

Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires: **Continuous pagination. Pages 569-670 are incorrectly numbered pages 570-571.**

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below /
Ce document est filmé au taux de réduction indiqué ci-dessous.

10x		14x		18x		22x		26x		30x	
	12x		16x		20x		24x		28x		32x

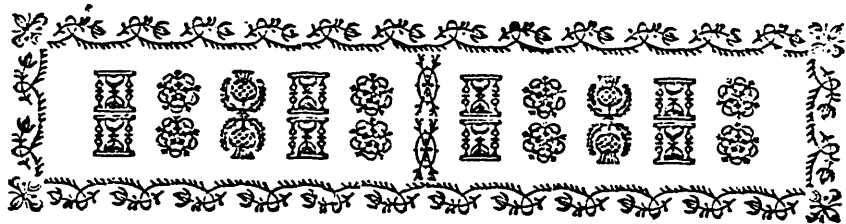
JOURNAL
OF THE
VOTES and PROCEEDINGS
OF THE
HOUSE OF ASSEMBLY
OF THE
PROVINCE of NEW-BRUNSWICK :

From TUESDAY the 17th JANUARY, to SATURDAY the 18th
of FEBRUARY, 1797.



St. J O H N:

Printed by CHRISTOPHER SOWER, Printer to the
KING'S MOST EXCELLENT MAJESTY, 1797.



Journal and Votes

OF THE

House of Assembly,

Of the PROVINCE of

NEW-BRUNSWICK.

HOUSE OF ASSEMBLY,

FREDERICTON, TUESDAY 17th JANUARY, 1797.

THE GENERAL ASSEMBLY having been prorogued to this day, then to meet for the dispatch of business. House met.
—The house met accordingly.

A message from HIS EXCELLENCY the *Lieutenant Governor* requiring the attendance of this House in the Council Chamber. Message from his Excellency.

The House attended accordingly—and being returned, and the Speaker having taken the chair— House attend.

Read the first time, a bill “*Relating to Bridges.*”

Report of the
Speaker.

The Speaker then reported that the House had attended HIS EXCELLENCY the *Lieutenant Governor* in the Council Chamber, where HIS EXCELLENCY was pleased to make a speech to both Houses; of which, to prevent mistakes, he had procured a copy—and which he read to the House as follows, to-wit:

HIS Excellency's
speech to both
Houses.

“ *Gentlemen of the Council,*

“ *And Gentlemen of the Assembly,*

THE principal objects that I have, at this time, to recommend to your consideration, are the ordinary services of the last and the current year, together with such particulars as were recommended during the last Session, and at the close of it referred to the present meeting. And, as you are unanimous in sentiments of loyalty to HIS MAJESTY, and of zeal for the public welfare, I cannot but hope that the business now before you, will be dispatched with that spirit of harmony and mutual respect, without which, however well intended, your deliberations may often be unproductive of PUBLIC BENEFIT.

“ *Gentlemen of the Assembly,*

“ I have given orders for the Treasurer's accounts, and such other papers as may be necessary for your information, to be laid before you.

“ If it should not be found conveniently practicable at present to make a permanent provision of suitable Salaries for such Public Officers as have heretofore been paid only by occasional grants—I must earnestly recommend it to you, at least to make those grants to anticipate the year for which they are provided; that persons who give up their time and labour to the public service, and who by their appointments are made responsible for their conduct in office, may not, again be exposed to such delay as, in a great measure, amounts to a denial of justice, in the withholding of their reward on account of any accidental difference of opinion that may arise between the different Branches of the Legislature.

“ *Gentlemen of the Council,*

“ *And Gentlemen of the Assembly,*

“ I cannot but suppose the sole end of all your deliberations to be *the public good*. Of the means for attaining this great end it may not, in every instance, be possible to avoid some variance of opinion; and therefore, as you are bound to act con-

“ *formably*

“Formably to the unbiassed convictions of your own minds,
“ every motive of candour and of duty will conspire to recom-
“ mend the separation of any doubtful question from those on
“ which it may be known that the two Houses are happily able
“ to concur ; that so your endeavours to advance and secure the
“ public credit and prosperity, may be, as much as possible, un-
“ impeded by any diversity of sentiment.”

On motion—*Resolved*, that an Address be presented to HIS EXCELLENCY the *Lieutenant Governor* in answer to the foregoing speech. Resolve.

Ordered, That Mr. Robert Pagan, Colonel Ellegood, Captain Agnew, Mr. Siddall, and Mr. Gilbert be a committee to prepare the same. Committee appointed.

The committee appointed to correspond with the Agent of the Province during the recess of the General Assembly—laid before the House the said correspondence— Correspondence with the Agent of the Province read.

Which was read.

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

W E D N E S D A Y, 18th *January*, 1797.

The House met pursuant to adjournment— House met

And it being the day observed in honor of HER MAJESTY'S birth-day.

The House adjourned until to-morrow morning at eleven o'clock. and adjourn.

T H U R S D A Y, 19th *January*, 1797.

Mr. Robert Pagon from the committee appointed to prepare an address in answer to HIS EXCELLENCY'S speech—*Reported*, That the committee had agreed to a draught thereof—which he read in his place, and then delivered in at the Clerk's table; where the same, being again read, was agreed to by the House as follows, to wit: Report of a committee.

“ To

Address of the
Assembly.

“ To His Excellency THOMAS CARLETON, Es-
“ quire, Lieutenant Governor and Commander in Chief of the
“ Province of New-Brunswick, &c. &c. &c.

“ *The humble Address of the House of Assembly.*

May it please Your Excellency!

“ THE HOUSE of ASSEMBLY will take into im-
“ mediate consideration the business left unfinished at
“ the close of the last Session, and also such papers as YOUR EX-
“ CELLENCY may be pleased to order to be laid before them,
“ and will, with all possible dispatch, endeavour to make pro-
“ vision for paying off the debts of the province.

“ This House does not contemplate the establishment of per-
“ manent Salaries, but will, as heretofore, with every prompti-
“ tude do their utmost to make suitable provision for payment
“ of those employed in the public service; which they earnestly
“ strove to accomplish during the last Session; and they most
“ feelingly lament that any thing has occurred to retard the ac-
“ complishment of that most desirable object, or to have brought
“ this province into such a situation as will put it out of their
“ power speedily to retrieve it's public credit and prosperity.

“ Being conscious of having ever, to the utmost abilities of
“ the province, provided for the persons employed in the public
“ service, the House observe with extreme distress the pointed
“ charge, addressed particularly to them by YOUR EXCELLENCY,
“ of having exposed those persons to such delay in payment as,
“ in a great measure, amounts to a denial of justice.

“ Actuated by that Loyalty to HIS MAJESTY and zeal for
“ the public welfare, which has always distinguished the pro-
“ ceedings of the House of Assembly of New-Brunswick,
“ and by which alone they can obtain the approbation of their
“ constituents, this House will anxiously cultivate a spirit of
“ harmony; and in all their deliberations keep in view and be
“ solely guided by the British constitution, which clearly points
“ out the unalienable rights of every branch of the Legislature.”

Resolved.

Resolved, That the said Address be presented to HIS EXCEL-
LENCY the Lieutenant Governor by the whole House.

On motion made and seconded—The House resolved itself into
a committee of the whole House on the consideration of the cor-
respondence between the committee appointed for that purpose
and the Agent of the province—

Colonel *Ellegood* in the chair.

House in committee.

The *Speaker* having resumed the chair.—

The chairman *Reported*, That the committee had taken into consideration the business to them referred, and had made a progress therein—And requested leave to sit again.

Report of the chairman.

Ordered, That the said report be accepted.

Report accepted.

On motion made that a supply be granted to HIS MAJESTY.

Resolved, That this House will to-morrow resolve itself into a committee of the whole House to consider of that motion.

Resolve.

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

House adjourn.

F R I D A Y, 20th *January*, 1797.

Ordered, That Captain *M^cLean* and Mr. *Gay* wait upon HIS EXCELLENCY the Lieutenant Governor to know when he will be pleased to receive this House with their Address in answer to HIS EXCELLENCY'S speech.

Committee appointed.

The said members returned and *Reported*, That they had waited upon HIS EXCELLENCY accordingly, and that he was pleased to say he would receive the House with the same on Monday next at twelve o'clock.

Report of the committee.

The order of the day being read for the House to resolve itself into a committee of the whole, to consider of the motion made yesterday, that a Supply be granted to HIS MAJESTY.

Order of the day read.

Ordered, That HIS EXCELLENCY'S speech to both Houses be referred to the said committee.

His Excellency's speech referred.

The House then resolved itself into a committee to consider of a Supply to be granted to HIS MAJESTY.

Mr. *Simonds* in the chair.

House in committee.

The *Speaker* having resumed the chair.

The chairman *Reported*, That the committee had gone into the consideration of the business to them referred and had agreed to the following resolution, viz.

Report of the chairman.

B.

“ *Resolved*,

“ *Resolved*, That it is the opinion of this committee that a
“ Supply be granted to HIS MAJESTY.”

“ And requested leave for the committee to sit again.

Report accep-
ted.

Ordered, That the said report be accepted.

On motion, *Ordered*, That the *Attorney General*, Mr. Robert Pagan, Mr. Gay, Mr. William Pagan, Mr. Street, Mr. Peters, Captain Agnew, Colonel Fanning, Mr. Younghusband, and Mr. Fraser, be a committee of WAYS and MEANS.

Committee ap-
pointed.

Ordered, That Captain Agnew, the *Attorney General*, Mr. Gilbert, Mr. Peters, Mr. Glenie and Mr. Street be a committee to bring in a bill “ *For regulating and establishing a table of Fees*,” and that the said committee have power to send for all persons, papers and records necessary for their information.

Resolve.

On motion, *Resolved*, That an address be presented to HIS EXCELLENCY the *Lieutenant Governor* to request that he would be pleased to inform this House if he has received any authority from HIS MAJESTY or the Secretary of State for the Home Department to dispense with that part of the Royal Instruction which prohibits him from giving his assent to any law whereby duties shall be laid upon the Products or Manufactures of Great-Britain or Ireland.

Committee ap-
pointed.

Ordered, that the said resolution be presented to HIS EXCELLENCY by Mr. William Pagan and Captain Agnew.

On motion, the House resolved itself into a committee on the consideration of the Supplies to be granted.—

House in com-
mittee.

Captain M^cLean in the chair.

The *Speaker* resumed the chair.—

Report of the
chairman.

The chairman *Reported*— That the committee had taken into consideration the business to them referred, and had agreed to the following resolutions, to wit:

“ *Resolved*, That it is the opinion of this Committee that there
“ be granted to His Majesty for defraying the expences of the cur-
“ rent services of this province for the year one thousand seven
“ hundred and ninety five the following sums, to wit:—

“ To the *Speaker* of the late House of Assembly for his services
“ during that Session and for his travelling charges the sum of
“ fifty pounds.

“ To the other members of the late House of Assembly for
“ defraying

“ defraying their expences of attendance during that session and
“ travelling charges, reckoning twenty miles to each day’s travel,
“ to be certified by the Speaker, the sum of *seven shillings and*
“ *six pence* per diem.

“ To the Heirs or Representatives of the late Chaplain of the
“ House of Assembly the sum of *ten shillings* per diem during
“ that session.

“ To the Clerk of the Council in General Assembly for stati-
“ onary and other expences of that session the sum of *twenty five*
“ *pounds*.

“ To the Clerk of the Assembly for his services during that
“ session the sum of *ten shillings* per diem, and for other services
“ the sum of *forty pounds*.

“ To the Serjeant at Arms attending the Council in General
“ Assembly the sum of *ten shillings* per diem, during that session.

“ To the Serjeant at Arms attending the Assembly the sum
“ of *ten shillings* per diem, during that session.

“ To the Door-keeper of the Council in General Assembly
“ the sum of *five shillings* per diem, during that session.

“ To the Door-keeper of the Assembly the sum of *five shillings*
“ per diem, during that session.

“ To the Messenger the sum of *three shillings* per diem, during
“ that session.

“ To the Clerk of the Assembly for House-rent for the ac-
“ commodation of the General Assembly and Courts of Justice
“ for one year, ending the first day of February one thousand
“ seven hundred and ninety six the sum of *forty pounds*.

“ To the Clerk of the Assembly for fuel, stationary and other
“ expences of that session the sum of *twenty pounds five shillings*
“ *and seven pence*.

“ To the Treasurer of the province for his services for one year
“ ending the first day of march one thousand seven hundred and
“ ninety five, the sum of *one hundred and thirty five pounds*.

“ To the Tide Surveyor in the city of Saint John for his ser-
“ vices to the first day of March one thousand seven hundred and
“ ninety five the sum of *forty pounds*.

“ To *William Pagan*, Esquire, for books imported on the sub-
“ jects

“jects of the laws of Nature and Nations, of the Constitution
 “of Great Britain, and Rules and Proceedings of the British
 “Parliament purchased by order of the House of Assembly, the
 “sum of *twenty four pounds three shillings and four pence*.

“To HIS EXCELLENCY the Lieutenant Governor for the pay-
 “ment of the Adjutants of the several Regiments of Militia for
 “the year one thousand seven hundred and ninety five, a sum not
 “exceeding *one hundred and sixty pounds*.

“To HIS EXCELLENCY the Lieutenant Governor for defray-
 “ing an expence incurred by the Mayor, Aldermen and Com-
 “monalty of the city of Saint John in maintaining and securing
 “divers prisoners apprehended in the United States and con-
 “veyed to the Gaol of Saint John charged with having com-
 “mitted Piracy, the sum of *twelve pounds six shillings and seven*
 “*pence*.

“To the Honorable *George Leonard*, Esquire, *Joshua Gidney*
 “and *James Hughson* for completing the road from Kennebecka-
 “cies to Jimseg in order to establish a communication between
 “Fredericton and the city of Saint John the sum of *fifty pounds*.

“To John Holland, Esquire, late Sheriff of the city and coun-
 “ty of Saint John for his extra trouble in keeping the Prisoners
 “committed to the Gaol of Saint John from the other parts of
 “the province the sum of *twenty pounds*.

“To Thomas Wetmore, Esquire, for services performed by
 “him in preparing sundry bills and other assistances of Clerk-
 “ship rendered the House of Assembly the sum of *ten pounds*.

“To HIS EXCELLENCY the Lieutenant Governor for defray-
 “ing expences of the Province a sum not exceeding *one hun-*
 “*dred pounds*.

“Resolved, That it is the opinion of this committee that there
 “be granted to HIS MAJESTY for defraying the expences of
 “the current services of this province for the year one thou-
 “sand seven hundred and ninety six, the following sums, to wit:

“To the Speaker of the House of Assembly for his services
 “during that session and for his travelling charges the sum of
 “*fifty pounds*.

“To the other Members of the House of Assembly for defray-
 “ing their expences of attendance during that session and travel-
 “ling charges, reckoning *twenty miles* to each day's travel, to be
 “certified by the Speaker the sum of *seven shillings and six pence*
 “per diem.

“To

“ To the Clerk of the Assembly for his services during that session the sum of *ten shillings* per diem, and for other services the sum of *fifty pounds*.

“ To the Serjeant at Arms attending the Council in General Assembly the sum of *ten shillings* per diem, during that session.

“ To the Serjeant at Arms attending the Assembly the sum of *ten shillings* per diem, during that session.

“ To the Door-keeper of the Council in General Assembly the sum of *five shillings* per diem, during that session.

“ To the Door-keeper of the Assembly the sum of *five shillings* per diem, during that session.

“ To the Messenger the sum of *five shillings* per diem, during that session.

“ To the Clerk of the Assembly for fuel, stationary, and other expences of that session the sum of *sixteen pounds and twelve shillings*.

“ To the Treasurer of the Province for his services for one year ending the first day of March one thousand seven hundred and ninety six, the sum of *one hundred and twenty five pounds*.

“ To the Tide Surveyor in the city of Saint John for his services, to the first day of March one thousand seven hundred and ninety six, the sum of *forty pounds*.

“ To the Clerk of the Council in General Assembly for stationary and other expences relating to that session the sum of *twenty five pounds* on account.

“ To the Sheriffs of the several counties for returning the members to serve in General Assembly the following sums viz. To the Sheriff of the city and county of St. John the sum of *fourteen pounds one shilling and eight pence*; To the Sheriff of the county of Westmorland the sum of *eleven pounds ten shillings and four pence*; To the Sheriff of the county of Charlotte the sum of *fifteen pounds ten shillings and four pence*; To the Sheriff of the county of Northumberland the sum of *seven pounds eighteen shillings and four pence*; To the Sheriff of King's county the sum of *thirteen pounds ten shillings and four pence*; To the Sheriff of Queen's county the sum of *eight pounds two shillings and four pence*; To the Sheriff of the county of York the sum of *sixteen pounds fifteen shillings and four pence*; To the Sheriff of the county of Sunbury the sum of *four pounds seventeen shillings and four pence*.

“ To the Treasurer of the county of Charlotte for defraying
 “ the expences incurred by the said county in securing and
 “ maintaining divers Prisoners who had mutined on board of
 “ the ship Roman Emperor the sum of *seven pounds sixteen*
 “ *shillings and three pence.*

“ To the Colonel of the Queen’s county militia for defraying
 “ the expence of purchasing Drums, the sum of *nine pounds five*
 “ *shillings and one penny.* To Captain Stephen Jarvis of the York
 “ county Militia for defraying the expence of a Drum the sum
 “ of *two pounds eighteen shillings and nine pence.*

“ To the members for the county of Charlotte for defraying
 “ the expence of two hundred and fifty four days service of
 “ Privates, nineteen days service of Sergeants and four days service
 “ of Drummers of the militia of that county, or such part of the
 “ same as they may apply for and receive, to be accounted for at
 “ the next session of the General Assembly the sum of *fourteen*
 “ *pounds seven shillings and six pence.*

“ To Captain Nathan Frink for expences incurred by him in
 “ apprehending, maintaining and transporting French Prisoners
 “ of war, the sum of *ten pounds.*

“ To Christopher Sower for printing the Journals of the Votes
 “ and Proceedings of the House of Assembly the sum of *thirty*
 “ *nine pounds eighteen shillings and eight pence,* and for printing
 “ the acts passed in the Session of the General Assembly held in
 “ one thousand seven hundred and ninety five and the Act for
 “ regulating Elections the sum of *thirty pounds thirteen shillings*
 “ *and eight pence.*

“ To HIS EXCELLENCY *the Lieutenant Governor* for de-
 “ fraying expences of the Province a sum not exceeding *one*
 “ *hundred pounds.*

“ *Resolved,* That it is the opinion of this committee that there
 “ be granted to HIS MAJESTY for defraying the expences of
 “ the current services of this Province for the year one thousand
 “ seven hundred and ninety seven the following sums, to wit:

“ To the Speaker of the House of Assembly for his services
 “ during the present session and for his travelling charges the sum
 “ of *fifty pounds.*

“ To the other Members of the House of Assembly for defray-
 “ ing their expences of attendance during the present session and
 “ travelling charges, reckoning *twenty miles* to each days travel,

“ to

“ to be certified by the Speaker, the sum of *seven shillings and six pence* per diem.

“ To the Clerk of the Assembly for his services during the present session the sum of *ten shillings* per diem, and for other services the sum of *fifty pounds*.

“ To the Serjeant at Arms attending the Council in General Assembly the sum of *ten shillings* per diem, during the present session.

“ To the Serjeant at Arms attending the Assembly the sum of *ten shillings* per diem, during the present session.

“ To the Door-keeper of the Council in General Assembly the sum of *five shillings* per diem, during the present session.

“ To the Door-keeper of the Assembly the sum of *five shillings* per diem, during the present session.

“ To the Messenger the sum of *five shillings* per diem, during the present session.

“ To the Clerk of the Assembly for fuel, stationary, and other expences of the present session the sum of - - - -

“ To the Treasurer of the Province for his past services the sum of - - - -

“ To the Tide Surveyor in the city of Saint John for his past services the sum of - - - -

“ To the Clerk of the Council in General Assembly for Stationary and other expences relating to the present session the sum of - - - -

“ To HIS EXCELLENCY *the Lieutenant Governor* for defraying expences of the province for the current year a sum not exceeding *one hundred pounds*.”

And requested leave for the committee to sit again.

Ordered, That the said report be accepted.

Report accepted

On motion—*Resolved*, That this House will to-morrow resolve itself into a committee of the whole, on the further consideration of the correspondence with the Agent of the Province.

Resolve.

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

House adjourns

SATURDAY,

S A T U R D A Y, 21st JANUARY, 1797.

Report of a committee.

The committee appointed to present to HIS EXCELLENCY *the Lieutenant Governor* the resolution of yesterday Reported, That they had waited upon HIS EXCELLENCY with the same; and that he was pleased to say he would return an answer thereto to the House.

Committee appointed.

On motion—Ordered, That Captain *M^cLean*, Major *Murray* and Mr. *Simonds* be a committee to bring in a bill “*For appropriating the Supplies voted for the Services of the Province for the Years one thousand seven hundred and ninety five, and one thousand seven hundred and ninety six.*”

The order of the day being read—

The House resolved itself into a committee on the further consideration of the correspondence with the Agent of the Province—

House in committee.

Colonel *Ellegood* in the chair.

The *Speaker* resumed the chair—

Report of the chairman.

The Chairman Reported,—That the committee had again gone into the consideration of the business to them referred—and had made a further progress therein—And requested leave to sit again.

Report accepted.

Ordered, That the said Report be accepted.

Committees appointed.

On motion—Ordered, That the *Attorney General*, Mr. *William Pagan*, Colonel *Coffin*, Mr. *Robert Pagan*, Major *Murray*, and Captain *Agnew* be a committee to prepare a draught of a letter to *William Knox*, Esquire, on the subject of his correspondence with the committee of this House.

On motion—Ordered, That Mr. *Peters*, Colonel *Fanning* and Major *Dixson* be a committee to examine and report upon the Expiring Laws.

House adjourn.

The House then adjourned until Monday next at eleven o'clock.

M O N D A Y, 23^d JANUARY, 1797.

House wait on

The House met—and then waited upon HIS EXCELLENCY *the*

the Lieutenant Governor with their Address in answer to His EXCELLENCY'S speech.

And being returned Mr. *Speaker Reported*,—That the House had waited upon HIS EXCELLENCY with their said Address—and that HIS EXCELLENCY was pleased to return the following answer thereto, viz:

Report of the speaker.

“ *Gentlemen,*

His Excellency's answer to the address.

“ **T**HE measure which I have thought it my duty to recommend, of making your grants of Salaries at least to anticipate the year for which they are provided, appears to be the only means by which you can securely guard the persons employed in the public service from such delay and disappointment, as they have now for *two years* experienced. And your declining to adopt this measure gives me the greater concern, as you herein deviate from the line of conduct at all times pursued by the British House of Commons, by which you have so often professed the laudable intention to be solely guided, and which is indeed the only model upon earth worthy to be followed by the Assembly of a British Colony.”

Upon motion—*Resolved*, that this House will, on Wednesday next, resolve itself into a committee of the whole, to take into consideration the answer of HIS EXCELLENCY *the Lieutenant Governor* to the Address of the House this day presented.

Resolve.

Ordered, That this House be called over on Wednesday next.

A message from HIS EXCELLENCY *the Lieutenant Governor* was delivered to the House—which was read, and is as follows, to wit:

“ *Province of New-Brunswick,*
“ *21st January, 1797.*

Message from His Excellency.

“ MESSAGE from HIS EXCELLENCY *the Lieutenant Governor to the House of Assembly.*
“ *bly.*

THOS. CARLETON.

“ **H**IS EXCELLENCY informs the House in answer to their Address respecting that part of the Royal Instructions which relates to the imposing of duties on the Products or Manufactures of Great Britain or Ireland, that no bill which lays such duties can be assented to without a suspending clause

D.

“ unless

“ unless a draught of it has been previously transmitted home and
“ approved.

“ By HIS EXCELLENCY’S command,

“ JONN. ODELL.

Bill brought in
and read.

Mr. *Glenie*, by leave, brought in a bill “ *To encourage the
“ Killing of Bears.*”

Which was read the first time.

Treasurers ac-
counts laid be-
fore the House.

The Treasurer of the Province attended with his accounts,
and laid the same before the House.

House adjourn.

The House then adjourned until eleven o’clock to-morrow
morning.

T U E S D A Y, 24th January, 1797.

Bill read the se-
cond time and

Read the second time—a bill “ *To encourage the Killing of
“ Bears.*”

committed.

Ordered, That the said bill be committed.

Reports of com-
mittees.

The *Attorney General* from the Select Committee of WAYS
and MEANS made a *Report*, which was read—

And on motion—*Ordered*, That the same do lie on the table.

Captain *M’Lean* from the committee appointed to prepare a
bill “ *For appropriating the Supplies voted for the Services of the
“ Years one thousand seven hundred and ninety five and one thousand
“ seven hundred and ninety six.*” Reported, A draught of the
same—which was read the first and second time—and *Ordered*,
to be committed.

Bill brought in
and read.

Colonel *Coffin*, by leave, brought in a bill in addition to an act
intituled “ *An Act for regulating Elections of Representatives
“ in General Assembly and for limiting the Duration of Assemblies
“ in this Province.*”

Which was read the first time.

The House then resolved itself into a committee on the con-
sideration of the bill “ *To encourage the Killing of Bears.*”

House in com-
mittee.

Captain *Agnew* in the chair.

The

The *Speaker* resumed the chair—

The chairman *Reported*, That the committee had taken the said bill into consideration, and had agreed to the same under the title of a bill “*To encourage the Killing of Bears and Loup Cerviers.*” Report of the chairman.

Which report was accepted—and *Ordered*, That the said bill be engrossed. Report accepted

Mr. *Street*, by leave, brought in a bill “*For preserving the Bank of the River Saint John within the Limits therein mentioned.*” Bill brought in and read.

Which was read the first time.

The House then adjourned until eleven o'clock to-morrow morning. House adjourn-

W E D N E S D A Y, 25th January, 1797.

Read, the third time as engrossed—a bill “*To encourage the Killing of Bears and Loup-Cerviers.*” Bill read as engrossed.

Ordered, That the said bill pass and be sent up for concurrence.

The order of the day for the House to resolve itself into a committee of the whole, on the consideration of the answer of HIS EXCELLENCY, the *Lieutenant Governor* to the address of this House being read— Order of the day read

On motion *Ordered*, That the same be postponed until to-morrow. and postponed.

The House then resolved itself into a committee on the consideration of a bill “*For appropriating the Supplies voted for the Services of the Years one thousand seven hundred and ninety five and one thousand seven hundred and ninety six.*”

Major *Murray* in the chair. House in committee.

The *Speaker* having resumed the chair.—

The chairman *Reported*, That the committee had taken the said bill into consideration and had agreed to the same with amendments under the title of a bill “*To provide for the Pay-*

ment

ment of Debts incurred and Services performed previous to and during the last Session of the late General Assembly of this Province."

Report accepted.

Which report was accepted—and Ordered, That the said bill be engrossed.

Committee appointed.

On motion Ordered, That Mr. *Frazer*, Mr. *Gay*, and Mr. *Simonds* be a committee to examine the accounts of all such persons as have been intrusted with the expenditure of Public Monies and have not accounted therefor.

A message from HIS EXCELLENCY the Lieutenant Governor was delivered to the House which was read and is as follows, viz:

Message from His Excellency.

“ Province of New-Brunswick,

“ 23d January, 1797.

“ Message from HIS EXCELLENCY the

“ Lieutenant Governor to the House of

“ Assembly.

THOS. CARLETON.

“ HIS EXCELLENCY has directed herewith to be laid before
“ the House an account of rent due for the House hired
“ by order of HIS EXCELLENCY for the accommodation of the
“ General Assembly and the Courts of Justice for one year,
“ ending the first of February 1797, amounting to £ 40.—

“ An account of the expense of printing by his order the Acts
“ passed in the last session of General Assembly amounting to
“ £ 19, 17.

“ And several accounts of contingent expenses, viz :

“ To *John Ryan* for printing sundry proclamations and other
“ public papers £ 9, 11, 9.

“ To *Ephraim Betts* going Express with a Writ of Election
“ to the county of Northumberland £ 2, 5.

“ To the General-Post-Office for postage of letters with
“ Writs of Election to several counties £ 3, 5, 9.

“ To *James Sutter* bringing one hundred copies of the Act
“ for regulating Elections express from Saint John to Frederic-
“ ton £ 0, 10, 0.

“ His

“ HIS EXCELLENCY also recommends it to the House to
“ provide for payment of the Adjutants of the Militia.

“ By HIS EXCELLENCY’S command,

“ JONN. ODELL.”

Ordered, That the said Message and accounts be refered to Message refered.
the Committee of Supply.

Read, the second time—a bill “ For preserving the Bank of Bill read the se-
“ the River Saint John within the Limits therein mentioned ”— cond time and

And upon Mr. Street’s (the member who brought in the
said bill) stating to the House that the order of the 1st of March
1796, respecting the publication thereof, had been complied
with—

Ordered, That the said bill be committed. committed.

The House then resolved itself into a committee on the con-
sideration of the said bill—

Mr. Frazer in the chair. House in com-

The Speaker resumed the chair— mittee.

The chairman Reported, That the committee had taken the Report of the
said bill into consideration and had made a progress therein—And chairman.
requested leave to sit again.

Ordered, That the said report be accepted. Report accepted

Read, the second time a bill “ In addition to an Act intituled Bill read the se-
“ An Act for regulating Elections of Representatives in General cond time
“ Assembly and for limiting the Duration of Assemblies in this Pro-
“ vince.”

Ordered, That the said bill be committed. and committed.

The House then adjourned until eleven o’clock to-morrow House adjourn-
morning.

THURSDAY, 26th January, 1797.

Read, the third time as engrossed—a bill “ To provide for Bill read as en-
“ the Payment of Debts incurred and Services performed previ- grossed.
“ ous to and during the last Session of the late General Assembly of
“ this Province.”

E.

Ordered,

Ordered, That the said bill pass—and be sent up for concurrence.

The order of the day being read—

The House resolved itself into a committee on the consideration of the Reply of HIS EXCELLENCY *the Lieutenant Governor* to the Address of this House in answer to his Speech at the opening of the session.

House in committee.

Mr. *Glenie* in the chair.

The Speaker having resumed the chair—

Report of the chairman.

The chairman *Reported*, That the committee had gone into the consideration of the business to them referred—and had agreed to the following resolution, viz.

“ *Resolved*, That it is the opinion of this committee that a committee be appointed to draw up Resolutions respecting the subject matter of HIS EXCELLENCY *the Lieutenant Governor's* Reply to the Address of this House in answer to his Speech at the opening of the session.

Report accepted

Ordered, That the said report be accepted—and that Mr. *Robert Pagan*, Mr. *Peters*, and Major *Murray* be a committee to prepare the said Resolutions.

The House then resolved itself into a committee on the consideration of a bill. *In addition to an Act intituled “ An Act for regulating Elections of Representatives in General Assembly and for limiting the Duration of Assemblies in this Province.”*

House in committee.

Captain *Agnew* in the chair.

The Speaker resumed the chair—

Report of the chairman.

The chairman *Reported*, That the committee had gone into the consideration of the said bill—and had made a progress therein—And requested leave to sit again.

Report accepted.

Ordered, That the said report be accepted.

House adjourn.

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

FRIDAY, 27th January, 1797.

Report of a committee.

Mr. *Robert Pagan* from the committee appointed to draw up Resolutions.

Resolutions respecting the subject matter of HIS EXCELLENCY *the Lieutenant Governor's* Reply to the Address of this House Reported, That the committee had agreed upon two Resolutions, which he read in his place, and then delivered in at the Clerk's table—where the same were again read, and amended—and are as follows, to wit:

“ Resolved, That while the monies now in the Treasury
“ are barely sufficient to pay off the debts of the province for the
“ year one thousand seven hundred and ninety five, owing to the
“ loss of the Revenue bill last session, in consequence of the
“ unconstitutional proceedings of the Council in resolving to
“ annex an indispensable condition to the passing of it; and when
“ new and additional taxes must be laid on our Constituents to
“ support the credit of the province, it is highly in-expedient
“ to make grants to anticipate the year for which they are pro-
“ vided.

“ Resolved, That this House will continue to provide for the
“ payment of the debts of the province to their utmost abilities;
“ and lament that to accomplish this they must levy new and ad-
“ ditional burdens on their Constituents: But that they will ever
“ think it a duty to decline making anticipations while they
“ conceive them in-compatible with the abilities and prosperity of
“ the province. And therefore rest assured that HIS EXCELLEN-
“ CY *the Lieutenant Governor* will not further press them to adopt
“ the measures proposed in his speech at the opening of the sessi-
“ on, and repeated in HIS EXCELLENCY'S Reply to their humble
“ Address; and which if adopted, they fear will involve the pro-
“ vince in perplexities and difficulties which might prove pernicious
“ to public credit.”

Mr. *Glenie* then moved that it be—Resolved, That HIS EXCELLENCY'S prescribing to this House in his Speech at the opening of this session, and in his answer to our Address on the same, the mode and manner of proceeding in providing for public services is a breach of our PRIVILEGE and is contrary to the fundamental principles of our colonial constitution as it tends to influence and even preclude that freedom of action and deliberation which is essential to a free Assembly.”

Motion s by Mr. *Glenie*.

And the question being put thereon, it passed in the negative.

Mr. *Glenie* moved that it be “ Resolved, That the privilege
“ of this House is broken by HIS EXCELLENCY'S saying that
“ our Proceedings last session in a great measure amounted to a
“ denial of Justice; an assertion which manifestly tends to destroy
“ the independence of this branch of the Legislature.”

And

And the question being put upon the said motion it passed also in the negative.

Motion by Mr. Glenie.

Mr. *Glenie* then moved, that it be “*Resolved*, That whosoever advised HIS EXCELLENCY’S speech, and his answer to the Address of this House on the same, has endeavoured to the utmost of his power to create a misunderstanding and want of confidence between HIS MAJESTY’S Representative and his faithful and loyal subjects in this Province.”

And the question being put upon the said motion—The House divided—

Y E A S.

Division of the House.

Mr. *Glenie*,
Captain *Agnew*,
Mr. *Younghusband*,

Mr. *Mowatt*,
Mr. *Campbell*.

N A Y S.

Mr. *Gay*,
Major *Dixson*,
Mr. *Siddall*,
Mr. *R. Pagan*,
The *Attorney General*,
Mr. *W. Pagan*,
Mr. *Simonds*,
Mr. *Gilbert*,
Mr. *Smith*,

Colonel *Coffin*,
Colonel *Fanning*,
Mr. *Peters*,
Mr. *Yeamans*,
Mr. *Frazer*,
Major *Murray*,
Colonel *Ellegood*,
Captain *M^cLean*.

The question being then put—that the House do agree to the Resolutions reported by the committee as amended—The House divided—

Y E A S.

Division of the House.

Mr. *Gay*,
Major *Dixson*,
Mr. *R. Pagan*,
Mr. *Mowatt*,
Mr. *Campbell*,
The *Attorney General*,
Mr. *W. Pagan*,
Mr. *Gilbert*,
Mr. *Simonds*,

Mr. *Younghusband*,
Mr. *Smith*,
Mr. *Peters*,
Mr. *Yeamans*,
Mr. *Frazer*,
Major *Murray*,
Colonel *Ellegood*,
Captain *Agnew*,
Mr. *Glenie*.

N A Y S.

Colonel *Coffin*,
Colonel *Fanning*,

Captain *M^cLean*,
Mr. *Siddall*.

Resolved, That an humble Address be presented to HIS EXCELLENCY the Lieutenant Governor communicating to him the foregoing Resolutions. Resolved.

Ordered, That Mr. Robert Pagan and Mr. Peters be a committee to present the said address. Committee appointed.

The House again resolved itself into a committee on the consideration of the bill “*In addition to an Act intituled ‘An Act for regulating Elections of Representatives in General Assembly and for limiting the Duration of Assemblies in this Province’—*

Captain Agnew in the chair.

House in committee.

The Speaker resumed the chair—

The chairman *Reported*, That the committee had again taken the said bill into consideration and had agreed to the same. Report of the chairman.

Ordered, That the said report be accepted—And that the bill be engrossed. Report accepted.

The House then adjourned until eleven o'clock to-morrow morning. House adjourn.

S A T U R D A Y, 28th January, 1797.

Read, The third time as engrossed—a bill “*In addition to an Act intituled ‘An Act for regulating Elections of Representatives in General Assembly and for limiting the Duration of Assemblies in this Province.’*” Bill read as engrossed.

Ordered, That the said bill pass—and be sent up for concurrence.

The House then resolved itself into a committee of the whole, on the consideration of the report of the Select Committee of WAYS and MEANS.

Mr. William Pagan in the chair.

House in committee.

The Speaker having resumed the chair—

The chairman *Reported*,—That the committee had gone into the consideration of the business to them referred—and had agreed to the following Resolution, viz.:

F.

Resolved,

Resolved, That there be granted to HIS MAJESTY for the support of the Government of this province the following duties of Impost, to wit: On every gallon of Rum, *six pence*; on every gallon of Brandy, Geneva, and all other distilled Spirituous Liquors, *eight pence*; on every gallon of Wine, *nine pence*; on every gallon of Molasses, *two pence*; on every hundred weight of Brown Sugar, *two shillings*; on all goods imported by Non-residents, *two and a half per cent on the prime cost*; on every pound of Bohea Tea, *one penny*; on every pound of Hyson, Souchong and all other Teas, *two pence*; on every pound of Leaf Tobacco, *one half penny*; and on every pound of other Tobacco excepting that manufactured in Great Britain, *two pence*."

"And also on every pound of Loaf Sugar, *one penny*; on every hoghead of Porter, Ale, and Beer *five shillings*; and on every Pack of Playing Cards, *six pence*—to be brought up in a separate bill with a suspending clause.

Report accepted. *Ordered*, That the said report be accepted.

Bill brought in and read. A bill "*For the Establishment of Fees*" being brought in by the committee appointed for that purpose—was read the first time.

Committee appointed. *Ordered*, That Mr. Robert Pagan, Mr. Fraser, and Captain M'Lean be a committee to bring in a bill "*For granting the Supplies voted for the Services of the Year one thousand seven hundred and ninety six*."

House adjourn. The House then adjourned until Monday morning at eleven o'clock.

M O N D A Y, 30th January, 1797.

Committee appointed. *Ordered*, That Mr. Fraser, The Attorney General, Mr. Campbell, and Mr. Gay be a committee to prepare a bill "*For laying a Duty on Loaf Sugar, Porter, Beer, Ale, and Playing Cards agreeable to the resolution of the committee of WAYS and MEANS*."

Report of a committee. Mr. Robert Pagan from the committee appointed for that purpose Reported, The draught of a bill "*To provide for the Public Services of the Year one thousand seven hundred and ninety six*."

Which

Which was read the first time.

On motion Ordered, That Mr. *William Pagan*, Mr. *Frazer*, Major *Murray*, Mr. *Gay*, Mr. *Campbell*, and the *Attorney General* be a committee to prepare a bill “ *For raising a Revenue.*”

Committee appointed.

Read, The second time—a bill “ *To provide for the Public Services of the Year one thousand seven hundred and ninety six.*”

Bill read the second time

Ordered, That the said bill be committed.

and committed.

Mr. *Peters* from the committee appointed to examine and report upon the expiring Laws, Reported, “ That an act made “ and passed in the twenty ninth year of HIS MAJESTY’S reign “ intituled “ *An Act to authorise the Erection of Fences and Gates across certain Roads in the several Counties in this Province where the same shall be found necessary*” will expire on the first day of “ March one thousand seven hundred and ninety seven.

Report of a committee.

“ And that an act made and passed in the thirty fifth year of “ HIS MAJESTY’S reign, intituled “ *An Act for the more easy and speedy Recovery of Small Debts*’ will expire in February one thousand seven hundred and ninety seven.”

And presented a bill “ *To continue sundry Acts of the General Assembly which are near expiring.*”

Bills brought in and read.

Which bill was read the first time.

Mr. *Peters*, by leave, brought in a bill “ *For returning Neat Cattle and Sheep to their Owners.*”—

And Colonel *Fanning*, by leave, brought in a bill “ *To prevent the Growth of Thistles.*”—

Which bills were read the first time.

The House then adjourned until eleven o’clock to-morrow morning.

House adjourn.

TUESDAY, 31st January, 1797.

A bill “ *For raising a Revenue in this Province*” being brought in by the committee appointed for that purpose—was read the first time.

Bill brought in and read.

Read, The second time—a bill “ *To continue sundry Acts of the*

Bill read the second time

“ the General Assembly which are near expiring.”

and committed. *Ordered,* That the said bill be committed.

Petition presented. A Petition of fundry freeholders of the parish of *Burton* in the county of *Sunbury*—was presented to the House and read—

Order thereon. *Ordered,* That the said petition be refered, to be taken into consideration in committee of the whole House with the bill *“ For preserving the Bank of the River Saint John within the Limits therein mentioned.”*

“ The House then resolved itself into a committee on the further consideration of the said bill.

House in committee. Captain *Agnew* in the chair.

The *Speaker* having resumed the chair—

Report of the chairman. The chairman *Reported,* That the committee had agreed to the said bill with amendments.

That upon the question that the following clause do stand a part of the said bill, to wit : “ And whereas Horses and
 “ Neat Cattle, Sheep, Goats, and Hogs may at present stray
 “ as well from the public high road of the said parish where it
 “ crosses the river *Oromocto* nearest its mouth or entrance as
 “ where the public high road of said parish crosses several un-oc-
 “ cupied lots; *Be it therefore further enacted,* That the Com-
 “ missioners of the Highways in said parish shall from and after
 “ the passing of this act be impowered and they are hereby em-
 “ powered and directed to erect, make and support, or cause to
 “ be erected, made and supported a good and sufficient water
 “ fence on the lower side of the public high road of the said
 “ parish where the same descends to the said river *Oromocto* near-
 “ est to its mouth or entrance, and communicating with and ad-
 “ joining to the nearest front fence of the owner or occupier of
 “ the land next adjoining to the lower side of the said public
 “ high road of *Burton* where it descends to the said river *Oro-*
 “ *mocto* as aforesaid, and also to erect a good and sufficient fence
 “ or fences adjoining to the public road or between the said
 “ road and the river where the same crosses any un-occupied lots
 “ the whole width of such lots and communicating with and
 “ adjoining to the fences on each side of the same, and to keep
 “ the said water fence and the said fence or fences crossing such
 “ un-occupied lots in sufficient repair; the expense of which
 “ erection and support of a water fence as aforesaid to be defrayed
 “ by an assessment to be made therefor on the owners or occupi-
 “ ers of said lands within the limits above described, and the
 “ expence

“ expence of erecting and supporting such fence or fences across the
 “ said un-occupied lots to be levied by assessment on the owners of
 “ such lots or the lands so deserted and un-occupied—PROVI-
 “ DED ALWAYS NEVERTHELESS, That it shall and
 “ may be lawful for any Owner or Occupant, Owners, or
 “ Occupants, of the lands comprised within the limits to which
 “ this act is meant and intended to extend, to pasture his, her,
 “ and their Neat Cattle, Horses, Sheep, Goats, and Hogs on
 “ the banks and slopes of their several and respective lots in front
 “ next to the river *Saint John*, without erecting or supporting
 “ any fence or fences in front next to the said river, on condition
 “ that such their several and respective Neat Cattle, Horses,
 “ Sheep, Goats, and Hogs are by them so kept and secured
 “ on the banks and slopes next the said river of their several and
 “ respective lots only, and not permitted to trespass on any of the
 “ adjoining or other lots within the aforesaid limits, any thing in
 “ this act herein before to the contrary contained notwithstanding—
 “ ing”—The committee divided—

Y E A S.

- Mr. *Street*,
- Mr. *Glenie*,
- Mr. *Younghusband*,
- Mr. *W. Pagan*,
- Mr. *Frazer*,
- Mr. *Simonds*,
- Mr. *Mowatt*,
- Major *Dixson*,
- Mr. *Peters*,
- Mr. *Campbell*.

N A Y S.

- Major *Murray*,
- Colonel *Coffin*,
- Colonel *Fanning*,
- Mr. *Gilbert*,
- Mr. *Gay*,
- Mr. *Siddall*,
- Mr. *Speaker*,
- The *Attorney General*,
- Mr. *Yeamans*,
- Captain *M'Lean*.

Division of the
Committee.

And that he, the chairman, had decided the question in the affirmative.

The question being put that the said report be accepted—
 The House divided—

Y E A S.

- Captain *Agnew*,
- Mr. *Street*,
- Mr. *Glenie*,
- Mr. *Younghusband*,
- Mr. *W. Pagan*,
- Mr. *Frazer*,
- Mr. *Simonds*,
- Mr. *Mowatt*,
- Major *Dixson*,
- Mr. *Peters*,
- Mr. *Campbell*.

N A Y S.

- Major *Murray*,
- Colonel *Coffin*,
- Colonel *Fanning*,
- Mr. *Gilbert*,
- Mr. *Gay*,
- Mr. *Siddall*,
- The *Attorney General*,
- Mr. *Yeamans*,
- Captain *M'Lean*,
- Colonel *Ellegood*,
- Mr. *Smith*.

Division of the
House.

G.

Upon

Upon which Mr. *Speaker* decided the question in the negative.

Bill re-committed. On motion *Ordered*, That the bill “ *For preserving the Bank of the River Saint John within the Limits therein mentioned*” be re-committed to a committee of the whole House.

Bill brought in and read. Mr. *Robert Pagan*, by leave, brought in a bill “ *For regulating the Exportation of Fish and Lumber, and for repealing the Laws now in force regulating the Same.*” —

Which was read the first time.

House adjourn. The House then adjourned until eleven o'clock to-morrow morning.

W E D N E S D A Y, 1st February, 1797.

Committee appointed. On motion—*Ordered*, That Major *Murray*, Mr. *Simonds* and Mr. *Siddall* be a committee to revise the several standing orders—and report the same to the House.

The House resolved itself into a committee on the consideration of the bill “ *For preserving the Bank of the River Saint John within the Limits therein mentioned.*” —

House in committee. Captain *Agnew* in the chair.

The *Speaker* resumed the chair—

Report of the chairman. The chairman *Reported*, That the committee had agreed to the said bill with amendments.

Report accepted. Which report was accepted—and *Ordered*, That the said bill be engrossed.

Bill read the second time. *Read* the second time—a bill “ *For regulating the Exportation of Fish and Lumber, and for repealing the Laws now in force regulating the Same.*”

and committed. *Ordered*, That the said bill be committed.

Committee appointed. On motion *Ordered*, That Mr. *Glenie*, Mr. *Campbell*, and Colonel *Coffin* be a committee to bring in a bill “ *In amendment of an Act intituled ‘ An Act for regulating Juries and declaring the Qualifications of Jurors’* and a bill “ *To remove Doubts respecting the Functions of Juries in Cases of Libel.*”

The

The House then resolved itself into a committee on the consideration of the bill “*To provide for the Public Services of the Year one thousand seven hundred and ninety six.—*”

Major Murray in the chair.

House in committee.

The Speaker resumed the chair—

The chairman Reported, That the committee had agreed to the said bill.

Report of the chairman.

Which report was accepted—and the said bill Ordered, To be engrossed.

Report accepted

Read, The second time—a bill “*For raising a Revenue in this Province.*”

Bill read the second time

On motion Ordered, That the said bill be re-committed to the committee who were appointed to prepare the same.

and re-committed.

And the said bill, being again reported by the said committee, was read the first and second time—and Ordered, To be committed to a committee of the whole House.

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

House adjourn.

T H U R S D A Y, 2d February, 1797.

Read the third time as engrossed—a bill “*For preserving the Bank of the River Saint John within the Limits therein mentioned*”—and a bill “*To provide for the Public Services of the Year one thousand seven hundred and ninety six.*”

Bills read as engrossed.

Ordered, That the said bills pass—and be sent up for concurrence.

A bill “*In amendment of an Act intituled ‘An Act for regulating Juries and declaring the Qualifications of Jurors’—and a bill ‘To remove Doubts respecting the Functions of Juries in cases of Libel’—being brought in by the committee appointed for that purpose—were read the first time.*”

Bills brought in and read.

The House then resolved itself into a committee on the consideration of the bill “*For regulating the Exportation of Fish and Lumber and for repealing the Laws now in force regulating the Same.*”

Mr.

House in committee.

Mr. *Campbell* in the chair.The *Speaker* resumed the chair—

Report of the chairman.

The chairman *Reported*, That the committee had agreed to the said bill with amendments.

Report accepted.

Which report was accepted—and *Ordered*, that the said bill be engrossed.

Bill read the second time

Read, the second time—a bill “*For returning Neat Cattle and Sheep to their Owners.*”

and committed.

Ordered, That the said bill be committed.

House adjourn.

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

F R I D A Y, 3d February, 1797.

Bill read as engrossed.

Read, the third time as engrossed—a bill “*For regulating the Exportation of Fish and Lumber and for repealing the Laws now in force regulating the Same.*”*Ordered*, That the said bill pass—and be sent up for concurrence.

Bill read the second time

Read, the second time—a bill “*For the Establishment of Fees.*”

and committed.

Ordered, That the said bill be committed to a committee of the whole House.

Report of a committee.

Major *Murray*, from the committee appointed to revise the several standing orders, made a *Report*,—which was read—and—

THEREUPON ORDERED, That the following be observed as the standing Rules and Regulations for the Government of this House, viz.

“ No member is to come into the House with his head covered; nor is to put on his hat until he be set down in his place.

“ While the House is sitting when any member is speaking, no man ought to speak or whisper, so as to interrupt him, unless it be to speak to order.

“ When

“ When any member intends to speak he is to stand up in his
“ place uncovered, and address himself to the Speaker ; and if
“ more than one stand up at once, the Speaker is to determine who
“ was first up, and he is to speak and the other to sit down, un-
“ less he, who was first up, sit down again and give way to the
“ other. The seat which a member takes on his first coming
“ into the House in the morning, shall be deemed to be his
“ place for the whole day.

“ When any business is begun and in debate, if any man rise
“ to speak to any new business, any member may, but Mr.
“ Speaker ought to, interrupt him.

“ When a question is put in the House, and a division is de-
“ manded, those that are for the question are to shew it by ris-
“ ing, and those against it are to keep their seats.

“ When a motion has been made and seconded, that matter
“ must receive a determination by the question ; unless the pre-
“ vious question is put and carried, or an adjournment be moved,
“ or it be laid aside by the member that made the motion.

“ No member shall speak twice to the same question, except
“ the person that makes the motion, who may rise to explain.
“ If a new motion however be made, pending a former one,
“ each member may speak again, but to it only.

“ That the Journal for every day be read the next morning
“ before any other business.

“ That the Serjeant at Arms do not permit any persons to
“ come within this House while it is sitting, save only the
“ members and the officers attending, and that he keep the
“ House free of Strangers while the House or any committee
“ of the whole is sitting.

“ That when a question is put in the House, or in a com-
“ mittee of the whole House, and carried in the affirmative, or
“ negative, as the case may be, that not only a minute be made
“ of the question and how carried ; but also the names of the
“ persons, who voted for, or against it, be taken notice of and
“ published in the votes, if insisted on by *three* members at
“ least.

“ That if any member obtain the leave of this House to act as
“ an Attorney or Counsel in any matter at the Bar of the House,
“ he shall not speak or vote as a member upon such mat-
“ ter.

“ That any member bringing in a petition, shall in his place,
 “ acquaint the House of the general purport of such petition,
 “ and ask leave for it to be read; which must be seconded be-
 “ fore it is read.

“ That no copies be taken of any public letter, or draught of
 “ any public letter, reported to this House, or hereafter to be
 “ reported.

“ That all petitions complaining of undue elections be pre-
 “ sented within *fourteen* days after the meeting of the House
 “ and return made, otherwise not to be received.

“ That no member be present in the House when a bill or
 “ any business concerning himself is debating; but while the
 “ bill is but reading or opening he may.

“ That every member be heard in his place touching any
 “ charge brought against himself, or other matter respecting
 “ his Election, Return or Privilege, or wherein his pri-
 “ vate interest is materially affected, but is to withdraw before
 “ the House proceed to debate thereon.

“ That no private bill be brought in but upon petition.”

Bill read the se-
 cond time

Read, the second time—a bill “ *In amendment of an Act in-
 “ titled ‘ An Act for regulating Juries and declaring the Quali-
 “ fications of Jurors.’*

and committed.

Ordered, That the said bill be committed.

The House then resolved itself into a committee on the confi-
 deration of the bill “ *For returning Neat Cattle, and Sheep to
 “ their Owners*”—

House in com-
 mittee.

Colonel *Ellegood* in the chair.

The *Speaker* resumed the chair—

Report of the
 chairman.

The chairman *Reported*, That the committee had taken the
 said bill into consideration, and had made a progress there-
 in—And requested leave to sit again.

Report accepted

Which report was accepted.

And on motion—*Ordered*, That the said bill be refered to a
 Select Committee.

Committee ap-
 pointed.

Mr. *Peters*, Captain *Agnew*, Mr. *Siddall*, Mr. *Campbell*,
 and Mr. *Street*, are appointed for that purpose.

A petition of *Francis Blackburn* was presented to the House and read—setting forth that he has erected a Fulling Mill at *Jimsieg* in *Queen's* county at great trouble and expence—and praying that this House will grant him such assistance as it shall see fit.

Petition presented.

Ordered, That the said petition lie on the table.

Read, the second time—a bill “*To remove Doubts respecting the Functions of Juries in Cases of Libel.*”

Bill read the second time

Ordered, That the said bill be committed.

and committed.

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

S A T U R D A Y, 4th February, 1797.

On motion—Ordered, That some members be appointed to search the Journals of the Council as to their proceedings upon the bill “*To provide for the Payment of Debts incurred and Services performed previous to and during the last Session of the late General Assembly of this Province*”—and also as to their proceedings upon the bill “*To provide for the Public Services of the Year one thousand seven hundred and ninety six*”—and make report to this House.

Order for a committee, to search the Journal of the Council.

Captain *Agnew* and Mr. *Campbell* are appointed for that purpose.

Mr. *Peters* from the committee to whom was referred the bill “*For returning Neat Cattle and Sheep to their Owners*”—Reported, That the committee had agreed to the same under the title of a bill “*For the more easy Recovery of Estray Horses, Neat Cattle and Sheep.*”

Report of a committee.

House in committee.

Major *Murray* in the chair—

House in committee.

Took into consideration a bill “*To continue sundry Acts of the General Assembly which are near expiring.*”

The *Speaker* resumed the chair—

The chairman Reported, That the committee had agreed to a bill “*To continue an Act intituled ‘An Act to authorize the*
“*Erection*”

Report of the chairman.

‘Erection of Fences and Gates across certain Roads in the several Counties in this Province where the same shall be found necessary.’

Report accepted

Which report was accepted—and—Ordered, That the said bill be engrossed.

Report of the members appointed to search the Journal of Council.

The members appointed to search the Journals of the Council as to their proceedings upon the bill “*To provide for the Payment of Debts incurred and Services performed previous to and during the last Session of the late General Assembly of this Province*”—and the bill “*To provide for the Public Services of the Year one thousand seven hundred and ninety six*”—Reported, That on searching the said Journals they found the following entries—“*Council Chamber, Friday 3rd February, 1797. Read, a second time the bill ‘To provide for the Payment of Debts incurred and Services performed previous to and during the last Session of the late General Assembly of this Province’—and on motion that the further consideration of this bill be put off SINE DIE—the votes were as follows, viz.*

C O N T E N T.

Mr. Chief Justice,
Mr. G. G. Ludlow,
Mr. Justice Allen,
Mr. Winslow,
Mr. Hazen,

Mr. Odell,
Mr. Robinson,
Mr. Leonard,
Mr. Justice Saunders,
Mr. Billopp.

N O T C O N T E N T.

Mr. Justice Upham,

Mr. Bliss.

“*Read a second time the bill ‘To provide for the Public Services of the Year one thousand seven hundred and ninety six’ and on motion that the further consideration of this bill be put off SINE DIE the votes were the same—*

“*THEREUPON RESOLVED, That the further consideration of these two bills be put off SINE DIE.*”

Order thereon.

Ordered, That the said report be taken into consideration on Monday next.

Petition presented.

A petition of the freeholders and inhabitants of the parishes of *Magerville* and *Sheffield* in the county of *Sunbury*—praying that this House will take into consideration the necessity of an amendment of that part to the road act which points out the

season

season of the year in which the labour is to be performed, for reasons therein stated—was presented to the House and read—

And on motion *Ordered*, That Mr. *Street* have leave to bring in a bill “*In amendment of an Act intituled ‘An Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province.’*”

Leave given to bring in a Bill

Mr. *Peters*, by leave, brought in a bill “*To continue and amend an Act intituled ‘An Act for the more easy and speedy Recovery of Small Debts.’*”

Bill brought in and read.

Which was read the first time.

The House then adjourned until Monday next at eleven o'clock.

House adjourn.

M O N D A Y, 6th February, 1797.

Read, the third time as engrossed, a bill “*To continue an Act intituled ‘An Act to authorize the Erection of Fences and Gates across certain Roads in the several Counties in this Province where the Same shall be found necessary.’*”

Bills read as engrossed.

Ordered, That the said bill pass—and be sent up for concurrence.

Read, the second time—a bill “*To prevent the Growth of Thistles.*”

Bill read the second time

Ordered, That the said bill be committed.

and committed.

A petition of sundry inhabitants of the county of *Westmorland*, setting forth the situation of the Court House in the said county subjects the greater part of the inhabitants to many inconveniences, and that the parish of *Dorchester* is most conveniently situated for a Court House—and representing that the times for holding the Court of Common Pleas are inconvenient for the inhabitants in general to attend—was presented to the House and read—

Petition presented.

And on motion of Major *Dixson*—*Ordered*, That he have leave to bring in a bill “*For altering the Times and Place of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the County of Westmorland.*”

- House in committee. House in committee. Captain *Agnew* in the chair—
- Took into consideration a bill “*To prevent the Growth of Tibbles.*”
- The *Speaker* resumed the chair—
- Report of the chairman. The chairman *Reported*, That the committee had agreed to the said bill.
- And the question being put—that the said report be accepted—it passed in the negative.
- Order on a Bill. THEREUPON ORDERED, That the said bill be re-committed.
- Bill brought in and read. A bill “*For laying an Impost on Loaf Sugar, Porter, Beer, Ale and Playing Cards*” being brought in by the committee appointed for that purpose—was read the first and second time—and *Ordered*, To be committed.
- Committee appointed. On motion *Ordered*, That Captain *Agnew*, and Mr. *William Pagan* be a committee to bring in a bill “*For raising a Revenue and appropriating the Same and for paying off the Debts of the Province.*”
- And the said bill, being brought in accordingly,—was read the first time.
- House adjourn. The House then adjourned until eleven o'clock to-morrow morning.

T U E S D A Y, 7th February, 1797.

- Bill read the second time. Read the second time—a bill “*For raising a Revenue and appropriating the Same and for paying off the Debts of the Province.*”
- and committed. *Ordered*, That the said bill be committed.
- Report of a committee. Mr. *Frazer* from the committee appointed to examine the accounts of such persons as have been intrusted with the expediture of Public Monies—made a *Report*, which was read—and *Ordered*, To lie on the table.
- Message from the Council. A message from the Council with a bill “*To alter and amend*”

“mend an Act passed in the twenty sixth Year of His Majesty’s reign intituled ‘An Act for preventing Trespasses.’”

Which bill was read the first time.

The House then resolved itself into a committee on the further consideration of the Supplies to be granted—

Captain *M^r Lean* in the chair.

House in committee.

The *Speaker* resumed the chair—

The chairman *Reported*,—That the committee had again taken into consideration the business to them referred—and had made a further progress therein—And requested leave to sit again.

Report of the chairman.

Ordered, That the said report be accepted.

Report accepted

Read, the first time—a bill “For altering the Times and Place of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the County of Westmorland.”

Bill read the first time

The House then adjourned until eleven o’clock to-morrow morning.

House adjourn.

W E D N E S D A Y, 8th February, 1797.

Read, the second time—a bill “To continue and amend an Act intituled ‘An Act for the more easy and speedy Recovery of Small Debts’ and a bill “To alter and amend an Act passed in the twenty sixth Year of His Majesty’s reign intituled ‘An act to prevent Trespasses.’”

Bills read the second time

Ordered, That the said bills be committed.

and committed.

A bill “For altering the Times and Place of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the County of Westmorland”—was read the second time.

Bill read the second time.

On motion *Ordered*, That the said bill be referred to a Select Committee.

and referred.

Mr. *Gay*, Major *Dixson*, Mr. *Frazer*, and Mr. *Siddall* are appointed for that purpose.

Committee appointed

House in committee.

House in committee.

Mr. *Peters* in the chair—

Took into consideration a bill “ *For laying an Impost on Loaf Sugar, Porter, Beer, Ale and Playing Cards.*”

The *Speaker* resumed the chair—

Report of the chairman.

The chairman *Reported*, That the committee had made a progress in the said bill—And requested leave to sit again.

Report accepted.

Which report was accepted.

And on motion *Ordered*, That the said bill be referred to a Select Committee.

Committee appointed.

Mr. *Frazer*, The *Attorney General*, Mr. *Campbell*, Mr. *Gay* and Mr. *William Pagan* are appointed for that purpose.

Bill brought in and read.

A bill “ *To re-appropriate certain Monies therein mentioned,*” being brought in by leave, was read the first time.

The House then resolved itself into a committee on the further consideration of the Supplies to be granted—

House in committee.

Captain *M'Lean* in the chair.

The *Speaker* resumed the chair—

Report of the chairman.

The chairman *Reported*, That the committee had again taken into consideration the business to them referred—and had voted the following sums for the services of the year one thousand seven hundred and ninety seven, to wit:

“ To the Clerk of the Assembly for House-rent for the accommodation of the General Assembly and Courts of Justice for *one year* ending the first day of February one thousand seven hundred and ninety seven the sum of *forty pounds*.

“ To Christopher Sower for printing the acts passed in the last session of the General Assembly the sum of *nineteen pounds and seventeen shillings*.

“ To John Ryan for printing the sum of *nine pounds twelve shillings*.

“ To Ephraim Betts going express with a writ of Election to the county of Northumberland the sum of *two pounds five shillings*.

“ To the General-Post-Office for postage of letters with Writs of Election to several counties the sum of *three pounds five shillings and nine pence*.

To

“ To James Sutter for bringing one hundred copies of the Act for regulating Elections express from Saint John to Fredericton the sum of *ten shillings*.

“ To His EXCELLENCY the Lieutenant Governor for the payment of the Adjutants of the several Regiments of Militia for the year one thousand seven hundred and ninety six, a sum not exceeding *one hundred and sixty pounds*.

“ To the members for *Queen's county* to re-imburse monies expended in opening the road from *Kennebeckacies* to *Fimsseg* the sum of *fifteen pounds*.

“ To Christopher Sower for printing the Journal of this House in the last session the sum of *thirty pounds* on account—

“ To William Knox, Esquire, Agent of this Province towards defraying his expences in the service thereof the sum of *one hundred and twelve pounds*.

And that the committee had agreed to the following Resolutions, viz.

Resolved, That it is the opinion of this committee that, considering the present state of the finances of the province, it is not now expedient to vote any monies for the purpose of opening any roads in this province.

“ *Resolved*, That it is the opinion of this committee that a sum not exceeding *one hundred pounds* shall be granted on some future occasion towards completing the communication between the rivers *Saint John* and *Miramichi*.

Ordered, That the said report be accepted.

A message from the Council informing the House that the Council have concurred in passing the bill “ *For regulating the Exportation of Fish and Lumber and for repealing the Laws now in force regulating the Same.*”

House in committee.

Mr. *Robert Pagan* in the chair—

Took into consideration a bill “ *To remove Doubts respecting the Functions of Juries in Cases of Libel.*”

The *Speaker* resumed the chair—

The chairman *Reported*, That upon the question that the committee do agree to the said bill—The committee divided as follows:

Report accepted.

Message from the Council.

House in committee.

Report of the chairman.

Division of the
Committee.

Y E A S.

Mr. <i>Youngusband,</i>	The <i>Attorney General,</i>
Mr. <i>Glenie,</i>	Mr. <i>Frazer,</i>
Captain <i>Agnew,</i>	Captain <i>M'Lean,</i>
Mr. <i>Smith,</i>	Mr. <i>Street,</i>
Mr. <i>Simonds,</i>	Mr. <i>Campbell,</i>
Colonel <i>Fanning,</i>	Mr. <i>Gay,</i>
Mr. <i>W. Pagan,</i>	Major <i>Dixson.</i>
Mr. <i>Mowatt,</i>	

N A Y S.

Mr. <i>Speaker,</i>	Mr. <i>Gilbert,</i>
Major <i>Murray,</i>	Mr. <i>Siddall,</i>
Colonel <i>Coffin,</i>	Colonel <i>Ellegood,</i>
Mr. <i>Peters,</i>	Mr. <i>Yeamans.</i>

And the question being put that the said report be accepted—
The House divided :

Division of the
House.

Y E A S.

Mr. <i>R. Pagan,</i>	Mr. <i>Mowatt,</i>
Mr. <i>Youngusband,</i>	The <i>Attorney General,</i>
Mr. <i>Glenie,</i>	Mr. <i>Frazer,</i>
Captain <i>Agnew,</i>	Captain <i>M'Lean,</i>
Mr. <i>Smith,</i>	Mr. <i>Street,</i>
Mr. <i>Simonds,</i>	Mr. <i>Campbell,</i>
Colonel <i>Fanning,</i>	Mr. <i>Gay,</i>
Mr. <i>W. Pagan,</i>	Major <i>Dixson.</i>

N A Y S.

Major <i>Murray,</i>	Mr. <i>Siddall,</i>
Colonel <i>Coffin,</i>	Colonel <i>Ellegood,</i>
Mr. <i>Peters,</i>	Mr. <i>Yeamans.</i>
Mr. <i>Gilbert,</i>	

Order thereon.

Thereupon Ordered, That the said bill be engrossed.

House in committee.

Captain *Agnew* in the chair—

House in com-
mittee.

Took into consideration a bill “ *To prevent the Growth of
“ Thistles.”*”

The *Speaker* resumed the chair—

Report of the
chairman.

The chairman *Reported,* That the committee had agreed to
the said bill.

Ordered,

Ordered, That the said report be accepted—and that the bill be engrossed.

The House then adjourned until eleven o'clock to-morrow morning. House adjourns.

T H U R S D A Y, 9th February, 1797.

Read, the third time as engrossed—a bill “*To remove Doubts respecting the Functions of Juries in Cases of Libel*”—and a bill “*To prevent the Growth of Thistles.*” Bills read as engrossed.

Ordered, That the said bills pass—and be sent up for concurrence.

A bill “*To appropriate certain Monies therein mentioned.*”—was read the second time. Bill read the second time

Ordered, That the said bill be committed. and committed.

The House then resolved itself into a committee on the consideration of a bill “*For raising a Revenue and appropriating the Same and for paying off the Debts of the Province*”—

Captain *Agnew* in the chair. House in committee.

The *Speaker* resumed the chair:—

The chairman *Reported*, That the committee had taken the said bill into consideration and had made a progress therein— Report of the chairman.

And requested leave to sit again.

Ordered, That the said report be accepted. Report accepted.

The House then adjourned until eleven o'clock to-morrow morning. House adjourns.

F R I D A Y, 10th February, 1797.

The *Attorney General* from the committee appointed to prepare a draught of a letter to *William Knox*, Esquire, *Reported*, That the committee had agreed to the same—which was read—and *Ordered*, To be taken into consideration to-morrow. Report of a committee.

The House then resolved itself into a committee on the further consideration of the bill “ *For raising a Revenue and appropriating the Same and for paying off the Debts of the Province.* ”—

House in committee.

Captain *Agnew* in the chair.

The *Speaker* having resumed the chair—

Report of the chairman.

The chairman *Reported*,—That the committee had agreed to the said bill under the title of a bill “ *For raising a Revenue in this Province and for appropriating the Same together with the Monies now in the Treasury* ”—

That a motion had been made—that such parts of the bill as relate to the granting monies towards defraying the expenses of the members attending the House of Assembly and travelling charges—be struck out—

Upon which the committee divided—

Division of the committee.

Y E A S.

Colonel *Ellegood*,
Mr. *Peters*,
Colonel *Coffin*,

Mr. *Yeamans*,
The *Attorney General*,
Colonel *Fanning*.

N A Y S.

Mr. *Speaker*,
Mr. *W. Pagan*,
Mr. *R. Pagan*,
Mr. *Glenie*,
Major *Dixson*,
Mr. *Smith*,
Mr. *Youngbusband*,
Major *Murray*,
Mr. *Campbell*,

Mr. *Gilbert*,
Mr. *Siddall*,
Captain *M^cLean*,
Mr. *Street*,
Mr. *Simonds*,
Mr. *Mowatt*,
Mr. *Gay*,
Mr. *Frazer*.

That a motion had been made that such part of the bill as relates to the “ *Appropriation of the Monies now in the Treasury* ”—be struck out—

Upon which the committee divided—

Division of the committee.

Y E A S.

The *Attorney General*,
Colonel *Fanning*,
Mr. *Siddall*.

NAYS.

N A Y S.

- | | |
|--------------------------|--------------------------|
| Mr. <i>Peters,</i> | Captain <i>M'Lean,</i> |
| Colonel <i>Coffin,</i> | Major <i>Murray,</i> |
| Mr. <i>Yeamans,</i> | Mr. <i>Speaker,</i> |
| Mr. <i>Smith,</i> | Mr. <i>W. Pagan,</i> |
| Colonel <i>Ellegood,</i> | Mr. <i>R. Pagan,</i> |
| Mr. <i>Glenie,</i> | Mr. <i>Campbell,</i> |
| Mr. <i>Street,</i> | Mr. <i>Mowatt,</i> |
| Mr. <i>Frafer,</i> | Mr. <i>Simonds,</i> |
| Mr. <i>Gay,</i> | Mr. <i>Younghusband,</i> |
| Major <i>Dixson,</i> | Mr. <i>Gilbert.</i> |

And that a motion had been made—that such part of the bill which provides for raising a revenue, and the regulations respecting the same, be reported in a separate bill intituled a bill “*For raising a Revenue*” and that the remaining part be reported in a separate bill intituled a bill “*For defraying the Expences of the Province and discharging the Public Debts*”—

Upon which the committee again divided.

Y E A S.

- | | |
|--------------------------|-------------------------|
| Mr. <i>Peters,</i> | Captain <i>M'Lean,</i> |
| Colonel <i>Coffin,</i> | Colonel <i>Fanning,</i> |
| Colonel <i>Ellegood,</i> | Mr. <i>Yeamans.</i> |

Division of the committee.

N A Y S.

- | | |
|------------------------------|----------------------|
| Mr. <i>R. Pagan,</i> | Major <i>Murray,</i> |
| Mr. <i>Campbell,</i> | Mr. <i>Frafer,</i> |
| Mr. <i>Mowatt,</i> | Mr. <i>Speaker,</i> |
| Mr. <i>W. Pagan,</i> | Mr. <i>Gay,</i> |
| The <i>Attorney General,</i> | Mr. <i>Siddall,</i> |
| Mr. <i>Gilbert,</i> | Major <i>Dixson,</i> |
| Mr. <i>Younghusband,</i> | Mr. <i>Glenie,</i> |
| Mr. <i>Smith,</i> | Mr. <i>Street.</i> |
| Mr. <i>Simonds,</i> | |

And the question being put that the said report be accepted—
The House divided—

Y E A S.

- | | |
|--------------------------|-----------------------|
| Mr. <i>R. Pagan,</i> | Major <i>Murray,</i> |
| Mr. <i>Campbell,</i> | Mr. <i>Frafer,</i> |
| Mr. <i>Mowatt,</i> | Captain <i>Agnew,</i> |
| Mr. <i>W. Pagan,</i> | Mr. <i>Gay,</i> |
| Mr. <i>Gilbert,</i> | Mr. <i>Siddall,</i> |
| Mr. <i>Younghusband,</i> | Major <i>Dixson,</i> |
| Mr. <i>Smith,</i> | Mr. <i>Glenie,</i> |
| Mr. <i>Simonds,</i> | Mr. <i>Street.</i> |

Division of the House.

L.

NAYS.

N A Y S.

Colonel *Ellegood*,
 Captain *M^cLean*,
 The *Attorney General*,
 Colonel *Fanning*,

Colonel *Coffin*,
 Mr. *Peters*,
 Mr. *Yeamans*.

Order thereon. THEREUPON ORDERED, That the said bill be engrossed.

House adjourn. The House then adjourned until eleven o'clock to-morrow morning.

S A T U R D A Y, 11th February, 1797.

The House resolved itself into a committee on the consideration of a bill “*For the more easy Recovery of Estray Horses, Neat Cattle, and Sheep*”—

House in committee.

Colonel *Ellegood* in the chair.

The *Speaker* resumed the chair—

Report of the chairman.

The chairman *Reported*, That the committee had taken the said bill into consideration and had directed him to report it as their opinion that the consideration thereof be postponed for three months.

Report accepted.

Ordered, That the said report be accepted.

Mr. *Gay* from the committee to whom was referred the bill “*For altering the Times and Place of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the County of Westmorland.*”—*Reported*, That the committee had agreed to the same—

Which was read—and on motion—*Ordered*, That the consideration of the said bill be postponed until the next session of the General Assembly and that a copy thereof be lodged with the Clerk of the Peace in the county of *Westmorland*; and that the same be publicly read at the next Court of General Sessions of the Peace in the said county to the intent that all persons interested may shew cause why the same should not pass into a law.

Draught of a letter read the second time.

The draught of a letter to *William Knox*, Esquire, as reported by the committee appointed for that purpose, was read the second time—

And

And on motion—the House resolved itself into a committee on the consideration of the same—

Mr. *Frazer* in the chair.

House in committee.

The *Speaker* resumed the chair.—

The chairman *Reported*, That the committee had made a progress in the business to them referred—And requested leave to sit again.

Report of the chairman.

Ordered, That the said report be accepted.

Report accepted.

A message from the Council with a bill “*To authorize the
Erection of Fences and Gates across certain Roads in the several
Counties in this Province where the same shall be found necessary.*”

Message from the Council.

Which bill was read the first time.

The House then adjourned until Monday next at eleven o’clock.

House adjourns.

M O N D A Y, 13th February, 1797.

On motion—*Ordered*, That the consideration of the bill “*For the Establishment of Fees,*” be postponed until the next session of the General Assembly.

The House then resolved into a committee on the consideration of a bill “*To re-appropriate certain Monies therein mentioned*”—

Major *Murray* in the chair.

House in committee.

The *Speaker* resumed the chair—

The Chairman *Reported*, That the committee had agreed to the said bill.

Report of the chairman.

Which report was accepted—and *Ordered*, That the said bill be engrossed.

Report accepted.

House in committee.

Colonel *Ellegood* in the chair—

House in committee.

Took into consideration a bill “*To continue and amend
an*”

an Act intituled 'An Act for the more easy and speedy Recovery of Small Debts.'

The *Speaker* resumed the chair—

Report of the
chairman.

The chairman *Reported*, That the committee had agreed to the said bill under the title of a bill “*To continue an Act intituled 'An Act for the more easy and speedy Recovery of Small Debts.'*”

Report accept-
ed.

Ordered, That the said report be accepted—and that the bill be engrossed.

Bill read as en-
grossed.

Read, the third time as engrossed—a bill “*For raising a Revenue in this Province and for appropriating the Same together with the Monies now in the Treasury.*”

Ordered, That the said bill pass and be sent up for concurrence.

House in committee.

House in com-
mittee.

Mr. *Frazer* in the chair—

Went again into the consideration of the draught of a letter to *William Knox*, Esquire, as reported by the committee appointed for that purpose.

The *Speaker* resumed the chair—

Report of the
chairman.

The chairman *Reported*, That the committee had agreed to the same with some amendments.

Report accep-
ted.

Ordered, That the report be accepted—and that the said letter be signed by the *Speaker*, and transmitted to the said *William Knox*, Esquire.

Bill read the se-
cond time

Read, the second time—a bill “*To authorise the Erection of Fences and Gates across certain Roads in the several Counties in this Province where the same shall be found necessary.*”

and committed.

Ordered, That the said bill be committed.

House in committee.

House in com-
mittee.

Mr. *Glenie* in the chair—

Took into consideration a bill “*To alter and amend an Act passed in the twenty sixth Year of HIS MAJESTY'S reign intituled 'An Act for preventing Trespasses.'*”

The *Speaker* resumed the chair.

Report of the
chairman.

The chairman *Reported*, That the committee had made a progress in the said bill—And requested leave to sit again.

Ordered, That the said report be accepted.

Report accepted.

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

House adjourned.

T U E S D A Y, 14th February, 1797.

Read, The third time as engrossed—a bill “*To re-appropriate certain Monies therein mentioned*”—and a bill “*To continue an Act intituled ‘An Act for the more easy and speedy Recovery of Small Debts.’*”

Bills read as engrossed.

Ordered, That the said bills pass and be sent up for concurrence.

House in committee.

House in committee.

Mr. Glenie in the chair—

Went again into the consideration of the bill “*To alter and amend an Act passed in the twenty sixth Year of HIS MAJESTY’S reign intituled ‘An Act for preventing Trespasses.’*”

The Speaker resumed the chair—

The chairman Reported, That the committee had directed him to report it as their opinion that the said bill be concurred in with amendments.

Report of the chairman.

Ordered, That the said report be accepted—and that the said bill be returned to the Council.

Report accepted.

A bill “*To alter and amend an Act intituled ‘An Act for regulating, laying out and repairing Highways and Roads and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province; and for suspending for a limited Time all the Laws now in force relating to the Same’*—being brought in by leave—was read the first time.

Bill brought in and read.

House in committee.

Mr. Campbell in the chair—

House in committee.

Took into consideration a bill “*In amendment of an Act intituled ‘An Act for regulating Juries and declaring the Qualifications of Jurors.’*”

The Speaker resumed the chair—

M.

The

- Report of the chairman. The chairman *Reported*, That the committee had made a progress in the said bill—And requested leave to sit again.
- Report accepted. *Ordered*, That the said report be accepted.
House in committee.
- House in committee. Mr. *William Pagan* in the chair—
Took into consideration a bill “*For laying an Impost on Loaf Sugar, Porter, Beer, Ale and Playing Cards.*”
The *Speaker* resumed the chair—
- Report of the chairman. The chairman *Reported*, That the committee had agreed to the said bill.
- Report accepted. Which report was accepted—and *Ordered*, That the said bill be engrossed.
- Commissioners appointed. On motion—*Ordered*, That Mr. *John Colvill* and Mr. *Andrew Crookshank* be Commissioners for superintending the Light House on Partridge Island.
- House adjourn. The House then adjourned until eleven o'clock to-morrow morning.

W E D N E S D A Y, 15th February, 1797.

- Order to search the Journal of Council. On motion *Ordered*, That some members be appointed to search the Journals of the Council as to their proceedings upon the bill “*For raising a Revenue in this Province and for appropriating the Same together with the Monies now in the Treasury*”—and also as to their proceedings upon the bill “*To remove Doubts respecting the Functions of Juries in Cases of Libel.*” and make report to this House.
- Committee appointed. Mr. *Robert Pagan* and Mr. *Frazer* are appointed for that purpose.
- Bill read the second time. *Read*, the second time—a bill “*To alter and amend an Act intituled ‘An Act for regulating, laying out and repairing Highways and Roads and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province and for suspending for a limited Time all the Laws now in force relating to the Same.*”

Ordered,

Ordered, That the said bill be committed.

and committed.

House in committee.

Captain *Agnew* in the Chair—

House in committee.

Took into consideration a bill “*To authorise the Erection of Fences and Gates across certain Roads in the several Counties in this Province where the Same shall be found necessary.*”

The *Speaker* resumed the chair—

The chairman *Reported*,—That the committee had taken the said bill into consideration and had concurred in the same.

Report of the chairman.

Which report was accepted and *Ordered*, That the said bill be returned to the Council.

Report accepted.

House in committee.

Mr. *Glenie* in the chair—

House in committee.

Took into consideration a bill “*To alter and amend an Act intituled ‘An Act for regulating, laying out and repairing Highways and Roads and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province; and for suspending for a limited Time all the Laws now in force relating to the Same.’*”

The *Speaker* resumed the chair—

The chairman *Reported*—That the committee had agreed to the said bill.

Report of the chairman.

Which report was accepted—and *Ordered*, That the said bill be engrossed.

Report accepted.

The members appointed to search the Journals of the Council as to their proceedings upon the bill “*For raising a Revenue in this Province and for appropriating the Same together with the Monies now in the Treasury*” and also upon the bill “*To remove Doubts respecting the Functions of Juries in Cases of Libel*”—*Reported*, That upon searching the said Journals they found the following Entries, viz.

Report of the members appointed to search the Journal of Council.

Council Chamber, Monday 13th February, 1797.

Read, a bill from the Assembly “*For raising a Revenue in this Province and for appropriating the Same together with the Monies now in the Treasury*”—

“*Ordered*, That the further consideration of this, and of the other bills now before the Council, be put off till tomorrow.

“ Council Chamber, Tuesday 14th February, 1797.

“ On motion of Mr. Justice Saunders that the further consideration of the bill “ *For raising a Revenue in this Province and for appropriating the Same together with the Monies now in the Treajury*’ be put off for three months, the votes were as follows:

“ C O N T E N T.

“ The Chief Justice,	“ Mr. Odell,
“ Mr. G. G. Ludlow,	“ Mr. Robinson,
“ Mr. Justice Allen,	“ Mr. Leonard,
“ Mr. Winslow,	“ Mr. Justice Saunders,
“ Mr. Hazen,	“ Mr. Billopp.

“ N O T C O N T E N T.

“ Mr. Justice Upham,	“ Mr. Blifs.
----------------------	--------------

“ WHEREUPON RESOLVED, That the further consideration of this bill be put off for three months.

“ Read, a third time the bill ‘ *To remove Doubts respecting the Functions of Juries in Cases of Libel*’ and on the question “ whether this bill do pass—*Resolved*, in the negative.”

Bill read as engrossed.

Read, the third time as engrossed—a bill “ *For laying an Impost on Loaf Sugar, Porter, Beer, Ale, and Playing Cards.*”

And on the question that this bill do pass—The House divided—

Division of the House.

Y E A S.

Colonel Ellegood,	Mr. Siddall,
Major Murray,	Mr. Yeamans,
Mr. Frazer,	Captain M ^c Lean,
Mr. Peters,	Colonel Fanning.
The Attorney General,	

N A Y S.

Mr. Youngbusband,	Mr. Mowatt,
Mr. Smith,	Mr. R. Pagan,
Mr. Glenie,	Mr. Simonds,
Captain Agnew,	Major Dixson,
Mr. Street,	Mr. W. Pagan.
Mr. Campbell,	

THEREUPON

THEREUPON RESOLVED, That the further consideration of the said bill be postponed until the next Session of the General Assembly. Resolves.

Resolved, That an humble address be presented to His EXCELLENCY the Lieutenant Governor requesting that he will be pleased to transmit the draught of a bill "For laying an Impost on Loaf Sugar, Porter, Beer, Ale and Playing Cards." to His MAJESTY'S Ministers for approbation, in order that bills to the same effect may hereafter pass into a law.

Ordered, That Captain Agnew and Mr. Peters do present the same.

The Attorney General moved—That a committee be appointed ~~to~~ ^{to} bring in a bill "For raising a Revenue and appropriating ~~the Monies~~ ^{the Monies} ~~therefrom~~ for the Purpose of paying off the Public Debt and for defraying a certain Part of the Expenses attending the Services of the current Year"— Motion by the Attorney General.

And the question being put on the said motion—The House divided—

Y E A S.

The Attorney General,
Colonel Ellegood,
Mr. Peters,

Colonel Fanning,
Mr. Yeamans.

Division of the House.

N A Y S.

Major Murray,
Mr. Fraser,
Mr. Siddall,
Captain M'Lean,
Mr. Younghusband,
Mr. Smith,
Mr. Glenie,
Captain Agnew,

Mr. Street,
Mr. Campbell,
Mr. Mowatt,
Mr. R. Pagan,
Mr. Simonds,
Major Dixson,
Mr. W. Pagan.

A message from the Council informing the House that the Council have concurred in passing the bill "To prevent the Growth of Thistles." Message from the Council.

On motion *Resolved*, That this House will to-morrow take into consideration the state of the Province. Resolves.

Ordered, That there be a call of this House to-morrow at eleven o'clock. Call of the House.

House adjourn.

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

T H U R S D A Y, 16th February, 1797.

Bill read as engrossed.

Read, the third time as engrossed—a bill “*To alter and amend an Act intituled ‘An Act for regulating, laying out, and repairing Highways and Roads and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province; and for suspending for a limited Time all the Laws now in force relating to the Same.’*”

Ordered, That the said bill pass—and be sent up for concurrence.

Message from the Council.

A message from the Council informing the House that the Council have concurred in passing the bill “*To continue an Act intituled ‘An Act for the more easy and speedy Recovery of Small Debts.’*”

The order of the day being read—

The House resolved itself into a committee of the whole on the consideration of the state of the province—

House in committee.

Mr. *Street* in the chair.

The *Speaker* resumed the chair—

Report of the chairman.

The chairman *Reported*, That the committee had taken into consideration the business to them referred—and had come to the following Resolutions, to wit:

“*Resolved*, That it is the opinion of this committee that a committee be appointed to prepare and lay before this House a Representation of the present state of this Province in consequence of the rejection of the Revenue and Appropriation bill—and also of the inconveniences felt by a considerable part of HIS MAJESTY’S subjects in this province in consequence of all the Terms and Sittings of the Supreme Court being held at Fredericton.”

Report accepted.

Ordered, That the said report be accepted—and that Mr. *Robert Pagan*, Captain *Agnew*, Mr. *Campbell*, and Mr. *Frazer*, be a committee for the purpose of preparing the said Representation.

A message from the Council informing the House that the Council have agreed to the amendments proposed to the bill
“ To alter and amend an Act passed in the twenty sixth Year of
“ His Majesty's Reign intituled ‘ An Act for preventing Tres-
“ passes.

Message from
the Council.

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

House adjourn-

F R I D A Y, 17th February, 1797.

A complaint having been made to this House that *John Ryan* Printer of a Public News-paper called “ *The Saint John Gazette*” had in his News-papers sent to divers places presumed to intermeddle with the proceedings of this House—one of which Papers, dated the 10th day of February instant, containing copies of sundry letters on the files of this House addressed to a committee of the House by *William Knox*, Esquire, Agent of the Province.

Complaint to
the House.

Ordered, That no Printer do, in their News-papers that they may disperse, presume to intermeddle with the proceedings of this House; or print or publish any letter or paper belonging to the same.

Order thereon.

Ordered, That the *Attorney General*, *Mr. William Pagan*, *Colonel Coffin*, *Mr. Younghusband*, and *Mr. Simonds*, be a committee to examine the said *John Ryan* relating to the complaint aforesaid, and the manner in which the said papers were procured, and report to this House in their next session.

Committee ap-
pointed.

Mr. Robert Pagan from the committee appointed to prepare a Representation of the present state of this province—Reported, That the committee had agreed to a draught thereof—which he read in his place and then delivered in at the Clerk's table—where the same was again read and amended.

Report of a
committee.

And the question being put—that the House do agree thereto—it passed in the affirmative—

Y E A S.

Major *Murray*,
Colonel *Ellegood*,
Mr. *Simonds*,

Mr. *Frazer*,
Mr. *Younghusband*,
Mr. *Campbell*,

Mr.

Division of the
House.

Mr. *W. Pagan*,
 Mr. *R. Pagan*,
 Captain *M^eLean*,
 Mr. *Mowatt*,
 Captain *Agnew*,

Mr. *Street*,
 Mr. *Siddall*,
 Mr. *Smith*,
 Major *Dixson*.

N A Y S.

Mr. *Peters*,
 Mr. *Yeamans*,

Colonel *Fanning*.

Resolve thereon.

THEREUPON RESOLVED, That a copy of the said Representation be laid before HIS EXCELLENCY *the Lieutenant Governor*—and be likewise sent to HIS MAJESTY'S Council.

Message from the Council.

A message from the Council informing the House that the Council have appointed *Thomas Knox*, Esquire, to be joint Agent with his father *William Knox*, Esquire, the present Agent for this province in *Great Britain*—and requesting the concurrence of this House therein.

Ordered, That the consideration of the said message be postponed until to-morrow.

House adjourn.

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

S A T U R D A Y, 18th February, 1797.

Agreeable to the order of the day.

The message from the Council informing the House that the Council had appointed *Thomas Knox*, Esquire, to be joint Agent with his father *William Knox*, Esquire, the present Agent for this Province in *Great Britain* was taken into consideration.

And on the question—that the House do concur therein—Resolved in the negative.

Committees appointed.

On motion—Ordered, That Mr. *Robert Pagan* and Mr. *Street* be a committee to present to HIS EXCELLENCY *the Lieutenant Governor* a copy of the Representation to HIS MAJESTY of the present state of the province—agreeable to the Resolution of yesterday—

And that Colonel *Ellegood* and Mr. *Frazer* be a committee to present a copy of the same to HIS MAJESTY'S Council.

Ordered,

Ordered, That two hundred copies of the Journal of the Votes and Proceedings of this House in the present session be printed—and that the *Attorney General*, Mr. *William Pagan*, and Mr. *Simonds* be a committee to contract for, and superintend the printing of the same.

Order for printing the Journal of the House.

On motion Ordered, That the Petition to HIS MAJESTY representing the state of the province be transmitted by the *Speaker*, during the recess, to *William Knox*, Esquire, Agent of the Province requesting him to present the same to HIS MAJESTY and in case he should decline to present the same, to deliver the Petition to *Robert Shedden*, Esquire, who is authorized in that case to present the same.

Order on the Petition to His Majesty.

A message from HIS EXCELLENCY the *Lieutenant Governor* requiring the attendance of this House in the Council Chamber.

Message from His Excellency.

The House attended accordingly—when HIS EXCELLENCY was pleased to give his assent to the following bills, to wit :

An Act to continue an Act intituled “ *An Act for the more easy and speedy Recovery of Small Debts.*”

Assent given to sundry Bills.

An Act to alter and amend an Act passed in the twenty sixth Year of HIS MAJESTY’S Reign intituled “ *An Act for preventing Trespasses.*”

An Act to authorize the Erection of Fences and Gates across certain Roads in the several Counties in this Province where the same shall be found necessary.

An Act to regulate the Exportation of Fish and Lumber; and for repealing the ~~law~~ now in force regulating the Same.

An Act to prevent the Growth of Thistles.—And

An Act to alter and amend an Act intituled “ *An Act for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Townships and Parishes in this Province; and for suspending for a limited time all the Laws now in force relating to the Same.*”

After which HIS EXCELLENCY was pleased to make the following speech to the Houses, viz.

His Excellency's
speech to both
Houses.

“ Gentlemen of the Council,

“ And Gentlemen of the Assembly,

“ **H**AVING given my assent to such bills as you have agreed
“ upon, I conclude it would be fruitless longer to de-
“ tain you at present from your private affairs. I shall therefore
“ dismiss you from further attendance at this time in General
“ Assembly, and once more express my hope, that such provisi-
“ ons, as yet remain unsettled, may at a future meeting be com-
“ pleted in the manner most conducive to the real interest and
“ Reputation of the province. It is not, indeed, without seri-
“ ous concern that I observe another year's delay of payment to
“ the persons employed in the public service. But, though I
“ lament the inconveniences that may be suffered by individu-
“ als, it is no small consolation to reflect that, in the mean time
“ the general prosperity of the Colony is still advancing, and,
“ I trust, will continue to advance, with an uninterrupted pro-
“ gress.”

General Assem-
bly prorogued.

And then the Clerk of the Crown, by HIS EXCELLENCY'S
command, declared the General Assembly to be prorogued
second Tuesday in May next.

