compared with that of the adjoining Provinces, the objections of Her Majesty's Government to that low valuation were not, at the time, insisted on.

Under these circumstances, to reduce now to 1s. per acre, the price actually established by Law, is a proposal, which, if carried into effect, would, in my judgment, prove the reverse of advantageous to the real interests of the Colony. It would not only tend to diminish the value of landed property, and be unjust in its operation towards those persons who have been required to pay a higher price for the Lands which they obtained from the Crown, but it is also more than questionable whether any real advantage would accrue to those who were enabled to obtain Land at so cheap a rate.

What is requisite for the benefit of the purchasers of Waste Land, and more especially of Emigrants who wish to settle upon the hitherto unoccupied territory of the Province, is not that Land should be sold at a lower price, but that the price paid for it should be so laid out as to facilitate its profitable occupation.

Upon this point, I have to call your attention to the following observations, which I lately had occasion to make to the Governor General of British North America, in regard to a plan of systematic colonization which was projected in Canada. I stated, that "what seems to be most required, is to carry further than has yet been done the principle of making all who obtain Land pay for it such a price as at once to afford the means of effecting those improvements by the construction of Roads and Bridges, and by erecting Schools and other Public Buildings, which are necessary for its regular and systematic occupation.

"If no Public Lands were alienated, but at a price sufficient to pay for such improvements, and if the money obtained from their sale were so expended, Land would only be purchased where the improvements were already in progress, while the settler receiving in return for the enhanced price he paid for Land, but the advantage of those works by which its profitable occupation is facilitated, would not, in reality, pay more, perhaps not so much, for the mere Land, as when it is disposed of at a very low and almost nominal rate."

With regard to the Act making alterations in the Crown Land Department in Nova-Scotia, I have to state, that I have no reason to suppose that the measure which the Legislature has thought proper to pass on this subject is defective in point of detail; but it is open to the objection that it makes provision for the regulation of Offices which cannot, at present, be regarded as other than provisional—whilst the question relating to the surrender of the Crown Revenues in Nova-Scotia, in exchange for a Civil List, continues unadjusted.

Until that question be determined on a complete and satisfactory basis, it would be premature to sanction such arrangements as are provided for in this Act. You will communicate this Despatch to the House of Assembly, in answer to their Addresses to you of the 30th and 31st of March, at the same time assuring them of Her Majesty's readiness to assent to any measures which may appear to be really calculated to promote the settlement of the territory of Nova-Scotia, and place so important a department of the Provincial Administration, as the management of the Waste Lands, upon a permanent and economical footing.

I have, &c.

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY, &c. &c. &c.

APPENDIX No. 5.

(See Page 14.)

[COPY.]

No. 41.

Downing Street, 13th October, 1847.

SIR—

I have laid before the Queen the Address to Her Majesty, enclosed in your Despatch of the 2nd June, 1847, (No. 27) from the House of Assembly of Nova-Scotia to Her Majesty, on the subject of the appropriation of the surplus Revenue of the Provincial Post Office. Her Majesty having been pleased to command that the necessary enquiries should be instituted to ascertain the exact state of the case. A Correspondence accordingly took place between this Department and the Department of the Lords Commissioners of the Treasury, the result of which has been to ascertain that, after deducting the gross Revenue of the Nova-Scotia Post Office, the amount of Packet Postage due to the Revenue of the United Kingdom, upon the Correspondence transmitted between this Country and Nova-Scotia, and also deducting the cost of the stores supplied from the General Post Office in England to the Post Office in Nova-Scotia, there has been no surplus Revenue in favor of that Province, but that, on the contrary, there has been a deficiency of more than £2,000 in each year.

Under such circumstances it is, of course, impossible that Her Majesty should be advised to accede to the request of the House of Assembly.

I enclose copies of the Correspondence from which the preceding conclusion is drawn. You will communicate to the House of Assembly a copy of this Despatch, and of those enclosures, as comprising the only answer which it is in Her Majesty's power to return to the Address of that House.

I have, &c.

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY.

[COPY.]

Downing Street, 9th July, 1847.

SIR—

I am directed by Earl Grey to transmit to you, for the consideration and decision of the Lords Commissioners of the Treasury, the accompanying copy of an Address to the Queen, from the House of Assembly of Nova-Scotia, praying, for the reasons therein stated, that the Deputy Post Master General in the Province may be instructed to pay into the Local Treasury at the end of each future quarter, the net produce of the General Post Office Revenue, if any shall exist, as well as the sum of £921 1s. 6½d. which has already accrued on that account; and I am to request that you will move their Lordships to cause Lord Grey to be informed whether there exists any objection to a compliance with the prayer of the Address.

I have, &c.

(Signed)

BENJN. HAWES.

C. E. TREVELYAN, Esq., &c. &c.

[COPY.]

[COPY.]

Treasury Chambers, 10th September, 1846.

SIR—

With reference to your Letters of the 27th June, and 3rd and 23rd July, and to the previous correspondence relating to the Postal arrangements in the American Colonies, I am commanded by the Lords Commissioners of Her Majesty's Treasury, to transmit to you the enclosed copy of a communication from the Post Master General, dated the 18th ultimo, upon that subject, and I am to request that you will lay the same before Earl Grey, and observe to his Lordship, that, with the view of facilitating arrangements for a compliance with the wishes urged at various times for a reduction of Colonial Postage, the Post Master General proposes to abandon the central control of this Country over the Establishments in the various Provinces of British North America; and it is needless to point out to Lord Grey the important considerations involved in this proposition.

You will also state to His Lordship, that before my Lords would entertain this project, they would wish to be favoured with the opinion which he may form upon it after such communication as he may deem necessary with the different Colonies which would be affected by the proposed arrangement.

I am, &c.,

(Signed)

C. E. TREVELYAN.

JAS. STEPHEN, Esq., &c.

To the Right Honorable the Lords Commissioners of Her Majesty's Treasury.

MY LORDS—

I have the honor to acknowledge the various communications from Canada and New Brunswick, which have been forwarded to this Office on the 3rd, 14th, and 31st ultimo, respectively.

During the last two or three years, propositions of a similar nature from the North American Provinces, for the reduction of Postage, have reached this Country, and have been referred to this Department; but my predecessors, from an apprehension that any considerable diminution in the Rates of Postage must occasion such a loss of Revenue as would leave an amount insufficient to cover the expenditure of the Department, have not felt themselves justified in recommending the adoption of any of the measures suggested. That there were reasonable grounds for this apprehension, I have no doubt, especially as the Commissioners of the Post Office enquiry in British North America, in the Report which they made in December 1841, unequivocally expressed the opinion that a great reduction in existing Rates "must necessarily bring the receipts far below the expenditure of the Department."

Looking, however, to the anxiety which is so generally felt throughout the North American Colonies, for a reduction in the present Rates of Postage chargeable upon Inland Letters, I do not think it advisable longer to withhold the measures so strongly urged by the several Legislatures, especially as the Colonists express a disposition to make up the deficiency of the Post Office Revenue from the general taxation of the Provinces.

Whether the higher Rates mentioned in the Address from the Canadian Legislature, or such as are at present in force in the United Kingdom, and which Sir William Colebrooke thinks ought to be extended to New Brunswick, shall be adopted—in either case the reduction will be very large; and as it must inevitably occasion a serious deficiency in the Postage Revenue, I deem it my duty to point

out to Your Lordships the conclusion at which I have arrived, that under the existence of such a deficiency the attempt to retain, by this Department, the control of the Post Office in the North American Provinces, would be productive of much inconvenience, and of irritation, and that it would be preferable to place the management of the Postal arrangements at once in the hands of the Local Governments.

It is true that in one case the Provincial Legislature has offered to guarantee the payment of the sum required to meet the expenditure of the Department, and it is not improbable that a similar undertaking might be obtained from the other Provinces; but however excellent and sincere may be the disposition of the Colonial Assemblies to carry such guarantee into execution, I cannot shut my eyes to the probable consequences of a dependence upon them by this Office.

In a Department like the Post Office, differences of opinion must necessarily arise between the Colonies and the authorities at Home, as to the regulations upon which it should be conducted, the extent of accommodation to be given, the amount of the salaries to be paid, and above all, (in a new Country in which the Post Office is expected to afford the means of extending civilization, instead of as at home, following in its train,) as to the principle upon which new, and frequently expensive, Posts should be established.

There is no more fertile source of contention in the North American Assemblies than the establishment of new Posts, and if the means of extending such Posts throughout the Colonies were provided by funds, not of the Post Office, but granted from the General Colonial Revenue, however well administered the Department might be, I fear it would constantly be subjected to accusations of favoritism and of undue influences.

Even now, the disposition to call in question every arrangement made by the Post Office in the North American Provinces is so strong, that virulent terms of abuse are employed against the Deputy Post Master General for carrying out measures which have been expressly authorized by this Department. But with a deficiency of Revenue, this feeling would be much strengthened. It would be only reasonable to expect that the Legislative Assemblies would endeavour to ascertain whether by a re-arrangement of the Posts, and other alterations in the administration, the deficiency would not be diminished, and whether greater economy could not be introduced with respect to salaries. Under the influence of the same feeling, the emoluments of one Post Master might be raised, those of another diminished, and the whole administration of the Post Office would practically be made dependent on the annual scrutiny and vote of Assemblies, jealous of the powers of a Department nominally exempted from their control; nor should it be overlooked that each Member would have the strongest local interest as regarded the extension of the Post in his own County or Township, as well as the amounts to be expended for Post Office purposes in his own section of the Province.

I entertain, therefore, the conviction that any measure producing such a deficiency in the Post Office Revenue as would need to be provided for by a vote in a Colonial Legislature, would be tantamount to a surrender of the administration of the Department by the Post Master General; and, as I think that a large reduction of Rates ought to be granted, I am of opinion that it is better the Post Master General should resign his control over the Post Offices in those Colonies at once. I deem it, however, practicable and very expedient to accompany this surrender by certain conditions, and by a demand that the Colonial Post Offices shall be conducted on such principles as will still retain, in effect, a great portion of the advantages of a Central Government.

I beg leave to suggest that the North American Post Offices should be administered on the following principles, and that no Bills of the Provincial Legislature, which are not conformable with them, should receive the assent of the Imperial Government.

First.

First.—That no transit Postage shall be chargeable on Letters forwarded between any of the North American Provinces, for the cost of conveyance through any one of those Provinces.

Secondly.—That the uniform Internal Colonial Rate of Two Pence the half ounce shall remain in operation, as regards Letters transmitted in the British Mails, between the United Kingdom and the North American Provinces, and that the same uniform Rate shall be extended to the correspondence of those Countries with which we have Postal conventions, in case such Countries should establish Packets of their own, and Her Majesty's Government should demand, in their favor, concession of such a privilege. Of course, in the event of a uniform internal Rate of less amount than Two Pence being adopted for Provincial Letters, the benefit should be given to the correspondence of the United Kingdom, and the foreign Countries alluded to.

This Rate should be collected according to the British Scale.

Thirdly.—That the prepayment or payment on delivery of Postage, shall still remain optional with respect to the correspondence transmitted between each of the Provinces respectively, but that each Province shall keep, as now, the amount it collects, in order to avoid complicated accounts and heavy expenses for exchanging offices, for the purpose of ascertaining the actual Revenue to which each is entitled, for the *unpaid* Letters which it transmits to either of the other Provinces, and for the *paid* Letters received from those Provinces for delivery. With respect to the correspondence transmitted between the North American Provinces and the United Kingdom, and that forwarded through the United Kingdom, a similar optional payment shall still remain wherever it is practicable; but the existing modes of account shall be retained both with respect to the British Packet Postage and the uniform Internal Colonial Rate of Two Pence.

These three are, in my opinion, the main conditions which should be insisted upon, if the control of the Mother Country over the North American Post Offices is surrendered. I take leave also to suggest, that the maintenance of a uniform system and Rate of Postage, throughout the North American Provinces, is highly desirable. Under the present arrangements this great advantage is enjoyed in those Colonies, and great inconvenience may result from the introduction of different systems, although upon this point we can hardly expect unanimity on the part of the different Provinces. As regards the Rates, it is obvious that a uniform Rate throughout the four Provinces must be the most equitable, and by far the most convenient that could be adopted.

It will be for Her Majesty's Government to determine whether these questions shall be decided at home, and at once, or shall be left to the discretion of the Colonial Governments. I hope, however, that the British principle of weight, and the scale by which additional Rates are calculated, will in no case be abandoned.

Under the arrangements which I have proposed, the Packet Postage belonging to the United Kingdom, and which in the Lower Provinces has been applied towards the general expenditure of the Department, will, of course, be remitted to the Mother Country; and it will become necessary to settle with Canada the principle upon which the transit Postage due to the United States for the conveyance of the British Mails through that territory, should be defrayed, although it seems to me the most eligible course would be, that it should be paid in equal portions by Canada and the United Kingdom, as I am not prepared to recommend that an additional Rate should be levied upon the correspondence, to cover the charge for transit.

Arguments may be adduced to show that the administration of the Colonial Post Offices by the Department at Home, is that best calculated for the interests of the Colonies, and for those of the Mother Country; but for the reasons I have ventured to state to Your Lordships, I am of opinion that, with a large deficiency of

Revenue,

Revenue, it would be difficult to continue the control of the Post Offices of the North American Provinces in the hands of the Post Master General of the United Kingdom, and I take leave to recommend the subject to the consideration of Her Majesty's Government as being of very great importance.

(Signed)

CLANRICARDE.

General Post Office, 18th August, 1846.

[COPY.]

Treasury Chambers, 24th Sept., 1847.

SIR— With reference to Mr. Hawes' Letter of 9th July last, I am commanded by the Lords Commissioners of Her Majesty's Treasury, to transmit to you copies of a Letter from the Post Master General, and of a Statement of Surplus Postage Revenue of Nova-Scotia, for the years ending 5th July, 1845, and 5th July, 1846; and I am to request that, in laying the same before Earl Grey, you will observe to his Lordship that the Address of the House of Assembly of that Province of 29th March last, would appear to have been framed under a mistaken impression regarding the amount of the disbursements for which the Post Office Revenue in the Province is liable.

I am, &c.,

(Signed)

C. E. TREVELYAN.

JAMES STEPHEN, Esq., &c.

[COPY.]

To the Right Honorable the Lords Commissioners of Her Majesty's Treasury.

MY LORDS—

I have the honor to return to Your Lordship's Mr. Hawes' Letter of 9th July last, referred to me by Mr. Brande on the 18th of the same month, enclosing the copy of an Address to the Queen, from the House of Assembly of Nova-Scotia, praying that the Deputy Post Master General of that Province may be instructed to pay into the Local Treasury, at the end of each future quarter, the net produce of the General Post Office Revenue, if any should exist, as well as the sum of £921 1s. 6½d., which has already accrued on that account.

I beg leave to refer Your Lordships to my Letter of 19th February last, in which was transmitted a statement showing the amount of Revenue collected in the North American Provinces, and in Jamaica, during each of the two years ended 5th July, 1846, together with the balance in favor of the United Kingdom or of the Colony—from which Your Lordships perceive, that after deducting from the gross Revenue of Nova-Scotia the amount of Packet Postage due to the United Kingdom upon the correspondence transmitted between this Country and Nova-Scotia, and the cost of the Stores supplied from this Office to the Department in Nova-Scotia, there has been no surplus Revenue in favor of that Colony; but that, on the contrary, there has been a deficiency of upwards of £2000 in each year.

I must add, that if, at any future time, there should remain a surplus in favor of Nova-Scotia, after deducting the amount of Packet Postage, and of the Stores supplied from this Country, the amount of such surplus will remain to be applied

to

to the Public Service of the Colony, and the support of the Government thereof, in such manner as Your Lordships may direct, under the provisions of the Act 7th and 8th Victoria, cap. 96.

I have, &c.,

(Signed)

CLANRICARDE.

General Post Office, 16th September, 1847.

NOVA-SCOTIA.

Year ending 5th July, 1845.

Gross amount of Postage collected,		£8605 5 7
Less expenditure,	£7559 1 4	
Dead Letters,	1642 2 5	

9201 3 9

Deficiency,

595 18 2

Cash remitted to the United Kingdom,

Nil.

Gross amount of Packet Postage collected in the Colony, including the Internal Colonial Rate,

£2578 19 9

Inter-Colonial Packet Postage collected in the Colony,

413 5 5

Deduct Dead Letters returned to London,

£2992 5 2

262 14 7

Total amount of Postage due to the United Kingdom,

£2729 10 7

United Kingdom Dr. to Nova-Scotia.

To Postage remitted,

£0 0 0

To Inter-Colonial Rate collected in the United Kingdom and Nova-Scotia on Letters to and from Nova-Scotia, estimated according to the mode sanctioned by the Treasury in September, 1845,

258 15 0

Balance due from Nova-Scotia,

2586 15 1

£2845 10 1

Nova-Scotia Dr. to United Kingdom.

To amount of Packet Postage collected in Nova-Scotia,

£2729 10 7

To cost of Bags, Stationery, Stamps, &c., supplied from the United Kingdom,

115 19 6

£2845 10 1

NOVA-SCOTIA.

Year ending 5th July, 1846.

Gross amount of Postage collected,

£7939 2 5

Less Expenditure,

£7048 18 8

Dead Letters,

1241 0 3

8289 18 11

Deficiency,

£350 16 6

L.C. 7

Cash

Cash remitted to the United Kingdom,	Nil.
Gross amount of Packet Postage collected in the Colony, including the Inter-Colonial Rate,	£1918 18 2
Inter-Colonial Packet Postage collected in the Colony,	461 4 11
	<hr/>
	£2443 3 1
Deduct Dead Letters returned to London,	137 11 5
	<hr/>
Total amount of Packet Postage due to the United Kingdom,	£2305 11 8
United Kingdom Dr. to Nova-Scotia.	
To Postage remitted,	£0 0 0
To Internal Colonial Rate collected in the United Kingdom and Nova-Scotia, on Letters to and from Nova-Scotia, estimated according to the mode sanctioned by the Treasurer in September, 1845,	185 19 4
Balance due from Nova-Scotia,	2209 15 2
	<hr/>
	£2395 14 6
Nova-Scotia Dr. to United Kingdom.	
To amount of Packet Postage collected in Nova-Scotia,	£2305 11 8
To cost of Stationery, Bags, Stamps, &c., supplied from the United Kingdom,	90 2 10
	<hr/>
	£2395 14 6
(Signed)	CHAS. COMPTON, Acct. General.

[COPY.]

*Government House, Montreal,
28th August, 1847.*

SIR—

I have the honor to transmit, herewith, the copy of a Despatch, with an enclosure, addressed to me by Her Majesty's Secretary of State for the Colonies, under date 31st December, 1846.

This communication treats of several matters which have a very important bearing on the existing and prospective interests of British North America; but I am induced to bring it under Your Excellency's notice at the present time, chiefly with the view of calling your attention to the suggestions which it contains with reference to the future management of the Post Office in these Provinces.

You will observe from the tenor of the documents herewith enclosed, that Her Majesty's Ministers are prepared to surrender to the Provincial Authorities the control of this Department so soon, as by concert between the several Legislatures, arrangements shall be matured for securing to British North America the advantages of an efficient and uniform Post Office System.

With a view to the more speedy attainment of an object to which the Inhabitants of these Provinces attach much importance, it appears to me to be desirable that one or two Members of each of the Executive Councils of Canada, Nova-Scotia, New Brunswick, and Prince Edward's Island, should meet at Montreal, where

where the subject may be fully discussed, and a plan matured for submission to the several Legislatures at their next Session.

Should it be in the power of Your Excellency, and of the Lieutenant-Governors of New Brunswick and Prince Edward's Island, to act on this suggestion, I shall be prepared to appoint one or two Commissioners on behalf of the Council of Canada, to confer with those from the other Provinces, on the arrival of the latter in this place.

I have the honor, &c.,

(Signed)

Sir JOHN HARVEY, &c. &c.

ELGIN & KINCARDINE.

APPENDIX No. 6.

(See Page 14.)

[COPY.]

No. 35.

Downing Street, 18th June, 1847.

SIR—

The importance of establishing an uniformity of Gauge on the Railways about to be constructed in British North America, has led me to address the Despatch, of which the accompanying is a copy, to the Earl of Elgin. The probability that the Railways in the United States will eventually communicate with those which are on the eve of formation in the British Provinces, together with the fact that in those Provinces the extent of Line which has yet been laid down is extremely limited, renders it most desirable that the present opportunity should not be lost of determining this question.

I have therefore to instruct you to communicate immediately with the Governor General of Canada upon the subject, to furnish His Lordship with all the information in your power in reference to any Lines which have been decided upon in the Province under your Government, and be guided by the advice which His Lordship may think proper to give you in the matter.

I have, &c.,

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY.

[COPY.]

No. 89.

Downing Street, 18th June, 1847.

MY LORD—

Having received information that the works of the projected Railways in New Brunswick, for which Acts have been passed by the Colonial Legislature, are likely to be commenced forthwith, and carried on in such a manner as to render it necessary that the Gauge of the Line should be determined at a very early period. I consider it to be of the very highest importance to secure from the outset the adoption of an uniform Gauge, not only in New Brunswick, but throughout the whole of British North America.

I have accordingly to instruct Your Lordship to communicate with the Lieutenant-Governors of New Brunswick and Nova-Scotia, for the purpose of ascertaining what steps it would be expedient to adopt to secure this advantage.

I can express no preference of one Gauge over another, as I do not consider myself qualified to form a judgment upon a question of that description ; but I am of opinion that the decision must rest in a considerable degree not merely what is in itself the best Gauge, but upon what Gauge has already been adopted in existing Lines, with which those about to be constructed will eventually communicate. The extent of Railroad as yet constructed in the British Provinces is too inconsiderable to occasion any difficulty in adopting any Gauge that may be preferred ; but the Gauge in use on Railways in the United States, which are likely to become connected with the Railways in the British Provinces, should not be overlooked.

The course which it appears to me that it would be desirable to take, is to endeavour to determine what, upon the whole, will be the best and most convenient Gauge, and then to recommend the Colonial Legislature to prescribe its adoption.

I have, &c.,

(Signed)

GREY.

Governor General the Right Hon. the EARL OF ELGIN, &c. &c.

[COPY.]

No. 36.

Downing Street, 17th November, 1847.

SIR—

Having, in compliance with the request contained in your Letter of the 8th July, requested Viscount Palmerston to communicate to Mr. Pakenham the copy which you sent to me of your Despatch to the Governor-General of British North America, on the subject of establishing uniformity of Gauge in the Railways about to be established in the British Provinces on that Continent, I have received from Mr. Addington the copy of a Memorandum which Mr. Pakenham has written upon the subject. I enclose a copy of that paper to you, for your information, although the statement contained in it does not apply to the wooden Railways of the description of those which are now projected in New Brunswick.

I have, &c. &c.,

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY.

MEMORANDUM.

I am enabled, from personal observation, to bear testimony to the entire correctness of what is stated in Sir John Harvey's Despatch to Lord Elgin of 5th July, 1847, respecting Railroads in the United States, constructed upon the cheap principle, that is to say, of which the Rail is composed of a flat piece of iron laid upon a bed or sleeper of timber. I can with confidence assert, that wherever the experiment has been tried of constructing Railroads upon that principle, it has ended in total failure in as far as relates to speed, safety, and efficiency. So much so, that wherever the circumstances of the Railroad have been such as to afford it, the weak rails have been removed, and been replaced by solid iron rails of the same description as those in use in England. Witness the Baltimore and Ohio Railroad, from Baltimore to Cumberland, on which it was found necessary to discontinue to a great extent the carriage of coal, in consequence of the constant dislocation of the rails under the pressure of heavy weight ; and the Great Western Railway of New York, from Albany and Troy to Buffalo, on which important line the average

average rate of travelling, owing to the same cause, does not exceed fifteen miles an hour. In short, wherever speed and endurance of heavy pressure are required, it may safely be said that the cost of laying down rails of the description in question, has been money thrown away, as they have invariably been replaced by solid T or fish-belly rail.

In the New England States, where everything is directed on the wisest calculation, the cheap rail has never been used.

26th August 1847.

(Signed)

R. PAKENHAM.

[COPY.]

No. 42.

Downing Street, 23rd October, 1847.

SIR—

A favorable report having reached Her Majesty's Government as to the practicability of constructing one good Line of Railway between Halifax and Quebec, it appears to Her Majesty's Government that the proper time has arrived for recalling the attention of the Legislature of Nova-Scotia to the Resolution passed by the House of Assembly on the 14th March, 1846, pledging the House to defray its fair proportion of the expense of the preliminary Survey for the projected Railway.

Instructions have been given to Major Robinson to transmit to you, and to the Governor-General of Canada, and the Lieutenant-Governor of New Brunswick, precise statements of the amount of expenditure incurred in this service, for each Province, and on receiving the amount for Nova-Scotia, you will communicate it to the House of Assembly, and recommend that provision be made for repaying to the British Treasury the amount advanced for the exploration in question, either to the late Captain Pison, or to Major Robinson, up to the date mentioned in the statement which will be submitted to you.

Lieutenant-Governor Sir JOHN HARVEY.

[COPY.]

Government House, 5th July, 1847.

MY LORD—

In complying with the instructions which I have just received from the Right Honorable the Secretary of State for the Colonies, to communicate with Your Lordship upon the great importance of uniformity of 'Gauge' in the Railway about to be established in the British North American Colonies, it may be proper for me to acquaint Your Lordship that no other action has, as yet, been adopted by the Legislature of this Province, with respect to the projected Railroad, beyond an Address to the Home Government suggesting an exploration, with a view to ascertain the best Line through which it should pass from hence, as the Trans-Atlantic terminus, towards Quebec, and pledging itself to defray the expenses of such Survey as regards the portion of Nova-Scotia through which it may pass. This Survey is now in progress, but will probably not be so far advanced towards completion as to enable the Officers conducting it to report before the close of the present season.

L. O. 8

Deeply

Deeply impressed as both the Legislature and People of Nova-Scotia are known to be with the vast benefits to its interests, in common with those of all the Sister Colonies, which must result from the formation of this great work, they would, I am convinced, be found ready willingly to conform to such general principles, whether as respects 'Guage' or otherwise, as may be agreed upon in inter-communication with the Sister Colonies, and be propounded through Your Lordship—for example, that of such primary importance as the manner in which this great work should be constructed. That its foundation as well as its superstructure should be solid and durable, would appear to be essential, in order to render the undertaking ultimately and certainly remunerative, and thereby to protect the interests of those who may be induced to embark capital in it. To this conclusion I am led, as well by the publicly declared opinion of perhaps the highest British authority on the subject, (Mr. Hudson), as by the fact which has been stated to me by what I regard as equally high authority, that owing to the flimsy materials of which some of the cheap Railways in the United States are formed, several of them have proved in a great degree failures, whether as respects celerity of locomotion, or a due degree of security to the persons and property of travellers—too frail to bear the transport of heavy goods: I am assured that these are found to require such frequent repairs as to be wholly unprofitable as a speculative outlay, and to have even determined the proprietors, in some instances, to encounter the expense of causing their re-construction upon a more solid plan.

I earnestly trust, therefore, that the people of these Colonies will not allow themselves to be induced by plausible and designing persons to connect themselves with undertakings of so unstable a description, and therefore, also do I hope, that this great undertaking, whenever it may be commenced, may have not only the sanction and encouragement of H. M. Government, but also its superintendance and control as respects its constructions, firmly believing as I do that not only are the future Commercial interests of the Colonies closely united with this great work, but that by incalculably increasing the power of the Parent State to fly to the aid of their loyal population in repelling foreign invasion, it is destined to become the most powerful means which were ever devised for perpetuating the connexion and drawing more closely the ties by which they are bound to the glorious Country of their origin and their pride.

In a word, the main object of the foregoing remarks has been to record my impression, that as the benefits to be derived from this stupendous undertaking will, it is hoped, be great and permanent, so should the work itself be of the most enduring character.

With these observations, I recur to the important subject of uniformity of 'Guage,' (which, speaking militarily, may be regarded as indispensable as the adaptation of the shot to the calibre of the gun,) only for the purpose of repeating the expression of my opinion, that any suggestion in connexion with it proceeding from the central and leading Province, (Canada,) and conveyed through your Lordship, would not fail in receiving the most respectful consideration from the Government, Legislature, and People of Nova-Scotia, with an earnest desire to meet it.

I have, &c.,

(Signed)

J. HARVEY.

His Excellency the EARL OF ELGIN, &c., Governor General.

APPENDIX No. 7.

*(See Page 14.)**Halifax, N. S., December 22d, 1847.*

SIR—

We have the honor to acknowledge the receipt of your Letter of the 18th November last, enclosing a Report of the Honourable Captain Owen, on the subject of Lights and Beacons in the Bay of Fundy, and to which we have given due consideration, and regret we cannot fully coincide with him in all the suggestions submitted in said Report, and beg to call the attention of His Excellency the Lieutenant-Governor to our Report on Light Houses and Beacons last year; also a Letter addressed subsequently to the Chairman of the Committee on Navigation Securities, (a copy of which we annex), on the necessity of erecting Light Houses and Beacons on other parts of the Coast of Nova-Scotia, which, in our opinion, would prove much more beneficial to the Trade and Navigation Securities of the Province, as well as benefitting the Trade of New Brunswick and other Countries, (but not to the extent that the suggestions of the Commissioners of New Brunswick, if carried out, would attach to that Province alone).

The reasons given for the change of site and erection of Lights at certain places, we freely admit are very strong, and for similar but stronger reasons do we recommend the attention of the Legislature to localities named by us, as decidedly of greater importance to the interests of this Province, (which we conceive it to be our duty to promote), as well as that of all stranger and adjoining Colonies; and we respectfully but earnestly suggest, that the removal of an old and well established Light, or Beacons, should only be attempted after the most mature and deliberate consideration, more particularly when the trifling distance (about three miles) proposed in this instance would not act as a warning to strangers, who, for years to come, might not be aware of the change, and be led into the danger, which, by this proposal, it is intended to avoid; and we are strengthened in our opinion by that of many old and experienced Masters and Pilots of both Provinces, at present in Halifax—one of whom was Pilot of the Revenue or Government Cruiser more than forty years ago, and previous to the erection of many of the Lights in the Bay, and has continued to navigate the Bay of Fundy successfully ever since, in all classes of Her Majesty's Ships—and from our own experience for the last ten years, and at times during the winter months, we regret we cannot concur with the Commissioners of New Brunswick and Captain Owen, on whose scientific attainments we place great reliance, and for whom, personally, we have the greatest respect.

It may not be irrelevant here to remark, that from enquiries and references we believe that about the year 1809 a deputation of both Provinces met at Brier Island, and, in conjunction, selected the site where the Light now stands, and caused one to be erected and put in operation that year; that the building became defective, and unfit for service; and, about twenty years afterwards, the Commissioners of both Provinces, or a deputation of them, again met and decided on not repairing the old Tower—made a re-survey of the Island, and determined, with the advice and assistance of some of the leading inhabitants of the Island, to erect the present Light House, and, at the same time, could not pitch upon so eligible a site as where the old one stood, which had to be pulled down to admit of the present one being placed where it now stands—the expense of erection being borne by this Province; and the loss of the Neptune is attributed to the present building in open day, and not to an improper position of the Light at night.—We, therefore, in lieu of the alteration, beg leave again to recommend which we think will more readily meet the views of our Legislature, namely, to erect an economical distinguishing Light on Peter's Island, on the South or Seaward entrance of Grand Passage, which will answer nearly as well to guide Vessels in the North entrance, (a secondary consideration), and will, in a great measure, answer the

the purpose of the one proposed about three or four miles off, on Gull Rock, which we freely admit is a very good position for a Light, (but can name sites of greater importance); and may add, it is the most desolate and exposed spot yet selected in the Province for the residence of a family, affording neither wood, water, and, we believe, not shelter for a boat, whereas a man with a moderate salary, on Peter's Island, would be comfortable.

In again alluding to the proposed site on Isle Haute, we are still of opinion the cost of Light, and requisite expenditure in clearing the Island of the extensive forest which covers it, would prove much more beneficial to the general interests of the public, and that part of the Province, if appropriated to the building of two Lights on the South shore of the Bay, (which has so often been the scene of numerous and fatal disasters, exceeding, we believe, in extent and calamity any that have taken place on Quaco Ledge—as a supposed means of avoiding which we believe to be the chief inducement the Commissioners of New Brunswick have for strongly adhering to the proposed site on Isle Haute, which we are informed, and believe, is entirely free, in itself, from disaster), should our present suggestion to adopt Cape D'or not meet the approbation of the Legislature.

And we are strengthened on this point by the recollection of some of the most calamitous shipwrecks on record, long previous to the commencement of Captain Owen's practical acquaintance with the peculiarities of the winter navigation of the Bay of Fundy, it is our belief, that during a gale and heavy sea, when the navigation of that extensive and inhospitable Coast (affording but very few contrasted, and, at present, *undistinguishable* spots where a crew in distress would hope to save themselves), is mostly to be dreaded, the dangers about Quaco Ledges are comparatively lessened—let a Vessel be in whatever position or bearing you please from an *isolated shoal*, either side of which is perfectly safe with plenty of sea room; but not so on an iron bound and precipitous lea shore, nearly eighty miles in extent, without a Beacon of any note to guide by day, or Light by night, to one of the few spots, where, as we have before said, there would be any chance of saving life.

The next proposal of Captain Owen is the placing and erecting a Beacon on the dangerous and extensive Ledges off Gannet Rock, in which measure we most cordially concur; and respectfully suggest that the expense of it, with the erection and keeping the Light on Peter's Island, (if adopted), should be equally borne by New Brunswick.

With respect to the Light proposed at the entrance of Pubnico Harbour, we admit that much benefit would result to the Coasting Trade of both Provinces, but we do not consider it would benefit Navigation generally in the Bay, and therefore beg leave to decline recommending it at present to the notice of the Legislature, while so many more important positions are unprovided for.

It must be borne in mind that the Legislature of Nova-Scotia has of late years contributed most liberally for the erection and maintenance of several efficient and useful Lights on various parts of the Coast and Bay of Fundy, as well as sanctioning the expense of improving and rendering the old Establishments equally beneficial.

In conclusion, we beg to assure His Excellency that we will take steps to obtain the co-operation of the Commissioners of New Brunswick, and, at the same time, bestow that attention to a subject of such great importance to the prosperity of this Province, as well as the safety of the seafaring portion of its inhabitants, and feel that both Provinces are indebted to Captain Owen for the interest he has taken in these matters.

We have, &c.,

(Signed)	S. CUNARD,	}	Commissioners Light Houses, Nova-Scotia.
“	PER HENRY BOGGS.		
“	THOS. MAYNARD,		
“	J. P. MILLER,		

The Hon. Sir RUPERT D. GEORGE, Bart., Prov. Secretary.

Halifax,

Halifax, March 3, 1847.

SIR—

The attention of the Commissioners of Light Houses has again been drawn to the important subject of improving the Eastern approach to the Harbour of Halifax, by Commander Judkins of the Steamer Cambria, who, in common with his brother Commanders, have been long advocating the erection of a distinguishing Light East of the Harbour, near that dangerous vicinity Jedore, with the numerous Ledges around it, on one of which a Steamer lately struck, and narrowly escaped destruction. Commander Judkins gives, as additional reasons for this object, the increased number of Steamers building for the Line and additional trips, thereby increasing the risks. The Commanders of the Steamers also acknowledge the gratification and benefit they, in common with others, have experienced in the newly erected Light on Beaver Harbour Island.

The Commissioners deeming the subject of great public importance, consider it their duty to bring it to your notice.

We have, &c.,

(Signed)

THOS. MAYNARD, } Commrs. Light
J. P. MILLER, } Houses, N. S.

The Chairman of the Committee on Navigation Securities.

APPENDIX No. 8.

(See Page 14.)

Cornwallis, 29th September, 1847.

SIR—

I have the honor to report, for the information of His Excellency the Lieutenant-Governor, that I have now completed the examination of all the Indian Settlements in my District, and a Census of all the Micmacs belonging to Nova-Scotia proper.— I have also obtained, from official and other documents, statements that are probably nearly correct in regard to the number of the whole Nation. They are as follows:—

Micmac Indians of Nova-Scotia,	- - - - -	961 Souls.
“ “ Cape-Breton,	- - - - -	500 “
“ “ New Brunswick,	- - - - -	935 “
“ “ District of Gaspe, Canada,	- - - - -	444 “
“ “ St. Pierres and Miquilon, Newfoundland,	- - - - -	200 “
“ “ Prince Edward Island,	- - - - -	250 “
Total of Micmac Nation,		3290

According to the French historical accounts of Acadia, the total number of the Micmac Nation in 1745, was 15000. Among the 961 souls of Nova-Scotia proper, there were, in 1846, Births 79, Deaths 106, leaving a difference against the Tribe in one year of 27. At this rate of decrease, the whole Tribe will be annihilated in 36 years, and this most melancholy result will inevitably take place unless effectual measures are taken to ameliorate the condition of these unfortunate people.

From the increasing industry displayed by the Indians under my charge in the cultivation of Land, since the encouragement given to them by the Government during the last Spring, I am convinced that judicious means would finally succeed in making them Farmers and Mechanics, checking the progress of decrease, and bring them into a state of civilization.

The total number of acres of Land cleared upon the Indian Reserves in my District is 239; of this quantity, there were planted last Spring, in Potatoes, 19 acres; Wheat, $14\frac{3}{4}$ acres; Oats, $8\frac{3}{4}$ acres; Buckwheat, 3 acres; Beans, $\frac{1}{2}$ acre. 42 tons Hay have been secured, and the Indians own 32 head of Horned Cattle.

I lament that the Potatoe is again affected with the disease, and the Wheat has been chiefly destroyed by an Insect. These circumstances will greatly add to the misery and destruction of the poor Indians during the ensuing Winter. Several of the Chiefs and Captains have called upon me to attend meetings of their people to devise timely means for their relief. No charge has been made by me for my own services, and I have ordered £15 to be advanced on my own account to aid in building a Barn at Bear River. This sum I should be glad to receive whenever there are funds at the disposal of the Government.

I have taken an account of the aged and infirm, for whom clothing may be required; and by judicious management, I am of opinion a saving may be made in the distribution of such bounties, to dispose of which my correspondents have kindly promised their aid in different quarters.

A serious obstacle to the settlement of the Indians arises from the fact, that they have been deprived of Lands which the Tribe had occupied during past centuries; and the places where their fathers are buried, and the tracts which had been reserved for them, have since been alienated. The fear of being again driven away check their desire to establish themselves as Farmers. Several families have promised to settle themselves upon the Reserves on the Shenennicash River, and in the rear of Horton, and it is very desirable that these tracts should be surveyed; but I forbear to make such surveys until I am directed by the Government.

In conclusion, I beg to add that my General Report will give a full account of the Indian Statistics, their condition and wants, with a plan for their improvement.

In the annual grant made by Parliament of £15,000 to the Indians of Canada, these Micmacs do not participate, and I shall rejoice if their condition hereafter shall meet with deeper consideration.

I have, &c. &c.

(Signed)

A. GESNER,
Comr. for Indian Affairs.

SIR R. D. GEORGE, Bart., Provincial Secretary, &c.

APPENDIX No. 9.

(See Page 14.)

DR. *Account of Receipts and Payments of Her Majesty's Casual Revenue in Nova-Scotia, for the Half Year ended 30th June, 1847.*

1847.	Sterling.	Currency.
Jany. 26—To Balance due the Treasurer,	£1 18 9	£2 8 6
Paid the Crier and Fuel of the Rolls Court, for half year ended 31st December, 1846,	15 0 0	18 15 0
His Excellency Sir John Harvey, * back pay up to 31st Decr., 1846,	224 19 9 ³ / ₈	281 4 9
		June

* NOTE.—The Lieutenant-Governor's allowance from this Revenue was fixed, since the close of the Account for the preceding half year, at £1500 Stg. instead of £1000 Stg. towards salary; and £300 Stg. instead of £200 Stg. for contingencies per annum—making the amount due for additional Salary, £187 9 11
Contingencies, 37 9 11

£224 19 10 Sterling, or
281 4 9 Currency.

June 30—To paid His Excellency Sir John Harvey			
Contingencies for half year ended			
30th June, 1847,			
	£150	0 0	£187 10 0
Private Secretary, do.,	125	0 0	156 5 0
Solicitor General, for same period,	50	0 0	62 10 0
Surveyor General, C. B.,	50	0 0	62 10 0
Do. do. Office Rent,	8	0 0	10 0 0
Do. do. do. 31st Dec. '46,	8	0 0	10 0 0
Superintendent of Mines, for half year			
ended 30th June, 1847,	50	0 0	62 10 0
Crier and Fuel of Rolls Court, do.,	15	0 0	18 15 0
Messenger of Secretary's Office,	5	5 5 ³ / ₅	6 11 10
Miss Cox's Pension to 30th June, 1847,	50	4 4 ⁴ / ₅	62 15 6
Mr. James, 1st Clerk in Secretary's			
Office, for Quarter ended 31st March,	62	10 0	78 2 6
Mr. Keating, 2d do. do. do.,	40	0 0	50 0 0
Mr. Pyke, 3d do. do. do.,	25	0 0	31 5 0
Mr. LeBlanc, for assistance, copying			
in Office to 20th February,	14	11 4 ⁴ / ₅	18 4 3
Do. do., 20th February to 31st March,	16	5 0	20 6 3
Mr. Keating, for Quarter ended 30th			
June, 1847,	62	10 0	78 2 6
Mr. Pyke and Mr. LeBlanc do. each			
£30 Sterling,	60	0 0	75 0 0
Mr. Keating, for extra services from			
16th October to 30th June, 1847,	8	5 7 ¹ / ₅	10 7 0
Laws for New Brunswick	1	12 0	2 0 0
E. Young, copying,	1	12 0	2 0 0
His Excellency the Lieutenant-Gover-			
nor 2-5th Salary for Half Year end-			
ed 30th June, 1847,	300	0 0	375 0 0
The Chief Justice, do. do.	200	0 0	250 0 0
Three Puisne Judges, do. do.	102	0 0	127 10 0
Master of the Rolls, do. do.	34	0 0	42 10 0
Provincial Secretary, do. do.	200	0 0	250 0 0
Attorney General, do. do.	120	0 0	250 0 0
Clerk of the Crown, do. do.	20	0 0	25 0 0
Surveyor General, do. do.	30	0 0	37 10 0
	£2051	14 5	£2564 13 1

1847.	CR.	Sterling.	Currency.
June.—Received of James Soy Rent of Grindstone			
Quarry, Cumberland,		£4 0 0	£5 0 0
Fees received at Secretary's Office,		249 6 9 ³ / ₅	311 13 6
Rent of Mines under Duke of York's Lease for			
year ended same day,		1 0 0	1 5 0
Rent of Reserved Mines for half year,		1333 6 8	1666 13 4
Premium on Dollars, being payable in do.,		55 11 10 ¹ / ₅	69 9 10
Sales of Crown Lands for half year,		400 0 0	500 0 0
Balance due to the Treasurer,		8 9 1	10 11 5
		£2051 14 5	£2564 13 1

Halifax, July 2d, 1847.

R. D. GEORGE.

DR.

DR. *Account of Receipts and Payments of Her Majesty's Casual Revenue in Nova-Scotia, for the Half Year ended 31st December, 1847.*

	Sterling.			Currency.		
1848.						
Jan'y. 3.—To Balance due to the Treasurer by the last half year by Account,	£8	9	1 ³ / ₄	£10	11	5
To paid His Excellency Sir John Harvey's Salary, for half year ending 31st December, 1847,	750	0	0	937	10	0
His Excellency Sir John Harvey, contingencies, do.	150	0	0	187	10	0
Do. do. Private Secretary, do.	125	0	0	156	5	0
Chief Justice's Salary, for half year ended 31st Decr., 1847,	500	0	0	625	0	0
Judge Wilkins, do. do. do.	85	0	0	106	5	0
Judge Hill, do. do. do.	85	0	0	106	5	0
Judge Bliss, do. do. do.	85	0	0	106	5	0
Master of the Rolls, do. do.	85	0	0	106	5	0
Do. Contingencies, Fuel, and Crier of Court,	15	0	0	18	15	0
Attorney-General's Salary, for half year ended 31st December, 1847,	300	0	0	375	0	0
Solicitor-General's do. do.	50	0	0	62	10	0
Clerk of the Crown, do. do.	50	0	0	62	10	0
Surveyor-General of N. S., do. do.	75	0	0	93	15	0
Surveyor-General of C. B., do. do.	50	0	0	62	10	0
Do. do. do. Office Rent, do.	8	0	0	10	0	0
Provincial Secretary, for half year ended 31st Decr., 1847,	500	0	0	625	0	0
Mr. Keating, 1st Clerk in Secretary's Office, do.	125	0	0	156	5	0
Mr. Pyke and Mr. LeBlanc, £75 each, do.	120	0	0	150	0	0
Miss Cox's Pension to 31st Decr., 1847, do.	50	4	4 ¹ / ₂	62	15	6
Superintendent of Mines, for half year ending 31st Decr., 1847,	50	0	0	62	10	0
Commissioner of Crown Lands for N. S., Commission on £2253 9 11, amount paid in by him from Sales of Crown Lands in 1847,	90	2	8 ¹ / ₂	112	13	5
His Excellency Sir John Harvey, balance of Salary for half year ended 30th June, 1847,	450	0	0	562	10	0
10—To paid Chief Justice, balance for do. do.,	300	0	0	375	0	0
Judge Hill, do. do. do.,	51	0	0	63	15	0
Judge Bliss, do. do. do.,	51	0	0	63	15	0
The late Judge Wilkins, do. do.,	51	0	0	63	15	0
Master of the Rolls, do. do.,	51	0	0	63	15	0
Attorney General, do. do.,	180	0	0	225	0	0
Clerk of the Crown, do. do.,	30	0	0	37	10	0
Surveyor General, do. do.,	45	0	0	56	5	0
Provincial Secretary, do. do.,	300	0	0	375	0	0
19—The following Officers, on account of arrears of their respective Salaries, as explained in the annexed paper, viz :						
To paid the Chief Justice,	275	0	0	343	15	0
The late Judge Wilkins, Hill & Bliss, £58 8s. 9d.,	140	5	0	175	6	3
The Attorney General,	165	0	0	206	5	0
The Executrix of late Master of the Rolls,	50	10	0	63	2	6
The Surveyor General of N. S.,	41	5	0	51	11	3
James B. Uniacke, late Solicitor General,	12	10	0	15	12	6
The Clerk of the Crown,	27	10	0	34	7	6
The Surveyor General and Superint'dt. of Mines, C.B.,	25	0	0	31	5	0
The Provincial Secretary,	275	0	0	343	15	0
Stationery of Lt. Governor, (McKenzie),	£9	3	11			
“ Prov. Sec'y., do.,	36	9	1			
“ do. (Belcher),	8	1	9			
“ do. (McKinlay),	2	16	9			

Jany. 19—To Stationery of Prov. Sec'y. (Graham),	£1 5 8			
Fuel of Secretary's Office,	11 14 2			
Messenger do. do.,	6 0 0			
		60 9 0 ⁴ / ₅	79 11 4	
		£5938 5 4	£7422 16 8	

1847.	Cr.	Sterling.	Currency.
Dec. 31—Received from Commissioner of Crown Lands on acc't. of Sales of Crown Lands in Nova-Scotia,		£1200 0 0	£1500 0 0
1848.			
Jany. 2—Rent of H. M. Mines in Nova-Scotia and Cape-Breton, received for half year ending 31st December, 1847,		1333 6 8	1666 13 4
Received Premium on Dollars do., being payable in do.,		55 11 0 ⁴ / ₅	69 8 10
“ on account of Royalty on Coals,		800 0 0	1000 0 0
“ for Crown Timber seized by A. McPhee,		0 7 2 ² / ₅	0 9 0
“ for Fees at Secretary's Office,		299 19 7 ¹ / ₅	374 19 6
8—Received on account of Royalty on Coals,		1200 0 0	1500 0 0
18—Received on account of do. for the year 1847,		936 2 5 ³ / ₅	1170 3 1
20—Received from Commissioner of Crown Lands for N. S., being balance due on Sales,		93 8 2 ³ / ₅	116 15 3
Balance due to the Treasurer,		19 10 1 ³ / ₅	24 7 8
		£5938 5 4	£7422 16 8

R. D. GEORGE.

Halifax, 3d February, 1848.

[COPY.]

Statement of Coal raised and sold by the General Mining Association, from Her Majesty's Coal Mines in Nova-Scotia and Cape-Breton, for the year 1847.

From Pictou Mines, - - - -	Chaldrons,	35104 0	
Sydney Mines, - - - -	“	26061 19	
Bridgeport Mines, - - - -	“	68 18	
Bras d'Or, - - - -	“	0 0	
	Total Chaldrons,	61233 37	
Less, - - - -		26000 0	
Newcastle Chaldrons, - - - -		35233 37	
At 2s. Currency, per Chaldron,			£3523 7 0'
Premium on £3523 7s. payable in Dollars at 2 ¹ / ₂ d. each, as compared with Provincial Money,			146 16 1
			£3670 3 1

Halifax, N. S., December 31, 1847.

[E. E.] (Signed) S. CUNARD,
Agent Gen. Mining Association.
Per HENRY BOGGS.

Statement of sums paid on account of arrears of Salaries or Allowances of the undermentioned Officers of Government, charged on the Crown Revenue in Nova-Scotia, 19th January, 1848.

	Balances due on account of half year ended 30th June, 1844.	One Quarter of Salaries for half year ended 30th Decr., 1843.	Total.
The Chief Justice,	£187 10 0	£156 5 0	£343 15 0
Judge Wilkins,	31 17 6	26 11 3	58 8 9
“ Hill,	31 17 6	26 11 3	58 8 9
“ Bliss,	31 17 6	26 11 3	58 8 9
Executors of late Master of the Rolls,	31 17 6	26 11 3	58 8 9
Do. Fuel and Crier,		4 13 9	4 13 9
Attorney General,	112 10 0	93 15 0	206 5 0
Ex Solicitor General,		15 12 6	15 12 6
Clerk of the Crown,	18 15 0	15 12 6	34 7 6
Surveyor General,	28 2 6	23 8 9	51 11 3
Do. do., C. B., and Superintdt. Mines,		31 5 0	31 5 0
Provincial Secretary,	187 10 0	156 5 0	343 15 0
	£661 17 6	£603 2 6	£1265 0 0

Statement of sums due to the undermentioned Officers of Government, for arrears of their Salaries or Allowances charged on the Crown Revenue in Nova-Scotia, 19th January, 1848.

	Amount due 2d February, 1847.	Portion thereof paid 19th January, 1848.	Amount unpaid 19th January, 1848.
	Currency.	Currency.	Currency.
Late Licutenant-Governor,	£2375 0 0		£2375 0 0
Chief Justice,	1270 16 8	£343 15 0	927 1 8
Judge Wilkins,	216 0 10	58 8 9	157 12 1
Judge Hill,	216 0 10	58 8 9	157 12 1
Judge Bliss,	216 0 10	58 8 9	157 12 1
Extrx. of late Master of the Rolls,	216 0 10	63 2 6	185 8 4
Do. Fuel and Crier of Court,	32 10 0		
Attorney General,	762 10 0	206 5 0	556 5 0
Ex Solicitor General Uniacke,	108 6 8	15 12 6	92 14 2
Clerk of the Crown,	127 1 8	34 7 6	92 14 2
Provincial Secretary,	812 10 0	343 15 0	468 15 0
Surveyor General N. S.,	190 12 6	51 11 3	139 1 3
Do. do. C. B.,	108 6 8	15 12 6	92 14 2
Superintendent of Mines,	108 6 8	15 12 6	92 14 2
	£6760 4 2	£1265 0 0	£5495 4 2

APPENDIX No. 10.

(See Page 14.)

ESTIMATE FOR THE YEAR 1848.

ADMINISTRATION OF JUSTICE.

Four Assistant Judges of Supreme Court,	£2500	0	0
Travelling Expenses of ditto on Circuit,			
Hire of Vessels to convey Judges to Cape-Breton,			
Master of the Rolls,	600	0	0
Counsel conducting Criminal Prosecutions,			
Allowance to Coroners,			
Keeper of Law Library,	10	0	0
Pensions to late Judges of Common Pleas.			

LEGISLATURE.

Speaker of House of Assembly,			
Pay and Travelling Expenses of Members,			
Clerk of Legislative Council,			
Law Clerk,			
Chaplain of ditto,			
Gentleman Usher of the Black Rod,			
Clerk of the House of Assembly,			
Clerk Assistant of ditto,			
Chaplain of ditto,			
Sergeant at Arms of ditto,			
Assistant ditto, ditto,			
Messenger of Legislative Council,			
Assistant ditto of ditto,			
Messengers, &c. of Assembly,			
Stationery, Fuel, Contingencies of Legislative Council and Assembly.			

REVENUE.

Custom House Establishment,	7144	18	9
Guager and Weigher,	235	0	0
Excise Waiters,	500	0	0
Clerk to Commissioners of Revenue,	45	0	0
Revenue Boats.			

MILITIA.

Adjutant General,			
Quarter Master General,			
Adjutants of Battalions,			
Cleaning Militia Arms.			

EDUCATION.

Common and Combined Common and Grammar Schools,	11170	0	0
King's College,	444	8	8
Pictou Academy,	250	0	0
Halifax Grammar School,	150	0	0
Nova-Scotia Baptist Education Society,	250	0	0
Other Academies in various parts of the Province,	1200	0	0
National, Acadian, Catholic, African, and the Reverend Mr. Uni- acke's Schools, Halifax, included above.			
Infant and Poor House Schools.			

MISCELLANEOUS.

MISCELLANEOUS.

For maintaining Light Houses,	£400 0 0
For Establishment on Sable Island,	
Expense of keeping up Post Communication,	
Encouragement of Steam Boats, Sailing Packets, and Ferries,	600 0 0
Commissioners for Poor Asylum,	
Towards support of Bridewell and Penitentiary,	
Interest of Funded Debt,	
Interest of Deposits in Savings' Bank,	
For improving Main Lines of Communication between Halifax and Pictou—between Truro and the New Brunswick Boundary—and between Halifax and Digby,	
For opening and repairing other Roads, and building and repairing Bridges,	
For Casualties to Roads and Bridges,	
To Clerks of the Peace, for distributing Road Commissions,	300 0 0
Drawback on Wine imported for the Army,	
Repairs of Public Buildings,	
For assisting Indians,	
For purchasing Seed Potatoes for Blacks at Preston and Hammond Plains,	50 0 0
Towards support of Halifax Dispensary,	
Towards the support of the Mechanics' Institute,	
Rations of Troops en route,	
Drawbacks,	
Keeping of Gunpowder at Halifax,	
Hire of Vessels to protect Fisheries,	
Supplies of Provisions for Distressed Settlers,	
For Freight of Provisions sent to—	

J. HARVEY, Lt.-Governor.

Government House, Halifax, 14th February, 1848.

APPENDIX No. 11.

(See Page 15.)

Copy of a Despatch from Lieutenant-General Sir John Harvey to the Right Honorable Earl Grey, dated April 1st, 1847, No. 22.

MY LORD—

There being reason to apprehend that a large body of Emigrants will be induced to seek refuge in Nova-Scotia during the present year, owing to the existing distress in Ireland and parts of Scotland, and to the groundless reports which, as I understand, have been industriously circulated that the proposed Rail Road between Halifax and Quebec will soon afford work and high wages to thousands, I consider it my duty to inform Your Lordship that this Province is in no respect prepared for the reception of poor people of that description, and that the landing of even a small number in the Colony, suffering as it is under the scarcity produced by the failure in the Potatoe and Grain Crops in the last two seasons, would be seriously injurious to the Province itself: while those resorting to it in the expectation of ameliorating their condition would be grievously disappointed.

I therefore earnestly request Your Lordship to cause instructions to be given to the Emigrant Agents at the principal Ports in the United Kingdom to discourage, in

in the present year, all Pauper Emigration to Nova-Scotia, including Cape-Breton, where distress is greater than elsewhere, especially among those who, within the last few years, have arrived from the Islands and Highlands of Scotland.—There is no demand for unskilled labor in any part of the Province; and the means of remunerating Agricultural labor of any kind are greatly diminished—the Farmer in many of the best portions of the Country being compelled to purchase many of those articles he had been accustomed in former years to sell. Extreme privation and misery would therefore necessarily be the lot of those who should come hither in search of any kind of employment, without the means of self subsistence for at least two years; nor should they rely, as the practice has been, on obtaining assistance at the outset from their friends who have preceded them, for they would assuredly be found as much in need of aid as themselves. Since the autumn numerous representations have been made to me of the destitution which pervades many of the more recently settled districts; and as the spring advances, and the scanty stock which, with frugality, it was hoped might last through the summer, becomes exhausted, appeals for relief are constantly coming in even from the older and more fertile Townships, so that I look with extreme anxiety for the result of the next harvest; for should it please the Almighty to visit us again, and for the third time, with an insufficient return from the soil, the destitution in Nova-Scotia will be as general and appalling as that which now prevails in Ireland.

After this explanation, Your Lordship will not be surprised at my solicitude to guard against the disembarkation on our shores of any portion of the numerous unhappy beings, whom want at home, and the hope to better their fortunes in America, will shortly drive across the Atlantic.

I have, &c.,

(Signed)

J. HARVEY.

The Right Honble. EARL GREY.

[COPY.]

No. 30.

Downing Street, 29th April, 1847.

SIR—

I have to acknowledge the receipt of your Despatch, No. 22, of 1st April, in which you apprise me that the resort to Nova-Scotia, in the present state of the Colony, of any number of the poor Emigrants who may leave the United Kingdom during this season, would be productive of serious injury to the Province, and of great disappointment to the Emigrants themselves.

Upon the receipt of your Despatch I directed the Colonial Land and Emigration Commissioners to cause it to be printed in a cheap form, with a few words, stating that they had been instructed to do so for the information of parties proposing to emigrate. I further directed the Commissioners to forward copies for general distribution to all their Emigrant Agents at the Ports of Embarkation, and to the Officers of Customs at those Ports where no Emigrant Agents are stationed.

I have, &c.,

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY.

[COPY.]

No. 33.

Downing Street, 14th May, 1847.

SIR—

With reference to my Despatch, No. 30, of the 29th ultimo, I transmit for your information the accompanying copy of a Letter from the Commissioners of Colonial Lands and Emigration, reporting the measures which have been adopted for discouraging the Emigration of Labourers to Nova-Scotia.

I have the honor, &c.,

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY.

[COPY.]

*Colonial Land and Emigration Office,
7th May, 1847.*

SIR—

With reference to your Letter of the 28th ultimo, respecting a Despatch received from the Lieutenant-Governor of Nova-Scotia, on the inexpediency of Emigrants proceeding to that Province, we have the honor to state that this Despatch has been published in the Newspapers, and been annexed to our Annual Report; and also that, in compliance with the directions conveyed to us, we have furnished the Government Emigration Agents with printed copies of it, and desired them to do their best to discourage any emigration of labouring people to Nova-Scotia in hopes of employment.

We have, &c.,

(Signed)

T. FREDK. ELLIOTT,
C. ALEXR. WOOD.

JAMES STEPHEN, Esq.

[COPY.]

No. 51.

Downing Street, 2d December, 1847.

SIR—

With reference to the unfortunate sickness and distress which occurred amongst the Emigrants from Ireland last year, I have the honor to transmit, for your information, the enclosed copy of a Despatch addressed by me to the Earl of Elgin, containing the views of Her Majesty's Government on that subject.

You will see that I have instructed His Lordship to propose the enactment of a Provincial Law for affording some additional security against the occurrence of such misfortunes; and in order that Vessels may not be diverted by that Law to other Ports to which it will not extend, I have to direct you to suggest the enactment of a similar measure to the Legislature of Nova-Scotia.

As, however, it will, for obvious reasons, be desirable that there shall be as little difference as may be in the regulations on this subject, in the several British Provinces in North America, I have requested Lord Elgin to take the first opportunity of communicating to you the heads of any measure which may be introduced by the Government of Canada, in order that so far as you see no reason to suppose that

that any objection will be felt at the seat of your Government, you may cause similar provisions to be submitted to the Legislature of Nova-Scotia.

I have, &c.

(Signed)

GREY.

Lieutenant-Governor SIR JOHN HARVEY.

[COPY.]

Downing Street, 1st December, 1847.

MY LORD—

I have purposely deferred answering your Despatches of the 28th June, and of the 13th of July, transmitting Addresses to Her Majesty from both Houses of the Provincial Legislature, and from the Corporation of Montreal, on the subject of the Immigration into Canada of the present year, until the termination of the season for Emigration had enabled me carefully to review all that has taken place during its progress.

I have now to inform Your Lordship that I have had the honor of laying these Addresses before the Queen, and that Her Majesty has been pleased to receive them very graciously; and I have further to instruct Your Lordship to acquaint the Public Bodies from which these Addresses proceed, that, in obedience to Her Majesty's commands, Her confidential servants have most anxiously applied themselves to consider what measures it may be expedient to adopt in order to meet the just wishes therein expressed, by guarding, so far as human precautions may avail to do so, against the recurrence of calamities so deeply to be deplored as those, which, during the year now about to close, have befallen, not only the Emigrants who have left our shores, but, through them, the Inhabitants of the British North American Colonies.

I need scarcely assure Your Lordship that these calamities, as described in your Despatches, and in the Public Journals of the Colony, have caused to us most sincere and lively sorrow; but, upon looking back at the melancholy history of these sufferings, it is at least some consolation to us to reflect that they do not appear to have been produced or aggravated by our measures, or by our having neglected any precautions it was in our power to adopt. It is no slight gratification to us now to remember, that strongly as we were urged in the beginning of the present year to take measures for carrying Emigration from Ireland to a much greater extent than that to which it could naturally attain, and to add to the multitudes who flocked unaided to America, by providing at the public expense for the conveyance across the Atlantic of a large additional number of those who were anxious thus to fly from distress in Ireland, we steadily refused to do this, and abstained from giving any artificial stimulus to the tide of Emigration, while, at the same time, we took such precautions as were in our power to mitigate, as far as possible, the sufferings to which we foresaw that even this spontaneous Emigration would most probably give rise.

As it is highly important that the people of Canada should clearly understand both what were the measures which Her Majesty's Government really adopted in order to meet the difficulties which were anticipated from the emigration of so large a body of persons from Ireland, and also why those measures were not carried further, I have called upon the Colonial Land and Emigration Commissioners to draw up a Report, (not for my own information, but for that of Your Lordship, and of the public both at home and in the Colonies), explaining fully the policy which had been pursued, and the obstacles which stood in the way of any more effectual interference

terference on the part of Her Majesty's Government, for the purpose of averting those calamities which have unfortunately occurred.

I have now the honor of forwarding to Your Lordship a copy of the Report, which, in compliance with the instructions I had conveyed to them, has been furnished to me by the Commissioners. In this very able document Your Lordship will find it to be shown that it would have been practically impossible, and that if possible, it would have been inhuman and unjust, to have interfered by any exercise of the authority of the Legislature, or of the Executive Government, to detain at home the multitudes who, during the past year, have endeavoured to escape from misery and starvation by emigrating from Ireland to America; and also, that the emigration of so large a number of persons who had previously suffered so severely from the consequences of that visitation with which it had pleased Providence to afflict us, inevitably led to the breaking out of disease, which could not be prevented from spreading itself from the Emigrants to the Inhabitants of the Colonies to which they flocked. The latter, have, however, in this respect, only suffered in common with Liverpool, and various other places in Great Britain, to which the natives of Ireland have brought the fever which raged in that Country. I need scarcely inform you that the evils to which these Towns have been exposed from the Immigration from Ireland of vast numbers of persons suffering from destitution and disease have been the most serious, and have been the subject of very great complaint. It has been beyond the power of either the Executive Government, or of Parliament, to prevent the effects of the calamity by which Ireland has been visited, from being severely felt in other parts of the British Empire, on both sides of the Atlantic.

I must refer you to the Report itself for the facts and reasonings upon which we founded these conclusions as to the past; and I now proceed to the more important question, as to what are the measures which, from the experience of the present year, may be considered best adapted to improve the mode of conducting Emigration for the future? Upon this subject, after having maturely considered the different suggestions of the Commissioners, I am not of opinion that it would be sufficient to accomplish the object in view, that Parliament should pass a new Passengers' Act enforcing the various additional regulations which they have proposed.—It may be expedient that the Passengers' Act should be thus amended, and Her Majesty's Government will not fail very carefully to consider whether any proposal to that effect should be submitted to Parliament; but I am of opinion, that even if this should be done, it would not supersede the necessity of other measures which may best be adopted in the Colonies. Looking to the results of the Emigration not only of the present, but of former years, it will be found that the health and comfort of Emigrants, during their voyage, depend less upon the regulations established by Law, than upon the care and humanity of those by whom their conveyance is undertaken. When the Owners and Masters of Ships, and the Brokers to whom Emigrants apply for passages, have exerted themselves to perform their several duties effectively, and in the spirit of the existing Law, the regulations of that Law have proved sufficient to protect Emigrants from any serious amount of suffering, except that arising from the attacks of disease, against which it was impossible to guard. On the other hand it is equally proved by experience, that it is extremely difficult to ensure by detailed regulations, enforced by penalties, that treatment of Emigrants which is necessary in crowded Ships, in order to prevent their health from being injured. The most perfect rules which could be devised, with regard to the maintenance on board of Emigrant Ships of proper ventilation, cleanliness, and regularity, would be of little avail, unless in each Ship there were placed some Public Officer to see that they were obeyed; and this, I need hardly observe, the very large number of Ships employed in this trade would render practically impossible. Hence it seems to follow, that while some general regulations, the

the breach of which can easily be detected and punished, may, with great advantage, be established by Law, the requisite attention to the health and comfort of Emigrants may best be secured by making it the obvious pecuniary interest of those by whom their conveyance to the Colonies is undertaken, that they should arrive without having suffered from sickness. Nor does it appear difficult to devise the means by which this may be accomplished : a very simple alterative of the Colonial Law, under the authority of which the Emigration Tax is levied, would answer the purpose.

I would suggest, for the consideration of yourself and of your Council, that the Provincial Legislature might, with great advantage, be invited to enact, that in case a Ship is placed in Quarantine for more than such a brief specified period as would merely suffice for observation or cleansing, the tax on every Emigrant on board should be doubled ; and that if detained so long that the double tax would not cover the consequent expenditure, the surplus shall also be charged to the Ship, provided that the whole amount is not to exceed the rate of One Pound per head.

The enactment of a Law of this kind would render it so manifestly the interest of the Owners and Masters of Ships to avoid receiving on board Passengers labouring under infectious diseases, and to enforce the cleanliness, ventilation, and attention to diet, on which the health of large bodies of persons at sea so entirely depends ; and so much is in the power of those whose interests would thus be engaged in preventing abuse, that such a measure would supersede the necessity of a multitude of minute regulations, which it would be extremely difficult to enforce. The same principle might also be applied in attempting to check another evil which has been the subject of much and of just complaint. I observe it is stated in the Reports now before me, that there have arrived both in Canada and in New Brunswick, during the present season, a large number of persons totally destitute, and at the same time incapable of labour, and that a considerable burthen is likely to be thrown upon both Provinces by the maintenance of Emigrants of this description, consisting of widows and children, and of the aged and infirm.

It is impossible to deny the justice with which the Colonies complain of this burthen ; and in order that they may not in future be exposed to it, I am of opinion that it would form a very proper provision in any new Law to be enacted by the Provincial Legislatures, that in every case in which the Local Authorities of the Port at which an Emigrant Ship arrived, saw reason to apprehend that any of the Emigrants might become a burthen upon the Colony, they should be empowered to require from the Captain, before the Vessel should be permitted to clear out on her return voyage, security for the repayment of any expense which might thus become necessary on account of such Emigrants within one year after their arrival.

This would be a provision somewhat similar to that which exists in the Law of New York on this subject ; but that Law requires the Master of a Ship to give security for all his Passengers, at the same time giving him the option of avoiding this obligation by paying One Dollar a head as commutation money, and, practically, this payment is always preferred. The effect, consequently, of this arrangement is merely to impose an additional Emigrant Tax of a Dollar a head, without giving to the Ship-owner any motive for preferring Passengers likely to be able to maintain themselves by their own labor to those who are not so. It would be advisable, in order to discourage the introduction of helpless paupers into Canada, that the Ship-owner should be required to give security only for those of his Passengers who might obviously come under this description ; but that, on the other hand, he should only be entitled to avoid this obligation by the payment of Ten Shillings a head on all such Emigrants. Should it be considered that it would be found practically difficult for the Local Authorities to determine in what cases to call for this security from the Masters of Ships, the object in view might be partially

tially attained by imposing an additional tax of Five Shillings upon women and children, and men appearing to be sixty years of age and upwards. I am aware that an indiscriminate increase of the tax upon women and children would be less directly calculated to attain the end in view than the regulation I have first suggested, and it might not be altogether free from objection; still, I am of opinion, that such an increase of tax without at all preventing able bodied Emigrants from carrying with them their wives and children, would tend to discourage the arrival of too large a proportion of the class of Emigrants most likely to become chargeable to the Province, while looking to the purposes to which the money raised by the tax is applied, it would be only reasonable that, as being the most likely to become chargeable, such Emigrants should pay more than others.

With a similar object, I should suggest that the tax otherwise payable should further be doubled in respect of all Emigrants who should arrive later in the season than the 1st September, and should be trebled on those arriving later than the 1st of October in each year.

There is no doubt that the arrival of Emigrants so late in the season greatly increases the probability of their becoming a burthen on the Province during the winter, and the tax to which they are liable should be augmented in proportion.

It might also be expedient to add a clause imposing a penalty upon the Ship, if it should appear that during the voyage the Passengers had not been supplied with a proper amount of provisions. You will find it explained in the enclosed Report that the Ration of Bread which the Act of Parliament requires to be applied to Emigrants by the Master of the Ship was not intended to be their only food, but that in the scarcity of last year many of those who embarked for America were induced to trust entirely to the Ship's provisions, which afford by no means a sufficient allowance for the maintenance of health, it would therefore seem highly expedient, that in any Provincial Act which may be passed, the Masters of Emigrant Ships should be required to take care that their Passengers should either put on board a stock of provisions for themselves, or that such addition should be made from the Ship's Stores to the Ration of Bread now required by Law, as to guard against the consequences of an inadequate allowance of food.

The enactment of such a Law as I have now described, would be calculated to relieve the Province, both by diminishing the expenses which would be likely to be thrown upon it on account of the Emigrants who arrived, and also by encreasing the amount of the tax now levied upon them and applicable to these expenses.

To such a measure, therefore, not carrying the restrictions to be imposed upon Vessels to be engaged in this trade further than I have suggested, Her confidential servants would be prepared to advise that Her Majesty should assent; but I must remind you, that while it is proper for the reason I have stated, that some such regulations as I have recommended should be enforced, the true interest of the Province, no less than that of this Country, requires that these regulations should not, by their own severity, throw needless obstructions in the way of an intercourse between the Queen's Dominions on this and on the opposite side of the Atlantic, which is of the utmost importance to both.

Not only has Emigration been the means of adding largely, in the last twenty years to the industrious population, and, therefore, to the wealth of Canada, but also it is to be recollected that the profit derived from the conveyance of Emigrants on the outward voyage, enables the Ships which carry them to bring back the produce of Canada at a much cheaper rate than would otherwise be possible. With regard, therefore, to any Bill for the regulation of Emigrant Ships, which may be tendered for your acceptance by the other branches of the Provincial Legislature, it will be your duty carefully to consider its provisions before you assent to it, and to decline doing so if you shall judge that it is of too rigorous a character. It is the more indispensable that you should perform this duty with caution, and with firmness,

firmness, on account of the obvious inconvenience which would arise from its being necessary that Her Majesty should disallow an Act upon this subject, to which your own assent had been given, while at the same time it would be impossible that Her Majesty should be advised to permit an Act, imposing needless or improper restrictions upon so important a trade, to remain in force. I should further recommend that the operation of any Act of this description should be limited to two years; this would remove much of the difficulty of permitting it to continue in force, if it should contain any provisions of a questionable character.

I have also to instruct you, if any such Act shall be passed, to forward it to me by the very earliest opportunity, in order that Her Majesty's final decision may be pronounced upon it with the least possible delay.

Before I close this Despatch, I have only further to direct your Lordship, in bringing this most important subject under the consideration of your Council, and of the Legislature, to remind them that although the enactment of such a Law as I have suggested might be of great service in checking abuses, and preventing the recurrence, with the same intensity as before, of the evils which have just been so seriously felt as arising from Emigration, it would do nothing towards the accomplishment of such an improvement as I believe to be no less practicable, than it is desirable, in the existing mode of settling upon the soil of Canada the host of Emigrants which annually lands in her Ports. Upon this subject I have, in former Despatches, so fully stated my views, that it is only necessary for me now to repeat my firm conviction, that there is nothing in the situation of Canada which renders it impossible, by judicious regulations, to provide for the occupation of her vacant territory in a regular and systematic manner, instead of leaving this to be effected, as heretofore, by the desultory, and too often ill directed efforts of individuals.

The saving of labour and of capital which would result from such a system, would cause the increase of the numbers of her inhabitants by Emigration to be the means of advancing the Province yet more rapidly in wealth and in civilization. The powers necessary for establishing such a system, are, by the Constitution of Canada, vested in her own Legislature and People; to them, therefore, I must commit the consideration of the subject, only assuring them, through your Lordship, that any measure they may adopt for this purpose will meet with the best encouragement which it is in Her Majesty's power to afford.

I have, &c.,

(Signed)

GREY.

The Right Hon. the Earl of ELGIN AND KINCARDINE, &c.

[COPY.]

No. 53.

Downing Street, 16th December, 1847.

SIR—

With reference to the question which has been so frequently suggested, whether every Ship conveying One Hundred Passengers to North America should be required by Law to be provided with a Surgeon, I have the honor to acquaint you, that with a view to obtain some authentic evidence on the point whether or not such a rule could be carried out in practice, I applied to the principal Medical Institutions in the United Kingdom to favor me with their opinion—whether the required number of duly qualified Surgeons could be found, at a moderate charge to the Ship-owners. The enclosed Returns of the number of Surgeons who would have been required in the first three quarters of this year, was transmitted to those Institutions

institutions for their information, but with a statement that it was not probable, that, in future years, Emigration would be carried on to the same extent as in the season just concluded.

I now send you the replies received from the principal Colleges in England, Scotland, and Ireland, with a Report made to me respecting them by the Emigration Commissioners. It seems to me apparent from these documents that it would not be practicable, without often arresting Emigration, and entailing great confusion, to render the employment of a Surgeon in Passenger Ships to North America compulsory by Law.

I trust also that the enactment, by the Provincial Legislature, of a Law in accordance with the suggestions contained in my Despatch to you of may give to the Owners and Masters of Emigrant Ships so strong an interest in adopting all the precautions in their power for preserving the health of the Passengers, that no practicable evil may result from not enforcing the employment of a Surgeon on board such Ships.

I have, &c.,

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY, &c.

Edinburgh, 30th October, 1847.

I have the honor to acknowledge the receipt of your Letter of the 27th instant, requesting, on the part of Her Majesty's Secretary of State for the Colonies, my opinion whether an adequate number of duly qualified Medical men could be found to undertake, at a moderate charge to the Ship-owners, the duty of Surgeons to the Emigrant Ships between this Country and North America.

In reply, I beg to state to his Lordship my fears that an adequate number of Surgeons could not be obtained for this purpose, at the present time.

It is, I apprehend, in a very great measure to the youngest members of the Profession, that the Ship-owners would have to look for Medical Officers. But during the last fifteen years the number of Medical Students in Great Britain and Ireland has rapidly decreased, so much that minor situations, in private as well as public professional practice, are now filled up with far greater difficulty than only a few years ago; and this difficulty, which I have myself experienced when referred to from parties in Country Districts on several late occasions, must, in my opinion, go on increasing still further for some time to come.

My position as Professor in the University, enables me at all events to say, that the Medical Students of this City, including both those of the University, and those attached to the extra Academic Medical School, consist, in a very great measure, of young men to whom, at the conclusion of their studies, the appointment of Surgeon to an Emigrant Ship bound for North America, would be no object of desire, both by reason of the low pay which could be afforded, and because the appointment would very seldom lead to anything better. Indeed, I really do not know any Medical appointments which I should find it more difficult to fill up, were I referred to.

This state of things, so different from what was the case only fifteen years ago, depends on several circumstances, which it would be out of place to mention here, and which could not be removed for a considerable period.

I have, &c.

(Signed)

S. R. CHRISTISON,

President of the Royal College of Physicians, Edinburgh.

BENJAMIN HAWES, Esq., &c., &c.

[COPY.]

[COPY.]

Merion Square, 2nd November, 1847.

In reply to your Letter of the 22nd October, I beg to state for the information of Earl Grey, that I am decidedly of opinion an adequate number of duly qualified Physicians (or Surgeons, with the Medical education essentially necessary,) could not be found at a moderate charge to Ship-owners, to enable them to provide one for each Ship carrying 100 Passengers to British North America, and that any Act of Parliament to compel them to do so must greatly *interfere* with *Emigration*, which, in the present alarming state of Ireland more especially, is absolutely essential to the existence of very many thousands of our fellow creatures.

It appears to me the competition amongst Ship-owners for Passengers, is likely to induce them, voluntarily, to provide Medical attendance where it can be done with advantage.

I have, &c.,

(Signed)

ROBT. COLLINS, M. D.

President of the King and Queen's College of Physicians in Ireland.

BENJ. HAWES, Esq., &c.

P. S. If Government were to pay a fixed and *permanent* salary for the performance of such a duty, the required number of duly qualified Medical men could, I have no doubt, be found; but so long as the remuneration depended upon the *occasional* and *uncertain* engagements of Ship-owners, the measure would be impracticable.

[COPY.]

Apothecaries' Hall, 5th November, 1847.

I have conferred with my colleagues on the subject of your Letter of the 27th ultimo, and I am enabled to report to you for Lord Grey's information, that it is our unanimous opinion, that as respects Ships leaving the Ports of England for British North America, and carrying 100 Passengers, an adequate number of duly qualified Medical Practitioners would be found to serve on board such Ships at a moderate charge to Ship-owners.

In submitting this opinion to Lord Grey, I am requested by my colleagues to state, that having regard to the nature of the duties which the Medical Practitioner, serving on board such Ships, will be called upon to discharge, it is essential for the protection of the Passengers, many of whom are women and children, that such Practitioner should have given evidence of his competency to practice Medicine, as well as Surgery; and we are satisfied that an adequate number of Practitioners, possessing both a Medical and Surgical qualification, would be found without difficulty, who would undertake the duty at a moderate charge to the Ship-owners.

The Society have no reason whatever to doubt that an adequate number of duly qualified Medical Practitioners would be found to undertake the duty in question on board of Ships leaving the Ports of Scotland and Ireland, but the Society's experience does not enable them to express a decided opinion with respect to those parts of the United Kingdom.

(Signed)

EDWARD BUN, Master.

BENJN. HAWES, Esq., &c.

[COPY.]

*College of Surgeons, Lincoln's Inn Fields,
18th November, 1847.*

In reply to the enquiry addressed by the Honorable the Secretary for the Colonies to the President of the Royal College of Surgeons of England, in reference to the expediency of an amendment in the Passengers' Act, so as to compel every Ship carrying One Hundred Passengers to British North America to be provided with a Surgeon, "whether an adequate number of duly qualified Surgeons could be found to undertake this duty at a moderate charge to the Ship-owners."

The President having submitted the same to the Council of the College, together with a Table shewing the number of Vessels which sailed from the principal Ports of the United Kingdom during the present year, is desired to express their doubt whether the entire number of duly qualified Surgeons required could be obtained for the year 1848; but as regards the contingent required for English Ports, viz—334, the Council are of opinion that for the service of the year 1849, (if not for that next ensuing), the required number might be found of Surgeons competent to undertake this duty, provided the return of the Surgeon to this Country were guaranteed without delay and free of cost, and what the Council would deem a sufficient remuneration were secured to him.

(Signed) **BENJ. TRAVERS,**
President Royal College of Surgeons of England.

BENJAMIN HAWES, Esq., &c.

*Colonial Land and Emigration Office,
26th November, 1847.*

We have the honor to acknowledge your Letters of the 11th and 23rd instant, accompanied by replies from some of the principal Medical Institutions of the Kingdom, to Lord Grey's inquiries, whether it is probable that a sufficient supply of Surgeons could be procured by Ship-owners for all Vessels carrying 100 Passengers to America.

Before reporting on these, it may be proper briefly to point out that, in one respect, an enactment that a Surgeon must be carried, would differ from almost all other requirements of the Law. When it is stated that a particular supply of provisions must be carried, or that there must be a given height between decks, the condition is one of which the fulfilment can be reduced to a certainty beforehand. The Ship-owner can either assure himself that he is able to satisfy the requirement, or else abstain from entering into the business.

But if he do take Emigrants at all, he must enter upon his preliminary proceedings long before the time for engaging a Surgeon, and then supposing that when that time arrives he cannot procure a Surgeon, or that the Surgeon he has procured becomes, for any reason, unavailable at the last moment, it is difficult to exaggerate the perplexity which must ensue.

A Ship-owner willing to perform his contract, and having committed no fault, would find himself liable to an indefinite detention of his Vessel, at charges which certainly cannot be supposed to be less than from £10 to £12 per day; his outlay having been made, and his agreements with the Passengers in force, he could not throw up the business; and it is difficult to say how long, at a remote place, both he and his Passengers might have to remain in this dilemma.

We

We mention the Passengers, for they would experience their full share of the difficulty. They would see their means wasting away at a distance from the homes they had finally quitted, and the enactment intended for their benefit, might inflict on them a serious injury; whilst, therefore, it would in itself be desirable that Surgeons should be carried, yet, unless there is good reason to suppose that they would be procurable in such numbers as to avoid the occurrence of such difficulties as above described, it would hardly seem expedient to enact, by Law, that no Ship whatever, with 100 Passengers or upwards, should sail for North America.

Such being the question, the following appears to be the substance of the answers received by Lord Grey's inquiries.

The President of the College of Physicians at Dublin, gives his opinion that an adequate number of duly qualified Physicians or Surgeons could not be found, at a moderate charge to Ship-owners. He adds, in a Postscript, that if indeed Government were to create a fixed and permanent service for that purpose, Medical men would doubtless offer themselves in sufficient numbers; but that they could not be procured in the ordinary course of Commerce.

The President of the College of Surgeons at Edinburgh, likewise expresses his apprehension that an adequate number of Surgeons could not be found in Scotland.

The President of the College of Surgeons in London expresses the opinion of the College, that for the year 1849, (if not for next year,) the required number of Surgeons for English Ports might be found, provided they were to be allowed a free passage back to this Country, and were to be secured a sufficient remuneration.

The Society of Apothecaries, whilst stating that they have not sufficient experience out of England to offer a decided opinion in respect to the other parts of the United Kingdom, expresses their conviction that for Vessels sailing from English Ports, an adequate number of duly qualified Practitioners could be supplied at a moderate cost.

The real question, however, is necessarily whether Surgeons enough could be procured by the whole United Kingdom. If an enactment were made, imposing a charge on Ships sailing from England, which would not apply to Vessels sailing from Scotland or Ireland, the tendency would obviously be only to drive business away to the more favored Ports; and, in fact, it would obviously be inconsistent with all established principles to make a distinction in shipping regulations between one part of the United Kingdom and another.

Considering, therefore, that it is evident from the Letters above received, that after consulting the best authorities, none of them are found prepared to express an anticipation that the requisite number of Medical men could be found for the Emigration Ships which sail to North America from the United Kingdom.— We fear no other conclusion can be arrived at than that this is not an object which can, under present circumstances, be compulsorily provided for by Law. We trust, however, that an inducement to do all that is practicable will be supplied by the measures which Lord Grey has in contemplation, for giving to Ship-owners additional motives to take every security in their power for effecting the conveyance of Emigrants in good health.

We have, &c.,

(Signed)

“

T. FREDERICK ELLIOT,
FREDERICK ROGERS.

BENJAMIN HAWES, Esq., &c.

[COPY.]

Number of Vessels from the undermentioned Ports between January and June, 1847, which carried One Hundred Statute Adults and upwards, and which, therefore, would have required a Surgeon, if the Law on that subject had extended to North America.

	Jany.	Feby.	Mar.	1st qr.	April.	May.	June.	2d. qr.
London,			2	2	5	9	9	23
Liverpool,	15	30	69	114	78	73	38	189
Plymouth,	1		2	3	1	1	1	3
Glasgow & Greenock,			4	4	6	5	5	16
Dublin,			3	3	7	10	8	25
Belfast,		3	5	8	13	11	6	30
Londonderry,			5	5	14	11	7	32
Sligo and Out Ports,			2	2	11	14	9	34
Limerick,					12	19	3	34
Cork,			4	4	20	16	10	46
Waterford & N. Ross,		1		1	6	16	4	26
Baltimore,					2	1		3
Galway,		1	4	5	5	3	2	10
	16	35	100	151	180	189	102	471
					First three months,			151
					Total,			622

APPENDIX No. 12.

(See Page 15.)

[COPY.]

No. 56.

Downing Street, 9th January, 1848.

SIR—

I have to acknowledge the receipt of your Despatch, No. 25, of 2d June last, transmitting a Petition to Her Majesty from the House of Assembly of Nova-Scotia, praying that Her Majesty will be graciously pleased to institute an enquiry into the legality of the claim preferred by the people of Nova-Scotia to all Mines in that Province, except those now actually worked by the General Mining Association.

I have laid this Petition before the Queen, and Her Majesty has been pleased to receive it very graciously.

I transmit for your information the copy of a Letter addressed to this Department by desire of the Lords Commissioners of the Treasury, to whom I have referred the subject; and I have to instruct you to acquaint the House of Assembly that I entirely concur in the opinion expressed by their Lordships as to the legal validity of the original Grant from the Crown to the late Duke of York, and therefore have not seen reason to advise Her Majesty to accede to the prayer of the Petition.

With reference to the Letter from Mr. Hugh Bell, transmitted in your Despatch, respecting the right vested in the Crown of delegating to the Lieutenant-Governor of

of Nova Scotia the power of making Grants to other parties of Mines, which the General Mining Association may decline to work, I have, in accordance with the legal opinion given by the Law Officers of the Crown, to convey to you the necessary authority for granting, on behalf of Her Majesty, permission to work Mines comprised in the Lease to the General Mining Association, subject to the conditions and limitations adverted to in the letter from the Board of Treasury to which I have referred.

You will communicate the decision of Her Majesty's Government in this respect to Mr. Bell.

I have &c.

(Signed)

GREY.

Lieutenant-General Sir JOHN HARVEY, K. C. B., &c. &c. &c.

[COPY.]

Treasury Chambers, 28th December, 1847.

SIR—

With reference to your communication dated 2d July last, I am commanded by the Lords Commissioners of Her Majesty's Treasury, to request you will observe to Earl Grey, that my Lords have not omitted to pay all due attention to the representations in the Petition and Address to Her Majesty, from the House of Assembly of Nova-Scotia, and the prayer of that Petition, and likewise to the application addressed to His Lordship by Mr. Bell.

As regards in the first place the prayer of the Petition of the House of Assembly, you will state to Lord Grey, upon a careful consideration of all the proceedings relating to the Lease of Mines in Nova-Scotia, granted to His late Royal Highness the Duke of York, in the year 1826, and to the demise of the Lease to the General Mining Association, and the agreement subsequently arranged with that Association by the Secretary of State in the year 1828, it has appeared to my Lords, that the full recognition by judicial authority in this country, and likewise in the Act passed by the Legislature of Nova-Scotia, in the year 1841, for giving corporate power to the General Mining Association of the Grant to the late Duke of York, precludes, in the opinion of my Lords, any doubt as to the legal validity of that Grant. My Lords therefore do not see any necessity for enquiry on the part of Her Majesty's Government into the subject.

In the second place, as regards the application by Mr. Bell to Lord Grey, I am to request you will acquaint His Lordship that my Lords, having adverted to the communication made by direction of this Board to the Secretary of State in June 1839, with reference to the somewhat analogous application of Dr. Gesner, have caused further enquiry to be made of Her Majesty's Law Officers, whether consistently with the Grant to the late Duke of York, and with the engagements with the Mining Association, the power of making Grants to other parties of Mines which the Association may decline to work, may be delegated to the Lieutenant-Governor of Nova-Scotia, and as to any peculiar conditions that should attach to such Grants; and my Lords have been advised that "the Crown may delegate to the Lieutenant-Governor of Nova-Scotia the power of granting, in the name and on the behalf of the Crown, Leases of Mines which, after notice, the Association may refuse to work; that before such Lease can be granted, the situation of the proposed Mine must be clearly indicated to the Association, in order that they may exercise their right of refusal; but after the Association has refused to work the proposed Mine, the Crown may insist upon any stipulations which may be deemed proper for the security of the Crown against the applicant for the Lease of such mine."

Under these circumstances, my Lords see no objection to authority being conveyed to the Lieutenant-Governor of Nova-Scotia, to grant on behalf of Her Majesty permission and due authority for working Mines comprised in the Lease to the General Mining Association, with the limitation above adverted to, as regards previous indication to the Association of the precise situation of the Mine, and their refusal to work it. But you will observe to Lord Grey, that my Lords conceive it will be for the benefit of the Province, that such permission should be only granted, subject to payments to the Government, equivalent to the Rents and Royalties payable by the Association, and to such further conditions in regard to the period for opening the Mine, or otherwise, as will ensure the Grants not being made to parties without the means of carrying out the objects of them, and of working the Mines to which they relate.

I am further directed to transmit for the information of Lord Grey, the accompanying Copy of a Letter addressed to this Department, by the Agent of the Association in Nova-Scotia, in consequence, as my Lords presume, of the communication stated in Lieutenant-Governor Sir J. Harvey's Despatch of 2d June, to have been made to him.

I have &c.

(Signed)

C. E. TREVELYAN.

B. HAWES, Esquire, &c. &c. &c.

[COPY.]

22 Duke Street, St. James'. 26th June, 1847.

SIR—

Understanding that an Address from the House of Assembly of Nova-Scotia, and a Memorial from Mr. H. Bell, on the subject of the Grants to the Duke of York and the General Mining Association of the Mines in Nova-Scotia, have been received by the last Packet. I beg to take the liberty, as the Agent and Manager in Nova Scotia of the General Mining Association, to submit to you, for the information of the Lords of the Treasury, the following statement:

The House of Assembly complains that the Grants in question constitute a monopoly, and that it was an improvident arrangement on the part of the Treasury.

By a reference to the office of the Surveyor General of Land at Halifax, it will be found that between the years of 1749 and 1782—968,190 acres of Land were granted to the individuals in which the reservations were only of Gold, Silver, and Precious Stones—this large tract of Land is known to contain valuable deposits of Iron, Coal, and other Minerals, and may be worked by the Proprietors of the Soil without the payment of any Rent or Royalty, but they remain unworked and unproductive to the Province—it cannot therefore be said that the Grants alluded to are a monopoly.

From the first settlement of the Province up to the time when the Grants to the Duke of York and the General Mining Association were made, comprising a period of more than 70 years, no efforts were made by individuals to work the Mines, with the exception of a sufficient quantity of Coal for the use of the Town of Halifax, consisting of about 6 or 7000 Chaldrons. This quantity was annually raised, or rather dug out of the Hills in a rough and prejudicial manner to the Seams of Coal, without the assistance of machinery. The General Mining Association have raised from 80 to 100,000 Chaldrons annually, of a superior quality and at a reduced selling price; and would extend the production, if consumption could be found, and they are using every possible means to push their trade. They have introduced Steam Engines and other machinery.—They have disbursed about £1,500,000 in the Province,

Province, which must have benefitted every individual within the Colony, and they have paid: £90,000 for Rent and Royalty into the Provincial Treasury. It cannot, therefore, with justice be said that the Government made an imprudent bargain.

As all the Minerals remained unproductive for upwards of 70 years before the granting of the Leases complained of, and the unreserved Mines remain to this day unworked, although they are not subject to Rent or Royalty, it may be inferred that all the Mines would have continued untouched to this day if the Government had not made the arrangement with the Duke of York and the General Mining Association.—The Province has thus received this large amount for Rent and Royalty, besides the advantage arising from the expenditure of such vast sums of money, and the location of the numerous workmen and their families, who have been brought into the Colony, without contributing in any way to the aid or assistance of the Lessees.

It may not be out of place here to observe, that the Legislature have at all times directly encouraged new undertakings in the Province, such as the Whale Fishery, Seal and other Fisheries, raising Wheat, erecting Mills, and many other objects, by granting large bounties, and levying duties on the importation of Foreign Articles coming into competition with the produce of the Province, but they have never given the least aid or assistance to the General Mining Association, who have expended more money in the Province than all the other undertakings put together. No opposition was made to the Association for many years—they were quietly allowed to form large Establishments in the Province; but when they had a prospect of getting some return for their great outlay, an application was made to the Treasury not to complete the agreement which their Lordships had previously engaged to fulfil, and solemnly recorded by their Lordships; but, more especially so, under their Minute of the 27th June, 1845, laid before the House of Assembly, and your Letter of 2nd July, of that year.

It must be very evident that the Treasury made a most advantageous bargain for the Province, and for which the House of Assembly have not shown much gratitude; but it must be equally clear that the General Mining Association made a most unfortunate arrangement—they have expended the whole Capital, extending over a period of more than 20 years, without receiving interest or dividend until last year, when, for the first time, they had a small return.

It is, therefore, not right on the part of the Assembly to endeavour to injure the Association, from whom the Province has received, and still is receiving, such substantial benefits, by seeking, however ineffectually, to disturb arrangements deliberately entered into, and long since settled.

With reference to the Memorial of Mr. Bell, I beg to say that the Association do not object to the clause in the Lease, authorising the Government to call upon them to open new Mines, or allow others to do so; but they think it would not be just to attend to any application for opening Mines in a district where the Association are already working—the House of Assembly took this view of the subject some years ago, when Alexander Fraser, and others, petitioned that body to be allowed to open Mines in the district of Pictou.

I send, herewith, the Report of the Committee on that Petition, and as applications have frequently been made for Leases by persons who have no means of their own, but make the application entirely on speculation. I would beg to submit that such applicants be called upon to give good security to the Government that they will open and work the Mines applied for forthwith, and pay the Rent and Royalty (which should not be at a less rate than we pay,) before their application is entertained. This may not be considered an unreasonable request, as it will protect the Association from the expense of opening Mines that are valueless, because they have been applied for by adventurers, who merely wish to extort money, or induce the Association to give them employment!

I have been induced, at different times, to expend large sums of money on account of the Association in explorations for Minerals, upon representations that have been found to be totally incorrect. We have had a scientific Engineer and a party of Men employed for more than a year, in exploring the eastern part of the Province, with a view to open a Colliery in that district; and while the Association are doing so much in the Province, and at such a heavy yearly outlay, by which the whole community are benefitted, it does not appear right that those who are receiving these solid advantages should be forward in trying to injure and embarrass the Association. I do not make these statements under the impression that the Lords of the Treasury would be disposed to do any act of injustice to the General Mining Association. I am quite confident their Lordships will fulfil and protect the engagements that were entered into with the Company, who have, on their part, carried out to the letter the spirit of those engagements, notwithstanding the often repeated applications of the House of Assembly not to perfect these recorded arrangements; but I think it only right that their Lordships should be in possession of these important facts, and I hope and trust such an answer will be given as will put an end to these applications in future, which tend to harrass and annoy the Association, and greatly to discourage the extension of their operations.

I have, &c.,

(Signed)

S. CUNARD.

C. E. TREVELYAN, Esq., &c. &c. &c.

APPENDIX No. 13.

(See Page 16.)

[COPY.]

No. 55.

Downing Street, 6th January, 1848.

SIR—

I have had under my consideration an Act passed by the Legislature of Nova-Scotia, in the month of March last, (No 2771) entitled, "An Act to Incorporate the Nova-Scotia Electric Telegraph Company."

I transmit for your information the accompanying copy of a Report of the Commissioners of Railways in this Country, who Her Majesty's Government have deemed it advisable to consult upon the provisions contained in this Act, until I shall learn from you that the recommendations of the Commissioners have been adopted by the Legislature of Nova-Scotia.

I have, &c.,

(Signed)

GREY.

Lieutenant-General Sir JOHN HARVEY, &c. &c. &c., Nova-Scotia.

*Office of Commissioners of Railways,
Whitehall, 4th December, 1847.*

SIR—

I have to acknowledge the receipt of your letter of the 27th ult., inclosing a copy of the Nova-Scotia Act, No. 2771, for Incorporating the Nova-Scotia Electric Telegraph Company, and I am directed by the Commissioners of Railways to acquaint you, for the information of the Lords of the Committee of Privy Council for Trade, that agreeably to their Lordships request, the Commissioners have taken

taken this Act into their consideration, and have made the following observations with reference to its provisions.

The part of the Act which appears to the Commissioners especially to call for remark, is the enactment in Section 11, relating to the prior right of use of the Telegraph by the Governor of the Province.—The Commissioners would suggest that it might probably be found advantageous if the right were reserved, not only to the Governor, but also to any Civil or Military authorities, who should be authorized by him to exercise it. And to meet the case of a temporary vacancy in the office of Governor, it seems proper that the privilege should be extended expressly to the person for the time being invested with the administration of the Government.

The Proviso attached to the same Section, restricting the Governor to the transmission of Messages of a public nature only, is considered by the Commissioners to be open to objection. In order to ensure the efficient use of the Telegraph for the Public Service, it appears necessary, that it should rest entirely with the authorities themselves to judge of the kind of intelligence they may think proper to convey by it; and, ought not to be presumed that they would make use of it for any other purpose. No restriction of this sort occurs in the analagous provisions of the Imperial Act, 7 & 8 Vic., Cap. 85, Sec. 14, relative to Electric Telegraphs laid down on the lines of Railways.

The Commissioners, have also to observe, in the Act of any clause like that contained in the Act just referred to, providing that the Telegraph shall, (subject to the prior right of use by the Government) be open to all persons, without favor or preference, and at equal charges. The extensive powers conferred on this Company for the purposes of their undertaking, are such, as in the opinion of the Commissioners, would justify Her Majesty's Government in requiring the insertion in a Supplemental Act (if any such is contemplated), of a Provision to that effect.

If such an opportunity should be afforded of making further stipulation with the Company on behalf of the Public, it may be worthy of consideration whether a provision might not be introduced for the purpose of empowering the Government to add wires on the line of the Telegraph, or make connections with those of the Company—provided this was done in such a manner as not to interfere with the use of the Telegraph. By these means, the Government would be enabled to carry the line of communication into the interior of Forts or other posts of importance, where independent Telegraph Stations might be established.

The Commissioners have only to add an observation in the provision in Section 32 of the Act, that when the annual profits of the Company shall exceed 16 per cent., the surplus shall be at the disposal of the Legislature.

It appears to the Commissioners to be extremely doubtful, whether a provision made dependent in this manner on the rate of the Company's divisible profits is likely to have any practical effect, beyond the intimation on the part of the Legislature of the possibility of such future control, and that reliance can be placed on such a provision, as a probable source of revenue.

I have, &c.,

(Signed)

W. D. HARNESS,
Captain Royal Engineers.

Lieutenant-General Sir JOHN HARVEY, &c. &c. &c., Nova-Scotia.

APPENDIX No. 14.

(See Page 16.)

[COPY.]

Cornwallis, 7th June, 1847.

SIR—

I have the honor to inform you that I have completed my mission to the Indians, in the western Counties of the Province, agreeably to the directions contained in your letter of the 14th May, and I now beg leave to submit some of the facts that will be fully embraced in my General Report at the end of the year.

I visited every settlement and almost every family in the Counties of King's, Annapolis, Digby, Yarmouth, Shelburne, Queen's, and Lunenburg, and have taken a correct census of the population, male and female, and also made myself acquainted with their condition and pursuits. Several cases of sickness have been carefully attended to—a few cases of extreme necessity have been relieved, and measures adopted for the support of the aged and infirm. A moderate but perhaps sufficient quantity of seed potatoes, grain, &c., has been supplied to those who had land prepared for planting, and I am happy to state, that little further aid will be required by those people this season, unless for some clothing for the aged and crippled at the commencement of winter. Several families, who had left their plantations, were induced to return, and the encouragement given by the Government has stimulated a number to industry.

The following particulars are taken from my Note Book :

Indians of King's County.

3 Families, 19 Souls—live, by Basket-making, Hunting, and Begging.

Indians of Annapolis County.

19 Families, 74 Souls—Begging, Basket-making, Fishing, Hunting, 1 Cooper, 1 Farmer.—The Cooper, Joseph Gloade, has acquired £50 in cash.

Indians of the County of Digby, at Bear River and Digby Gut.

20 Families, 85 Souls—Farming, Porpoise Shooting, Lumbering and Begging. 10 industrious men, have land prepared and a few bushels of Potatoes (all they could procure) planted—I supplied them with seeds.

At Township of Clare.

4 Families, 25 Souls—Fishing, Basket-making, Begging.

Indians of the County of Yarmouth, Clyde River, and Lake Poppingo.

15 Families, 69 Souls—2 Farmers, 1 Lumberman, Hunting, Fishing, &c., one family found in a state of starvation.

Indians of the County of Shelburne, at Sable and Jordan Rivers.

10 Families, 34 Souls—Fishing, Hunting, Begging.

Indians of the County of Liverpool—Falls, Ponhook, Kedgum, Coodie or Fairy Lake, and Mills Village.

33 Families, 124 Souls—15 of the men are industrious, and have begun to cultivate farms at Kedgum Coodie and Ponhook—they had planted a few potatoes, some wheat, beans, &c.—I have supplied them with seeds—several families are fishing at Mills Village.

Indians of Lunenburg County—at Mahone Bay, Gold River and Sherbrooke.

6 Families, 32 Souls—3 have lands cleared, 2 wandering families were found in a state of starvation, these were relieved, and some seeds were supplied to those who had lands prepared.

Total number of Families	-	-	-	-	-	-	-	-	110
Total number of Souls	-	-	-	-	-	-	-	-	462
Deaths in 1846	-	-	-	-	-	-	-	-	29
Births only 1846	-	-	-	-	-	-	-	-	21
Average number of Children in each Family	-	-	-	-	-	-	-	-	3

The time has evidently arrived when it is necessary for these unfortunate people to cultivate the soil; and in compliance with your directions it has been my chief object to induce them to habits of steady industry—I have offered small bounties on the best crops, best fences, &c., and certainly a number of them deserve encouragement—I have consulted with members of the Legislature and other gentlemen, who have kindly promised their aid in furtherance of the plan.

Money placed in the hands of the Indians is almost always thrown away, and even clothing and provisions afford but very limited relief, but to establish them upon their lands, and to aid them in acquiring useful knowledge, habits of temperance and industry, are objects worthy of the Government—and such as cannot fail to ameliorate the condition of the Indians, and to relieve the Province at last of an unpleasant burden. To lay the necessary plans for these objects, the Indians will hold a “Grand Council” this autumn, and I have promised to be present at their deliberations.

Having advanced thus far in the work, I should like to inquire into the condition and take the census of every family in the Province, especially of those Counties that I may consider under my charge, and I am fully of the opinion that the return would give much satisfaction to the Government. The actual cost of this undertaking would be trifling when compared with the benefits that would arise from it, and it would revive the spirits of the Indians, who, since the resignation of Mr. Howe, had supposed their cause had been given up.

In my general Report I shall feel myself bound to make an earnest appeal on behalf of the original Micmacs, who are at present fast fading away; for unless the progress of their annihilation is soon arrested, the time is close at hand, when, like the natives of Newfoundland, the last of their race, to use their own idea, will sleep with the bones of their Fathers.

A strict economy has been observed during my tour, and I have travelled from place to place with my own horse and waggon, or on foot—yet the scarcity of provisions and the high price of potatoes (from 3s. to 5s.) per bushell, have augmented the outlay.

There are several complaints of trespasses made upon Indian Lands and Timber, and I have suffered some inconvenience for the want of the Plan of the Surveys. To those and various other matters I shall attend when I am at Halifax, which I purpose to visit soon.

By the request of the Indians, I beg to return their most grateful thanks for the aid opportunely granted to them, as they were expressed by John Jeremy, after my address to the people of Kedgum Coodie or Fairy Lake, and of which I have given the best translation I am capable of.

Wegeagadick, Keel Resandam taanal teleboogwaanal Moyauattam Keechenoo Ellagawush, Mayauattam, montaanaul umed lawnustow Ellagaelchd-Cootooswaanal welduse, lellepohodoo, Kesolt, Cuamlamoon waahala espool teekeh, sachamach.

TRANSLATION.

Brother we like your speech—we thank our Mother the Queen—we thank our Governor, who speaks her words (or thoughts), and we rejoice that God has put it in the hearts of great men to help us.

I have, &c.,

(Signed)

A. GESNER,

Actg. Com. for Indian Affairs.

Hon. Sir Rupert D. GEORGE, Bart., Provincial Secretary, &c. &c. &c.

[COPY.]

Cornwallis, 29th September, 1847.

SIR—

I have the honor to report, for the information of His Excellency the Lieutenant-Governor, that I have now completed the examination of all the Indian Settlements in my District, and a Census of all the Micmacs belonging to Nova-Scotia proper.— I have also obtained, from official and other documents, statements that are probably nearly correct in regard to the number of the whole Nation. They are as follows:—

Micmac Indians of Nova-Scotia,	- - - - -	961 Souls.
“ “ Cape-Breton,	- - - - -	500 “
“ “ New Brunswick,	- - - - -	935 “
“ “ District of Gaspé, Canada,	- - - - -	444 “
“ “ St. Pierres and Miquilon, Newfoundland,	- - - - -	200 “
“ “ Prince Edward Island,	- - - - -	250 “
Total of Micmac Nation,		3290

According to old French historical accounts of Acadia, the total number of the Micmac Nation in 1745, was 15000. Among the 961 souls of Nova-Scotia proper, there were, in 1846, Births 79, Deaths 106, leaving a difference against the Tribe in one year of 27. At this rate of decrease, the whole Tribe will be annihilated in 36 years, and this most melancholy result will inevitably take place unless effectual measures are taken to ameliorate the condition of these unfortunate people.

From the increasing industry displayed by the Indians under my charge in the cultivation of Land, since the encouragement given to them by the Government during the last Spring, I am convinced that judicious means would finally succeed in making them Farmers and Mechanics, checking the progress of decrease, and bring them into a state of civilization.

The total number of acres of Land cleared upon the Indian Reserves in my District is 239; of this quantity, there were planted last Spring, in Potatoes, 19 acres; Wheat, 14½ acres; Oats, 8½ acres; Buckwheat, 3 acres; Beans, ½ acre. 42 tons Hay have been secured, and the Indians own 32 head of Horned Cattle.

I lament that the Potatoc is again affected with the disease, and the Wheat has been chiefly destroyed by an Insect. These circumstances will greatly add to the misery and destruction of the poor Indians during the ensuing Winter. Several of the Chiefs and Captains have called upon me to attend meetings of their people to devise timely means for their relief. No charge has been made by me for my own services, and I have ordered £15 to be advanced on my own account to aid in building a Barn at Bear River. This sum I should be glad to receive whenever there are funds at the disposal of the Government.

I have taken an account of the aged and infirm, for whom clothing may be required; and by judicious management, I am of opinion a saving may be made in the distribution

tion of such bounties, to dispose of which my correspondents have kindly promised their aid in different quarters.

A serious obstacle to the settlement of the Indians arises from the fact, that they have been deprived of Lands which the Tribe had occupied during past centuries; and the places where their fathers are buried, and the tracts which had been reserved for them, have since been alienated. The fear of being again driven away checks their desire to establish themselves as Farmers. Several families have promised to settle themselves upon the Reserves on the Shenennicash River, and in the rear of Horton, and it is very desirable that these tracts should be surveyed; but I forbear to make such surveys until I am directed by the Government.

In conclusion, I beg to add that my General Report will give a full account of the Indian Statistics, their condition and wants, with a plan for their improvement.

In the annual grant made by Parliament of £15,000 to the Indians of Canada, these Micmacs do not participate, and I shall rejoice if their condition hereafter shall meet with deeper consideration.

I have, &c. &c.

(Signed)

A. GESNER,
Comr. for Indian Affairs.

SIR R. D. GEORGE, Bart., Provincial Secretary, &c.

APPENDIX No. 15.

(See Page 16.)

[COPY.]

No. 52.

Downing Street, 11th December, 1847.

SIR—

I have had under my consideration an Act passed by the Legislature of Nova-Scotia, in the month of March last, entitled, "An Act to regulate the Importation of Books, and to protect the British Author."

I transmit for your information, the copy of a Minute, addressed to me by the President of the Board of Trade, upon the provisions contained in a similar Act passed by the Legislature of New Brunswick, which will place you in possession of the views of Her Majesty's Government upon the subject.

Altho' I concur in the opinion expressed in this Minute, that the Act is, in its main features, entitled to receive the confirmation of Her Majesty, I have refrained from tendering to the Queen any advice on the subject, deeming it the more convenient course that you should first submit the points adverted to in the inclosures, to the consideration of the Legislature of Nova-Scotia, with a view to the adoption of the amendments which Her Majesty's Government deem advisable.

I have, &c.

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY.

[COPY.]

NEW BRUNSWICK ACT, No. 1721.

This Act was transmitted to this Department some months ago, before any measure had been adopted by Parliament for empowering the Queen to give effect to such provisions on the part of the Provincial Legislatures.

The first step that appeared necessary, therefore, was to submit a Bill for the purpose to the consideration of Parliament, a step which was taken without delay. Since the passing of the Act 10 and 11 Victoria, c. 95, it has been thought advisable, before coming to any decision on the subject of this New Brunswick Act, to communicate with some of the parties who have taken the greatest interest in the questions of Copyright, whether as Publishers or Authors, and also privately to consult the Board of Customs upon its provisions.

From the result of these communications, I am of opinion that the Act is, in its main feature, entitled to receive the confirmation of Her Majesty, but I consider that some of its details will first require amendment.

Together with the Act which I herewith return, I transmit a copy of its enactments which have been sent to the Customs, and on which some notes have been made by Mr. Hamel, the Assistant Solicitor of that Department.

To these I would invite attention :

1st. Mr. Hamel's notes on the first Section of the Act, are mere criticisms upon the inaccuracy of its wording, which only requires to be pointed out in order to secure its amendment.

2nd. It would of course be impossible for the Customs' Officers in the Colonies to distinguish Books under Copyright from others, unless lists of such Books are furnished to them ; but such lists are at present supplied, and the prohibition now in force only applies to Reprints of the Books inserted in such lists. It might be well to provide more particularly that the duty imposed by this Section should be levied only on Reprints of such Books.

3rd. I feel the force of the difficulty which Mr. Hamel anticipates in arriving at the price of the publication of Foreign Reprints, but I apprehend there would be still more difficulty in adjusting the duty according to the published price of the original. Many editions are often published of the class of Works most exposed to piracy, and some of those editions are much cheaper than others. It would be therefore unjust to impose a duty governed by the price of the dearest published edition, while it would be difficult to compel the substitution of a lower price on the occasion of each reduction in England.

I would here suggest that the interests of the proprietors of Copyright would probably be better protected if the Provincial Treasury had some interest in the duty thus imposed ; for instance, if the duty on pirated goods were £25 instead of £20 per cent., and the additional £5 per cent. applied to the Revenue of the Colony. I think it would be well to convey this suggestion to the Lieutenant-Governor, to be dealt with as may be thought advisable, and think Mr. Hamel's remarks should also be communicated with the same view.

With regard to the exceptions which the Act makes for the case of Newspapers and Periodicals, I presume care will be taken that fraudulent Reprints of popular Works shall not be introduced under the garb of Newspapers, without paying the duty. I allude to such Reprints as those of Mr. James' Novels in the columns of the "New World," where the re-publication of the Novel forms the sole or principal object of the so called Newspaper. Perhaps a definition of the term "Book" would be found useful.

4th. It would be proper in this place that for the term "Author" should be substituted "Registered Proprietor of Copyright." The duty ought always to be paid to the person entered on the notice as the proprietor of the Copyright ; and the claims of other parties must be adjusted inter se afterwards.

5th, 6th, 7th, and 8th. These observations call for no comment on my part.

9th. If the plan suggested above (see note 4) be adopted, I do not see that there will be intricacy in the accounts. The Officers of Customs will place the duties received to the credit of the person registered as proprietor of the Copyright of the pirated work. They may transmit their accounts periodically (say once a year) to the

the Board of Customs in London, who will direct their Officers to pay to the several proprietors the sums placed to their credit, on the demand of the proprietor; and the receipt of the proprietor will be a sufficient discharge.

Mr. Hamel's proposed plan of stamping Books on which the duty has been paid, appears to me a desirable one, and should be incorporated in the Act.

In conclusion, I have only to express my opinion that it will be well to transmit these remarks to the Lieutenant-Governor, and to recommend that an amended Bill be passed in the next Session of the Provincial Legislature, which will probably receive the Queen's confirmation.

(Signed)

H. LABOUCHERE.

Board of Trade, Whitehall, 10th Novr., 1847.

The Act is herewith returned.

[COPY.]

I. Be it enacted, by the Lieutenant-Governor, Legislative Council, and Assembly, That it shall be lawful to import all Books of whatever nature or kind, and from whatever Country the same shall be imported, ¹ save and except Books first composed, written, or published, in Great Britain, and protected by the Laws of Copyright, passed by the Imperial Parliament of Great Britain, now in force, and as hereafter provided, and that ^{*} the same shall be admitted into this Province duty free.

All Books, save those protected by the Copyright, under Acts of Parliament may be imported from any Country duty free.

II. And be it enacted, That on the importation of all Books and Reviews of whatever nature or kind, when the same may be first composed, written or published, in Great Britain or Ireland, and protected by the Acts of the Imperial Parliament to enforce the Law of Copyright, coming in the shapes ² of Reprint bound or unbound, whether from the United States or other Foreign Countries, there shall be paid an ad valorem duty ³ on the bona fide price of the publication of such Reprints of Twenty Pounds per centum: Provided always, that said duty is not to be paid on *Newspapers or other regular Weekly Periodicals*, nor upon the copies of the said Works, if published bona fide and not fraudulently in any part of Great Britain or Ireland—such duty to be collected under the same regulations and restrictions as are now in force, to extend the said Imperial Acts for the regulation of the Laws of Copyright to this Province; and after collection by the proper Officers the said duties shall be remitted by the Governor in such way and manner as Her Majesty's Government may be pleased to order and direct, in order that the same ad valorem duty may be duly secured and paid over to the ⁴ Author of said Books or Publications respectively, as they may be entitled thereto.

An ad valorem duty of £20 per cent. imposed on Reprints of Books & Reviews protected by the Copyright Acts, imported from Foreign Countries—to be collected by the proper Officer, and remitted by the Lieutenant-Governor, to be paid over to the Author.

III. And be it enacted, That it shall not be lawful for any person to import or bring, or cause to be imported or brought, into this Province, for use, sale, or hire, any Reprint hereinbefore referred to, and thereby made liable to duty, contrary to the true intent and meaning of this Act; and if any person shall knowingly sell, publish, or expose to sale, or let to hire, or have in his possession for sale or hire, any such Reprint, then any such Book or Reprint shall ⁵ be forfeited, and shall be duly

Forfeitures and Penalties for selling, &c., Reprints, contrary to the meaning of this Act.

¹ Does not this mean save and except Foreign Reprints and pirated copies of Books first composed, &c.

Books protected by Copyright are now duty free, and it cannot be intended to except them.

^{*} "The same" may be understood to apply either to the enumerated Books, or to the excepted ones; but according to the usual rule of construction, it applies to the latter, in which case there are no words to give effect to the intentions of the Marginal Notes.

² How is this to be ascertained unless notice shall have been given by the Author or Proprietor of the Copyright. [Vide Possessions Act, Sec. 9.]

³ Will it not be difficult, tedious, and in many cases impossible to arrive at the price of publication of Foreign Reprints? Would it not be better if this duty were governed by the published price of the Original Work in this Country, which price should be stated in the notice of Copyright by the Proprietor.

⁴ Without notice, how is this to be known? and again the Author may not be the proper party, but the Proprietor, if, as in most cases, the Copyright is sold.

⁵ 1st.—Liable to seizure, and be seized by any Officer of Customs, &c.

Application.

duly sold—one half of the proceeds thereof to be applied to the use of the Officers of the Revenue seizing the same, and the other half to the Author or Proprietor; and further, any person so offending, being duly convicted thereof before ⁶any two Justices of the Peace in the County where such seizure is made, shall also, for any such offence, forfeit the sum of Five Pounds, and double the ⁷value of any copy of such Book or Reprint which he shall so import, or cause to be imported into this Province, or shall knowingly sell, publish, or expose to sale, or let to hire, or shall have in his possession for sale or hire, contrary to the true intent and meaning of this Act, Two Pounds, to the use of such Officers of the Revenue, and the remainder of the penalty to the use of the proprietor of the Copyright; and the said double value of such ⁸Book or Reprint, and the same respective ⁹proportions of the proceeds of the sale of such Book or Reprint, and of such penalty, shall be paid over and remitted in the way and manner as in the second foregoing Clause of this Act is provided.

Act suspended until
H. M. Royal ap-
probation be de-
clared.

IV. And be it enacted, That this Act shall not come into operation, or be in force, until Her Majesty's Royal approbation be first had and declared.

⁶ A Clause should be inserted, empowering Justices to summon parties, and proceed thereon: that power is only inferential as that Clause stands

⁷ Does this mean double the actual value, or double the price obtained on sale of seized Books? or double the value of the Book or Copy as for published price? And is the double value to be taken on each and every Book? "Any Book" is vague.

⁸ On the other side the words "Copy of such Book" are used. [See Note 7.]

⁹ Will not this create an intricate account between the Crown and the Authors, Proprietors of Copyrights, Publishers, &c., and open the door to disputes and trouble in ascertaining who may be entitled.

In order to distinguish Books, duty paid, from smuggled ones, a Stamp may be impressed on the former, to give effect to which a Clause should be inserted.

Pirated Books already imported can only be dealt with according to the existing Law, under or against which they were imported, which subjects them to forfeiture and disposal of Commissioners.

(Signed)

T. J. H.

APPENDIX No. 16.

(See Page 16.)

[copy.]

(Circular.)

Downing Street, 25th September, 1847.

SIR—

In the last Session of Parliament an Act was passed "for the Naturalization of Aliens," 10th & 11th Vic., ch. 83. I herewith enclose a copy of it.

The Preamble of that Act explains briefly the circumstances in which it originated. In almost all of the British Colonies Laws had, of late years been enacted, the object of which was to impart the privileges of natural-born British subjects to aliens inhabiting the Colonies in which those enactments were made.

On referring those Acts to the successive Law Officers of the Crown, it appeared from their answers to such references, to be a matter of great doubt whether they were valid and effectual for their purpose, and whether the Queen could properly be advised to confirm them. The principal ground of this doubt was the existence in the British Statute Book of various General Acts respecting the Naturalization of Aliens, some of which Acts of Parliament, and especially the Statute 7th & 8th Vic., ch. 66, were supposed by Her Majesty's Legal Advisers to extend to, and to be in force throughout the British Colonies; but the Colonial Acts in question being found to be in several respects at variance with, and repugnant to those Acts of Parliament, it was inferred that such Colonial enactments were null and void either in whole or in part.

To

To obviate a conclusion replete with so much inconvenience, and recommended by no assignable advantage, Her Majesty's Government recommended to Parliament, in their last Session, the passing of the Act which I now enclose.

The result of that Act is, first, to give validity to all Colonial Naturalization Acts formerly passed, and to declare that they shall be taken to have been valid from the time of their enactment.

Secondly, the Act then proceeds to provide that all Naturalization Acts which shall hereafter be passed by any Colonial Legislature shall, within the limits of the Colony, have the force of Law—any Law or Statute to the contrary notwithstanding. But thirdly, both the retrospective and the prospective operation of the 10th & 11th Vic., ch. 83, is confined to Colonial Acts, which authorize the enjoyment of the privileges of Naturalization within the limits of the Colony within which such Act shall have been, or shall be, made.

It also declares, fourthly, that all such Naturalization Laws shall be subject to the Rules which regulate the enactment and disallowance of Colonial Laws on any other subject.

And, finally, it declares that the 7th & 8th Vic., ch. 66, does not extend to the British Colonies.

The result of these enactments will be to remove all doubts which have hitherto prevented the confirmation of various Naturalization Acts of the different British Colonies, and to ascertain the competency of the Colonial Legislatures to confer on Aliens the privileges of natural-born British subjects, if the exercise of those privileges be limited to the particular Colony in which the enactment may be made.

It may obviate a possible misconception to add, that inasmuch as that part of the Navigation Act which confines to British subjects the ownership of British registered shipping is not repealed, but continues in full force, the disability of an Alien naturalized under a Colonial Act to own such shipping, is not removed by the accompanying Statute 10th & 11th Vic., ch. 83. It would, indeed, be at variance with the terms of that Act to claim such a privilege in pursuance of it, inasmuch as the privileges which it authorises the Colonial Legislatures to confer, are expressly restricted to the limits of the Colony within which they may be so conferred.

I propose, in a series of separate Despatches, to advert to, and dispose of, the particular questions of this kind which have hitherto been pending: those separate Despatches, being, of course, addressed to the Governors of the Colonies only in which any such questions have arisen.

I have, &c.,

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY.

[COPY.]

An Act for the Naturalization of Aliens.

WHEREAS, by divers Acts, Statutes, or Ordinances, enacted by the Legislatures of divers of Her Majesty's Colonies or Possessions abroad, provision hath been made for imparting to divers Aliens there resident, the privileges, or some of the privileges of naturalization, to be exercised and enjoyed within the respective limits of such Colonies and Possessions respectively: And whereas, doubts have arisen as to the competency of the said Legislatures to enact any such Laws, Statutes, or Ordinances, and as to the validity of the same when so enacted, and it is expedient that such doubts be removed: Be it therefore, and it is hereby declared and enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled,

bled, and by the authority of the same, That all Acts, Statutes, and Ordinances, heretofore made and enacted by the Legislatures of any of Her Majesty's Colonies or Possessions abroad, for imparting to any person or persons the privileges, or any of the privileges of naturalization, to be by such person or persons exercised and enjoyed within the respective limits of such Colonies or Possessions respectively, shall, within such limits, have been, be taken, and reputed to have had, from the time of the enactment thereof respectively, all such and the same force and effect as doth by Law belong to any other Law, Statute, or Ordinance, made or enacted by any such respective Legislatures.

II. And be it, and it is hereby enacted and declared, That all Laws, Statutes, and Ordinances, which shall hereafter be made and enacted by the Legislatures of any of Her Majesty's Colonies or Possessions abroad, for imparting to any person or persons the privileges, or any of the privileges of naturalization, to be by any such person or persons exercised and enjoyed within the limits of any such Colonies and Possessions respectively, shall, within such limits, have the force and authority of Law any Law, Statute, or Usage, to the contrary in anywise notwithstanding: Provided nevertheless, that all such Laws, Statutes, and Ordinances, shall be made and enacted in such manner and form, and subject to, and in conformity with, all such Rules as now are, or hereafter shall be, in force, in respect of other Laws, Statutes, or Ordinances, enacted or to be enacted by any such Legislatures respectively; and shall and may be confirmed or disallowed by Her Majesty in such and the same manner, and subject to the same Rules and Regulations as extend, or shall hereafter extend, to the confirmation or disallowance of any other such Laws, Statutes, or Ordinances.

III. And whereas, a certain Act was made and enacted in the Seventh and Eighth Year of the Reign of Her present Majesty, entitled, "An Act to amend the Laws relating to Aliens:" And whereas, doubts have arisen whether the said recited Act of the Seventh and Eighth Year of Her Majesty's Reign extends to and is in force in Her Majesty's Colonies or Possessions abroad: Now it is hereby further enacted and declared, That the said recited Act of the Seventh and Eighth Year of Her Majesty's Reign, or any part of it, doth not extend to the said Colonies or Possessions, or to any of them.

IV. And be it enacted, That this Act may be amended or repealed by any other Act of this present Session of Parliament.

APPENDIX No. 17.

(See Page 16.)

[COPY.]

*Government House, St. John's, Newfoundland,
26th, March 1847.*

SIR—

I have the honor to acknowledge the receipt of Your Excellency's letter of the 17th instant, transmitting a copy of an Act passed by the Legislature of Nova Scotia, relating to the Trade between the British North American Possessions, and to assure Your Excellency that the subject to which it refers shall be brought under consideration of the Legislature of this Colony when again in Session.

I have the honor to be, &c.

(Signed)

ROBERT LAW.

His Excellency Lieutenant-General Sir JOHN HARVEY,
K. C. B. & K. C. H., Lieutenant-Governor of Nova-Scotia.

[COPY.]

[COPY.]
Government House, Montreal, 31st March, 1847.

SIR—

I have the honor to acknowledge the receipt of Your Excellency's Despatch of the 17th instant, enclosing a copy of an Act to which Your Excellency has assented, relating to the Trade between the British North American Possessions.

I have the honor to be, &c.,
 (Signed) ELGIN & KINCARDINE.

His Excellency Lieutenant-General

Sir JOHN HARVEY, K. C. B. & K. C. H., &c. &c. &c.

[COPY.]

Fredericton, 16th April, 1847.

SIR—

In reference to Your Excellency's communication of the 17th ultimo, I have the satisfaction to inform you that the Legislature of this Province has passed an Act for the removal of restrictions upon the Trade between the Provinces—which will come into operation on receiving Her Majesty's confirmation.

I have the honor to be, &c.
 (Signed) W. M. COLEBROOKE.

His Excellency Lieutenant-General

Sir JOHN HARVEY, K. C. B., &c. &c. &c.

[COPY.]

*Government House, Prince Edward Island,
 May 4th, 1847.*

SIR—

I took the earliest opportunity of submitting to the Legislative Council and House of Assembly of this Island, copies of Your Excellency's Despatch of the 17th March last, and of the Act relating to the Trade between the British North American Possessions, passed by the Legislature of Nova-Scotia, which accompanied it.

I have now the honor to transmit to Your Excellency a copy of the Resolution passed in the House of Assembly upon that important question.

I have the honor to be, &c.,
 (Signed) H. V. HUNTLEY,

Lieutenant-Governor.

His Excellency Lieutenant-General

Sir JOHN HARVEY, K. C. B., &c. &c. &c.

PRINCE EDWARD ISLAND.

In the House of Assembly, March 3d, 1847.

Resolved, That this House will, in its next Session, take into consideration the expediency of allowing articles, the growth, produce, or manufacture, of any of the British North American Colonies, to be imported duty free into this Island, when

when such Colonies shall allow articles of growth, produce, or manufacture, of this Island to be imported free of duty into any such British North American Colonies.

(Signed)

WILLIAM CULLEN,

Clerk H. A.

(A true extract.)

[COPY]

Government House, Montreal, 26th May, 1847.

SIR—

I have the honor to acknowledge the receipt of Your Excellency's letter of the 11th instant, enclosing copies of the replies from the Lieutenant-Governors of New Brunswick, Prince Edward Island, and Newfoundland, to your communications in reference to the Act of the Legislature of Nova-Scotia, relating to the Trade between the British North American Provinces.

I have honor to be, &c.

(Signed)

ELGIN & KINCARDINE.

His Excellency Lieutenant-General

Sir JOHN HARVEY, K. C. B. & K. C. H., &c. &c.

[COPY.]

Fredericton, June 19th, 1847.

SIR—

I have had the honor to receive Your Excellency's letter of the 15th instant, enclosing a series of Resolutions passed by the House of Assembly of Nova-Scotia, which will be communicated to the Legislature of New Brunswick when they next meet.

I have the honor to be, &c.,

(Signed)

W. M. COLEROOKE.

His Excellency Lieutenant-General

Sir JOHN HARVEY.

APPENDIX No. 18.

(See Page 16.)

At the Court at Windsor, the 22d day of November, 1847.

PRESENT—

THE QUEEN'S MOST EXCELLENT MAJESTY.

&c.

&c.

&c.

WHEREAS, the Lieutenant-Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did, in the month of March, 1847, pass seventy-two Acts, which have been transmitted, entitled as follows, viz:
No. 2717. An Act to improve the Law relating to the Election of Representatives to serve in the General Assembly.

No.

- No. 2718. An Act further to improve the Administration of the Law.
- No. 2719. An Act for applying certain Monies therein mentioned for the service of the Year of Our Lord One Thousand Eight Hundred and Forty-seven, and for other purposes.
- No. 2720. An Act to prevent the fraudulent making of false and pretended conveyances of Land, or of interest therein.
- No. 2721. An Act relating to the Burial Ground near the Town Plot, Cornwallis.
- No. 2722. An Act relative to the Sittings of the Supreme Court and General Sessions of the Peace in the County of Shelburne.
- No. 2723. An Act relating to the Laws of the Province.
- No. 2724. An Act to provide for the drawing of Juries in the County of Yarmouth, for the present year.
- No. 2725. An Act to amend the Act for the Summary Trials of Actions before Justices of the Peace.
- No. 2731. An Act to continue and alter the Acts to amend the Act concerning Duties on Liquors distilled within this Province.
- No. 2734. An Act to continue and amend the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors.
- No. 2735. An Act concerning Loans for the relief of Distressed Settlers.
- No. 2736. An Act to exclude incompetent persons from the practice of Physic and Surgery.
- No. 2737. An Act in addition to an Act for the Regulation of Juries, so far as relates to certain Counties therein named.
- No. 2738. An Act to provide for the drawing of Petit Juries for the Supreme Court at Halifax for the present year.
- No. 2740. An Act relative to the General Sessions of the Peace in the County of Cape-Breton.
- No. 2741. An Act to alter the Sittings of the General Sessions of the Peace for Queen's County.
- No. 2744. An Act in relation to an assessment for a Fire Engine at Dartmouth.
- No. 2745. An Act in relation to the admission of certain persons as Attornies and Barristers.
- No. 2746. An Act to enable the Nova-Scotia Marine Insurance Company to compensate their Directors and Auditors.
- No. 2747. An Act in further addition to the Act relating to Highways, Roads, and Bridges.
- No. 2748. An Act for appointing Trustees for Public Property in the County of Colchester.
- No. 2750. An Act to prevent Coasting on the Highways.
- No. 2752. An Act to authorize the appointment of Trustees of the Presbyterian Church at Tatamagouche.
- No. 2753. An Act to provide for the opening of a new Line of Road from Dartmouth to the Settlements on the Eastern Shore.
- No. 2754. An Act further to alter the Acts respecting the collection of Poores' Rates in the Township of Pictou.
- No. 2755. An Act respecting collection of Poor Rates in the the Third Section of the Township of Pictou.
- No. 2756. An Act to establish the Toll to be taken at Grist Mills.
- No. 2757. An Act in relation to the support of the Poor in certain parts of the Township of Egerton.
- No. 2758. An Act for regulating the Common of the Township of Lunenburg.
- No. 2759. An Act for regulating the Common of the Township of Clare.
- No. 2760. An Act relating to Streets and Highways in certain Towns and places therein mentioned.

- No. 2761. An Act to shut up a certain Line of Road in the Township of Pictou.
- No. 2762. An Act in relation to the New Road from Malignant Cove to Antigonishe.
- No. 2763. An Act to provide for the partition of certain Lands in the Township of Barrington.
- No. 2764. An Act to Incorporate the Londonderry Mining Company of Nova-Scotia.
- No. 2765. An Act to Incorporate the Nova-Scotia Fire Insurance Company.
- No. 2766. An Act to Incorporate the Alumni of King's College, Windsor.
- No. 2767. An Act to Incorporate the Nova-Scotia Horticultural Society.
- No. 2768. An Act to Incorporate the Givan Wharf Company.
- No. 2769. An Act to amend the Act to Incorporate the Dartmouth Water Company.
- No. 2772. An Act relative to the Sittings of the General Sessions of the Peace in the County of Digby.
- No. 2773. An Act for establishing separate Boards of School Commissioners in County of Cumberland.
- No. 2774. An Act for regulating the Commons at Sydney, in the County of Cape-Breton.
- No. 2775. An Act to amend the Act to Incorporate the Trustees of St. Matthew's Church in Halifax.
- No. 2776. An Act to establish the Boundary Line between the Counties of Cape-Breton and Richmond.
- No. 2778. An Act to repeal the Acts to prevent the Forestalling, Regrating, and Monopolizing of Cord Wood in Halifax.
- No. 2779. An Act to make perpetual the Act concerning malicious injuries to Property.
- No. 2780. An Act to repeal the Act to empower the Supreme Court at their stated Sittings in the Town of Halifax to try offenders who may be guilty of Felonies in other Counties in this Province.
- No. 2781. An Act to make perpetual the Act for making Regulations to prevent Dogs going at large in certain cases.
- No. 2782. An Act to make perpetual the Act to amend the Act for determining differences by Arbitration, and to render reference to Arbitration more effectual.
- No. 2783. An Act to continue the several Acts for the prevention of Smuggling.
- No. 2784. An Act to continue the Acts for the Regulation of Juries.
- No. 2785. An Act to continue the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors, and Sales by Auction in Halifax.
- No. 2787. An Act to continue the Act concerning the support and regulation of Light Houses.
- No. 2788. An Act to continue the Acts in force relative to the Inspection of Pickled Fish.
- No. 2790. An Act to continue the Acts for regulating the Exportation of Red or Smoked Herrings.
- No. 2789. An Act to continue the Acts for regulating the Militia.
- No. 2791. An Act to continue the Acts now in force relating to Trespasses.
- No. 2792. An Act to continue the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.
- No. 2793. An Act to continue the Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of deceased persons.
- No. 2794. An Act to continue the Act for dividing the Township of Douglas into separate Districts for the support of the Poor.
- No. 2796. An Act to continue the Act to extend to the Town of Dartmouth the Act to amend the Act to regulate the Assize of Bread. No.

No. 2797. An Act to continue the Act to prevent damage to the Nets of Fishermen in Chedabucto Bay.

No. 2798. An Act to continue the Act to enable the Union Marine Insurance Company of Nova-Scotia to compensate their Directors and Auditors.

No. 2799. An Act to continue the Act in relation to the gathering of Sea Manure in Queen's County.

No. 2800. An Act to continue the Acts to divide the Township of Maxwelton into separate Districts for the support of the Poor.

No. 2801. An Act to continue the Acts for dividing the Township of Pictou into separate Districts for the support of the Poor.

No. 2802. An Act to continue the Act relating to the gathering of Sea Manure in the County of Halifax.

No. 2804. An Act to continue the Act in relation to the expenditure of Public Monies on Highways.

No. 2806. An Act to continue the Act to enable the Proprietors of Land in the rear Blocks or Divisions of Lands in the Township of Guysborough, to open Roads through the same.

No. 2805. An Act to continue the Act to prevent damage to the Nets of Fishermen by Coasting Vessels.

No. 2807. An Act to continue the Act to revive the Act to amend the Act to regulate the Assize of Bread.

No. 2808. An Act to continue the Act to provide against the occurrence of diseases from the Bite of Animals.

No. 2809. An Act to continue the several Acts to provide for the accommodation and billeting of Her Majesty's Troops, or of the Militia, when on their march from one part of the Province to another.

No. 2810. An Act to continue the Act to encourage the killing of Bears, Loup-Cerviers, and wild Cats.

And whereas, the said Acts have been referred to the Committee of Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation.—Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report—whereof the Governor, Lieutenant-Governor, or Commander in Chief for the time being, of Her Majesty's Province of Nova-Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

WM. L. BATHURST.

APPENDIX No. 19.

(See Page 16.)

At the Court at Windsor, the 22d day of November, 1847.

P R E S E N T—

THE QUEEN'S MOST EXCELLENT MAJESTY.

&c. &c. &c.

WHEREAS, the Lieutenant-Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did, in the month of March, 1847, pass two Acts, which have been transmitted, entitled as follows, viz :

No. 2727. An Act to amend the Act relating to Marriage Licenses.

No.

No. 2749. An Act authorizing the Committee of the Estate and Person of Robert W. Crookshank, the younger, found Lunatic in the Province of New Brunswick, to sell Real Estate within this Province.

And whereas, the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the said Committee have reported as their opinion to Her Majesty, that the said Acts should receive Her Majesty's special confirmation.—Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Acts, and the same are hereby specially confirmed, ratified, and finally enacted accordingly—whereof the Governor, Lieutenant-Governor, or Commander in Chief for the time being, of Her Majesty's Province of Nova-Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

WM. L. BATHURST.

APPENDIX No. 20.

(See Page 16.)

[COPY.]

Downing-Street, 31st December, 1846.

MY LORD—

Your Lordship is about to assume the Government of British North America, at a time when a change of policy is in progress, which is of no ordinary importance to the interests of every part of the British Empire, and perhaps of none more than of that large portion of the Queen's Dominions in which Her Majesty has been pleased to select you to act as Her Representative. I need scarcely say, that I refer to these Commercial changes which, in the last Session, after long and anxious deliberation, received the sanction of Parliament.—By the Acts then passed, it has been provided that with respect to some of the chief articles of national consumption, there should be a considerable immediate reduction, and an eventual abolition of those duties upon imports from Foreign Countries which have hitherto been imposed, not for the purpose of raising Revenue, but with the avowed object of giving an advantage in the markets of this Country, to the domestic or Colonial producer over his Foreign competitor.

It has been enacted, that after a brief interval, the Canadian, in common with the British Farmer, (and in common also with the Sugar Planters of the British Colonies), must encounter in the sale of his produce in this Country the unrestricted competition of the Foreign grower. The same relief from the burthen of differential duties, which has thus been granted to the British consumer, one of the Statutes to which I have alluded, (the 8th & 9th Vic., ch. 90) has enabled their respective Legislatures to extend to the British Colonies, by empowering them to repeal the differential duties in favour of British produce imposed in these Colonies by former Imperial Acts.

This is not an occasion upon which I could with propriety enter into any discussion of the grounds upon which this change of policy has been adopted, but without doing so, I may express my firm conviction, that eventually the welfare of the Colonies, even more than that of the Mother Country, will be promoted by the abandonment of a system of artificial restrictions upon Trade. Looking to the great natural advantages possessed by the British Colonies, and especially by the fine Provinces of North America, I cannot doubt that adopting a policy of which the

object

object is to render industry productive, by leaving it to follow its natural channels of employment, and by affording every possible facility to commerce, must lead to their rapid advancement in wealth and prosperity : but with a view to this result, it is of the utmost importance that the Provincial Legislatures should strenuously co-operate with the Imperial Parliament. So far as the repeal of the differential duties hitherto imposed upon Imports into the Colonies from Foreign Countries, for the purpose of favouring the British producer, I can have no doubt that the Colonial Legislatures will gladly avail themselves of the power conferred upon them, by at once putting an end to these duties ; indeed so obvious does it appear that this measure ought to be the consequence of repealing differential duties imposed in this Country to favour the importation of Colonial produce, that Parliament, instead of merely enabling the Colonial Legislatures to abolish the duties alluded to, would probably have at once proceeded to do so, by its own authority, had it not been for the late period of the Session, at which alone it was possible that the subject should be considered, and the difficulty of determining, without more information than could at the time be procured, how far the simple repeal of these duties, unaccompanied by any precautions, might have affected the finances of some of the Colonies.

I assume, therefore, that these duties will be speedily put an end to ; but it does not appear to me that this is, by any means, the whole of what is required, in order to give to the commerce of British America all the facilities it ought to enjoy. At present each of the Colonies has its distinct scale of Custom House Duties, and its distinct establishment of officers for levying them—the trade between one Province and another being burthened by duties like that between Countries entirely unconnected with each other. From their Geographical position relative to each other, Canada, New Brunswick, and Nova-Scotia, being divided only by arbitrary, and in some points unsettled lines of boundary, and Prince Edward Island being separated from them only by a narrow strait, it is obvious that this state of things must be attended with very great inconvenience—while different rates of duty are levied upon the same articles in Provinces thus bordering upon, and closely connected with each other ; and while one Province imposes duties upon the produce of another, it is obvious that a considerable expense must be incurred in maintaining inter-Colonial lines of Custom Houses—that much encouragement must be given to smuggling ; and what is still of more importance, that great difficulties must be thrown in the way of the mutual intercourse of Provinces so well fitted by nature for carrying on with each other an active and beneficial commerce. The correspondence recorded in this office, proves this to be not merely a speculative inconvenience, but one which has been practically and very severely felt, nor can any reasonable doubt be entertained, that if the duties levied in the different Provinces of British America could be assimilated—if the establishments for collecting them could be consolidated, and the net produce of the duties, after defraying the cost of collection, then divided upon some equitable principle, and placed at the disposal of the several Legislatures, the result would be in the highest degree advantageous to these Colonies, and materially contribute to enable them successfully to meet the difficulties, which for a time are not unlikely to arise from the removal of commercial restrictions hitherto maintained in this Country for their supposed advantage. Your Lordship will not fail to perceive that the original idea of the policy I have now suggested, is derived from the German Customs Union or Zollverein. It is true that in many very important particulars the circumstances of the German States which formed this Union, were altogether unlike those of the British North American Provinces ; and that therefore what was done in the one case, forms no precedent for the other ; but still the example of Germany proves, that there is no insuperable difficulty in effecting an arrangement, by which not merely different Provinces of the same Empire, but a large number of independent

States may combine together for the purpose of establishing a common system of Custom House Duties, and dividing the Revenue which these duties produce. And further, this example also proves, that in spite of no inconsiderable faults in the mode of effecting such an arrangement, and above all the great one of having adopted a scale of duties far higher than is consistent with sound commercial and financial views, this union is admitted to have exercised highly beneficial influence upon the trade and industry of the States which belong to it. Information, with respect to this remarkable institution, will not therefore be without its value to your Lordship, and I have accordingly the honor of transmitting to you with this Despatch, a copy of a Report upon the subject, which was a few years ago laid before the Parliament by Her Majesty's command.

I do not anticipate that the intelligent inhabitants of British America will differ from me as to the advantages which would arise from the adoption of such a measure.

They will readily perceive that by moderate duties upon imports, thus levied, the revenue required for the public service in the several Provinces might be raised at a less cost for collection, and with infinitely less of obstruction to commercial enterprise, than by the existing system; and I am convinced that they will fully appreciate the importance at this particular time of giving such a stimulus to industry and to trade. But though the importance of the object to be effected will no doubt, be universally recognized, I fear there will be much practical difficulty in accomplishing it. Such a change can only be carried into operation by the authority of the Provincial Legislatures, since that of the Imperial Parliament could not be made use of for this purpose without an amount of interference with matters of purely internal concern in the several Provinces, which would be utterly inconsistent with the principles upon which they are now governed.

But to obtain the concurrence of four separate Legislatures in passing a Law involving the arrangement of many details, upon which, no doubt, great diversities of opinion will arise, and upon which a complete agreement of these different authorities would be indispensable for the success of the measure, seems hardly to be looked for. Even though persons should be appointed by each Province to meet and consider the arrangement it would be proper to make, and should agree upon a Report containing a draft of a Bill, which should be recommended to the several Legislatures, it seems to me rather to be hoped than expected, that they would all concur in passing such a Bill without amendment—and unless they did so, the whole labor which had been incurred would be fruitless.

In considering how this difficulty may be surmounted, it has occurred to me that the best course which could be adopted would be for the different Legislatures to pass Acts, recognizing the principle of consolidating their Custom House Establishments, but which, instead of entering into detail as to the arrangements to be for that purpose adopted, should give by anticipation the force of Law to such arrangement as might be agreed upon by persons empowered to act for them in that behalf.

I purposely avoid expressing any opinion as to the manner in which the persons empowered to represent and act for the different Provinces should be appointed.

Whether they should be Committees from the two branches of the several Legislatures, or Commissioners named in the Acts which would require to be passed—since these are questions upon which, if the suggestions I have made should be intertained by the Legislatures, they are more able to form a judgment than myself; but I think it right to point out, that in whatever manner they may be appointed, the Representatives of the several Provinces should meet together at Montreal, where there deliberations could be conducted with the benefit of your Lordship's advice and assistance; and that it would be indispensable to provide in the Acts, from which they would derive their authority, that no arrangements to which they

they might agree should come into force without the previous confirmation of Her Majesty in Council.

In what manner this important subject should be brought under the consideration of the different Provincial Legislatures, and how it would be expedient to submit to them the question of delegating to some central authority a portion of their constitutional powers, I must leave it to your Lordship's judgement to determine upon the spot. I may however remark, that should such an authority be created, its functions need not be confined to the single subject to which I have already referred. There are two other subjects at this moment requiring attention, and with regard to which, the co-operation with each other of the different Provinces is highly desirable. Of these, the first is that relating to the service of the Post in the North American Provinces.

From the various Despatches and other Documents enumerated in the Margin, your Lordship will learn how extreme, and in fact insuperable, is the difficulty of placing the affairs of the Post Office in the British portion of that continent on any secure and convenient footing, without the aid of some central body competent to arbitrate between the various Provinces, and to establish regulations extending over and throughout them all. I especially refer to the Report of the Post Master General to the Lords Commissioners of the Treasury, dated on the 18th August last, and the Letter which, on the 10th September last, communicated to this Department the views of their Lordships on that Report.

You will thence perceive how willing Her Majesty's Government are to abdicate the powers of the Post Master General in British North America, in favor of any competent local authority to be legally constituted for that purpose. But your Lordship will also perceive, that the creation of any such authority by the separate Act of any one Province, or by separate and unconnected Acts of the several Provinces, is virtually impossible. We have no solicitude to retain any control over the details and management of this service, but the reverse. A body of the kind I have already described, representing and acting for all the Provinces, might make an arrangement for the future which would relieve the Post Master General of the inappropriated function. Without such aid, I do not see how he could be exempted from the duty to which, from inevitable and insuperable causes, his Department must be unequal.

The other subject to which I have referred, as requiring the co-operation of the different Provinces, is that of the formation of a great line of Railway Communication from the seat of the Government of Canada to the Atlantic.

The execution of such a work would, I am persuaded, be of the greatest advantage to the whole of British America—but the difficulties to be surmounted in so vast an undertaking are of no ordinary kind, and are only likely, I think, to be overcome by the united and energetic exertions of all the Provinces. Should the delegation of authority by the different Legislatures to some central Body, representing them all, be assented to, I should consider it highly desirable that advantage should be taken of this to arrange the mode in which the Provinces should co-operate with each other, and with Her Majesty's Government, in promoting the construction of the proposed Railway.

I have, &c.,

(Signed)

GREY.

The Right Hon. the EARL OF ELGIN, &c. &c. &c.

Sir W. Colebrooke,
26th April, 1845.
Lord Stanley, 1st
Octr., 1848.
Sir W. Colebrooke,
27th April, 1846.
Mr. Gladstone, 23d
June.
Lord Cathcart, 8th
June.
P. O. 3d July, to
Treasury.
Treasury, 10th Sept.
Post Office, 18th
August.

APPENDIX No. 21.

(See Page 17.)

Halifax, Nova-Scotia, 15th April, 1847.

MY LORD—

By the documents in reference to the Mines of Nova-Scotia, transmitted by your Lordship for furnishing the information sought by me when in London, it appears that the Mining Association, by the directions of Her Majesty, has had confirmed the unexpired part of the Lease now held by them, subject only to the reservation therein contained—viz : that if after twelve months notice having been given to the Association they refuse to work any Mine or Mines, that then any such Mine or Mines may be granted to other persons. From this wise provision of Her Majesty's Government, it is apparent that the impolicy and injustice of sealing up the mineral wealth of the country under a close monopoly, were clearly perceived and carefully guarded against. But this judicious precautionary measure is altogether inoperative, and must remain entirely nugatory, unless it can be *absolutely and unequivocally* applied, so as to prevent the possibility of evasion.

Without imputing worse motives to the gentlemen of the Association and their Agents than to other men, it is reasonable to suppose that they will use all their influence and interest to counteract any interference with their exclusive privileges—and that this has frequently been done in times past is too demonstrable to be refuted. How, then, shall the reservation so wisely interposed for the benefit of the Colony, and for rendering it a more valuable appendage of the Crown, be carried into effect? Could not, and ought not, my Lord, a power be given to the Lieutenant-Governor of the Colony, on such notice as is mentioned in the reservation being given, absolutely, without any reference to the Home Government, to grant, in the same way as other grants are here given, any Mine or Mines that may be found, subject of course to forfeiture if not worked within a certain time? To say, that it might impose on the Company the inconvenience of working Mines that would not repay the outlay, does not appear to me a valid objection; because the Company would have the first choice, and could judge by their Scientific Agents, as to the probable results; and the inconvenience to the Association ought not, I respectfully submit to your Lordship, to be considered of more weight than the interests of the whole people of the Province, and the prosperity of the Colony.

Your Lordship will perceive that the subject has occupied much of the attention of the Legislature during the last Session. Whatever course may be adopted in reference thereto, the mode which I have taken the liberty to suggest, is in strict accordance with the intentions of Her Majesty's Government, as expressed in the reservation herein alluded to, and may do much towards obviating the difficulties so long and so loudly here complained of. This mode of procedure need not interfere with any arrangement that may be made between the Parent Government and the Colony respecting the Mines, and requires only that specific instructions should be given to the Lieutenant-Governor, for fairly and fully securing to Her Majesty's subjects in the Province, the benefits which the paternal care of the Imperial Government has preserved to them, and designed they should enjoy.

I have the honor to be,

My Lord,

Your Lordship's most obedient,

Very humble Servant,

H. BELL.

The Right Honorable EARL GREY, &c. &c. &c.

APPENDIX, No. 22.

(See Page 19.)

[COPY.]

Downing Street, 27th September, 1847.

SIR—

In pursuance of the recommendation of the Select Committee of the House of Commons, which was appointed in 1845 to examine into the Accounts of Receipt and Expenditure, and to report as to the mode in which it would be desirable to frame the future Accounts, in order to introduce uniformity, regularity, correctness and completeness, I have the honor to transmit to you the accompanying copies of the Resolutions to which that Committee agreed, and to direct you to take an early opportunity of submitting the same to the Legislature of the Colony under your Government, as containing the suggestions of the Select Committee for the general improvement of Colonial Accounts.

I have, &c.,

(Signed)

GREY.

Lieut.-Governor, Sir J. HARVEY.

[COPY.]

The Select Committee appointed to examine into the Accounts of Colonial Receipt and Expenditure laid on the Table of the House, and to report their opinion as to the mode in which it may be desirable to frame the same for the future, in order to introduce uniformity, regularity, correctness and completeness, and who were empowered to report the Minutes of Evidence, have considered the matters referred to them, and have agreed to the following Resolutions, which they recommend should be conveyed to the Crown Colonies, for prompt adoption in all cases in which they may not have been already adopted and complied with, under the instructions that have been issued for the guidance of Colonial Accountants, and to the Colonies having Representative Assemblies, as suggestions for the general improvements of the Colonial Accounts, and for carrying out the objects recommended to the attention of your Select Committee.

Resolved, I. That in the opinion of this Committee, it is desirable that a uniform plan of Colonial Estimates be adopted.

II. That it is the opinion of this Committee that such Estimates be prepared (wherever it is possible,) in time to receive the sanction of the Treasury Board and Secretary of State, before the commencement of the service to which the Estimates apply.

III. That it is the opinion of this Committee that such Estimates be accompanied by a comparative statement of the Receipts and Expenditures made up to the close of the year, previous to that in which the Estimates are prepared.

IV. That it is the opinion of this Committee that such Estimates, as regards the Colonial Receipts, shall represent the gross Revenues under their several and distinct heads.

V. That it is the opinion of this Committee that, as regards the Colonial Expenditure, the different charges, including the charges of collecting the Revenue, be classed separately under their different heads, and that the same order of arrangement be universally adopted.

VI. That it is the opinion of this Committee that the fixed charges for Salaries, and other personal services, be kept distinct from all other charges.

VII. That it is the opinion of this Committee that in case of extraordinary or unanticipated expenditure, a supplementary Estimate, in the same form as the yearly Estimate, be prepared in the Colony, and forwarded without delay to the Colonial Office.

VIII. That it is the opinion of this Committee that immediately after the local examination in each Colony of the annual Account has been completed, a comparative statement of the estimated and actual receipts and disbursements of the year should be prepared by the Auditors, or other Officers by whom the Accounts are examined, showing, under each head of Revenue and Expenditure, any difference that may have occurred between the estimated and actual receipts and disbursements of the year, and explaining the cause of any such differences.

IX. That it is the opinion of this Committee that as all the evidence taken before the Committee proves the superiority of the double entry system of book keeping, its success wherever introduced into the Public Departments, and its general adaptation to the Public Service, it is expedient that the said system be adopted for keeping the Accounts of Colonial Revenue and Expenditure.

X. That it is the opinion of this Committee that a Cash Book, Journal, and Ledger, be kept in all the Colonies, and that the Ledger distinctly represent the various heads of receipt and expenditure as exhibited in the Estimates.

XI. That it is the opinion of this Committee that with a view to the prompt examination of the Colonial Accounts, in all cases where a local Auditor has not been appointed, provision should be made for a speedy and efficient local examination of the Accounts; and the Auditor, or other Officer to whom such local examination is entrusted, should be empowered at any and all reasonable times to compare the cash or other balances of the Treasurer, or any other Officer entrusted with Public Money, with the balances represented in the cash Accounts of their respective departments; but such inspection and comparison are not to supersede the periodical verification of public balances by Committees, or otherwise, which the Governors of Colonies have heretofore been instructed to institute.

XII. That it is the opinion of this Committee that the Accounts of Receipt and Expenditure, when sent to the Audit Board in London, be accompanied by the Estimates for the year to which the Accounts belong.

XIII. That it is the opinion of this Committee that the Colonial Accountants be required to make up and forward their Accounts to the Audit Board in London, within three months after the close of the financial year to which the Accounts refer, or specially to report the causes of any great delay.

XIV. That it is the opinion of this Committee that in addition to the Accounts sent home after audit in the Colonies, copies of the Colonial Cash Book and Journals be forwarded to the Audit Board.

XV. That it is the opinion of this Committee that where any inquiries or questions necessary for the elucidation and prompt audit of the Colonial Accounts are suggested by the Board of Audit, the Colonial Accountant be required to reply to the same within one month after their receipt, or to send a special report as to the causes of delay, stating the period at which the explanations may be expected.

XVI. That it is the opinion of this Committee that in case such replies or explanations shall not be received by the Audit Board within a reasonable time, (to be estimated according to the distance of the Colonies, and the facilities of communication between the same), the Audit Board shall call the attention of the Lords of the Treasury to the neglect of the Colonial Accountant.

XVII. That it is the opinion of this Committee that a Quarterly Report be made by the Audit Board to the Lords of the Treasury on the state of the Colonial Accounts, showing the arrears and the causes of the arrears, and calling the attention of the Treasury Board to every case of irregularity and delay.

XVIII. That it is the opinion of this Committee that abstracts of the Accounts
of

of the various Colonies, after being examined by the Audit Board, be annually presented to Parliament, and that they be accompanied with copies of the Estimates for the year to which they refer.

XIX. That it is the opinion of this Committee that it is desirable that steps should be taken for ensuring the more punctual transmission of the periodical Returns of Revenue and Expenditure, provided for in the 7th chapter of the "Rules and Regulations for the Colonial Service;" and that it is also desirable that a systematic record should be kept at the Audit Office, in a complete and concentrated shape, of the results of all the Colonial Accounts rendered to, and examined in, that department, in such manner as at all times would afford the means, so far as regards the Crown Colonies, of giving to Government and Parliament specific information on all points relating to the Colonial Receipt and Expenditure; and likewise, that the Board of Audit should, from time to time, suggest the introduction of such improvements in the existing modes of keeping or rendering the Colonial Accounts as would remove the present anomalies, and secure a uniform, regular, and correct system of book keeping; and should also suggest the needful instructions to the Colonial Officers for that purpose, and prepare such forms and models as may be useful to give effect to these instructions.

APPENDIX No 23.

(See Page 19.)

(Circular.)

Downing Street, 20th November, 1848.

SIR—

My attention has lately been called by the Lord Lieutenant of Ireland to the fact, that the Prelates of the Roman Catholic Church in the British Colonies, have not, hitherto, in their official correspondence with the Governor and authorities, been usually addressed by the title to which their rank in their Church would appear to give them a just claim. Formerly there were obvious reasons for this practice; but as Parliament has, by a recent Act, (that relating to the Charitable Bequests in Ireland), formally recognized the rank of the Irish Roman Catholic Prelates, by giving them precedence immediately after the Prelates of the Established Church of the same degree—the Roman Catholic Archbishops and Bishops, taking rank immediately after the Protestant Archbishops and Bishops respectively. It has appeared to Her Majesty's Government, that it is their duty to conform to the Rule thus laid down by the Legislature, and I have accordingly to instruct you, hereafter officially to address the Prelates of the Roman Catholic Church in your Government by the title of "Your Grace," or "Your Lordship," as the case may be.

Parliament not having thought proper to sanction the assumption by the Prelates of the Roman Catholic Church in Ireland, of titles derived from the Sees which they hold, a similar Rule will be followed in the Colonies—thus for example: the Roman Catholic Prelate in New South Wales, will be addressed as the Most Reverend Archbishop Polding; and in Van Diemens Land, as the Right Reverend Bishop Wallson.

I have, &c. &c. &c.,
(Signed) GREY.

APPENDIX No. 24.

(See Page 22)

The Joint Committee of the Legislative Council and House of Assembly, appointed to examine the Public Accounts, beg leave to report as follows :

THE TREASURER OF THE PROVINCE.

The Accounts of this Office to 31st Decr., 1847, exhibit a balance in hand to that date of £10923 18 7

COLLECTORS OF IMPOST AND EXCISE.

Rec'd since 31st Decr.

£5350 0 0	Bonds in hands of Collector,	HALIFAX.	£27096 10 1
		LUNENBURG.	
	Bonds in hand,		535 16 9
	Amount over-due on the above,	£400 0 0	
	Error in Acc't to credit of Coll'r, 20s.		
		LIVERPOOL.	
	Balance due on Securities in this Office,		72 6 10
	The return of Bonds in hands only show £54 9s. 3d.		
	The Tide Waiter, in addition to a Salary of £60 per annum, charges 5s. per day when actually employed.—This over-charge, amounting to £13, not allowed, and to be accounted for by the Collector.		
		SHELBURNE.	
72 18 1	Balance due per Account,		90 1 4
		BARRINGTON.	
14 16 0	Balance due per Account,	£47 13 0	
	Add error in charging Commission, and		
	Waiter's Fees disallowed,	10 0 3	
	Unpaid balance of 1846,	1 15 10	
			59 9 1
		ARGYLE.	
2 0 2	Balance due per Account,		2 0 2
		YARMOUTH.	
	Balance in Bonds.		129 12 6
		WEYMOUTH.	
12 15 2	Balance per Account,		12 15 2
		WESTPORT.	
	Balance due,		4 16 6
		DIGBY.	
168 0 0	Balance per Account,	£169 2 8	
	Unpaid of Balance due 1846,	180 2 4	
			349 5 0
	Accounts prior to 1846 still unsettled.		
		PARRSBOROUGH.	
	Balance per Account,		54 11 11
	The Balance of £34 14s. 4d. acknowledged last year, has been increased £20 7s. 7d. His Commission charged on amount secured, but not paid over.		

			ANNAPOLIS.		
£130	5	9	Balance per Account,		£242 10 6
			WILMOT.		
66	4	4	Balance per Account,		66 4 4
			CORNWALLIS.		
16	2	5	Balance per Account,		16 2 5
			WINDSOR.		
			Balance due in Bonds,		55 4 1
			MAITLAND.		
			No Account Current.		
			Two half yearly Returns shew Duties		
			collected, 1847,	£228 11 5	
			Balance of Account, 1846, due,	13 16 10	
				<hr/>	
			Cash received by Treasurer,	242 8 3	
				147 15 3	
				<hr/>	94 13 0
			LONDONDERRY.		
			Balance per Account,	£95 10 7½	
			Error in former year's Account not credited,	2 8 10	
			Error in charge of Commission, 1847,	1 15 1½	
				<hr/>	99 14 7
			AMHERST.		
41	0	0	Balance due per Account,	£105 10 11	
			Error in Commission in favor of Col'r.,	3 17 0	
				<hr/>	101 13 11
			PUGWASH.		
			Balance due per Account in Bonds,	£69 18 2	
			Overcharge of Commission,	0 9 6	
			Error in Quarterly Returns,	1 0 0	
				<hr/>	71 7 8
			TATAMAGOUCHE.		
			Balance due per Account,		150 13 8
			No Return of Bonds.		
			ANTIGONISHE.		
			Balance per Account,		Nil.
			GUYSBOROUGH.		
			Balance per Account,	2 6 9	
			The balance of 1845 unpaid,	4 19 8	
				<hr/>	7 6 5
			ARICHAT.		
			Balance per Account,	£118 13 5	
			Deduct short charge of Commission,	4 0 2	
				<hr/>	114 13 3
			The Accounts of late Collector, Mr. Turnbull, are still unsettled, and the Committee recommend that immediate steps be taken to bring them to a close, the balance due appearing to be £522 9s. 10d.		
			PORT HOOD.		
6	0	0	Balance due,		7 8 3
			CAPE-BRETON.		
63	16	4	Balance due,		63 16 4
			L.C. 21		PICTOU.

APPENDIX.

		PICTOU.			
£52	10 0	Bonds in hand,	£767	5 4	
		Due on Judgment,	1485	9 4	
			<hr/>		£2252 14 8
Nothing received on Account of Judgment.					
		TRURO.			
		Balance per Account,	21	18 0	
		Commission overcharged last year,	8	13 8	
			<hr/>		30 11 8
		GUT OF CANSO.			
		Balance per Account,	£47	2 1	
		Overcharge of Commission,	7	9 5	
			<hr/>		54 11 7
					<hr/>
					£31836 11 8

COLLECTORS OF LIGHT DUTIES.

		HALIFAX.		Amt. received.		Due.	
84	1 7	Col'd to 31st Dec. 1847, £1159 10 0	£1075	8 5	£84	1 7	
		LIVERPOOL.					
15	14 0	Collected,	96	18 9	81	4 9	15 14 0
		Balance of 1846, £1 8s paid since 31st Dec.					
		CORNWALLIS.					
1	17 0	Collected,	19	12 4	17	15 4	1 17 0
		PICTOU.					
		Col'd to 30th Sept.,	828	9 4	828	9 4	
		Quarterly Return to 31st Decr. not received, supposed collection,	120	0 0	120	0 0	
		BARRINGTON.					
42	13 4	Collected,	42	13 4			42 13 4
		WEYMOUTH.					
		Collected,	45	1 0	44	12 7	0 8 5
		No Return for last Quarter.					
		PARRSBOROUGH.					
		Collected,	20	14 6			20 14 6
		Balance of 1846 unpaid, £22 12s. 11d.					
		YARMOUTH.					
38	13 2	Collected,	247	12 8	208	12 0	39 0 8
		WESTPORT.					
15	0 0	No Return, supposed, Overcharge former Account, £1 1s.	25	2 3	10	2 3	15 0 0
		SYDNEY.					
79	2 8	Collected,	428	16 8	349	14 0	79 2 8
		CUMBERLAND.					
9	0 0	Collected,	19	5 3	9	10 9	9 14 6
		CANSO, (Currie).					
68	6 8	Collected,	227	0 0			
		Less expense of collection,	158	13 4	68	6 8	
			<hr/>				68 6 8
							ANNAPOLIS.

£10 17 1	Collected,	ANNAPOLIS.	£27 12 11	£16 15 10	£10 17 1
16 8 11	Collected,	CANSO, (<i>Bigelow</i>).	225 6 9	208 17 10	16 8 11
	Collected to 31st Dec.,	ARICHAT.	121 8 9	99 7 0	22 1 9
16 1 8	Collected,	GUYSBOROUGH.	16 8 8		16 8 8
	Collected,	WINDSOR.	137 9 0	137 9 0	
61 10 3	Collected,	WALLACE.	199 0 7	137 10 4	61 10 3
9 16 2	Collected,	DIGBY.	53 16 5	44 0 3	9 16 2
21 15 2	Collected,	ARGYLE.	54 18 2	33 2 6	21 15 8
34 18 3	Collected,	SHELBURNE.	34 18 3		34 18 3
	Collected,	ANTIGONISH.	8 16 8	8 16 8	
	Collected,	LUNENBURG.	34 4 5	34 4 5	
	Collected,	LONDONDERRY.	16 0 8	15 12 6	0 8 2
	No Return.	PORT HOOD.			
	Collected,	MAITLAND	34 14 9	34 14 9	
7 7 3	Collected,	WILMOT, (<i>Stone</i>).	7 7 3		7 7 3
<u>£533 3 2</u>			<u>£4094 6 0</u>	<u>£3516 0 6</u>	<u>£578 5 6</u>

Of the balance due, £578 5s. 6d., 31st Dec., the sum of £533 3s. 2d. has been paid since that date, as noted in the margin. Balance due by the Collectors of Light Duties, as stated in Appendix to Journal, 1847, page 90, £87 2s. 11d.

THE COMMISSIONERS OF LIGHT HOUSES.

The expenditure for the Service, to 31st Dec.,	£5243 16 11
CR.	
By amount received from Treasury,	£3853 8 8
“ received from New Brunswick for half ex-	
pense Seal Island, 1846,	153 12 0
“ received ditto Brier Island, 1846,	100 0 0
“ received Sale of Oil Casks,	35 12 0
	<u>4142 12 8</u>
Balance due Commissioners—since paid,	£1101 4 3

In the above Account there is an overcharge of 25s. in Voucher No. 4—and this sum, £19 10s. for Master of Schr. “Lady Harvey,” not allowed; the Commissioners will credit on their Accounts for 1848, these two items, £20 15s.

LIGHT

LIGHT HOUSES.

To amount annual expense, per Account of Commissioners, for 1847, £5243 16 11

CR.			
By amount received for Light Duties, 1847,		£3516	0 6
“ due by Collectors for 1847,		578	5 6
“ due from New Brunswick for Seal Island, 1847,		141	9 4
“ due from ditto for Brier Island, 1847,		100	0 0
“ contribution for St. Paul's Lights, 1847,		250	0 0
“ “ from Canada for ditto, 1847,		400	0 0
“ proportion from ditto for over-expenditure,		101	4 10
“ contribution for P. E. Island for St. Paul's,		10	0 0
“ proportion for ditto for over-expenditure,		6	1 6
“ received for Oil Casks,		35	12 0
			<hr/>
			5258 13 8
			<hr/>
	Balance in favor of Province,		£14 16 9

CUSTOM HOUSE.

	Sterling.	Currency.
Collected at Halifax to 5th January, 1848,	£24091 17 3	£30114 16 6
“ Outports to ditto,	5805 18 7	7257 8 3
		<hr/>
	£29897 15 10	£37372 4 9
Balance due 5th January, 1847, per former Account		2400 17 9
		<hr/>
		£39773 2 6
Cash paid into the Treasury from Her Majesty's Customs, to 31st December, 1847,		36564 13 7
		<hr/>
		£3208 8 11
Of this sum, £3208 8s. 11d., there has been paid into the Treasury since 31st Dec.,		£2625 0 0

COMMISSIONERS OF SABLE ISLAND.

Their Accounts to 31st December last show a balance due by the Commissioners of		£291 11 6
To which add over-charge of Commission on Sales by Auction of wrecked property 2½ per cent., disallowed by Report of Committee of House of Assembly, 1847, £284 9s. 5d., 2½ per cent.,		<hr/>
		7 3 3
		<hr/>
		£298 14 9

PUBLIC BUILDINGS.

By the Commissioners Accounts the expenditure for the past year has been—		
On Government House,	£1798	5 0
On the Province Building,	320	1 6
		<hr/>
		£2118 6 6
Less appropriated for this service, 1847,		1500 0 0
		<hr/>
Due the Commissioners,		£618 6 6

MARSHAL'S

MARSHAL'S JUSTICE.

Balance due, as reported last year, £59 17 4

FUNDED DEBT.

Amount of Stock Certificates at 5 per cent. interest, £10000 0 0
 " Funded in Savings' Bank at 4 per cent., to 31st Dec., '47, 39800 0 0
 £49800 0 0

PROVINCE NOTES.

Amount in circulation 31st Decr., 1847, £59846 10 0

DR. PROVINCE OF NOVA-SCOTIA, 31st DECR., 1847.

To this sum undrawn on account of Roads and Bridges, as per Abstract, £3063 13 8
 This sum due for other services, undrawn, 10570 7 2
 Amount Funded Debt, 49800 0 0
 This sum due Commissioners Public Buildings, 618 6 6
 Province Notes in circulation, 59846 10 0
 The following sums included in the Treasurer's Balance, as Cash, viz:
 Brig "Joseph," and owners, £400 0 0
 Surveyor General Cape-Breton, 571 2 11
 Fines and Forfeitures Account, 335 13 10
 St. Paul and Scatarie Light House Account, 92 3 3
 Clerk of License Account, 159 1 1
 1558 1 1
 £125456 18 5

CR.

By Cash, balance Treasurer's Acct., Dec. 31, '47, £10923 18 7
 Cash due by Collectors Light Duty, 578 5 6
 " " " " former years, 121 10 10
 Amount of Bonds in Excise Office,
 Halifax, £27096 10 1
 Amount of Bonds, Outports, 4740 1 7
 £31836 11 8
 Deduct probable Drawbacks, 2836 11 8
 29000 0 0
 By due from Canada Light Houses, 1847, 601 4 10
 Due from do. do. do. 491 9 4
 Due from P. E. Island, do. do. 36 1 6
 Due from Marshal's Justice, 59 17 4
 Loan to Dalhousie College, 5000 0 0
 Balance due from Customs 5th Jany., 1848, 3208 8 11
 50021 5 10
 Balance due 31st Decr., 1847, £75436 12 7
 L.C. 22 The

The Committee have given their attention to the Accounts submitted to them, and find those of the Treasury satisfactorily arranged.

The Excise Accounts for the Outports are (with some exceptions, which have been already noted in the Report,) accurately stated. Those from the Office at Halifax are also satisfactory.

The Returns from the Collectors of Light Duty are, in general correct. From the Collector of Parrsborough no remittance has been received on account balance due for 1846, or for the sums paid him during 1847.

The Committee beg again to call the attention of the Legislature to the very expensive mode of collecting the Light Duty at Canso, and would recommend, unless some other course can be adopted, the present system be discontinued.

Committee Room, Halifax, Nova-Scotia.

MICHL. TOBIN, STALEY BROWN, A. KEITH,	} Com. of L. Council.	JAMES D. FRASER, JOHN CAMPBELL, HENRY MIGNOWITZ, THOMAS KILLAM,	} Com. of H. of Assembly.
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APPENDIX No. 25.

(See Page 24).

No. 61.

[COPY.]

Downing-Street, 9th February, 1848.

SIR—

I have to acknowledge the receipt of a letter from Major Robinson, dated Halifax, 16th December, requesting instructions as to the proportion of the expense which should be charged in the Accounts of the Expenditure for the Railway Exploration in British North America, to the Provinces severally interested in that undertaking. And I have to direct you to inform Major Robinson that, taking all the circumstances of the case into consideration, Her Majesty's Government are of opinion, that the most equitable arrangement will be to charge each of the Colonies with one third of the whole expense of the Survey.

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

(Signed)

GREY.

Lieutenant-Governor, Sir JOHN HARVEY, &c. &c.

APPENDIX No. 26.

(See Page 34).

No. 63.

Downing Street, 24th February, 1848.

SIR—

An Act passed by the Legislature of Nova-Scotia, entitled, "An Act to repeal certain Duties of Customs," having been submitted to Her Majesty for Her assent, I transmit herewith, an Order of Her Majesty in Council, dated the 11th instant, assenting to the said Act, and ordering that such assent shall be proclaimed in Her said Province of Nova-Scotia, as soon as may be.

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

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY, &c. &c., Nova-Scotia.

At

At the Court at Buckingham Palace, the 11th day of February, 1848.

P R E S E N T—

THE QUEEN'S MOST EXCELLENT MAJESTY.

&c. &c &c.

WHEREAS, by an Act passed in the Session of Parliament, holden in the Ninth and Tenth Years of the Reign of Her present Majesty, entitled, "An Act to enable the Legislatures of certain British Possessions to reduce or repeal certain Duties of Customs," it is enacted, that if and whenever the Legislature, or other proper Legislative Authority, of any of the British Possessions in America, or the Mauritius, make or pass an Act or Ordinance, reducing or repealing all or any of the Duties of Customs imposed by a certain Act therein referred to, entitled, "An Act to regulate the Trade of the British Possessions abroad," upon any articles imported into such Possession; and if Her Majesty, by and with the advice of Her Privy Council, assent to such Act or Ordinance, such Duties of Customs shall, from the proclamation of such assent in the Colony, or at any time thereafter which may be fixed by such Act or Ordinance, be so reduced or repealed in such Possession, as if such reduction or repeal had been effected by an Act of the Imperial Legislature.

And whereas, an Act has been passed by the Lieutenant-Governor, Council, and Assembly, of the Province of Nova-Scotia, entitled, "An Act to repeal certain Duties of Customs."

And whereas, the said Act has been submitted to Her Majesty for Her assent:

Now therefore, Her Majesty, by and with the advice of Her Privy Council, doth hereby assent to the said Act, and doth order, and it is hereby ordered, that such assent shall be proclaimed in the said Province as soon as may be.

And the Right Honorable the Lords Commissioners of Her Majesty's Treasury, and the Right Honorable Earl Grey, one of Her Majesty's Principal Secretary's of State, are to give the necessary directions herein, as to them respectively may appertain.

(Signed)

WM. L. BATHURST.

APPENDIX No. 27.

(See Page 34.)

No. 64.

Downing Street, 24th February, 1848.

SIR—

Thirteen Acts, passed by the Legislature of Nova-Scotia in the month of March last, having been referred by the Queen in Council to the Lords of the Committee of Privy Council for Trade and Foreign Plantations—that Committee have reported to Her Majesty in Council their opinion, that the said Acts should be left to their operation.

I transmit to you, herewith, an Order of Her Majesty in Council, dated the 11th instant, approving that Report.

I have, &c. &c.,

(Signed)

GREY.

Lieutenant-Governor Sir J. HARVEY, &c. &c., Nova-Scotia.

At the Court at Buckingham Palace, the 11th day of February, 1848.

P R E S E N T—

THE QUEEN'S MOST EXCELLENT MAJESTY.

&c. &c. &c.

WHEREAS, the Lieutenant-Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did, in the month of March, 1847, pass thirteen Acts, which have been transmitted, entitled as follows, viz :

No. 2713. An Act for granting Duties of Impost for the support of Her Majesty's Government within this Province.

No. 2726. An Act to prevent obstructions to the Ferry across the Harbour of Halifax.

No. 2730. An Act to continue and amend the Acts concerning Goods exported, and for granting Drawbacks.

No. 2732. An Act to continue and amend the Acts for regulating the Importation of Goods.

No. 2733. An Act to continue and amend the Acts for the general regulation of the Colonial Duties.

No. 2742. An Act to continue and amend the Acts for the Warehousing of Goods.

No. 2743. An Act to regulate the Harbour of St. Mary's.

No. 2751. An Act to amend the Acts to regulate the Pilotage of Vessels at Sydney, Cape-Breton.

No. 2770. An Act to continue and alter the Act to Incorporate the Bank of Nova-Scotia, and the Act in amendment thereof.

No. 2777. An Act to repeal the Acts for preventing persons leaving the Province without a Pass.

No. 2786. An Act to continue the Act for granting a Colonial Duty of Impost for the support of Her Majesty's Government within this Province, on Flour and Molasses, in certain cases.

No. 2795. An Act to continue the Acts for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture and Fisheries thereof.

No. 2803. An Act to continue and amend the Acts to regulate the Pilotage of Vessels at the Port of Halifax.

And whereas, the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations ; and the said Committee have reported, as their opinion to Her Majesty, that the said Acts should be left to their operation.

Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report—whereof the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

WM. L. BATHURST.

APPENDIX No. 28.

(See Page 35.)

[copy.]

Nova-Scotia, No. 67.

Downing Street, 24th February, 1848.

SIR—

I have the honor to transmit for your information and guidance, the accompanying copies of two Letters addressed to this Department by desire of the Lords Commissioners of the Treasury, on the subject of the Customs Establishments, which it will be necessary to maintain in those of Her Majesty's Colonies in which the Legislatures have availed themselves of the power given by the Imperial Act 9 and 10 Victoria, Cap. 94, for the repeal of the Differential Duties on Foreign Goods.

I have to instruct you to bring this subject under the consideration of your Executive Council, with the view to the adoption of such measures as may be advisable for carrying the intentions of Her Majesty's Government into effect, as far as they relate to the Colony under your Government.

You will not fail to notice the suggestion offered by the Lords of the Treasury, that the Officers about to be appointed at the Out Stations, should be afforded all practicable accommodation in the buildings occupied by the Provincial Revenue Officers; and also that provision should be made for the payment of the Salaries and expenses of the present Customs Establishment, from Colonial Funds, for such period as may be necessary for the adjustment of the accounts connected with the repealed Duties.

I have, &c. &c. &c.,

(Signed)

GREY.

Lieutenant-Governor Sir JOHN HARVEY, K. C. B., &c. &c.

Treasury Chambers, 19th February, 1848

SIR—

I am commanded by the Lords Commissioners of Her Majesty's Treasury, to acquaint you, for the information of Earl Grey, that their Lordships have given directions for the revision of the Establishment under the Board of Customs in Nova-Scotia and New Brunswick, on the principles explained in the Minute which accompanied the Letter from this Department to Mr. Hawes, of the 4th ult.

I am at the same time to transmit for Lord Grey's further information, statements of the Officers that will be retained in the service of the Customs in these Provinces; and adverting to the maintenance, with a view to the accommodation of Colonial Trade, of Officers, at so many Out Stations, I am to request that you will suggest to Earl Grey, that the respective Colonial Governments should be called upon to make any practicable arrangements for affording these Officers such office room as they may require, in the buildings occupied by the Provincial Revenue Officers; and likewise, that the instructions suggested in the above mentioned Letter of the 4th ult., in regard to the Comptroller being furnished by the Colonial Officers with documentary or other information, may be given in the instances now in question.

I am also to request the attention of the respective Lieutenant-Governors may be called to the provision that should be made for continuing the payments hitherto made from the Colonial Funds, for the Salaries or other expenses of the present Customs Establishment, for such reasonable period as may be necessary for the

adjustment and closing of Accounts, and transactions connected with the collection of the repealed Duties.

I am, &c. &c. &c.,
(Signed)

H. MERIVALE, Esq., &c. &c. &c.

C. E. TREVELYAN.

Statement of Establishment in New Brunswick under the Board of Customs, after the repeal of the Imperial Duties.

ST. JOHN.

Comptroller of Customs and Navigation Laws,	£500	0	0	
One Clerk,	200	0	0	
One do.	150	0	0	
One Superintending Officer of Imports,	300	0	0	
One ditto., and to act as Clerk,	150	0	0	
				£1300 0 0

The last two Officers to assist generally in the Comptroller's Department when necessary.

ST. ANDREW'S.

Comptroller of Customs and Navigation Laws,	250	0	0	
One Searcher and Clerk,	150	0	0	
				400 0 0

MIRAMICHI.

Comptroller of Customs and Navigation Laws,	200	0	0	
One Searcher and Clerk,	100	0	0	
				300 0 0
Dorchester, Controller of Customs and Navigation Laws,				120 0 0
Richibucto, do. do.				120 0 0
Dalhousie, do. do.				100 0 0
Bathurst, do. do.				100 0 0
Campobello, do. do.				120 0 0
Magagandarie, do. do.				100 0 0
St. Stephen's, do. do.				100 0 0
				£2760 0 0

Statement of Establishment in Nova-Scotia under the Board of Customs, after the repeal of the Imperial Duties.

HALIFAX.

Comptroller of Customs and Navigation Laws,	£500	0	0	
One Clerk,	200	0	0	
One do.	150	0	0	
One Superintending Officer of Imposts,*	300	0	0	
One do., to act as Clerk,*	150	0	0	
				£1300 0 0

*These two Officers to assist generally in the Comptroller's Department when necessary.

PICTOU.

Comptroller of Customs and Navigation Laws,	£250	0	0	
One Searcher and Clerk,	150	0	0	
	<hr/>			£400 0 0

LIVERPOOL.

Comptroller of Customs and Navigation Laws,	200	0	0	
One Searcher and Clerk,	100	0	0	
	<hr/>			300 0 0

YARMOUTH.

Comptroller of Customs and Navigation Laws,	200	0	0	
One Searcher and Clerk,	100	0	0	
	<hr/>			300 0 0

Lunenburg,				150	0	0
Windsor,				150	0	0
Cornwallis,				150	0	0
Digby,				120	0	0
Annapolis,				120	0	0
Parrsborough,				120	0	0
Guysborough,				120	0	0
Shelburne,				100	0	0
Barrington,				100	0	0
Argyle,				100	0	0
New Edinburgh,				100	0	0
Cumberland,				100	0	0
Wallace,				100	0	0

CAPE-BRETON.

Collector of Customs and Navigation Laws,	£250	0	0	
Seacher and Clerk,	150	0	0	
One Superintending Officer at Arichat,	100	0	0	
	<hr/>			500 0 0
				<hr/>
				£4330 0 0

[COPY.]

Treasury Chambers, 4th February, 1848.

SIR—

I am commanded by the Lords Commissioners of Her Majesty's Treasury, to transmit to you a copy of their Lordships Minute of the 24th ultimo, upon the subject of the Customs Establishments to be maintained in the Islands of Saint Vincent, Saint Lucia, and Prince Edward, upon the repeal of the Impost Duties levied under the British Possessions Act, with copy of a Memorandum shewing the principal duties which the Officers of the Imperial Customs will now have to perform, and of an abstract of the Laws for regulating the trade of the British Possessions abroad, in order that they may be submitted to Earl Grey for His Lordship's information, with respect to the directions which it has appeared to the Lords Commissioners to be advisable to give for the reduction of the Customs Establishments in the Colonies in which the Legislative authorities have availed themselves of the powers given by the Imperial Act of 9 and 10 Victoria, Cap. 94, for the repeal of the Differential Duties on Foreign Goods, and with a view to provide, at the same time, for the due execution of the other services with which the Officers under the Board of Customs will be charged in those Colonies.

Adverting

Adverting to that part of the Communication which the Lords Commissioners have directed to be made to the Commissioners of Customs, (by their Minute, of which a copy is annexed), upon the subject of the information to be furnished to the Comptrollers by the Officers employed in the collection of Colonial Duties, their Lordships desire me to request that you will move Lord Grey to convey such instructions to the Officers in charge of the Governments of those Colonies in which the new arrangements are to be carried into effect, as will, in consideration of the entire relief of such Colonies from all further charge in respect of the Imperial Customs Establishments, make it imperative upon the Colonial Receivers of Duties, and all other Colonial Officers, to furnish the Comptrollers about to be appointed with all such Returns, copies of Documents, or other information as may be necessary for the compilation of Accounts and Returns required by the Imperial Government, or Parliament.

With respect to the Saint Vincent Tonnage Duty—as the object for which it was originally imposed will now cease—the Lords Commissioners suggest that it might be left for the Local Legislature to determine, whether the collection of it should be discontinued or not.

I am, &c. &c. &c.,
(Signed) C. E. TREVELYAN.

Copy of Treasury Minute, dated the 24th December, 1847.

My Lords have before them the Report from the Commissioners of Customs, No. 1560, dated the 16th September last, transmitting a Schedule of the existing Customs Establishments in the Islands of Saint Lucia, Saint Vincent, and Prince Edward, with a statement of the Establishment, which will, in their opinion, be sufficient, when the several Colonial Enactments, repealing the Duties of Customs collected under the provisions of the Imperial Act of 8 & 9 Vic. cap. 93, shall come into operation in those Islands. My Lords have also before them the Report, No. 1739, dated the 25th October last, setting forth that the Royal assent to the Colonial Act repealing the Imperial Duties of Customs in Prince Edward's Island, was proclaimed on the 28th September, 1847, from which day the collection of those Duties would cease; and no funds, consequently, would be available from that period for defraying the Salaries of the Officers on the Establishment, or of the incidental expenses thereof.

The Commissioners detail the instructions which they have issued for the guidance of their Officers until further orders, and solicit early directions upon the subject generally, especially as to the mode in which the expenses of the Departments, not only at Prince Edward's Island, but at Saint Lucia and Saint Vincent's, are to be defrayed; and the Officers (who will become redundant) to be disposed of.

My Lords have also before them the further Report, No. 1841, dated the 13th November, 1847, setting forth that the Ordinance of the Government of Saint Lucia, repealing the Duties collected under the Imperial Act of 8 & 9 Vict. cap. 93, came into operation on the 27th of last September, and that neither the services of the Collector of Customs at St. Lucia, nor those of any of the Imperial Customs Establishment, would be required in aid of the collection of the Colonial Revenue of that Island.

My Lords have also before them the several Orders in Council of the 10th of August last, signifying Her Majesty's assent to the Acts passed by the Legislature of Saint Lucia, Prince Edward's Island, and Saint Vincent's, pursuant to the provisions of the Act of the Imperial Parliament of 9 & 10 Vict. cap. 94, for the repeal

repeal of the Impost Duties levied in those Colonies respectively, under the authority of the Imperial Act for regulating the Trade of the British Possessions abroad.

My Lords also refer to the statements submitted in the Report of the Commissioners of Customs, of the 22d of May last, of the various functions which will remain to be executed by the Officers under their direction in the Colonies, irrespective of the collection of the above mentioned Impost Duties, and notwithstanding their repeal.

My Lords concur in the suggestion of the Commissioners of Customs, that for the performance of these functions, an Officer with due authority from the Commissioners, should be stationed in each Colony, with the designation of "Comptroller of Customs and Navigation Laws"—and that it should be the duty of this Officer to attend to the due observance of all provisions of the Imperial Laws relating to the intercourse of Foreign Shipping; to the Importation of Foreign Goods; to the Registry of British Shipping; to the Returns of all Vessels entering inwards and outwards, whether British or Foreign; and to the issue of any requisite Certificates of Clearance, and of origin of produce, or otherwise, in order to the admission of Goods either into the United Kingdom or to other British Possessions: also to prepare and transmit the various Periodical Returns relating to Navigation and Trade, required for the information of Parliament: also to see that the provisions of the Passengers' Act, and of the Act relating to Merchant Seamen, are duly conformed to; and to perform any duties assigned to Officers of the Customs under the Slave Trade Abolition Act, or which have been otherwise devolved on those Officers, except as regards collection of the repealed Impost Duties.

Although my Lords conceive that a very material portion of the occupation of the Officers to be retained in the Colonies, to which the provisions of the Act before mentioned of 9 & 10 Victoria apply, will have reference to the privileges and relaxations of the Law accorded on the application; and for the convenience of Traders in the Colonies, by the establishment of Free Ports, and the arrangements for Free Warehousing, they are nevertheless prepared to authorize the payment out of the General Revenue of Customs of such charges for maintaining these Officers as may not be defrayed from monies accruing to the Crown at the several Stations, and to dispense with further contribution for this purpose from Colonial Funds, except where the Officers are employed under Colonial Laws for the collection of Colonial Duties, or for other local objects. But, at the same time, in authorizing this arrangement, as regards existing Free Ports, my Lords deem it necessary to observe, that in the event of any further extension of these privileges being applied for under the present state of the Law, it will be incumbent on the Colonial Governments to provide for the expense of any additional assistance to the Comptrolling Officer, that such extension may render necessary.

My Lords presuming that the Colonial Acts for the repeal of the Possessions Act Duties will have come into operation at St. Vincent's, as well as at Prince Edward's Island, and Saint Lucia, have had under consideration the arrangements required for carrying the intentions above signified into effect, and are pleased to authorize the appointment, at those Stations, of the following Officers, in lieu of the Officers under the Board of Customs heretofore employed there, viz:

For the Island of Saint Lucia.

One Comptroller of Customs and Navigation Laws,	£250
One Clerk and Searcher,	150

At Prince Edward's Island.

One Comptroller of Customs and Navigation Laws,	250
One Clerk and Searcher,	150

At Saint Vincent's.

One Comptroller of Customs and Navigation Laws,
One Clerk and Searcher,

£300
150

Transmit copy of the foregoing Minute to the Commissioners of Customs, desiring, with reference thereto, that they will select, without delay, either from the Establishments of their Department in the above mentioned Islands, or from those in any neighboring Colonies in which steps have been taken for the repeal of the Possessions Act Duties, such parties (being already in the receipt of Salaries equivalent to the rates it is now proposed to assign to the new offices before specified of Comptrollers and Clerks), as they may consider duly qualified to fill the same, submitting their names for my Lords approval, and that they will furnish such Officers with all necessary instructions for their guidance, as regards the duties which will now devolve on them.

Further desire the Commissioners will recall all other Officers of their Establishments at the three Stations in question, and that they will report to my Lords, as regards such of them as may not be engaged, or retained in the service of the Colonial Governments, what title the parties may have to superannuation, or to redundant allowance, or gratuity, on the reduction of their several offices. Likewise state that my Lords will be prepared to authorize the payment out of the general Revenue of the Customs, of any balances of Salary which may become due to the reduced Officers after the period at which the collection of the Possessions Act Duties shall have ceased, and all Accounts and other business relating to them shall have been settled, which the provision heretofore made for meeting the expenses of the Department at each of the respective Stations, may not furnish the means of defraying.

Further acquaint the Commissioners that my Lords will move Her Majesty's Secretary of State to convey such instructions to the Governors of those Colonies to which Comptrollers of Navigation Laws may be appointed, as will ensure these Officers being furnished by the Officers employed in the collection of Colonial Duties with any information or assistance which may be necessary for the compilation of the Returns they are required to make out, or for the due performance of the other services entrusted to them.

Also acquaint the Commissioners that my Lords will request the Secretary of State to apprise the Officer in charge of the Government of Saint Vincent, that on the reduction of the Customs Establishment, the Colonial Tonnage Duty can no longer be collected by the Officers of that Department, in order that such other provision may be made in that respect as the Colonial Legislature may think fit.

APPENDIX A.

Memorandum of the Laws for regulating the Trade of the British Possessions abroad.

The Act by which the Trade of the British Possessions in North America, or the West Indies and the Mauritius, is more immediately regulated, is the 8th & 9th Victoria, Cap. 93, entitled, "An Act to regulate the Trade of the British Possessions abroad." Certain provisions of the Navigation Act of the 8th & 9th Victoria, Cap. 88, as well as of the Registry Act of the 8th & 9th Victoria, Cap. 89, also apply to those Possessions.

And the Act for the general regulation of the Customs of the United Kingdom, of the 8th & 9th Victoria, Cap. 86, immediately bears on the said Possessions, inasmuch as the latter Act requires that in various instances Goods shall be accom-
panied

panied to this country by Certificates and other Documents, to be granted by the Officers of Customs who have been appointed for the purpose of carrying into effect the British Possessions Act of 8th & 9th Victoria, Cap. 93.

In the event of the Duties of Customs imposed by the last mentioned Act being abolished, it will be necessary to consider in what manner the duties at present performed by the Officers of Customs for Imperial purposes shall in future be executed; and it may be proper therefore, in the first instance, for the sake of perspicuity, to classify under separate and distinct heads the principal objects contemplated to be attained by the Act of 8th & 9th Victoria, Cap. 93.

1st—The powers of the Crown.

The Queen is empowered to issue Orders in Council for regulating the Trade and Commerce of the British Possessions on or near the Continent of Europe, or within the Mediterranean Sea, or in Africa, or within the limits of the East India Company's Charter, excepting the Possessions of the said Company.

The Crown has the power of appointing Free Ports, *i. e.* of declaring what Ports are free to carry on Trade with Foreign Countries.

The Crown has the sole power of declaring, by Order in Council, the Ships of what Foreign Countries are entitled to the privileges of the Navigation Act, whereby they are permitted, under certain restrictions, to Trade with the British Possessions.

The Crown, by Order in Council, can exempt certain articles from Duty.

The Crown is empowered, by Order in Council, to constitute Free Ports to be Warehousing Ports.

These several Orders emanating from the Crown, are now enforced in North America and the West Indies by the Imperial Officers of Customs.

The second object contemplated by the Act of 8th & 9th Vict., Cap. 93, is the levying and imposing the Duties of Customs; upon those Duties ceasing, the Officers employed in collecting them would not be required for that special purpose.

The third object contemplated, may be divided into three heads:

1st—The prescribed Regulations for the entering of Vessels and Goods inwards and outwards.

2nd—The prescribed Regulations in regard to the Internal Trade of British North America; and the

3rd—Lays down the Warehousing Regulations.

Under any circumstances, it is apprehended that the Regulations contained under heads two and three, would be carried into effect by the Colonial Officers, except so far as enforcing the provisions of the Navigation Law at the Ports of Quebec and Montreal.

With respect to the first head, if it is intended for the purpose of enforcing the Navigation Act, the Registry Act, and other Imperial Acts, as well as of compiling Statistical statements of Trade and Revenue, to employ Imperial Officers, they must be furnished with the Ship's Report, inwards and outwards, as well as the Bill of Entries for Goods, as at present.

The fourth object contemplates and provides for the granting of various Certificates, to be furnished by the Imperial Officers, to be produced in this Country, and in the British Possessions abroad, upon the arrival of Vessels and Goods, to entitle them to certain advantages.

The 22nd and 23rd Sections of the Act requires that all Vessels clearing from the Colonies shall, under certain pains and penalties, carry a Certificate of Clearance.

And the 4th and 36th Sections of the Regulation Act of 8th & 9th Vict. Cap. 86, required that the Manifest to be produced in this Country shall be certified by the Imperial Officers of Customs in the Colonies; and enacts that no Goods coming

coming from the Colonies shall be deemed to be such, or entitled to any advantage, unless accompanied by Certificates of Clearance.

The 24th, 25th, and 26th Sections of the British Possessions Act of 8th & 9th Vict., Cap. 93, enacts, that Vessels laden with Timber, coming from North America, with deck loads, shall be accompanied by certain Certificates from the Clearing Officers, under certain penalties, recoverable in the United Kingdom.

The 27th Section of the same Act, and the 14th Section of the Duty Act, 8th & 9th Vict., Cap. 90, requires that the produce of the State of Maine, coming down the St. John's, shall be accompanied by special Certificates of Clearance, in order to entitle such produce to be deemed, upon arrival in any part of Her Majesty's Dominions, to be the produce of New Brunswick.

The 28th Section of the British Possessions Act provides that Ships cleared from Newfoundland, or from any part of Her Majesty's Dominions, for the Fisheries of Newfoundland, the Master, upon being furnished with a special Certificate from the Port of Clearance, shall be exempt from entry or clearance from any Custom House in Newfoundland during the fishing season.

The 41st Section enacts, that before Sugar, Coffee, Cocoa, or Spirits, can be exported from the West Indies, proof must be given that they are the produce of the particular Island, whereupon the Collector is required to grant a Certificate of production; and under the 38th Section of the Regulation Act of the 8th & 9th Vic., C. 86, the Certificate of production must be produced in the United Kingdom, to enable the articles to be entered as British produce.

The fifth object contemplated is to create jurisdiction for hearing causes, and enforcing penalties.

Most of the Clauses under this head prescribe the mode to be observed in suing for penalties, and obtaining condemnation of Goods smuggled into the Colonies: when duties cease, many, if not most of the Clauses, would, to a certain extent, be inoperative.

The sixth object contemplated embraces matters of a miscellaneous nature.

The 38th Section of the British Possessions Act enacts that Goods imported from the United Kingdom must be accompanied by cockets.

The Regulation Act requires that the cocket shall be taken out in the United Kingdom.

The 39th Section enacts that no Goods, upon importation into the British Possessions, can be deemed to be the produce of the United Kingdom or a British Possession, unless imported from the United Kingdom or a British Possession.

The seventh object contemplated by the British Possessions Act, is to prohibit and restrict the importation of certain Goods.

The 6th Section sets forth a Table of Prohibitions and Restrictions.

The 9th Section prohibits the importation of Books wherein Copyright subsists.

The 10th Section prohibits the importation of Goods of Foreign manufacture, with British marks. In order to carry these prohibitory clauses into effect, it will be necessary that an examination to a certain extent must be made, as at present, by the Imperial Officers of Customs, although there would be no Imperial Duty to collect.

The eighth object is to prescribe the powers and jurisdiction of the Commissioners of Customs.

The 17th Section of the Act prescribes the mode and manner in which monies and duties should be levied, and places them under the management of the Commissioners of Customs.

And the 30th Section empowers the Commissioners of Customs to declare Trade between neighboring Colonies a Coasting Trade.

The Navigation Act of 8th & 9th Vic., C. 88, imposes at present many duties upon the Imperial Officers of Customs.

1st—They must see that the Foreign Ship can legally trade with the British Possessions.

2nd—They must take care that no Goods prohibited by Law of Navigation shall be imported.

3rd—They must take care that Foreign Ships shall not carry Goods from one British Possession to another.

4th—They must ascertain that British Ships are duly navigated.

5th—That Foreign Ships are of the prescribed legal build, and that they are all duly navigated.

6th—They must take care that British Ships are navigated by a British-born Master and Seamen, in the manner prescribed by Law.

7th—They must take care that no British Registered Ship shall be suffered to depart, unless duly navigated.

The Sections in the British Possessions Act of 8 & 9 Vic., Cap. 93, adverted to in No. 5, prescribes the mode of suing for penalties incurred under the Navigation Act.

If the Imperial Officers are to continue to administer the Navigation Law in all its details, they must have the Ship's Reports, and every other relative document, to enable them to proceed in their examination, as at present.

The Registry Act of 8 & 9 Victoria, Cap. 89, imposes many most important duties upon the Imperial Officers of Customs, and for which adequate provision must be made, with the due enforcement of its provisions.

The penalties and forfeitures incurred under the Registry Act, must be sued for, and recovered in the same manner as for breaches of the Navigation Act.

The Passengers' Act imposes many and special duties upon the Imperial Officers of Customs.

The Corn Law Acts require the production in the United Kingdom of certain Certificates to be granted by the Officers of the Imperial Customs in the Colonies.

The Merchant Seamen's Act of the 7th & 8th Victoria, Cap. 112, imposes many important duties upon the Officers of Customs in the Colonies.

The Slave Trade Laws also impose certain duties on Officers of Imperial Customs in the British Possessions abroad.

APPENDIX B.

Memorandum shewing the principal duties which the Comptroller of Customs and Navigation Laws, and the Officers acting under his orders in Nova-Scotia, would have to execute under the present proposition.

1st—The enforcement of the provisions of the Navigation Law which restrict the Exportation of Goods from the United Kingdom to the British Possessions, and the carrying of Goods from one British Possession to another, or from one part of such Possession to another part thereof, to British Vessels; and also confines the Importation of Goods into such Possessions in Foreign Vessels to the produce of the Countries to which such Foreign Vessels may belong.

The Navigation Law defines the qualifications which constitute a British and a Foreign Vessel respectively, to which the Officers would have to direct their attention.

2nd—To issue Certificates of Registry to all British built Vessels owned at the respective Ports, seeing that the provisions of the Act are first duly complied with. To record the Bills of Sale for, and Mortgages on, such Vessels. To endorse on the Certificates all changes of the Masters thereof; and record the name of the Vessel

Vessel to be registered at the Port, and if not there registered, to give notice of the change to the proper Officers—and in certain cases to cancel Certificates of British Registry.

To make Quarterly Returns of all these several particulars to the Registrar General of Shipping in London.

3rd—To furnish that Officer with the names, country, and tonnage of all Vessels entering inwards and outwards—the places from which they arrive, or to which they depart—the names of the Masters—the numbers of men employed in navigating each Vessel; and in the case of British Vessels, the Port at which each Vessel is Registered, with the year and number of the Certificate.

8 & 9 Vic., C. 93.

Sec. 2.

Sec. 4.

4th—The enforcement of the various provisions of the Act regulating the Trade of the British Possessions abroad, as respects the Importation of Goods, and Places not “Free Ports.”

Also as respects Goods Imported in Foreign Vessels, under the several Orders in Council, which permit certain Foreign Countries only to trade with such Possessions.

Sec. 6, 9 & 10.

Sec. 22.

Sec. 23.

To see that the “prohibitions and restrictions” in respect to Goods are duly observed. To issue Certificates of Clearance to all Vessels departing the Port, whether laden or in ballast, and if laden, to certify in such Clearance whether the Goods be the produce of the Province of Nova-Scotia, or of any other British Possession, or of the United Kingdom, in order to entitle such Goods to the privileges attached to those characters when imported into any other British Possession, or into the United Kingdom; and in case of Goods cleared from the United Kingdom, to certify the Manifest agreeable to the 4th Section of 8th & 9th Victoria, Cap. 86.

Sec. 27, 41, 42.

To receive Declarations and issue Special Certificates in respect to certain Goods upon their Exportation to the United Kingdom, or to any British Possession.

Sec. 24, 25 & 26.

5 Vic., Sess. 2, Cap.

14, Sec. 5.

To grant Certificates as to Deck Loads.

5th—To receive Declarations and issue Special Certificates in respect to Corn.

6th—To make the following Quarterly Returns to the Inspector General of Imports and Exports:

A. The total number and tonnage of all Vessels arriving from each Country—the number of men employed in navigating them, distinguishing British Vessels from Foreign.

B. The quantities and value of all Goods imported in British Vessels—such Goods arranged in alphabetical order, and the Return divided into Sections to shew the Countries from which they are imported.

C. A similar Return of Goods imported in Foreign Ships.

D. A Return of the number and tonnage of Vessels outwards.

E. The quantities and value of Goods exported in British Vessels.

F. A similar Return of Goods exported in Foreign Vessels.

Returns D. E. & F. to correspond with the particulars required in A. B. & C.

7th—To compile the Returns of Tonnage, &c., of Imports and Exports, for the Blue Book which is annually laid before Parliament.

5 & 6 Vic., C. 107.

7 & 8 Vic., C. 112.

8th—To see that the provisions of the Passengers' Act are duly observed.

9th—To take care that the Act relating to the Merchant Seamen be duly observed.

3 & 4 Wm. 4, C. 113.

10th—The Officers of Customs are also required to perform some important duties under the Consolidated Slave Trade Abolition Act.

APPENDIX No. 29.

(See Page 41.)

Observations on a Bill, entitled, An Act to render the Judges of the Supreme Court, and the Master of the Rolls, independent of the Crown, and to provide for their removal.

The first clause of the Bill enacts that these Judges shall, in future, hold their offices during good behaviour, and not during the Royal Pleasure, as heretofore.

The second clause provides that it may be lawful for the Governor to remove any Judge or Master of the Rolls upon the Address of the Legislative Council and House of Assembly; and in case any Judge so removed shall think himself aggrieved thereby, he may appeal within six months to Her Majesty, in Her Privy Council; and such removal shall not be final until determined by Her Majesty in Privy Council.

This Bill, which professes to have the independence of the Judges for its object, will, I fear, practically render them very dependent upon the Local Government.

It may be said that it merely follows the 1st Geo. 3, C. 23, which, while it provided for the independence of the Judges in England in the first clause, rendered them removable upon the Address of both Houses of Parliament in the second.—But the independence of the Judges in that great Country could be little affected by such a provision. There was no danger that such bodies as the Houses of Lords and Commons would ever be influenced by personal prejudices or private animosities in such cases; and well must that Judge deserve to be removed from the Bench whose conduct could rouse the Lords and the Commons of England to unite in calling for his dismissal.

It will, doubtless, also be urged, that the Legislature of this Province, when they passed an Act in the year 1789 (29 Geo. 3, C. 12) to render the Puisne Judges independent, by rendering their Salaries permanent, instead of depending, as they had previously done, upon an annual vote—also provided that those Puisne Judges might be removed upon the Joint Address of the Council and Assembly. But the construction of the Council of that day was very different from that which has recently been created. The Chief Justice was ex officio President of that Council—some of the Judges almost invariably had seats at that Board—and none of its Members owed their appointments to any influence of the House of Assembly. I wish not to be understood as expressing any preference for that system over the present. I merely state the fact, in order to shew that the Puisne Judges, while they acted with integrity, had little cause to apprehend that two such distinct bodies would combine to deprive them of their offices.

But since the new system has been introduced, under which the reins of the Provincial Government are placed in the hands of those who can command a majority in the House of Assembly, all vacancies in the Legislative Council will, of course, be filled from the ranks of the prevailing party; and, therefore, no party will remain long in power, without acquiring a majority in both branches. If, then, a Judge, in the conscientious discharge of his duty, should render himself obnoxious to the Local Government, there might be little difficulty in obtaining an Address for his removal—which he could only counteract by the ruinous expense in which an appeal to the Queen in Council would involve him, at a time when his income would be in abeyance.

These fears will not appear groundless to those who are acquainted with the state of society in the Colonies.

The Legislative Council, increased as it now is, to the greatest number that has ever been named (twenty-one), is still a small body, in which eleven constitutes a majority. The House of Assembly consists of fifty-one Members, of which twenty-six

ty-six form a majority—consequently the union of thirty-seven persons can remove a Judge,—nor should such union be deemed chimerical. The Judges, by the strict discharge of their duty, may render themselves very liable to having such an union formed against them. In the present House of Assembly one-fourth of its Members are practising Lawyers, who must continually be brought into collision with the Judges.—Many other Members are engaged in Trade throughout the Province—a class of men whose business frequently brings them into Court, and who, when unsuccessful, are not unnaturally displeased with the Judge who decides against them; for although the successful Lawyer and his Client may not feel, and ought not to feel, obliged to the Judge who gives an honest decision in their favor. The opposite party, who has viewed his own case more favorably than the Judge has done, is often too apt to indulge feelings of personal dislike, and to attribute to prejudice what has proceeded from principle.

There is another cause which might operate upon a party just come into power, and that is the desire to place some of their own professional adherents on the Bench; but as the Judges do not hold their offices upon a political tenure—the vacancies which the course of nature may occasion, might not occur with sufficient celerity to meet their wishes—a Bill of this nature might accelerate the accomplishment of them; for whenever any Judge incurred the displeasure of any influential Member of the Government, a foe might be punished, and a friend provided for, under its provisions.

I trust that I shall not be deemed to be bringing forward unseemly accusations, or attributing improper motives to the party now in power: my observations are applicable to all parties. Those who have introduced this Bill, have, apparently, precedent to guide them; and, I doubt not, feel themselves justified in the course they are pursuing. I am merely looking upon human nature as those who have had long experience in life know it to be; and I wish respectfully to point out to His Excellency that those apparent precedents do not justify the measure in the existing state of things, and that the consequences I have suggested may possibly occur.

I feel more justified in doing so, from the effect that it may have upon the office which I have the honor to hold. The Chief Justice did not come within the Act of Assembly of 29, Geo. 3.; it extended to the Puisne Judges only. The present Bill embraces all the Judges. For the reasons which I have ventured to state, I humbly think that the desire of the supporters of this Bill to render the Judges really independent, would be more readily accomplished by releasing the Puisne Judges of the Supreme Court from the liability of removal, under the 29, Geo. 3, instead of extending that liability to the Presiding Judges in the Courts of Law and Equity, who were not before subject to it.

It appears to me to be a very delusive mode of establishing that independence, by removing the power of dismissing them from the Ministers of the Crown in England, whose influence they have never felt nor feared, and placing it in the hands of the Local Legislature, with whose members they are brought into frequent collision, and who must, to a certain extent, be under the influence of the Local Government for the time being.

Wherever the love of liberty prevails, it has ever been the desire to preserve the Tribunals of Justice from the influence of those who were in power. It is of little consequence through what channels that power has been acquired; if the possessors of it can work upon the hopes or fears of the dispensers of the Law, their independence is diminished, if not destroyed.

I fully admit, however, that if the Judges are in future to hold their offices during good behaviour, and can no longer be removed at the pleasure of the Crown, it is indispensable that some means of removing them, in cases of misconduct, should be provided.

In such cases justice would seem to require that specific charges should be preferred against them, before some Tribunal constituted for the purpose, where the accusers and the accused might meet each other in the usual manner; nor can I think it impossible to find the means of creating a Tribunal capable of discharging that solemn duty.

This Bill neither requires specific charges, nor provides for hearing the party accused; and should it ever be acted upon during the prevalence of strong party spirit, the Judges of the Land might be sacrificed to its influence, and condemned unheard, when they had ample means of justifying their conduct.

Having attained my 74th year, my professional career must, ere long, draw to a close, and I therefore trust that His Excellency will give me credit when I state that I do not feel influenced by any personal interest in making these remarks: they have been suggested by a serious apprehension that if this Bill becomes a Law, it may deprive the Country of the inestimable blessing of Tribunals in which justice can be fairly and fearlessly administered.

BRENTON HALLIBURTON,
Chief Justice of Nova-Scotia.

Halifax, March 22nd 1848.

Halifax, 24th March, 1848.

SIR—

In compliance with your Excellency's desire, expressed in your note to me of this date, I beg to make the following observations upon the Bill touching the judicial tenure in this Colony:

That Judges should hold their office so long only as they act uprightly—that a mode of removing those who do not so act should exist—that Judges should not be exposed to fear or hope in the exercise of their responsible duties, are axioms recognized in every free State.

And it would seem to me, that while Representative Institutions are in a state of progressive development in a Colony whose Constitution depends upon the Royal Commission and Instructions, it is difficult to conceive any Tribunal for the trial of a Judge more free from defects, than that of so high and responsible a functionary as a Secretary of State, aided when he thinks fit to refer to it, by the Judicial Committee of Her Majesty's Privy Council. A case of recent occurrence forcibly exemplifies the facility with which that Tribunal can be adapted to effect its office. I allude to that of the Chief Justice Reddie. I am not aware of any Colony (except that of Canada, which has a population of a million, rapidly increasing, spread over a broad surface, and which is protected by a Parliamentary Constitution), in which a Law, similar to that submitted for my observations by your Excellency, has been sanctioned by the Parent State. I know that no such Law is in operation in New Brunswick.

One of the principal dangers to be apprehended from this Bill becoming Law, is the extravagant expectations which that clause of it that provides for the removal of the Judges, by a joint Address of the two branches of the Legislature, has a tendency to excite, and has in fact already excited. The Bill is regarded by many as a measure by which public opinion (as to the demerits of a Judge), can be brought into effective operation—as a mode by which his loss of public confidence may be made to affect him in the same manner as a vote of want of confidence operates on the Executive Government. I am quite aware that this is not the object of the promoters of this Bill; but the progress of popular sentiment is very rapid

in a new Country, and small Communities are exposed to influences from which large ones are exempt

To obviate such tendency, (if this Bill should pass into a Law), I think the Addresses should contain the specific offences wherewith a Judge is charged. Justice itself demanding that a man, who, in the *first instance*, is to suffer the penalty of crime, and allowed to appeal from the procedure whereon it has been inflicted, should know for what he has endured punishment. Another consequence, no less injurious, is to be apprehended from the same clause; however, it may be improved.

When I was a Member of Lord Falkland's Government—in the early part of his Administration—I was one of six Solicitors in daily practice in the Court, over which, as Master of the Rolls, I now preside. To the Judge who was then at its head, we were amenable. It is obvious that a measure which will virtually place the fate of a Judge in the hands of those who habitually practice before him, must be of an evil tendency. Nor is this objection to be confined to professional men. Non-professional men, filling the highest political offices in the Country, are engaged in active business, and therefore, will occasionally become suitors before him. From these and analogous influences, the existing Tribunal, independent alike of the accuser, and the accused, is eminently free.

Cases may arise in which Imperial and Colonial rights may be in the balance, (such as that of Messrs. Panet and Bedard, in Canada), and it is therefore important to the Empire, that a Judge in so small a Colony as this is, should *know* that he is above the resentment of the Local Government, if his duty compel him to uphold Imperial at the expense of Colonial interests. The Laws of Commerce and Navigation will readily suggest other apposite illustrations.

The power of committal for contempts was judicially denied to Colonial Assemblies, on a case which went to the Judicial Committee, from your Excellency's last Government, that of Kiely and Carson. But this power is still asserted by those Assemblies. After that case was decided, the same power was exercised in the Province of New Brunswick, at the instance of one of the most able and popular Members of Assembly in that Province. Under the authority of its Judges, however, the imprisoned party obtained heavy damages, and they were *paid out of the public purse*. Acts such as these may be resorted to in times of violent political excitement. At these times Judges will be called on to discharge persons committed to prison by the Local Assembly. In doing so, they *may* wound the pride, and they *will* hold for naught the authority of the Assembly, at the risk of incurring the resentment of inflamed partizans. It required all the good sense of the people of England, and their deep reverence for the Administrators of their Laws, to turn aside from them the consequences of the recent collision between the Court of Queen's Bench and the House of Commons. If this Bill become the Law of Nova-Scotia, its Judges must shrink from a similar contest, or be crushed by it. At present they feel that they can hold the sheild of the Law over ever man however humble, and whoever may be his oppressor. If the public welfare *now* require it, the Queen's Representative *may* suspend a Judge, with or without the advice of his Council; but then the Judge knows that he has the grave responsibility which so grave an act will impose upon the Governor, to protect him against flagrant injustice.

So, if either branch of the Assembly accuse him, the Representative of Majesty may (if, in his opinion, there be adequate ground) suspend a Judge. He has his appeal; but thus accused, how unequal the contest! It is an individual contending against a State. Yet, if he vindicate himself, he is restored to his original position—he receives his arrears of income. Contrast this with the case of a Judge who may be removed under this Bill; for him no similar payment is contemplated! The appeal reserved to him would be ruinous, if a poor man; and a rich man would have little inducement to prosecute it.

It has been the primary object of law-givers to provide guarantees for the preservation of the fundamental principles of civil liberty against the aggressive tendencies of popular Assemblies. Thus, the framers of the Constitution of the North American Republic guarded the liberty of the press, the rights of property, and other social rights, by enunciating the principles of that Constitution in carefully defined outlines, and by investing their highest Judges with the power to restrain Congress itself, when it attempts to transgress them. We have in a Colony—and can have—no such safeguards.

As it is probable that the supervisory power now exercised over our Legislation by the Parent State will be gradually relaxed, more than ordinary caution should be used, both in the enactment of Laws, and preserving those who are to execute them, from *internal* influences. A Judge of the Supreme Court of the United States of America is impeachable before the Senate, which, for the purpose of trying him, is resolved into a Court sworn to try and decide impartially upon specific charges; but, as I have mentioned, the elements of an impartial Tribunal, readily found in a large Community, seldom exist in a small one. I apprehend this Bill gives no additional stability to the tenure of office of the Judges of this Colony. It has long been regarded as that of *good behaviour, altho' nominally during pleasure. The office of a Judge, your Excellency will recollect, was not enumerated (in Lord John Russell's Despatch of the 16th Oct., 1839), as one of those to be changed upon political considerations. The results of the Law introduced into Canada, in 1843, (and this Bill is a literal copy of that Law), it is yet as impossible to predict, as it is difficult to foretel, the future progress of that magnificent appendage of the Empire.

I have forborne, hitherto, to refer to the Acts of Parliament by which, when the judicial tenure was enlarged in England, the right was reserved to the Lords and Commons, by their Joint Address, to remove a Judge, (*i. e.*) ipso facto. It has never yet been acted upon there, I believe, but there is little or no analogy between that Country and this, as regards the subject under consideration. This Bill grants an appeal to the Judicial Committee of the Privy Council. It therefore pre-supposes there may be an erroneous or an arbitrary exercise of power on the part of the Colonial Government; but, from an Act of Parliament, (whether its object be the attainder of an obnoxious Minister, or the sacrifice of a Judge), an appeal is not, upon constitutional principles, imaginable.

Legislation is resorted to to correct existing evils; to be sound, it should be practical. No defect in the existing Tribunal is alleged—no misconduct of the Bench is imputed. On the contrary, the advocate of this Bill declared in debate, "that he had entire confidence in the Judges of the land." It is a striking proof of the truth of this declaration, that altho', since 1789, the Puisne Judges have been removable on a Joint Address of both Houses, it has never, that I know of, been resorted to in this Colony. But under the Provincial Statute of 1789, the prerogative of the Crown is reserved—the act of the Governor would be his own, and adopted on his own responsibility to the Secretary of State; and it cannot be doubted that he would require that a Joint Address, under that Statute, should specify the charges which compelled the Governor to remove the Judge. Indeed, the best constitutional writers and statesmen insist, that an Address of the Lords and Commons must contain distinct charges.

The early history of the United States of America is filled with impressive lessons on this subject. Between the year in which they achieved their independence, and

* It appears to me that the most important change this Bill will effect, will be the demoting the Secretary of State of the power of removing the Chiefs of the Law and Equity Courts, and vesting it in the Lieutenant-Governor, or rather in the Local Legislature. This power would, I think, practically devolve on the popular leaders of the day, and their supporters in and out of the Legislature—and ultimately, the social evils which its exercise would produce, would become intolerable. In some of the States of the American Republic, their highest Judicial Officers are chosen periodically, I believe, by the people at large; but any certain tenure, however short, is preferable to one dependant upon a mere majority of numbers in the two branches of the Legislature.

and that in which their Constitution was remodelled by Jefferson and his coadjutors, a greater number of Judges were impeached than the whole history of England furnishes. The collisions of the Bar with the Bench, and the political and personal enmities of the times, were, in most instances, the origin of their impeachment. It is, I hope, not indecorous to suggest, that similar results may ensue here. We have *now* safety, in having *beyond our boundaries* a Tribunal elevated, honorable, (and now that steam has bridged the Atlantic), easily, and speedily accessible.

I pray, your Excellency, to pardon the imperfect and hurried manner in which I have put together these observations, and to permit me to express the gratification I feel in addressing them to one whose great experience in Colonial Governments, and entire absence from local or personal interest in the subject, (deeply important as it is), will enable him to consider them with a sole regard to the real interests of the people committed by his Sovereign to his care.

On the whole, may it please your Excellency, I deem it to be my duty, (as the responsible adviser of your Excellency, in regard to the Court of Chancery), humbly to submit, that this Bill, (so far as regards such Court is unnecessary), that it unwisely restrains the Queen's prerogative; and that, in order that the opinion of Her Majesty's Government shall pass on it before it shall be finally enacted, a clause suspending its operation until the Royal pleasure thereon shall be declared, should be appended to it, before it receives your Excellency's assent.

I have the honor be, Sir,

With much respect,

Your Excellency's

Most obedient humble Servant,

ALEX. STEWART,

Master of the Rolls, and Responsible Adviser, and Judge of the Court of Chancery.

APPENDIX, No. 30.

(See Page 61.)

[COPY.]

No. 32.

Downing Street, 3rd May, 1847.

SIR—

I have to acknowledge the receipt of your Despatch, marked "separate," of the 2nd ultimo, in which, with reference to my Despatch, No. 11, of 17th November, 1846, you enclose a Minute of the Executive Council of Nova-Scotia, on the subject of the amount of Salary which it would be advisable that you should assign to yourself as Lieutenant-Governor of the Province, until the Civil List shall have been finally settled.

You have rightly construed my Despatch, as authorizing the receipt by you, pending the Civil List question, of a Salary of £3500 a year; and though the Provincial Assembly would, in my judgment, exercise a very sound discretion were they to grant £4000 as the permanent Salary of the Lieutenant-Governor, Her Majesty's Government are bound not to stipulate for a larger sum than £3500 per annum.

Whatever grant may be made at the time of settling the Civil List, must, however, be considered as incapable of increase by any subsequent grant.

The

The acceptance by the Lieutenant-Governor of any such augmentation from the House of Assembly, would be opposed to a general principle of great importance, to which it is indispensable that you should strictly adhere.

I have, &c. &c. &c.,

(Signed)

GREY.

Lieut.-Governor, Sir JOHN HARVEY.

Halifax, 1st April, 1847.

The Executive Council have considered the Memorandum of His Excellency, dated the 31st March, in which His Excellency "consults the Council as to the amount of Salary which it would, in their opinion, be advisable that he should assign to himself, under the authority of Earl Grey's Despatch of the 17th Novr., No. 11, until the settlement of the Civil List"—and have the honor to report their opinion.

They understand from His Excellency, that he receives no Military allowances; the only addition to his income being the annual amount which he receives as Governor of Annapolis, and which His Excellency considers as an equivalent for expenses incident to his Military Command in the Province.

His Excellency, therefore, is viewed by the Council as standing in the position of a Civil Governor.

Sir Colin Campbell received £3,000, with Military pay and allowances.

Lord Falkland £3,500, without such allowances.

The Council think that until the Civil List is settled by Legislative Enactment, His Excellency should stand charged upon the Casual Revenues in the same manner that Lord Falkland stood—that is to say, for £1,500 Sterling.

They adopt this opinion the more readily because the Casual Revenues offer an uncertain fund; and should these fail to meet the full amount of the annual charges, as they did in Lord Falkland's time, it would be entirely proper that His Excellency should rate proportionally, as his Lordship did, according to the larger sum.

In addition to which, it is obvious that Earl Grey deems £3,500 as the more appropriate amount; and it is not more than His Excellency's experience, and that of his predecessors, indicate as necessary to meet the expenses of the high station.

It is proper that such of the Council as belong to the Legislature, should explain that they treat the question solely in reference to its present circumstances.

When the Civil List comes to be discussed, and a certain fund shall be offered for the remuneration of the Public Officers, in place of one contingent and fluctuating (as the Crown Revenues are), they will necessarily be required to deal with the question as the exigencies of the case may render proper, in reference to their Legislative duties.

(Signed)

S. B. ROBIE,
R. D. GEORGE,
J. W. JOHNSTON,
M. B. ALMON,
L. M. WILKINS, JR.

APPENDIX No. 31.

(See Page 76.)

Extract of a Despatch from the Right Honorable Earl Grey to Lieutenant-General Sir John Harvey, dated 21st February, 1848.

“There remains only the case of the late Provincial Secretary, Sir Rupert George, to which I am anxious to call your especial attention, and that of the Legislative Assembly. I recognize the right to determine the amount of that gentleman's retiring pension, which properly belongs to the Assembly, and to the decision of that body the question must be left, as I do not consider that it would be consistent with the respect which is due to the Representatives of the People, that a larger pension than would be approved by them should be assigned to Sir Rupert George from the Casual and Territorial Revenue.”

APPENDIX No. 32.

(See Page 100.)

[COPY.]

No. 71.

Downing Street, 23d March, 1848.

SIR—

I have received your Despatch, No. 8, of the 28th February, enclosing copies of further Correspondence, in which you had been engaged with Sir Rupert D. George, respecting the amount of his Pension on retiring from the Office of Provincial Secretary and Clerk of the Executive Council in Nova-Scotia.

I have also received by the same opportunity a Letter from Sir Rupert George, dated the 28th February, on the subject of the alleged value of the situation of the Registrar of Deeds.

I do not perceive that these communications require me to make any addition to the instructions I have already given you, respecting Sir Rupert George. I must, therefore, direct you to refer that Gentleman to the Despatches I have so recently addressed to you, in explanation of my views as to the principles on which his claims should be dealt with ; and I must leave the question how that principle should practically be applied, to the consideration of the local authorities.

I have, &c. &c. &c.,

(Signed)

GREY.

Lieut.-Governor Sir JOHN HARVEY, K. C. B., Nova-Scotia.

APPENDIX No. 33.

(See Page 100.)

[COPY.]

No. 72.

Downing Street, 24th March, 1848.

SIR—

I have had under my consideration your Despatch, and its enclosures, of the 13th February last, on the subject of the separation of the office of Queen's Advocate and Proctor in the Court of Vice Admiralty in Nova-Scotia, from the office

office of Attorney General ; and you are at liberty to inform Mr. Johnston, that I will not object to his retention of the first named situation, provided he ceases to be a Member of the Legislature. According to the principle now recognized in Nova-Scotia, the same rule must be adopted there as in this Country : that no person can sit in either House of the Legislature holding an office at the pleasure of the Crown, who does not support the Administration for the time being ; and if you will refer to my Despatches on " Responsible Government," you will observe that I have pointed out that the great distinction between Political Offices and those of a different character is, that the holders of the former are usually Members of the Legislature.

I have, &c. &c.,

(Signed)

GREY.

Lieutenant-Governor Sir J. HARVEY, &c. &c., Nova-Scotia.

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- Roads, and Bridges** ; Bill relating to, brought from H. A., and read 1st time, 35 ; read 2d time, S. O. S., and committed, 38—9 ; read 3d time, motion to recommit, Bill agreed to, 40 ; Com. recommend to be referred to Sel. Com., and referred, 45 ; Report, and Bill ordered to Com., 46 ; committed, 46 ; read 3d time, agreed to, and sent to H. A., 47 ; assent, 58.
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- Immigrant Vessels and Passengers; Bill to regulate, brought from H. A., read 1st time, and referred to Sel. Com., 26; Report, Bill read 2d time, 27; committed, S. O. S., read 3d time, agreed to, and sent to H. A., 28—9; assent, 37.
- Insolvent Debtors; Bill for relieving, presented, read 1st time, and referred to Sel. Com., 32; Bill ordered to Com., 38.

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- Licenses, Duties on; Bill for granting, brought from H. A., read 1st time, and referred to Sel. Com., 45; Report, read 2d time, and ordered to Com., 46; amended, 46; read, 3d time, and sent to H. A., 48.
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- Douglas; Bill for support of, brought from H. A., read 1st time, and referred to Sel. Com., 19.
- Shelburne; Bill for division of Township for, brought from H. A., read 1st time, and referred to Sel. Com., 30; Report, read 2d time, and ordered to Com., 31; committed, 32; read 3d time, agreed to, and sent to H. A., 33; assent, 37.
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- Sea Manure, Digby** ; Bill in relation to gathering of, brought from H. A., and read 1st time, 21—2 ; read 2d time, 22 ; committed, 23 ; read 3d time, agreed to, and sent to H. A., 24—5, assent, 36.
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