

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

From 28th December, 1837, to 9th March, 1838.
Being the First Session of the Twelfth General Assembly.



FREDERICTON, NEW BRUNSWICK:
JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

1838.



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

J. HARVEY, Lt. Governor.

A PROCLAMATION.

WHEREAS in consequence of the Demise of His late most sacred Majesty King William the Fourth, the General Assembly of this Province, which now stands prorogued to the third Tuesday in September next, is dissolved, I do therefore publish this Proclamation declaring the said dissolution, whereof all persons whom it may concern will take due notice.

And I do hereby declare that I have this day ordered Writs for calling a new General Assembly, to be issued in due form, to bear Teste on Thursday the twenty fourth day of August instant, and be returnable on Monday the sixteenth day of October next.

Given under my Hand and Seal, at Fredericton, the eighteenth day of August in the year of our Lord one thousand eight hundred and thirty seven, and in the first year of Her Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.



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

J. HARVEY, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province has been summoned to meet at Fredericton on Monday the sixteenth day of October instant, I have thought fit to prorogue the said General Assembly, and the same is hereby prorogued to Tuesday the nineteenth day of December next.

Given under my Hand and Seal, at Fredericton, the fourteenth day of October, in the year of our Lord one thousand eight hundred and thirty seven, and in the first year of Her Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.



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

J. HARVEY, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the nineteenth day of December instant, and it is highly expedient for divers weighty considerations, arising out of the state of affairs in Lower Canada, that the said General Assembly should meet at an early period: I do therefore hereby summon the said General Assembly to meet at Fredericton on Thursday the twenty eighth day of December instant, for the despatch of business.

Given under my Hand and Seal, at Fredericton, the eighth day of December, in the year of our Lord one thousand eight hundred and thirty seven, and in the first year of Her Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

JOURNAL
OF THE
LEGISLATIVE COUNCIL
OF THE
Province of New Brunswick.

FIRST SESSION OF THE TWELFTH GENERAL ASSEMBLY.

ANNO PRIMO VICTORIÆ REGINÆ.

**His Excellency Major General Sir John Harvey, K. C. H. and C. B.
Lieutenant Governor and Commander in Chief.**

At Fredericton in the Province of New Brunswick.

LEGISLATIVE COUNCIL CHAMBER, Thursday, 28th December, 1837.

W RITS having been issued for a new Election of Representatives to meet in General Assembly on the sixteenth day of October last; and the said General Assembly having been, by Proclamation, prorogued to this day, the Council met—

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The House adjourned during pleasure.

After some time the House formed.

At two o'clock, His Excellency Major General Sir John Harvey, Knight, Commander of the Royal Hanoverian Guelphic Order, and Companion of the Most Honorable Military Order of the Bath, Lieutenant Governor and Commander in Chief, came to the Council Chamber, and being seated in the Chair on the Throne—

The Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know: "It is His Excellency's pleasure that they attend him immediately in this House."
Who

Who being come,

The President of this House said—

*“Honorable Gentlemen of the Legislative Council, and
“Gentlemen of the House of Assembly,*

“I am commanded by His Excellency the Lieutenant Governor to inform you, that he doth not think fit to declare the causes for which he has summoned this General Assembly, until there be a Speaker of the House of Assembly. It is therefore His Excellency’s pleasure that you, Gentlemen of the House of Assembly, do repair to the place where the sittings of the House of Assembly are usually held, and there choose a fit person to be your Speaker; and that you present the person who shall be so chosen to His Excellency in this House, to-morrow, at twelve o’clock, for his approbation.”

The House of Assembly withdrew, and His Excellency retired.

Adjourned until To-Morrow at 12 o’clock.

FRIDAY, 29th December, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The House adjourned during pleasure.

After some time the House formed.

At 12 o’clock His Excellency the Lieutenant Governor came to the Council Chamber, and being seated in the Chair on the Throne, the Honorable the President commanded the Gentleman Usher of the Black Rod, to let the Assembly know: “It is His Excellency’s pleasure they attend him immediately in this House;”

Who being come,

The Honorable Mr. Simonds said:—

“May it please Your Excellency,

“The Assembly, yesterday, having received Your Excellency’s commands returned to the place where they usually sit, and immediately proceeded to choose a Speaker; they have elected me to that important office, and now present me to be approved of by Your Excellency. Aware, however, of my inability properly to discharge the duties of that important situation; I pray Your Excellency to disapprove of the choice which the Assembly have made, and command them to choose a more fit person.”

Then the President of this House said:—

Mr.

“Mr. Simonds,

“I am commanded by His Excellency to assure you that he is so fully sensible of your zeal for the public service, and of your sufficiency to execute the duties of the high office to which you have been elected by the House of Assembly, that he doth most readily approve of their choice, and allow and confirm you to be their Speaker.”

Then the Speaker of the Assembly said:—

“May it please Your Excellency,

“I submit with due humility to Your Excellency’s pleasure, and it now becomes my duty, on behalf of the Assembly, to demand, by humble Petition, that they have all their ancient and undoubted rights and privileges, especially freedom of speech, freedom from arrest, access to Your Excellency whenever the Public Service may require it, and that the most favorable construction be put upon all their proceedings; and on my own behalf, I have to entreat that any error of mine may not be imputed to the Assembly.”

Then the President of the House said:—

“Mr. Speaker,

“His Excellency hath the utmost confidence in the loyalty and attachment of this House of Assembly to Her Majesty’s person and government, and in the wisdom, temper and prudence which will accompany all their proceedings, and he doth most readily and willingly grant and allow them all their privileges in as full and ample a manner as they have at any time heretofore been granted and allowed.

“With respect to yourself, Sir, though His Excellency is sensible that you do not stand in need of such an assurance, His Excellency will ever put the most favorable construction on your words and actions.”

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

Mr. President and Honorable Gentlemen of the Legislative Council,

Mr. Speaker and Gentlemen of the House of Assembly,

THE loss which the Nation has sustained in the death of His late Majesty WILLIAM THE FOURTH, of *revered memory*, has been followed by an exhibition of national feeling, from which every loyal subject in our widely extended Colonial Empire will not fail to derive both consolation and satisfaction. I refer to that unequivocal manifestation of deep rooted veneration for its ancient Monarchical Institutions which simultaneously burst forth in expressions of the most ardent loyalty from every part of the Mother Country, upon the occasion of the accession of Her Majesty Queen VICTORIA to the Throne of these Realms. That this enthusiastic loyalty found an echo in the breasts of the inhabitants of this Province is my most cheering persuasion—the more especially, as the particular object for which I have deemed it my duty to call you together, at this early period, is to invite your attention to the lamentable state to which the treasonable and rebellious proceedings of a certain portion of its deluded inhabitants, have reduced the neighbouring Province of Lower Canada. The disaffected, having availed themselves of a season of the year when succours from the Mother Country are believed to be excluded by the rigour of the climate, it appears
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to be in a more especial manner incumbent upon Her Majesty's loyal subjects in the surrounding Colonies to stand forward, not with the mere expression of their sympathies, but, if required, in active support of the Royal authority, and in aid of their loyal fellow subjects in Lower Canada, now contending against the desperate efforts of a Revolutionary faction, for the preservation, to themselves and their descendants, of the inestimable blessings of British connexion. The mode and extent of this aid your own loyalty and wisdom will best devise; for myself I will only add, that my individual services, in the furtherance of such an object, shall be afforded with all the energy of which I am capable, and in any manner in which it may be considered that they can best promote it. I cannot upon this occasion refrain from expressing my high admiration of the *unchanged* loyalty and gallantry of the Militia of our Sister Colony of Upper Canada, evinced in the prompt suppression by them, unaided by any portion of Her Majesty's Troops, of the Revolutionary outbreak which was attempted by some misguided persons in that Province.

Mr. Speaker and Gentlemen of the House of Assembly,

The Treasurer's accounts and all other documents which may be necessary for your information, in regard to the Finance of the Province, shall be laid before you with all practicable expedition, and I rely with entire confidence upon your accustomed zeal and liberality to provide for the ordinary services, and for all the other objects of public utility which may be deemed to require the bounty of the Legislature.

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

Several important Despatches connected with the recent arrangements of the Provincial Revenues will be made the subject of separate Messages; in the mean time, it is my pleasing duty to declare to you, that the same sentiments of lively solicitude to promote the interests and happiness of the people of this Province which pervaded every act by which His late Majesty was known and endeared to them, will be found to influence our present most Gracious Sovereign.

Which being ended, the House of Assembly withdrew, and His Excellency was pleased to retire.

The Honorable the President reported His Excellency's Speech.

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

ORDERED, That the Honorable the Attorney General and the Honorable Mr. Chandler be appointed a Committee for the above purpose.

Adjourned until Monday next at 12 o'clock.

MONDAY, 1st January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Botsford.

Mr. Attorney General.

Mr. Chandler.

PRAYERS.

PRAYERS.

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

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

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

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said draft into consideration, had made some amendments thereto, and recommended the same as amended to the adoption of the House.

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

To His Excellency Major General Sir JOHN HARVEY, Knight, Commander of the Royal Hanoverian Guelphic Order, and Companion of the Most Honorable Military Order of the Bath, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

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

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Legislative Council in General Assembly, return our thanks for Your Excellency's Speech at the opening of the present Session.

Deeply impressed with those feelings which pervade the breast of every loyal subject of the British Empire, while we deplore the loss which the Nation has sustained by the death of His late Majesty King William the Fourth, of revered memory, we at the same time derive consolation and satisfaction from observing those unequivocal manifestations of deep rooted veneration for its ancient Monarchical institutions, which simultaneously burst forth in expressions of devoted loyalty in every part of the Mother Country, upon the accession of Her Majesty Queen Victoria to the Throne of Her ancestors.

We sincerely regret the lamentable state to which the neighbouring Province of Lower Canada has been reduced by the treasonable and rebellious proceedings of a portion of its deluded Inhabitants; and we feel assured that Her Majesty's loyal subjects in the surrounding Colonies, who have already so generally and spontaneously expressed their sympathies, will cheerfully stand forward in aid of the Royal Authority, and also, if circumstances require, in active support of their loyal fellow subjects, now contending against the desperate efforts of a revolutionary faction, for the preservation, to themselves and their descendants, of the inestimable blessings of British connexion. For ourselves we assure Your Excellency that we shall most readily and heartily concur

in any measures which may be deemed most expedient for the accomplishment of these objects.

We highly appreciate the importance of Your Excellency's personal services, so zealously offered in furtherance of those purposes, more especially as Your Excellency has already been distinguished on a former memorable occasion in the history of the Canadas.

We cordially participate in the admiration expressed by Your Excellency of the loyalty and gallantry of the Militia of Upper Canada, and we view the prompt suppression, by their unaided efforts, of the late disturbances in that Colony, as an unequivocal proof of the unchanged determination of its inhabitants to maintain and perpetuate their connexion with the Mother Country.

We thank Your Excellency for the assurance that several important Despatches, connected with the recent arrangements of the Provincial Revenues, shall be laid before us by Message.

We receive with emotions of profound gratitude Your Excellency's declaration, that the same lively solicitude to promote the interest and happiness of the people of this Province which pervaded every act by which King William the Fourth was known and endeared to them, will be found to influence our present Most Gracious Sovereign.

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

Adjourned until To-Morrow at 12 o'clock.

TUESDAY, 2d January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

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

The Honorable the President informed the House, that he had received abstracts shewing the state of the Commercial Bank on the eighth day of April, and the seventh day of October, one thousand eight hundred and thirty seven.

ORDERED, That the same do lie on the Table.

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

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

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

Mr. President and Honorable Gentlemen,

The sentiments so forcibly expressed in this Address, in full accordance as I firmly believe them to be, not only with those of the other Branch of the Legislature, but of the whole population of this Province, cannot fail to convey to our Gracious Queen the gratifying conviction, that in no other portion of Her Majesty's widely extended Dominions are feelings of loyalty to the Throne and firm attachment to the Parent State more ardently cherished than in New Brunswick.

As Her Majesty's Representative in this Province, I thank you, Mr. President and Honorable Gentlemen, for this loyal and dutiful Address:

Adjourned until To-Morrow at 12 o'clock.

WEDNESDAY, 3d January, 1838.

PRESENT.

THE HON.

<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Allanshaw.</i>	<i>Mr. Attorney General.</i>
<i>Mr. Lee.</i>	<i>Mr. Chandler.</i>

PRAYERS.

The Honorable the President informed the House, that he had received from the Honorable the Secretary of the Province,

Abstracts shewing the state of the City Bank on the first day of May and the sixth day of November, one thousand eight hundred and thirty seven: and

Abstracts shewing the state of the Central Bank on the first Mondays in March, June and December, one thousand eight hundred and thirty seven: also

An abstract shewing the state of the Saint Stephen's Bank on the first Monday in July, one thousand eight hundred and thirty seven.

Adjourned until To-Morrow at 12 o'clock.

THURSDAY, 4th January, 1838.

PRESENT.

THE HON.

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

PRAYERS.

The Honorable Mr. Chandler, by leave, presented Petitions from Richard Budd, Hezekiah Lyon and Thomas Wade, old Soldiers, praying aid from the Legislature.

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

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

Petitions from James Greerson and Duncan M'Farlan, old Soldiers of the Revolutionary War, praying aid from the Legislature;

A Petition from Amos E. Frye, of Saint Andrews, praying for a return of duties on horses and other property imported for the use of the Saint Andrews and Saint John Stage Coach Company: and

A Petition from John Pendlebery, praying to be allowed certain expences incurred by him, when Keeper of the Machias Seal Island Light House.

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

The Honorable Mr. Botsford, by leave, presented a Petition from John M'Clain, praying the Provincial allowance for teaching a School in the Parish of Sussex, in King's County.

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

Adjourned until To-Morrow at 12 o'clock.

FRIDAY, 5th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Cunard.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The Honorable the Attorney General, by leave, presented a Petition from the Committee of Management of the New Brunswick Baptist Education Society, praying for a sum of money to aid and assist them.

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

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

A Petition from Joseph Prince, praying an allowance for teaching a School in the County of Westmorland: and

A Petition from Thomas Campbell, praying an allowance for teaching a School in the Parish of Portland, in the County of Saint John.

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

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

The Honorable the President read the same;

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

NEW BRUNSWICK.

Message to the Legislative Council,

4th January, 1838.

J. HARVEY, LT. GOVERNOR.

THE Lieutenant Governor transmits to the Honorable the Legislative Council, copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, in answer to the Report of a Committee of the Assembly, on the subject of the Salaries enjoyed by various Officers, borne on the Civil List of this Province.

J. H.

Downing Street, 21st September, 1837.

SIR,

I have received your Despatch, No. 24, of the 29th July, enclosing a copy of the Report of a Committee of the House of Assembly of New Brunswick, on the subject of the Salaries enjoyed by various Officers, borne on the Civil List.

In answer, I have to acquaint you, that I am strongly impressed with the justice of the general principle on which the House of Assembly proceed in recommending that the Salaries of all public Officers below the Lieutenant Governor should be assessed on a moderate and frugal scale. The observance of simple and economical habits of domestic expenditure, everywhere desirable, is in no place more important than in new and rising Colonies; nor is it easy to suppose a more injurious exception to that rule, than that which would enable the official servants of the Crown to live in a style far exceeding that of the most wealthy members of the Agricultural, Commercial and Professional classes.

I further agree in the opinion, that the income of the Chief Justice should exceed that of every Public Officer, with the exception of that of the Lieutenant Governor, since there is no other whose duties are so important, or whose personal consideration it is so necessary to uphold.

In acting on these principles, Her Majesty's Government are encountered by that respect for vested interests, which they consider it indispensable to observe. In the case of the Commissioner of Crown Lands and Surveyor General that difficulty is, however, overcome by the considerations mentioned in my Despatch of this date, No. 34. In the case of the Provincial Secretary, I perceive no escape from the difficulty; I am, however, prepared on behalf of Her Majesty's Government, to acquiesce in the reduction of the Provincial Secretary's income, on the first vacancy, and am of opinion that it might be then properly fixed at the sum recommended by the House of Assembly.

With regard to the income of the Chief Justice, I concur with you in thinking that the sum of £1200 currency per annum, proposed by the Assembly, is less than enough to sustain an officer of such rank and charged with duties of such extreme importance, and that, if the Chief Justice is, as the Assembly propose, to act in the character of President of the Council, an additional remuneration of £300 currency per annum would not exceed the reasonable remuneration for the united offices. This, however, is a question on which Her Majesty's Executive Government would most anxiously decline any controversial discussion, because, in fact, there is no reason to doubt, that the Representatives of the people must be perfectly alive to the necessity of providing for the proper dignity of the Chief Justice, and of rendering him independent, not only in the tenure of his office, but in his domestic circumstances. There is no other public officer whose interests may be more safely confided to the Representatives of the people, because there is none whose functions are so intimately involved with the maintenance of every popular privilege and of all private rights. The just maintenance of so high an officer should not be the subject of any discussion, which would seem to imply, either on the part of the Executive Government or on that of the Assembly, the slightest shade of mistrust or jealousy. The question will be most likely to be brought to a satisfactory adjustment, by being disposed of in the spirit of unreserved mutual confidence.

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

(Signed)

GLENELG.

Major General Sir J. HARVEY, K. C. H.
&c. &c. &c.

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The Honorable Mr. F. P. Robinson, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, lays before the House, Accounts from the Commissioner of Crown Lands.

ORDERED, That the same do lie on the Table.

The Honorable the President presented to the House, a Bill intituled "An Act in addition to the Act for defining the crime of Forgery."

The said Bill was read the first time.

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

The Honorable Mr. Chandler presented to the House, a Bill intituled "An Act for the amendment of the law with respect to Wills."

The said Bill was read the first time.

ORDERED, That the said Bill stand for a second reading on Friday the twelfth of January instant.

The Honorable Mr. Botsford, by leave, presented a Petition from William H. Street and William P. Ranney, praying a return of duties paid for goods imported in Brig Clifton, from Canton.

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

The Honorable Mr. Shore, by leave, presented a Petition from Lieutenant Colonel Booth, commanding Her Majesty's 43rd Regiment, praying that the usual allowance for duties paid on Wine imported for the use of the Regiment may be granted him.

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

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

The Honorable the President read the same;

And they were again read by the Clerk, as follows:—

NEW BRUNSWICK.

Message to the Legislative Council,

5th January, 1838.

J. HARVEY, LT. GOVERNOR.

THE Lieutenant Governor communicates to the Legislative Council a copy of a Letter addressed by the Right Honorable Lord Glenelg to Sir Archibald Campbell, with a copy of a Bill which had been submitted to the Legislature of Upper Canada, for vesting property occupied for the Ordnance service in the principal Officers of that department; and the Lieutenant Governor recommends to the Council the adoption of a similar measure in this Province.

J. H.

Downing Street, 11th November, 1836.

SIR,

I have received a communication from the Master General and Board of Ordnance, stating that in many of the British Colonies certain lands have been set apart for the erection of Forts and for other Military purposes, which lands have in many cases been purchased by that Department or granted to it by the Crown.

It appears, however, that the manner in which these lands have been vested in the Officers of Ordnance has not been, generally speaking, sufficiently formal and comprehensive to answer all the purposes required by the Board.

For

For the purpose of more clearly defining the nature and extent of the powers which the Board are desirous of obtaining, they have transmitted to me the draft of a Bill which they have submitted to the consideration of the Provincial Legislature of Upper Canada, and which contains all the provisions necessary to meet the desired object.

They have likewise referred me to the Acts 1 & 3 Geo. 4, Cap. 69, and 2 Will. 4, Cap. 28, conferring on the Board similar powers over the Military buildings and lands in this Country.

With the view of facilitating the object of the Master General and Board, I transmit to you copies of these three documents, and have to desire that you will lay them before the Colonial Legislature, with the recommendation that they should pass such Bill *mutatis mutandis*, for the purpose of conferring similar powers on the principal Officers of the Ordnance over the Military lands and buildings in the Colony under your Government.

I have the honor to be, Sir,
Your most obedient humble servant,
(Signed)

GLENELG.

Major General Sir A. CAMPBELL, Bart.

NEW BRUNSWICK.

Message to the Legislative Council,
4th January, 1838.

J. HARVEY, Lt. GOVERNOR.

THE Lieutenant Governor communicates to the Legislative Council, for their information, sundry Despatches, numbered 30, 43 and 44, received from the Right Honorable the Secretary of State for the Colonies.

J. H.

Downing Street, 29th August, 1837.

SIR,

I have had the honor to receive and lay before the Queen your Despatch, No. 20, of the 17th ultimo, reporting that you had given your assent to a Bill for transferring to the control and disposal of the General Assembly of New Brunswick, Her Majesty's Casual and Territorial Revenues in that Province in exchange for a Civil List.

Her Majesty has commanded me to instruct you to acquaint the Legislative Council and Assembly, that it has been very gratifying to her to learn that the arrangements proposed by His late Majesty to the Legislature of New Brunswick, have been received and adopted by them in a spirit of so much cordiality and confidence. The Queen regards it as no ordinary felicity, that the first act of Her Majesty's Reign in reference to this important part of Her Dominions, should be that of giving Her assent to an Act suggested by Her Royal Predecessor for enlarging and securing the Constitutional privileges of the Representatives of the People of New Brunswick.

I have the honor to be, Sir,
Your most obedient humble servant,
(Signed)

GLENELG.

Major General Sir JOHN HARVEY, K. C. H.
&c. &c. &c.

Downing Street, 14th October, 1837.

SIR,

I have received your Despatch, No. 40, of the 16th August, representing that the interests and satisfaction of the inhabitants of the present County of Gloucester in New Brunswick would be greatly promoted, if the Royal assent were given to the Bill which has been passed for dividing that County.

I have to acquaint you in answer that that Bill will be specially confirmed, as soon as the necessary forms of office can be completed.

I have the honor to be, Sir,
Your most obedient humble servant,
(Signed)

GLENELG.

Sir J. HARVEY, &c. &c. &c.

Downing

Downing Street, 17th October, 1837.

SIR,

I have received your Despatch, No. 23, of the 31st July, enclosing copies of three Acts passed by the Legislature of New Brunswick, connected with the transfer to the control of that body of the Casual and Territorial Revenue in exchange for a Civil List. They will be laid before the Queen in Council whenever the official transcripts shall arrive under the public seal of the Province. But I will not postpone till then the observations which are suggested and required by your Despatch. The two first Acts appear to be literal copies of those to which I referred in my Despatch of the 6th April last, No. 2.

Nothing therefore remains to be added on the subject of those Acts beyond the expression of the gratification with which Her Majesty's Government regard the conclusion of this protracted and important discussion. You have taken great pains to refute the opinion, that the prerogatives of the Crown have been infringed by the enactment of the Law authorizing you to appoint a Commission to investigate the accounts of the Crown Land Commissioner. I entirely subscribe to the opinion that this objection is unfounded. There can be no doubt on any side that you might yourself have constituted such a Commission. But it is equally clear that you could not have imparted to the Commissioners the powers conferred by this Act, which authorises them to summon and examine on oath all persons who can throw any light on the matters of their enquiry. Legislative aid was therefore indispensable to the completeness of the proceeding. It was still more evidently necessary, in order to render the result of it satisfactory; for the House of Assembly could hardly have been expected to accept, in substitution for an enquiry before one of their own Committees, examinations conducted by nominees of the Local Government, appointed without the acquiescence of the Local Legislature in the arrangement, and acting without the means of rendering their investigations complete. The Law leaves to the Lieutenant Governor the selection of the Commissioners, and is in accordance with the Parliamentary precedents to which you have referred, and as it appears to me with the principles of the Constitution.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

GLENELG.

Sir J. HARVEY, &c. &c. &c.

The Honorable Mr. Shore, by leave, presented a Petition from Thomas Thornton, an old Soldier, praying for relief.

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

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

House of Assembly, Friday, 5th January, 1838.

RESOLVED, unanimously, That the thanks of this Province are due, and should be presented to Sir Francis Bond Head, and the gallant Militia of Upper Canada, for their able, prompt and energetic suppression of the insurrection which lately took place in the neighbourhood of Toronto.

RESOLVED, unanimously, That the conduct of our fellow subjects of Upper Canada, on this memorable occasion, so fully in accordance with their former high spirit and character, affords a glorious example to the Sister Colonies, and cannot fail to quicken the zeal and animate the exertions of every loyal heart in these Colonies, in support and defence of the liberties they enjoy under British Laws and Institutions.

RESOLVED, unanimously, That our fellow subjects in Upper Canada may rest assured of the lively sympathy of the inhabitants of this Province in their loyalty and patriotic ardor, and of our most zealous co-operation in maintaining the Royal authority, and the inestimable advantages of our connexion with the Mother Country.

RESOLVED, unanimously, That an humble Address be presented to His Excellency the

the Lieutenant Governor, praying that His Excellency will be pleased to transmit these Resolutions to His Excellency Sir Francis Bond Head, Lieutenant Governor of Upper Canada.

RESOLVED, That the Legislative Council be requested to join in these Resolutions.

CHARLES P. WETMORE, CLERK.

On motion made and seconded—

RESOLVED, unanimously, That this House doth most heartily concur in the Resolutions of the House of Assembly on the subject of the insurrection in Upper Canada.

RESOLVED, That the Honorable Messrs. Botsford and Lee, be appointed a Committee to join such Committee as may be appointed by the Assembly to wait upon His Excellency the Lieutenant Governor, with the Address, praying that His Excellency will be pleased to transmit the Resolutions to His Excellency Sir Francis Bond Head, Lieutenant Governor of Upper Canada.

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

Adjourned until To-Morrow at 12 o'clock.

SATURDAY, 6th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Cunard.

Mr. Allanshaw.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The Honorable the President informed the House, that he had received from the Honorable the Secretary of the Province

An Abstract shewing the state of the Bank of New Brunswick on the first day of January one thousand eight hundred and thirty eight.

ORDERED, That the same do lie on the Table.

Message from the Assembly, by the Honorable Mr. Crane, that the Honorable Mr. Crane, Mr. Partelow, the Honorable Mr. Johnston and Mr. Wyer are appointed a Committee to join the Committee from the Legislative Council to wait upon His Excellency the Lieutenant Governor with the Resolutions and Address to Sir Francis Bond Head, on the subject of the insurrection in Upper Canada.

Adjourned until Monday next at 12 o'clock.

MONDAY, 8th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.
Mr. Shore. *Mr. Baillie.*
Mr. Allanshaw. *Mr. Robinson.*
Mr. Botsford. *Mr. Lee.*
Mr. Chandler.

PRAYERS.

The Honorable Mr. Baillie, by leave, presented a Petition from Allan M'Kinney praying for Legislative aid to re-imburse him for extra expenses incurred in making the road from Phillis' Creek upwards.

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

The Honorable Mr. Botsford, from the Committee appointed to join a Committee of the House of Assembly, to wait upon His Excellency the Lieutenant Governor with an humble Address, praying that he would be pleased to transmit to Sir Francis Bond Head, Lieutenant Governor of Upper Canada, the joint resolutions of the two Houses, on the subject of the late insurrection in that Province, reports, that they have attended to that duty, and that His Excellency was pleased to say, he received the resolutions with high satisfaction, and would with much pleasure transmit them without delay.

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

The Honorable the President read the same;

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

NEW BRUNSWICK,
Message to the Legislative Council,
 8th January, 1838.

J. HARVEY, LT. GOVERNOR.

THE Lieutenant Governor lays before the Legislative Council a copy of a Despatch from the Right Honorable the Secretary of State, announcing the demise of His late Most Gracious Majesty King William the Fourth, and the accession of Her present Most Gracious Majesty Queen Victoria.

J. H.

Downing Street, 21st June, 1837.

SIR,

It is with the greatest regret I have to communicate to you the melancholy intelligence of the demise of His late Most Gracious Majesty King William the Fourth.

His Majesty expired at His Castle at Windsor on the morning of the 20th instant, at 12 minutes past 2 o'clock, to the great affliction of the Royal Family, and of all classes of His Majesty's subjects.

Her present Majesty was this day proclaimed Queen Victoria, with all the solemnities used on the like occasions.

Her Majesty's most gracious declaration contained in the accompanying Gazette, will best inform you of Her determination, under the guidance of Divine Providence, to maintain the reformed Religion as by Law established, securing at the same time to all the full enjoyment of religious liberty; and to protect the rights and promote to the utmost of Her power the happiness and welfare of all classes of Her subjects.

The

The form to be observed in proclaiming within your Government Her Most Sacred Majesty Queen Victoria, is stated for your guidance in the accompanying communication from the Lords of Her Majesty's Most Honorable Privy Council, which also transmits, in order that the same maybe made public within your Government, Her Majesty's Proclamation requiring all persons being in office of Authority or Government at the decease of the late King, to proceed in the execution of their respective offices.

I enclose to you copies of the Extraordinary Gazettes, which have been published on this occasion.

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

(Signed)

GLENELG.

Major General Sir JOHN HARVEY, K. C. H.

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

A Petition from John Chappell, of Bay Verte, praying Legislative aid towards the establishment of a Packet to run from that place to Prince Edward Island: and

A Petition from Noah Disbrow, William H. Street and others, praying that an Act may pass to incorporate a Company by the name of the Saint John Mills and Manufacturing Company.

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

The Honorable Mr. Botsford, by leave, presented a Petition from Richard Coltart praying a grant of money to remunerate him for loss sustained in completing a contract for work on one of the Great Roads.

RESOLVED, That the Petition be received, and lie on the Table.

Adjourned until To-Morrow at 12 o'clock.

TUESDAY, 9th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

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

The Honorable the President read the same;

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

NEW BRUNSWICK,

Message to the Legislative Council,

9th January, 1838.

J. HARVEY, LT. GOVERNOR.

The Lieutenant Governor acquaints the Legislative Council, that immediately after the passing of the Civil List Bill it appeared to him, that upon the Executive Government had devolved the duty of giving effect to the provisions of that Bill, in the spirit in which it had been enacted, and with reference to all these objects and considerations which had led to it, he accordingly did not hesitate provisionally to adopt, upon his own responsibility,

responsibility, such measures as appeared to him to be prescribed by a due regard to the true interests of the Province.

Among these were the discontinuance of the receipt of the Public Monies by the Commissioner of Crown Lands, the retention of the office of Receiver General, as a necessary consequence of that discontinuance, and the immediate establishment of a Board of Audit for the accounts of every branch of the Public Expenditure.

To the principle of these arrangements, as reported by him to the Right Honorable the Secretary of State for the Colonies, the Lieutenant Governor has received the expression of His Lordship's full approbation, in a Despatch of which an extract (No. 1.) is herewith transmitted; and for the more full explanation of his own views upon the subject, he also transmits an extract (No. 2.) of his Despatch to which Lord Glenelg's is an answer.

The Lieutenant Governor submits the whole to the consideration of both Houses, in the confidence that they will be ready to co-operate with him by making such Legislative provisions as may appear to be necessary for the due protection of the great Public Interests involved in these arrangements.

J. H.

No. 1.

Extract of Despatch No. 34, dated

Downing Street, 21st September, 1837.

I subscribe to the reasoning which has induced you to continue the office of Receiver General and to enlarge the functions of that officer.

I have further to express my concurrence in the establishment of the Board of Audit, in your selection of the Members of that Board, and in the rate at which you propose to remunerate their services, In my conferences and correspondence with Messrs. Crane and Wilmot in the last year, I had myself suggested a measure of the same kind, as a most important protection to the interests of the Public Revenue.

Although I thus approve and acquiesce in your arrangements, yet my concurrence must be understood as qualified by the following remarks. The Civil List Bill has placed at the disposal of Her Majesty's Government, for the public service of the Province, the funds from which this increased Establishment is to be maintained; nor am I disposed to shrink from the responsibility of executing that trust to the best of my power. But neither do I think it convenient or right, that this permanent addition should be made to the Public Expenditure, and that vested interests should thus be created in the various offices of the Receiver General's and the Auditor's Departments, until the Legislature of the Province, and especially the Representatives of the People, shall have enjoyed a full opportunity of making any representation against the measure which they may think it their duty to urge. The interests and the duties of Her Majesty's Government on every question of this kind, are so absolutely identical with those of the two Houses of Local Legislature, that it is impossible not to desire their advice, and to seek their concurrence in adopting plans which have no object in view but the frugal and wise administration of the Provincial Revenue. You will, therefore, place the two Houses in full possession of the whole of your proceedings and of the motives by which they have been dictated, and you will cause it to be understood that until the close of the next Session of the Legislature, the appointments which have been made, must be considered as provisional only.

It is probable that it will be necessary to apply to the Legislature to confirm and enlarge the powers of the Board of Audit. This consideration confirms the propriety of the preceding instructions.

No. 2.

*Extract of Despatch No. 34, from M. General Sir John Harvey, to Lord Glenelg, dated
Fredericton, Ath August, 1837.*

Upon the subject of the proposed Board of Audit I have the honor to submit the following as the
scale

scale of Salaries, which, upon discussion with various experienced and disinterested individuals, appear to me proper to be allowed to a Board which will have extensive duties and corresponding powers of strict examination and scrutiny into all the public expenditure of the Colony confided to it, and which will constitute the real check as well upon the offices of Commissioner of Crown Lands as upon the Receiver General and Provincial Treasurer, viz:—

Auditor,.....	£500	currency per annum.	
Assistant,.....	300	do.	do.
Clerk,.....	100	do.	do.
Office Rent, Stationery and Contingent expenses,	100	do.	do.
	£1,000		

Expense of the present Office of Audit, £400

Difference something less than £600 currency.

This extra expense will be met as nearly as possible by the diminution which has taken place in my own Salary, and I shall rejoice if that reduction can be applied to so useful a purpose.

As I am strongly urged not to delay giving effect to these arrangements, I shall lose no time in doing so, more especially as the Board of Audit will have to prepare a full report after a minute investigation of all Public Accounts from the commencement of the present year, to be laid before the Legislature at the commencement of the next Session.

A Message was brought from the Assembly by Mr. Wyer, with sundry Resolutions of Appropriation, dated the sixth day of January instant;

Also, with a Bill, intituled "A Bill relating to Oaths of Office."

To which they desire the concurrence of this House.

Read the said Bill the first time.

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

Read a first time, the Resolutions of Appropriation dated the sixth day of January instant.

Adjourned until To-Morrow at 12 o'clock.

WEDNESDAY, 10th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

A Message was brought from the Assembly by Mr. Street, with a Bill, intituled "A Bill in addition to an Act for the amendment of the Law and the better advancement of Justice," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the order of the day, the Bill relating to oaths of office was read a second time.

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

On motion made and seconded,

Leave was granted for the Honorable Mr. Chandler to attend at the Bar of the House of Assembly, as Counsel for the sitting Member in the case of the Sunbury Election.

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

A Petition from John M'Coll, an old soldier, praying for aid in his distressed situation :and

A Petition from John Cathcart, William Eills and one hundred and twenty other persons, inhabitants of the County of Charlotte, praying that no alteration may be made in the great road as established at present, leading from Saint Andrews to Fredericton by the way of Connick's to the rolling Dam.

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

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

A Petition from William Brennan, a licenced Schoolmaster, praying for Legislative aid for teaching a school in the Parish of Portland :

A Petition from Esther Cecilia Howland, of the same Parish, with a similar prayer ; and

A Petition from Thomas Burnett, of the Parish of Sussex, King's County, with a similar prayer.

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

Adjourned until To-Morrow at 12 o'clock.

THURSDAY, 11th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford,

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The Honorable the President, by leave, presented a Petition from Peter M'Gill, President, and William Badgley, Secretary of the Constitutional Association of Montreal, for themselves and on behalf of the Constitutional Association.

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

ORDERED, That the said Petition be entered at large on the Journals of this House. The said Petition is as follows:—

To the Honorable the Legislative Council of the Province of New Brunswick, in Provincial Parliament assembled.

The Petition of the Undersigned for themselves and in behalf of the Constitutional Association of the City of Montreal.

RESPECTFULLY REPRESENTS TO YOUR HONORABLE HOUSE,

THAT anarchy and confusion have set the laws at defiance, and destroyed the harmony and quiet of

of social life; that sedition and rebellion, followed by atrocious murder, robbery and rapine, have loudly proclaimed themselves in the most populous and prosperous portion of Lower Canada; and that the rights, the interests, and the property of the Provincial inhabitants of British origin, have been jeopardized by the designs of a Revolutionary French faction madly bent upon their destruction.

That in order to expose the real views and designs of that faction, the Constitutional Association of Montreal have undertaken the important duty of explaining to your Honorable House, as succinctly as the nature of the subject will admit, the real cause of the discontent which has called into being the active disturbances at present most unhappily, and at the same time most unjustifiably, existing in this Province, and of appealing to the sympathy of your Honorable House, in behalf of the inhabitants of British origin in Lower Canada, for the protection of their rights as British subjects, the maintenance of the Provincial connexion with the Parent State, and the acquirement from the justice of the Imperial Government of those remedial measures which will prevent the recurrence of existing disorders, and secure the prosperity and improvement of the Colony.

At the conquest of the Province of Quebec by the British arms, the greater proportion of its inhabitants chose to remain in the Province, trusting to the generosity of their conquerors, rather than to return to the country of their ancestors: they became British subjects by the mere fact of their provincial residence, and subsequent civil and political benefactions conferred upon them demonstrated their well placed trust in the generosity of the British Government.

The full exercise of their religious worship, the complete enjoyment of their ancient civil laws, and the undisturbed use of their native language, were among the number of civil and social privileges guaranteed to them; and political privileges of equal extent to those enjoyed by the British Provincial inhabitants, were, in addition, subsequently bestowed upon them.

The uncongeniality of the French laws, as a system of Provincial civil jurisprudence, with the spirit and feelings of British settlers, and their expressed desire for a change from the petty tyranny of a Governor and Council to the freedom of a Representative Provincial Government procured still greater advantages for the French Canadians. In the year 1791, the division of the Province of Quebec into the two separate Provinces of Lower Canada and Upper Canada was carried into effect, and a Constitution, essentially similar to that of the Parent State, was conferred upon each, whilst at the same time universal suffrage was, in effect, granted to their inhabitants.

It was conceived that this measure, by which "one division should consist, as much as possible, of those who were inclined to the English laws, and the other, of those who were attached to the French laws, was best adapted to put an end to all disputes of a legal sort—to reconcile the jarring interests and opposite views of the Provincial inhabitants—to prevent a great degree of animosity and confusion, from their rooted opposition of interests—and to obviate dissatisfaction from a great ascendancy of one party over another in a united Legislature."

Two objections to the measure were, however, neglected by the Minister of the day, that it fostered a population of foreigners in a British Colony, and that it contained no provision, whereby the inhabitants of the British Islands should be totally excluded from settling themselves in Lower Canada.

The experience of fifty years of separation between the Provinces, and the present insurrectionary and seditious spirit exhibited in Lower Canada, plainly show how far the advantageous results anticipated from that impolitic and undesired measure have been realized.

The possession of the right of almost universal suffrage, and of a numerical popular majority of the Provincial constituency, gave the complete command of the Representative branch of the Legislature to the French Canadians, who soon exhibited a perfect knowledge of their advantage, and of that exclusive spirit which has since invariably actuated all their proceedings, and grown into a firm determination to accomplish their final purposes of the destruction of the interests and rights of the Provincial inhabitants of British and Irish origin, and of the Provincial connexion subsisting with the Parent State.

A cursory examination of the composition of the House of Assembly, from its establishment, will show, that, with scarcely an exception, no individual of British or Irish origin has been returned to serve as a member of that body by a French Canadian majority, unless as a pledged supporter of French Canadian principles; with scarcely an exception, no Provincial law has been passed, how much soever required for the support of the interests or the protection of the rights of the inhabitants of British and

Irish

Irish origin, and that even these legal exceptions were invariably of a temporary nature, and subject to the capricious pleasure of French Canadian majorities. The spirit of the legislation of that body, will show that its temporary character was adopted to render the Province the more completely subject to their controul, or to enable them the more easily to take advantage of their expected predominance, for the abrogation of those very temporary laws which they had been constrained to pass. The political principles of that body will show a fixed opposition to British interests, not only in their aversion to or rejection of every measure which would tend to the introduction of capital and of a British population into the Province, as for example, an effectual system for the registration of Mortgages, and an abrogation of the feudal tenure; but also in their positive introduction and adoption of every measure, likely to tend to the privation of British and Irish rights, or the destruction of British and Irish interests, such as the existing county division of the Province, by which the British and Irish constituency in the seigniories has been completely swamped in the greater numbers of the French Canadians, and the defeated attempt to deprive their fellow subjects of British and Irish origin in the cities, tenants of leasehold property in co-partnership, from a right of voting for Members of the Assembly. The claim of that body, for the sole management and disposal of the whole revenue of the Province, has constantly had in view the attraction into their own hands of the entire Provincial authority, and the subjection of the Executive Government to their arbitrary will. From their first insidious attempt in 1793 to obtain the repeal of the permanent appropriation contained in the Act of 1774, for the support of the civil government and the administration of justice, thereby to subject the Executive Government to their good pleasure, for any further support than the pittance they then agreed to allow, through the whole course of the financial difficulties, which they have never allowed to slumber, by means of their annual supply Bills, their difficulties as to the items of that supply, their representation in 1832, not to grant permanent supplies during the Sovereign's life, their delegation to England in 1828, and the whole category of their agitation upon this subject, down to the year 1831, when the full accomplishment of their long sought desires was obtained from the good faith of the British Government, by the repeal of the permanent appropriations, their first, last, great object, was to obtain possession of the Provincial Revenues, well knowing that by this means the Government would be cast into their hands. Finally, the detail of the grievances of that body, as representing the opinions of their constituency, the so called great mass of the population, complete the evidence of their exclusive interests: in them will be found the abrogation of the Charter granted to the British American Land Company, by means of which the Assembly sought to assume the management of the Waste Lands in the Townships, and thereby to prevent the settlement therein of a British and Irish population; the repeal of the Tenures Act, by which a commutation of seigniorial tenure may be effected from their apprehension of its leading to the introduction into the Province of British capital; their indisposition to encourage the settlement of the Townships of this Province, because they are principally inhabited by a British, Irish and American population; their unwillingness to co-operate with Upper Canada, in the extensive improvements in progress in that Province, by which its settlement and prosperity might be augmented, and like advantages might thereby accrue to the British and Irish inhabitants of Lower Canada: and their pertinacious endeavours to render the Legislative Council elective, because in it alone were to be found the means of opposing their exclusive pretensions, and of protecting British interests. The history of the House of Assembly in its composition, its legislation, its spirit, and political principle, fully establish the aim which its Members have constantly kept in view, the aggrandizement of the population of French and the oppression of that of British origin.

The recorded testimony of a French Canadian leader, and one of the delegates to England, in 1828, to represent the grievances of his fellow countrymen, and since that time, their paid agent for similar purposes, corroborate the views taken by the Constitutional Association; he declared, in his examination before the Canada Committee of the House of Commons, that "the establishment of the English laws as applicable to property held in the Townships on the Tenure of free and common socage, would be an infringement of the rights belonging to the French Canadians, if not done by the Legislature of Lower Canada; that the French laws should be allowed to continue all over the country; that facilities should have been given to the French Canadians to settle in the Townships; that the means of going there should have been given to them; that a system of education, according to the notions and ideas of the French Canadians, should have been followed; that the desire of the French
Canadians

Canadians must necessarily be to keep up their own institutions, and to preserve their laws in every part of the country; that the Legislative Council should be composed of men who would side with the mass of the people; and, in effecting this latter arrangement, that its natural effect would be to secure the means of extending the French laws and the French Canadian system over Lower Canada."

In the full and complete security of their persons and property, in the free and unrestricted enjoyment of their religious worship, their ancient civil laws, their native and beloved language, and of an equality of rights and privileges in the provincial representative government with their fellow subjects of British and Irish origin, in possession, moreover, of a numerical popular majority, the French Canadians could have no sympathies in common with people of another race and speaking another language, no inducement to divest themselves of prejudices dear to them alike from the associations of country and the recollections of life, or to abandon habits and customs which they cherished, and to which they were firmly attached, for the questionable advantages to be obtained from assimilation with strangers, whom they were taught to disregard; and the natural consequence has been, that, in proportion as the French Canadian population has increased, those evils have likewise increased, until the repugnance to British interest and British connexion has finally assumed the form of open and declared rebellion.

The French Canadian population were thus not only nationally inclined to mark their active opposition to their fellow subjects of British and Irish origin, but they have been taught to consider them as strangers and trespassers upon their soil; they have been taught to feel towards them none of those kindly sympathies which unite together subjects of the same country and possessors of the same rights; they have in fine been taught to believe themselves oppressed by their fellow subjects of British and Irish origin, and to imagine that they possessed the power of expelling their oppressors. Overlooking moral feebleness in physical capability, desperate men made an open livelihood by influencing the population of French origin to acts of violence; missionaries of insurrection by their own example ostentatiously showed to them the manner of setting the laws at defiance; and individuals loaded with every species of personal contempt, aggravated a local pressure into popular tumult, or embittered an unimportant grievance into bloodshed. In all cases the object was attained, active discontent was introduced into the passive population, and noon-day meetings gradually ripened into sedition and rebellion.

It is this exclusive French Canadian spirit alone which has given rise to all the discontent existing in this Province; it is this which has in fact made this question one of national origin, and not of political party; in it is to be discovered the source of all the disturbances which have brought sedition and rebellion in their train, and in it alone is to be found a full and complete answer to the enquiry, to what causes the present unhappy condition of this Province is to be ascribed.

The conclusion is borne out by the text-book of the complaints of the French Canadian Representatives, adopted in 1834, the famous ninety-two Resolutions of the House of Assembly, in which will be found a detail of grievances and abuses which that body knew to be either altogether redressed, or in active course of being so; reference is therein principally had to those which have been already adverted to, the introduction of the elective principle into the composition of the Legislative Council, the abrogation of the Tenures Act, and the disposal of the whole Revenue of the Province; the two former have been most wisely refused, the latter as unwisely granted; while by the admission of the French Canadians themselves no real oppression exists in the Province, and no real grievance, consistent with the preservation of British supremacy, remains unredressed. Your Petitioners submit that the Provincial inhabitants of British origin have real and substantial grounds of complaint; they have been compelled to submit to a system of jurisprudence, foreign to their habits and injurious to their interests; to a feudal law, which, to the disgrace of the Provincial Legislature, finds a home in Lower Canada alone, to a denial of those Legislative improvements which would have introduced British capital and enterprise into the Province, and increased therein a British population, and to their privation of their dearest rights as British subjects in their virtual exclusion from a just participation in the Provincial Representation.

Although their supplications and petitions for relief have been unheeded, amidst the clamours of an insurrectionary faction, these loyal subjects still confidently trust in the magnanimity of the Mother Country, and still anticipate from her justice, an entire redress of their unmerited and patiently endured grievances. At the same time your Petitioners conceive that without a total abandonment of the

policy now adopted towards this Province, and its anglicization in fact, as well as in appearance, by means principally of its re-union with Upper Canada, the same evils will exist, the same causes of disorder will continue, and the same attempts at sedition and rebellion will again occur.

Your Petitioners most respectfully entreat your Honorable House, to take the situation of the British inhabitants of Lower Canada into your serious consideration, and to advise such measures as will promote the objects which your Petitioners have in view, the complete anglicization of this Province, and its re-union with Upper Canada.

And your Petitioners as in duty bound will ever pray.

PETER MCGILL, *President Constitutional Association of Montreal.*

WM. BADGLEY, *Secretary Constitutional Association of Montreal.*

MONTREAL, 13th December, 1837.

A Message was brought from the Assembly, by Mr. Fisher, with the following Resolutions:—

House of Assembly, 10th January, 1838.

RESOLVED, unanimously, That an humble and dutiful Address of condolence, be presented to Her Majesty the Queen, on the death of His late Majesty King WILLIAM THE FOURTH, and of congratulation on the accession of Her present Most Gracious Majesty to the Throne of Her Ancestors; and further,

RESOLVED, unanimously, That the Honorable the Legislative Council, be requested to join in the said Address.

CHAS. P. WETMORE, CLERK.

On motion made and seconded,

RESOLVED, unanimously, That this House doth agree to the proposed joint Address of condolence to Her Majesty, on the death of His late Majesty King William the Fourth, and of congratulation on Her Majesty's accession to the Throne.

ORDERED, That the Honorable Mr. Chandler, be a Committee on the part of this House, to join such Committee as may be appointed by the Assembly to prepare the same.

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

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

The Honorable the President read the same;

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

NEW BRUNSWICK,

Message to the Legislative Council,

10th January, 1838.

J. HARVEY, LT. GOVERNOR.

THE Lieutenant Governor communicates to the Legislative Council an extract of a Letter with its enclosure, from the Right Honorable Lord Glenelg, on the subject of Prison Discipline, which he recommends to the consideration of the Council as a matter requiring some Legislative regulation and provision in this Province.

He also sends for the information and consideration of the Council a copy of a Letter, No. 32, from His Lordship on the subject of Joint Stock Companies; and another relating to the penalty imposed by the Mutiny Act, for the fraudulent purchase or possession of Soldiers necessaries.

J. H.

*Extract from Lord Glenelg's Circular, addressed to Sir John Harvey, K. C. H., and dated
Downing Street, 5th July, 1837.*

SIR,

I have the honor to transmit to you the copy of a Letter addressed to one of my under Secretaries of State, by the Secretary to the Committee of the Prison Discipline Society in this Country, relating to the state of the Gaols and Prison Discipline in the Colonies, and containing much useful information on that subject.

I likewise enclose a copy of the rules adopted by the Lieutenant Governor of the Bahamas, for the management of the Gaols in those Islands; which rules have been approved of by the Society above named.

Downing Street, 7th September, 1837.

SIR,

I have received your Despatch, No. 6, of the 29th of June, enclosing the report of the Attorney General of New Brunswick, on four Acts of the Session of the Legislature for the year 1836, which were noticed in my Despatch, No. 102, of the 5th January last.

I gladly acknowledge that this report and your own statement, have contributed greatly to relieve me from the difficulties which I felt on this subject. Her Majesty in Council will make the usual order, leaving these Acts to their operation; but I have received Her Majesty's commands to instruct you to call the attention of the local Legislature to the following observations on the subject.

It is true that in a country placed in circumstances such as those in New Brunswick, many measures may be necessary for the encouragement of useful undertakings, which would be indefensible in this or in any other country well peopled, and possessing capital available for all the ordinary exigencies of life. The creation of joint stock Companies for the establishment of an Hotel or a Stage Coach, may, therefore, be a proper exercise for the powers of the local Legislature; but the danger of such enactments is very considerable. They tend, in effect, to introduce a new system and law of commercial partnership, for the advantage rather of particular bodies than that of society at large, and after yielding to a few applications of this nature, the local Legislature will find it scarcely possible to make an effectual opposition to the instances of other speculators, who may claim on the ground of precedent a participation in the privileges conferred on their commercial rivals. The result must apparently be, that the trade of New Brunswick will at length be principally conducted not on the general principles of other commercial countries, but by joint stock societies, for whose transactions there will be no effective individual responsibility.

It is needless to explain or to insist upon the inconvenience of such a system. But the Legislature are not reduced to the choice between the existing Law and those particular exemptions from it, which the Acts in question have introduced and tend to multiply. The case would seem to be, that the Law of commercial partnership as it exists in England, is too rigid to admit of the free development of the resources of New Brunswick. The principle that every man engaged in trade, is liable in his property and person to the utmost extent, upon every contract of the firm to which he belongs, must, of course, prevent the application to Trade of much capital which might otherwise find a profitable employment in that manner. Thus, for example, the Stage Coaches and Hotels which these Acts have established in the hands of joint stock Companies, would probably have existed as private speculations supported only by their own credit, if it had been possible to engage in the undertaking upon the principles of partnership which prevail in some parts of the Continent of Europe, and which to a certain extent have been sanctioned by Act of Parliament in Ireland. The basis of this Law is that certain persons uniting in any commercial adventure, may limit their responsibility by registering in some office of public and easy resort, the extent of the capital actually engaged by each of them in the undertaking, and making from time to time a similar public registry of the amount, nature, and estimated value of the capital then actually invested in the business, credit being thus given, not to the partners as individual capitalists, but rather to the partnership, as possessed of a certain amount of ascertained property, the risk of improvident and delusive speculation is greatly diminished. This system, it is true, cannot supersede the more ordinary methods of carrying on commercial business, but the two may exist together with great apparent advantage. Ordinary partnerships would be resorted to for the common purposes of trade; while, for more extensive and hazardous undertakings, such as those

those to which these Acts refer, the plan of partnerships with registered capitals and limited responsibility, would be usually preferred.

It is almost superfluous to say, that the preceding remarks are not made with the most remote intention of assuming any authority to control the deliberations of the Legislature of the Province. I am perfectly aware, that in each of the two Houses are to be found many gentlemen who combine with an intimate knowledge of the general principles of Commercial policy, the most exact acquaintance with all the local circumstances which must be considered in the practical application of them to the affairs of New-Brunswick. But it has appeared to me, that the duty of Her Majesty's Government would be imperfectly performed, if the objections which are felt to these laws, or rather to the obvious tendency of them, were stated alone, and unaccompanied by the best suggestions we could offer for obviating the danger, and for accomplishing the end in view by other and safer means.

I have the honor, &c.

(Signed)

GLENELG.

Major General Sir J. HARVEY, K. C. H.
&c. &c. &c.

Downing Street, 10th May, 1837.

SIR,

My attention has been called to the 65th section of the Mutiny Act, which attaches a penalty of not less than £5, nor more than £20, to the fraudulent purchase or possession of Soldiers necessaries, equipments, &c., which minimum penalty is considered far too high to be imposed upon the lower classes of society in the Colonies.

An addition to this clause has in consequence been made in the Mutiny Bill of the present year, empowering the local Legislature on the recommendation of the acting Governor of any such Colony, to lower the amount of such penalty to such a sum as they shall consider adapted to the ability and pecuniary means of all classes residing in the Colony.

Previously to laying such recommendation before the Legislature of the Colony under your Government, you will take especial care that it meet with the concurrence of the Officer in the local command of the Forces.

You will further observe that in conformity with the 79th Section, the Mutiny Act of the past year is superseded by that of the present year, so soon as it shall have been promulgated in General Orders.

The Secretary at War will desire the Officers commanding the Forces in the Colonies, to communicate their General Orders under this head to the Civil Authorities for their information and guidance.

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

(Signed)

GLENELG.

Major General Sir JOHN HARVEY, K. C. H. &c. &c. &c.

Adjourned until To-Morrow at 12 o'clock.

FRIDAY, 12th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

PRAYERS.

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

A Petition from the Reverend Alexander McLean and others, Ministers and Elders of the

the Church in connexion with the Church of Scotland, praying an alteration in the Charter of King's College :

A Petition from the Minister, Elders, Trustees and Members of the Presbyterian Church in the Town of Saint Andrews, in connexion with the established Church of Scotland :

A Petition from the Minister, Elders, Trustees, and Members of Saint James' Church, Newcastle, Miramichi, in connexion with the established Church of Scotland :

A Petition from the Minister, Elders, Trustees and Members of Saint Stephen's Church, in the City of Saint John, in connexion with the established Church of Scotland : and

A Petition from the Minister, Elders, Trustees and Members of Saint Andrew's Church, Chatham, Miramichi, in connexion with the established Church of Scotland, severally praying that the restrictive clauses in the Charter of King's College may be abolished.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 15th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

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

The Honorable the President read the same ;

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

NEW BRUNSWICK.

Message to the Legislative Council,

12th January, 1838.

J. HARVEY, Lt. GOVERNOR.

THE Lieutenant Governor submits to the Legislative Council, an estimate made up on an average of the expenses incurred during the last three years at the Secretary's Office for stationery, printing and book binding, for the public service, with the accustomed charge for the commissions of Oyer and Terminer for the several Counties, and for fuel and contingent expenses of the Office, and recommends to the House to make some annual or other provision for these services ; in doing which, the accompanying statement may be found useful.

The Lieutenant Governor also submits to the House the accounts of expenses incurred for postage at the Secretary's Office during the past year, and recommends that provision be made for defraying the same.

Account of expenses incurred at the Secretary's Office for Stationery, Printing and Bookbinding, &c. for the public service, during the years 1835, 1836, and 1837.

R. Rankin & Company's account,.....	£37	2	10
A. R. Truro's,.....	47	11	5
F. Beverly's,.....	36	6	6
		121	0
		0	9
Average,.....	£40	6	11
J. Simpson's account for printing,.....	£59	8	3
Average,.....	£19	16	1
Annual expense,.....	£60	3	0

Items heretofore allowed from the contingent fund to the Secretary's Office :--

- For fuel and contingent expenses ;
- For Stationery and Printing ;
- For Commissions of Oyer and Terminer and Gaol Delivery ;
- For Postage.

FUEL AND CONTINGENT EXPENSES.

The sum of twenty five pounds per annum has been regularly allowed by order of the Governor and Council since the year 1787, and paid from the contingent fund.

STATIONERY AND PRINTING.

The accounts for these expenses were exhibited to the Governor and Council, and regularly allowed and paid from the same fund until the 19th of May, 1821, when the following minute of Council was entered—" Ordered, that the sum of £48 18 4 be in future allowed to the Province Secretary in lieu of stationery and printing." This sum which was made up from an average of past accounts, was shortly afterwards increased in Council to £49, which amount has been since regularly paid to the close of last year, 1836.

COMMISSIONS OF OYER AND TERMINER AND GAOL DELIVERY.

By the Ordinance of Fees the Secretary is entitled to a fee of 30s. for every of these Commissions, the accounts for which, stating the numbers, have been laid before the Governor and Council, and regularly paid from the contingent fund since the year 1793. The Governor's fees upon them were also paid from the same fund until the commutation of His Excellency's fees, when all the fees payable to him were transferred to the Casual Revenue.

POSTAGE.

The accounts of the Post Master have been regularly submitted to the Governor and Council and paid from the contingent fund since 1787.

These allowances so made for nearly fifty years, may be fairly considered as prescriptive rights of the Secretary's Office, sanctioned by the authority of the Governor and Council; but the accounts herewith exhibited will shew that the sum allowed for stationery and printing falls considerably short of the expense incurred, owing to the great increase of business in the office, particularly in the granting of lands upon which the Secretary no longer receives fees; and when it is considered that the stationery is used entirely for the public service, and that upon every article printed for the use of the office, except the Treasury warrants, a fee or in case of a grant of land, the purchase money, is paid into the Casual Revenue, it will hardly be thought just or reasonable to discontinue the allowance.

(Signed)

W. F. ODELL.

Secretary's Office, 30th December, 1837.

Estimate for defraying the annual expense of Stationery, Printing, Bookbinding, &c. for the Secretary's Office, for the Commission of Oyer and Terminer and Gaol delivery, for the several Counties, and for fuel and contingent expenses of the office. Stationery,

Stationery, Bookbinding, &c.....	£40	6	11
Printing.....	19	16	1
Twelve Commissioners of Oyer and Terminer and Gaol Delivery.....	18	0	0
Fuel and Contingent expenses.....	25	0	0
	£103	3	0

The Honorable Mr. Shore, by direction of His Excellency, lays before the House a general abstract of the revenue and expenditure of the Province, in the year one thousand eight hundred and thirty seven.

ORDERED, That the same do lie on the Table.

On motion,

The Bill for the amendment of the Law with respect to Wills, was read the second third time.

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

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into consideration the Bill, in addition to the Act for defining the crime of forgery.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the order of the day, the House was put into a Committee of the whole to take into consideration the Bill relating to Oaths of Office.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received; and it was

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

The Honorable Mr. Botsford, by leave, presented Petitions from Bradbury Mills and Martin Austin, old Soldiers, praying for assistance.

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

The Honorable Mr. Baillie, by leave, presented Petitions from the following persons, stating themselves to be old Soldiers, praying for relief, to wit: Anthony Woodland, Nathaniel Seabrooks, Seth Griswold, William Harper, John Manzer, James Flint, Charles Hazleton, John Dunlop and Joshua Stone;

Also Petitions from Mary Kelly, Sarah Bate and Catherine Fero, widows of John Kelly, Alexander Bate and Christian Fero, old Soldiers, praying for assistance.

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

The

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

A Petition from John T. Williston, of Chatham, praying a sum of money may be granted him for building a bridge across little Black River, in one thousand eight hundred and thirty six, in consequence of the Supervisors, under their contract, holding out to him that he would be remunerated by the Legislature :

A Petition from Alexander Davidson, John Fraser, William Loch and others, Inhabitants of Newcastle in Northumberland, praying aid for a Grammar School established in the Parish of Newcastle :

A Petition from John Cuppage, John Murphy, John Roddy and others, of the Parish of Northesk, in Northumberland, praying an Act may pass to divide the Parish ; and

A Petition from William Clark, an old Soldier, praying for relief.

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

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

A Petition from Peter Smith, Miles S. Hannah, Thomas Sime, and others, depositors of money in the Charlotte County Saving's Bank, praying a remuneration for losses sustained by the failure of the Institution ; and praying that Commissioners may be appointed for purposes set out in the Petition ; and

A Petition from Thomas Armstrong, Nehemiah Marks, James Frink, Samuel Abbot, Tristram Moore and one hundred and ninety others, inhabitants of Charlotte County, praying for a division of the County into two separate and distinct Counties, Saint Stephen to be the Shiretown of the new County.

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

A Message was brought from the Assembly by Mr. Brown, with the following Bills :—

A Bill relating to the Charlotte County Savings Bank :

A Bill to provide for the erection of Fences with Gates across the Highways on Deer Island, in the Parish of West Isles :

A Bill to incorporate the Saint John Mills and manufacturing Company : and

Resolutions of Appropriation dated ninth January one thousand eight hundred and thirty eight ;

To which they desire the concurrence of this House.

Which said Bills and Resolutions of Appropriation were severally read the first time.

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

The Honorable the President informed the House, that he had received from the Honorable the Secretary of the Province, an Abstract shewing the state of the Central Fire Insurance Company, on the fourth day of January one thousand eight hundred and thirty eight, together with a list of the Stockholders.

ORDERED, That the same do lie on the Table.

Adjourned until To-Morrow at 12 o'clock.

TUESDAY,

TUESDAY, 16th January, 1838.

PRESENT.

THE HON.

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

PRAYERS.

ORDERED, That a Select Committee of three Members be appointed to report upon such Bills, relating to Corporations, as may be referred to it during the present Session ; and that the Honorable Messrs. Peters, Botsford and Chandler, do compose the same.

Pursuant to the Order of the Day, the Bill to incorporate the Saint John Mills and Manufacturing Company, was read the second time.

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

Pursuant to the Order of the Day, the Bill to provide for the erection of Fences with Gates across the highways on Deer Island, in the Parish of West Isles, in the County of Charlotte, was read the second time.

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

A Message was brought from the Assembly by Mr. Fisher, That Messrs. Fisher and Partelow are appointed a Committee on the part of the Assembly, to join the Committee of this House, on the subject of the joint Address of condolence to Her Majesty, on the death of His late Majesty King William the Fourth, and of congratulation on the accession of Her Majesty to the Throne.

A Message was brought from the Assembly by Mr. Hannington, with a Bill, intituled " A Bill to incorporate the Petcodiac Wet Dock Company," to which they desire the concurrence of this House.

Read the said Bill the first time.

ORDERED, That the twenty third rule of this House be dispensed with as regards this Bill, and that the said Bill be read the second time.

Read the said Bill the second time.

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

A Message was brought from the Assembly by Mr. Allen, with a Bill, intituled " A Bill to lessen the number of Directors of the Bank of New Brunswick," to which they desire the concurrence of this House.

Read the said Bill the first time.

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

Pursuant to the Order of the Day, the House put into a Committee of the whole, to take

take into further consideration the Bill in addition to the Act for defining the crime of forgery.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for the amendment of the law with respect to Wills.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill as amended be engrossed, and read a third time on Thursday next.

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

A Petition from John Bill, William Welling, and sundry inhabitants of Westmorland and Kent, praying for aid to encourage the running of a Packet between Shediae and Bedecque :

A Petition from James Millar, praying for a sum of money for teaching a School in Chatham : and

A Petition from William Abrams, Richard Blackstock and William Letson, and ninety three inhabitants of the County of Northumberland, praying an Act may pass to incorporate the Miramichi Banking Company.

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

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

A Petition from Harris Hatch, and others, praying an Act may pass to increase the capital stock of the Charlotte County Bank, and for other purposes therein mentioned :

A Petition from the Rev. Alexander M'Lean, and the Elders and Trustees of the Scotch Church in Saint Andrews, praying Provincial aid to assist in completion of a Presbyterian Church at Whittier's Ridge, in the County of Charlotte :

A Petition from George M'Kay, Peter M'Callum, and thirty three others, inhabitants of Saint Patrick, in the County of Charlotte, with a similar prayer :

A Petition from David J. Turner of the Parish of Saint Patrick, in the County of Charlotte, praying remuneration for losses sustained by the carrying away of the Le Preaux Bridge by a freshet :

A Petition from John Dick, David Quigley, Robert Robertson and John Henderson, old soldiers, praying for assistance : and

A Petition from Mary Burket, the widow of an old soldier, praying for Legislative aid.

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

Adjourned until To-Morrow at 12 o'clock.

WEDNESDAY, 17th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill in addition to the Act for defining the crime of Forgery, was read the third time and passed.

ORDERED, That the title be "An Act in addition to the Act for defining the crime of Forgery."

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

Pursuant to the Order of the Day, the Bill to lessen the number of Directors of the Bank of New Brunswick, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to provide for the erection of Fences with Gates across the Highways on Deer Island, in the Parish of West Isles, in the County of Charlotte.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received; and the Bill be read the third time to-morrow.

The Honorable Mr. Peters, by leave, presented Petitions from Mordecai Starkey, Elias Secord, Barnard Manzer, old Soldiers, praying for assistance; also from Sarah Foster and Elizabeth Green, widows of old Soldiers, with a similar prayer.

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

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

The Honorable the President read the same;

And they were again read by the Clerk, as follows:—

NEW

NEW BRUNSWICK.

Message to the Legislative Council,

15th January, 1838.

J. HARVEY, LT. GOVERNOR.

THE Lieutenant Governor communicates to the Legislative Council, an extract of a Despatch dated tenth of November one thousand eight hundred and thirty seven, from the Right Honorable Lord Glenelg, in answer to the joint Address of the Legislature on the subject of the Boundary between this Province and the State of Maine.

J. H.

Extract of Despatch, No. 49, dated Downing Street, 10th November, 1837, from the Right Honorable Lord Glenelg, Secretary of State, to Major General Sir John Harvey, K. C. H.

I have received, and have had the honor to submit to Her Majesty, your Despatches of the dates and numbers mentioned in the margin, on the subject of the disputed Boundary between New Brunswick and the State of Maine.

In answer to the Joint Address of the Legislature enclosed in the first of these Despatches, the Queen has commanded me to apprise the Legislative Council and House of Assembly of New Brunswick, that Her Majesty fully participates in their anxiety for a final adjustment of this embarrassing and long pending question.

Immediately on the receipt of your Despatches, they were communicated to Viscount Palmerston, and his Lordship is at the present moment engaged in a correspondence with the Central Government of the United States, with the view of adopting further measures for the settlement of the Boundary. Notwithstanding the ill success which has hitherto attended the efforts of the British Government, Her Majesty's Ministers cannot but hope that the propositions which they have lately made to the United States Government will tend to clear away some of the difficulties which have heretofore been opposed to a final decision on this question.

NEW BRUNSWICK,

Message to the Legislative Council,

16th January, 1838.

J. HARVEY, LT. GOVERNOR.

The Lieutenant Governor informs the Legislative Council, that the state of the public business requires the appointment of a Messenger which has been recommended by the Executive Council to attend upon that Body and the Secretary's Office as a mean of communication with the Lieutenant Governor; and he therefore recommends that provision be made for this service.

J. H.

NEW BRUNSWICK.

Message to the Legislative Council,

16th January, 1838.

J. HARVEY, LT. GOVERNOR.

THE Lieutenant Governor communicates to the Legislative Council a copy of a Despatch received from His Excellency Sir Colin Campbell, with a report of the Committee of the House of Assembly of Nova Scotia on the subject of the Fisheries.

J. H.

Government House, Halifax, 10th January, 1838.

SIR,

I have the honor to transmit to your Excellency three copies of the report made by the Committee of the House of Assembly of this Province appointed to consider the subject of the Fisheries in the

last

last Session, and in compliance with the request of the House to solicit your Excellency's co-operation in protecting that valuable branch of Commerce.

I have received a Despatch from Lord Glenelg mentioning that this report will receive the most serious consideration of Her Majesty's Government, and that their decision in regard to it, so soon as it can be maturely formed, will be communicated to me, so that as the attention of the respective Legislatures of New Brunswick and Nova Scotia will doubtless be soon directed to the same important subject, there seems reason to hope that, before the commencement of the ensuing season, some efficient measures will have been devised and adopted for preventing the encroachments of foreigners on our fishing grounds, and enforcing a stricter observance of the stipulations of the Convention existing between Her Majesty's Government and the United States, and which has hitherto been so openly and extensively violated to the immense injury of all Her Majesty's subjects concerned in the Fisheries in these and the neighbouring Colonies.

I have the honor, &c. &c. &c.
(Signed)

C. CAMPBELL.

Major General Sir JOHN HARVEY, K. C. H. &c. &c. &c.

A Message was brought from the Assembly by Mr. Fisher, with a Bill, intituled "A Bill to authorize the extension of the Gaol Limits in the Parish of Fredericton," to which they desire the concurrence of this House.

Read the said Bill the first time.

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

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

A Petition from the Saint John Water Company, praying that a duty of two and a half per cent. paid by them on articles imported for the Company, be returned to them: and

Petitions from Isaac Mills, John Underwood and Frederick Weaver, old Soldiers praying for aid.

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

The Honorable Mr. Black, by leave, presented Petitions from Robert Rankin and Company, of Saint John, as Agents, praying a return of head money paid for passengers on board the brigs Leslie, Ann and Mary, Susan Jane and Isadore, arrived at the Port of Saint John, in the year one thousand eight hundred and thirty seven.

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

A Message was brought from the Assembly by Mr. Wyer, with a Bill, intituled "A Bill to authorize the Magistrates of the County of Charlotte, to levy an assessment to pay off the County Debt," to which they desire the concurrence of this House.

Read the said Bill the first time.

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

A Message was brought from the Assembly by Mr. Woodward, with a Bill, intituled "A Bill for the incorporation of the Saint John Chamber of Commerce," to which they desire the concurrence of this House.

Read the said Bill the first time.

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

The Honorable Mr. Peters, by leave, presented a Petition from Richard Ketchum, Jeremiah M. Connell, James Taylor, for themselves and six others, praying they may be incorporated, under the name and style of the Carleton Mining Company, with all the powers and privileges incident to a corporate body.

ORDERED,

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

A Message was brought from the Assembly by Mr. Allen, with a Bill, intituled "A Bill in addition to an Act, intituled 'An Act to repeal all the laws now in force for the organization and regulation of the Militia, and to make further provision for the same,'" to which they desire the concurrence of this House.

Read the said Bill the first time.

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

On motion made and seconded,

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying he will be pleased to lay before this House a copy of the Despatch from the Right Honorable Lord Glenelg, of the 5th of January 1837, No. 102, referred to in His Excellency's Message to this House of the tenth instant.

ORDERED, That the Honorable the Attorney General and the Honorable Mr. Lee, be a Committee to present the same.

Adjourned until To-Morrow at 12 o'clock.

THURSDAY, 18th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill for the amendment of the Law with respect to Wills, was read the third time and passed.

ORDERED, That the title be "An Act for the amendment of the Law with respect to Wills."

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

Pursuant to the Order of the Day, the Bill to provide for the erection of Fences with Gates across the Highways on Deer Island, in the Parish of West Isles, in the County of Charlotte, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill to authorize the extension of the Gaol Limits in the Parish of Fredericton, was read the second time.

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

Pursuant

Pursuant to the Order of the Day, the Bill to authorize the Magistrates of the County of Charlotte, to levy an assessment to pay off the County Debt, was read the second time.

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

Pursuant to the Order of the Day, the Bill for the incorporation of the Saint John Chamber of Commerce, was read the second time.

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

Pursuant to the Order of the Day, the Bill in addition to an Act, intituled "An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same," was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to lessen the number of Directors of the Bank of New Brunswick.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

A Petition from John Robinson, Esquire, and others, inhabitants of Douglas and Stanley, in York County, praying an Act may pass altering the division line between the Parishes of Douglas and Stanley; and

A Petition from Thomas Pickard, George E. Ketchum and others, Freeholders and Inhabitants of Fredericton, praying an Act may pass to authorize the extension of the Gaol limits in York County.

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

Adjourned until To-Morrow at 12 o'clock.

FRIDAY, 19th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The

The Honorable the Attorney General, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the address of this House of yesterday, praying His Excellency will be pleased to lay before this House the copy of a Despatch from the Right Honorable Lord Glenelg, reported, that they had attended to that duty, and His Excellency was pleased to say the document required should be immediately prepared for this House.

The Honorable the President informed the House, that he had received from the Honorable the Secretary of the Province,

An abstract shewing the state of the Saint Stephen Bank, on the first day of January, one thousand eight hundred and thirty eight.

ORDERED, That the same do lie on the Table.

The Honorable Mr. Shore, by direction of His Excellency the Lieutenant Governor, laid before the House a copy of a Despatch from the Right Honorable Lord Glenelg, dated fifth January one thousand eight hundred and thirty seven, prayed for by the address of yesterday.

The same was read, as follows:—

No. 102.

Downing Street, 5th January, 1837.

SIR,

I have had under my consideration 73 Acts passed by the Legislature of New Brunswick, in the month of March last, upon which I have to make the following observations.

The Acts distinguished as chapters 32, 56, 57, and 58, are all passed, either for the erection of Joint Stock Banks, or for the enlargement of the capital and the privileges of Banks of that nature which have already been established. The Lords of the Treasury having expressed their wish to be apprized of all enactments of this nature, I shall refer them to their Lordships, before I submit them to the King in Council.

The Act No, 1039, imposes the duty of £2 10 per cent. on all articles, the manufacture of Great Britain imported into the Province, and involves a question which is now under the consideration of H. M. Government.

The last Session of the New Brunswick Legislature produced no less than 19 Acts for incorporating various Societies, a number exceedingly great when either the wealth or the population of the Province is borne in mind.

There seems much reason to fear that speculations of this kind, involving the creation of a great mass of transferrable shares had found too ready an acceptance in New Brunswick, and that the Legislature had somewhat unwisely lent their countenance to them. Among those projects there are three, Nos. 1065, 1067 and 1069, for the incorporation of certain Stage Coach Proprietors. And another, No. 1066, for incorporating the Keepers of an Hotel.

In the Hotel Act it is impossible to learn except from the Title, for what object the Society is united together, or what is the business which they are to carry on. It must be added that all of these Stage Coach and Hotel Corporation Laws are formed with a remarkable laxity of style. You will therefore report to me fully upon the state of these four Companies, and upon the causes which led to the singular defectiveness of the Acts by which they are incorporated. For the protection of the Public at large the Government are bound to ask for such explanations before they can take the responsibility of countenancing schemes, which carry on the face of them such strong indications of a speculative origin.

The remainder of this series of Acts will be left to their operation by His Majesty in Council.

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

(Signed)

GLENELG.

Major General Sir A. CAMPBELL, K. C. B., &c. &c. &c.

Pursuant to the Order of the Day, the House was put into a Committee of the whole

to

to take into consideration the Bill for the incorporation of the Saint John Chamber of Commerce.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the extension of the Gaol Limits, in the Parish of Fredericton.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill in addition to an Act, intituled "An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Read a third time and passed the said Bill.

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

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

Petitions from Ammon Hubble and Benjamin M. Donald, old Soldiers, praying a sum of money for past services:

A Petition from William M'Lean, praying a return of duty on a puncheon of rum destroyed by accident:

A Petition from Joseph Read, William Napier and sixty two others, praying an Act may pass to incorporate a Bank at Miramichi: and

A Petition from the Reverend Michael Egan, James Souter, Samuel Bacon, and other persons in Northumberland, praying aid for building a School House, for the use of the Roman Catholics.

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

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

Petitions from the Ministers, Elders, Trustees and Members of Saint Andrew's Church in Saint John, Saint Paul's Church in Fredericton, Saint Andrew's Church in Richibucto, severally praying that certain clauses in the Charter of King's College may be abolished: and

A Petition from Catherine Young, widow of an old Soldier, praying a sum of money may be allowed her.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 22d January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The Honorable the President informed the House, that he had received from the Honorable the Secretary of the Province, Returns from the New Brunswick Marine Assurance Company, shewing the state of that Institution on the fourth day of January one thousand eight hundred and thirty eight.

ORDERED, That the same do lie on the Table.

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

The Honorable the President read the same;

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

NEW BRUNSWICK,
Message to the Legislative Council,
18th January, 1838.

J. HARVEY, LT. GOVERNOR.

THE Lieutenant Governor represents to the Legislative Council, that there exists at present a great inconvenience and defect in the administration of Justice in this Province, arising from the manner of conducting the business of the Court of Chancery.

The

The Lieutenant Governor is under the necessity of delegating the exercise of his judicial functions as Chancellor, to the Judges of the Supreme Court. This arrangement presents the incongruity of the Common Law and Equity Jurisdictions being vested in the same persons, while these two systems of Jurisprudence depend upon principles, and are administered in modes, widely differing from each other. This incongruity is strikingly exemplified in the case, by no means uncommon, of the Court of Chancery being called upon to restrain proceedings in the Supreme Court. Great difficulties and delays also are constantly occurring to suitors from the want of a Judicial Officer whose time and attention may be distinctly and uninterruptedly devoted to the business of the Court of Chancery. As the Province increases in population and wealth, the objects which require the remedial interpositions of this Court, without which the administration of the Common Law is entirely inadequate to fulfil, the demands of Justice are daily increasing both in number and importance.

The same circumstances have also operated to produce a corresponding increase in the number and importance of the cases litigated in the Supreme Court, and thus to render it exceedingly difficult, if not impracticable for the Judges of that Court to bestow that attention upon the business of the Court of Chancery, which it so imperatively requires. The Lieutenant Governor earnestly recommends that he may be enabled to supply this deficiency in the Juridical Establishment of the Province by a permanent provision being made for a Master of the Rolls, an officer well known in the Institutions both of the mother country and colonies, as an Assistant to the Chancellor and authorized to hear causes when he is not present. The Lieutenant Governor is of opinion that the duties and station of a Master of the Rolls would require that his income should be made equal to that of a Puisne Judge of the Supreme Court.

J. H.

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

Petitions from Alexander M'Kenzie, William M'Pherson, Donald M'Donald, James Ross, John Kennedy, David Bruce and Lyman Gray, old Soldiers, praying for assistance: and

A Petition from Abigail Sutherland, the wife of John Sutherland, with a similar prayer.

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

The Honorable Mr. Black, by leave, presented a report of John Boyd, M. D., to the Directors of the Provincial Vaccine Establishment.

ORDERED, That the same be received, and lie on the Table.

The Honorable Mr. Black also presented the following Petitions:—

A Petition from Peter Duff, of the City of Saint John, praying a return of duty paid on goods destroyed by fire in the City of Saint John, on the fourteenth day of January one thousand eight hundred and thirty seven: and

A Petition from John Kerr and Edmund Kaye, Agents, praying a return of head money duty paid for passengers, on board the Barque James Lemon, arrived at the Port of Saint John in August last.

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

The Honorable Mr. Shore, by leave, presented a Petition from Henry G. Clopper, of Fredericton,

Fredericton, praying a sum of six pounds five shillings and eight pence, may be granted him for money advanced by him to assist, on their way to England, four shipwrecked seamen belonging to the Brig Caroline.

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

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

A Petition from the Minister, Elders, Trustees and Members of the Scotch Church at Dalhousie, praying an alteration in the Charter of King's College:

A Petition from George Sinnett, an old Soldier, praying for assistance:

A Petition from Jane M'Curdy, wife of Samuel M'Curdy, an old Soldier with a similar prayer:

A Petition from Thomas Boise and others, praying a sum of money for building a Bridge across the Texas Stream:

A Petition from Andrew Hay, praying an allowance for making a road from Boise Town to Campbell Town: and

A Petition from John M'Laughlan, praying an allowance for teaching a School in Fredericton in the year one thousand eight hundred and thirty six.

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

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

Petitions from John Mills and John Manzer, old Soldiers, praying for relief:

A Petition from John M'Claskey, praying remuneration for loss sustained by him under a contract with the Supervisor of the road from Fredericton to Magaguadavic:

A Petition from the Marine Assurance Company, praying amendments may be made to their Charter: and

A Petition from Arthur Ritchie and Company, of Gloucester, praying a drawback on Rum exported on the ice in March one thousand eight hundred and thirty seven, may be allowed them.

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

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

A Petition from Thomas Sime and other Commissioners of Poor in Saint Andrews, praying to be reimbursed expences incurred in support of Emigrants and transient Poor in the Parish of Saint Andrews:

A Petition from Harris Hatch, John Wilson, R. W. Crookshank and forty one others, praying a Legislative grant to assist in running a Mail Coach between Saint John and Saint Andrews:

A Petition from Edmund Kaye, Cyrus Stockwell, Moses H. Perley and others, praying an Act of Incorporation may be granted to a Company under the name of the Saint Andrew's and Saint John Stage Coach Company:

A Petition from James Smith, praying an increase of salary for keeping the Light House at the entrance of Saint Andrew's Harbour: and

Petitions from Peter M'Callum and John Black, old Soldiers, praying for assistance.

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

A Message was brought from the Assembly by Mr. M'Leod, with a Bill, intituled

"A

“ A Bill relating to the Grammar Schools of King’s and Queen’s Counties,” to which they desire the concurrence of this House.

Read the said Bill the first time.

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

The House adjourned during pleasure.

After some time the House resumed.

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

The House attended accordingly.

His Excellency then gave his assent to

A Bill in addition to an Act, intituled “ An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same.”

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

Adjourned until To-Morrow at 12 o’clock.

TUESDAY, 23d January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

A Message was brought from the Assembly by Mr. Wyer, with a Bill, intituled “ A Bill to incorporate sundry persons by the name of the Saint Andrews Water Company,” to which they desire the concurrence of this House.

Read the said Bill the first time.

ORDERED, That the twenty third rule of this House be dispensed with as regards this Bill, and that the same be read the second time.

Read the said Bill the second time.

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

Pursuant to the Order of the Day, the Bill relating to the Grammar Schools of King’s and Queen’s Counties, was read the second time.

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

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

The Honorable the President read the same;

And they were again read by the Clerk, as follows:—

NEW BRUNSWICK.

Message to the Legislative Council,

22d January, 1838.

J. HARVEY, Lt. GOVERNOR.

As intimately connected with the development of the resources of the Province, the Lieutenant Governor represents to the Legislative Council, the advantages which would, in his judgment, attend even a partial Geological survey or exploration of certain sections or districts of it, for the purpose of obtaining upon more correct data than he apprehends at present to exist, a more accurate knowledge of the mineral treasures with which the Province is believed to abound.

If the House should concur in this view, it would be expedient to make such an appropriation as may enable the Executive Government to engage a proper person to commence the exploration at as early a period as may be practicable.

J. H.

NEW BRUNSWICK.

Message to the Legislative Council,

22d January, 1838.

J. HARVEY, LT. GOVERNOR.

IMPRESSED with the great importance to a new country of a good system of road making, the Lieutenant Governor desires to invite the attention of the Legislature to this subject, and in doing this he would observe, that the system recently introduced in Ireland of employing salaried Officers to superintend the construction and repair of the Great Roads, has been found to work better and more economically than committing the outlay to persons residing on the spot, and temporarily appointed for that purpose.

The division of the Province into Road districts, and the appropriation of a sum for enabling the Executive Government to appoint a salaried Superintendent or Head Road Surveyor for the whole Province, and a Deputy to each district, are the measures which the adoption of this suggestion if concurred in would appear to render expedient.

J. H.

NEW BRUNSWICK.

Message to the Legislative Council,

22d January, 1838.

J. HARVEY, LT. GOVERNOR.

THE Lieutenant Governor feels it to be his duty to invite the attention of the Legislature to the state of insecurity of the Public Records of the Province, and to recommend the erection of some building for the safe deposit of the Provincial Archives, and further to suggest for their consideration, whether such a structure might not be made to include, in addition to the Offices for the principal Officers of the Province, improved accommodation for the Legislative Bodies.

J. H.

NEW BRUNSWICK.

*Message to the Legislative Council,
22d January, 1838.*

J. HARVEY, LT. GOVERNOR.

IN inviting the attention of the Legislature to the important subject of Education, the Lieutenant Governor is desirous of expressing his conviction of the great advantage of obtaining for the rising generation of this Province an early extension to them of those improved principles of instruction which are in such successful operation in England. The Lieutenant Governor alludes more especially to the system which is pursued by the British and Foreign School Society of London, from which institution the Lieutenant Governor has reason to believe that it would not be difficult to procure, on very moderate terms, persons qualified to give instruction in that system, to the Teachers of the elementary Schools of the Province, by which, particularly by the system of mental calculation, the most rapid and astonishing development of the youthful mind is effected with little apparent effort.

The Lieutenant Governor would further recommend the provision at the public expense, of a sufficient number of Class Books for the elementary Schools of the Province printed in England, or reprints from English publications, feeling all the importance of cherishing, in the minds of the youth of the Province, sounder principles of loyalty and attachment to the Parent State, as well as higher and juster ideas of Her power and moral greatness, than are likely to be instilled by publications emanating from a foreign press.

J. H.

NEW BRUNSWICK.

*Message to the Legislative Council,
22d January, 1838.*

J. HARVEY, LT. GOVERNOR.

IN laying before the Legislative Council and House of Assembly copy of a Report which has been addressed to him by Doctor Peters, in charge of the institution formed temporarily at Saint John for the reception of pauper lunatics, the Lieutenant Governor earnestly desires to invite their attention to a subject possessing such strong claims upon their humane and compassionate consideration.

It may be sufficient for the Lieutenant Governor to advert to the acknowledged fact, one established by all experience, that a large proportion of these unhappy cases become confirmed and incurable, for want of an early separation from exciting causes and of proper treatment.

J. H.

[*See Appendix, No. 1.*]

A Message was brought from the Assembly by Mr. Fisher, with a Bill, intituled "A Bill to alter the division line between the Parishes of Douglas and Stanley, in the County of York," to which they desire the concurrence of this House.

Read the said Bill the first time.

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

On motion made and seconded, the following Resolution was passed:—

Whereas representations have been made to this House, that no Charts are in existence,

existence, giving an accurate description of the Rocks, Shoals and other dangerous obstructions in the Bay of Fundy, and of the Shores and Islands contiguous thereto: And whereas from the increasing trade to the Ports connected with the said Bay it is highly desirable that a full and comprehensive survey should be made, and charts taken therefrom, as would particularly designate such Rocks and Shoals, as well as the recently erected Light House establishments on our coasts: And whereas Addresses from this House, and the House of Assembly, in February, 1835, to the then Lieutenant Governor, were laid before His late Majesty's Government, and a communication was made by Message to this House, on the 22d of June following, that Commander Bayfield would terminate his Survey in the Gulf of Saint Lawrence in two more seasons, when it was intended to employ the Commander on the West Coast of Nova Scotia and the Bay of Fundy: And whereas that term having sometime elapsed and the service not having yet commenced, and this House being apprehensive that further delay may be productive of serious consequences, and loss to the commerce and navigation of the Colonies and United Kingdom engaged in the trade of the Bay of Fundy; therefore

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to bring this subject again under the consideration of Her Majesty's Government.

ORDERED, That the Honorable Messrs. Allanshaw and Chandler be a Committee to present the same.

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

A Petition from the Minister, Trustees and Members of Saint Andrew's Church, in Saint John, in connexion with the established Church of Scotland, praying for a modification of the Charter of the Madras Institution:

A Petition from James Rait, of Saint Andrews, praying a return of head money on two hundred and sixty four passengers:

A Petition from Robert Lindsay, David Upton and John Marks, Overseers of Poor in the Parish of Saint Stephen, in the County of Charlotte, praying that a grant may be made them to reimburse the Parish expenses incurred in the support of transient Poor:

A Petition from Stephen Pine, and other Branch Pilots at the Port of Saint Andrews, praying an alteration may be made in the Law relating to Pilots:

A Petition from Patrick Clinch and others, praying money may be granted to remove obstructions to the navigation of the river Magaguadavic, above the forks, and of the Piskehagan, one of its branches: and

Petitions from Dugald Clarke and Neil M'Bean, old soldiers, praying for assistance.

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

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

A Petition from John Hamilton, a schoolmaster in Newcastle, praying an allowance for teaching a school in Northumberland: and

Petitions from Margaret Mercy, Elizabeth Williams and Jane Davidson, of the same County, with similar prayers.

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

The

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

A Petition from Donald McKay, William N. Venning, and others, inhabitants of Newcastle, Nelson and Northesk in Northumberland, praying that the Grammar School system may be altered: and

A Petition from Xenophon Jouett, setting forth his long services as Gentleman Usher of the Black Rod, to the Honorable the Legislative Council, and praying relief.

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

Adjourned until To-Morrow at 12 o'clock.

WEDNESDAY, 24th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to alter the division line between the Parishes of Douglas and Stanley, in the County of York, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill relating to the Grammar Schools of King's and Queen's Counties.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Baillie, by leave, presented a Petition from John Wilson, thirty three Magistrates, certain Clergymen and about one thousand five hundred inhabitants of this Province, praying Legislative aid to assist the Committee of the New Brunswick Baptist Education Society, in liquidating a debt due for the erection of the Baptist Seminary in Fredericton.

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

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

A Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying a Law may be passed authorizing a larger assessment, on the inhabitants, to enable them to establish a more efficient Watch within the City:

A Petition from the same Corporation, praying that a loan to such extent as may be deemed

deemed expedient, may be made to them at a moderate rate of interest, upon the security of the Corporation:

A Petition from the Justices of the Peace, of the City and County of Saint John, praying an Act may pass to authorize them to erect and establish a House of Correction for the City and County, separate and independent of the Sheriff's Gaol, either in the City or within the adjoining Parishes, to apply the monies already granted by the Legislature towards the erection of the same, and also to extend the provisions of the two several Acts of Assembly passed in reference to the contemplated Gaol and House of Correction to the now proposed House of Correction:

A Petition from the same Justices, praying to be reimbursed expenses incurred in providing for and taking care of Lunatics, as well from their City and County, as the Counties of Charlotte, Westmorland, King's, Sunbury, York and Carleton :

A Petition from the same Justices, praying a Law may pass for the purpose of having an Alms House erected, and authorizing the assessment of a sum of money not exceeding five thousand pounds for this purpose, and praying a liberal grant of money may be made to them in aid of the establishment :

A Petition from the same Justices, praying a sum of money may be granted to them to reimburse the Overseers of Poor, for monies expended in relief of Emigrants, and for other purposes set out in the Petition :

A Petition from the same Justices, praying a sum of money may be granted to the Overseers of the Poor, in the Parish of Portland, to reimburse them for expenditures for emigrants and diseased passengers : and

A Petition from the same Justices, praying a sum of money may be granted for expenses incurred in relieving black refugees.

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

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

A Petition from the Rector, Church Wardens and Vestry of Christ's Church, Fredericton, and Lessees of the said Corporation, praying an Act may pass to give authority, that absolute conveyances in fee simple may be given them on payment of certain sums of money to be invested, for reasons stated in their Petition :

A Petition from Musco Wright, an old soldier, praying for relief :

A Petition from the Commissioners of the Alms House, in Fredericton, praying to be remunerated expenses incurred by them for emigrants : and

A Petition from Maria Niles, praying an allowance for teaching a School in the Parish of Woodstock, in the County of Carleton.

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

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

A Petition from William Woodford, M. D., praying remuneration for services performed as a Vaccinating Surgeon :

A Petition from James Worden and Hicks Simmons, old soldiers, praying for relief :

A Petition from Charles Doucett, and others, heads of Acadian families resident at Bathurst, in the County of Gloucester, praying aid for finishing a Church : and

A Petition from William M'Dougald, late a Sergeant in the 43d Regiment, praying a free grant of land may pass to him.

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

The

The Honorable Mr. Chandler, by leave, presented a Petition from John Wheten, and one hundred and fifty nine others of the County of Kent, praying that the line of road explored between Richibucto river and head of the Grand Lake may be opened.

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

Adjourned until To-Morrow at 12 o'clock.

THURSDAY, 25th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Chandler.

PRAYERS.

A Message was brought from the Assembly by Mr. Brown, with a Bill, intituled "A Bill to limit the amount of Stock to be holden by any Stockholder in any Banking Corporation in this Province," to which they desire the concurrence of this House.

Read the said Bill the first time.

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

The Honorable Mr. Botsford, from the Select Committee to whom were referred all Bills relating to Corporations, presented a report.

ORDERED, That the report be received;

And the same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, report, that they have examined "A Bill to incorporate the Peticodiac Wet Dock Company," and have prepared certain amendments to the said Bill, which they recommend to the adoption of the House.

A. E. BOTSFORD:

ORDERED, That the House be put into a Committee of the whole on Tuesday next, to take the said Bill and the report of the Select Committee thereon, into consideration.

The Honorable Mr. Allanshaw, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Resolution of this House of the twenty third instant, on the subject of a full and comprehensive survey of the coasts of the Bay of Fundy, reports, that they had performed that duty; and that His Excellency was pleased to say that he would have much pleasure in attending to the wishes of the Legislative Council.

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

A Petition from John Montgomery and twenty two others, of Restigouche, praying that an Act may pass to incorporate a Bank at Miramichi:

A Petition from John Keillor and thirty nine others, praying a grant may pass in aid of individual subscriptions, to erect a public Wharf at Dorchester Island:

Petitions

Petitions from Eneas Lapee, William West, Benjamin Collins and John M'Donald, old Soldiers, praying for assistance: and

A Petition from Charles Finnis, praying an allowance for teaching a school in the Parish of Norton, in King's County.

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

RESOLVED, That this House be put into a Committee of the whole to-morrow, to take into consideration any Resolutions of Appropriation sent from the Assembly.

ORDERED, That the Resolutions of Appropriation, dated the sixth and ninth of January, instant, be referred to the said Committee.

Adjourned until To-Morrow at 12 o'clock.

FRIDAY, 26th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chundler.

PRAYERS.

The Honorable Mr. Shore, by direction of His Excellency the Lieutenant Governor, lays before the House certain documents relating to the Fisheries.

The same were read as follows:—

[*See Appendix, No. 2.*]

A Message was brought from the Assembly by Mr. Street, with the following Bills:—

A Bill to erect part of the Parish of Northesk, in the County of Northumberland, into a separate and distinct Town or Parish: and

A Bill to incorporate sundry persons, by the name of the President, Directors and Company of the Miramichi Bank,

To which they desire the concurrence of this House.

The said Bills were severally read the first time.

ORDERED, That the Bill to erect part of the Parish of Northesk in the County of Northumberland into a separate and distinct Town or Parish, be read the second time on Monday next.

ORDERED, That the twenty third rule of this House be dispensed with as regards the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Miramichi Bank, and that the same be read the second time.

Read the said Bill the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole upon Resolutions of Appropriation.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the sixth and ninth of January instant, and recommended that the House should concur in the same, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the sixth and ninth of January, instant, were concurred in by the House.

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

Pursuant to the Order of the Day, the Bill to limit the amount of Stock to be holden by any Stockholder in any Banking Corporation in this Province, was read the second time.

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

On motion,

The Bill relating to the Grammar Schools of King's and Queen's Counties, was read the third time and passed.

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

On motion,

The House was put into a Committee of the whole to take into further consideration the Bill to authorize the extension of the Gaol Limits in the Parish of Fredericton.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. expunge the words "or any other."

At B. expunge the words "To a distance not exceeding three hundred rods from the Gaol, in the said County:" and insert "So as to include all the Lands comprised within the Town Plat of Fredericton, (that is to say;) which lie to the northward of the rear line of the said Town Plat, as laid out and described in the original Grant thereof, and between such rear line and the River Saint John to the line of low water mark, including any Wharf or Wharves already erected, or hereafter to be erected, extending into the said River, also all the Land which lies to the northward of the prolongation of the said rear line of the said Town Plat, south forty three degrees east, until it strikes the River Saint John aforesaid."

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

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

A Message was brought from the Assembly by Mr. Wyer, with the following Bills:—

A Bill further to amend an Act, intituled "An Act to authorize the Grand Jurors in the several Counties within this Province to inspect the public accounts:" and

A Bill to authorize the Magistrates of the Counties of Charlotte and Northumberland, respectively, to impose a tax on dogs.

To which they desire the concurrence of this House.

The said Bills were severally read the first time.

ORDERED, That they stand for the second reading on Monday next.

The Honorable Mr. Botsford, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further report.

ORDERED, That the report be received, and the same was then read by the Clerk, as follows:

The Committee to whom were referred all Bills relating to Corporations, further report that they have examined the Bill to incorporate sundry persons by the name of the Saint Andrews Water Company, and prepared certain amendments thereto, which they recommend to the adoption of the House.

A. E. BOTSFORD.

ORDERED, That the House be put into a Committee of the whole, on Tuesday next, to take the said Bill and the report of the Select Committee thereon into consideration.

Adjourned until Monday next at 12 o'clock.

MONDAY, 29th January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the extension of the Gaol Limits in the Parish of Fredericton, as amended, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill to erect part of the Parish of Northesk, in the County of Northumberland, into a separate and distinct Town or Parish, was read the second time.

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

Pursuant to the Order of the Day, the Bill further to amend an Act, intituled "An Act to authorize the Grand Jurors in the several Counties within this Province to inspect the public Accounts," was read the second time.

ORDERED,

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

Pursuant to the Order of the Day, the Bill to authorize the Magistrates of the Counties of Charlotte and Northumberland, respectively, to impose a tax on Dogs, was read the second time.

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

A Message was brought from the Assembly by Mr. Weldon, that they have agreed to the Bill for the amendment of the law with respect to Wills, without any amendment; and with the following Bills:—

A Bill to authorize the Treasurer of the Province to pay off the Loan from the New Brunswick Fire Insurance Company:

A Bill to authorize the Justices of the Peace in and for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same: and

A Bill to amend an Act, intituled: "An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company."

To which they desire the concurrence of this House.

Read the said Bills the first time.

ORDERED, That the Bill to authorize the Treasurer of the Province to pay off the Loan from the New Brunswick Fire Insurance Company: and

The Bill to authorize the Justices of the Peace in and for the City and County of Saint John, to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same, be read the second time to-morrow.

ORDERED, That the twenty third rule of this House be dispensed with, as regards the Bill to amend an Act, intituled "An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company," and that the same be read the second time.

Read the said Bill the second time.

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

A Message was brought from the Assembly by Mr. End, with a Bill, intituled "A Bill in addition to and explanatory of an Act, intituled 'An Act to regulate proceedings before Justices of the Peace in Civil Suits,'" to which they desire the concurrence of this House.

Read the said Bill the first time.

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

A Message was brought from the Assembly by Mr. Wilson, with a Bill, intituled "A Bill for erecting parts of the Towns or Parishes of Hopewell and Salisbury in the County of Westmorland into a separate Town or Parish," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A

A Message was brought from the Assembly by Mr. Wyer, with the following Bills:—

A Bill to increase the Capital Stock of the Charlotte County Bank, and to amend the Act incorporating the same: and

A Bill for the incorporation of the Saint John Stage Company.

To which they desire the concurrence of this House.

The said Bills were severally read the first time.

ORDERED, That the twenty third rule of this House be dispensed with as regards these Bills, and that the same be read the second time.

Read the said Bills the second time.

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

The Honorable Mr. Botsford, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further report.

ORDERED, That the report be received, and the same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, report, that they have examined a Bill to incorporate the Saint John Mills and Manufacturing Company, and have prepared an amendment thereto, which they recommend to the adoption of the House. They have also under consideration a Bill to incorporate sundry persons by the name of the President, Directors and Company of the Miramichi Bank, and recommend the same, without amendment, to the favorable consideration of the House.

A. E. BOTSFORD.

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

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

A Petition from Moses H. Perley, setting forth that in July, 1835, he purchased eighty thousand acres of Crown Land, upon which he paid a deposit of five hundred pounds, that it was afterwards discovered that only about three quarters of the Land so purchased could be surveyed to him, and in scattered blocks only, which induced him to abandon the purchase and claim the deposit; the Government, however, refused to refund, and the petitioner prays relief in the premises:

A Petition from John Moore, an old Soldier, praying for assistance: and

A Petition from the Honorable Mr. Justice Botsford, Peter Etter, Amos Fowler, and others in Westmorland, praying a grant may be made in aid of individual subscription towards building an Aboideau over the Au Lac River.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY,

TUESDAY, 30th January, 1838.

PRESENT.

THE HON.

**Mr. Chief Justice Chipman, President.*

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Treasurer of the Province to pay off the Loan from the New Brunswick Fire insurance Company, was read the second time.

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

Pursuant to the Order of the Day, the Bill to authorise the Justices of the Peace in and for the City and County of Saint John, to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same, was read the second time.

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

Pursuant to the Order of the Day, the Bill in addition to and explanatory of an Act, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits," was read the second time.

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

Pursuant to the Order of the Day, the Bill for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland into a separate Town or Parish, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Saint John Mills and Manufacturing Company, and the report of the Select Committee thereon.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. in Section I. add the words "For the purpose of erecting Mills and Machinery, and necessary works therewith connected at Cunnable's Point, in the Parish of Lancaster, in the County of Saint John, for manufacturing purposes, and for carrying on and managing the same."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Peticodiac Wet Dock Company, and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. in the Preamble, expunge the words “has been,” and insert “is.”

At B. in the Preamble, expunge the words “on Hall’s Creek at,” and insert “at or near.”

At C. in Section I. expunge the remainder of the Section, and insert the words “all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of erecting and maintaining a Wet Dock at or near the bend of the Peticodiac River, in the County of Westmorland, for the more convenient loading and unloading of Ships, Vessels or Boats, and any necessary Wharves, Buildings or Works connected therewith, and for carrying on and managing the same.”

At D. in Section II. expunge the word “ten,” and insert “twenty.”

At E. expunge the word “three,” and insert “two.”

At F. insert the words “and provided that the said Corporation shall not be entitled to purchase any property real or personal, or to incur any debts until the said twenty per cent. of the capital stock as aforesaid shall be paid in.”

At G. in Section III. expunge the remainder of the Section.

At H. in Section X. insert as follows:—

“Provided always, that if after the expiration of six years from the time of completing the said Wet Dock, the rates, tolls or dues, that may be established by the said Corporation under and by virtue of this Act, should be found excessive, it shall and may be lawful for the Legislature to reduce the said rates, tolls or dues, so that the same shall not produce to the said Corporation a greater rate of net profit upon their Capital Stock than twenty pounds annually, for every hundred pounds of such Capital Stock; and in order that the true state of the affairs of the said Corporation shall be known, it shall be the duty of the President and Directors thereof to produce and lay before the several branches of the Legislature of this Province, at the expiration of six years after the said Wet Dock shall have been completed as aforesaid, a just and true statement and account of the monies by them disbursed and laid out in making and completing the said Wet Dock in manner aforesaid, and also of the amount of the tolls and revenues of the said Wet Dock, and of the annual expenditure and disbursements in maintaining and keeping up the same during the said six years; the said several accounts and statements to be signed by the President and Treasurer of the said Corporation.”

ration; and by such President and Treasurer attested to on oath before any one of Her Majesty's Justices of the Peace for any County in this Province: and provided also; that it shall be the duty of the said President and Directors of the said Corporation once in each and every year after the expiration of the said six years, to lay before the several branches of the Legislature a like statement and account, verified on oath by the said President and Treasurer as aforesaid."

At I. expunge the Sections XI. XII. XIII. and XIV. and alter the enumeration of the subsequent Sections accordingly.

At J. in Section XVI. expunge the word "six," and insert the word "four."

At K. insert a new section, as follows:—

"XIII. Provided always, and be it enacted, That unless the sum of six hundred pounds of the said Capital Stock shall be actually paid in for the purposes of the said Corporation, and a Certificate of such payment signed and verified on oath by the said Directors, or a majority of them, which oath any Justice of the Peace may administer, shall be filed in the office of the Secretary of the Province before the expiration of two years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said two years."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to incorporate sundry persons by the name of The President, Directors and Company of the Miramichi Bank, and the report of the Select Committee thereon.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. in Section XIII. expunge the words "the passing of this Act as aforesaid;" and insert the words "the time when this Act shall come into operation."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to limit the amount of stock to be holden by any stockholder in any Banking corporation in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

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

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill further to amend an Act, intituled " An Act to authorize the Grand Jurors in the several Counties within this Province to inspect the public Accounts."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorise the Magistrates of the Counties of Charlotte and Northumberland respectively, to impose a tax on Dogs.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

A Message was brought from the Assembly by Mr. Allen, with a Bill, intituled " A Bill for altering the time for holding one of the Terms of the General Sessions of the Peace and Inferior Court of Common Pleas in and for the County of York," to which they desire the concurrence of this House.

Read the said Bill the first time.

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

A Message was brought from the Assembly by Mr. Street, with a Bill, intituled " A Bill to continue certain Acts relating to the Fisheries in the County of Northumberland, that are near expiring," to which they desire the concurrence of this House.

Read the said Bill the first time.

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

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

A Petition from James M'Indoe, formerly a Messenger of the Assembly, praying Legislative aid :

A Petition from the Justices of the Peace for the County of Carleton, praying that an Act

Act may pass to authorise an assessment on the County, to pay off debts due by the County : and

A Petition from Alexander M'Lean, an old soldier, praying for aid.

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

The Honorable Mr. Allanshaw, by leave, presented a Petition from Robert W. Crookshank, John Ward and Son, Hugh M'Kay, and fifty others, of the City of Saint John, praying a bounty on tonnage of vessels employed in the cod and scale Fisheries, also on the catch, or in any way the Legislature may deem best to promote the object.

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

Adjourned until To-Morrow at 12 o'clock.

WEDNESDAY, 31st January, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Saint John Mills and Manufacturing Company, as amended, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill to incorporate the Peticodiac Wet Dock Company, as amended, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Miramichi Bank, as amended, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill for altering the time of holding one of the Terms of the General Sessions of the Peace and Inferior Court of Common Pleas in and for the County of York, was read the second time.

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

Pursuant to the Order of the Day, the Bill to continue certain Acts relating to the Fisheries in the County of Northumberland, that are near expiring, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the Justices of the Peace in and for the City and County of Saint John to establish a House of correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the Treasurer of the Province to pay off the Loan from the New Brunswick Fire Insurance Company.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House put into a Committee of the whole, to take into consideration the Bill in addition to and explanatory of an Act, intituled "An Act to regulate proceedings before Justices of the Peace in civil suits."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the amendments made by this House to the Bill to authorize the extension of the Gaol Limits in the Parish of Fredericton.

A Message was brought from the Assembly by Mr. Barlow, with the following Bills:—

A Bill more effectually to provide for the support of a Nightly Watch, and for lighting the City of Saint John, and for other purposes: and

A Bill to continue the Act relating to the Streets and Squares in the City of Saint John,

To which they desire the concurrence of this House.

The said Bills were severally read the first time.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to lessen the number of Directors of the Bank of New Brunswick.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to alter the division line between the Parishes of Douglas and Stanley, in the County of York.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill into consideration, had made further progress therein, and recommended that the same be referred to a Select Committee of three Members, with power to send for persons and papers, and to report thereon by amendment or otherwise.

ORDERED, That the report be received, and the Bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise.

ORDERED, That the Honorable Messrs. Baillie and Robinson, and the Honorable the Attorney General do compose the same for that purpose.

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further report.

ORDERED, That the report be received;

And the same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, report, that they have had under consideration “A Bill to increase the Capital Stock of the Charlotte County Bank, and to amend the Act incorporating the same;” also “A Bill to amend an Act, intituled ‘An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company,’” and also “A Bill for the incorporation of the Saint Andrews and Saint John Stage Company,” and that they have prepared certain amendments to the said Bills, which they recommend to the adoption of the House.

HARRY PETERS, Chairman.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland, into a separate Town or Parish.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Peters, by leave, presented a Petition from Deliverance Coal, widow of David Coal, an old Soldier, praying for assistance.

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

Adjourned until To-Morrow at 12 o'clock.

THURSDAY, 1st February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Treasurer of the Province to pay off the Loan from the New Brunswick Fire Insurance Company, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland, into a separate Town or Parish, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill more effectually to provide for the support of a nightly Watch, and for lighting the City of Saint John, and for other purposes: and

The Bill to continue the Act relating to the Streets and Squares in the City of Saint John, were severally read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to continue certain Acts relating to the Fisheries in the County of Northumberland that are near expiring.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for altering the time of holding one of the Terms of the General Sessions of the Peace and Inferior Court of Common Pleas in and for the County of York.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

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

The Honorable the President read the same;

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

NEW BRUNSWICK.

Message to the Legislative Council;

29th January, 1838.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor submits to the Legislative Council, a copy of a Letter addressed to him by the Commissioner and Surveyor General of Crown Lands, on the subject of a Map of the Province, which that Officer is now preparing, and which, in the opinion of the Lieutenant Governor, will, if published, be productive of great benefit to the Province at large; and he therefore strongly recommends it to the favorable consideration of the Council.

J. H.

Crown Land Office, January 25th, 1838.

SIR,

I have the honor to inform your Excellency, that I have for some time past been engaged with one of my Draftsmen, Mr. Inches, in preparing a Map of this Province, upon a scale of six miles to an inch, compiled most carefully from the original returns of actual Surveys now in this office.

The Map comprises a delineation of all the granted lands, thus, shewing the extent of the vacant lands—the Great Roads of Communication, as well as of the Bye Roads—the County and Parish lines are also correctly laid down—the Lakes, Rivers, Brooks and Highlands, are also exhibited in their true positions: thus furnishing a perfect representation of the face of the Country, and a correct Map of the whole Province.

It is my wish to publish this work, which will be ready for the Engraver by the first June next. The engraving and one hundred copies, I have ascertained will cost about £500 sterling, which, however, is a sum much larger than I should be justified in incurring upon, so uncertain a speculation as a return by the sale of the copies. As, however, all classes of Her Majesty's subjects in this Province, must be more or less interested in having a publication of such a Map, I take the liberty of submitting

the matter to your Excellency's favorable consideration; and as you have inspected the work, and can form a perfect judgment of its merits, should you think the undertaking worthy of encouragement, I trust your Excellency will extend such assistance as will enable me to publish the Map at an early day.

Should I be enabled to publish this Map, I intend shortly, out of any profits which may arise, to propose Lithographic County plans, upon a much larger scale, which will show every separate grant of land in the Province, together with all the information contained in the Map.

I have the honor to be, Sir,

Your Excellency's most obedient humble Servant,

THOMAS BAILLIE, *Com. & Sur. Gen.*

To His Excellency Major General Sir J. HARVEY, K. C. H. & C. B.
&c. &c. &c.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for the incorporation of the Saint Andrews and Saint John Stage Company, and the report of the select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

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

At B. add the words "For the purpose of establishing lines of Coaches to run between the City of Saint John and any part of the Province, and for carrying on and managing the same."

At C. in Section II. add the words "Twenty per cent. of the said Capital Stock to be paid in before the said Corporation shall be entitled to purchase any property, real or personal, or to incur any debts."

At D. in Section IV. expunge the words "three years," and insert "one year."

At E. expunge the words "three years," and insert "one year."

At F. expunge the preamble, and insert the following:—

"Whereas it is thought that the running of Stage Coaches from and to Saint John, would be highly beneficial to the public, by facilitating the means of communication throughout the Province."

At G. in the title, insert the word "Coach."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to amend an Act, intituled "An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company," and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

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

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to increase the Capital Stock of the Charlotte County Bank, and to amend the Act incorporating the same, and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received;

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

At A. in Section I. expunge the words “passing of this Act,” and insert the words “time when this Act shall come into operation.”

At B. in Section II. insert the words “in separate lots of four shares each.”

At C. expunge the Section VI. and alter the enumeration of the subsequent Sections accordingly.

At D. in Section VII. expunge the words “passing of this Act,” and insert “time of this Act coming into operation.”

At E. insert a new Section, as follows:—

“XI. And be it enacted, That in case any Bills or Notes issued by the said Corporation shall remain unpaid, the holders of stock in said Corporation, as well as those who were Stockholders at the time of the notice of said dissolution, (which said notice shall take place by a publication of their intentions so to do in the Royal Gazette twelve months previous to the said Corporation being allowed to carry the same into effect,) shall be chargeable in their private and individual capacity for the payment and redemption thereof, in proportion to the stock they respectively held or hold, subject however to the proviso mentioned in the seventh section of this Act; provided however, that this liability shall continue for two years only from after the notice of such dissolution.”

At F. expunge the figures “1860,” and insert the words “one thousand eight hundred and sixty, and no longer.”

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to authorize the Justices of the Peace in and for the City and County of Saint John, to establish a House of Correction for the said

said City and County, and to extend the provisions of two Acts of Assembly to the same.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. in Section I. insert the words "and the said Justices are also hereby empowered, by the style and name of the Justices of the Peace for the City and County of Saint John, to purchase, take and hold any land for the site and purposes of such House of Correction."

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

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

The Honorable Mr. Baillie, from the Select Committee to whom was referred the Bill to alter the division line between the Parishes of Douglas and Stanley, in the County of York, presented a report.

ORDERED, That the report be received;

And the same was then read by the Clerk, as follows:—

The Select Committee to whom was referred the Bill, intituled "A Bill to alter the division line between the Parishes of Douglas and Stanley, in the County of York," report, that they have had the same under consideration, and have endeavoured to obtain information on the subject, and from what they have been enabled to collect, are of opinion that the same Bill, if passed into a law, will have the effect of confining the Parish of Stanley to a tract of almost entirely wilderness lands, having few or no permanent settlers, not sufficient in numbers to afford a good selection of Parish Officers. They are also of opinion that the present Bill is objectionable in consequence of the description of boundary.

The Committee are also of opinion, that the evils complained of by the Petitioners for passing the Bill will be best remedied by a repeal of the Act passed at the last Session of the Legislature, intituled "An Act for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish," and submit for consideration the draft of a Bill for that purpose.

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

The Honorable Mr. Shore, by leave, presents a Petition from Thomas Lee, late Sergeant in the Rifle Brigade, praying for a free grant of land.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill

Bill to authorize the Magistrates of the County of Charlotte to levy an Assessment to pay off the County Debt.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Chandler, from the Joint Committee of the Legislative Council and Assembly, appointed to prepare an Address of Condolence to Her Majesty, on the demise of His late Majesty King William the Fourth—and of congratulation on Her accession to the Throne, reported a draft, which he read in his place;

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

To the Queen's Most Excellent Majesty.

THE HUMBLE AND DUTIFUL ADDRESS OF THE LEGISLATIVE COUNCIL AND
HOUSE OF ASSEMBLY OF THE PROVINCE OF NEW BRUNSWICK IN
GENERAL ASSEMBLY.

MAY IT PLEASE YOUR MAJESTY.

We deeply participate with Your Majesty in the severe affliction which Your Majesty has suffered by the lamented death of Your Majesty's beloved Uncle, our late Sovereign, of revered and glorious memory.

We assure Your Majesty; that we shall ever remember, with affection and gratitude, the liberal and enlightened policy with regard to the people of this Province, which so peculiarly characterized the reign of His late Majesty King William the Fourth.

In presenting to Your Majesty our humble and heartfelt congratulations on Your Majesty's auspicious accession to the Throne, we desire to record the expression of our devoted attachment to Your Majesty's sacred person, and our entire confidence that Your Majesty will evince the same lively solicitude for the welfare and protection of Your people in this Province, which so conspicuously distinguished Your Royal Predecessor.

We offer our fervent aspirations, that under the favour and guidance of Divine Providence, Your Majesty may long continue to reign in the hearts and affections of all Your subjects throughout Your Majesty's widely extended dominions.

The Honorable Mr. Allanshaw presented to the House a Bill, intituled "An Act to amend the law relating to the inspection of public Accounts by Grand Juries, so far as relates to the County of Charlotte."

Read the said Bill the first time.

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

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the joint Address to Her Majesty on the death of His late Majesty King William the Fourth, and of congratulation on Her Majesty's accession to the Throne.

RESOLVED, That this House do agree to the said Address as prepared by the joint Committee of this House and the Assembly, and that the Honorable Mr. Chandler be a Committee, with such Committee as the House of Assembly shall appoint, to wait

upon His Excellency the Lieutenant Governor, and to request that he will be pleased to transmit the same to be laid at the foot of the Throne.

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

Adjourned until To-Morrow at 12 o'clock.

FRIDAY, 2nd February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

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

A Bill for the incorporation of the Saint Andrews and Saint John Stage Coach Company:

A Bill to authorise the Justices of the Peace in and for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same: and

A Bill to increase the Capital Stock of the Charlotte County Bank, and to amend the Act incorporating the same.

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

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

A Bill to authorise the Magistrates of the County of Charlotte to levy an assessment to pay off the County debt: and

A Bill to continue certain Acts relating to the Fisheries in the County of Northumberland that are near expiring.

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

A Message was brought from the Assembly by Mr. Fisher, with a Bill, intituled "A Bill to enable the Rector, Church Wardens and Vestry of Christ's Church, in Frederickton, to alienate certain Lands belonging to that Corporation," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly by Mr. Allen, with a Bill, intituled

"A

“A Bill for the better and more effectual securing the navigation of the Newcastle River in Queen’s County,” to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the Bill to amend the law relating to the inspection of public Accounts by Grand Juries, so far as relates to the County of Charlotte, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to continue the Act relating to the Streets and Squares in the City of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to alter the division line between the Parishes of Douglas and Stanley, in the County of York, and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

The Honorable the Attorney General presents to the House a Bill, intituled “An Act to repeal an Act, intituled ‘An Act for erecting a part of the Parishes of Saint Mary’s and Douglas, in the County of York, into a separate and distinct Town or Parish.’”

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill more effectually to provide for the support of a nightly Watch, and for lighting the City of Saint John, and for other purposes.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED,

ORDERED, That the report be received ; and it was thereupon
RESOLVED, That the further consideration of the said Bill be postponed for three months.

The Honorable the President gave notice, that on Monday next he would move that the following be made one of the Standing Orders of this House :—

ORDERED, That this House will not entertain any application from any Joint Stock Company, incorporated by Act of Assembly in this Province, for any alteration in the Act of incorporation of such Joint Stock Company, unless such application proceed from or be sanctioned by the stockholders at a general meeting legally convened.

ORDERED, That the Members of this House, in Town, be summoned for Monday next to consider of the same motion.

Adjourned until Monday next at 12 o'clock.

MONDAY, 5th February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue the Act relating to the Streets and Squares in the City of Saint John, was read the first time and passed.

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

Pursuant to the Order of the Day, the Bill for the better and more effectual securing the navigation of the Newcastle River in Queen's County, was read the second time.

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

Pursuant to the Order of the Day, the Bill, intituled "An Act to repeal an Act, intituled 'An Act for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish,'" was read the second time.

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

Pursuant to the Order of the Day, the Bill to enable the Rector, Church Wardens and Vestry of Christ Church, in Fredericton, to alienate certain lands belonging to that corporation, was read the second time.

ORDERED, That the said Bill be referred to a Select Committee of three Members to report thereon.

ORDERED,

ORDERED, That the Honorable Mr. Botsford, the Honorable the Attorney General and the Honorable Mr. Lee, do compose the said Committee, for that purpose.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act to amend the Law relating to the inspection of public Accounts by Grand Juries, so far as relates to the County of Charlotte."

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the Bill, intituled "An Act in addition to the Act for defining the crime of Forgery ;"

That Mr. Fisher and Mr. Street are appointed a Committee from the Assembly to wait upon His Excellency the Lieutenant Governor with the joint Address to Her Majesty, on the death of His late Majesty King William the Fourth, and of congratulation on Her Majesty's accession to the Throne ;

And with a Bill, intituled "A Bill in addition to an Act, intituled 'An Act for the incorporation of the Saint John and Saint Croix River Canal Company,'" to which they desire the concurrence of this House.

The said Bill was read the first time.

ORDERED, That the twenty third rule of this House be dispensed with, as regards this Bill, and that the same be read the second time.

The said Bill was read the second time.

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

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

A Petition from John Wilson, James Rait, William Kerr, and thirty four others inhabitants of Saint Andrews, praying an Act may pass to incorporate the Saint Andrews Water Company : and

A Petition from Josephus Moore, Alexander Campbell, and others inhabitants of Charlotte County, praying an Act may pass in addition to the Act for the incorporation of the Saint John and Saint Croix River Canal Company.

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

The Honorable Mr. Black, by leave, presented a Petition from William Eagles, Barnes Travis, Robert James and sixty others, Merchants, Pilots, and others, praying for a grant of money to improve the navigation of the River Saint John at the Falls, at the entrance of the said River.

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

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

A Petition from M'Kay, Brothers and Company, of Saint John, Merchants, praying a
return

return of head money paid on passengers on board the Ship *Campion*, in one thousand eight hundred and thirty seven :

A Petition from John Simkin, with a similar prayer, for passengers on board the *Barque Recovery* :

A Petition from Isaac and G. Woodward, praying a return of duty paid on two puncheons of rum : and

A Petition from John Marshall, Master of the Brig *Highlander*, praying a return of head money.

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

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

A Petition from Alexander M'Grotty, and others, Surveyors of Lumber at Saint John, praying an alteration in the laws relating to Lumber :

A Petition from Adam Dollin, a School Master, in Portland, praying for an allowance :

A Petition from Robert W. Crookshank, James Kirk, Samuel Gould and sundry Merchants of Saint John, praying that no Act may pass by which any imposition of duty may be made on the landing of goods at the several wharves at that place :

A Petition from Stephen Wiggins and sixty eight others, householders and freeholders of the City of Saint John, praying that no alteration may be made in the Act for the more effectual prevention of Fires in the said City, unless other and more effectual provisions are made in lieu thereof :

A Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying Legislative aid to enable them to widen the Bridge leading towards Indian Town : and

A Petition from Thomas Crawford, a School Master, praying for an allowance.

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

On motion made and seconded,

RESOLVED, That the following be one of the Standing Orders of this House :—

ORDERED, That this House will not entertain any application from any Joint Stock Company incorporated by Act of Assembly in this Province, for any alteration in the Act of incorporation of such Joint Stock Company, unless such application proceed from or be sanctioned by the Stockholders at a general meeting legally convened.

ORDERED, That the foregoing Standing Order be published for six weeks in the Royal Gazette.

A Message was brought from the Assembly by Mr. Street, that the Assembly had agreed to the amendment made by this House to the Bill to incorporate sundry persons by the name of the President, Directors and Company of the *Miramichi Bank*.

A Message was brought from the Assembly by Mr. Allen, that they had agreed to the amendments made by this House to the following Bills :—

A Bill to incorporate the *Saint John Mills and Manufacturing Company* : and

A Bill to incorporate the *Peticodiac Wet Dock Company*.

Adjourned until To-Morrow at 12 o'clock.

TUESDAY.

TUESDAY, 6th February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act to amend the Law relating to the inspection of public Accounts by Grand Juries, so far as relates to the County of Charlotte," was read the third time and passed.

ORDERED, That the title be "An Act to amend the Law relating to the inspection of public Accounts by Grand Juries, so far as relates to the County of Charlotte."

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act to repeal an Act, intituled 'An Act for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish.'"

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for the better and more effectual securing the navigation of the Newcastle River, in Queen's County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Barlow, that the Assembly had agreed to the amendments made by this House to the Bill to authorize the Justices of the Peace in and for the City and County of Saint John, to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same.

A Message was brought from the Assembly by Mr. Wyer, that the Assembly had agreed to the amendments made by this House to the following Bills:—

A

A Bill to increase the Capital Stock of the Charlotte County Bank, and to amend the Act incorporating the same: and

A Bill for the incorporation of the Saint Andrews and Saint John Stage Coach Company.

Adjourned until To-Morrow at 4 o'clock.

WEDNESDAY, 7th February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Allanshaw.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The Honorable the President acquainted the House, that by a Commission dated the fifth day of February, instant, under the Great Seal of the Province, Beverly R. Jouett, Esquire, is appointed Sergeant at Arms to attend this House in General Assembly, in the room of Isaac W. Jouett, Esquire, deceased.

A Message was brought from the Assembly by Mr. Allen, with the following Bills:—

A Bill for the establishment of Grammar Schools in the County of Northumberland; and

A Bill to erect a part of the Parishes of Gagetown and Hampstead, in Queen's County, into a separate and distinct Town or Parish;

And with Resolutions of Appropriation dated the 6th of February instant,

To which they desire the concurrence of this House.

The same were severally read the first time.

ORDERED, That the Bill for the establishment of Grammar Schools in the County of Northumberland: and

The Bill to erect a part of the Parishes of Gagetown and Hampstead, in Queen's County, into a separate and distinct Town or Parish, be read the second time to-morrow.

ORDERED, That the Resolutions of Appropriation be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation of the sixth of February, they had made some progress therein, and recommended that the following Resolution should be concurred in:—

To

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £300, to be applied towards the relief of the Wives and Children (now at Fredericton and Saint John); of such of Her Majesty's Troops, recently ordered through this Province to quell the insurrection in Canada, as were precluded from taking their families with them; owing to the fatiguing march and the inclemency of the weather.

And asked leave to sit again.

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

Whereupon the said Resolution was concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Jordan, with the following Bills:—

A Bill more effectually to regulate the Ferry and public Landing in front of Indian Town in the Parish of Portland and County of Saint John: and

A Bill to erect a part of the Parish of Portland into a separate and distinct Town or Parish,

To which they desire the concurrence of this House.

The said Bills were severally read the first time.

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

Pursuant to the Order of the Day, the Bill, intituled "An Act to repeal an Act, intituled 'An Act for erecting a part of the Parishes of Saint Mary's and Douglas, in County of York, into a separate and distinct Town or Parish,'" was read the third time and passed.

ORDERED, That the Title be "An Act to repeal an Act, intituled 'An Act for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish.'"

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

The Honorable Mr. Chandler, from the Joint Committee of this House and the Assembly appointed to wait upon His Excellency the Lieutenant Governor with the Joint Address to Her Majesty on the death of His late Majesty, and of congratulation on Her Majesty's accession to the Throne, reports, that they had attended to that duty, and that His Excellency was pleased to say that he would without delay transmit the same to England, to be laid at the foot of the Throne.

Pursuant to the Order of the Day, the Bill for the better and more effectual securing the navigation of the Newcastle River in Queen's County, was read the third time and passed.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to incorporate sundry persons by the name of the Saint Andrews Water Company, and the report of the select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

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

A Petition from William Shepherd, Calvin L. Hatheway, Charles Seymour, and other inhabitants of Lancaster, in the County of Saint John, praying that any Act which may pass for the establishment of an Alms House in the City and County of Saint John, may not be extended to that Parish : and

A Petition from Angus M'Fee, an old soldier, praying for assistance.

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

The Honorable Mr. Allanshaw, by leave, presented a Petition from the Magistrates and principal inhabitants of the respective Parishes of Saint Stephen, Saint David and Saint James, praying for a grant of money to relieve several distressed families in the said Parishes.

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

Adjourned until To-Morrow at 4 o'clock.

THURSDAY, 8th February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Peters.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

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

A Bill to erect a part of the Parish of Portland into a separate and distinct Town or Parish :

A Bill to erect a part of the Parishes of Gagetown and Hampstead, in Queen's County, into a separate and distinct Town or Parish :

A Bill more effectually to regulate the Ferry and public Landing in front of Indian Town, in the Parish of Portland and County of Saint John : and

A Bill for the establishment of Grammar Schools in the County of Northumberland.

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

A Message was brought from the Assembly by Mr. Connell, with a Bill, intituled "A Bill to establish the Boundary Line between the Parishes of Woodstock and Wakefield, in the County of Carleton," to which they desire the concurrence of this House. The said Bill was read the first time.

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

Adjourned until To-Morrow at 4 o'clock.

FRIDAY, 9th February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Peters.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to establish the Boundary Line between the Parishes of Woodstock and Wakefield, in the County of Carleton, was read the second time.

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

A Message was brought from the Assembly by Mr. Weldon, with a Bill, intituled "A Bill to authorize the Members of the Legislative Council and House of Assembly to frank Letters by general Post, during the Session of the Legislature," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly by Mr. Connell, with a Bill, intituled "A Bill in addition to and in amendment of an Act, intituled 'An Act to regulate Tavern-keepers and Retailers,'" to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly by Mr. Brown, with a Bill, intituled "A Bill to provide for the Assessment of County and Parish Rates," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly by Mr. Fisher, with the following Bills:—

A Bill relating to public Landings and Squares in Fredericton :

A Bill more effectually to prevent the abuse of Banking privileges: and

A Bill in amendment of an Act, intituled "An Act to prevent desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters."

To

To which they desire the concurrence of this House.

The said Bills were severally read the first time.

ORDERED, That the twenty third rule of this House be dispensed with as regards the Bill relating to public Landings and Squares in Fredericton, and that the same be read the second time.

The said Bill was read the second time.

ORDERED, That the said Bill be referred to a Select Committee of three Members to report thereon.

ORDERED, That the Honorable Mr. Shore, the Honorable the Attorney General and the Honorable Mr. Chandler do compose the said Committee for that purpose.

ORDERED, That the Bill more effectually to prevent the abuse of Banking privileges : and

The Bill in amendment of an Act, intituled " An Act to prevent desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters," be read the second time on Monday next.

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, made a further report.

ORDERED, That the report be received, and the same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, report, that they have had under consideration " A Bill in addition to an Act, intituled ' An Act for the incorporation of the Saint John and Saint Croix River Canal Company,' " and find that the Standing Order of the House relating to such Bills has not been complied with, they cannot, therefore, recommend it to the adoption of the House.

HARRY PETERS, Chairman.

ORDERED, That the said Bill and the report of the Select Committee be referred to a Committee of the whole House on Monday next.

Adjourned until Monday next at 12 o'clock.

MONDAY, 12th February, 1838.

PRESENT.

THE HON.

Mr. Shore.
Mr. Allanshaw.
Mr. Botsford.
Mr. Lee.

Mr. Baillie.
Mr. Robinson.
Mr. Attorney General.
Mr. Chandler.

The Honorable Mr. Shore sat President.

PRAYERS.

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

A Bill to authorize the Members of the Legislative Council and House of Assembly to frank Letters by general Post, during the Session of the Legislature: A

A Bill in amendment of an Act, intituled "An Act to prevent Desertion from Her Majesty's Forces, and to punish unlawful dealings with Soldiers and Deserters:"

A Bill more effectually to prevent the abuse of Banking privileges: and

A Bill in addition to and in amendment of an Act, intituled "An Act to regulate Tavernkeepers and Retailers."

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

A Message was brought from the Assembly by Mr. Connell, with a Bill, intituled "A Bill to alter and amend the Act for laying out and repairing Highways and Roads so far as relates to Woodstock, in the County of Carleton," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the Bill to provide for the assessment of County and Parish Rates, was read the second time.

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

ORDERED, That the said Bill be printed.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration, the Bill in addition to an Act, intituled "An Act for the incorporation of the Saint John and Saint Croix River Canal Company," and the report of the Select Committee thereon.

The Honorable Mr. Allanshaw took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Allanshaw took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the sixth of February instant, and recommended that the House should concur in the same, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the sixth of February were concurred in by the House.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to establish the Boundary Line between the Parishes of Woodstock and Wakefield, in the County of Carleton.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to erect a part of the Parishes of Gagetown and Hampstead, in Queen's County, into a separate and distinct Town or Parish.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Allen, with a Bill, intituled "A Bill to amend the Act incorporating the New Brunswick Fire Insurance Company," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

The Honorable the Attorney General from the Select Committee to whom was referred the Bill relating to public Landings and Squares in Fredericton, presented a report.

ORDERED, That the report be received, and the same was then read by the Clerk, as follows:—

The Committee to whom were referred a Bill, intituled "A Bill relating to public Landings and Squares in Fredericton," report, they have had the same under consideration, and are of opinion that the said Bill cannot be sustained, the Act of the General Assembly made and passed in the eighth year of the Reign of King George the Fourth, intituled "An Act to establish and regulate public Landing places in Fredericton," and particularly referred to in the said Bill, not having been fully complied with; which is humbly submitted.

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

The Honorable Mr. Lee, by leave, presented a Petition from Charles Upham, praying to be reimbursed for loss sustained by him in erecting a bridge over the Medux-nickick.

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

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

A Petition from Alexander Campbell, and other Commissioners of Highways in Saint

Saint Stephens, J. H. Whitlock, and other Commissioners of Highways, in Saint Andrews, and 130 other persons, praying an alteration may be made in the Laws relating to Great Roads, and praying for a grant of money :

Petitions from Niel M'Nichol, John Henderson and James Davidson, old Soldiers, praying for assistance.

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

The Honorable Mr. Botsford, by leave, presented a Petition from Susan Boyle, Widow of Charles Boyle, an old Soldier, praying for Legislative aid.

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

Adjourned until To-Morrow at 12 o'clock.

TUESDAY, 13th February, 1838.

PRESENT.

THE HON.

Mr. Baillie.

Mr. Robinson.

Mr. Attorney General.

Mr. Chandler.

Mr. Allanshaw.

Mr. Botsford.

Mr. Lee.

The Honorable Mr. Baillie sat President.

PRAYERS.

A Message was brought from the Assembly by Mr. Wyer, that they had agreed to the Act to amend the Law relating to the inspection of public Accounts by Grand Juries, so far as relates to the County of Charlotte.

Pursuant to the Order of the Day, the Bill to amend the Act incorporating the New Brunswick Fire Insurance Company, was read the second time.

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

Pursuant to the Order of the Day, the Bill to alter and amend the Act for laying out and repairing Highways and Roads, so far as relates to Woodstock, in the County of Carleton, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill relating to public Landings and Squares in Fredericton, and the report of the Select Committee thereon.

The Honorable Mr. Allanshaw took the Chair.

After some time the House resumed.

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

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

RESOLVED

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

Pursuant to the Order of the Day, the House put into a Committee of the whole, to take into consideration the Bill in addition to and in amendment of an Act, intituled "An Act to regulate Tavernkeepers and Retailers."

The Honorable Mr. Allanshaw took the Chair.

After some time the House resumed.

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

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

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

The Honorable Mr. Baillie read the same;

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

NEW BRUNSWICK.

Message to the Legislative Council,

13th February, 1838.

J. HARVEY, Lt. GOVERNOR.

THE Lieutenant Governor submits to the Legislative Council a copy of a report of the Commissioners appointed in pursuance of Resolutions of the Legislative Council and House of Assembly, to ascertain the line of division between this Province and the Province of Nova Scotia, with an account of the expence incurred, amounting to £162 2 5½, for which the Lieutenant Governor recommends that provision be made.

J. H.

[See Appendix No. 3.]

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to establish the Boundary Line between the Parishes of Woodstock and Wakefield, in the County of Carleton.

The Honorable Mr. Allanshaw took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received;

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

At A. in section I. expunge the remainder of the section and insert as follows:—

"All the lands not now included in the present Parish of Woodstock, which lie between the said Parish and a line commencing on the westwardly bank or shore of the river Saint John, at the north east angle of lot number forty six, granted to Benjamin P. Griffith and others, and thence running along the northerly boundary line of the said lot and its prolongation westwardly to the northwest bank or shore of the Meduxnikick stream, and thence along the said bank or shore and the southwardly bank or shore of the south bank of the said Meduxnikick stream until it intersects the western boundary line

line of the Province; thence along said boundary line due south until it strikes the monument, shall be annexed to and form a part of the said Parish of Woodstock, any law to the contrary notwithstanding."

At B. expunge the Preamble.

At C. in the title, expunge the words "establish the boundary line between the Parishes of Woodstock and Wakefield," and insert "enlarge and define the boundaries of the Parish of Woodstock."

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

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

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

The said Resolutions of Appropriation were read the first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

The Honorable Mr. Botsford, by leave, presented a Petition from John Ogden, an old Soldier, praying for Legislative assistance.

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

Adjourned until To-Morrow at 12 o'clock.

WEDNESDAY, 14th February, 1838.

PRESENT.

THE HON.

*Mr. Shore.
Mr. Allanshaw.
Mr. Attorney General.
Mr. Chandler.*

*Mr. Baillie.
Mr. Botsford.
Mr. Lee.*

The Honorable Mr. Shore sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill to establish the Boundary Line between the Parishes of Woodstock and Wakefield, in the County of Carleton, as amended, was read the third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to alter and amend the Act for laying out and repairing Highways and Roads, so far as relates to Woodstock, in the County of Carleton.

The Honorable Mr. Allanshaw took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Allanshaw took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the ninth day of February instant, and recommended that the House should concur in the same, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the ninth day of February instant, were concurred in by the House.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill for the establishment of Grammar Schools in the County of Northumberland.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof should be postponed until the next session of the Legislature.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to erect part of the Parish of Northesk, in the County of Northumberland, into a separate and distinct Town or Parish.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. End, with a Bill, intituled "A Bill for the encouragement of literature by vesting the copies of printed books in the authors or purchasers of such copies during the times therein mentioned," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly by Mr. Connell, with a Bill, intituled "A
Bill

Bill to authorize the Justices of the Peace in and for the County of Carleton to levy an assessment to pay off the County Debt," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

The Honorable Mr. Chandler, by leave, presented a Petition from James Gallagher, Henry Chubb, and other inhabitants of Saint John, praying to be incorporated under the name and style of the Saint John Orphan Benevolent Society.

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

A Message was brought from the Assembly by Mr. Allen, with a Bill, intituled "A Bill to incorporate the Saint John Orphan Benevolent Society;" and with Resolutions of Appropriation dated the 13th of February instant, To which they desire the concurrence of this House.

The same were severally read the first time.

ORDERED, That the said Bill be read the second time to-morrow, and the Resolution of Appropriation be referred to the Committee of the whole House upon Resolutions of Appropriation.

Adjourned until To-Morrow at 12 o'clock.

THURSDAY, 15th February, 1838.

PRESENT.

THE HON.

Mr. Black.

Mr. Baillie.

Mr. Botsford.

Mr. Lee.

Mr. Shore.

Mr. Allanshaw.

Mr. Attorney General.

Mr. Chandler.

The Honorable Mr. Black sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace in the County of Carleton, to levy an assessment to pay off the County Debt, was read the second time.

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

Pursuant to the order of the Day, the Bill for the encouragement of Literature by vesting the copies of printed books in the authors or purchasers of such copies, during the times therein mentioned, was read the second time.

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

Pursuant to the Order of the Day, the Bill to incorporate the Saint John Orphan Benevolent Society, was read the second time.

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

A Message was brought from the Assembly by Mr. Beardsley, with a Bill, intituled "A Bill to erect the upper part of the Parish of Wakefield into a separate and distinct Town or Parish," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to erect part of the Parish of Northesk, in the County of Northumberland, into a separate and distinct Town or Parish.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to erect a part of the Parish of Portland into a separate and distinct Town or Parish.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to alter and amend the Act for laying out and repairing Highways and Roads so far as relates to Woodstock, in the County of Carleton.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, the Committee had gone into further consideration of the said Bill, and recommend that the further consideration thereof should be postponed until the next Session of the Legislature.

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

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

A Message was brought from the Assembly by Mr. Wyer, with a Bill, intituled "A Bill in addition to an Act, intituled 'An Act to make more effectual regulations relating to Pilots within this Province,' so far as regards the County of Charlotte," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Adjourned until To-Morrow at 12 o'clock.

FRIDAY,

FRIDAY, 16th February, 1838.

PRESENT.

THE HON.

Mr. Black.
 Mr. Baillie.
 Mr. Robinson.
 Mr. Attorney General.
 Mr. Chandler.

Mr. Shore.
 Mr. Allanshaw.
 Mr. Botsford.
 Mr. Lee.

The Honorable Mr. Black sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill to erect the upper part of the Parish of Wakefield into a separate and distinct Town or Parish, was read the second time.

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

Pursuant to the Order of the Day, the Bill in addition to an Act, intituled "An Act to make more effectual regulations relating to Pilots within this Province," so far as regards the County of Charlotte, was read the second time.

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

The Honorable Mr. Botsford, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further report.

ORDERED, That the report be received, and the same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, report, that having examined the Bill to incorporate the Saint John Orphan Benevolent Society, they find the said Bill imperfect in its provisions, and its object not sufficiently defined; and from the want of the necessary information before the Committee they are unable satisfactorily to amend the same, and cannot therefore recommend it to the favorable consideration of the House.

E. BOTSFORD.

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

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

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and that the Bill be read the third time to-morrow.

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Allanshaw took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the thirteenth of February instant, that they had made some progress therein, and asked leave to sit again.

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

On motion made and seconded,

ORDERED, That this House be put into a Committee of the whole on Monday next, to take into consideration the Resolutions of Appropriation dated the thirteenth day of February instant; and further

ORDERED, That there be a Call of the House on that day, and that the Clerk do notify absent Members.

A Message was brought from the Assembly by Mr. Weldon, with a Bill, intituled "A Bill to provide for the expenses of the Speaker and Members of the House of Assembly, when attending the General Assembly," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

The Honorable Mr. Chandler presented to the House, a Bill, intituled "An Act to amend an Act, intituled 'An Act relating to Landlord and Tenant.'"

The said Bill was read the first time.

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

Adjourned until To-Morrow at 12 o'clock.

SATURDAY, 17th February, 1838.

PRESENT.

THE HON.

*Mr. Black.
Mr. Baillie.
Mr. Botsford.
Mr. Chandler.*

*Mr. Shore.
Mr. Allanshaw.
Mr. Attorney General.*

The Honorable Mr. Black sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace in the County of Carleton to levy an assessment to pay off the County Debt, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill to provide for the expenses of the Speaker and Members of the House of Assembly, when attending the General Assembly, was read the second time.

ORDERED,

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

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act relating to Landlord and Tenant," was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to erect the upper part of the Parish of Wakefield into a separate and distinct Town or Parish.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill in addition to an Act, intituled "An Act to make more effectual regulations relating to Pilots within this Province," so far as regards the County of Charlotte.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and that the said Bill be read the third time on Monday next.

The Honorable Mr. Chandler, by leave, presented Petitions from Joseph Hoyt, an old Soldier, and Sarah Crane, the Widow of Daniel Crane, an old Soldier, praying for Legislative assistance.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 19th February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PARYERS.

PRAYERS.

Pursuant to the Order of the Day, the Bill in addition to an Act, intituled "An Act to make more effectual regulations relating to Pilots within this Province," so far as regards the County of Charlotte, was read the third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act to amend an Act, intituled 'An Act relating to Landlord and Tenant.'"

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion—

The Bill in addition to an Act for the amendment of the Law and better advancement of Justice, was read the second time; and it was,

On motion made and seconded,

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

The Honorable the President presented to the House,

A Bill, intituled "An Act for the further amendment of the Law;" and

A Bill, intituled "An Act to amend the Law relating to Bills of Exchange and Promissory Notes."

The said Bills were severally read the first time.

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

On motion—

The Bill relating to the Charlotte County Saving's Bank, was read the second time; and it was

On motion made and seconded, RESOLVED, That the further consideration of the said Bill be postponed for three months.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to incorporate the Saint John Orphan Benevolent Society, and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED,

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill in addition to and in amendment of an Act, intituled “An Act to regulate Tavern-keepers and Retailers.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

Expunge the second Section, and alter the numbers of the subsequent Sections accordingly.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill more effectually to prevent the abuse of Banking privileges.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. in Section III. insert the word “other.”

At B. expunge the words “other than Banking Corporations shall violate any of the provisions of this Act by receiving,” and insert the words “shall receive.”

At C. insert the words “to be made, issued or put in circulation.”

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to authorize Members of the Legislative Council and House of Assembly to frank Letters by general Post, during the Session of the Legislature.

The Honorable Mr. Shore took the Chair.

After some time the House resumed. r

The

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

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill in amendment of an Act, intituled “An Act to prevent Desertion from His Majesty’s Forces, and to prevent unlawful dealings with Soldiers or Deserters.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

Pursuant to the Order of the Day, the House was called.

PRESENT.

The Honorable	Ward Chipman,	President.
“	“	William Black,
“	“	George Shore,
“	“	Thomas Baillie,
“	“	Harry Peters,
“	“	Joseph Cunard, <i>Excused.</i>
“	“	James Allanshaw,
“	“	William H. Robinson, <i>Absent.</i>
“	“	John Simcoe Saunders, <i>Excused.</i>
“	“	Amos Edwin Botsford,
“	“	Mr. Attorney General,
“	“	Thomas Carleton Lee,
“	“	Edward Barron Chandler.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the thirteenth of February instant, and recommended that the House should concur in the same, with certain exceptions, which the Committee recommended should not be concurred in, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the thirteenth of February instant, were concurred in by the House with the exception of the following Resolutions:—

RESOLVED,

RESOLVED, That there be granted to His Excellency the Lieutenant Governor or Commander in Chief, the following sums to pay meritorious old Soldiers of the Revolutionary War, and the Widows of the same class of persons in indigent circumstances, viz:—

To Mary Banks, widow of the late Mr. William Banks, the sum of £20.	To Mary Kelly, the sum of £10.
To Angus M'Fee, the sum of £10.	To Sarah Foster, the sum of £10.
To Hezekiah Lyon, the sum of £10.	To Deliverance Cole, the sum of £10.
To John Underwood, the sum of £10.	To John Manzer, the sum of £10.
To James Flint, the sum of £10.	To John Pond, the sum of £10.
To Joseph Madgett, the sum of £10.	To William Mills, the sum of £10.
To Isaac Adams, the sum of £10.	To Alexander M'Lean, the sum of £10.
To Enoch Groom, the sum of £10.	To Roger Welsh, the sum of £10.
To Dougald Clarke, the sum of £10.	To Aeneas Lapee, the sum of £10.
To William M'Pherson, the sum of £10.	To David Quigley, the sum of £10.
To Alexander M'Kenzie, the sum of £10.	To Elias Seacord, the sum of £10.
To James Ross, the sum of £10.	To Hicks Seamans, the sum of £10.
To John Kennedy, the sum of £10.	To Jacob Tompkins, the sum of £10.
To Patrick Van, the sum of £10.	To James Dyer, the sum of £10.
To William Hurley, the sum of £10.	To Benjamin Collins, the sum of £10.
To Donald M'Donald, the sum of £10.	To Isaac Mills, the sum of £10.
To David Bruce, the sum of £10.	To Mordecai Starkey, the sum of £10.
To Gersham Bonnell, the sum of £10.	To Catherine Stewart, the sum of £10.
To Michael Dennonson, the sum of £10.	To Ann Grant, the sum of £10.
To Holden Turner, the sum of £10.	To Abigail Sutherland, the sum of £10.
To John Baldwin, the sum of £10.	To Lyman Gray, the sum of £10.
To Mrs. Jane M'Curdy, widow of the late Samuel M'Curdy, the sum of £10.	To John Macdonald, the sum of £10.
To Ruth Baird, the sum of £10.	To Benjamin Macdonald, the sum of £10.
To John Dunlap, the sum of £10.	To Ammon Hubble, the sum of £10.
To Cornelius Ackerman, the sum of £10.	To Charles Foster, the sum of £10.
To Musco Wright, the sum of £10.	To Ann Munro, the sum of £10.
To Duncan M'Farlane, the sum of £10.	To William Clarke, the sum of £10.
To Martin Austin, the sum of £10.	To Neil M'Nichol, the sum of £10.
To Richard Jourdin, the sum of £10.	To John Dick, the sum of £10.
To Andrew Rush, the sum of £10.	To Nathaniel Seabrooks, the sum of £10.
To William Harper, the sum of £10.	To Patience Hasty, the sum of £10.
To Richard Budd, the sum of £10.	To Mary Horton, the sum of £10.
To James Greerson, the sum of £10.	To Catherine Fero, the sum of £10.
To Neil M'Bean, the sum of £10.	To Elizabeth Green, the sum of £10.
To James Davidson, the sum of £10.	To William Segee, the sum of £10.
To James Appleby, the sum of £10.	To Peter Allen, the sum of £10.
To Mary Buckett, the sum of £10.	To John M'Coll, the sum of £10.
To Mary Ogden, the sum of £10.	To Robert Robertson, the sum of £10.
To Sarah Bate, the sum of £10.	To Bradbury Mills, the sum of £10.
	To Joseph Hoyt, the sum of £10.
	To Thomas Thornton, the sum of £10.

RESOLVED, That there be granted to His Excellency the Lieutenant Governor or Commander in Chief, the following sums, to pay meritorious old Soldiers of the Revolutionary War, agreeably to the prayer of their respective Petitions:—

To Michael Hawkins, the sum of £10.	To Adam King, the sum of £10.
To John M'Laughlan, the sum of £10.	To Ralph London, the sum of £10.

To

To Asher Vail, the sum of £10.
 To Bernard Manzer, the sum of £10.
 To Frederick Weaver, the sum of £10.
 To William Cornelison, the sum of £10.
 To Anthony Woodland, the sum of £10.

To George Sinnot, the sum of £10.
 To William West, the sum of £10.
 To Seth Griswold, the sum of £10.
 To Joshua Stone, the sum of £10.
 To Thomas Wood, the sum of £10.

Which were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the 13th of February, with the exceptions herein before mentioned.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for the encouragement of Literature by vesting the copies of printed Books in the authors or purchasers of such copies, during the times therein mentioned.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof should be postponed until the next Session of the Legislature.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to provide for the Assessment of County and Parish Rates.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

A Petition from John Kinnear, Barnabas Tilton and others, Merchants and Traders in Saint John, praying that an Act may pass to authorise the inspection of Flour and Meal :

A Petition from the Woodstock and Fredericton Stage Coach Company, praying Legislative aid in support of that establishment :

A Petition from Cavalier H. Jouett, Deputy Treasurer of West Isles, praying compensation for his services :

Petitions from James T. Hanford, of Saint John, praying a return of duties paid by him on three puncheons of rum :

A Petition from John V. Thurgar, with a similar prayer : and

A Petition from Messrs. Crookshank and Walker, of Saint John, with the like prayer.

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

The

The Honorable Mr. Botsford, by leave, presented a Petition from Edward T. Whitman, praying an allowance for teaching a School in King's County.

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

Adjourned until To-Morrow at 12 o'clock.

TUESDAY, 20th February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Chandler.

PRAYERS.

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

A Bill more effectually to prevent the abuse of Banking privileges: and

A Bill in addition to and in amendment of an Act, intituled "An Act to regulate Tavernkeepers and Retailers."

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

Pursuant to the Order of the Day, the Bill, intituled "An Act for the further amendment of the Law:" and

The Bill, intituled "An Act to amend the Law relating to Bills of Exchange and Promissory Notes," were severally read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to erect a part of the Parishes of Gagetown and Hampstead, in Queen's County, into a separate and distinct Town or Parish.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. in Section I. expunge the words "line of the new Parish," and insert the words "rear or southwesterly part of the Parishes of Gagetown and Hampstead."

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

Z

ORDERED,

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill more effectually to regulate the Ferry and public Landing in front of Indian Town, in the Parish of Portland, and County of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to provide for the expenses of the Speaker and Members of the House of Assembly, when attending the General Assembly:

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Allen, with Resolutions of Appropriation dated the sixteenth and seventeenth of February instant, to which they desire the concurrence of this House.

The said Resolutions of Appropriation were read the first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

The Honorable Mr. Chandler, by leave, presented a Petition from the New Brunswick Fire Insurance Company, praying that the Act incorporating the Company may be altered and amended.

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

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further report.

ORDERED, That the report be received;

And the same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, report, that they have had under consideration "A Bill to amend the Act incorporating the New Brunswick Fire Insurance Company," and recommend the same without amendment, to the favorable consideration of the House.

HARRY PETERS, Chairman.

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

The Honorable Mr. Botsford presented to the House a Bill intituled "An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads."

The

The said Bill was read the first time.

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

The Honorable Mr. Botsford, by leave, presented a Petition from William Dixon and Dominique Robicheau, Overseers of Poor in the Parish of Wellington, in the County of Kent, praying a sum of money may be allowed that Parish out of the Emigrant fund, to repay monies expended in the support of Emigrants.

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

Adjourned until To-Morrow at 12 o'clock.

WEDNESDAY, 21st February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allunshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to erect a part of the Parishes of Gage-town and Hampstead, in Queen's County, into a separate and distinct Town or Parish, as amended, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill to provide for the expenses of the Speaker and Members of the House of Assembly, when attending the General Assembly, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads," was read the second time.

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

The Honorable the President presented to the House

A Bill intituled "An Act in addition to the Acts regulating the sale of real estate seized and taken in execution:" and

A Bill intituled "An Act to alter the times of holding the Circuit Court in the County of Gloucester and Queen's County."

The said Bills were severally read the first time.

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

The

The Honorable Mr. Botsford presented to the House

A Bill intituled "An Act to amend an Act, intituled 'An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several religious congregations in this Province.'"

The said Bill was read the first time.

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

A Message was brought from the Assembly by Mr. Connell, that the Assembly had agreed to the amendments made by this House to the Bill to establish the Boundary Line between the Parishes of Woodstock and Wakefield, in the County of Carleton.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to amend the Law relating to Bills of Exchange and Promissory Notes.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to amend the Act incorporating the New Brunswick Fire Insurance Company, and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

The said Resolutions were read the first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill in addition to and explanatory of an Act, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At

At A. in Section I. expunge the words "although the sum sworn to should appear to be less than twenty shillings," and insert the words "when the sum sworn to shall amount to ten shillings."

At B. in Section II. insert the words "after a certain number of days imprisonment."

At C. insert the words "with respect to the discharge of a debtor, after a certain number of days imprisonment."

At D. in Section III. insert the words "at any time within three calendar months after the giving of such Judgment."

At E. insert the following Sections:—

"IV. And be it further enacted, That in any case where a Judge of the Supreme Court may, on review, award costs to either party, in pursuance of the said recited Act, it shall and may be lawful for such party to sue out of the Supreme Court a Writ of attachment, according to the form in the Schedule hereunto annexed, or to that effect; which writ the Clerk of the said Court shall issue upon the fiat or order of a Judge; Provided always, that no fiat or order for such Writ shall be made by any Judge of the Supreme Court, until it be made to appear to his satisfaction by affidavit that such costs have been duly demanded by the party to whom the same have been awarded, or by some person duly authorized by him to demand and receive the same, or by the Attorney of such party in the proceedings of review, and that such costs have not been paid; and the party who may issue such attachment shall be entitled to demand, receive and levy the sum of ten shillings from the party against whom the attachment may issue, as the costs of such attachment, and of the proceedings herein before directed for obtaining the same.

"V. And be it further enacted, That the Sheriff or other officer by whom any such Writ of Attachment shall be executed shall be entitled to, and is hereby authorised and empowered to demand and receive from the party against whom such attachment shall issue, the like poundage and fees as in cases of execution; and that any party arrested on any such attachment shall, on payment to the said Sheriff or other officer of the costs specified in such attachment, together with the costs of the attachment, and the Sheriff's poundage and fees as aforesaid, be discharged from custody and arrest under such attachment; and the Sheriff or other officer shall make due return of such Writ, and pay over the money received under the same to the party at whose suit or instance the said writ may have issued, or his Attorney.

"VI. And be it further enacted, That any person in custody upon a Writ of Attachment issued pursuant to this Act, or the said Act of which this is an amendment, shall be entitled to the benefit of any Act or Acts of Assembly for the relief of confined debtors in the same manner as if such person were arrested on mesne process or execution in any Civil Suit.

"VII. And whereas by the provisions of the said recited Act, process and execution may be served by a Constable of the Parish only within which the party to be served may reside or be found, and whereas it would be more convenient if any Constable of the County were authorised to serve any such Process or Execution; Be it therefore enacted, That all Process and Execution which may be issued under the provisions of the said recited Act may be directed in general terms to and served by any Constable of the County within which the party to be served may reside."

At F. expunge "IV." and insert "VIII."

At

At

At G. insert as follows:—

"SCHEDULE.

" FORM OF WRIT OF ATTACHMENT.

"Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c. To our Sheriff of Greeting: We command you that you attach E. F. so that you may have his body before us at Fredericton on [a return day in the ensuing term] to answer to Us for a certain trespass and contempt in not paying to C. D. the sum of for costs awarded to the said C. D. by Esquire, [Chief Justice, or one of the Justices of our Supreme Court as the case may be] in a certain matter of review lately pending before the said [Chief Justice or Justice] pursuant to the Acts of Assembly in such case made and provided; and have then there this Writ: Witness, &c. [to be tested in the name of the Chief Justice, on the day whether in term or vacation on which the fiat or order for such Writ may bear date.]

"By the order of the Chief Justice [or Mr. Justice as the case may be.]

" SHORE.

"In case the Sheriff be a party, the writ to be directed to the Coroner as in other cases."

At H. in the Preamble, expunge the words "although the sum specified in the affidavit to hold to bail should not be less than twenty shillings," and insert the words "when the sum sworn to shall amount to ten shillings."

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

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

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

The Honorable the President read the same;

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

NEW BRUNSWICK.

Message to the Legislative Council,

20th February, 1838.

J. HARVEY, LL. GOVERNOR.

The Lieutenant Governor represents to the Legislative Council, that, in the year 1835, the Judges of the Supreme Court held the regular Circuit Courts under the Ordinance then in force, and that in the year 1836, after the repeal of that Ordinance, they held several special Courts by order of the Executive Government, and that they still remain without any remuneration for their expenses of travel and attendance upon these Courts. The House of Assembly having heretofore objected to provide for the payment of these expenses, on the ground that they should have been paid out of the Casual Revenue, the Lieutenant Governor, now that this Revenue is placed at the disposal of the Provincial Legislature, apprehends that there will be no further objection to making a grant for this purpose, which he accordingly recommends to the Legislative Council.

J. H.

On motion—

The House was put into a Committee of the whole, to take into consideration Resolutions of Appropriation.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the sixteenth of February instant, they had made some progress therein, and asked leave to sit again.

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

Adjourned until To-Morrow at 12 o'clock.

THURSDAY, 22^d February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

PRAYERS.

A Message was brought from the Assembly by Mr. Barlow, with a Bill, intituled "A Bill to provide for the erection of an Alms House and Work House, and to establish a public infirmary in and for the City and County of Saint John," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to amend the Law relating to Bills of Exchange and Promissory Notes," was read the third time and passed; and it was

ORDERED, That the Title be "An Act to amend the Law relating to Bills of Exchange and Promissory Notes."

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

Pursuant to the Order of the Day, the Bill in addition to and explanatory of an Act, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits," as amended, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill, intituled "An Act in addition to the Acts regulating the sale of real estate seized and taken in execution:"

The

The Bill intituled "An Act to amend an Act, intituled 'An Act to extend the privileges of solemnizing Marriage to all Ministers or Teachers of the several religious congregations in this Province:'" and

The Bill intituled "An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County," were severally read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act to alter the time for the appointment of Sheriffs and Supervisors of Great Roads."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill intituled "An Act for the further amendment of the Law."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill more effectually to regulate the Ferry and public Landing in front of Indian Town, in the Parish of Portland and County of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the Bill, intituled "An Act to repeal an Act for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish."

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the sixteenth of February instant, and recommended that the House should concur in the same, with a certain exception, which the Committee recommended should not be concurred in; and that

The Committee had gone into consideration of the Resolutions of Appropriation dated the seventeenth day of February instant, they had made some progress therein, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the sixteenth of February instant, were concurred in by the House with the exception of the following grant, to-wit:—

To Jarvis Ring, Aaron Hartt, and others, the Committee of management for the New Brunswick Baptist Education Society, the sum of five hundred pounds to assist them in discharging the debt incurred in the purchase of Land and the erection of the Seminary established at Fredericton,

Which was not concurred in.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the sixteenth of February, with the exception herein before mentioned.

The Honorable Mr. Botsford, by leave, presented a Petition from Joshua Chappel of Bay Verte, County of Westmorland, praying aid to assist him in a contemplated arrangement for keeping up a communication between that place and Jolicure.

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

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

A Petition from sundry Inhabitants of the Parishes of Saint James and Saint Patrick, in the County of Charlotte, praying an allowance may be granted to Hannah Rogers for teaching a School in the said County: and

A Petition from the Overseers of the Poor of the Parish of Saint George, praying to be allowed expenses incurred by them for relieving emigrants, to be taken from the Emigrant fund.

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

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

A Petition from Thomas Millidge, James Peters, William Scovil, Thomas L. Nicholson, and one hundred and seventy five other persons in Saint John, praying an alteration may be made in the Act for the more effectual prevention of Fires within the said City: and

A Petition from Leverit H. Deveber, John Kinnear, Nehemiah Merritt, and seventy five others, praying for a repeal of the said Act or that some Legislative relief may be granted to them, for reasons set out in the Petition.

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

Adjourned until To-Morrow at 12 o'clock.

B†

FRIDAY,

FRIDAY, 23d February, 1838.

PRESENT.

THE HON.

*Mr. Chief Justice Chipman, President.**Mr. Black.**Mr. Shore.**Mr. Peters.**Mr. Allanshaw.**Mr. Botsford.**Mr. Attorney General.**Mr. Lee.*

PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act for the further amendment of the Law," was read the third time and passed.

ORDERED, That the Title be, "An Act for the further amendment of the Law."

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

Pursuant to the Order of the Day, the Bill to provide for the erection of an Alms House and Work House, and to establish a public Infirmary in and for the City and County of Saint John, was read the second time.

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

A Message was brought from the Assembly by Mr. Brown, with a Bill, intituled "A Bill in addition to and in amendment of an Act relating to the Great Roads of Communication through the Province," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill intituled "An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill intituled "An Act in addition to the Acts regulating the sale of real estate seized and taken in execution."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill intituled "An Act to amend an Act, intituled 'An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several religious congregations in this Province.'"

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to amend the Act incorporating the New Brunswick Fire Insurance Company, and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone into consideration of Resolutions of Appropriation dated the seventeenth and twentieth of February, they had made some progress therein and asked leave to sit again.

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

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

The said Resolutions were read the first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Connell, that the Assembly had agreed to the amendments made by this House to the Bill in addition to and in amendment of an Act, intituled "An Act to regulate Tavernkeepers and Retailers."

The Honorable Mr. Allanshaw, by leave, presented a Petition from James B. Brown, John Wilson, John M'Master, and one hundred and fifty seven others, Magistrates and Inhabitants of the Parishes of Saint Andrews, Saint David, and Saint Patrick, in the County of Charlotte, praying that the line of road lately explored, marked out and measured by Mr. Rainsford and other Surveyors may be opened and improved as the Great Road from Fredericton to Saint Andrews.

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

A Message was brought from the Assembly by Mr. Gilbert, that the Assembly had agreed

agreed to the amendment made by this House to the Bill to erect a part of the Parishes of Gagetown and Hampstead, in Queen's County, into a separate and distinct Town or Parish.

Adjourned until To-Morrow at 12 o'clock.

SATURDAY, 24th February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County," was read the third time and passed.

ORDERED, That the Title be, "An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County."

Pursuant to the Order of the Day, the Bill intituled "An Act in addition to the Acts regulating the sale of real estate seized and taken in execution," was read the third time and passed.

ORDERED, That the Title be, "An Act in addition to the Act regulating the sale of real estate seized and taken in execution."

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

Pursuant to the Order of the Day, the Bill to amend the Act incorporating the New Brunswick Fire Insurance Company, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill in addition to and in amendment of an Act relating to the Great Roads of communication through the Province, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to provide for the erection of an Alms House and Work House, and to establish a public Infirmary in and for the City and County of Saint John.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill, intituled “An Act to amend ‘An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several religious congregations in this Province.’”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and that the Bill, as amended, be engrossed and read the third time on Monday next.

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the seventeenth and twentieth of February, and recommend that the House should concur therein, with certain exceptions, which they recommend should not be concurred in, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the seventeenth and twentieth of February were concurred in by the House, with the exception of the following grants, to-wit:—

The sum of fifteen pounds to improve the road from Benjamin Tibbits to the American line.

The sum of eight pounds to improve the road from Charles Palmer’s to William Mallorey’s.

The sum of ten pounds to open a road from John Johnston’s to Joseph Dan’s.

To Jane Davidson, a licenced School mistress, in the Parish of Nelson, in the County of Northumberland, the sum of ten pounds for teaching a school in one thousand eight hundred and thirty four and one thousand eight hundred and thirty five, agreeably to the prayer of her Petition.

To Joseph Prince, the sum of twenty pounds, being for one year’s services in teaching a school in the Parish of Dorchester, County of Westmorland, in one thousand eight hundred and thirty four.

To James Millar, a licenced School master, in the Parish of Chatham, County of Northumberland, the sum of twenty pounds for one year’s services in teaching a school in that Parish.

To James Sharp and George Clowes, Trustees of Schools, in the Parish of Northampton, County of Carleton, the sum of five pounds to remunerate John C. Chipman, for teaching a School in that Parish for three months, from September to December last.

To Tristram Moore and Joel Scott, Trustees of Schools, the sum of fifteen pounds to remunerate Hannah Rogers for teaching a School in the Parish of Saint James, County of Charlotte, for one year.

To Margaret Merry, a licenced School Mistress, in the Parish of Newcastle, County of Northumberland, the sum of ten pounds, being for one year's services in teaching a School for the year ending the first of day July, one thousand eight hundred and thirty six.

To John M'Lauchlan, licenced School Master, the sum of twenty pounds, being for one year's services in that capacity, in Fredericton, in the County of York.

To John M'Clain, a licenced teacher, the sum of ten pounds, being for one year's services in teaching a School in the Parish of Sussex, in King's County, ending December, one thousand eight hundred and thirty six.

To Bashaba A. Nevers, the sum of ten pounds for teaching a School in the Parish of Burton, County of Sunbury, for six months, ending the first day of November, one thousand eight hundred and thirty seven.

Which were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the seventeenth and twentieth of February, with the exceptions herein before mentioned.

The Honorable Mr. Botsford, from the Select Committee, to whom was referred the Bill to enable the Rector, Church Wardens and Vestry of Christ's Church, in Fredericton, to alienate certain lands belonging to that Corporation, presented a report:—

ORDERED, That the report be received, and the same was then read by the Clerk, as follows:—

The Committee to whom was referred "A Bill to enable the Rector, Church Wardens and Vestry of Christ's Church in Fredericton, to alienate certain lands belonging to that Corporation," have attended to that duty—have had a full communication with the Clerk of the Vestry, who is also a member of that Board—have examined the leases granted by the Corporation of that Church to the several lessees, and have to report they feel quite satisfied the passage of the present Bill will operate greatly to the injury of the Church, and therefore cannot recommend the same to the favourable consideration of the House.

E. BOTSFORD.

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

Adjourned until Monday next at 12 o'clock.

MONDAY,

MONDAY, 26th February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act to amend an Act, intituled 'An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several religious congregations in this Province,'" as engrossed, was read the third time and passed.

ORDERED, That the Title be "An Act to amend the Laws relating to the solemnizing of Marriage."

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

Pursuant to the Order of the Day, the Bill to provide for the erection of an Alms House and Work House, and to establish a public Infirmary in and for the City and County of Saint John, was read the third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to enable the Rector, Church Wardens and Vestry of Christ Church in Fredericton, to alienate certain lands belonging to that Corporation, and the report of the Select Committee thereon.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill in addition to and in amendment of an Act relating to the Great Roads of Communication through the Province.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED,

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

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

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

The Honorable the President read the same;

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

NEW BRUNSWICK,
Message to the Legislative Council,
24th February, 1838.

J. HARVEY, LT. GOVERNOR.

THE Lieutenant Governor submits to the Legislative Council, and recommends to their consideration a letter and statement addressed to him by the Commissioner of Crown Lands, shewing the amounts received and due on the sales of Land and Timber, with other matters relating to the Casual Revenue.

J. H.

Crown Land Office, 23d February, 1838.

MAY IT PLEASE YOUR EXCELLENCY,

The many extraordinary reports respecting the vast expense incurred within the last few years, in carrying on the duties of the Land Department, cannot fail, unless properly explained, to be prejudicial to me, not only in the opinion of the Colonial Minister and of Your Excellency, but also in the eyes of the Public. It is therefore my sincere desire that what has been done should be fairly understood, so that all persons may be enabled to form a just opinion on the matter. The accompanying statement, or table (commencing about the time when the office of Surveyor General was reannexed to that of the Commissioner of Crown Lands), will exhibit to Your Excellency at one view, the amount of expense incurred for the last eight years, in surveying and inspecting timber berths, and in surveying lands for settlement.

Your Excellency will perceive that within the above period the sum of £229,563, has actually been received on account of the sale of Lands and Timber, and a further sum of £116,501 17s. 5d. is secured, amounting to the sum of £346,064 17s. 5d., while the expense of inspections and surveys for the same period, does not average more than £4,050 per annum.

In 1830, the fees formerly receivable by the Deputies for laying out the Timber berths, were commuted for a general increase of 3d. per ton on all Timber cut, and 6d. per thousand superficial feet of lumber; previous to which period each Deputy was allowed, in addition to his survey fees, a stated salary of £50 per annum, which for sixteen Deputies, then on the Establishment, amounted to £800. When this commutation was adopted, I was fully of opinion that the fund which was expected to be thus raised would be sufficient to defray the expenses attending surveys and inspections, and that the amount of the salaries, £800, would consequently be saved to the Crown; and this opinion proved to be correct, as to being sufficient for the mere expense of surveys and inspections of berths, which were then in practical operation. These surveys, however, were of no lasting advantage to the Crown Estate, I therefore thought it advisable to obtain surveys of a more permanent character, and for this purpose endeavoured to introduce and establish a uniform system of survey to be continued from year to year, until, (after the manner of Upper Canada, though as I hoped at much less comparative expense,) the whole Province should finally be intersected by well known and established lines. Acting on this conviction, I proceeded from time to time in the actual survey of 3,366,000 acres, of which not more than 388,680 acres remain now open for operation, leaving still unsurveyed an immense territory of not less than nine millions of acres, of which the Land Department has no accurate information, and on no part of which, I presume, can any licence issue, without at least a partial survey. I am still of opinion

that

that 3*d.* per ton on all Timber, and 6*d.* per thousand superficial feet of lumber, would be sufficient to defray the expense of laying out and inspecting Timber Berths, in the manner formerly practiced:

I have, however, always witnessed the good effects of vigilant supervision of the berths; in 1830, the timber revenue was about £6,000, in 1836, under a more active system, there was an increase of over £10,000, a fact which in my opinion goes far to establish the beneficial results of vigilant supervision.

The impossibility of giving universal satisfaction by any general system, in the management of Timber and Lands, will hereafter become manifest. During one season the system pursued by me was bitterly complained of, yet the next year, without any change of circumstances, I have seen the same system strenuously recommended by its former opposers.

The arduous nature of my official duties has thus been placed beyond mere assertion, and I have now only to add, that I have ever endeavoured to the best of my ability to perform those duties in such a manner as would produce the largest revenue to the King, with the least possible annoyance or inconvenience to his loyal subjects; with what success, the state of that revenue, and of the timber trade, will best shew.

But whatever system may be in future adopted, I shall cheerfully devote my best abilities to give it effect.

I have the honor to be,

Your Excellency's most obedient

humble servant,

THOMAS BAILLIE,

Commissioner and

Surveyor General of Crown Lands.

To His Excellency Major General Sir JOHN HARVEY, K. G. H.,
&c. &c. &c.

[*See Appendix, No. 4.*]

A Message was brought from the Assembly by Mr. Street, with a Bill, intituled "A Bill to authorize the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such Officer," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

On motion—

The House was put into a Committee of the whole, to take into consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the twenty first of February instant, they had made some progress therein, and asked leave to sit again.

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

On motion—

The Bill intituled "An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads," as engrossed, was read the third time; and it was moved that the Bill be amended as follows:—

At A. in Section I. expunge the words "in future," and insert the words "after the present year one thousand eight hundred and thirty eight."

At B. in Section II. expunge the words "in future," and insert the words "after the present year one thousand eight hundred and thirty eight."

The said amendments being read, and the question put on each, they were severally agreed to by the House, and the Bill as amended passed:

ORDERED, That the Title be "An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads."

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

Adjourned until To-Morrow at 12 o'clock.

TUESDAY, 27th February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such officer, was read the second time.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to provide for the assessment of County and Parish Rates.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Adjourned until To-Morrow at 1 o'clock.

WEDNESDAY, 28th February, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

PRAYERS.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such officer.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and that the said Bill be read the third time to-morrow.

A Message was brought from the Assembly by Mr. Woodward, with Resolutions of Appropriation dated the twenty second and twenty third of February instant, to which they desire the concurrence of this House.

The said Resolutions of Appropriation were read the first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Wyer, that the Assembly have agreed to the amendments made by this House to the Bill more effectually to prevent the abuse of Banking privileges.

A Message was brought from the Assembly by Mr. Street, with a Bill, intituled "A Bill to repeal an Act, intituled 'An Act for the more effectual prevention of Fires within the City of Saint John,'" to which they desire the concurrence of this House:

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to provide for the Assessment of County and Parish Rates.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the twenty first and twenty second of February instant, and recommended that the House should concur in the same with one exception, which the Committee recommended should not be concurred in, and asked for leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the twenty first and twenty second of February instant, were concurred in with the exception of the following grant, viz. :—

To

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, a sum not exceeding four hundred and thirty five pounds to pay such Adjutants and Sergeant Majors of Her Majesty's Militia Forces as shall appear to have performed their duty the past year, agreeably to the Law of the Province.

Which was not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the twenty first and twenty second of February instant, with the exception herein before mentioned.

Adjourned until To-Morrow at 12 o'clock.

THURSDAY, 1st March, 1838.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>		<i>Mr. Shore.</i>
<i>Mr. Baillie.</i>		<i>Mr. Peters.</i>
<i>Mr. Allanshaw.</i>		<i>Mr. Botsford.</i>
<i>Mr. Attorney General.</i>		<i>Mr. Lee.</i>

PRAYERS.

A Message was brought from the Assembly by Mr. Woodward, with a Bill, intituled "A Bill to amend an Act, intituled 'An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other vessels within the limits of this Province,'" to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the Bill to authorize the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such officer, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John," was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to provide for the assessment of County and Parish Rates.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The

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

ORDERED, That the report be received.

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

At A. in Section I. expunge the words “upon the estates and incomes of the inhabitants of such Town or Parish, and also upon the estates of non-residents,” and insert the words “upon the real property situate within such Town or Parish, and upon the personal property and incomes of the inhabitants thereof.”

At B. insert the words “subject nevertheless to the provisions and regulations hereinafter contained.”

At C. expunge sections II., III., IV., V., VI., VII., VIII., and IX., and insert the following:—

“II. And be it enacted, That in the interpretation of this Act, the terms ‘real estate’ and ‘real property,’ shall be construed to include land and any buildings and other things erected on or affixed to land, and the terms ‘personal estate’ and ‘personal property,’ shall be construed to include all goods, chattels, monies and effects, and all debts due from solvent debtors, whether on account, contract, promissory note, bond or mortgage, and all public stocks or securities, and all stocks or shares in Joint Stock Banking or Insurance Corporations or Companies.

“III. And be it enacted, That in cases of mortgaged real estate, the mortgagor shall for the purposes of assessment be deemed to be the owner until the mortgagee shall have taken possession, after which the mortgagee shall be deemed to be the owner.

“IV. And be it enacted, That it shall be the duty of the Assessors, without delay, after receiving their warrants of assessment, as by Law directed, to meet at an appointed time and place to be agreed upon, and they, or the major part of them, shall make out a list, with columns therein; the first or left hand column to contain the names of such persons as are ratable within the Parish, both resident and non-resident; the second column to contain the amount of poll tax, to be paid by each inhabitant liable to pay a poll tax; the third column to contain the amount of real property within the Parish, owned by each inhabitant; the fourth column to contain the amount of the personal property of each inhabitant; the fifth column to contain the value of the real estate of non residents; the sixth column to contain the annual income of such male inhabitants as may derive income from any place, profession or employment, within this Province, not being from real or personal property; the seventh column to contain twenty per cent. of the before mentioned value of real and personal estates; the eighth column to contain the said sums, so reduced to twenty per cent. and the said sums of annual income; and when any inhabitant has both annual income, and twenty per cent. of the value of property set opposite his name in the said sixth and seventh columns; such sums shall be added together, and set in the eighth column; and the amount so to be raised and assessed, after deducting the whole amount of poll tax therefrom, shall be apportioned among the several persons so named in exact proportion to the sums in the eighth column set opposite to their respective names; the ninth and last column shall contain the several sums so apportioned, with the addition of the poll tax of each person liable to pay a poll tax, and shall be denominated “total assessment,” the same to be in the form following, that is to say:—

Et

“Assessment

“ ‘ Assessment of the Town or Parish of _____ (or District of the same as the case may be,) in the County of _____ in pursuance of a warrant of the General Sessions of the Peace for the said County of _____ to levy the sum of _____ for _____ dated the _____ day of _____ A. D. 18 _____ .

Names of Persons.	Poll Tax.		Real Estate (with- in the Parish) of Inhabitants.		Personal Estate of Inhabitants.		Real Estate of non- residents.		Annual Incomes.		20 per cent. of value of Property.		Amount to be taxed.		Total Assessment.					
	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.			
A. B.	1	4	200	0	0	100	0	0	0	0	0	60	0	0	60	0	0			
C. D.	1	4	300	0	0	100	0	0	0	0	50	0	0	80	0	0	130	0	0	
E. F.	0	0	0	0	0	0	0	0	200	0	0	0	0	0	40	0	0	40	0	0
G. H.	1	4	0	0	0	0	0	0	0	0	20	0	0	0	0	0	0	20	0	0
I. K.	1	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

“ And the said Assessors shall within sixty days, deliver to the several Collectors of rates within the respective Towns or Parishes, lists made out in form aforesaid, and containing the names of all persons rated within the several and respective districts to which the said Collectors may have been appointed; such lists being signed by the said respective Assessors, and having endorsed thereon a precept, under their hands, in the form following, that is to say:—

“ To A. B. one of the Collectors of rates in the Town or Parish of _____ or to any other Collector of rates in the Town or Parish of _____

“ You are hereby required forthwith to collect from the several persons named in the annexed assessment, the sums set against their names respectively, under the last column thereof, intituled “ Total Assessment,” amounting in the whole to the sum of _____ and to pay the same when collected into the hands of _____ County Treasurer, (or Overseer of the Poor, or otherwise as the case may be.)

“ Given under our hands the _____ day of _____ in the year of our Lord one thousand eight hundred and _____

“ And further, it shall be the duty of the said Assessors to make out a duplicate of all and every of their respective assessments, and to transmit the same, together with the warrant of assessment, within ten days after the assessment is completed, to the Clerks of the Peace of their respective Counties, to be filed of Record; and if any Assessor shall neglect or omit to perform the duty herein required of him, he shall be liable to the penalty of ten pounds; and the provisions in this section contained shall be deemed and taken to be in lieu of the provisions of the second section of an Act passed in the seventh year of the reign of King William the Fourth, intituled ‘ An Act to provide for the collection of County and Parish Rates.’

“ V. And be it enacted, That if any person liable to be assessed as an inhabitant of a Parish, shall at any time before the Assessors shall have completed their assessment, furnish such Assessors with an account in writing of his real property situate within the Parish, and of his personal property and income, and shall specify in such account the value of such real property, and the amount of his income, and the amount of his personal property, according to the specification of personal property in the second section of this Act, after deducting therefrom the just debts which he may owe to other persons, and shall have made oath before a Justice of the Peace, that such account is just and true, and that the value and amount of such real and personal property, and income respectively, do not exceed the sums specified in such account, it shall be the duty of the

the

the Assessors to value such real and personal property and income at the sums respectively specified in such account; and no more; and in like manner if any person liable to be assessed as a non-resident owner of any real property lying within the Parish, or the agent of such person so liable to be assessed as a non-resident owner, shall furnish the Assessors with a like account of such real property, and shall have made oath, that the value thereof does not exceed the sum specified in the account, it shall be the duty of the Assessors to value such real property at the sum specified in such account, and no more.

“VI. And in order that there may be sufficient opportunity for persons liable to assessment, to furnish the Assessors with statements of their property and income if they shall think fit, Be it enacted, that the Assessors forthwith, after receiving any warrant of assessment, shall cause public notice thereof to be given by posting up notices in at least three of the most public places within the Parish, and also by publishing such notice in one or more public newspapers, if there be any such newspapers published within the Parish.

“VII. And be it enacted, That when the owner of any real property assessed within any Parish, as the estate of a non-resident, shall reside within the County of which such Parish forms a part, the Collector of taxes for the place where the assessment is made, shall proceed to collect and recover the rate or assessment from such owner, in the manner directed for collecting and recovering rates from inhabitants of Parishes in the said recited Act, passed in the seventh year of the reign of King William the Fourth, intituled ‘An Act to provide for the collection of County and Parish Rates.’

“VIII. And be it enacted, That when the owner of any real property assessed within any Parish, as the estate of a non-resident, shall not reside within the County of which the Parish forms a part, the Collector of taxes for the place where the assessment is made, may sue for the rate or assessment in an action of debt or assumpsit in any Court having jurisdiction to the amount thereof in his own name, in like manner as for his own proper debt, and in such action an extract from the assessment shewing the rate or assessment of the person so sued, certified by the Clerk of the Peace with whom the assessment is filed, shall be conclusive evidence of such rate or assessment; or such Collector may proceed to obtain payment of the rate or assessment of such non-resident in the following manner (that is to say;) if such non-resident owner, or some one on his behalf doth not appear to pay such rate or assessment, the Collector shall as soon as may be, cause public notice to be given of such rate and assessment by advertisement in one public newspaper published in the County where the real property lies, or in the Royal Gazette published by the Queen’s Printer, if there be no such newspaper published in such County, or if the assessment be in the County of York, which advertisement shall be continued for three months, unless some person shall within that time appear and pay to the Collector such rate or assessment, and the charges of advertising the same; and in case no person shall so appear within that time and pay such rate or assessment, it shall and may be lawful for any two Justices of the Peace in the County where the real property lies on the application of such Collector, by warrant under their hands and seals, to order the Sheriff of the County to sell at public auction to the highest bidder, first giving thirty days notice of such sale in the manner before mentioned, so much of the said real property as may in his judgment be sufficient to pay such rate or assessment with all the costs and charges attending the recovery of the same, retaining the overplus,

if

if any, for the use of such owner, and the said Sheriff is hereby empowered and directed to execute a deed to the purchaser thereof, his heirs and assigns, and to deliver seizin and possession of the same to such purchaser.

“IX. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to render liable to taxation the real or personal property of the Corporation of the City of Saint John, or of any religious, literary or charitable Corporation, Society or Institution, or of any Joint Stock Banking or Insurance Corporation or Company.

“X. And be it enacted, That the real and personal property of all Joint Stock Corporations, (Banking and Insurance Corporations excepted,) shall be liable to taxation under this Act in like manner as the real and personal property of individuals; and for the purposes of taxation under this Act, the President or any Agent or Manager of any such Joint Stock Corporation, shall be deemed to be the owner of the real and personal property of such Corporation, and shall be dealt with, and may be proceeded against accordingly, and the principal place of carrying on the business and operations of any such Corporation, shall be deemed to be the place of inhabitancy of such Corporation: Provided always, that such President, Agent or Manager shall in regard to the real and personal property of such Corporation, be taxed separately and distinctly from any other tax or assessment to which he may be liable and may charge against, and recover from such Corporation the amount of any tax or assessment which he may have been required to pay on account of such Corporation under the provisions of this Act.

“XI. And be it enacted, That any person thinking himself aggrieved and overrated, either with regard to property or income, may appeal to the Justices of the Peace for the County, at their next General Sessions, after he shall have had notice of such assessment, and the said Justices shall examine into the appeal, and if the same shall be supported to their satisfaction, give such relief as they may think just, either by directing the sum overrated not to be collected, or if collected and paid, to be repaid, or else that such persons shall be allowed the sum so overrated in any future assessment of his property or income.”

At D. expunge “X.” and insert “XII.”

At E. expunge the Sections XI. and XII.

At F. in the title, insert the word “better.”

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

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

A Message was brought from the Assembly by Mr. End, that the Assembly had agreed to the amendments made by this House to the Bill in addition to and explanatory of an Act, intituled “An Act to regulate proceedings before Justices of the Peace in Civil Suits.”

A Message was brought from the Assembly by Mr. Weldon with a Bill, intituled “A Bill further to amend the Acts relating to the collection of the Revenue of this Province,” to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly by Mr. Wyer, with Resolutions of Appropriation dated the twenty eighth day of February last, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

ORDERED; That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty sixth day of February, and concurred in the same with one exception, which they recommend should not be concurred in, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the twenty sixth day of February were concurred in by the House, with the exception of the following grant, to-wit:—

To James Whitney of Saint John the sum of two hundred and twelve pounds seventeen shillings and fourpence, being a return of Provincial duties paid on Machinery for a Steam Boat to ply on the River Saint John, agreeably to the prayer of his Petition.

Which was not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the twenty sixth of February, with the exception herein before mentioned.

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the following Bills, without any amendment:—

An Act for the further amendment of the Law:

An Act in addition to the Acts regulating the sale of real estate seized and taken in execution: and

An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County.

Adjourned until To-Morrow at 12 o'clock.

FRIDAY, 2d March, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

PRAYERS.

†

Pursuant

Pursuant to the Order of the Day, the Bill to provide for the assessment of County and Parish Rates, as amended, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other vessels within the limits of this Province," was read the second time.

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

Pursuant to the Order of the Day, the Bill further to amend the Acts relating to the collection of the Revenue of the Province, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John."

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

The Honorable Mr. Shore, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House a copy of a Dispatch from His Excellency Sir Colin Campbell, Lieutenant Governor of Nova Scotia.

The same was read, as follows:—

Government House, Halifax, 20th February, 1838.

SIR,

I have the honor to acknowledge the receipt of Your Excellency's Dispatch of the 11th February, transmitting copies of addresses that had been presented to you by the Legislative Council and House of Assembly of New Brunswick, praying that you would urge Her Majesty's Government to cause an immediate survey to be made of the Bay of Fundy.

I have had much pleasure in complying with Your Excellency's request, by bringing this important subject under the consideration of the Council and Assembly of this Province, and I feel persuaded that both Houses will co-operate, as readily as I shall, with Your Excellency and the Legislature of New Brunswick, in endeavouring to effect this desirable object.

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

(Signed)

C. CAMPBELL.

His Excellency Major General Sir JOHN HARVEY, K. C. H., Fredericton.

The Honorable Mr. Peters, by leave, presented a Petition from Bridget M'Donald, widow of James M'Donald, who was frozen to death on Lake Tamisquata on his return from conveying a load of Her Majesty's Troops to Canada.

ORDERED,

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

A Message was brought from the Assembly by Mr. Taylor, that the Assembly had agreed to the Bill, intituled "An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads," without any amendment.

Adjourned until To-Morrow at 12 o'clock.

SATURDAY, 3^d March, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Bluck.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Lee.

PRAYERS.

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

The Honorable the President read the same;

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

NEW BRUNSWICK,
Message to the Legislative Council,
2^d March, 1838.

J. HARVEY LT. GOVERNOR.

THE Lieutenant Governor submits to the Legislative Council a copy of a Letter addressed to him by the Clerks of the Peace in several Counties, respecting services performed by them relating to Quit Rents, and recommends the same to the favorable consideration of the Council.

J. H.

[*See Appendix, No. 5.*]

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to amend an Act, intituled "An Act establishing the rates for Wharfage and Cranage of ships and other vessels within the limits of this Province."

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill further to amend the Acts relating to the collection of the Revenue of the Province.

The

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the twenty eighth of February last, they had made some progress therein, and asked for leave to sit again.

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

A Message was brought from the Assembly by Mr. Barlow, with a Bill, intituled "A Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly by Mr. Taylor, with a Bill, intituled "A Bill for the settlement of the estate of the late Receiver General of this Province," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly by Mr. Weldon, with a Bill, intituled "A Bill imposing duties upon certain articles imported into this Province," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 5th March, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Lee.

PRAYERS.

Pursuant to the Order of the Day, the Bill further to amend the Acts relating to the collection of the Revenue of the Province, was read the third time and passed.

ORDERED,

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

Pursuant to the Order of the Day, the Bill for the settlement of the estate of the late Receiver General of this Province, was read the second time.

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

Pursuant to the Order of the Day, the Bill to appropriate a part of the public Revenue to the payment of the Ordinary services of the Province, was read the second time.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The said Bill was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill imposing duties upon certain articles imported into this Province, was read the second time.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The said Bill was read the third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other Vessels within the limits of this Province."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

at

At

At A. in Section I. insert the words "of such owner, consignee, or person as aforesaid."

At B. in Section II. expunge the word "the," and insert the word "such."

At C. insert the words "or agent, and to the use of such owner or owners."

At D. insert the following:—

"And the person who may have so placed or landed, or caused to be placed or landed, such ballast or rubbish, may be held to bail in any such action, by order of a Judge of the Court in which the action may be brought, upon the facts being made sufficiently to appear by affidavit."

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

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

A Message was brought from the Assembly, by Mr. Fisher, that the Assembly had agreed to the Bill, intituled "An Act to amend the Laws relating to the solemnizing of Marriage," without any amendment.

A Message was brought from the Assembly by Mr. Brown, that the Assembly had agreed to the amendments made by this House to the Bill to provide for the assessment of County and Parish Rates.

On motion—

The House was put into a Committee of the whole upon Resolutions of Appropriation.

The Hon. Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty eighth of February last, and recommended that the House should concur therein with certain exceptions, which the Committee recommended should not be concurred in, and asked for leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the twenty eighth day of February were concurred in by the House, with the exception of the following grants, to-wit:—

The sum of twenty five pounds for the road leading to the Howard settlement.

The sum of seven pounds ten shillings for the road from the Howard settlement to Dow's mills.

The sum of fifteen pounds to repair the bridge over the Shugomock stream.

The sum of fifteen pounds towards erecting a bridge on a creek in the Parish of Dumfries, between Mr. Palmer's and Major Davidson's.

Which were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have concurred in the Resolutions of Appropriation dated the eighth day of February with the exceptions herein before mentioned.

RESOLVED, That a Select Committee of three Members be appointed to investigate the Contingent Accounts of this House, for the present Session.

ORDERED, That the Honorable Messrs. Robinson, Botsford and Lee, do compose that Committee.

The

The Honorable Mr. Lee, by leave, presented a Petition from Messrs. Crookshank and Walker, of Saint John, praying a return of duty on a puncheon of Rum exported to Nova Scotia.

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

Adjourned until To-Morrow at 12 o'clock.

TUESDAY, 6th March, 1838.

PRESENT.

THE HON.

<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>	<i>Mr. Shore.</i>
<i>Mr. Allanshaw.</i>	<i>Mr. Robinson.</i>
<i>Mr. Botsford.</i>	<i>Mr. Lee.</i>

PRAYERS.

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of ships and other vessels within the limits of this Province," as amended, was read the third time and passed.

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

A Message was brought from the Assembly by Mr. Wyer, with Resolutions of Appropriation dated the first, third and fifth of March, instant, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the first and third of March instant, and recommended that the House should concur in the same with one exception, which the Committee recommended should not be concurred in; and

That the Committee had gone into consideration of Resolutions of Appropriation dated the fifth day of March, they had made some progress therein, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the first and third of March were concurred in by the House, with the exception of the following grant, to-wit:—

To His Excellency the Lieutenant Governor the sum of four hundred pounds, to enable His Excellency to assist the Committee of Management of the New Brunswick Baptist

Baptist Education Society, in discharging the debt incurred by them in the purchase of land and erection of a Seminary of Education in Fredericton.

Which was not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the first and third of March, with the exception herein before mentioned.

On motion made and seconded,

RESOLVED, That under the particular circumstances of the case, this House has been induced to concur in the Resolution granting to His Excellency the Lieutenant Governor the sum of two hundred and eighty pounds to be appropriated towards the support and relief of certain Soldiers of the Revolutionary War and their Widows, who received like support at the last annual Session of the Legislature; but that this grant shall not be drawn into a precedent for the future.

Adjourned until To-Morrow at 12 o'clock.

WEDNESDAY, 7th March, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr Lee.

PRAYERS.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill for the settlement of the Estate of the late Receiver General of this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The said Bill was read the third time and passed.

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

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation.

Appropriation dated the fifth day of March instant, and recommended that the House should concur in the same with one exception, which the Committee recommended should not be concurred in; and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the fifth day of March, were concurred in by the House, with the exception of the following grant:—

To James Whitney, of Saint John, the sum of one hundred pounds, for having ascertained at great expense the practicability of steam navigation between Fredericton and Woodstock.

Which was not concurred in.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the fifth day of March instant, with the exception herein before mentioned.

A Message was brought from the Assembly by Mr. Woodward, that the Assembly had agreed to the amendments made by this House to the Bill to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of ships and other vessels within the limits of this Province."

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

The said Resolutions were read the first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the Resolutions of Appropriation dated the sixth of March instant, and recommended that the House should concur in the same with certain exceptions, which the Committee recommended should not be concurred in.

The Chairman further reported, that in the Committee, on the question whether the Resolution granting to the Honorable William Crane and L.A. Wilmot, Esquires, the sum of eight hundred and thirty pounds, to remunerate those Gentlemen for their services and loss of time on the late Deputations to England, on the subject of the surrender of the Casual and Territorial Revenues to the Legislature of this Province, over and above all their expenses—two hundred and sixty pounds sterling of which sum to be deducted in return for that sum now due the Province from the said L. A. Wilmot, for money remaining in his hands, over and above his actual expenses, should be concurred in, the Committee divided:—

CONTENT.

Mr. Shore.

Mr. Attorney General.

NON CONTENT.

The Chief Justice.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Lee.

H†

And

And it was carried in the negative.

That on the question whether the Resolution granting to the Honorable William Crane, one of the late Deputation, such sum as will procure Exchange on London for two hundred and thirty pounds sterling, being a balance of expenses incurred by him in the late Deputation to England, should be concurred in, the Committee divided:—

CONTENT.

The Chief Justice.
Mr. Shore.
Mr. Botsford.

NON CONTENT.

Mr. Baillie,
Mr. Allanshaw.
Mr. Robinson.
The Attorney General.
Mr. Lee.

And it was carried in the negative.

ORDERED, That the report be received.

Whereupon the Resolutions of Appropriation dated the sixth of March were concurred in by the House, with the exception of the following grants, to-wit:—

To the Honorable William Crane and L. A. Wilmot, Esquires, the sum of eight hundred and thirty pounds, to remunerate those Gentlemen for their services and loss of time on the late Deputation to England, on the subject of the surrender of the Casual and Territorial Revenues to the Legislature of this Province, over and above all the expenses; two hundred and sixty pounds sterling of which sum to be deducted in return for that sum now due the Province from the said L. A. Wilmot, for money remaining in his hands over and above his actual expenses.

To the Honorable William Crane, one of the late Deputation, such sum as will procure Exchange on London for two hundred and thirty pounds sterling, being a balance of expenses incurred by him in the late Deputation to England.

Which were not concurred in.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the sixth of March instant, with the exceptions before mentioned.

The following Resolution was moved and seconded—

RESOLVED, That this House hath not concurred in the two several Resolutions granting respectively to the Honorable William Crane and L. A. Wilmot, Esquires, the sum of eight hundred and thirty pounds, to remunerate those Gentlemen for their services and loss of time, on the late Deputations to England, over and above all their expenses, and to the Honorable William Crane, one of the late Deputation, such sum as will procure Exchange on London for two hundred and thirty pounds sterling, being a balance of expenses incurred by him in the late Deputation to England, because these grants are to a large amount, and require further consideration in a full House, which cannot be had at the present very late period of the Session.

And upon the question whether the Resolution be sustained, the House divided:—

CONTENT.

The Chief Justice.
Mr. Baillie.
Mr. Allanshaw.
Mr. Robinson.
Mr. Lee.

NON CONTENT.

Mr. Shore.
Mr. Botsford.
The Attorney General.

And it was carried in the affirmative.

Adjourned until To-Morrow at 12 o'clock.

THURSDAY, 8th March, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

PRAYERS.

The Honorable Mr. Robinson, from the Select Committee appointed to examine and report upon the Contingent Accounts of this House, presented their report.

ORDERED, That the report be received; and the same was then read by the Clerk as follows:—

The Select Committee appointed to examine and report upon the contingencies of this Honorable House, have had under their consideration the Accounts of the Clerk for the last year, and beg leave to report that they are accompanied by the requisite vouchers and are satisfactory; that there remains a balance of forty three pounds one shilling and seven pence in his hands to be applied, together with the further sum of twenty pounds, which your Committee recommend to be placed at the disposal of the Clerk, in liquidating such contingencies as may arise during the Session, the amount of which cannot now be ascertained; the said sums to be accounted for at the next sitting of the Legislature. The Committee also recommend that the sum of one hundred pounds be applied for the purchase of Books. The Committee have also carefully examined the contingencies of the present Session, which are made up of the following items, and they recommend the same to be allowed, viz.:

No. 1. Robert Rankin & Co. Stationery, fuel, &c., including amount of former account, not heretofore arranged,	£224	11	3
2. William Reynolds, Stationery,	1	10	8
3. Justin Spahnn, sundries,	3	10	3
4. Richard Dunn, repairs, &c.,	4	3	6
5. Thomas Carey and Co. Quebec Mercury,	1	10	0
6. Robert Wier, Montreal Herald,	1	5	0
7. Gossip and Coade, Times,	1	2	6

Carried forward,

£237 13 2

	<i>Brought forward,</i>	£237 13 2
8. George Gurnett, Toronto Courier,		1 5 0
9. Francis Beverly, Book binding, Stationery, &c.,		17 15 3
10. James Biggs, sleigh hire,		91 5 0
11. Postage,		45 0 0
12. Watts and Brannen, services, during recess,		2 10 0
13. Benjamin Wolhaupter, sundries,		1 11 10
14. William Watts, sundries,		3 15 0
15. Gales and Seaton, National Intelligencer,		2 11 3
16. Edmund Ward, Sentinel,		1 10 0
17. John Simpson, Royal Gazette, &c.,		2 1 0
18. Black Rod, expenses,		4 0 0
Superintending Printing Journals and Index, &c.,		40 0 0
		£450 17 6

All which is respectfully submitted.

W. H. ROBINSON, CHAIRMAN.

Council Chamber, March 7, 1838.

A Message was brought from the Assembly by Mr. End, with a Bill, intituled "A Bill to provide for opening and repairing Roads and erecting Bridges throughout this Province," to which they desire the concurrence of this House.

The said Bill was read the first time.

ORDERED, That the twenty third rule of this House be dispensed with as regards this Bill, and that the same be read the second time.

The said Bill was read the second time.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The said Bill was read the third time and passed.

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

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

House of Assembly, March 8, 1838.

Whereas the present state of the American frontier of Upper and Lower Canada, may render it incumbent on the British Government to adopt hostile measures for the security of the Queen's dominions, and the preservation of the national honor; and whereas this Province should come forward on this occasion with such unequivocal expressions of loyalty and zeal, as would do justice to the well known character and spirit of its Inhabitants; therefore

RESOLVED,

RESOLVED unanimously, That an humble Address be presented to His Excellency the Lieutenant Governor, setting forth that in the event of any necessity arising from a state of hostilities, His Excellency be authorized, by and with the advice and consent of the Executive Council, to draw from the Province Treasury, a sum not exceeding Ten thousand pounds, to meet any emergency which the public interests of this Province or the welfare of the British Colonies may appear to require; and that this House will make provision for the same; and further

RESOLVED, That the Legislative Council be requested to join in this Address.

RESOLVED unanimously, That this House do agree to the proposed Address, and that the Honorable the Attorney General and the Honorable Mr. Lee be a Committee on the part of this House to join such Committee as may be appointed by the Assembly to present the same.

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

Adjourned until To-Morrow at 10 o'clock.

FRIDAY, 9th March, 1838.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Robinson.

Mr. Attorney General.

Mr. Lee.

PRAYERS.

A Message was brought from the Assembly by Mr. Allen, with the following Resolution of Appropriation dated the sixth March, instant, to which they desire the concurrence of this House :—

“House of Assembly, Tuesday, March 6, 1838.”

“RESOLVED, That there be granted to the Clerk of the House, the sum of two thousand one hundred and forty eight pounds five shillings and two pence, for the Contingent expenses of the present Session.”

and also

That Mr. Allen, Mr. Barlow, Mr. Partelow and Mr. L. A. Wilmot, are appointed a Committee to join the Committee of this House, to wait upon His Excellency the Lieutenant Governor with the Address, authorizing him to draw the sum of ten thousand pounds from the Province Treasury, in the event of any hostilities arising from the present disturbed state of affairs on the Canadian frontier.

The said Resolution being read, was concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Taylor, with a Bill, intituled “A Bill to appropriate a part of the Public Revenue for the services therein mentioned,” to which they desire the concurrence of this House.

The

The said Bill was read the first time.

ORDERED, That the twenty third rule of this House be dispensed with, as regards this Bill, and the same be read the second time.

The said Bill was read the second time.

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

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

The said Bill was read the third time and passed.

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

The Honorable the Attorney General from the joint Committee of this House and the Assembly appointed to wait upon His Excellency the Lieutenant Governor, with the address to His Excellency authorizing him to draw the sum of ten thousand pounds from the Province Treasury, in the event of any hostilities arising from the present disturbed state of affairs on the Canadian frontiers, reported they have attended to that duty, and His Excellency was pleased to express himself much gratified with the same, that he would not at that time fully explain his sentiments relating thereto, but should notice it in his address to both Houses at the time of proroguing them.

The House was adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and by Message commanded the attendance of the House of Assembly.

The House of Assembly attended accordingly.

His Excellency gave his assent to the following Bills, intituled:—

An Act imposing duties upon certain articles imported into this Province:

An Act to appropriate a part of the Public Revenue to the payment of the Ordinary services of the Province:

An Act to appropriate a part of the Public Revenue for the services therein mentioned:

An Act to provide for opening and repairing Roads and erecting Bridges throughout this Province:

An Act further to amend the Acts relating to the collection of the Revenue of the Province:

An Act to provide for the assessment of County and Parish Rates:

An Act to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such Officer:

An Act for the amendment of the Law with respect to Wills:

An Act in addition to the Act for defining the crime of Forgery:

An Act in addition to and explanatory of an Act, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits:"

An

An Act in addition to the Acts regulating the sale of Real Estate seized and taken in execution :

An Act for the further amendment of the Law :

An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County :

An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads :

An Act to authorise the Justices of the Peace in and for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same :

An Act to provide for the erection of an Alms House and Work House, and to establish a public Infirmary in and for the City and County of Saint John :

An Act more effectually to prevent the abuse of Banking privileges :

An Act to provide for the erection of Fences with gates across the Highways on Deer Island, in the Parish of West Islès, in the County of Charlotte :

An Act relating to the Grammar Schools of King's and Queen's Counties :

An Act to authorise the extension of the Gaol Limits in the Parish of Fredericton :

An Act to authorise the Treasurer of the Province to pay off the loan from the New Brunswick Fire Insurance Company :

An Act for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland, into a separate Town or Parish :

An Act to continue certain Acts relating to the Fisheries in the County of Northumberland that are near expiring :

An Act to authorise the Magistrates of the County of Charlotte to levy an assessment to pay off the County debt :

An Act to continue the Act relative to the Streets and Squares in the City of Saint John :

An Act for the better and more effectual securing the navigation of Newcastle River in Queen's County :

An Act to amend the Law relating to the inspection of Public Accounts by Grand Juries, so far as relates to the County of Charlotte :

An Act in addition to an Act, intituled "An Act to make more effectual regulations relating to Pilots within this Province," so far as regards the County of Charlotte :

An Act to provide for the expenses of the Speaker and Members of the House of Assembly, when attending the General Assembly :

An Act to enlarge and define the boundaries of the Parish of Woodstock in the County of Carleton :

An Act to authorise the Justices of the Peace in the County of Carleton to levy an assessment to pay off the County debt :

An Act in addition to and in amendment of an Act, intituled "An Act to regulate Tavernkeepers and Retailers :"

An Act to repeal an Act, intituled "An Act for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish :"

An Act to erect a part of the Parishes of Gagetown and Hampstead, in Queen's County, into a separate and distinct Town or Parish :

An Act for the settlement of the Estate of the late Receiver General of this Province :

An Act to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other Vessels, within the limits of this Province :"

An Act to incorporate *The Saint John Mills and Manufacturing Company* : An

An Act to incorporate *The Petcodiac Wet Dock Company* :

An Act for the incorporation of *The Saint Andrews and Saint John Stage Coach Company* :

An Act to amend the Act incorporating the New Brunswick Fire Insurance Company: also

An Act to incorporate sundry persons by the name of *The President, Directors and Company of the Miramichi Bank* : (*With a suspending clause* :)

An Act to increase the Capital Stock of the Charlotte County Bank, and to amend the Act incorporating the same : (*With a suspending clause* :)

An Act to amend the Laws relating to the solemnizing of Marriage. (*With a suspending clause*.)

His Excellency then was pleased to deliver the following Speech :—

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

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

“ On behalf of our Gracious Queen I renew to you my thanks for the manner in which you responded to the appeal which I felt it my duty to make to you at the opening of the Session, and for the effectual provision which you so promptly made for the purpose of giving support to the Royal authority and aid to your loyal fellow subjects in the Sister Provinces, recently the scene of revolt.

“ My acknowledgments are further due to you for the attention which you have paid to the general business of the Session, as well as to those subjects which I have from time to time brought under your consideration. Intimately acquainted as you necessarily are with the actual condition of the Province, I do not allow myself to doubt that those questions have been disposed of in the manner most accordant with its true interests.

“ I thank you in Her Majesty’s name for the liberality with which you have granted the supplies for the various exigencies of the public service, and more especially for having made a suitable provision for the important office of Master of the Rolls; and I will add in my own name and in that of my Successors in the administration of this Government, for the great attention which has been paid to the accommodation of Her Majesty’s Representative, in the thorough repairs made, and furniture added, to the Government House.

“ It only remains for me to assure you that it will be my endeavour to apply your appropriations to their respective objects, with a due attention to that just economy which appears to me to consist in giving the fullest effect to the service in view, without unnecessary expense to the public.

“ Upon the result of your joint labours I offer you my congratulations, and above all I wish to record my approbation of that spirit of cordiality and unanimity which has characterized all your proceedings.

“ The Legislative duties of the Session appear to me to have been conducted in the true spirit of that revered Constitution to which the People of this Province have, on so many occasions, shewn their zealous attachment, and which, I am convinced, it will be your care and your determination to transmit unimpaired to your descendants.

“ In releasing you from further attendance upon your Legislative duties, I look forward with satisfaction and confidence to again meeting you in Provincial Parliament at

at the usual period, or whenever the state of Public affairs may appear to me to require that you should be convened.

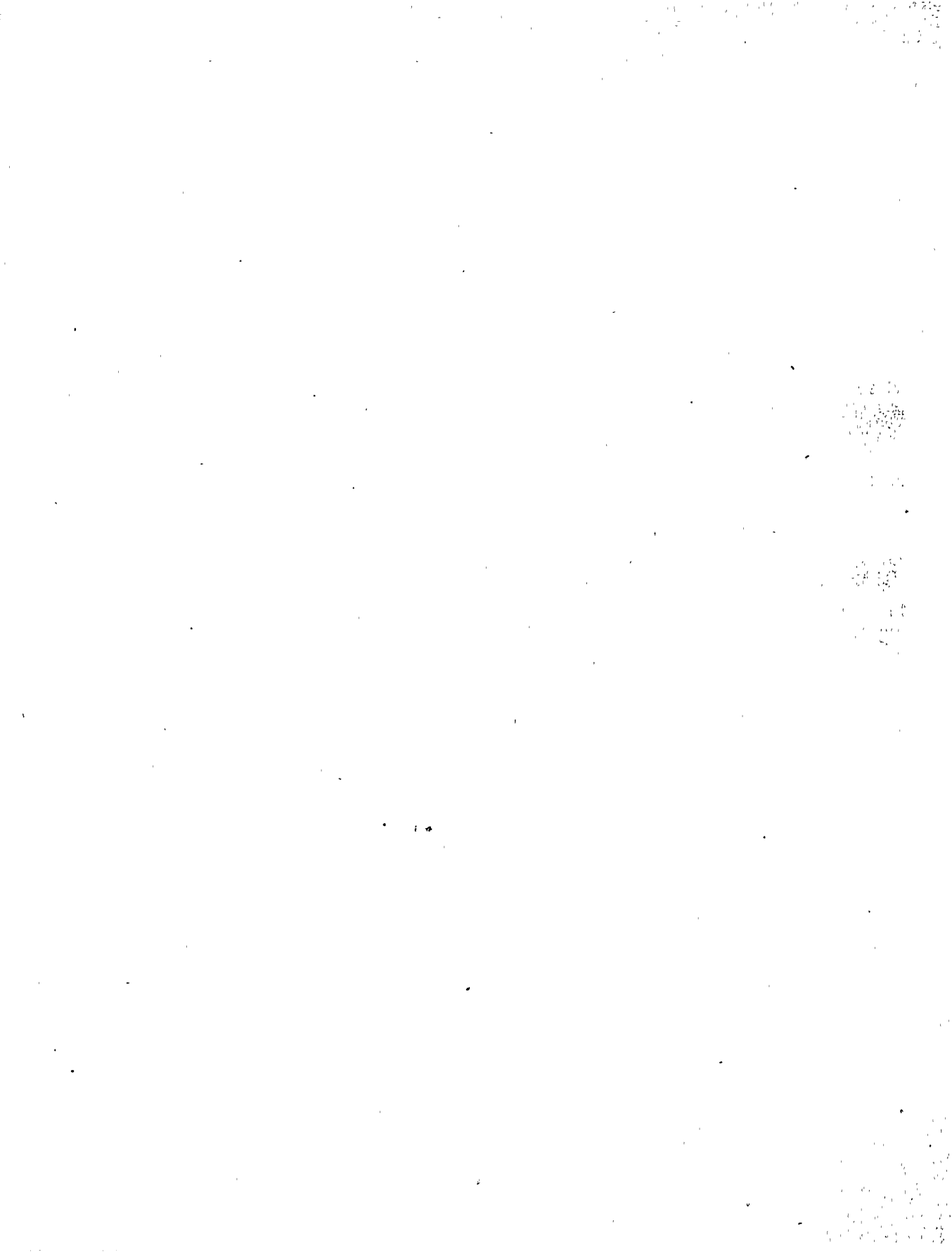
“ In concluding this Address, I advert with feelings of proud emotion to your joint Resolution, which has just been presented to me, placing at my disposal the sum of ten thousand pounds for the purpose of enabling me to meet any emergency which may arise out of the state of affairs now existing betwixt the British and American Governments, in consequence of the lawless and hostile proceedings of the armed banditti by which the Frontiers of Upper and Lower Canada are threatened from the United States, and for the object of preserving that connexion with the Mother Country, which is so warmly cherished by the Inhabitants of this Province.

“ Gentlemen—by England’s Queen—by the British People, and by your loyal fellow subjects of these and every other Colony of this vast Empire, will your noble conduct at this crisis be duly appreciated.

“ For myself I can no otherwise repay the confidence which you have been pleased to repose in me than by devoting my utmost energies to the glorious cause of preserving our soil from violation by hostile Foreigners, and of maintaining to the loyal Inhabitants of these truly British Colonies the blessings of British connexion, for which they have so unequivocally evinced their attachment and preference.”

After which the President of the Council, The Honorable Mr. Chief Justice Chipman, by His Excellency’s command, declared the General Assembly to be prorogued until the second Tuesday in June next.

WM. T. PETERS, CLERK.



APPENDIX.

No. 1.

[See Journal 23d January, 1838.]

Saint John, 1st January, 1838.

MAY IT PLEASE YOUR EXCELLENCY,

AGREEBLY to their request I, last year, had the honor of making a communication to the Commissioners appointed to ascertain the most eligible site, near the City of Saint John, for a Provincial Lunatic Asylum. With regard to the temporary Lunatic Asylum under my charge in this City, and the establishment, since that period, having received liberal support from the Legislature, I feel myself called upon to make this report to Your Excellency, for the purpose of shewing to Your Excellency and the Legislature the immediate advantage to the unfortunate Lunatics which even this temporary Institution has been, and the indispensable necessity which exists for a Provincial Asylum on a scale sufficiently large to accommodate the number of Lunatics at present in the Province, and on a plan capable of extension so as to meet the increasing wants of the Colony.

Before the establishment of this temporary Asylum the poor Lunatics for their safe keeping were generally confined in Gaol by the Warrant of two Magistrates agreeably to a Law of the Province, a situation of all others where they would be least likely to recover, and where from neglect and filth they really become objects of disgust rather than of compassion; but since this Institution has received support from the Legislature the Superintendent has wisely thrown open the Asylum for the reception of Lunatics from every County in the Province, and the Gaols are now no longer prisons for Lunatics, and a practice so disgraceful to humanity I am happy to say no longer exists. The law itself, however, is still a blot upon the Statute book.

A period of thirteen months has now elapsed since I made my report to the Commissioners, and according to the classification which I then adopted, the number and description of the cases, and the result of the treatment both of those at that time in the Asylum, and the patients since admitted will appear by the following Table:—

Classification of cases when admitted.	How dismissed.					State of the remaining.		Total of the several Classifications.
	Cured,	Relieved,	By desire,	Unfit,	Died,	Improved,	Continuing the same,	
Maniacs,.....	14	1	1		1	3	4	24
Maniacs, Furious,.....	1				1			2
Melancholies,.....					1			1
Melancholies, Iracible,...								
Imbecile,.....			2		4		9	15
Fatuous,.....							1	1
TOTAL,.....	15	1	3		7	3	14	43

There have also been admitted thirteen cases of delirium tremens, most of them being outrageous and requiring as much restraint as any Maniac; but as persons affected with this disease are not, strictly speaking, insane, nor generally considered proper subjects for a Lunatic Asylum, I have not included them in the Table. When labouring under that disease, however, they are quite unfit to be at large, both on account of their own and others safety, and moreover their temporary confinement in an Asylum, independently of affording them the best means of cure, is frequently of essential service by keeping out of their reach the stimulus which has been the cause of their malady, and thus, in some measure, breaking a habit which, if continued to be indulged in, must inevitably end in the destruction of the individual.

Two or three have also been sent to the Asylum, in whom the delirium of Fever has been mistaken for Insanity, and although the crowded state of the Asylum would have led us to refuse their being admitted, humanity compelled us to allow them to remain.

Of the cases which I have included in the above Table 16 were recent or had been affected within six months previous to admission, and 26 old cases consisting of such as had been affected for upwards of six months previously, and the result of the cures of each is as follows:—

26 old cases, with 3 cures,
17 recent, “ 12 “

In looking at the above result it must be borne in mind that this Asylum has only been thrown open for the admission of Patients from all parts of the Province for about nine months, and as no Asylum has heretofore existed in the Province, our number of old cases has been much greater than our number of recent cases, and as a consequence our number of cures in so short a space of time have been few, at least among the former class. But this is not the worst of it, many of these unfortunate Lunatics have been for months and a few of them for years confined in Gaol, or in some dark ill ventilated and cold room or cell at the residence of their friends, where their safe keeping alone was looked to; and where, from neglect and filth, and want of proper medical treatment, they have been reduced to extreme emaciation; from such mismanagement, diseases which are little under the control of medicine were contracted, and in an awfully emaciated and diseased state have they been admitted into the Asylum, some of them with every symptom of confirmed decline, and others with a chronic state of inflammation of the lining of the stomach and alimentary canal, accompanied with an aphthous state of the mouth and tongue, all proceeding from improper confinement in some damp cold place, and want of attention to the state of the bowels, an irregularity to which Maniacs are peculiarly liable, and which, if not attended to, independently of aggravating their malady, is sure to produce disease in some shape or other.

Two of the Patients were admitted with fracture of the thigh bone, one of them was a female six months gone with child, who jumped out of a window near thirty feet from the ground, the other a man who had cut his throat from ear to ear, and only been dismissed cured about six months previously from the Asylum, and who now had met with his accident by jumping or tumbling over a ship's side, on the stocks. The cures in these two cases were very satisfactory. They were both performed without splints, and the strait waistcoat was required for each during the whole process. The woman was able to walk before she was delivered, and perfectly restored to reason a few weeks afterwards, and does not now shew the slightest limp, indeed to use her own words,
“you'd

“you'd never know her leg had been broken.” The man, poor fellow, though perfectly cured of his fractured thigh and mania, was not so fortunate. He was seized with fever during his convalescence, from which he had a relapse accompanied with a good deal of inflammation of the mucous membrane or lining of the bowels, which went on to ulceration, and after lingering for some with protracted time diarrhoea, he sunk.

There has been a great deal of sickness in the City of Saint John during the whole of the past year. Fever, small pox, measles, and many other contagious diseases have likewise been very prevalent, and in common with the inhabitants of the City the inmates of our Asylum have suffered. We have lost two or three of our imbecile patients from repeated attacks of fever, frequently before the convalescence was fully established they have been thrown back, notwithstanding the great care which is paid to their diet, cleanliness and general health. One poor fellow, who is now quite strong and well, had no less than three relapses, and I quite despaired of ever getting him upon his legs again. The cold weather, however, did wonders for him, and he convalesced rapidly.

The building has been very much improved, and the new arrangements, both in the yards and interior, have added much to the comfort of the establishment. But we still labour under all the difficulties of want of space and employment for the patients, without which they are sure to despond, and brood over their hallucinations. Indeed it may be truly said we possess only half the means of cure.

We have also felt very great inconvenience from the want of proper keepers, and should a Provincial Asylum be established, it will be indispensably necessary to obtain two or three persons who have been accustomed to the management of the insane in some one of the Asylums in England or the United States, to take charge of the patients for some time, and for the purpose of instructing others in the very important duties of Keepers to the Institution.

With regard to the number of Lunatics in and belonging to the Province, I believe that the estimate which was formed of one in every thousand of the population will be found to be very near the truth. There are a number now confined in Asylums in the States who would, no doubt, be immediately removed here by their friends if a proper establishment were provided for their reception.

In conclusion allow me to add, that the very able report of the Commissioners which was presented to the Legislature last winter, has, I am happy to see, been spoken of in the most unqualified terms of approbation in the twelfth annual report of the managers of the Prison Discipline Society of the United States. “It is a document,” they say, “which reflects much honor upon the Commissioners and upon the Province;” and with a fervent hope that the Legislature will act upon it, and erect a building in every respect according to the plan recommended in that report,

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

GEORGE P. PETERS, M. D.

No. 2.

[See Journal 26th January, 1838.]

NEW BRUNSWICK.

Duncan Hay, of Carraquet, in the County of Gloucester, in the Province of New Brunswick,

Brunswick, British North America, Yeoman, and Charles Coughlan, of the same place, Yeoman, make oath and state as follows: First, the said Duncan Hay deposeseth and saith, that he has lived in Carraquet, in the Bay of Chaleur, in the Gulph of Saint Lawrence, for three years last past, and during that period, and for three years before, was personally employed in carrying on the Fishery at Point Muscow, being the outermost Point of the Island of Muscow, a fishing station very much resorted to by the inhabitants on both sides of the Bay de Chaleur, as well as other British settlements, both in this Province of New Brunswick as well as Nova Scotia, embracing a line of coast of nearly one hundred miles; that for the whole of the period of time above mentioned the said fishing grounds have been, during the fishing season, frequented by great numbers of American fishermen, who are in the constant habit of coming within the line marked out by the Treaty subsisting between the British and American Governments, and in so doing, interfering with the British fishermen, to their very great detriment and the prevention of their taking fish, the destruction in a great measure of the beneficial use of the said fishery by British subjects, and dispersing the shoals of fish; that this deponent has witnessed every year from the commencement, and during the continuance of the fishing season in the months of June and July, American fishing vessels, varying in numbers from thirty, forty, fifty, and sometimes one hundred at a time, actively employed in taking fish, and not content with so doing in the deep waters, they approach within the small Bays and close in with the shore, as well for catching fish as for the purpose of taking bait, without which latter the fishing cannot be carried on, and in so doing, frequently directly interfere with the inhabitants and British fishermen, and in some instances being the most numerous, and therefore not to be restrained or prevented, take such bait out of the nets and seines used by the said inhabitants for taking such bait, and also by the number of vessels extended continuous lines in positions that break up and turn the shoals of fish from entering the different Bays and places of resort, to which the said bait and other fish have been and are in the habit of resorting.

That to protect the British subjects in the right of fishing, it will require more than an occasional visit of an armed Vessel; some permanent establishment during the whole of the fishing season, in the opinion of the deponent, will be necessary to do away with the interference and annoyance above detailed.

And the deponent, Charles Coughlan, for himself saith, that he has resided at Carraquet aforesaid, thirty miles from Point Muscow aforesaid, about nine years last past, and has also been employed in carrying on a fishing establishment, and that the foregoing statement as relates to the interference of the American fishermen in taking fish, and the other interruptions mentioned by the deponent Duncan Hay, are correct and true, and that he perfectly coincides with him as to the means of preventing the same.

(Signed)

DUNCAN HAY,
CHARLES COUGHLAN.

Sworn this 24th day of January, 1838, before me at Fredericton, in the County of York.

(Signed)

THOMAS C. LEE, J. P.

Duncan

Duncan Hay and Charles Coughlan, the deponents named in the accompanying affidavits, further, by way of general observations relating to the subject of the interference of the American fishermen, would particularly mention the mode in which they carry on their fishing, which they, these informants, consider to have a very injurious effect to the fishery in general.

In the first place they, the said American fishermen, are in the constant habit after catching the fish of bringing their vessels in very near to the shore, frequently as near as they will ride, and in that situation clean their fish and throw overboard the garbage, which at that season of the year shortly becomes putrid, and has a direct tendency to drive away the shoals of fish there resorting.

Secondly. They are in the habit when their vessels are surrounded by a shoal or shoals of Mackerel, of cutting up, with machines calculated for that purpose, quantities of fish into small pieces, and then scattering the same about to keep the shoals about their vessels, and at the same time throwing into the water quantities of dry salt, which the fish seize, together with the small cut up bait, which is supposed to stupify, or have such effect as to detain them, and thereby the fishermen are enabled to take the fish in great quantities and break up the shoals: they also throw into the water together with the said small bait and dry salt, quantities of Indian meal, which renders the surface turbid. This course being pursued by a large number of Vessels stationed generally across the entrance of the Bays, and other places into which the Mackerel are in the habit of entering, necessarily turns their course and prevents the British fishermen from taking the same in those Bays, Coves and Inlets where they have always, before the American fishermen were in the habit of frequenting the said fishing grounds, been accustomed to take fish.

DUNCAN HAY.
CHARLES COUGHLAN.

Fredericton, 24th January, 1838.

Fredericton, 25th January 1838.

SIR,

Having by request attended at your office and detailed by an affidavit, accompanied by such general observations as are within our knowledge, all the information we possess relating to the intrusion of the American fishermen on the British fishing grounds, in the British waters contiguous to the shores of the Gulph of Saint Lawrence, beg leave on our own behalf to observe, that in order to give that information which we conceived to be of great importance to the interest of the Province, we were induced to leave our homes, distant about two hundred miles, and come to Fredericton at this inclement season of the year; that we have been necessarily detained here since Saturday, the 20th instant; that our expenses in coming, remaining here, and returning, without taking into consideration loss of time, must necessarily be great, much more so than our circumstances will afford us to pay without great inconvenience.

In addition to which, a young and valuable horse with which we left home, fell lame on the journey, which we were compelled to leave on the road, and to hire another in his place.

We beg leave to submit these observations, and to request you will have the goodness

goodness to let them accompany our affidavit and statement, to be laid before His Excellency the Lieutenant Governor.

We have the honor to be

Your most obedient servants,

DUNCAN HAY,
CHARLES COUGHLAN.

To The Honorable the Attorney General, &c. &c.

I have read this representation, which appears to me to form a reasonable ground for such compensation as to the House of Assembly may appear proper.

J. H.

January 25, 1838.

No. 3.

[See Journal 13th February, 1838.]

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

MAY IT PLEASE YOUR EXCELLENCY,

We, the undersigned beg leave to report to Your Excellency, that in pursuance of Resolutions of the Legislative Council and Assembly passed in the Session of 1836, His Excellency Sir Archibald Campbell, the then Lieutenant Governor of this Province, appointed us Commissioners to meet and act with such Commissioners as might be appointed by the Government of Nova Scotia, in order to run out and ascertain the line of division between this Province and the Province of Nova Scotia.

This line has never yet been ascertained or run, in consequence of doubts which have existed as to the true source of the Musquat or Missiquash River. In the Commission to Governor Carleton, which first established and defined the limits of this Province distinct from Nova Scotia, the bounds of this Province are described as follows: "Bounded on the westward by the mouth of the River Saint Croix, by the said River to its source, and by a line drawn due North from thence to the Southern boundary of our Province of Quebec, to the Northward by the said boundary as far as the western extremity of the Bay des Chaleurs, to the eastward by the said Bay and the Gulph of Saint Lawrence to the Bay called Bay Verte, to the south by a line in the centre of the Bay of Fundy from the River Saint Croix aforesaid, to the mouth of the Musquat River by the said River to its source, and from thence by a due east line across the isthmus into the Bay Verte, to join the eastern line above described, including all Islands, &c." From the description it may readily be perceived that if the source of the Missiquash could be ascertained and agreed upon, no difficulty or doubt could arise as to the true line; but it unfortunately happens that much difference of opinion exists as to where the true source of this River is to be found. Following up this River from the Bay of Fundy, it is clearly defined until it reaches a point near Black Island, (a short distance above the great road passing to Halifax,) when it is lost in a large marshy bog or morass, interspersed with small lakes. It might be contended that where the River is thus lost, and can be no further clearly

clearly traced, is the true source of the Missiquash, from which a line due east to the Bay Verte should be run as the boundary between the Provinces.

If however it be decided to proceed over and above this morass and to trace the various head streams which flow therein, in order to ascertain which is the principal or parent stream, it will be found that there are several streams diverging from different points and nearly of the same volume.

The difficulty thus occurs, which of these streams should be adopted as the source of the Missiquash. With a view to determine if possible this question and in pursuance of the duties assigned to us, we proposed to the Commissioners appointed on behalf of the Province of Nova Scotia, that a competent surveyor should be agreed upon, or that the Commissioners for either Province should each appoint a Surveyor to proceed with a survey of the Missiquash River, from its mouth to the place where the great road crosses the same, and that when such surveys are completed a meeting of the Commissioners for both Provinces should take place at a time and place named by us, for the purpose of personally examining and ascertaining the true source of the River.

The Commissioners have, on the part of Nova Scotia, declined to accede to our proposal for a personal examination, but in lieu thereof proposed that Surveyors should be appointed on both sides to make an exploration, survey and plan of the Missiquash to its source and thence to run the line to Bay Verte. To this proposition we did not feel ourselves at liberty to accede, especially as it appeared to us that the only object of our joint appointment was to examine and ascertain, if possible, the point where the true source of the stream was to be found; and therefore we did not consider it proper to delegate to Surveyors the important duty of deciding the whole question in doubt or dispute, for it was obvious if they were entrusted to explore the Missiquash to its source, and thence run a line to the Bay Verte, as proposed by the Nova Scotia Commissioners, that the Surveyors, if they agreed in opinion, would in fact have decided the whole question; or in case they could not agree, (not an improbable event,) and each Surveyor decided for himself, there would be two separate lines run, apparently by authority, thereby creating much greater difficulty and confusion with regard to the true line than already exists.

With a view however to obtain all the information in our power, we proceeded with a full exploration and survey of the Missiquash River, and at the points where doubts existed as to the true source we personally examined the principal lakes and streams from which the River is supplied. And although we have thus satisfied ourselves that there are marks sufficiently distinctive to point out and fix the true source of the River, yet, as the Commissioners of Nova Scotia had declined attending, we considered it desirable not to proceed in running out the line from thence to Bay Verte, until we shall have submitted the information thus obtained to the Commissioners on the part of Nova Scotia as proposed to them whenever they may consent to meet us. And we indulge a confident hope that when the Commissioners on the part of Nova Scotia shall have made themselves acquainted with our survey and examination, that this line may yet be agreed upon and run out to the satisfaction of all parties.

We beg leave to refer Your Excellency to the accompanying copies of communications had between us and the Nova Scotia Commissioners on this subject, together

with the plan and a statement of the expenses incurred in making the necessary surveys and explorations.

(Signed)

E. BOTSFORD,
E. B. CHANDLER.

Fredericton, January, 1838.

No. 4.

[See Journal 26th February, 1838.]

STATEMENT

Shewing the total amounts received, amounts due, and coming due, on sales of Land and Timber, the extent of Land surveyed, amount paid for surveys of Land and for Timber inspections, the extent of Land remaining surveyed for settlement, &c. &c., from January 1, 1830, to December 31, 1837, viz:—

Land.		Timber and Lumber.		Extent of Land surveyed.	Expence incurred for surveys and Timber Inspections.	Extent remaining surveyed for settlement &c.
Extent sold and amount received thereon.	Amount due and coming due.	Total amount received.	Amount due.			
Acres. £	£ s d	£	£ s d	Acres.	£	Acres.
1,339,000	134,290	107,765 12 7	95,273	3,666,000	32,338	388,680
Amount received on Land sold,				£134,290	0 0	
" " " Timber,				95,273	0 0	
				£229,563 0 0		
" coming due on Land,				107,765	12 7	
" " Timber,				8,736	4 10	
				116,501 17 5		
				£346,064 17 5		

Of the 3,666,000 acres of Land surveyed during the period, 1,339,000 acres have been sold; 1,538,320 acres are in 5 year Licences, and 400,000 acres under annual Licences, leaving 388,680 acres of surveyed Land open for settlement.

Of the £32,338, expended for surveys and inspections, the fees of 3*d.* per ton on Timber, and 6*d.* per M. feet on Logs, to meet the expense of Timber surveys and inspections, and received in the Crown Land Office during three years of the period, and the same fees credited the Casual Revenue during the residue of the period amounted to £15,526, and the mileage on 5 year Licences to assist in paying the survey, amounted to £1,680, leaving £15,132 as the expence incurred for the survey of land, amounting to the charges of one penny per acre.

THOMAS BAILLIE,
Comr. & Sur. General Crown Lands.

Department for Crown Lands and Forests,
Fredericton, N. B., 23d February, 1838.

No. 5.

[See Journal 3rd March, 1838.]

Fredericton, 20th February, 1838.

MAY IT PLEASE YOUR EXCELLENCY,

We beg leave to bring under the notice of Your Excellency, our claim to remuneration for services performed in regard to the refunded Quit Rents.

Sir Archibald Campbell, the late Lieutenant Governor, in carrying into effect His late Majesty's gracious instructions, that all Quit Rents which had been paid by individuals should be returned—required the Clerks of the Peace in the several Counties to receive the receipts of all persons who had paid their Quit Rents in the several Counties, and to make a list and return thereof, and also to receive and pay over to the several claimants the respective amounts paid by them to the Receiver General.

This duty has been attended with much trouble, loss of time and responsibility, and in the full expectation that we would be remunerated, and such we have reason to believe was the full intention of the then Executive. In the meantime the Casual Revenue has been ceded to the Legislature, and we have as yet received no compensation.

We would therefore bring the subject under the consideration of Your Excellency, in order that we may be compensated for the duties then performed. We humbly trust, under these circumstances, a reasonable compensation will be allowed for the services, when it is considered that we have had all the trouble of collecting receipts, making up and transmitting schedules, receiving and paying all the monies to a great number of persons and in very small sums.

We have the honor to be

Your Excellency's most obedient and very humble servants,
 (Signed) W. HATCH, Charlotte.
 T. R. WETMORE, Queens.
 WM. END, Gloucester.
 E. B. CHANDLER, Westmorland.
 J. W. WELDON, Kent.
 H. G. CLOPPER, late Clerk York.
 A. K. SMEDES WETMORE, Clerk Carleton.
 G. F. S. BERTON, Clerk Sunbury.

I have received a Letter from E. B. Smith, Esquire, Clerk of King's, desiring me to make application for him.

(Signed) J. W. WELDON.

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 To Mary Banks, widow of the late William Banks, the sum of £20; to Angus M'Fee, the sum of £10; to Hezekiah Lyon, the sum of £10; to John Underwood, the sum of £10; to James Flint, the sum of £10; to Joseph Madgett, the sum of £10; to Isaac Adams, the sum of £10; to Enoch Groom, the sum of £10; to Dougal Clarke, the sum of £10; to William M'Pherson, the sum of £10; to Alexander M'Kenzie, the sum of £10; to James Ross, the sum of £10; to John Kennedy, the sum of £10; to Patrick Van, the sum of £10; to William Hurley, the sum of £10; to Donald M'Donald, the sum of £10; to David Bruce, the sum of £10; to Gersham Bonnell, the sum of £10; to Michael Denison, the sum of £10; to Holden Turner, the sum of £10; to John Baldwin, the sum of £10; to Jane M'Curdy, widow of the late Samuel M'Curdy, the sum of £10; to Ruth Baird, the sum of £10; to John Dunlap, the sum of £10; to Cornelius Ackerman, the sum of £10; to Musco Wright, the sum of £10; to Duncan M'Farlane, the sum of £10; to Martin Austin, the sum of £10; to Richard Jourdin, the sum of £10; to Andrew Rush, the sum of £10; to William Harper, the sum of £10; to Richard Budd, the sum of £10; to James Greerson, the sum of £10; to Neil M'Bean, the sum of £10; to James Davidson, the sum of £10; to James Appleby, the sum of £10; to Mary Buckett, the sum of £10; to Mary Ogden, the sum of £10; to Sarah Bate, the sum of £10; to Mary Kelly, the sum of £10; to Sarah Foster the sum of £10; to Deliverance Cole, the sum of £10; to John Manzer, the sum of £10; to John Pond, the sum of £10; to William Mills, the sum of £10; to Alexander M'Lean, the sum of £10; to Roger Welsh, the sum of £10; to Æneas Lapee, the sum of £10; to David Quigley, the sum of £10; to Elias Seacord, the sum of £10; to Hicks Seamans, the sum of £10; to Jacob Tompkins, the sum of £10; to James Dyer, the sum of £10; to Benjamin Collins, the sum of £10; to Isaac Mills, the sum of £10; to Mordecai Starkey, the sum of £10; to Catherine Stewart, the sum of £10; to Ann Grant, the sum of £10; to Abigail Sutherland, the sum of £10; to Lyman Gray, the sum of £10; to John Macdonald, the sum of £10; to Benjamin Macdonald, the sum of £10; to Ammon Hubble, the sum of £10; to Charles Foster, the sum of £10; to Ann Munro, the sum of £10; to William Clarke, the sum of £10; to Neil M'Nichol, the sum

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- of £10; to John Dick, the sum of £10; to Nathaniel Seabrooks, the sum of £10; to Patience Hasty, the sum of £10; to Mary Horton, the sum of £10; to Catherine Fero, the sum of £10; to Elizabeth Green, the sum of £10; to William Segec, the sum of £10; to Peter Allen, the sum of £10; to John McColl, the sum of £10; to Robert Robertson, the sum of £10; to Bradbury Mills, the sum of £10; to Joseph Hoyt, the sum of £10; to Thomas Thornton, the sum of £10; to Michael Hawkins, the sum of £10; to John McLaughlan, the sum of £10; to Adam King, the sum of £10; to Ralph London, the sum of £10; to Asher Vail, the sum of £10; to Bernard Manzer, the sum of £10; to Frederick Weaver, the sum of £10; to William Cornelison, the sum of £10; to Anthony Woodland, the sum of £10; to George Sinnott, the sum of £10; to William West, the sum of £10; to Seth Griswold, the sum of £10; to Joshua Stone, the sum of £10; to Thomas Wood, the sum of £10, 335; Assembly acquainted thereof, 336
- Dated 16th February.*—Brought up, 338; read first time, 338; committed, progress reported, 343; further committed, 345; reported, adopted, 345, with the following exception:—
To Jarvis Ring, Aaron Hartt and others, the Committee of Management for the New Brunswick Baptist Education Society, the sum of £500 to assist them in discharging the debt incurred in the purchase of Land, and the erection of the Seminary established at Fredericton.—Assembly acquainted thereof, 345
- Dated 17th February.*—Brought up, 338; read first time, 338; committed, progress reported, 345; further committed, progress reported, 347; further committed, reported, adopted with the following exceptions, 349:—
£15 from Tibbit's to the American Line;
£8 from Palmer's, to Malloreys;
£10 from Johnston's to Dan's.—Assembly acquainted, 350
- Dated 20th February.*—Brought up, 340; read first time, 340; committed, progress reported, 347; committed, reported, adopted, with the following exceptions, 349:—
£10 to Jane Davidson, teaching school;
£20 to Joseph Prince, ditto;
£20 to James Miller, ditto;
£5 to John Chipman, ditto;
£15 to Hannah Rogers, ditto;
£10 to Margaret Mercy, ditto;
£20 to John McLaughlan, ditto;
£10 to John McClain, ditto;
£10 to Bashaba A. Nevers, ditto.—Assembly acquainted, 305
- Dated 21st February.*—Brought up, 347; read first time, 347; committed, progress reported, 348; further committed, reported, adopted, 355; Assembly acquainted, 356
- Dated 22d February.*—Brought up, 355; read first time, 355; committed, reported, adopted with the following exception, 355:—
To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £435, to pay such Adjutants and Sergeant Majors of Her Majesty's Militia Forces as shall appear to have performed their duty the past year, agreeably to the Law of the Province.—Assembly acquainted thereof, 356
- Dated 26th February.*—Brought up, 355; read first time, 355; committed, appointed, adopted, 361, with the following exception:—
To James Whitney, £212 17 4, duties paid on Machinery.—Assembly acquainted, 361
- Dated 28th February.*—Brought up, 361; read first time, 361; committed, progress reported, 364; further committed, 366; reported, adopted with the following exceptions, 366:—
£25 for the road leading to Howard Settlement;
£7 10 for the road from Hownad Settlement to Dow's Mills;
£15 to repair the Bridge on the Shugomock;
£15 for a Bridge on a Creek in Dumfries Parish, between Palmer's and Davidson's.—Assembly acquainted thereof, 366
- Dated 1st March.*—Brought up, 367; read first time, 367; committed, reported, adopted, Assembly acquainted, 367
- Dated 3rd March.*—Brought up, 367; read first time, committed, reported, adopted, with the exception of the sum of £400 to enable His Excellency to assist the Committee of Management of the New Brunswick Baptist Education Society, 367; Assembly acquainted, 368
- Dated 5th March.*—Brought up, 367; read first time, committed, progress reported, 367; further committed, reported, adopted with the exception of
£100 to James Whitney for having ascertained the practicability of Steam Navigation between Fredericton and Woodstock, 369.—Assembly acquainted, 369
- Dated 6th March.*—Brought up, 369; read first time, 369; committed, reported, adopted after division, with following exceptions, 369:—

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