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JOURNAL
OF THE
HOUSE OF ASSEMBLY
OF THE
PROVINCE
OF
NEW BRUNSWICK,
FROM THE
NINETEENTH DAY OF JANUARY,
TO THE
FOURTH DAY OF APRIL,
Being the Sixth Session of the Twelfth General Assembly.



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

1842.





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

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

A PROCLAMATION.

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

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

By His Excellency's Command.

WM. F. ODELL.



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

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

A PROCLAMATION.

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

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

By His Excellency's Command.

WM. F. ODELL.



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

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

A PROCLAMATION.

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

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

By His Excellency's Command.

WM. F. ODELL.

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JOURNAL
OF THE
HOUSE OF ASSEMBLY
OF THE
PROVINCE
OF
NEW BRUNSWICK.

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

Fredericton, Wednesday, 19th January, 1842.

THE House having been by several Proclamations prorogued until this day, then to meet for the despatch of business; and being met—

A Message was received from His Excellency the Lieutenant Governor, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

The House attended, and being returned—

Mr. End moved for leave to bring in a Bill, to abolish Privilege of the Members of the Assembly in certain cases.

Leave granted.

The Honorable Mr. Speaker then reported, that His Excellency had been pleased to make a Speech to both Houses, of which Mr. Speaker said he had, to prevent mistakes, obtained a copy; which he read to the House, and is as follows:—

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

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

“ HAVING assumed the Government of this Province after the close of the last Session, I should have been anxious to have met you earlier if the public affairs required that I should have called you together before the ordinary period.

“ The distresses in Saint John occasioned by Commercial embarrassment and the late calamitous Fires, admitted only of partial alleviation; and relying on your support in measures of a general nature, which would be calculated to establish the credit and develop the resources of the Province in a manner likely to prove beneficial to all classes, I have felt every confidence that the sufferings which have been occasioned by these occurrences would be transient, under the beneficent dispensations of Divine Providence, for whose bounties this Province has such abundant cause of thankfulness.

“ I cordially congratulate you on the auspicious event which has been recently announced of the Birth of an Heir Apparent to the Throne—an event which has given heartfelt satisfaction to all Her Majesty’s faithful subjects.

“ Aware of the importance you attach to a settlement of the Boundary, I may be permitted to hope that a sense of the great benefits that would be derived to the Inhabitants of the contiguous States, as well as of the British Provinces, from the termination of the dispute, will lead to an early and satisfactory issue of the negotiations between Her Majesty’s Government and that of the United States.

“ In

"In the consideration of measures by which the general welfare may be promoted, I have been impressed with a conviction of the paramount importance of providing for the introduction of those principles of Municipal Government which are recognised in the Constitution of England, and which I am persuaded will be found peculiarly adapted to the situation of the people of this Province.

"On the local Institutions recently introduced into a neighbouring Province, some important ameliorations have been based, for the success of which, the support and co-operation of the people is essential.

"In these views I recommend the subject to your early attention.

"The judicious application of the public credit for the investment of capital in works of general utility and in assisting the local communities where their own resources may be inadequate for such objects, would accelerate the improvement and settlement of the Province, and for the efficient execution of all such works, I recommend to you the incorporation of a Board of Works, to be invested with adequate powers and subject to due responsibilities.

"To facilitate intercourse and to promote the occupation of the vast Tracts of fertile and unreclaimed Territory in the Province, you have appreciated the importance of opening Roads. These works and others will require the aid of science for their survey and due execution.

"Amongst the most important which have been proposed are the completion of the Great Road to Canada—the opening of direct communications to the Restigouche, and the survey of that River—a Canal for connecting the waters of the Bay of Fundy with the Gulf of Saint Lawrence—the construction of Dry Docks in Saint John—the Port of which is open at all seasons—and the improvement of the navigation of its River.

"In some of these projects the neighbouring Provinces are interested.

"The communications with Canada should be completed as soon as practicable, and the other works, if ultimately approved, may be executed in the order of their importance. I recommend to you that the necessary surveys should be immediately undertaken.

"To encourage attention to Agriculture, several tracts of land have been selected and laid out, and notwithstanding the lateness of the season, various Associations have been formed for the occupation of them. The success of these spirited undertakings will hold out encouragement to Emigrants from the United Kingdom to form settlements in the Province on the same principle.

"The Geological Surveys which have been executed have developed the Agricultural capacities and Mineral resources of the Province, and the further prosecution of these useful researches will merit your encouragement.

"My attention having been drawn to the condition of the Indian Tribes, and the situation and extent of the valuable Lands reserved for them, I have instituted enquiries which have been zealously prosecuted, and from the reports which have been made to me, I am gratified to find that no material obstacles exist to the introduction of measures for their social improvement. To facilitate the settlement of the Indian Reserves, and the domains of the Crown, some Legislative provision will be necessary.

"The formation of Indian Villages, and the establishment of Schools in them, have been recommended.

"The state of Education in the Province has engaged my anxious attention, and from the reports which I have received of the condition of the common Schools, a more efficient system of instruction in them is urgently required.

"The funds which you have liberally granted, will require to be more appropriately distributed, and the Schools placed under effective superintendence.

"A revision of the Laws for the regulation of Prisons is also required, with a view to the introduction of a reformatory system of Prison discipline, upon the principles adopted in England, so far as they may be applicable.

"I earnestly recommend to you a revision of the Criminal Law, and the adoption of the ameliorations in the Statutes of the present Reign, by which capital punishment for certain offences has been abolished.

"The Laws regarding the imprisonment of Debtors having also undergone important changes in England, will merit your attention.

"Having appointed a Commission to enquire into the Laws relating to insolvency,

I have received a Report, in which the enactment of a Bankruptcy Act has been strongly recommended, with a view to sustain commercial credit.

"Some provision for the protection and encouragement of the valuable Coast and River Fisheries of the Province will be necessary.

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

"Notwithstanding the occurrence of severe Commercial distress, I have had the satisfaction to find that the Revenue has not diminished. From the estimates which I have directed to be prepared and laid before you, I hope it will be apparent that under an improved system of Finance, which I earnestly recommend to your adoption in conformity to Parliamentary usage, the credit of the Province may be amply sustained, and provision made—after defraying the ordinary expenses of the Government, and the bounties which your liberality has hitherto extended to useful undertakings—for raising and ultimately redeeming the Funds required for the construction of Roads and other reproductive Works, and the improvement of School Houses and Prisons.

"As the ordinary Appropriations will be fully adequate to provide for these objects, no additional charges on the Province will be required, and the people may be relieved from the burden of Statute Labour by the substitution of a moderate rate.

"The consolidation of the Departments of Revenue, and the establishment of an efficient Audit of the Public Accounts is required to facilitate these financial arrangements, which would be further assisted, with general advantage to the Province, by the adoption of British Sterling as the money of account, and by an improvement and consolidation of the Banking system, in accordance with the views recommended by Her Majesty's Government.

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

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

"In the opportunities of observation which I have had since my arrival in New Brunswick, I have been no less impressed with a conviction of the great natural resources of the Province, than of the disposition of the people to support the efforts which are required to develop them.

"Their warm attachment to the Country of their ancestors, and veneration for her institutions, constitute a strong claim to that support on which you may at all times confidently rely.

"In the more important measures which I have recommended, I have had mainly in view to secure to you, under Providence, a participation in the advantages which the British Constitution has imparted, wherever its principles have been recognised; and, if the experience of a life devoted to the public service, may enable me to assist you in realising them, I shall derive an ample recompense in the advancement of your welfare."

On motion of Mr. Brown,

Ordered, That Two hundred copies of His Excellency's Speech be forthwith printed for the use of the Legislature.

On motion of Mr. Partelow,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, in answer to His Speech at the opening of the Session.

Ordered, That Mr. Partelow, Mr. End, Mr. L. A. Wilmot, Mr. Brown and Mr. Wilson, be a Committee to prepare the Address.

On motion of Mr. Allen,

Resolved, That a Standing Committee be appointed, to whom may be referred all matters which may hereafter arise, that may in any way be supposed to affect the Privileges of this House.

Ordered, That Mr. Allen, Mr. Street, the Honorable Mr. Weldon, Mr. Wilson and Mr. Hill, do compose the said Committee.

On motion of Mr. Street,

Ordered, That the House do on Saturday next the twenty second day of January, instant, go into Committee of the whole in consideration of His Excellency the Lieutenant Governor's Speech at the opening of the Session.

On motion of the Honorable Mr. Johnston,

Resolved, That a Select Committee be appointed, to take into consideration all matters relating to the Finances of the Province, and to report thereon to the House by Bill or otherwise.

Ordered, That the Honorable Mr. Johnston, Mr. Brown, Mr. Partelow, Mr. L. A. Wilmot, Mr. Fisher and Mr. Woodward, do compose the said Committee.

On motion of Mr. Hayward,

Ordered, That the Journals of this House be daily printed, or so soon as a copy thereof can be prepared by the Clerk, and that the Printer do furnish Four hundred copies thereof for the use of the Legislature.

On motion of the Honorable Mr. Johnston,

Resolved, That a Committee be appointed, consisting of one Member from each County, to take into consideration and report to this House what sums it may be necessary to grant for repairing and improving the Great and Bye Roads throughout the Province during the present year.

Ordered, That the Honorable Mr. Johnston, Mr. Partelow, Mr. Fisher, the Honorable Mr. Weldon, Mr. Wilson, Mr. Hill, Mr. Rankin, Mr. End, Mr. Freeze, Mr. Connell, Mr. Hayward and Mr. Barberie, do compose the said Committee.

On motion of Mr. Wilson,

Resolved, That a Committee be appointed to examine and report to the House what Laws have expired or are about expiring.

Ordered, That Mr. Wilson, Mr. Street and Mr. End, be the Committee for that purpose.

On motion of Mr. Jordan,

Resolved, That a Committee be appointed, to whom may be referred all Petitions praying for allowance to Teachers who have not received any part of the Provincial Grants for Schools, to report thereon to the House.

Ordered, That Mr. Jordan, Mr. End, Mr. H. T. Partelow and Mr. Palmer, do compose the said Committee.

On motion of Mr. Woodward,

Resolved, That a Committee be appointed to whom shall be referred all matters which may in any manner affect the Trade of this Province.

Ordered, That Mr. Woodward, Mr. Rankin, Mr. Hanington, Mr. J. M. Wilmot, Mr. Owen, Mr. M'Leod and Mr. Taylor, do compose the said Committee.

On motion of Mr. Taylor,

Resolved, That a Standing Committee be appointed to examine and report upon Public Accounts.

Ordered, That Mr. Partelow, Mr. Taylor, Mr. Woodward, Mr. Boyd, Mr. Stewart and Mr. Rankin, be the Committee for that purpose.

On motion of Mr. Partelow,

Whereas there is reason to apprehend that at the approaching Session of the Imperial Parliament, the subject of a revision of the Wood Duties will again be agitated: And whereas in the opinion of this House, any change affecting the present protection afforded to Timber and Deals of Colonial Manufacture, would be ruinous to the manifold interests connected with the Trade, and seriously retard the settlement of Her Majesty's North American Possessions; therefore

Resolved, unanimously, That an humble Address be presented to Her Majesty and the Imperial Parliament on this vitally important subject; and further

Resolved, That the Honorable the Legislative Council be requested to join the House in such Address.

Ordered, That Mr. Partelow do communicate the same to the Council, and request them to join in the said Address.

On motion of Mr. Palmer,

Ordered, That no Petition be received or Bill brought in after the Fifteenth day of February next, except by special leave of the House.

On motion of Mr. Street,

Resolved, unanimously, That an Humble and Dutiful Address be presented to the Queen's Most Gracious Majesty, congratulating Her Majesty on the auspicious Birth of an Heir Apparent to the British Throne.

Ordered, That Mr. Street, Mr. L. A. Wilmot and Mr. Fisher, be a Committee to prepare the Address.

On like motion of Mr. Street,

Resolved, unanimously, That an Humble Address be presented to His Royal Highness Prince Albert of Saxe Coburg and Gotha, congratulating His Royal Highness on the Birth of the Heir Apparent to the British Throne, and the happy recovery of the Queen.

Ordered, That the same Members be a Committee to prepare this Address.

On motion of Mr. Fisher,

Resolved, That a Committee be appointed to enquire into the Fees and Emoluments of the principal Public Officers in the Province, and of the expenses of the Public Departments of the Government; and whether any of the Fees and Emoluments can be abolished or commuted, and the expense of the present Departments diminished without impairing the efficiency of such Departments; and to report thereon in such manner as the said Committee may deem most advisable.

Ordered, That Mr. Fisher, Mr. Woodward, Mr. Hill, Mr. L. A. Wilmot and Mr. Brown, do compose the said Committee.

Mr. Fisher moved for leave to bring in a Bill, to vacate the Seats of Members of the Assembly in certain cases.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Woodward,

Resolved, That a Committee be appointed to take into consideration all matters relating to Light Houses within the Province, and report thereon from time to time to the House.

Ordered, That Mr. Woodward, Mr. Rankin, Mr. Owen, Mr. Boyd and Mr. Hanington, be a Committee for that purpose.

On motion of Mr. L. A. Wilmot,

Resolved, That a Select Committee be appointed, consisting of one Member from each County, to whom shall be referred all matters which may be brought before the House in any way affecting the Agricultural interests of the Province.

Ordered, That Mr. L. A. Wilmot, Mr. Palmer, Mr. Jordan, Mr. Street, Mr. Stewart, Mr. Gilbert, Mr. M'Leod, Mr. Brown, Mr. Hayward, Mr. Barberie, Mr. M'Almon and Mr. Connell, do compose the said Committee.

Mr. Woodward moved for leave to bring in a Bill, to authorize the Mayor, Aldermen and Commonalty of the City of Saint John, to lay out and open a Street in the said City, in continuation of John or Water Street, (so called) southwardly to the prolongation of Saint James' Street.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. End moved for leave to bring in a Bill, to prevent frivolous and vexatious arrests.

Leave granted.

Mr. Brown, by leave, presented a Petition from George M'Kay and Samuel M'Farlan, Trustees of Schools for the Parish of Saint Patrick, in the County of Charlotte, praying that the Provincial allowance may be granted, to enable them to remunerate Jeremiah Scott, a licenced Teacher, for teaching a School in that Parish for a period of six months in the year 1841; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Partelow, by leave, presented a Petition from Nicholas Sinnott, of Wexford, Ireland, praying a return of Duties paid at Saint John, for double Head Money on Passengers

Passengers per the barque Shelmelere, in the year 1836; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The House adjourned until to-morrow morning at 10 o'clock.

Thursday. 20th January. 1842.

Prayers.

Read a second time the following Bills, viz:—

A Bill to vacate the Seats of Members of the Assembly in certain cases: and

A Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John, to lay out and open a Street in the said City, in continuation of John or Water Street, (so called) southwardly to the prolongation of Saint James' Street.

Mr. Partelow, by leave, presented a Petition from John Alexander, of the late Firm of Alexanders, Barry and Company, Merchants, of the City of Saint John, setting forth, that they had been made subject to a prosecution by Her Majesty's Attorney General, under the Act to provide for a regular supply of Seamen for new Ships built or fitted out within the Province, which Act had been disallowed by Her Majesty's Government, and that they had paid a certain sum of money as a penalty under the said Act, and praying that the same may be refunded them; which he read.

Ordered, That the said Petition be received, and referred to a Select Committee to report thereon; and further

Ordered, That Mr. Brown, Mr. Beardsley and Mr. Wilson, do compose the Committee.

Mr. Partelow, also by leave, presented a Petition from John Wishart, of the City of Saint John, Merchant, of a like prayer; which he read.

Ordered, That this Petition be likewise received, and referred to the same Committee.

Mr. Partelow, by leave, presented a Petition from Rachael Martin, of the City of Saint John, an old and valuable Instructress of Youth, praying Legislative aid for her services in that capacity; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Barberie, by leave, presented a Petition from John M'Millan, Alexander Cook and 23 others, inhabitants of the Parish of Colborne, in the County of Restigouche, praying for aid towards rebuilding two School Houses destroyed by fire in the month of August last; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Speaker laid before the House—

Returns from the Commercial Bank, for the periods ending 3d April and 2d October, 1841.

[*See Appendix.*]

Mr. Partelow, from the Committee appointed to prepare an Address to His Excellency the Lieutenant Governor, in answer to His Excellency's Speech at the opening of the Session, reported a Draft thereof, which he read, and then submitted the same.

It being handed in at the Clerk's Table, was there again read; and thereupon

Ordered, To be accepted; and

On motion of Mr. Partelow,

The House went into Committee of the whole, on the said Draft Address.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into consideration of the said Address, and agreed to the same, without making any amendment thereto.

Ordered, That the Report be accepted; and

On motion of Mr. End,

Resolved, unanimously, That the Address be engrossed, signed by the Speaker, and presented to His Excellency by the whole House; and

On

On like motion of Mr. End,

Resolved, That a Committee be appointed to wait upon His Excellency, to know when he will be pleased to receive the House therewith.

Ordered, That Mr. End, Mr. Allen and Mr. Street, be the Committee for that purpose.

Mr. End, pursuant to leave granted, brought in a Bill to prevent frivolous and vexatious arrests; which was read a first time.

The House adjourned until to-morrow morning at 10 o'clock.

Friday, 21st January, 1842.

Prayers.

Read a second time—

A Bill to prevent frivolous and vexatious arrests.

Mr. M'Leod, by leave, presented a Petition from Seymour Pickett, of Kingston, in King's County, praying for a return of Duties paid by him on the importation of Machinery from the United States, for the manufacture and dressing of Homespun Cloth; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

On motion of Mr. Woodward,

Resolved, That a Committee be appointed, to whom shall be referred all Petitions for aid in promoting the Internal Communications throughout the Province; also Petitions for assistance to promote Communication by Packets, or otherwise, with the neighbouring Colonies.

Ordered, That Mr. Woodward, the Honorable Mr. Weldon, Mr. Owen, Mr. Palmer and Mr. End, do compose the said Committee.

Mr. Palmer, by leave, presented a Petition from William Weeks, of Bay Verte, in the County of Westmorland, praying that a grant may pass to aid him in continuing a Packet to ply between that place and Prince Edward Island; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communication, to report thereon.

Mr. Brown, by leave, presented a Petition from Albert G. Foster, of Saint David, in the County of Charlotte, praying that a prosecution against him at the suit of the Crown for the recovery of a sum due for Timber cut on Crown Lands, may be discontinued, and that he may be allowed to pay the amount of the claim by four annual instalments; which he read.

Ordered, That the said Petition be received, and lie on the Table; and

On motion of Mr. Brown,

Resolved, That the said Petition be referred to a Select Committee, to report thereon.

Ordered, That Mr. End, Mr. M'Leod and Mr. J. M. Wilmot, do compose the said Committee.

Mr. Palmer moved for leave to bring in a Bill, to limit the duration of the Assembly. Leave granted.

The said Bill being brought in, was read a first time.

Mr. Fisher moved for leave to bring in a Bill, to improve the Law relating to the Election of Representatives of the General Assembly.

Leave granted.

On motion of Mr. Partelow,

Ordered, That this House do on Friday next the 28th instant, go into Committee of the whole, in consideration of Supplies to be granted for the Public Service.

Mr. Fisher moved for leave to bring in a Bill, further to amend the Law to regulate proceedings before Justices of the Peace in Civil Suits.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. End, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive the House with their Address in answer to the Speech at the opening of the Session, reported—That the Committee had attended to that duty, and that His Excellency was pleased to say, that he would receive the House with their Address at half past three o'clock this day, at Government House.

Mr. Street, from the Committee appointed to prepare an Address to the Queen's Most Gracious Majesty, congratulating Her Majesty on the auspicious Birth of an Heir Apparent to the British Throne, reported a Draft thereof, which he was directed to submit to the House, and he having read the same, handed it in at the Clerk's Table, where it was again read.

Ordered, That the Report be accepted; and

On motion of Mr. End,

The House went into Committee of the whole, on the said Draft Address.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the said Address referred to them, had unanimously agreed to the same.

Ordered, That the Report be accepted, and the Address engrossed.

Mr. Street, from the same Committee, who were further directed to prepare an Address to be presented to His Royal Highness Prince Albert of Saxe Coburg and Gotha, congratulating His Royal Highness on the Birth of the Heir Apparent to the British Throne, and the happy recovery of the Queen, also by direction of the Committee submitted a Draft of that Address, and he having read the same, handed it in at the Clerk's Table, where it was again read.

Ordered, That Report be accepted; and

On like motion of Mr. End,

The House went into Committee of the whole, on the said Address.

Mr. Hayward again in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having likewise gone into consideration of this Address, had unanimously agreed to the same.

Ordered, That the Report be accepted, and the Address engrossed.

Mr. Barberic moved for leave to bring in a Bill, to increase the Representation of the County of Restigouche.

Leave granted.

It being the time appointed by His Excellency the Lieutenant Governor to receive the House with their Address, in answer to His Excellency's Speech at the opening of the Session, the House waited upon His Excellency and presented the same, and which is as follows:—

To His Excellency Lieutenant Colonel Sir WILLIAM MACBEAN GEORGE COLEBROOKE, K. H., 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,

WE, the Representatives of Her Majesty's Faithful and Loyal People of New Brunswick, thank Your Excellency for the Speech you have been pleased to deliver at the opening of the present Session; and we respectfully and cordially welcome Your Excellency to the administration of our Provincial Government.

We feel, with Your Excellency, that this favored portion of the Empire has abundant cause to be thankful to Divine Providence for the manifold blessings which it enjoys; and while we sincerely hope that the sufferings which have been occasioned by the late calamitous fires in Saint John, as well as by general Commercial embarrassment, will be of short duration, we assure Your Excellency, that every effort will be made on our part, with a due regard to our means, to maintain the credit and develop the resources of the Province in a manner best calculated to prove beneficial to all classes.

The

The joy and thankfulness, which resounded through the British Isles on the late happy and auspicious occasion, has found a heartfelt response in this Loyal Colony; and we devoutly pray, that our young Prince may inherit all the virtues of His Ancestors, and become, in good time, the glorious Defender of those principles, which may perpetuate the general good of His people, without distinction of sect or party.

The settlement and establishment of the Boundary Line has long been an object of our most earnest solicitude: Fully sensible of the existing dangers, and of the benefits which would accrue to all parties interested, we do most sincerely hope that the negotiations between Her Majesty's Government and that of the United States, will result in an early and satisfactory adjustment of this vexatious and embarrassing question.

Our early and earnest attention shall be directed to the principles of Municipal Government, as recognized by the British Constitution, as well as to the Local Institutions recently introduced into a neighbouring Colony, with a view to determine how far they may be applicable to this Province, and whether their introduction may be deemed beneficial to its interests.

In appropriating the means, which have hitherto been placed at our disposal, we have exercised our best judgment to accelerate the improvement, and promote the settlement of the Province; and we shall be rejoiced at any opportunity which may be afforded us, of extending and further securing the efficient execution of any system calculated to advance the general welfare of the Province, by the application of scientific and practical knowledge.

The several public works enumerated by Your Excellency, shall receive an early consideration, and we agree with Your Excellency that among the most important of them is the Great Road to Canada.

We highly appreciate Your Excellency's exertions in the encouragement of Agriculture and Emigration, and nothing shall be wanting on our part that may give effect to a judicious plan of settling and cultivating the districts of rich Wilderness Lands abounding in various parts of the Province.

The further prosecution of the Geological Survey recommended to our consideration by Your Excellency, will receive that attention from us which its usefulness hitherto in developing the Mineral resources and Agricultural capacities of the Province, may seem to merit.

Hitherto every effort of legislation and philanthropy has failed to make any material impression on the indomitable character and habits of the Indian Tribes; but we learn with pleasure that recent reports to Your Excellency have not recognised the existence of any serious obstacle to the introduction of measures for their social improvement:—The formation of Indian Villages—the establishment of Schools, or any experiment likely to result in alluring that unhappy race to the arts of civilized life, shall receive our cordial support.

Notwithstanding the very liberal aid constantly extended to Educational purposes, we are painfully aware that the condition of the common Schools is by no means such as it ought to be, and any suggestions from Your Excellency, which may enable us to improve the present system, will be thankfully received.

The Laws for the regulation of Prisons—the Criminal Laws, and those relating to Insolvency and the Imprisonment of Debtors, shall receive due attention.

The protection and encouragement of the Fisheries, a subject which has always engaged the attention of the Legislature, shall again receive our anxious consideration.

We are gratified to learn, that notwithstanding the present state of Commercial distress, the Revenue has not diminished—that by judicious management, the means for defraying the ordinary expenses of the Government, as well as for encouraging other useful undertakings, will be ample; and we beg to assure Your Excellency that we shall carefully consider every measure submitted to us, having for its object the improvement of our Financial system, whether it be the establishment of a more efficient Audit of the Public Accounts—the consolidation of the Departments of Revenue—the adoption of British Sterling as the money of account—the consolidation of the Banking System—the discontinuance of Statute Labour for a moderate money rate or,—the general mode of expending the Revenue.

The earnest attention which, since Your arrival in New Brunswick, Your Excellency has

has paid to the resources and wants of the Province—the high character which you give the inhabitants, and the desire which you so warmly express, that, under Providence, they should participate largely in the advantages imparted by the British Constitution, demand our most grateful acknowledgements and our warmest thanks.

CHARLES SIMONDS, *Speaker*.

And being returned—

The Honorable Mr. Speaker reported, that His Excellency had been pleased to make the following reply thereto:—

“*Mr. Speaker and Gentlemen,*

“I return you my sincere acknowledgements for your Address.

“The feelings you express in reference to the auspicious event of the Birth of the Heir Apparent, will be gratifying to Her Majesty, from the Representatives of Her faithful subjects in this Province.

“For your cordial reception of me on entering on the arduous duties which Her Majesty has confided to me, I offer you my warm thanks; and I look with confidence to your support in carrying out the various measures which will be calculated to promote the welfare of the people.”

The House adjourned until to-morrow morning at 10 o'clock.

Saturday, 22d January, 1842.

Prayers.

Read a second time—

A Bill to limit the duration of the Assembly: and

A Bill further to amend the Law to regulate proceedings before Justices of the Peace in Civil Suits.

On motion of Mr. Street—

That the House proceed to the Order of the Day, to go into Committee of the whole on the Speech from His Excellency the Lieutenant Governor at the opening of the Session.

The Order of the Day being read, the House accordingly resolved itself into said Committee.

Mr. Barberie in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the matter referred to them under their consideration, had passed Seven Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow:—

1st. *Resolved*, As the opinion of this Committee, That such part of His Excellency's Speech as relates to the completion of the Great Road to Canada, and the opening of direct communications to the Restigouche, and the survey of that River, should be referred by the House to the Committee appointed on the 19th instant, to consider and report what sums it may be necessary to grant for repairing and improving the Great and Bye Roads.

2d. *Resolved*, As the opinion of this Committee, That such part of His Excellency's Speech as relates to the contemplated Canal for connecting the waters of the Bay of Fundy with the Gulf of Saint Lawrence—the construction of Dry Docks at Saint John, and the improvement of the Navigation of its River, should be referred by the House to a Select Committee to report thereon.

3d. *Resolved*, As the opinion of this Committee, That the paragraphs relating to Agriculture, Emigration, and the further prosecution of the Geological Survey of the Province, should be referred by the House to the Select Committee appointed on the 19th instant, to consider and report upon all matters in any way affecting the Agricultural interests of the Province.

4th. *Resolved*, As the opinion of this Committee, That such parts of His Excellency's Speech as relate to the social improvement of the Indian Tribes; the settlement of the Indian Reserves, and the Domains of the Crown, should be referred by the House to a Select Committee to report thereon, by Bill or otherwise.

5th. *Resolved*, As the opinion of this Committee, That the paragraph recommending some provision being made for the protection and encouragement of the Coast and River Fisheries, should be referred by the House to a Select Committee to report thereon, by Bill or otherwise.

6th. *Resolved*, As the opinion of this Committee, That such part of His Excellency's Speech as relates to the Laws regarding the Imprisonment of Debtors, should be referred by the House to a Select Committee to report thereon, by Bill or otherwise.

7th. *Resolved*, As the opinion of this Committee, That all such parts of His Excellency's Speech relating—to an improved system of Finance—for raising and ultimately redeeming Funds required for Roads, and other reproductive works—to the consolidation of the Departments of Revenue—to the establishment of an efficient Audit of the Public Accounts—to the adoption of British Sterling as the money of account, and,—to the improvement and consolidation of the Banking System, should be referred by the House to the Select Committee appointed on the 19th instant, to take into consideration all matters relating to the Finances of the Province, to report on the various important matters, by Bill or otherwise.

And the Chairman then further reported, that he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, and leave granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House—

That the Legislative Council had agreed to the proposed Joint Address to Her Majesty and the Imperial Parliament, on the subject of a revision of the Wood Duties, and that the Honorable Messieurs Robertson and Wyer were appointed a Committee on the part of the Council, to join such Committee as may be appointed by the Assembly to prepare the same.

On motion of Mr. Partelow,

Resolved, That a Committee be appointed, to join the Committee of the Legislative Council, to prepare the said Address.

Ordered, That Mr. Partelow, Mr. Taylor, Mr. Beardsley and Mr. Street, be the Committee for that purpose; and further

Ordered, That Mr. Partelow do communicate the same to the Council.

Mr. Barberie, pursuant to leave granted, brought in a Bill to increase the Representation of the County of Restigouche; which was read a first time.

Mr. Partelow, a Member for the County of Saint John, applied for leave of absence until Thursday next, upon important Public business, which was granted to him.

Mr. Beardsley moved for leave to bring in a Bill, in amendment of the Law regulating Juries.

Leave granted.

The House adjourned until Monday morning next at 10 o'clock.

Monday, 24th January, 1842.

Prayers.

Read a second time—

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

Mr. Hill moved for leave to bring in a Bill, to Incorporate the Saint Stephen Mutual Fire Insurance Company.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Hill moved for leave to bring in a Bill, to authorize the Justices of the Peace for the County of Charlotte to make regulations for the Market Wharf in the Parish of Saint Stephen.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Hill moved for leave to bring in a Bill, to Incorporate the Saint Stephen Log and Timber Sluice Company.

Leave

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Hill moved for leave to bring in a Bill, for the appointment of Firewards and the better extinguishing of Fires which may happen in that part of the Parish of Saint Stephen, commonly called Salt Water, and its immediate vicinity.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Hill moved for leave to bring in a Bill, to amend an Act, intituled "An Act to repeal all the Acts regulating Tavern Keepers and Retailers, and to make other provisions in lieu thereof."

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Hill, by leave, presented a Petition from Peter Joseph, Peter Nicoloi and John Sabattis, on behalf of the Indian Tribe inhabiting the borders of the River Saint Croix, in the County of Charlotte, praying that a grant may pass to enable them to make purchase of Land, for camping and other purposes; which he read.

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

Mr. Boyd moved for leave to bring in a Bill, to provide for the more effectually repairing the Streets and Bridges in the Town of Saint Andrews.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Boyd moved for leave to bring in a Bill, to provide for the appointment of Inspectors of Flour and Meal in the Towns of Saint Andrews, Saint Stephen and Saint George, in the County of Charlotte.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Boyd moved for leave to bring in a Bill, to authorize the Justices of the Peace for the County of Charlotte, to make further provision for the payment of the Treasurer of that County.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Hill, by leave, presented a Petition from Seth B. Howes, of the City of New York, in the United States of America, praying for a return of Duties paid at the Treasury Office at Saint Stephen, in the County of Charlotte, in the month of June last, on Horses and Waggon connected with a Circus brought into the Province, the same having been taken back to the United States in the same year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House—

Report from the Honorable Charles Simonds, Commissioner appointed in pursuance of an Address of the House at the last Session, to examine and survey the Harbour of Saint Andrews, with a view to clearing out and improving the same.

[*See Appendix.*]

The Honorable Mr. Johnston, also by command of His Excellency, laid before the House—

Report and Plan of a Survey of Dark Harbour, in the Island of Grand Manan, by W. F. W. Owen, Esquire, Commissioner appointed under an Address of the House of last Session, to make the said Survey.

[*See Appendix.*]

The Honorable Mr. Johnston, likewise by command of His Excellency, delivered the following Message:—

"New Brunswick.

"Message to the House of Assembly, 24th January, 1842.

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

"The Lieutenant Governor lays before the House of Assembly, the annual Blue Book

Book for 1841, which, by the instructions of the Secretary of State for the Colonies, has been made up to the 30th of September last. He recommends that the Financial and Statistical Returns should be printed.

“ W. M. G. C.”

[See Appendix.]

Mr. Palmer, by leave, presented a Petition from Thomas Herritt, an old Soldier of the Revolutionary War, who resided within the Province for a long period, but was absent therefrom at the passing of the Act providing for the relief of old Soldiers and their Widows, praying that the provisions of the said Act may be extended to him; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

On motion of the Honorable Mr. Johnston,

Resolved, That Committees be respectively appointed to carry into effect the subject matters in the Second, Fourth, Fifth and Sixth Resolutions, reported from the Committee of the whole House on Saturday last, when in consideration of the Speech from His Excellency the Lieutenant Governor at the opening of the Session.

Ordered, thereupon, That Mr. Brown, Mr. Woodward, Mr. Wilson, Mr. Connell and Mr. L. A. Wilmot, be the Committee on the several subjects recommended in the Second Resolution, viz:—A Canal for connecting the waters of the Bay of Fundy with the Gulf of Saint Lawrence—the construction of Dry Docks in Saint John, and the improvement of the Navigation of its River.

Ordered, That Mr. Street, Mr. Barberie, Mr. End, Mr. Beardsley, Mr. Allen, Mr. M'Almon, Mr. Hanington and Mr. Hill, be the Committee on the subjects of the Fourth Resolution, which relates to the social improvement of the Indian Tribes,—the settlement of the Indian Reserves, and the Domains of the Crown.

Ordered, That Mr. Owen, Mr. Woodward, Mr. Boyd, Mr. Stewart and Mr. Palmer, be the Committee on the subject of the Fifth Resolution, which relates to the protection and encouragement of the Coast and River Fisheries.

Ordered, That Mr. Fisher, Mr. Woodward and Mr. Hill, be the Committee on the subject of the Sixth Resolution, which relates to the Laws regarding the Imprisonment of Debtors.

On like motion of the Honorable Mr. Johnston,

Resolved, That the subjects of the First Resolution, which relates to the completion of the Great Road to Canada, and the opening of direct communications to the Restigouche, and the survey of that River, be referred to the Committee appointed on the 19th instant, to consider and report as to what sums may be necessary for repairing and improving the Great and Bye Roads throughout the Province.

Resolved, That the subjects of the Third Resolution, which relates to Agriculture and Immigration, and the further prosecution of the Geological Survey of the Province, be referred to the Committee appointed on the 19th instant, to consider and report upon all matters in any way affecting the Agricultural interests of the Province.

Resolved, That the subjects of the Seventh Resolution, which relates to—an improved system of Finance—raising and ultimately redeeming Funds required for Roads and other reproductive Works—the consolidation of the Departments of Revenue—the establishment of an efficient Audit of Accounts—the adoption of British Sterling as the money of account—the improvement and consolidation of the Banking System, be referred to the Committee appointed on the 19th instant, to take into consideration all matters relating to the Finances of the Province.

The House adjourned until to-morrow morning at 10 o'clock.

Tuesday, 25th January, 1842.

Prayers.

Read a second time the following Bills, viz:—

A Bill to Incorporate the Saint Stephen Mutual Fire Insurance Company :

A Bill to authorize the Justices of the Peace for the County of Charlotte to make regulations for the Market Wharf in the Parish of Saint Stephen :

A Bill to Incorporate the Saint Stephen Log and Timber Sluice Company :

A Bill for the appointment of Firewards and the better extinguishing of Fires which may happen in that part of the Parish of Saint Stephen, commonly called Salt Water, and its immediate vicinity :

A Bill to amend an Act, intituled " An Act to repeal all the Acts regulating Tavern Keepers and Retailers, and to make other provisions in lieu thereof:"

A Bill to provide for the more effectually repairing the Streets and Bridges in the Town of Saint Andrews :

A Bill to provide for the appointment of Inspectors of Flour and Meal in the Towns of Saint Andrews, Saint Stephen and Saint George, in the County of Charlotte: and

A Bill to authorize the Justices of the Peace for the County of Charlotte to make further provision for the payment of the Treasurer of that County.

Mr. Boyd, by leave, presented a Petition from the Reverend Albert Desbrisay, and 66 others, Minister and Members of the Wesleyan Congregations, and other Inhabitants in the Saint Andrews Circuit, in the County of Charlotte, praying that a grant may pass to the Trustees of the Wesleyan Academy recently erected at Sackville, in the County of Westmorland, in aid of that Establishment; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Boyd, by leave, presented a Petition from W. F. W. Owen, Cornelia Robinson, Thomas Moses, and 96 others, inhabitants of West Isles, Campo Bello and the adjacent Islands in the Bay of Passamaquoddy, in the County of Charlotte, praying that measures may be adopted to prevent American Fishermen from taking Fish in the Bays, Rivers and Creeks of the said County; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Coast and River Fisheries to report thereon.

Mr. Woodward, by leave, presented a Petition from Messieurs Milby and Thomas, of the City of Saint John, Merchants, praying to be refunded a sum paid by them under a prosecution instituted by Her Majesty's Attorney General, for the recovery of a penalty imposed by an Act of this Province, providing for a regular supply of Seamen for new Ships fitted out and loaded therein; which he read.

Ordered, That the said Petition be received, and referred to the Committee appointed on the 20th instant, to take into consideration a Petition from John Alexander, of a like prayer.

On motion of Mr. Woodward,

Whereas there are great evils existing in the City of Saint John, arising out of the practice had in the City Court of the said City, and those evils call forth serious complaints from the inhabitants, inasmuch as the immense expense attendant upon proceedings had in that Court bears very hard upon the poorer classes of the inhabitants, and it being necessary that the House should be put in possession of certain information relative to the practice and proceedings in that Court, before they can take any action thereon; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct that the Common Clerk of the said City do make returns to be laid before the House, at as early a day as possible, embracing a period of three months, ending on the 31st day of December last, shewing the number of Receipts, Summonses and Attachments issued—the number of Judgments entered or obtained thereon, with the amounts thereof, how the same were satisfied, whether by payment thereof or imprisonment, the whole amount of costs thereon, and by whom such costs were received—and also a statement of all the items of costs to which parties are liable, both Plaintiff and Defendant, under proceedings had in that Court, from the first Process to final Judgment and Execution.

Ordered, That Mr. Woodward, Mr. Hayward and Mr. Jordan, be a Committee to wait upon His Excellency with the Address.

Mr. Boyd, by leave, presented a Petition from Henry Heney, Samuel Fountain, and 85 others, inhabitants of Deer and Indian Islands, in the County of Charlotte, relating to the Fisheries in the Bays and Harbours of the Parish of West Isles, in the said County; which he read.

Ordered,

Ordered, That the said Petition be received, and referred to the Committee on the Coast and River Fisheries to report thereon.

Mr. Freeze, by leave, presented a Petition from David Caldwell, of Norton, in King's County, praying that the grant to the Proprietors of the Victoria Stage Line, running between Saint John and Dorchester, may be discontinued; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications to report thereon.

Mr. Freeze, also by leave, presented a Petition from William Ketchum, a resident at Hammond River, in King's County, praying that a grant may pass to remunerate him for ferrying Her Majesty's Mails in the year 1840, at the time when the Bridge over the said River was undergoing repairs; which he read.

Ordered, That the said Petition be received, and referred to the same Committee to report thereon.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, delivered the following Message:—

“New Brunswick.

“Message to the House of Assembly, 24th January, 1842.

“W. M. G. COLEBROOKE, Lt. Governor.

“The Lieutenant Governor lays before the House of Assembly, Extracts from three Despatches, which he has received from the Secretary of State for the Colonies, relating to the Financial affairs of the Province, and which, referring to the observations contained in his opening Speech, he recommends to their consideration.

“W. M. G. C.”

The documents communicated to the Assembly by the foregoing Message, being then severally read at the Clerk's Table, are as follow:—

EXTRACTS FROM DESPATCH OF LORD STANLEY TO SIR W. COLEBROOKE,
Dated November 30, 1841.

“I have had under my consideration your Despatch, No. 60, of 29th September, in which, referring to your former Despatch to my predecessor, of the 15th July, which you enclose, and to the course which has been pursued in Canada, you request to be authorized to announce to the Legislature of New Brunswick, an offer on the part of Her Majesty's Government to guarantee a loan of £500,000, to aid the execution of such Public Works as will facilitate the improvement of the Agricultural and Maritime resources of the Province, on condition that the surplus of the Casual Revenue, and other incomes adequate to the object, be specially appropriated to the payment of the interest, and ultimate reduction of the principal.”

“In this proposal, I recognize the same zeal for the Public Service which has always led your active mind to the consideration of projects likely to be beneficial to the Colony committed to your charge, and I assure you that I am fully sensible of the great natural advantages possessed by New Brunswick, and of the means which that Province possesses within itself, of making an ample return for a wise and liberal policy, in the development of its great but hitherto most imperfectly explored resources. But I am compelled to add, that this measure which you now suggest, is one, to which as applied to New Brunswick, I could not assent without much more information than I at present possess.

* * * * *

“It is to be remembered, that a great change was on the point of being effected in the Constitution of two (Canadian) Provinces, about to be united under one Legislature, and one of which objected to the Union, as involving it in possible Financial difficulties, arising out of the heavy debt previously contracted by the other, and in future to be charged on both, for the execution of Public Works locally within one Province exclusively. The debt, thus incurred, had been contracted at a high rate of interest, for which, however, adequate security had been given upon Colonial Revenues, and the effect of the guarantee of the British Government under such circumstances, was to enable that debt to be paid off, and a fresh debt contracted at a lower rate of interest, leaving the balance between the two rates an annual sum, available as a security for still more extensive public improvements. * * * And it is to be observed, that this relief to the Colony was not afforded, until among other important changes a provision had been made against any possible imprudent expenditure being authorized by the House of Assembly, which might have the effect of diminishing the security for the payment of the interest, by transferring from the Assembly to the Crown the initiation of all money votes.

“The enquiries which I have been led to make, with a view of ascertaining how far it might be possible to meet your wishes, have brought under my notice the observations contained in your Despatch of the 21st June, reporting on the Blue Book for the year 1840. As these papers have been referred for the consideration of the Lords of Her Majesty's Treasury, I am unwilling to anticipate any

any observations which their Lordships may have to make upon them ; but I cannot help remarking that with reference to your present proposal of raising a loan, for the more rapid advancement of the Province, the unsatisfactory manner in which the financial business of the Colony is conducted, offers in itself and in its apparent results, a very serious impediment. From the papers before me it is very difficult to ascertain what is the real financial state of the Province, but it would appear from them that the deficiency of 1840, amounted to nearly £54,000, and that of 1841, is estimated at about £43,000. I am aware that these sums do not correctly represent the difference between expenditure incurred, and revenue received within the year, but that the expenditure really incurred on account of one year may appear to the charge of another, and that owing to this irregularity, it is very difficult to form a just idea of the real state of the case. I cannot but think that the mode adopted, whereby the expenditure of the year is voted as it were piecemeal, without any reference to the probable amount of revenue, without any statement of ways and means, or any exposition analogous to that which, in this country is familiarly called the Budget, above all without the check or sanction of any public officer or body taking a general yearly view of the whole financial condition of the Province, (the result of the system being the necessary creation of a perpetually fluctuating unfunded debt, in the shape of a running account with private Banks,) is open to serious objection, and must tend to diminish the power of the Province to avail itself of its resources by depreciating its credit, in consequence of the uncertainty from year to year whether there will be any real available surplus or not. I am aware of the jealousy with which the House of Assembly would probably view any proposition for restricting its powers as to granting public money, but I am persuaded that unless a restriction, analogous to that which has lately been introduced into Canada, in strict accordance with the practice of Parliament, be introduced into New Brunswick, and until more of method is introduced into the management of the financial business of the Colony, it will be unable to avail itself to the extent to which it might, of the resources which it undoubtedly possesses, and will be unable to hold out inducements to private capitalists to advance their money, except on very unfavourable terms, or to justify a British Minister in recommending the guarantee of Parliament to a loan for the promotion of local improvements. You will best judge how far it may be advisable to bring these views, as from yourself, under the consideration of the Legislature at its approaching Session, with any hope of inducing them to adopt any improvement of the existing system. I would willingly have devoted more time to the consideration of this and other topics which were brought under my notice by your Despatch of the 29th September, had you not expressed your wish to be put in possession of my views, if possible, before the opening of the Session.

“ In the enclosure to that Despatch, you further speak of the construction of a ‘ Canal to connect the waters of the Saint Lawrence and the Bay of Fundy,’ towards the preliminary survey of which it appears that the Legislature of New Brunswick had voted £1000, and that Lord Sydenham had contributed £500 from Canada, and you request that I will bring the matter under the consideration of the Board of Ordnance, with a view to the immediate execution of the Survey.

“ On reference to the correspondence which has taken place on the subject, I find that your predecessor was informed that as soon as adequate funds were provided, a competent Engineer should be sent out from this country, and he was directed to invite the co-operation of the neighbouring Colonies. It appears that the Legislature of Prince Edward’s Island have intimated their readiness to consider the question in their approaching Session. From Nova Scotia it does not appear that any assistance has been promised, but Lord Falkland will be instructed to bring the subject again under their consideration, and should the Legislature of the Colonies interested, be prepared to guarantee a sufficient sum for the execution of the preliminary survey, I will, without delay, cause steps to be taken for ascertaining the practicability and probable expense of an undertaking, which has been favourably viewed by many competent judges, which appears to be desired by the Legislature of New Brunswick, and which certainly holds out prospects of considerable advantage to Her Majesty’s North American Colonies.

(Signed)

STANLEY.”

Sir W. COLEBROOKE, &c. &c. &c.

EXTRACT FROM DESPATCH OF LORD STANLEY TO SIR W. COLEBROOKE,
Dated December 5, 1841.

“ The employment of Emigrants in New Brunswick seems to depend in great measure on Public Works, and these on the funds which may be available for their execution. The financial question must therefore be first solved before any measures can properly be taken for attracting laborers to the Province.”

(Copy) No. 21.

“ Downing Street, 9th December, 1841.

“ SIR,—I have received your Despatch, No. 75, of 12th November, forwarding the Blue Book of New Brunswick for the year 1841, with your remarks on the returns contained in it.

“ Your proposal to associate the Collectors of Customs at Saint John and at Saint Andrews in a Commission, to report in what manner the Imperial and Provincial Establishment at present charged with the receipt of that Revenue could be most advantageously consolidated, has been referred for the favorable consideration of the Lords Commissioners of the Treasury.

“ In my Despatches, Nos. 17 — of the 30th ultimo and — instant, I have fully explained my views with regard to the measures proposed by you for developing the natural resources of New Brunswick by means of Public Works and Emigration. “ The

"The disordered state of the finances of the Province demands an early remedy; I have therefore to instruct you to bring the subject under the serious notice of the Legislature, at its next meeting, with a view to the establishment of a more regular system by which the Revenue and Expenditure may be equalized, and the real balance between them be correctly ascertained.

"I have, &c. &c.

(Signed)

STANLEY."

Lieut. Governor Sir W. COLEBROOKE, &c. &c. &c.

Mr. Boyd, by leave, presented a Petition from William Hill, John B. Hill, Daniel Hill, and 148 others, inhabitants of the Parishes of Saint Andrews and Saint Stephen, in the County of Charlotte, praying that the contemplated Bridge to be erected over the Waweig River, may be placed near the mouth of the said River; which he read.

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

Mr. Boyd moved for leave to bring in a Bill, granting a Lien to Ship Carpenters and others, on Vessels built in this Province.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of the Honorable Mr. Johnston,

Ordered, That Mr. Boyd be added to the Committee appointed on the 19th instant, to take into consideration all matters relating to the Trade of the Province.

On motion of Mr. Taylor,

Ordered, That Mr. H. T. Partelow be added to the Committee appointed on the 19th instant, to examine and report upon Public Accounts.

The House adjourned until to-morrow morning at 10 o'clock.

Wednesday, 26th January, 1842.

Prayers.

Read a second time—

A Bill granting a Lien to Ship Carpenters and others, on Vessels built within this Province.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, delivered the following Message:—

New Brunswick.

"Message to the House of Assembly, 25th January, 1842.

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

"The Lieutenant Governor lays before the Assembly, copies of various communications which he has addressed to the Clerks of the Peace, and to the Boards of Education in the several Counties, together with their Reports, and the Returns made by Trustees of Parish Schools.

"These Returns, though incomplete, have been compiled in a Tabular Form, with Abstracts of the Reports, and a general summary, which has been drawn up for the elucidation of the various and important information comprehended in them.

"The Lieutenant Governor has the satisfaction to inform the House, that having reported the state of the Common Schools of the Province to the Secretary of State for the Colonies, and the advantages to be derived from obtaining competent persons to conduct a training School for Teachers, the Committee of Her Majesty's Privy Council for Schools, to whom reference of the proposal was made, have instructed their Secretary to secure the services of a man and his wife, who will be prepared to come out, if adequate provision should be made for them.

"W. M. G. C."

The Honorable Mr. Johnston, also by command of His Excellency, laid before the House—

Report from the Commissioners for Seal Island, Campo Bello and Saint Andrews Light Houses, for the year 1841.

[See Appendix.]

On motion of Mr. Hill,
The House went into Committee of the whole, on a Bill to Incorporate the Saint Stephen Mutual Fire Insurance Company.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill for the appointment of Firewards and the better extinguishing of Fires which may happen in that part of the Parish of Saint Stephen, commonly called Salt Water, and its immediate vicinity.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill to authorize the Justices of the Peace for the County of Charlotte to make regulations for the Market Wharf in the Parish of Saint Stephen.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House—

The Province Treasurer's Accounts for the year ending 31st December, 1841.

[*See Appendix.*]

On motion of the Honorable Mr. Johnston,

Ordered, That the said Accounts be referred to the Committee on Public Accounts to report thereon.

On motion of Mr. Fisher,

Resolved, That a Committee be appointed to prepare a Bill to improve the Law relating to the Election of Representatives to serve in the General Assembly.

Ordered, That Mr. Fisher, Mr. L. A. Wilmot, Mr. Brown, Mr. Street and Mr. Hill, be the Committee for that purpose.

On motion of Mr. Fisher,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to lay before the House, a detailed account of the expenditure of the sum of One thousand pounds, granted at the last Session of the General Assembly, for Provincial Contingencies.

Upon the question for sustaining the Resolution for this Address, the House divided as follows :—

YEAS.

Mr. M'Almon,
Woodward,
Taylor,
Freeze,
M'Leod,
Fisher,
Gilbert,
Connell,
Boyd,
Brown,
Hill,
Owen.

NAYS.

The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Barberie,
Allen,
Stewart,
Wilson,
Jordan,
L. A. Wilmot,
J. M. Wilmot,
H. T. Partelow.

And

And so it was carried in the affirmative.

Ordered, That Mr. Fisher, Mr. Owen and Mr. M'Almon, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill to Incorporate the Saint Stephen Log and Timber Sluice Company.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had made progress therein, and he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, and leave granted.

Mr. L. A. Wilmot, by leave, presented a Petition from Timothy Killeen, of the Parish of Kingsclear, in the County of York, praying that a grant may pass to reimburse him a balance due for work performed on the Great Road from Fredericton to Saint Andrews; which he read.

Ordered, That the said Petition be received, and referred to a Select Committee to report thereon; and further

Ordered, That Mr. L. A. Wilmot, Mr. Brown and Mr. Hayward, do compose the said Committee.

Mr. Wilson moved for leave to bring in a Bill, to repeal an Act, intituled "An Act to prevent the taking of Fish in the different Harbours and Rivers of this Province with drift nets," so far as the same relates to the County of Westmorland.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Taylor moved for leave to bring in a Bill, to restrain the provisions of an Act, intituled "An Act for the support of the Civil Government in this Province," and to establish sundry regulations for the future disposal of Timber, Logs and other Lumber in certain cases.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Woodward, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of yesterday, praying that His Excellency would be pleased to direct certain information to be furnished relative to proceedings in the City Court of Saint John, reported—That they had attended to that duty, and His Excellency was pleased to say, that he would comply with the wishes of the House.

On motion of Mr. Boyd,

The House went into Committee of the whole, on a Bill to authorize the Justices of the Peace for the County of Charlotte to make further provision for the payment of the Treasurer of that County.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

On motion of Mr. Boyd,

The House went into Committee of the whole, on a Bill to provide for the more effectually repairing the Streets and Bridges in the Town of Saint Andrews.

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

Mr.

Mr. Connell, a Member for the County of Carleton, applied for leave of absence until Monday next, important business requiring his attendance at Woodstock; which was granted.

Mr. Boyd, by leave, presented a Petition from Patrick Clinch, Abraham J. Wetmore and Robert Thomson, Esquires, and 66 others, of the Parish of Saint George, in the County of Charlotte, praying that a grant may pass in aid for building a Wharf at the Salt Water Landing, Magaguadavic; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

On motion of Mr. Boyd,

The House went into Committee of the whole, on a Bill granting a Lien to Ship Carpenters and others, on Vessels built in this Province.

Mr. Brown in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, it was moved—That the further consideration of the said Bill be postponed for three months.

And upon the question, the Committee divided, and it was carried in the affirmative.

Ordered, That the Report be accepted.

The House adjourned until to-morrow morning at 10 o'clock.

Thursday. 27th January. 1842.

Prayers.

Read a second time—

A Bill to repeal an Act, intituled “An Act to prevent the taking of Fish in the different Harbours and Rivers of this Province with drift nets,” so far as the same relates to the County of Westmorland: and

A Bill to restrain the provisions of an Act, intituled “An Act for the support of the Civil Government in this Province,” and to establish sundry regulations for the future disposal of Timber, Logs and other Lumber, in certain cases.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, delivered the following Message:—

“**New Brunswick.**

“*Message to the House of Assembly, 26th January, 1842.*

“W. M. G. COLEBROOKE, *LL. Governor.*

“The Lieutenant Governor communicates to the House of Assembly, a Report from the Judges, with other papers relative to a provision requiring to be made for conducting Criminal Prosecutions in the Courts of Justice.

“W. M. G. C.”

The several documents communicated with the foregoing Message, being read at the Clerk's Table, are as follow:—

CRIMINAL PROSECUTIONS.

REPORT FROM JUDGES AS TO CRIMINAL PROSECUTIONS.

To His Excellency Sir W. M. G. COLEBROOKE, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

Your Excellency having been pleased to refer to the Judges a Letter addressed to His Excellency the late Lieutenant Governor Sir John Harvey, by Mr. John Ambrose Street, the Clerk of the Crown in the Supreme Court, together with the remarks severally made thereon by Her Majesty's Attorney General and Solicitor General, upon the question whether it be the duty of the Clerk of the Crown, or of the Attorney General, to conduct the prosecutions as Counsel for the Crown on Indictments found at the Courts of Oyer and Terminer and General Gaol Delivery for the County of York, we have given the same a very careful consideration; and finding that the communications of the Attorney and Solicitor General are not confined to the question immediately connected with Mr. John Ambrose Street's Letter, but also relate to the conduct of Criminal Prosecutions generally throughout the Province, and deeming this a matter of great importance as affecting the administration of Criminal Justice, we have thought

thought it would be more satisfactory to Your Excellency that we should take up the whole subject of prosecutions in the Courts of Oyer and Terminer held in the other Counties as well as in York, and we now beg to submit our Report thereon.

No express enactment having been made on the subject by the Provincial Assembly, we must first look to the practice which has prevailed in England, the Judicial Institutions of the Mother Country being those upon which our tribunals and practice have been based more closely than perhaps those of any other British Colony; and there we find that it is not considered the duty of the Attorney General, or any other of Her Majesty's Counsel, or any other Officer, to take the management of Criminal prosecutions as *Counsel* for the Crown, unless particularly required by the Crown, or retained by private prosecutors, and that neither the Government nor individuals have, in the employment of Counsel, confined themselves to the Law Officers of the Crown or even the Queen's Counsel.

There have been many cases no doubt in which the Attorney General has considered it his duty to institute and conduct prosecutions for high crimes and misdemeanors; and it is his undoubted right to take the conduct and management of any public criminal prosecutions, unless there be some order or regulation to the contrary. He possesses the power of entering a *nolle prosequi* to stay prosecution on behalf of the Crown, and no other officer or prosecutor can exercise this power by Warrant from him.

There are certain essential duties to be performed in carrying on prosecutions, such as preparing the indictments, securing the attendance of witnesses, &c., which properly belong to the Crown Solicitor, though in the discharge of these duties he may often require the aid of Counsel.

In this Province the offices of Solicitor and Counsel are generally vested in the same person.

Any Barrister of the Court who may appear as Counsel for the prosecution, will be heard without any question as to his authority, and the Judge may if he think fit assign Counsel to assist in matters of Law either for the prosecution or defence, though this is very rarely done for the prosecution; questions of difficulty being in almost all cases reserved for the consideration of all the Judges when they meet after the Assizes.

We believe that often in the Colonies the Attorney General, whose official duties, rights and emoluments extend over many matters, with which the Attorney General in England does not ordinarily interfere, not only discharges the duty of conducting criminal trials, but (except in cases of private prosecutions) claims and exercises it as a *right* of his office, and that in his absence the Solicitor General, or other Crown Counsel have done the same.

In some of the Colonies the Attorney General not only acts as Counsel but as the Solicitor for the Crown, and the fees or allowances for such matters may form no small portion of his official income. Such was the case we have heard in Lower Canada, where the charges of the Attorney General for such services were annually provided for by the Legislature.

We shall presently advert to the practice which has prevailed in this Province, different at different times, and to the particular cases of the Clerks of the Crown in the Supreme Court and on the Circuits; and lastly to the increased necessity which recent changes in the Law have given rise to of providing for the service of Crown Counsel; but we first think it right to give Your Excellency a short account of the Courts of Criminal Jurisdiction in this Province.

Upon the erection of this Province in 1784, a Supreme Court of Law was constituted, embracing the jurisdiction exercised by the three Courts of Common Law in Westminster Hall. This Court held its Terms for a short time in the City of Saint John, that being at first the seat of Government, and was afterwards transferred to Fredericton, where it has since continued.

Prior to the year 1836, all trials whether of criminal or civil cases arising in the County, in which the Supreme Court held its terms, took place at the Bar of the Court in Fredericton, and all criminal trials in other Counties took place, as they still do, under commissions of Oyer and Terminer and General Gaol Delivery.

When we speak of all trials, we do not mean to include such cases as come under the cognizance of the Justices of the Peace at the General Sessions. Courts of General Sessions of the Peace have been from the first erection of the Province established in each County with similar powers, though they have not exercised a jurisdiction to the same extent in cases of felony as the Sessions of the Peace in England; and their jurisdiction in such cases is now particularly defined by Act of Assembly.

On the 1st January, 1836, the Act of Assembly 5 W. 4, c. 37, came into operation, which provides for the appointment of Sittings before or after Term before the Chief Justice or one of the other Judges, and gives the Justice at such Sittings the same jurisdiction over criminal matters within the County of York as had previously been exercised by the Supreme Court, at the Terms of that Court. The effect of this has been to transfer all trials from the Terms of the Supreme Court to the Sittings. By the eighth section, the Clerk of the Crown in the Supreme Court was made the Clerk of the Crown and also Clerk of *Nisi Prius* at such Sittings, and declared to be subject to the duties, and entitled to the rights, privileges and emoluments of those offices respectively.

In regard to the Circuit Courts, immediately after the erection of the Province, an Office was created, or to speak more correctly, two Offices under the same patent, namely—the Clerk of the Circuits or Clerk of *Nisi Prius*, for civil matters, and Clerk of the Crown on the Circuits for Criminal matters.

In a similar manner, Clerks of the Peace were appointed for the Sessions in each County, holding at the same time the Office of Clerk of the Inferior Courts of Common Pleas, which are Courts of Civil Jurisdiction, holding contemporaneous sittings with the General Sessions of the Peace.

Upon a reference to the Minutes of the Supreme Court, we find that it was the constant practice from the first erection of the Province for the Attorney General to conduct criminal prosecutions at

the terms of the Supreme Court, and it would seem to perform the duties of Solicitor as well as Counsel in such prosecutions; but these duties at the Circuit Courts prior to the appointment of Mr. Wetmore as Attorney General in 1809, were performed by the then Clerk of the Crown on the Circuits (Mr. Chipman, father of the present Chief Justice, afterwards a Judge of the Supreme Court,) or his Deputy, he receiving an annual grant of £50 from the Government Contingent Fund expressly for his services as such Clerk of the Crown. It should be remarked that Mr. Chipman was also Solicitor General, and a leading member of the Bar in extensive practice.

On Mr. Wetmore's appointment to the Attorney Generalship, he being also in large practice, and in the habit of attending the Circuit Courts which were not then of frequent occurrence nor held in different Counties at the same time, he took upon himself the whole conduct of criminal prosecutions both as Solicitor and Counsel, and went so far as to question the right of the Clerk of the Crown on the Circuits to act as Counsel or even frame indictments. In consequence of that officer conducting the criminal business at a Court held without notice to the Attorney General, he, in the year 1814 presented a memorial on the subject to the then President of the Province, which with the reply of the Clerk of the Crown on the Circuits (the present Chief Justice,) was referred to the Judges, and a report was made by them thereon.

In this report, the Judges in substance state, that it is the *duty* of the Attorney General to attend only at the terms of the Supreme Court at Fredericton, that the Crown may retain any Barrister to conduct criminal business in any Court, that the Clerk of the Crown on the Circuits being a Barrister, had a right to be heard on the part of the Crown in any Court, and that he must be considered as retained by the government to conduct the criminal business at the Circuit Courts by the receipt of the stipend before mentioned from the Contingent Fund. At the same time, they acknowledge the *right* of the Attorney General to take upon himself the conduct of any criminal prosecution in any Court whenever he may think fit to do so.

Notwithstanding the opinion of the Judges expressed in this report, Mr. Wetmore continued to discharge the duties at most of the Circuit Courts, as well as in the Supreme Court, although in his absence they were performed by the Clerk of the Crown, certainly on the Circuits, and we believe also in the Supreme Court.

The Solicitor General has also occasionally in the absence of the Attorney General, conducted prosecutions as Counsel for the Crown, though not so frequently before as since Mr. George Frederick Street's appointment to that office. Other Crown Counsel have also conducted prosecutions at the Circuits without being specially sent down for that purpose.

We do not consider that the Clerk of the Crown either in the Supreme Court, or on the Circuits, is bound by virtue of his office to act as Counsel for the Crown on the trial of indictments, whatever may have been the extent to which either of these officers may have heretofore performed this duty from the circumstance of their being practising Barristers in the regular employ of government, or volunteering the duty from a feeling of the necessity of their so doing: and we think it much more fitting and consistent with the orderly administration of justice that those officers should be confined to the discharge of their appropriate clerical duties.

For many years past an annual grant has been made by the Assembly of £100 to the Attorney General, and of £50 to the Solicitor General, but for what particular duties is not stated.

About the year 1828, a grant of £100 currency, was made by the Assembly to the Clerk of the Crown in the Supreme Court, which has been continued ever since at that rate, with the exception of one or two years when £75 only was voted. For what particular service this allowance is made does not appear in the grant.

No similar grant has been made to the Clerk of the Crown on the Circuits, but the income of the gentleman holding that office is derived from fees in civil suits, and from the salary of £200 per annum given by an Act of the Legislature in lieu of travelling charges which he formerly received in each civil suit in addition to his other fees. This, however, had no reference to his duties as Clerk of the Crown, and if the small annual grant of £50 out of the Contingent Fund has been withheld from the present incumbent, we know not upon what principle he can be expected to act as Counsel for the Crown, in addition to performing his proper duties as Clerk.

In like manner also with regard to the Clerk of the Crown in the Supreme Court, we do not think that he is bound to perform the duties of Counsel for the Crown on the trial of indictments at the Sittings for the County of York, unless the performance of these duties is an *implied* condition of the annual grant of the General Assembly to that officer.

With regard to the Attorney General and the Solicitor General, which two officers must be viewed in the same light, we do not think that they are bound to attend the Circuit Courts in the several Counties of the Province, and conduct the criminal prosecutions in those Courts, unless in like manner the annual grants of the Legislature to these officers respectively are made upon the implied condition, and it is scarcely conceivable that they would undertake such extensive and onerous duties for so slender a remuneration. The salaries they receive from the Crown we think are intended only as a recompense for the discharge of the ordinary duties of their offices; and we agree with the Judges of 1814, in the opinion expressed in their report above referred to, that it is not in the course of the ordinary duties of these officers to attend any Courts of criminal jurisdiction, but the Supreme Court in Term time, this being the Superior Court to which all other such Courts are inferior. The Sittings in the County of York are indeed so far different from the Circuit Courts in the other Counties that at these Sittings, by express enactment, the criminal proceedings by indictment are carried on which were formerly had in the Supreme Court in Term time. Nevertheless, we do not think that the

Attorney

Attorney General and Solicitor General are bound by virtue of their offices to attend these Sittings, and if there be any obligation upon them to do so, it must rest as before on an implied condition of the annual grants from the Legislature.

From the foregoing statement Your Excellency will perceive how imperfect and precarious is the provision for the conduct of criminal prosecutions in this Province: a branch of the law essential to the safety and welfare of every individual in the country, and one to which the very first care of the Legislature is due, and we doubt not will be extended when the subject is brought to their notice.

The necessity of having able and experienced Counsel on the part of the Crown in criminal trials is much enhanced by the late Act of Assembly, which gives to prisoners the benefit of full Counsel in all cases of felony, and allows them to be furnished with copies of the depositions taken before the Magistrates at the time of their arrest and imprisonment.

The constant efforts of Counsel for prisoners, in the absence of other good grounds of defence to discredit witnesses, by pointing out discrepancies and making contradictions between the evidence in Court and the previous depositions, has been much complained of in England.

These variances when material, may often proceed as much from the inexperience of the Magistrate as from any default in the witnesses, but even when immaterial may be made a great handle of by acute Counsel, unless there be opposite Counsel to reply and explain.

The appeals which will be made to the feelings and passions of the Jury and the ingenuity which will be exerted often in proportion to the magnitude of the charge and weight of the evidence against the prisoner, must be met and opposed by efficient Counsel of the Crown, or one or other of these consequences will follow. The Judge must consider it part of his ordinary duty to answer and obviate the arguments of the Prisoner's Counsel, an alternative to which he ought not to be subjected, or they will be left unanswered to produce frequently an improper effect on the minds of a Jury.

The care and caution which are produced on one side by the presence of able Counsel, on the other are also very salutary and tend much to give the cause a proper direction and to check irrelevant matter.

Having given this extended view of the exigencies of the case, we feel ourselves called upon to suggest a remedy; and we think there can be no effectual remedy without an entire change of the present system of conducting criminal prosecutions.

In the first place we are of opinion that the Clerk of the Crown, as well at the Sittings for the County of York, as at the Circuit Courts, should be confined to the appropriate duties of his office without being required to discharge any of the duties which properly belong to the office of Crown Solicitor or Counsel.

In the next place we are of opinion, as already stated, that the Attorney General and Solicitor General are not bound in the ordinary exercise of their duties to attend any of the said Courts. The Governor may of course order them to attend and conduct prosecutions on any occasion when he may think it expedient, but when it is once settled that this is not in the ordinary course of duty, they would naturally expect to be specially paid for such services.

We beg leave to suggest as an efficient means of securing a proper attention to the criminal business in the Courts of Oyer and Terminer and General Gaol Delivery and a responsible management of it, that Your Excellency should appoint able and experienced Barristers in the different parts of the Province to act as Crown Solicitor and Counsel for the Counties for which they be so appointed. It is not necessary that such Barristers should be Queen's Counsel, although a preference would probably be given to Gentlemen of this rank in the Profession. In most cases more than one County could conveniently be assigned to the same person: thus for instance a Barrister residing at Fredericton might be appointed to act as Crown Solicitor and Counsel for the Counties of York, Carleton, Sunbury and Queen's. A Barrister residing at Saint John might be appointed for Saint John and King's; another appointment might be made for Westmorland and Kent; another for Northumberland, Gloucester and Restigouche; and another for Charlotte.

These Barristers should be charged both with the management and conduct of all prosecutions on the part of the public, in the Courts of Oyer and Terminer and Gaol Delivery, within the respective Districts for which they may be appointed. It should be their duty also to advise and assist the Magistrates when occasion requires, in the examinations and other proceedings preparatory to indictment and trial. Upon the correctness and efficiency of these preliminary proceedings the due administration of justice very often essentially depends.

An adequate remuneration must of course be provided for the persons thus employed in the service of the public. It would seem most advisable that this remuneration should be, as in the case of private clients, according to the services actually performed, of which Bills should be rendered; and the Bills might require to be certified and allowed by the Judge presiding at the Court in which the proceedings are had. Payment should be provided for by the Legislative grant, out of the Provincial Treasury, unless it should be deemed expedient to provide for it by assessment on the respective Counties, which latter cause will not probably be adopted by the Legislature.

In like manner payment should be provided for of the Fees to which the respective Clerks of the Crown are entitled under the established ordinance of Fees in every Criminal case. There is no reason why these officers should fail to receive the just emoluments of their office when they work for the public any more than when their services are performed for private individuals.

To obviate an objection which may possibly be made to the appointment of prosecuting Barristers, that it will tend to the unnecessary multiplication of *public* prosecutions, we think it proper to add that neither the right to institute private prosecutions, as at present practiced, nor the functions of the

the Magistrate in the preliminary investigation of criminal charges are intended to be interfered with. It must not be supposed that any individual who may deem himself aggrieved will have the right to call for the services of the prosecuting officer, to carry on proceedings under his direction and on his behalf. Many cases such as the ordinary Assaults and Batteries and other misdemeanors, where the injury is rather of a private than a public nature, will be best left as heretofore to private prosecution. It must frequently rest on the discretion of the Barrister to determine what are fit cases for his interference. It is only as the officer of the Crown that he will be the officer of the public. If any abuse should arise in this respect, we do not think it would be difficult to interpose suitable checks, as every thing of the kind would come under the cognizance of the Judges.

All of which is respectfully submitted.

(Signed)

WARD CHIPMAN,
W. BOTSFORD,
J. CARTER,
R. PARKER.

December 1st, 1841.

PETITION FROM J. A. STREET, CLERK OF CROWN.

(Copy.)

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

MAY IT PLEASE YOUR EXCELLENCY,

As Clerk of the Crown, I beg leave to bring under the consideration of Your Excellency, a question connected with my official duty, which I feel it absolutely necessary to have determined, in order that the prosecutions on behalf of Her Majesty may not be neglected. The question is simply this, whether it lies on me to conduct the prosecutions as Counsel for the Crown on Indictments found at the Courts of Oyer and Terminer and General Goal Delivery, for the County of York, or on Her Majesty's Attorney General. The Attorney General contends that it is my duty as Clerk of the Crown. If he be right, I am quite ready to do it, as I trust that I am the last man in the Country who would wish to flinch from any part of his public duty. But if it is not part of my duty as Clerk of the Crown, I am sure Your Excellency will not think me wrong in refusing to perform that which legally and properly devolves upon the shoulders of the Attorney and Solicitor General, or upon one of those Gentlemen. I feel it necessary now to bring the question under the notice of Your Excellency, especially as the Attorney General insists upon it as matter of right that I am bound to perform the duty in question, and as I am of a different opinion, and think the Law is on my side, I am anxious to have the question settled, and therefore trust Your Excellency will excuse me for bringing the same under your consideration. I have only further to add, that if Your Excellency upon investigation should decide that the duty in question devolves upon me, I shall most cheerfully perform it.

I have the honor to be, with great respect,

Your Excellency's very obedient servant,

(Signed)

J. A. STREET.

Fredericton, 20th February, 1841.

OBSERVATIONS OF ATTORNEY GENERAL UPON SUBJECT OF PETITION FROM CLERK OF CROWN.

Fredericton, June, 1841.

MAY IT PLEASE YOUR EXCELLENCY,

Shortly after the last Hilary Term the enclosed Petition of John Ambrose Street, Esquire, Clerk of the Crown in the Supreme Court, was sent to me from the Secretary's Office, for the observations of myself and the Solicitor General thereon, previous to being submitted for the consideration of the Judges.

As to the question now raised by the present incumbent of the Office of Clerk of the Crown, I would simply observe, in the first place, that since the first establishment of the Colony in the year of our Lord one thousand seven hundred and eighty five, the duty which is now objected to in behalf of the Clerk of the Crown, has been invariably performed by his predecessors in office, without a suggestion having been made that it was the peculiar duty of the Attorney General, and the annual allowance of £100 by the Legislature, given to that Officer, was made to remunerate him for the same. True it is, that in many instances where offences of high and serious nature have been committed, the Attorney General (as it is his right if he judges proper to do so) has come into Court and taken upon himself the charge and management of such causes, and I believe that my immediate predecessor, the late Mr. Wetmore, thought proper to take upon himself the whole of the Criminal Docket of Trials at the Term; but his predecessor, who held the situation from the first establishment of the Colony, for a period of many years, very rarely interfered, except, as I have stated, in some cases of aggravated crime.

As to the conduct of the criminal prosecutions before the different Courts of Assize and Gaol Delivery, that duty has also been performed from the first settlement of the Colony by the Clerk of the Crown on the Circuits, an officer specially so denominated, who, until within a very few years, received annually from the Contingent fund of the Colony an allowance for so doing, which allowance was

was not large, nor did it amount to any thing like a remuneration for the service ; but as the Office of Clerk of the Circuits was and always has heretofore been given to this same person, the emoluments of two offices were perhaps quite equal to the joint duties. In all these Courts, the Attorney General for the time being has not, as I consider and have always understood, deemed it to be his official duty to follow those Courts, to take charge of and conduct the criminal business ; although in all instances of offences of a serious nature, they have made it a point to attend and take charge of the same ; and the late Attorney General, whose extensive private practice necessarily called for his attendance at almost all the Circuits, did, in like manner as he did at Fredericton, take charge of the Criminal Docket. But in this also, he departed from the course pursued by his predecessor.

As to myself, finding that the duties of Attorney General had become so great as to require my constant attention at Fredericton, I have, since the third year of my appointment, relinquished private practice in Civil causes, not having time to attend thereto ; consequently, if my attendance at all the different Courts of Assize and Oyer and Terminer in the different Counties be indispensable, I must travel and attend there wholly at my own private expense, no allowance whatever being made for the same, and which I do now in all cases where I consider the nature of any offence to be tried requires the same, or if required so to do by the Executive.

I have myself, when acting for the late Mr. Justice Chipman, the father of His Honor the present Chief Justice, who held the office of Clerk of the Crown on the Circuits for a great many years, in a number of instances taken the charge of the Criminal Docket on the Circuits. It is true that Gentleman was also Solicitor General ; but the duty I performed was as Deputy, acting for him solely as Clerk of the Crown.

Thus far I have thought proper to state, to shew the usage which has heretofore prevailed in the Colony for a period of upwards of fifty years, and since its first establishment ; but I am not for resting this matter on that usage only.

The real question I consider must rest on what are the positive duties of the Attorney General ; for whatever that duty may be, I shall, while I have the honor of holding the situation, most cheerfully discharge the same, however onerous, multifarious or inconvenient ; and on the other hand, I should feel I was compromising the office, and be the cause of inflicting serious injury on whomsoever may become my successor, if I yield up its rights and privileges by tacitly suffering it to be burdened with laborious duties not properly incident thereto.

I humbly consider this question depends in a great measure, if not entirely upon what are the duties attached to the office of Attorney General in England, and probably from the comparatively little intercourse which has existed between this and the Mother Country the thing itself is not yet fully understood, no difficulties similar to the one now raised, having arisen, this Province being what is termed, in relation to the different Colonial establishments, purely a Proviucial Government as contra-distinguished from what are termed Charter Governments, Proprietary Governments, or the governments of a conquered Colony ; and as such, the whole of the machinery is assimilated as nearly to the Government of the Mother Country in England, as circumstances will permit. The whole constitution of our Courts of Justice, the course of proceedings therein, as well as all the different officers appointed to conduct the business are in name, and the powers incident to them respectively, the same, as nearly as circumstances will permit, with the like officers in England.

My own opinion on the subject is that the duties attached to the office of Attorney General are in substance much the same with those to be performed by that officer in England ; that myself and the Solicitor General are the Law Officers of the Crown, in which capacity we are immediately under the directions and orders of the Executive of the Province in all cases when called upon to discharge any duty either of advice or other matter which from time to time we may be called upon to perform : to have the superintendence of all Crown Suits and Crown Interests and Crown Prerogatives and other proceedings such as appertain to the office of Attorney General in England, and that in all Criminal prosecutions such as I may consider the interest of the Crown or the administration of Justice require, or the Executive of the Province may at any time demand. And those duties in this Colony are arduous and multifarious and require the devotion of the whole time and undivided attention of the Attorney General ; and if the duty of taking charge of and conducting the whole Criminal Docket at the sittings of Assizes held in Fredericton and to attend to that duty in all the different Counties within the Province, eleven in number, having altogether thirteen sittings, and comprising an extent of travel in going and returning, of not less than fifteen hundred miles, and occupying a period of time altogether upwards of about three months ; and some of these Courts being holden at the same or nearly the same times, it would be physically beyond the power of any one individual to accomplish ; in addition to which the actual expenses of such travelling and attendance would far exceed the whole annual allowance of the Attorney General, except that part derived from his commuted allowance for fees on grants of Land. In addition to which the necessary absence from Head Quarters for such a length of time would leave the Executive of the Province almost wholly without his assistance in the numerous and sometimes almost daily cases of reference and calls for his service.

Provided I am right in the opinion I have always entertained, that relatively the duty of Attorney General in the Colony is to be assimilated in any degree to that of the same officer in England, I would ask whether that officer in England holds it to be his duty to take the charge and management of every criminal prosecution carried on in all the different Courts of Criminal Jurisdiction, comprising treason, felonies, misdemeanors of every description, public nuisances, riots, assaults and batteries or other numerous cases, such as are brought forward at the Assizes in this Colony, or how it would be possible for him to do so.

The course of proceedings which I have adopted since I have had the honor to hold the office, now about twelve years, has been that in all cases of crime of a serious nature such as murder, felonies of death, and others of great public interest, or on occasions of an accumulated number of criminals such as at times occur in the City of Saint John, and in all others where my attention is desired by the Executive to take charge of the same, or in case of my own inability to attend, to request the aid of the Solicitor General, or when neither of us could attend, to commit the management thereof to one of the Queen's Counsel who may chance, in discharge of his private practice, to attend the Court in which the case or cases may stand for trial. In this way no difficulty or inconvenience has as yet occurred in the Province to my knowledge.

The only evil which in reality exists appears to be the want of any remuneration to the Clerk of the Crown on the Circuits for taking charge of the great amount of criminal business which arises in the ten different sittings of the Assizes in the different Counties within the Province, for which services nothing is allowed by the Province or out of the Casual Revenue, or the Contingent Bill annually granted by the Legislature, simply because he also holds the situation of Clerk of the Circuits for which he receives a commuted allowance of £250, for established fees, which at the time that commutation took place was at least £800, and at the present moment would probably amount to £2,000; and it is chiefly on that ground that the Clerk of the Crown on the Circuits has raised a question as to his duty in that respect.

Any difficulty therefore in that respect can very easily be remedied either by providing an allowance to the present Incumbent, to whom the discharge of the duties would not be attended with great inconvenience, as his presence is absolutely necessary at all these Courts as Clerk of the Circuits, or, if he should then decline, by the appointment of some other Barrister to the office of Clerk of the Crown on the Circuits, the advantage of holding which is no consideration to the present incumbent since the discontinuance of the annual allowance before stated, previous to the arrangement of the commuted allowance as Clerk of the Circuits, and which had always been paid from the time of the first Gentleman who held the situation, to wit, the late Mr. Justice Chipman, previous to his elevation to the Bench.

As to the want of emolument for the discharge of the same duty by Mr. Street, the Clerk of the Crown in the Supreme Court, who has now raised this question for the first time, he cannot complain of, as the House of Assembly annually vote the sum of one hundred pounds predicated wholly for that service, and the ordinary amount of Fees on the Exchequer side of the Supreme Court, which he as such officer receives, amounts to about the same sum, making the annual income of £200, which I humbly consider a fair equivalent for the duties by him performed, especially when it is taken into consideration that his personal residence is not required at Head Quarters, and that the principal part of the duties of the office are performed by Deputy.

It is, on the whole, quite evident that if the Attorney General shall be held to do all the duties which now, for the first time, are suggested, it will be quite impossible for him to render, for several months in the year, services of the various nature, and almost daily occurrence called for by the Executive; and the whole amount of his Salary, to wit, £150 a year (exclusive of his commuted allowance for Fees on Grants) will not pay the necessary expenses for travelling and attendance on the Courts.

In conclusion, as the present Petition of the Clerk of the Crown has been referred to the Solicitor General and myself, previous to its being submitted to the Judges, I have humbly to suggest, for the consideration of Your Excellency, whether the present is not a question peculiarly for the determination of Her Majesty's Government, and the operation of the Crown Officers in England, before any final decision shall be made in the premises.

For my own personal interest in the question, I care nothing; it will not be long, according to the course of nature, if even permitted by Her Majesty so to do, that I can expect to hold the situation. It is, therefore, entirely with a view that I shall not be considered as doing or suffering any act, during my incumbency, which may be considered in any way injurious to the high and responsible Office of Attorney General of the Colony.

All which is humbly submitted, &c.

CHARLES J. PETERS, *Attorney General*.

His Excellency Sir WILLIAM COLEBROOKE, K. H.

OBSERVATIONS OF SOLICITOR GENERAL UPON SUBJECT OF PETITION FROM CLERK OF CROWN.

(Copy.)

Fredericton, June, 1841.

MAY IT PLEASE YOUR EXCELLENCY,

The Attorney General having gone so fully into the subject of Mr. J. A. Street's Petition, relative to the duties of the Clerk of the Crown, I should not have thought it necessary to have added any thing to his remarks, but that I am called on so to do by the reference of the Petition to me as well as to him.

I have perused the Attorney General's statement, and see no reason to differ from him in the view he has taken of the subject, but I am decidedly of opinion that it is a question which ought to be set at rest without delay.

The duty of attending to and conducting all the Criminal Business both in the Supreme Court at Fredericton, and the Courts of Oyer and Terminer and General Gaol Delivery in the different Counties,

Counties in the Province, should be specifically assigned to some one or more person or persons, and not be left as it now is and has been for some time past, a question rather of dispute than otherwise as to whose duty it is.

Until of late years, crime was not so extensive in the country as to make it a matter of much moment upon whom the burthen fell, and the Clerks of the Crown did it; except when the Attorney or Solicitor General chose, (as they had a right to do) to conduct the prosecution of any particular case. But as the population has increased, so have offences of a criminal nature, and the business has therefore now become much more extensive than it was, and no one individual could attend properly to the conducting, *in person*, of the whole throughout the Province, consequently it could not be expected of the Attorney or Solicitor General, who have so many other Public matters to attend to—and the Solicitor General's Salary is much too small to expect that any Gentleman holding that office, could give up his private practice—and neither he nor the Attorney General receive any Salary, Fees or allowance for conducting the Criminal Business. I have since the present Clerk of the Crown for the Circuits has declined conducting it (on the ground of its not being his duty) attended to it, at such Circuit Courts, as my private practice has called me to, when the Attorney General has not been present; but I have not done so, from considering it my duty, but merely from there being no one else present to do it, and from a conviction in my own mind that the public service should not be allowed to suffer, let the duty properly belong to whom it might; but in doing so, I have found it in many cases a serious interruption to the business that has taken me to such Circuits, and have considered it both burthensome and unjust that it should be thrown upon me—for if it is not the duty of the Attorney General, it cannot be that of the Solicitor General, whose duties are only to aid, assist and advise in all matters that appertain to and are connected with the office of the former, and I believe I am the first Solicitor General in the Province that ever did attend much to the conducting of the Criminal Business, except in particular cases when specially called upon to assist the Attorney General therein.

As to the Clerks of the Crown, they have raised the question I am convinced solely with a view to having it settled, and not from any idea of avoiding any trouble to themselves, under an impression that it is not a duty attached to their offices, founded in fact upon the same grounds that the Attorney General has rested his argument, that is, that in England the Clerks of the Crown are never called upon for such services; but in England I believe there are Counsel appointed for each Court of Oyer and Terminer, and even for the Sessions Courts in the different Counties, and also at the Old Bailey, for conducting the Criminal Business, who are properly paid for such services; and the duties of the Clerks are confined to the mere formal part of the proceedings such as granting Subpœnas, swearing the Witnesses, taking and keeping the Minutes of the proceedings of the Courts, and preparing the Indictments in common cases.

But in this Country where there is no provision made for the service, there might be difficulty in getting Counsel specially to attend to the duty in question, and therefore it becomes a matter of serious consideration whether the suggestion of the Attorney General of leaving it to the Clerks of the Crown is not the better course, as corresponding with the long established usage in the Province; and the Legislature should in that case be called upon to make such reasonable additional provision for them, as the service may require, still leaving it open to the Attorney General in special cases when he may think the public service requires it, or when directed by the Executive, to take the direction and management of the prosecution.

In the Province of Nova Scotia I believe the practice has been as in England to appoint some Gentleman of the Bar on the Circuit to conduct the Criminal Business of that Court, for which he is paid, I have understood, but out of what fund I know not.

As far as I may or can be in any way personally concerned in this question I have only to assure Your Excellency that I am ready, willing and anxiously desirous, as I have always been, faithfully to perform to the best of my abilities, all duties attached to any office I may hold under Government while I continue the incumbent thereof, and I think those under whom I have heretofore served will readily admit that I have never shown a disposition to weigh very nicely the extent of those duties, but have looked to what the public service required, rather than to my own convenience, which I consider is the paramount duty of any public officer.

I have the honor to be, with great respect,

Your Excellency's most obedient and very humble servant,

(Signed)

GEO. F. STREET, *Solicitor General*.

OPINION OF ATTORNEY AND SOLICITOR GENERAL, AS TO MAKING APPOINTMENTS FOR CONDUCTING CRIMINAL PROSECUTIONS.

(Copy.)

28th December, 1841.

SIR,—We have the honor to acknowledge the receipt of your Letter of the 22d December, instant, accompanied by a Report of the Judges, respecting prosecutions in Criminal cases, and the Officers upon whom the duty of conducting the same should fall, and requiring our opinion, “whether it will be practicable to make the appointment suggested by the Judges, provisionally or subject to the future grant by the Legislature, of a remuneration for the services of Counsel; or whether an alteration of the Law will be necessary before such appointments can take effect;”—

And in reply, we are of opinion that it is not only practicable, but advisable for His Excellency to
make

make the appointment suggested by the Judges at once, provisionally, trusting to the House hereafter to provide for the expenses thus incurred when the Bills are sent in by the Gentlemen so employed; as it is incumbent upon the Executive to see that some person is appointed, whose duty it shall be to attend to matters of so much importance as the conducting the Criminal prosecutions, and the country should not be left a moment without such provision being made.

The Judges have now unanimously given an opinion that there is no Officer on the present Provincial Establishment, on whom that duty properly falls, consequently this state of things should be immediately amended.

The only alteration on the recommendation of the Judges that we venture to suggest, is, that instead of having a Gentleman appointed for Charlotte County only, that County might be included in the District of the person appointed for Saint John and King's.

His Excellency will, of course, communicate to the Legislature, that he has adopted this course on the recommendation of the Judges, trusting to their providing for such expenses every year, when the Accounts are sent in—and it is only when the Accounts so incurred, and duly certified by the Court, are sent in from the different Districts, and by His Excellency laid before the House, the question can properly come up as to whether the House will provide for them or not.

We have the honor to be, Sir,

Your obedient servants.

(Signed)

CHARLES J. PETERS, *Attorney General.*
GEORGE F. STREET, *Solicitor General.*

To the Honble. V. F. ODELL, Secretary, &c.

Mr. Taylor moved for leave to bring in a Bill, to alter the division line of the Parishes of Douglas and Queensbury in the County of York.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Taylor also moved for leave to bring in a Bill, to authorize the Justices of the Peace for the County of York to levy a further assessment for the purpose of paying off the debt due on the erection of a new Gaol in the said County.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Palmer moved for leave to bring in a Bill, to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the new County.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Barberie moved for leave to bring in a Bill, to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards, and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned," to the Towns of Dalhousie and Campbellton, in the County of Restigouche.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Palmer, by leave, presented a Petition from William Robinson, Courier between Cape Tormentine and Jolicure, in the County of Westmorland, praying for further remuneration than that allowed by the Post Office Department for conveying Her Majesty's Mails between those places for the reason set forth in the said Petition; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communication, to report thereon.

Mr. Boyd, by leave, presented a Petition from Thomas Jones, William Kerr, William Garnett, John Wilson, Esquires, and 650 others, of the County of Charlotte, praying that the Legislature will recommend to Her Majesty's Government a repeal of so much of an Act of the Imperial Parliament as imposes a duty on Flour imported into this Province; which he read.

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

Mr. Boyd, by leave, presented a Petition from William H. Craft, and 54 others, inhabitants of Maces Bay, in the Parish of Pennfield, in the County of Charlotte, praying that a grant may pass towards building a Breakwater at that place; which he read.

Ordered,

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Taylor, by leave, presented a Petition from Michael Clarke, a licenced Teacher, praying that the Provincial allowance may be granted to him for teaching a School in the Parish of Saint Mary's, in the County of York, for a period of six months ending on the 17th January, 1841; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Palmer, by leave, presented a Petition from James Wilson, a licenced Teacher, praying that the Provincial allowance may be granted to him for teaching a School in the Parish of Moncton, in the County of Westmorland, for one year ending on the 27th of May, 1840; which he read.

Ordered, That the said Petition be also received, and referred to the same Committee.

Mr. Fisher, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of yesterday, praying that His Excellency would be pleased to lay before the House a detailed account of the expenditure of the sum of One thousand pounds, granted at the last Session of the General Assembly for Provincial contingencies, reported—That they had attended to that duty, and His Excellency was pleased to say, that he would reply to the said Address by Message.

Read a third time as engrossed,

A Bill for the appointment of Firewards and the better extinguishing of Fires which may happen in that part of the Parish of Saint Stephen, commonly called Salt Water, and its immediate vicinity.

Resolved, That the Bill do pass.

Ordered, That Mr. Hill take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to authorize the Justices of the Peace for the County of Charlotte to make regulations for the Market Wharf in the Parish of Saint Stephen.

Resolved, That the Bill do pass.

Ordered, That Mr. Hill also take this Bill to the Council, and desire their concurrence thereto.

The Honorable Mr. Speaker laid before the House—

Returns from the following Banks, made up in pursuance of their Acts of Incorporation, viz:—

Bank of New Brunswick,—for the period ending on the 3d January, instant.

Central Bank,—for period ending on the 6th December, 1841.

[*See Appendix.*]

Mr. Boyd, by leave, presented a Petition from Samuel M'Curdy, Teacher of the Madras School at Saint Andrews, praying the Provincial allowance to Parish Schools may be granted to him, embracing the period from 15th July, 1838, to the 15th January, instant; which he read.

And upon the question, that the said Petition be received and referred to the Committee on School Petitions to report thereon, the House divided—

YEAS, 5.

NAYS, 14.

Whereupon it was decided in the negative.

Mr. Brown moved for leave to bring in a Bill, relating to the driving of Stage Coaches and other Wheel Carriages on the Great Roads of Communication throughout this Province.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Hayward, by leave, presented a Petition from Calvin L. Hatheway, Esquire, of Maugerville, in the County of Sunbury, complaining of various hardships suffered by him in the defence of a suit in the Supreme Court, and praying that the practice in

the said Court may be investigated, with a view to remedy the evils complained of; which he read.

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

Mr. Freeze, by leave, presented a Petition from Thomas Murray, Esquire, and 50 others, of the Parish of Johnston, in Queen's County, and the Parishes of Studholm and Sussex, in King's County, praying that a grant may pass towards establishing a Courier from the Washademoac to the Post Office at Sussex, passing through the Settlements at Long's Creek, English Settlement, Studholm's Mill Stream and Sussex; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Boyd, by leave, presented a Petition from the Reverend Jerome Alley, on behalf of the Board of Education for the County of Charlotte, praying that provision be made to defray the expenses of that Board; which he read.

Ordered, That the said Petition be received, and referred to a Select Committee to report thereon; and further

Ordered, That Mr. L. A. Wilmot, the Honorable Mr. Weldon and Mr. M'Leod, do compose the said Committee.

Mr. L. A. Wilmot, from the Committee to whom was referred the foregoing Petition, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Select Committee, to whom was referred the Petition of the Reverend Doctor Alley, on behalf of the Board of Education in and for the County of Charlotte, setting forth, that that Board had discharged their duties pursuant to the provisions of the Act of the General Assembly relating to Parish Schools; and in so doing had incurred a Debt, for which the Members were individually responsible, and praying the House would make provision for the payment of—a Clerk—Stationery—Advertising, &c., reported, that they have attended to the duty imposed upon them, and are unanimously of opinion that the prayer of the said Petition should not be complied with.

"Your Committee find that the Board consists of the following Gentlemen:—The Reverend Archibald M'Lean, Honorable Harris Hatch, James Rait, James Douglas, Reverend Doctor Alley, Honorable Thomas Wyer, George D. Street, Samuel Frye, David W. Jack, Esquires, and the Reverend Albert Desbrisay.

"The Committee, on reference to the Act 7 Wm. IV. c. 8, find that the duties of the Boards of Education are 'to receive applications from such persons as may hereafter desire to obtain Parish School Licences for their respective Counties, and to appoint an early and convenient time to hold a personal Examination of the applicants, and to determine upon their applications, and to report thereon to His Excellency'—and they are also to report to the Government the dismissal of Teachers by the Trustees.

"The Committee cannot avoid expressing their regret and surprise that such an application should have been made as that referred to them; and they hope that no other Board of Education in the Country will seek for pecuniary assistance towards discharging the duties imposed upon them, and which should be cheerfully performed without fee or reward by every friend of Education throughout the Province.

"All which is respectfully submitted.

"L. A. WILMOT,
J. W. WELDON,
WM. M'LEOD.

"Committee Room, 27th January, 1842."

Ordered, That the Report be accepted.

On motion of Mr. Fisher,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct to be laid before the House, Returns of Fees of the following Offices, made up for the year ending on the first day of January, instant, viz:—

The Judges of the Supreme Court—Attorney General—Solicitor General—Clerk of the Pleas in the Supreme Court—Clerk of the Crown in the Supreme Court—Clerk
of

of the Circuits and of the Crown on the Circuits—Secretary of the Province; such Returns to include all Fees received by the respective Officers from whatever source derived.

Ordered, That Mr. Fisher, Mr. Freeze and Mr. Stewart, be a Committee to wait upon His Excellency with the Address.

The House adjourned until to-morrow morning at 10 o'clock.

Friday, 28th January, 1842.

Prayers.

Read a second time the following Bills:—

A Bill to alter the Division Line of the Parishes of Douglas and Queensbury, in the County of York:

A Bill to authorize the Justices of the Peace for the County of York to levy a further assessment for the purpose of paying off the debt due on the erection of a new Gaol in the said County:

A Bill to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the new County:

A Bill to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards, and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned," to the Towns of Dalhousie and Campbelton in the County of Restigouche: and

A Bill relating to the driving of Stage Coaches and other Wheel Carriages on the Great Roads of Communication throughout this Province.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, delivered the following Message:—

"New Brunswick.

"Message to the House of Assembly, 28th January, 1842.

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

"The Lieutenant Governor communicates to the Assembly, copies of a Correspondence he has held with the Chamber of Commerce of Saint John, on subjects connected with the Maritime and Commercial Interests of the Province.

"W. M. G. C."

The documents communicated by the foregoing Message, being then read at the Clerk's Table, are as follow:—

Chamber of Commerce, Saint John, N. B. 31st December, 1841.

SIR,—In answer to your respected favors of the 3d and 13th instant, I have the honor to state, that those documents and the accompanying papers were duly laid before the Board; and I am requested to tender His Excellency sincere thanks for the information thereby afforded, not only in regard to the duties on Timber and Deals, but also respecting the Bankrupt Bill, and likewise to observe that any information which this Mercantile Body may be able from time to time to furnish, will not only with regard to the Bankrupt Bill, but on all other subjects, be promptly given at the request of the Lieutenant Governor.

The subjects specially adverted to in your letter, besides the Bankrupt Bill and the duties on Lumber, are—

1st. A Canal to connect the waters of the Bay of Fundy with those of the Gulf of Saint Lawrence.

2d. The removal of obstructions in the River Saint John, now preventing navigation between Fredericton and the Grand Falls.

3d. The improvement of the Great Road between this Province and Canada.

4th. The erection of Dry Docks in this Harbour.

First. On the subject of the Canal. I beg leave to observe, that this object has year after year, secured the attention of the Chamber of Commerce, that they have had many and lengthy communications regarding it, not only with various Honorable Gentlemen administering the Government of this Province, but also with the Governor General, the Lieutenant Governors of Nova Scotia and Prince Edward's Island, and with several of the Mercantile Bodies in North America.

Herewith you will find the "Observer" Newspaper, of the 24th July, 1838, containing copy of our Petition to His Excellency's Predecessor in office; copy of a Petition to Her Most Gracious Majesty, dated 30th July, 1839; copy of Lord John Russell's letter of 31st October, 1839, in answer thereto,

thereto, stating that he would on funds being provided, "appoint some one for the work thoroughly conversant with the science of Civil Engineering." The varied and anxious labours of the Chamber of Commerce, have however only tended to the obtaining of £1000 from the Province, £500 from the late Governor General, Lord Sydenham, and £200 from the Legislature of Prince Edward Island, in all, £1,700 currency, towards such survey, but which sum it is supposed, would be ample to secure a first rate Civil Engineer for the service, and which we hope will now speedily be done. Any survey made by a person whose name stood high in Great Britain as a Civil Engineer, would ensure respect for such conclusion as he might arrive at, as to the practicability of the work, and tend much to facilitate the procuring of private funds, should the work not ultimately be done by all the Colonies, under an understanding with the Mother Country, as a joint labor. It is the practicability of the work, not its exact cost, of which the public wish to be satisfied, before any steps in respect to funds are adopted. The Reports of the Chamber of Commerce for 1838-9-40 and 41, are also herewith, and will shew that this subject has constantly had their best attention.

Second. Probably no undertaking strictly provincial, would be more popular than such improvements in the navigation of the River Saint John, between Fredericton and the Grand Falls, as would enable craft drawing three feet of water to reach the Tobique. A survey of the range was made by Messrs. Ellison and Kay, at the instance of Sir John Harvey, during the year 1838, and though the Members of the Chamber of Commerce have no data to guide them beyond those furnished by the Report of those Gentlemen, and by a cursory view of the River between the two places, yet they are not disposed to think it would prove either a difficult or costly undertaking to lock up the Tobique, allowing three feet of water even at the lowest state of the River. That money could with facility be procured by the Province, on good terms in Great Britain, to complete those two expensive works, is without a doubt, but the Legislature would have to pass an Act for securing the interest, and to do so, would first have to consider whether the benefits to arise would in a reasonable time provide for the interest, and in the long run in money or other advantages repay the outlay. That some such works will require to be commenced if any change in the Timber and Deal Trade takes place is certain, or very many persons will leave the Province, as money for a time will disappear and the demand for labour be vastly reduced.

Third. In the present unsettled state of affairs regarding the Boundary Line, any improvements in the communication between this Province and Canada, unless confined to such parts as are within the acknowledged limits belonging to Great Britain would, as His Excellency well knows, be subject to many objections; but this item in your letter, anxious as the Chamber may be to point out what would tend to facilitate communication, and consequently promote trade, they nevertheless respectfully think too entirely within the views of the Executive to dilate upon.

Fourth. Some years since, Surveys and Plans of Dry Docks, fit not only for the reception of our own Vessels, but also for Ships of War were made, and sent to the Lords of the Admiralty, under the hope that some encouragement might be held out by Government, but the application failed; and since then, though all allow the advantage which such Docks would yield in the repairing Vessels and the facility of their construction, where the rise and fall of tide is so great, yet no movement has taken place, and the present distressed state of trade offers no inducement for undertaking such a work by individuals.

With respect to any alteration or modification in the duties on Foreign and Colonial Wood goods in Great Britain, or any changes which will bring Foreign Timber and Deals in a greater degree to compete with similar productions from British North America, the Chamber of Commerce most respectfully reiterate the opinions from the various sections of the Province, which were forwarded to the Home Government by His Excellency, copies of which are contained in the printed Parliamentary Papers on the subject of the Timber Trade, enclosed in your letter of the 13th instant, and to which His Excellency has called the attention of this Body. The Chamber of Commerce also beg to refer His Excellency to the Petition (copy herewith marked F.) from the Merchants, Ship Owners and others of the City and County, to Her Majesty and the Imperial Parliament, almost unanimously signed by the inhabitants in May last, and since forwarded for presentation. Those Petitions strongly convey to Her Majesty's Government the great apprehension entertained by all classes of Her Majesty's Subjects in this Province, of the ruinous consequences which would inevitably result from any alteration in the Wood duties, and the Chamber of Commerce most fully concur in the allegations therein set forth. On reference to His Excellency's communication to Lord John Russell, dated the 8th June last, to which the attention of the Chamber of Commerce has been directed, wherein His Excellency has been pleased to remark, that he entertains a hope that the demand for Timber in the American and West India Markets, will be progressively extended, and may eventually afford an equivalent for losses which may be apprehended from the effect of competition in England, the Chamber of Commerce most respectfully beg to assure His Excellency that the export of Lumber from this Province to the British West Indies, even in the present state of the trade, is fully sufficient to meet the consumption in that quarter, and if any increased demand should spring up (of which there is no hope) it would be sent from this Province without enhancing the cost at the Ports of shipment. As to the American Market, no demand can be expected from that quarter; a heavy protective duty on Lumber guards this branch of trade in the United States, independent of which prices are as low there as in this Province, consequently our staple trade has nothing to hope for from these quarters, to alleviate the injury which would be sustained by every branch of industry in this Province, should a change be made in the existing duties on Timber and Deals in Great Britain.

You

You will oblige by drawing the attention of His Excellency to the accompanying copy of a letter from Lord Glenelg, on the subject of a survey of the Bay of Fundy, which it was understood would have been commenced before now, as will be perceived on perusing the document marked A to E herewith, and the Chamber of Commerce would respectfully solicit His Excellency to ascertain from Captain Bayfield when the survey of the coast is likely to commence, as not only the property of the Merchant, but the lives of so many men are deeply interested in its completion.

The printed document which you so kindly sent, is now returned, and at your convenience you will please send back the papers belonging to the Chamber of Commerce which accompany this letter, and if the Canada Acts for the Boards of Trade in Quebec and Montreal could be loaned us for twenty four hours, they would be sent back with thanks.

I have, &c.

(Signed)

L. DONALDSON, *President.*

I. WOODWARD, *Secretary.*

Papers enclosed. Parliamentary Report regarding Survey of the Bay of Fundy. A to E.
 " Regarding Canal, No. 1 to 7.
 " Petition on Timber Duties.
 " F. This need not be returned.

(Copy.)

Fredericton, N. B. January 11, 1842.

GENTLEMEN,—I am directed to acknowledge your letter of the 31st December, and am to inform you that the Lieutenant Governor will not fail to bring under the consideration of the Legislature the important objects to which you have referred therein, and to communicate further with Her Majesty's Government and with Captain Bayfield, respecting the survey of the Bay of Fundy.

The depression to which the Commerce of Saint John is at present subject, extending as it does to Great Britain and other Countries with which it is connected, will, it is hoped, subside with the renewal of general intercourse and activity, and looking to the great Agricultural, Mineral and Maritime resources of the Province, the Lieutenant Governor hopes that it will in future be less exclusively dependant on one branch of Commerce, however important. His Excellency hopes also, that the financial and monetary affairs of the Province, will engage the attention of the Legislature, with a view to placing the public credit upon a stable basis.

I have, &c. &c.

(Signed)

A. READE.

P. S.—The original papers forwarded in your letter are herewith returned. (Signed) A. R.

CANAL PAPERS.—No. 1 to No. 7.

No. 7.—Despatch from Lord John Russell to Sir John Harvey, dated Downing Street, 31st October, 1839.

No. 6.—Copy of Petition to the Queen, praying an Engineer may be sent from Great Britain to survey the route for a Canal from the Gulf of Saint Lawrence to the Bay of Fundy.

No. 5.—The Weekly Observer, dated Saint John, Tuesday, July 24th, 1838.

No. 4.—Chamber of Commerce Report, 1841, dated 29th April, 1841.

No. 3.—Chamber of Commerce Report, 1840, dated 29th April, 1840.

No. 2.—Chamber of Commerce Report, 1839, dated 29th April, 1839.

No. 1.—Chamber of Commerce Report, 1838, dated 29th April, 1838.

Survey of Bay of Fundy Papers, A to E.

Extract from Journals, 1837-8. D.

Copy of note, Captain Bayfield to Sir John Harvey, Quebec, 11th November, 1837. C.

Captain Tryon, Fredericton, 23d November, 1837. B.

Sir John Harvey's answer to communication from the Board, on the subject of Survey of Bay of Fundy, 21st October, 1837. A.

Copy Lord Glenelg, 29th August, 1838. E.

On motion of the Honorable Mr. Weldon,

Ordered, That the Order of the Day for going into Committee of the whole House, in consideration of Supplies to be granted for the Public Service, be discharged, and stand as the Order of the Day for Monday next the 31st instant.

Mr. Owen, by leave, presented a Petition from the Reverend Jerome Alley, D. D. on behalf of the Committee for building a Church at Chamcook, in the Parish of Saint Andrews and County of Charlotte, praying that a grant may pass in aid thereof; which he read.

And upon the question, that the said Petition be received and lie on the Table, the House divided—

YEAS, 9.

NAYS, 10.

Whereupon it was decided in the negative.

Mr. Boyd, by leave, presented a Petition from Dugald Clarke, of the Parish of Saint Andrews, in the County of Charlotte, an old Soldier in the Revolutionary War, praying that the allowance under the Act granting a Pension to Old Soldiers, may be made to him for a period of two years and six months from the time of the passing of the said Act, he having omitted to make application for the said Pension as the Act requires; which he read.

And upon the question, that the said Petition be received and referred to the Committee of Supply, the House divided—

YEAS, 9.

NAYS, 10.

Whereupon it was decided in the negative.

Mr. Boyd, also by leave, presented a Petition from Thomas M'Donald, of West Isles, in the County of Charlotte, an old Soldier in the Revolutionary War, of a like prayer; which he read.

And upon the question, that this Petition be received and referred to the Committee of Supply, it was likewise decided in the negative.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, delivered the following Message, in reply to an Address of the House of the 26th instant, requesting a detailed account of the expenditure of the sum granted at the last Session for Provincial Contingencies.

“New Brunswick.

“Message to the House of Assembly, 28th January, 1842.

“W. M. G. COLEBROOKE, Lt. Governor.

“The Lieutenant Governor is unable to lay before the House of Assembly a detailed account of the expenditure of the sum of One thousand pounds, granted at the last Session of the General Assembly for Provincial Contingencies, such sum having been disbursed not as a Public Account previously to his assumption of the Government.

“W. M. G. C.”

The Honorable Mr. Johnston, from the Finance Committee, submitted a Report; and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee of Finance Reports—That the Committee have taken into their consideration several of the subjects referred to them, and have prepared the Draft of a Bill for the better and more effectual Auditing of the Public Accounts, which they herewith submit for the consideration of the House, and the Committee recommend, that in the event of the Bill passing into a Law, an humble Address should be presented to His Excellency, praying that the charges for the said Office may be taken from the surplus of the Civil List appropriation, agreeably to the expressed intentions of Lord Glenelg in his Despatch to Sir Archibald Campbell, under date the 5th day of September, 1836.

“Respectfully submitted.

“HUGH JOHNSTON, *Chairman.*

“Committee Room, 28th January, 1842.”

Ordered, That the Report be accepted.

The Bill reported by the Committee, under the Title of—

A Bill for the better and more effectual Auditing of the Public Accounts,—being then handed in, was read a first time; and

On motion of Mr. Fisher,

Ordered, That the same be forthwith printed, and Fifty copies thereof furnished for the use of the Legislature.

The Address to Her Majesty the Queen, congratulating Her Majesty upon the Birth of an Heir Apparent to the British Throne; as also

The Address to His Royal Highness Prince Albert, of like congratulation—were severally read as engrossed, and are as follow:—

To the Queen's Most Excellent Majesty.

The Humble and Dutiful Address of the House of Assembly of the Province of New Brunswick.

MAY IT PLEASE YOUR MAJESTY,

We, the Representatives of Your Majesty's Faithful and Loyal Subjects, the People of this Province, with renewed assurances of devotion and attachment to Your Majesty's Person and Government, beg leave most respectfully to avail ourselves of the earliest opportunity to offer to Your Majesty our heartfelt congratulations on the Birth of an Heir Apparent to the British Throne, an event which in no part of Your Majesty's widely extended Dominions, can afford more sincere gratification than to the Inhabitants of New Brunswick; and we beg to assure Your Majesty of our earnest prayers that your distinguished Son may live to emulate the Virtues of His Illustrious Mother, and that Your Majesty may be as happy in your Offspring as the Nation is in its Queen.

To His Royal Highness Prince Albert.

The Respectful Address of the House of Assembly of the Province of New Brunswick.

MAY IT PLEASE YOUR ROYAL HIGHNESS,

We, the Commons of New Brunswick, beg leave most cordially to offer our congratulations to Your Royal Highness on the Birth of your Son, the Heir Apparent to the British Throne, and on the happy recovery of Her Majesty the Queen, your Royal and Illustrious Consort, events which have afforded the highest satisfaction to the People of this Province, and must prove an additional source of happiness, both to Your Royal Highness and to the Nation at large.

On motion of Mr. Street,

Resolved, That a Committee be appointed to wait upon His Excellency the Lieutenant Governor with these Addresses, and request that His Excellency will be pleased to transmit the same, to be laid at the Foot of the Throne.

Ordered, That Mr. Street, Mr. Hanington and Mr. Hayward, be the Committee for that purpose.

The Honorable Mr. Johnston, by leave, presented a Petition from John M'Lean, John M'Allister, Esquires, and John Goodman, on behalf of the inhabitants of the Parish of Chipman, in Queen's County, praying that a grant may pass in aid of the erection of certain works at Coal Creek, in the said Parish, with a view to extensive operations in the Coal Mines in that section of the Province; which he read.

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

Mr. Boyd moved for leave to bring in a Bill, to establish a Ferry at Joe's Point, in the County of Charlotte.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Fisher, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address of the House of yesterday, praying that His Excellency would be pleased to direct Returns to be laid before the House, of Fees received by certain Public Officers, reported—That they had attended thereto, and that His Excellency was pleased to say, that he would direct the said Returns to be prepared and laid before the House.

Mr. Brown, by leave, presented a Petition from Amy G. Campbell, of Saint Andrews, in the County of Charlotte, a licenced Teacher, praying the Provincial allowance may be granted to her for teaching a School at that place, for a period of five months during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Brown, by leave, presented a Petition from the Reverend Jerome Alley, D. D. Rector of the Parish of Saint Andrews, in the County of Charlotte, as President, and

on

on behalf of the Board of Directors for the Saint Andrews Grammar School, praying that a grant may pass towards procuring an Assistant in the said School; which he read.

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

The House adjourned until to-morrow morning at 10 o'clock.

Saturday, 29th January, 1842.

Prayers.

Read a second time—

A Bill for the better and more effectual Auditing the Public Accounts : and

A Bill to establish a Ferry at Joe's Point, in the County of Charlotte.

Mr. Woodward, by leave, presented a Petition from the President and Directors of the Saint John Water Company, praying that an Act may pass to authorize a transfer of the Works of the said Company to the Corporation of the City of Saint John; which he read.

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

Mr. Woodward moved for leave to bring in a Bill, further to facilitate the means of supplying the City of Saint John with Water, by transferring the Water Works of the Saint John Water Company to the Mayor, Aldermen and Commonalty of the City of Saint John.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Freeze, by leave, presented a Petition from Samuel Grimshaw, a licenced Teacher, praying to be remunerated for teaching a School in the Parish of Studholm, in King's County, for a period of three months; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House the following Documents :—

The Custom House Accounts for the Port of Saint John and its Out Bays, for the year ending 5th January, 1842.

[*See Appendix.*]

Accounts from Her Majesty's Receiver General, of the Receipts and Expenditure of the Casual Revenue, for the year ending on the 31st of December last.

[*See Appendix.*]

Report from Alexander Goodfellow, Esquire, Commissioner for exploring the Road from Fredericton to the Grand Falls, known as the Royal Road, accompanied by a Plan of such exploration; as also observations by Hugh J. Hansard, Esquire, upon the subject of the same line of Road.

[*See Appendix.*]

Report from William Napier and Henry W. Baldwin, Esquires, Commissioners for building a Bridge over Bathurst Basin, in the County of Gloucester.

[*See Appendix.*]

Accounts from Her Majesty's Attorney General, made up to the 1st day of January instant, viz:—

Statements shewing claims placed in his hands for collection, since Account rendered in February, 1840:

Do. of Bonds placed in his hands during the past year :

Do. of Disputed Territory Bonds, placed in his hands for prosecution :

Do. of proceedings had against James Campbell, as well on Bond for faithful discharge of his duty as Deputy Treasurer, as on Bonds for recovery of Debts due the Crown : and

Do. of proceedings had against Duncan Barber on ten different Bonds.

On

On motion of the Honorable Mr. Johnston,
Ordered, That the several Accounts from the Custom House, Her Majesty's Attorney General, as also those of Her Majesty's Receiver General, be referred to the Committee on Public Accounts, to report thereon.

On motion of Mr. Hill,
The House went into Committee of the whole, in further consideration of a Bill to Incorporate the Saint Stephen Log and Timber Sluice Company.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made amendments thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

Mr. Street, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House to the Queen's Most Excellent Majesty, congratulating Her Majesty upon the Birth of an Heir Apparent to the British Throne; also a similar Address to His Royal Highness Prince Albert, and request that His Excellency would be pleased to transmit the same to be laid at the Foot of the Throne, reported—That they had attended to that duty, and that His Excellency was pleased to say, that the wishes of the House in that respect should be immediately complied with.

On motion of Mr. Boyd,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to inform the House if any answer has been received to an Address of the House of the last Session, relative to certain Duties collected by the Officers of Her Majesty's Customs under Acts of the Imperial Parliament, prior to 18 Geo. III. and which are not paid into the Provincial Treasury.

Ordered, That Mr. Boyd, Mr. Hill and Mr. Woodward, be a Committee to wait upon His Excellency with the Address.

Mr. Brown moved for leave to bring in a Bill, to establish the line of Road from Oak Bay, in the County of Charlotte, to the mouth of Eel River, in the County of York, as one of the Great Roads of Communication in this Province.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Taylor,

The House went into Committee of the whole, on a Bill to authorize the Justices of the Peace for the County of York to levy a further assessment for the purpose of paying off the debt due on the erection of a new Gaol in the said County.

Mr. M'Almon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Brown,

The House went into Committee of the whole, on a Bill relating to the driving of Stage Coaches and other Wheel Carriages on the Great Roads of Communication throughout this Province.

Mr. J. M. Wilmot in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

On motion of Mr. Barberie,

The House went into Committee of the whole, on a Bill to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards,

and for the better extinguishing of Fires in the Town of Saint Andrews, and make regulations more suitable to the said Town, and for other purposes therein mentioned," to the Towns of Dalhousie and Campbelton, in the County of Restigouche.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the report be accepted, and the Bill engrossed.

On motion of Mr. Wilson,

The House went into Committee of the whole, on a Bill to repeal an Act, intituled "An Act to prevent the taking of Fish in the different Harbours and Rivers of this Province with drift nets," so far as the same relates to the County of Westmorland.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Taylor,

The House went into Committee of the whole, on a Bill to alter the Division Line of the Parishes of Douglas and Queensbury, in the County of York.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had made an amendment thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

The House adjourned until Monday morning next at 10 o'clock.

Monday, 31st January, 1842.

Prayers.

Read a second time—

A Bill further to facilitate the means of supplying the City of Saint John with Water, by transferring the Water Works of the Saint John Water Company to the Mayor, Aldermen and Commonalty of the City of Saint John: and

A Bill to establish the line of Road from Oak Bay, in the County of Charlotte, to the mouth of Eel River, in the County of York, as one of the Great Roads of Communication in this Province.

Mr. Partelow, by leave, presented a Petition from the President and Directors of the Mechanics' Institute of Saint John, praying that a grant may pass in aid thereof; which he read.

Ordered, That the said Petition be received, and referred to a Select Committee to report thereon; and further

Ordered, That Mr. Partelow, Mr. End and Mr. Hanington, do compose the said Committee.

Mr. Partelow, by leave, presented a Petition from Waterhouse and Troop, of the City of Saint John, Merchants, praying for return of Duties on Goods destroyed at the Great Fire at that place in November last; which he read.

Ordered, That the said Petition be received, and lie on the Table; and

On motion of Mr. Partelow,

Resolved, That a Select Committee be appointed, to take the said Petition into consideration, as well as all others which may be presented to the House praying for a like return of Duties on articles destroyed by Fire.

Ordered, That Mr. Woodward, Mr. Hayward and Mr. Rankin, do compose the said Committee.

Mr. Partelow, also by leave, presented two several Petitions from Thomas Leavitt and Company, and Jardine and Company, of the City of Saint John, Merchants, praying a like return of Duties on Goods destroyed by Fire; which he read.

Ordered,

Ordered, That these Petitions be likewise received, and referred to the same Committee to report thereon.

Mr. Partelow, by leave, presented a Petition from Robert Lindsay, Teacher of the African School at Loch Lomond, in the County of Saint John, praying aid towards the support of the said School; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Street, by leave, presented a Petition from Robert Doak, David Stephens, Robert Hilton, and 63 others, inhabitants on the South West Branch of the Miramichi River, praying that an Act may pass, altering the site for the proposed Bridge across that River, on the Great Road between Fredericton and Newcastle; which he read.

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

Mr. Jordan, by leave, presented a Petition from Thomas H. Black, a licenced Teacher, praying that the Provincial allowance may be granted to him for teaching a School at the Parish of Saint Martin, in the County of Saint John, in the year 1825; which he read.

And upon the question, that the said Petition be received and referred to the Committee on School Petitions to report thereon, the House divided—

YEAS, 6.

NAYS, 14.

Whereupon it was decided in the negative.

Mr. Partelow, by leave, presented two Petitions from G. and J. Salter, of the City of Saint John, Merchants, praying for return Duties on Goods destroyed by Fire at Saint John in November last; which he severally read.

Ordered, That the said Petitions be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Partelow, also by leave, presented a Petition from John Ward, John Kerr, Robert W. Crookshank, Nehemiah Merritt, Daniel Leavitt, and 165 others, Merchants, Traders and inhabitants of the City of Saint John, praying for a Legislative enactment for the encouragement of the Fisheries; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Fisheries, to report thereon.

Mr. Partelow, by leave, presented a Petition from Otis Small, of the City of Saint John, praying for return Duties on Bricks and Granite imported from the United States, for rebuilding a property destroyed by Fire in the Burnt District of 1839, (so called); which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, also by leave, presented a Petition from the Honorable John Robertson, of the City of Saint John, Merchant, of a like prayer; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, also by leave, presented a Petition from Leveret H. Deveber, of the City of Saint John, Merchant, praying for a like return of Duties on Bricks imported from the United States, towards rebuilding a property destroyed by Fire in March last; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, also by leave, presented a Petition from John Walker, of the City of Saint John, praying a return of Duties on Bricks imported from the United States, for the new Custom House; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. L. A. Wilmot, by leave, presented a Petition from the Reverend J. E. Bill, and 65 others, Ministers and Messengers of the Baptist Churches in New Brunswick, convened in Annual Association in Hillsborough, in the County of Westmorland, in the

the year 1841, praying that an annual grant may be made to the Committee of the Baptist Education Society, in support of the Seminary at Fredericton; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Street, by leave, presented a Petition from Daniel Keith, on behalf of the Firemen for the Town of Chatham, in the County of Northumberland, praying an extension of their exemptions from County and Parochial duties; which he read.

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

On motion of Mr. L. A. Wilmot,

Resolved, That a Committee be appointed, consisting of a Member from each County, to whom may be referred all matters before the House connected with the subject of Education throughout the Province.

Ordered, That Mr. L. A. Wilmot, Mr. Hanington, Mr. Hayward, Mr. Hill, Mr. Street, Mr. End, the Honorable Mr. Weldon, Mr. Barberie, Mr. Beardsley, Mr. Jordan, Mr. McLeod, and the Honorable Mr. Johnston, do compose the said Committee.

Mr. End, by leave, presented a Petition from Thomas Rankine, and 15 others, Bakers, in the City of Saint John, praying that a Duty may be imposed upon the importation of Foreign Bread; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Trade.

Mr. L. A. Wilmot moved for leave to bring in a Bill, to amend the Charter of King's College, in this Province.

Leave granted.

Mr. L. A. Wilmot gave notice, that on Wednesday next he would move an humble Address to His Excellency the Lieutenant Governor, praying His Excellency to lay before the House, Copies of any opinions which may have been given by any of the Law Officers of the Crown in this Province, on the subject of the amendment of the Charter of King's College.

Mr. L. A. Wilmot also gave notice, that he would on Thursday next move an humble Address to His Excellency the Lieutenant Governor, praying His Excellency to lay before the House, Copies of any opinions which may have been given by any of the Law Officers of the Crown in this Province, on the subject of the power of the Lieutenant Governor and Council to compound or cancel any claims had by the Crown against any individuals for or on account of any transactions or agreements for Crown Lands or Timber.

Mr. Boyd, by leave, presented a Petition from George D. Morrison, a licenced Teacher, praying that the Provincial allowance may be granted to him for teaching a School in the Parish of Saint James, in the County of Charlotte, for two years from the 1st of September, 1836; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

The Honorable Mr. Speaker laid before the House—

Return from the Saint Stephen's Bank for the period ending January, 1842, made up in pursuance of their Act of Incorporation.

[*See Appendix.*]

Mr. Hill, by leave, presented a Petition from Schuyler P. Frink and William Campbell, Overseers of the Poor for the Parish of Saint Stephen, in the County of Charlotte, praying to be reimbursed expenses incurred in the support of Emigrant Poor during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Hill, by leave, presented a Petition from Robert M. Todd, and 23 others, Ship-owners and Merchants, of Saint Stephen, in the County of Charlotte, praying that an
Act

Act may pass to Incorporate a Company, under the name of The Saint Stephen's Marine Assurance Company; which he read.

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

Mr. Hill moved for leave to bring in a Bill, to incorporate sundry persons by the name of The Saint Stephen's Marine Assurance Company.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Hill, by leave, presented a Petition from Thomas Armstrong, Esquire, and 62 others, of Saint Stephen, in the County of Charlotte, praying that an Act may pass to Incorporate a Company, under the name of The Saint Stephen Log and Timber Sluice Company; which he read:

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

Mr. Stewart moved for leave to bring in a Bill, for regulating the Salmon Fisheries in the County of Gloucester.

Leave granted.

The said Bill being brought in, was read a first time.

Read a third time as engrossed,

A Bill to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards, and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned," to the Towns of Dalhousie and Campbelton in the County of Restigouche.

Resolved, That the Bill do pass.

Ordered, That Mr. Barberie take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to repeal an Act, intituled "An Act to prevent the taking of Fish in the different Harbours and Rivers of this Province with drift nets," so far as the same relates to the County of Westmorland.

Resolved, That the Bill do pass.

Ordered, That Mr. Wilson take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to authorize the Justices of the Peace for the County of York to levy a further assessment for the purpose of paying off the debt due on the erection of a new Gaol in the said County.

Resolved, That the Bill do pass.

Ordered, That Mr. Taylor take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to alter the Division Line of the Parishes of Douglas and Queensbury, in the County of York.

Resolved, That the Bill do pass.

Ordered, That Mr. Taylor also take this Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to Incorporate the Saint Stephen Log and Timber Sluice Company.

Resolved, That the Bill do pass.

Ordered, That Mr. Hill take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to Incorporate the Saint Stephen Mutual Fire Insurance Company.

Resolved, That the Bill do pass.

Ordered, That Mr. Hill also take this Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Partelow,
That the House proceed to the Order of the Day, to go into Committee of the whole in consideration of Supplies to be granted for the Public Service—

The Order of the Day being read, the House accordingly resolved itself into said Committee.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

Resolved, That there be granted

To the Chaplain of the Legislative Council in General Assembly, the sum of £25.

To the Chaplain of the House of Assembly, the sum of £25.

To the Sergeant at Arms attending the Legislative Council in General Assembly, the sum of 20s. per diem, during the present Session.

To the Sergeant at Arms attending the House of Assembly, the sum of 20s. per diem, during the present Session.

To the Clerk of the Legislative Council in General Assembly, the sum of £200 for his services during the present Session.

To the Clerk of the House of Assembly, the sum of £200 for his services during the present Session.

To the Clerk Assistant of the Legislative Council in General Assembly, the sum of £100 for his services during the present Session.

To the Clerk Assistant of the House of Assembly, the sum of £100 for his services during the present Session.

To the Doorkeepers attending the Legislative Council and Assembly, the sum of 12s. 6d. per diem, each, during the present Session.

To the Messengers attending the Legislative Council and Assembly, the sum of 10s. per diem, each, during the present Session.

To Beverley Robinson, Esquire, Province Treasurer, the sum of £750 for his services for the year 1841; and the further sum of £300 to enable him to pay a Clerk for the same period.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £12,000 towards the encouragement of Parish Schools, agreeably to a Law of the Province.

To the Commissioners of Light Houses in the Bay of Fundy, the following sums to pay for services for the year 1842:

To the Keeper of the Light House on Gannet Rock, and Assistants, the sum of £200;

To the Keeper of the Light House on Thrum Cap, Quaco, the sum of £100;

To the Keeper of the Light House on Point Leproe, the sum of £100;

To the Keeper of the Light House on Partridge Island, the sum of £100;

To the Keeper of the Beacon Light, the sum of £100.

To the Commissioners of Machias Seal Island, Campo Bello and Saint Andrews Harbour Light Houses, the following sums to pay for the services for the year 1842:

To the Keeper of the Light House on Campo Bello, the sum of £120;

To the Keeper of the Light Houses on Machias Seal Island, the sum of £130;

To the Keeper of the Light House in Harbour of Saint Andrews, the sum of £40;

To the Keeper of the Light House at Cape Enrage, the sum of £100.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £100, to be applied in rewarding persons for apprehending Deserters from Her Majesty's Land Forces within this Province; provided always, that no greater sum than £5 be paid for the apprehension of any one Deserter.

To the Master in Chancery appointed to carry Messages from the Legislative Council to the House of Assembly, the sum of £50.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £91 5s. to enable the Province Treasurer to pay John Abrams for his services as Tide Waiter at Saint John for the year 1842.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £75 for the services of a Tide Surveyor at Miramichi for the year 1842.

To

To Beverley Robinson, Esquire, Province Treasurer, the sum of £150, being for the services of a Tide Waiter or Messenger to the Treasury for the year 1842.

To the Commissioners of Light Houses in the Bay of Fundy, the sum of £200, to be applied by them towards the support of Cape Sable Seal Island Light House, and also £100 towards the support of the Light House on Brier Island, in the Province of Nova Scotia, for the year 1842.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £300, to encourage the destruction of Bears and Wolves, agreeably to Laws of this Province.

To His Excellency the Lieutenant Governor or Commander in Chief, the following sums for Grammar Schools for the year one thousand eight hundred and forty two, agreeably to a Law of the Province :

For the Grammar School in the County of Westmorland, the sum of £100 ;

For the Grammar School in Saint John, the sum of £150 ;

For the Grammar School in King's County, the sum of £100 ;

For the Grammar School in Queen's County, the sum of £100 ;

For the Grammar School in the County of Charlotte, the sum of £100 ;

For the Grammar School in the County of Sunbury, the sum of £100 ;

For the Grammar School in the County of Northumberland, the sum of £100 ;

For the Grammar School in the County of Gloucester, the sum of £100 ;

For the Grammar School in the County of Carleton, the sum of £100 ;

For the Grammar School in the County of Restigouche, the sum of £100 ;

For the Grammar School in the County of Kent, £100.

And the Chairman further reported, that he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House—

Communications from Her Majesty's Attorney and Solicitor Generals, explanatory of the Provincial Grants to them of £100 and £50 respectively ; also

From J. A. Street, Esquire, Clerk of the Crown in the Supreme Court, relative to the duties and emoluments of that office ; and

A Communication from the Honorable William F. Odell, in reference to an allowance of £50, formerly made from the Contingent Fund, to the Clerk of the Circuits.

These documents being severally read at the Clerk's Table, are as follow :—

ATTORNEY GENERAL'S EXPLANATION OF THE GRANT TO HIM OF £100.

Fredericton, 27th December, 1841.

SIR,—In reply to your Note of the 22d instant, in which you state, " His Excellency desires to know for what services the Grant for several years of £100 to the Attorney General have been made by the Assembly," I do not know that I can answer the question more fully than by sending you the enclosed copy of a letter addressed by me to His Excellency Sir John Harvey, in the year 1838, when the Assembly thought proper to suspend that grant.

" Fredericton, 27th March, 1838.

" MAY IT PLEASE YOUR EXCELLENCY,

" In obedience to Your Excellency's commands, I enclose an opinion of the Solicitor General and myself on the case stated by the Provincial Treasurer ; and humbly beg leave to state for Your Excellency's consideration, that during my recent visit to Saint John, I received from the Treasurer an official application to me as Attorney General, on the case in question, to which I gave an answer in the following terms" :—

' Saint John, 19th March, 1838.

' SIR,—In answer to your communication of Saturday, I have to observe, that I consider my particular duty as Attorney General requires me to give legal opinions only when requested by the Crown, or the Executive of the Province ; and the House of Assembly having thought proper at their last Session to discontinue their hitherto accustomed allowance to the Crown Officers, which has always been considered as intended to be a remuneration for services rendered to the Treasurer and other Public Provincial Officers, I feel it an incumbent duty which I owe to the situation I have the honor to hold, to return you the enclosed papers.

' Should you think proper to transmit them to His Excellency the Lieutenant Governor, and he shall deem it expedient to require an opinion thereon, I must as in duty bound furnish him with it ;

but

but in such case I feel humble confidence he will take care that I shall receive a compensation for the service.

‘ I have the honor, &c. &c.

‘ CHARLES J. PETERS, *Attorney General*.

‘ Beverley Robinson, Esquire, Province Treasurer.’

“ I have now to place not myself, but the office which I have the honor to hold in a measure under Your Excellency’s protection. Were I only personally concerned, the taking away the sum of one hundred pounds per year would pass without notice, as, by the blessing of Providence on my exertions in early life, I have the means of support without it; to my successors it may possibly be of more consequence.

“ The allowance of one hundred pounds granted each year heretofore by the General Assembly to the Attorney General, and fifty pounds to the Solicitor General, I considered in the nature of vested rights appertaining to those offices respectively. When we were appointed by the Crown thereto, they were looked upon as a prominent part of the incomes during our tenure thereof. Our Predecessors in office had enjoyed them, and they have been since heretofore yearly included in the Act providing for the Ordinary Services of the Province; at the last Session, they, together with the accustomed allowance to one other Crown Officer, to-wit, the Clerk of the Crown, were omitted, and as far as I could learn, without observation or comment.

“ Your Excellency can judge whether the annual income annexed to the office of Attorney General can render it obnoxious as being too great, when I state that the whole salary (now the Assembly have withdrawn the allowance of one hundred pounds) is only one hundred and fifty pounds sterling, to which is to be added a commuted allowance of four hundred pounds sterling in lieu of legal fees established by Law at the first settlement of the Colony, for preparing the drafts of all Grants of Land; making a total of five hundred and fifty pounds sterling, without any allowance for office, stationery, printing, postage, clerk, or other charge whatsoever, incident to all other Public Offices.

“ This commuted allowance of four hundred pounds, independent of its having been settled at the time at one hundred and fifty pounds less than its proper average, (by the scale on which the same was made to all the other Public Offices connected with the land granting business, from circumstances beyond my control, the detail of which it is unnecessary to trouble Your Excellency with at this time,) gives not more than a moiety of what I should have received as my legal fees for duty performed the past year, had I been allowed to receive them.

“ All other emoluments, derived from other sources for performance of duties as Attorney General, will not amount to the average of one hundred pounds per annum.

“ The foregoing observations are not made as matter of complaint, but merely to possess Your Excellency of the facts as to the nature and amount of the income of Attorney General.

“ It is to the duties of the office I wish particularly to call your attention, and as I before observed, to claim Your Excellency’s protection.

“ If I am right in my position as stated in my letter to the Province Treasurer, that as Crown Lawyers, the Attorney General and Solicitor General, are bound to give legal opinions only when requested by the Crown or Your Excellency; the Treasurer of the Province, as such, has no right to call for our assistance any more than the Collector and Comptroller of Her Majesty’s Customs, the Post Office, the respective officers of Ordnance, the Commissariat, or any other Department, without doing what all those Departments invariably do, to-wit, paying for such services, particularly when the Assembly have discontinued the annual allowance always heretofore given for that purpose.

“ There is one other circumstance, of which the Solicitor General and myself have reason to think hard. The annual Grant, heretofore made, has always passed at the end of, and for the year passed by, consequently it having been omitted at the last Session, our services for the year one thousand eight hundred and thirty seven were wholly unprovided for; and during that period, at least we considered the amount, and calculated upon it as part of our respective incomes. Common courtesy would seem to have required that we should have been notified the Session before that the allowance was not to be continued.

“ Moreover, when the Civil List Establishment was settled, previous to the surrender of the King’s Casual Revenue, out of which it was previously paid, and when the Crown had it in its power to make such reasonable allowance to its Officers, as justice to them, from time to time might require, by the annual returns, this Provincial allowance to the Attorney and Solicitor General were known as a settled part of the annual income of those Officers, and had it been communicated to the Colonial Secretary at the time the final arrangement was made, that the Assembly intended the moment the Bill became a Law, to withdraw the same, it can hardly be presumed, that care would not have been taken by Her Majesty’s Ministers to provide against the contingency by adding the same to the permanent allowance: They could hardly have consented to leave the Office of Attorney General of the Colony to the very small and reduced salary of one hundred and fifty pounds per annum.

“ The opinion required by the Treasurer, as I stated above, is inclosed, and it is for Your Excellency to state whether it shall be gratuitously given, or be paid for by the Treasurer, or from some other source.

“ The offices of Attorney and Solicitor General must abide Your Excellency’s decision.

“ All which is humbly submitted by Your Excellency’s most obedient servant,

“ CHARLES J. PETERS, *Attorney General*.

“ To His Excellency Sir John Harvey, &c. &c. &c.”

To which Letter I received the following reply :—

“ *Government House, Fredericton,*
“ *30th March, 1838.*”

“ SIR,—I am directed by the Lieutenant Governor to acknowledge the receipt of the Letter which you have addressed to His Excellency, under date of the 27th instant, enclosing a Law opinion applied for by the Province Treasurer. His Excellency desires to me say, that he was wholly unaware, as well of the existence of the Provincial allowance to which you have referred as of its discontinuance, no communication having ever been made to him on the subject, or his attention drawn thereto from any quarter. His Excellency is of opinion, that a clear case has been made by you for charging for the Law opinion which has been required by the Province Treasurer, and for any which he may hereafter require.

“ I am directed to add, that had either you, or the Treasurer, or the Provincial Secretary possessed His Excellency of the facts and merits of the case, the order to you to furnish the opinion would probably not have been given.

“ The Lieutenant Governor directs me further to observe, that it consists equally with his duty and his inclination to give every support and protection to the Officers of Her Majesty’s Government in this Province, in respect to all their just claims and rights.

“ I have the honor to be,

“ Your most obedient servant,

“ SAMUEL TRYON, *Private Secretary.*”

“ The Honorable the Attorney General.”

Subsequent to this communication, in an interview with His Excellency, an understanding was come to, that we, the Solicitor General and myself, should proceed in affording our Professional assistance to all the Officers of the Government as heretofore, under an assurance, that at the next meeting of the Assembly, the allowance should be passed for the past as well as the subsequent year.

Since which time, the usual annual allowance to the Attorney and Solicitor General has continued to be made by the Legislature.

I have only to add, that I do not consider, or ever did, this Grant was connected with, or had any reference whatever to the subject matter of the Judges’ Report, on the administration of the Annual Justice of the Country.

All which is humbly submitted.

And I have the honor to be,

Your most obedient servant,

CHARLES J. PETERS, *Attorney General.*

OBSERVATIONS OF SOLICITOR GENERAL UPON SUBJECT OF GRANT OF £50.

Fredericton, 23d December, 1841.

DEAR SIR,—In reply to your note of yesterday’s date, I have to inform you that the £50 annually granted by the Legislature to the Solicitor General, has not been for any particular service, so far as I understand it ; but the Attorney and Solicitor General, from their official situations, are continually called on by Individuals, Magistrates, the Justices in Sessions, the Treasurer of the Province and his Deputies, and other public officers throughout the Province, for advice, opinions, and instructions relative to the public duties of such officers, for which we make no charge so long as the Legislature continues the annual grant to each of us, that has heretofore been made ; but as these are services which we do not consider ourselves officially called on to perform, unless applied to through the Lieutenant Governor, we should be entitled to charge the parties so calling on us a professional fee in every case, were it not for the annual grant alluded to. I have been myself called on for long written opinions by the Justices in Sessions, besides the frequent verbal applications made to me by Magistrates, Sheriffs, Coroners and other officers in various parts of the Province, and for which, if I charged my usual professional fees, the amount in the course of the year would I think, far exceed the £50 allowed me by the House. The Attorney General gets a grant of £100 a year, and the Solicitor £50, to bear incidental services of this nature, though I really cannot see why the Solicitor General’s grant should not be equal to that for the Attorney General, for I believe I perform much more numerous services in this way than he does, from my being so much more in various parts of the Province than he is.

I am, dear Sir, yours very truly,

GEO. FRED. STREET.

To the Honorable W. F. ODELL.

J. A. STREET, ESQUIRE, ON THE DUTIES AND EMOLUMENTS OF THE CLERK OF THE CROWN IN THE SUPREME COURT.

Miramichi, 5th January, 1842.

SIR,—In reply to your favor of the 22d ultimo, relative to the services for which the Provincial Grant of £100 was made in the year 1828, I have to inform you, that I presume the grant was made for the same description of services for which the annual grant to the Clerk of the Crown has been continued since that period ; but the Journals of the House of Assembly for that year will, I apprehend, if the grant was made for any special reasons, not now existing, shew such reasons in the Resolution of Appropriation ; in addition to which, I am inclined to think, there will be found on the Files of the

House, a Petition from the then Clerk of the Crown, setting forth the grounds of his application; the Journals for that year, however, I do not happen to have by me, nor can I at this distance immediately refer to the documents in question. The services for which the Provincial Grants have been made to the Clerk of the Crown, as far as I have always understood, are for attending to those duties which legally and properly devolve upon that officer, on the criminal side of the Supreme Court, and not for performing the duties which *stricti juris* appertain to the Attorney General, and which, until recently, were I believe always performed by that officer without question. I mention this fact, as I am led to believe that the Attorney General, in reply to my communication to His Excellency the Lieutenant Governor upon the subject of the duties of the Clerk of the Crown, has stated, (upon what authority he best knows, I certainly am not aware of any,) that the Provincial Grants to the Clerk of the Crown were made in contemplation of that officer, conducting, as Counsel for the Crown, the prosecutions in the place of the Attorney General, than which nothing in my belief is more manifestly incorrect. There are, as you must be aware, Sir, various arduous important and responsible duties legally devolving upon the Clerk of the Crown, for which he gets no remuneration whatever, save from the Provincial Grant. I will enumerate a few of these services.

1st.—He has to attend the Courts during the whole three Terms, and also the three Courts of Oyer and Terminer in the year—amounting to near three months constant attendance in Court in the year—take all the Minutes and engross the same in the Records of the Court, for which he gets (on the criminal side of the Court) no fee or emolument.

2d.—He has to receive and file all Informations, Recognizances, &c. &c.

3d.—To prepare all the Indictments, issue all the Subpœnas for the witnesses on the part of the prosecution.

4th.—At the Courts of Oyer and Terminer in York to receive and file all the Sheriff's returns of the Jury and other processes; call and swear the Grand Jurors; mark and report to the Court the defaulters; swear all witnesses to give evidence before the Grand or Petit Jurors, and conduct all the business of that description during the respective Courts of Oyer and Terminer in York.

5th.—To call and swear the Petit Jurors, Witnesses, Constables, attend all the Trials, receive and record all the Verdicts.

6th.—To take and discharge and forfeit by proclamation all Recognizances, enter and record the sentences of Judges of the Court, &c. &c.

The foregoing services, with many others of a minor description, too tedious to mention, (on the criminal side of the Court) legally and properly devolve upon the Clerk of the Crown, and were performed by him without any other emolument or remuneration therefor than that derived from the Provincial Grant. In addition to which, *he has to provide his own office, stationery and fuel, and keep his office open during office hours the year round.* It is true the present Ordinance or Table of Fees provides fees for many of the above enumerated services, *but no fund out of which they are to be paid.* The prosecutions on the criminal side of the Supreme Court in this Country are all public; the prosecutors are therefore not liable to the payment of the fees; nor are they recoverable from the criminals. By the foregoing statement of facts, His Excellency will perceive that the whole of the proceedings on the criminal side of the Supreme Court, coming within the province of the duty of the Clerk of the Crown, are performed by that officer without the slightest remuneration further than what is received from the Provincial Grant.

The only emoluments the Clerk of the Crown derives from his office, independent of the Legislative Grant, are from the fiscal proceedings on the Exchequer side of the Court, and as Clerk of Nisi Prius at the York Sittings, on the trial of civil causes, which are very fluctuating, and are at best a very small compensation for his services in the two last mentioned Courts. The foregoing statement which I defy the Attorney General or any persons at all acquainted with the duties of the Clerk of the Crown, to confute or deny, is probably the best refutation I can give to the Attorney General's assertion, of the Provincial Grant having been made solely to remunerate the Clerk of the Crown, for acting as Counsel in conducting the criminal prosecutions; and I think I am further justified in adding that the Clerk of the Crown, taking into consideration the responsible and arduous duties of his office, is even with the Provincial allowance, the worst paid public officer in the Province. I do not make this remark, however, by the way of complaint, as I am not seeking to increase the allowance, nor am I interested in the assertion, as the office is, as you are aware, Sir, held by me mainly for the benefit of a helpless widow and three fatherless children, and not for my own advantage; and in this consideration I cannot, I must confess, help feeling a little surprised, that the Attorney General should, in his reply to my communication to His Excellency, have deemed it necessary, without better grounds, to urge that the grant in question was given for the performance of duties which legally and properly appertain to his own office, and which were always performed by his predecessors. I trust the foregoing statement will be sufficient to enable you to answer the queries put by His Excellency, relative to the services for which the grants in question have hitherto been made, and if I am mistaken in the view I have taken of the subject, the Journals and Documents to which I have already referred, will I think set the matter right. I shall feel obliged by your laying this communication before His Excellency the Lieutenant Governor, as I am desirous, now that the subject is under consideration, of having the duties and emoluments of this office fully investigated.

I have the honor to be, Sir,

Your very obedient servant,

J. A. STREET.

ANSWER RESPECTING ALLOWANCE TO THE CLERK OF THE CIRCUITS.

The allowance of £50 from the Contingent Fund, was made in the year 1796, to the former Judge Chipman, then Clerk of the Circuits, as a compensation for conducting criminal prosecutions at the Circuit Courts, and was continued to him and his successors in office, until the appointment of Mr. Peters, the present Clerk, when it was discontinued by order of Sir Archibald Campbell, without any reason assigned.

Mr. Street has been written to for explanation of the grant to the Clerk of the Crown in the Supreme Court.

W. F. ODELL.

The Honorable Mr. Johnston, likewise by command of His Excellency, laid before the House the following documents:—

Detailed Account from the Office of Crown Lands Department, made up to the year ending 31st December, 1841, viz:

Receipts on account of Timber:

Do. do. Land:

Do. do. Contingencies:

Return of Instalments due on 31st December last, for Land sold at former periods:

Do. of Instalments due to 24th June, 1841, (and not paid on 31st December,) on Leases to cut Timber and Lumber:

Balances due for duties on Timber and Lumber cut in Excess and without Licence, to 31st December, 1841.

[See Appendix.]

Report from George Hayward and Allen M'Lean, Esquires, Commissioners to explore a Line of Road north of the Pennyack, towards the Miramichi Portage.

[See Appendix.]

Return of Patients admitted into the Provincial Marine Hospital at Saint John, between the 1st January and 31st December, 1841.

[See Appendix.]

Account of David M'Millan, of Saint John, for binding Revised Edition of the Province Laws.

The Honorable Mr. Johnston, also by command of His Excellency the Lieutenant Governor, delivered the following Message:—

“**New Brunswick.**

“*Message to the House of Assembly, 29th January, 1842.*

“W. M. G. COLEBROOKE, Lt. Governor.

“The Lieutenant Governor lays before the House of Assembly, copies of two Despatches from the Secretary of State for the Colonies, containing Reports from the Inspectors of Prisons in England, upon the state of the Prisons in this Province, and the Act for establishing a House of Correction; also a Despatch containing a Schedule of the Acts which were passed in the last Session of the Legislature, which are reserved for consideration.

“W. M. G. C.”

The several documents communicated by the foregoing Message, being severally read at the Clerk's Table, are as follow:—

DESPATCH RELATIVE TO STATE OF PRISONS.

(Copy.)

[No. 7.]

Downing Street, 1st October, 1841.

SIR,—I have to acknowledge the receipt by my predecessor of your Despatch, No. 46, of the 11th of August last, with its enclosures, relative to the state of the Prisons of the Province of New Brunswick.

Having referred this subject for the consideration of the Commissioners of Prison Discipline in this Country, I now transmit for your information and His Excellency's guidance, a Copy of their Report, and of the Rules and Regulations to which it refers. I have, &c. &c. &c.

(Signed)

STANLEY.

Sir W. COLEBROOKE, &c. &c. &c.

N. B. 4 and 5 Reports will be sent next Mail.

REPORT FROM INSPECTORS OF PRISONS IN ENGLAND.

(Copy.)

Raymond Buildings, 23d September, 1841.

SIR,—We beg to acknowledge the receipt of your Letter, dated the 4th instant, transmitting, by direction of Secretary Sir James Graham, for our report and observations thereon, a Copy of a Despatch from the Lieutenant Governor of New Brunswick, together with the several enclosures, on the state of the Prisons and Prison discipline in that Province.

In reply, we beg to state that we have carefully examined these several Documents, and we enclose a memorandum containing a summary of the defects which are stated to exist in the Prisons in New Brunswick, and which the Lieutenant Governor is so anxious to remedy. It appears, however, from his Despatch, No. 46, dated the 11th August last, that further Legislative powers are necessary to remove the evils complained of in the County Prisons, and to effect an entire revision in their management. We submit that the Act which will be required for this purpose should contain provisions to the following effect:—

1st. To raise and appropriate Funds for the building, rebuilding, repair, alteration, support, and management of Prisons.

2d. To appoint visiting Justices, and to prescribe their Duties.

3d. To enact certain statutory Rules to be observed in all Prisons.

4th. To give powers to make additional Rules, to be submitted to the Lieutenant Governor, and to be altered, added to, and certified by him.

5th. To appoint Keeper, Chaplain, Surgeon, Matron and Subordinate Officers.

These points comprise the principal subjects for enactment, and we submit, that in order to assist the authorities in framing the Act, it will be desirable to transmit to the Lieutenant Governor Copies of the Acts for the regulation of Gaols in this Country, viz:—4th Geo. IV. c. 64—5th Geo. IV. c. 35—5th and 6th Wm. IV. c. 38—and 2d and 3d Vict. c. 56.

We concur in the opinion expressed by the Lieutenant Governor, that Inspectors of Prisons should be appointed.

As considerable advantage may result from the transmittal to this Country of Plans for the erection of new Prisons before they are determined upon, we beg to suggest whether instructions may not be given to this effect.

We would further recommend, that Copies of the official code of Rules for the Government of Prisons, be sent to the Lieutenant Governor, together with "Extracts" from the 2d, 3d, 4th and 5th Reports of the Home Inspectors of Prisons, which contain Plans and information on the subject of Prison construction.

We herewith return the several enclosures of your Letter.

We have, &c. &c. &c.

(Signed)

WILLIAM CRAWFORD,
WHITWORTH RUSSELL,

Inspectors of Prisons.

S. M. PHILLIPS, Esquire, &c. &c. &c.

Summary of the Reports on the County Gaols, in the Province of New Brunswick, transmitted by the Lieutenant Governor in his Despatch (46) dated the 11th August, 1841.

County Gaol, Gloucester—Building decayed—affords no security for safe keeping of Prisoners—Debtors experience extreme suffering from heat in summer—want of space—no yard—no established Rules—no attendance of Chaplain—no Bibles nor Prayer Books—no labour or employment—no fixed Dietary—no exercise in the open air—no restriction on convicted Prisoners receiving communication from friends—Fee of ten shillings for every Debtor.

County Gaol, Carleton—No female Officer—money allowance instead of a fixed Dietary—no allowance of Clothing or Bedding—no labour or employment—no attendance of a Chaplain—no Bibles nor Prayer Books—no apartment for the sick—an insane Prisoner in confinement—convicted Prisoners not prohibited from receiving Visits or Letters—a Fee of seven shillings and sixpence for each Debtor.

County Gaol, Kent—No allowance of Bedding or Clothing—a money allowance instead of a fixed Dietary—no yard—no labour or employment—no attendance of a Chaplain—no Bibles nor Prayer Books—Disseminating Ministers not allowed access to the Prisoners—convicted Prisoners not prohibited from receiving Visits or Letters—a Fee of ten shillings for each Debtor.

County Gaol, Sunbury—No allowance of Clothing or Bedding—no labour or employment—no attendance of Chaplain—no Religious Instruction—no Bibles nor Prayer Books—a Fee of eight shillings for each Debtor.

County Gaol, Northumberland—No female Officer—no allowance of Clothing or Bedding—no attendance of Clergymen—no Religious Instruction—no Bibles or Prayer Books—no separate apartment for the sick.

County Gaol, York—No airing yard—no labour or employment—no attendance of Chaplain—no Religious Instruction—no Bibles nor Prayer Books—convicted Prisoners not prohibited from receiving Visits—a Fee of seven shillings and sixpence for each Debtor.

City and County Gaol, Saint John—No allowance of Clothing or Bedding—no yard—no stated attendance of Clergymen—no Bibles nor Prayer Books—no place set apart for the sick—convicted Prisoners not prohibited from receiving visits—a Fee of five shillings for each Debtor—Rooms in basement

basement damp and very injurious to health—*The principal Story*—Rooms not properly ventilated, considered injurious in summer to the health of the Prisoners, when confined for any length of time. The dilapidation of the Building great.

County Gaol, Queen's County—Female Prisoners not necessarily attended by females—no allowance of Bedding or Clothing—communications with convicted Prisoners not prohibited.

County Gaol, Queen's County—no yard—a money allowance instead of a fixed Dietary—no allowance of Bedding or Clothing—no labour or employment—no attendance of Chaplain—no Religious Instruction—no Bibles nor Prayer Books—communications with convicted Prisoners not prohibited.

County Gaol, Charlotte County—No Clothing or Bedding—no systematic instruction—no labour or employment—communication with convicted Prisoners not prohibited—a Fee of five shillings for each Debtor.

County Gaol, Westmorland—No female Officer—two Rooms only for Criminals and Debtors—no labour or employment—no attendance of a Chaplain—no Religious Instruction—no Bibles nor Prayer Books—no apartment for the sick—communications with convicted Prisoners not prohibited—money allowance instead of fixed Dietary.

DESPATCH RELATING TO HOUSE OF CORRECTION, SAINT JOHN.

(Copy.)—[No. 8.]

Downing Street, 2d October, 1841.

SIR,—I have to acknowledge the receipt by my predecessor, of your Despatch, No. 38, of 26th of July last, transmitting an Act, (No. 1385) entitled "An Act to establish a Provincial House of Correction."

Having referred this Act for the consideration of the Inspectors of Prisons in this Country, I now transmit for your information, a copy of their Report, and I have to instruct you to bring under the consideration of the Council and Assembly, the suggestions of the Inspectors, in whatever form you may consider such communication can be most properly and conveniently made.

In the mean time Her Majesty's decision on this Act will be suspended.

I have, &c. &c.

(Signed)

STANLEY.

His Excellency Sir W. M. G. COLEBROOKE.

REPORT FROM INSPECTORS OF PRISONS IN ENGLAND, RELATIVE TO HOUSE OF CORRECTION, SAINT JOHN.

(Copy.)

Raymond Buildings, 22d September, 1841.

SIR,—We beg to acknowledge the receipt of your letter dated 14th instant, transmitting, by directions of Secretary Sir James Graham, for our report and observations thereon, a copy of an Act passed by the Legislature of New Brunswick, No. 1385, to establish a Provincial House of Correction.

In return we beg to observe, by the 6th clause of this Act power is given to certain Commissioners to make Rules and Regulations for the government of the Prison, subject to the revision of the Lieutenant Governor in Council. In framing the Gaol Act in England, the Legislature considered it indispensable that certain Rules, from their importance and general application, should be made statutory. We therefore submit that the same course should be adopted with reference to the Act for the establishment of a Provincial House of Correction at New Brunswick, and that a clause should be introduced, preceding clause VI. to the following effect:—

"And be it further enacted, That the following Rules and Regulations shall be observed and carried into effect in the said House of Correction, so far as such Rules may be applicable or can be applied to the particular description or class of prisoners confined in such Prison;" and the Rules contained in the 4th Geo. IV. c. 64, s. 10, should be inserted in the above clause, with such modifications as local circumstances may render necessary.

We further submit that the 6th clause should be so amended as to enable the Commissioners to make such additional Rules as they may deem expedient, with similar powers to those conferred on Courts of Quarter Sessions in this Country, for which purpose we submit that the clause should be altered in the following manner:—

"And be it further enacted, That it shall and may be lawful for the said Board of Commissioners at any and at all times, to make such further and additional Rules for the government of the said House of Correction, and for the care and superintendence of the Prisoners, and for the duties of the Keepers and Officers of the said Establishment, as to them may seem expedient: and the said Board of Commissioners are hereby required forthwith on the making of any such additional Rule or Rules, to transmit a copy thereof to the Lieutenant Governor or Commander in Chief for the time being, and it shall be lawful for the said Governor or Commander in Chief for the time being, with the advice of the Executive Council, at any time or times to amend any such Rule or Rules, or to make additional Rules thereto, and also to annul the same or any of them; and to subscribe a certificate that such Rules and Regulations as submitted to him, or amended or added to, shall be binding upon all persons whomsoever; provided always, that all such additional Rules and Regulations shall be consistent with, and conformable to the Rules and Regulations contained in this Act; printed Copies of which Rules shall be posted up in some conspicuous place in the said House of Correction, and no Rule which shall be made after the time appointed for this Act to go into operation, for any of the purposes aforesaid, shall be of any force until a certificate shall have been duly subscribed by the said Lieutenant Governor, &c."

With

With reference to the 7th clause, we submit that the words "added to" be inserted after the word "amended," in the third line.

With reference to the 5th clause, we beg to suggest that it shall be amended so as to render the appointment of a Keeper, Chaplain, Surgeon, and Matron indispensable, and that it shall not be lawful to dispense with any of those Officers. For which purpose we submit that the 8th Clause should be altered in the following manner:—

"And be it further enacted, That the said Board of Commissioners shall have full power and authority at any and at all times, and they are hereby required to nominate and appoint a Keeper, Chaplain, Surgeon, Matron, and other requisite Officers, other than the Commissioners appointed, in and about the said House of Correction, and them and every of them to remove; provided that it shall not be lawful for them to take away or discontinue any of the Offices of Keeper, Chaplain, Surgeon, and Matron; and the said Board also shall and may, &c."

We submit, whether it may not be advisable, in order to assist the Colonial Government in framing Rules for the Provincial Prison, to transmit some Copies of the official code of Prison Rules to the Lieutenant Governor of New Brunswick.

We return the enclosure of your Letter.

(Signed)

We are, &c.

WILLIAM CRAWFORD,
WHITWORTH RUSSELL,
Inspectors of Prisons.

S. M. PHILLIPS, Esquire, &c. &c. &c.

DESPATCH WITH LIST OF ACTS RESERVED FOR CONSIDERATION.

(Copy.)—No. 9.

Downing Street, 8th October, 1841.

SIR,—I have the honor to acknowledge the receipt of your Despatch, No. 38, of the 26th July last, transmitting a series of Acts passed by the Legislature of New Brunswick during the last Session; accompanied by your observations upon them, and the Report of the Provincial Attorney General.

I have the honor to enclose an order passed by Her Majesty in Council, on the 6th instant, leaving all these Acts to their operation, with the exception of those mentioned in the accompanying Schedule, which are under reference to various other departments, and No. 1344, relating to the Parish of Portland. As this Act relates to a subject on which it is desirable to obtain the opinion of the Bishop of the Diocese, and as your Despatch does not state that His Lordship has had an opportunity of examining the Act, you will have the goodness to inform him, that I am desirous to receive his opinion upon it before submitting it to the decision of Her Majesty in Council.

In reply to the latter part of your Despatch, I have to acquaint you that provided the copies of the Acts are duly authenticated, there is no objection to the transmission of them in print, rather than in manuscript, provided I receive six copies of them with as little delay as possible after they have been passed.

I have, &c. &c. &c.

(Signed)

STANLEY.

Sir W. M. G. COLEBROOKE, &c. &c. &c.

(Copy.)

SCHEDULE OF NEW BRUNSWICK ACTS UNDER REFERENCE TO PUBLIC DEPARTMENTS.

- No. 1345. An Act in further amendment of the Law.
- No. 1347. An Act to continue an Act to provide for the prompt payment of all demands upon the Provincial Treasury.
- No. 1361. An Act to extend the provisions of an Act, intituled "An Act to encourage the establishment of Banks for Savings in this Province."
- No. 1364. An Act relating to Buoys and Beacons in the Harbour of Shediac, in the County of Westmorland.
- No. 1370. An Act to extend the Provisions of an Act for the increase of the Capital Stock of the Central Bank of New Brunswick.
- No. 1372. An Act to incorporate the Westmorland Mining Company.
- No. 1373. An Act to incorporate sundry persons by the name of the Atlantic Assurance Company.
- No. 1375. An Act imposing Duties for raising a Revenue.
- No. 1380. An Act to grant a loan of Six thousand pounds to John Walker, of the City of Saint John.
- No. 1381. An Act to amend the Act in amendment of the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates.
- No. 1382. An Act to amend an Act to incorporate the Central Fire Insurance Company of New Brunswick.

On motion of Mr. Brown,

Ordered, That the House do on Thursday the third day of February next, go into Committee of the whole, in consideration of the several Messages received from His Excellency the Lieutenant Governor, as well as the various other documents communicated to the House by His Excellency's commands.

The House adjourned until to-morrow morning at 10 o'clock.

TUESDAY,

Tuesday, 1st February, 1842.

Prayers.

Read a second time—

A Bill to incorporate sundry persons by the name of The Saint Stephen's Marine Assurance Company: and

A Bill for regulating the Salmon Fisheries in the County of Gloucester.

Mr. Partelow, by leave, presented a Petition from Alexander Robertson, of the City of Saint John, Merchant, praying a return of Duties paid on Goods destroyed at the Great Fire in Saint John in November last; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Partelow, by leave, presented a Petition from William Jarvis, Charles Ward, Timothy Collins, and 21 others, proprietors of Property destroyed by the Great Fire at Saint John in November last, praying the Act of 1839, to enable the other Burnt District to be rebuilt with fire proof Edifices, may be extended to the District first named; which he read.

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

The Honorable Mr. Johnston, by leave, presented a Petition from Stephen Watson, William Straight and William Sharp, praying to be remunerated for ferrying Her Majesty's Mails over the Washademoac and Jemseg, on the Line of Great Road from Fredericton to the Finger Board; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Johnston, by leave, presented a Petition from Ralph M. Jarvis, Esquire, and others, on behalf of the Agricultural and Horticultural Society of the County of Saint John, praying pecuniary aid in furtherance of a Periodical Publication for the diffusion of useful Agricultural information throughout the Province; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Agriculture, to report thereon.

On motion of Mr. End,

Whereas large sums of money have from time to time been appropriated by the Legislature to defray the expense of printing work done; and whereas it is necessary that more full and detailed information should be had respecting the same; therefore

Resolved, That a Committee be appointed to examine and report upon the Accounts of Her Majesty's Printer for the past year.

Ordered, That Mr. End, Mr. Wilson and Mr. L. A. Wilmot, be the Committee for that purpose.

Mr. End moved for leave to bring in a Bill, relating to the Mines and Minerals in the County of Gloucester.

Leave granted.

Mr. Partelow, by leave, presented a Petition from Angus M'Affee, of the Parish of Portland, in the County of Saint John, setting forth, that his House was pulled down by direction of the Magistrates and Firewards, at the time of the Great Fire at that place in August last to prevent its further extending, and that the Fire did not subsequently reach the ground upon which his premises were erected, and praying Legislative aid in consequence of the loss sustained; which he read.

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

Mr. Fisher, by leave, presented a Petition from Adam D. Allan, of Dumfries, in the County of York, the Contractor for building a Bridge over Sullivan's Creek, setting forth, that a quantity of Logs which he had provided for erecting the said Bridge had been destroyed by Fire, and praying some compensation for the loss sustained in consequence thereof; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Public Accounts, to report thereon.

On

On motion of Mr. End,

The House went into Committee of the whole, on a Bill to prevent frivolous and vexatious arrests.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill before them under their consideration, had made an amendment thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

Mr. Partelow, by leave, presented a Petition from Nehemiah Merritt, Noah Disbrow, F. A. Wiggins, William H. Street, John Wishart, and 121 others, freeholders and inhabitants of the City of Saint John, praying that an Act may pass to authorize the widening of Saint John or Water Street, (so called) in the said City; which he read.

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

Mr. Partelow moved for leave to bring in a Bill, to authorize the Mayor, Aldermen and Commonalty of the City of Saint John, to widen Saint John or Water Street, (so called) in the said City.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill further to amend the Law to regulate proceedings before Justices of the Peace in Civil Suits.

Mr. Beardsley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, it was moved—That the further consideration of the said Bill be postponed for three months.

And upon the question, the Committee divided—

YEAS, 13.

NAYS, 11.

Whereupon it was carried in the affirmative.

Ordered, That the Report be accepted.

Mr. Boyd, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of the 29th January, relative to the Duties collected under the Acts of the Imperial Parliament prior to 18 Geo. III. reported—That they had attended thereto, and that His Excellency was pleased to say, he would have much pleasure in laying the required information before the House.

Mr. Connell, by leave, presented a Petition from James R. Tupper, of Woodstock, in the County of Carleton, praying that a grant may pass to aid him in running a line of Stages between that place and the Grand Falls; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

On motion of Mr. Palmer,

The House went into Committee of the whole, on a Bill to limit the duration of the Assembly.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House the following documents:—

Returns in reference to the Casual and Territorial Revenue for the year ending

31st December, 1841, as made up at the Office of the Auditor General, viz:

Schedule of Warrants drawn on the Queen's Casual Revenue:

Expenditure for the Civil List:

Abstract Statement of the Receipts and Expenditure.

[See Appendix.]

Application

Application from the Board of Health at Gloucester, to the Executive, for a Warrant to issue to reimburse them for expenses incurred in the preservation of the Public Health during the past year :

Account from Abraham Gesner, of expenses incurred in the Geological Explorations during the past year :

Copies of Despatches from the Home Government in answer to an Address of the House of the last Session, relative to Duties collected under Acts of the Imperial Parliament prior to 18 Geo. III.—the same being furnished under an Address of Saturday last.

The documents last named being severally read at the Clerk's Table, are as follow :—

DUTIES UNDER ACTS OF PARLIAMENT PRIOR TO 18 GEO. III.

[No. 37.]

Downing Street, 28th July, 1841.

SIR,—Her Majesty's Government having taken into their consideration the Address and Resolution of the House of Assembly of New Brunswick, which was enclosed in your predecessor's Despatch of the 27th March, No. 27, expressing the wishes of the House, that the duties collected by the Officers of Her Majesty's Customs, under Acts of the Imperial Parliament, prior to 18 Geo. III. might be placed at the disposal of the Province, and the Acts of Parliament amended accordingly, I have now to acquaint you, that in entertaining any measure for ceding these duties, it would be necessary to reconsider the arrangement made with the Province in 1832, by which the Province was relieved from a considerable portion of the expense of the Customs Department, in return for a permanent grant of £4,250 Sterling from the Legislature, as the sole expense with which the Province was to be charged for the support of the establishment. As a measure has been before Parliament for the abolition of the old Crown duties upon Wine imported into the British Possessions abroad, which would have the effect of reducing those duties in New Brunswick to £200 per annum, Her Majesty's Government consider that it would be inexpedient that the question proposed by the House of Assembly should be at present resumed.

I enclose for your information Copies of the correspondence which has passed between the Lords Commissioners of the Treasury and myself on this subject, the purport of which you will be pleased to make known to the Assembly, as comprising the answer which Her Majesty's Government think it right to return to their Address and Resolution.

I have the honor to be, Sir,

Your most obed't. humble servant,

(Signed) J. RUSSELL.

Lieutenant Governor Sir WILLIAM COLEBROOKE.

(Copy.)

Downing Street, 10th June, 1841.

SIR,—I am directed by Lord John Russell to transmit to you for the consideration of the Lords Commissioners of the Treasury, the Copy of a Despatch from Sir John Harvey, the late Lieutenant Governor of New Brunswick, enclosing the Address and Resolution of the House of Assembly of that Province, expressing their wish that certain duties collected by the Officers of Her Majesty's Customs under Acts of the Imperial Parliament, prior to the 18th Geo. III. may be paid into the Provincial Treasury, and that the Acts of Parliament on the subject may be amended.

Their Lordships are aware, that in the arrangements made between His late Majesty and the Legislature of New Brunswick, on the subject of the Civil List, the Revenues of the Crown, which were received from duties imposed by Acts of Parliament, of which Parliament have given the appropriation to the Lords of the Treasury, were not ceded to the Province. There is, therefore, no other question on this occasion than that which relates to the expediency of giving these duties up to the Province, in consequence of the application of the House of Assembly; and upon that point Lord John Russell considers that it would be premature for him to express any opinion, until the present Lieutenant Governor Sir William Colebrooke shall have had an opportunity of stating whether he regards such a cession as expedient or otherwise. Lord John Russell, therefore, proposed writing to Sir William Colebrooke on the subject, but previously, he requests that you will apprise me whether the Lords Commissioners of the Treasury see any valid objection to the cession of these Revenues to the Province, if the Lieutenant Governor should recommend that measure.

I have, &c.

(Signed) JAMES STEPHEN.

C. E. TREVELYAN, Esquire, &c. &c. &c.

(Copy.)

Treasury Chambers, 27th July, 1841.

SIR,—In reply to your Letter of the 10th ultimo, and with reference to the previous correspondence on the subject of the Customs Establishment at New Brunswick, I have it in command from the Lords Commissioners of Her Majesty's Treasury to request you will observe to Lord John Russell, that since the arrangement made with the Province of New Brunswick, by which Her Majesty's Government consented to relieve the Province from a considerable portion of the expense of the Customs Department, and accepted a permanent grant of £4250 Sterling from the Legislative Assembly, as the sole expense with which the Colony should be charged for the maintenance of the

Establishment,

Establishment, the old Crown Duties, the cession of which is now sought in the Address and Resolution of the House of Assembly, have been applied in aid of the charge to which this Country has been subjected; and their Lordships are of opinion that a re-consideration of that arrangement would be necessarily involved in any measure which may be entertained for ceding the Duties in question.

As a measure has, however, been before Parliament during the two last Sessions for the abolition of the old Crown Duties upon Wine imported into the British Possessions abroad, which would have the effect of reducing those Duties in New Brunswick to £200 per annum, it will probably be inexpedient to agitate the question at present.

I am, &c.

(Signed)

C. E. TREVELYAN.

JAMES STEPHEN, Esquire, &c. &c. &c.

The Honorable Mr. Johnston, likewise by command of His Excellency the Lieutenant Governor, delivered the following Messages:—

“New Brunswick.

“Message to the House of Assembly, 1st February, 1842.

“W. M. G. COLEBROOKE, Lt. Governor.

“The Lieutenant Governor lays before the Assembly, the copy of a Communication he received from the Mayor and Common Council of Saint John, representing the severe distress occasioned in the City after the late Fires, and the difficulty at a period of commercial embarrassment of providing for the relief of the Poor who were thrown out of employment, in consequence of which he made temporary advances to the Corporation of £3250, to be reimbursed from Monies due to them by the Public.

“The Lieutenant Governor also informs the House, that an advance of £250 has been made to the Magistrates of Portland, to aid the employment of the destitute in that Parish.

“The Lieutenant Governor communicates to the House, papers relative to a new Settlement on the Road to Saint Andrews, which has led to the formation of other Associations with the same object,—also the Reports he has received from the Surveyor General on the subject, and having authorized an advance of £200 to open a Communication to the first Settlement, he recommends to the House, in anticipation of any general measures for the execution of such works, that similar advances may be sanctioned to facilitate the opening of the necessary communications to the various locations which are about to be occupied.

“Having found it necessary to sanction a temporary advance to defray the expenses of the Officers appointed by him to visit the Indian Settlements, and whose Reports will be laid before the House, he recommends that such further advances as may be required to carry into effect arrangements for the formation of Villages, and the settlement of the Reserves, may be sanctioned.

“W. M. G. C.”

“New Brunswick.

“Message to the House of Assembly, 1st February, 1842.

“W. M. G. COLEBROOKE, Lt. Governor.

“The Lieutenant Governor lays before the Assembly, an Account rendered by the Sheriff of Restigouche, of certain expenses incurred in providing for the protection of the Gaol, and Police of the County, in consequence of a serious disturbance of the Public Peace which occurred in the last year.

“W. M. G. C.”

The House adjourned until to-morrow morning at 10 o'clock.

Wednesday. 2d February. 1842.

Prayers.

Read a second time—

A Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John, to widen Saint John or Water Street, (so called) in the said City.

Mr. End, by leave, presented a Petition from John Miller, Esquire, Deputy Treasurer at Bathurst, complaining of the diminution of the emoluments of his Office, and praying aid; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Trade.

Mr.

Mr. End, by leave, presented a Petition from Margaret Sterling, Widow of William A. Sterling, a licenced Teacher, praying to be compensated for the services of her late Husband; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Hill, by leave, presented a Petition from the Reverend William Smithson, Wesley C. Beals, and 93 others, Ministers and Members of the Wesleyan Congregations, and other Inhabitants in Saint Stephen's and Saint David's Circuits, in the County of Charlotte, praying that a grant may pass to the Trustees of the Wesleyan Academy, recently erected at Sackville, in the County of Westmorland, in aid of that Establishment; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. End, by leave, presented a Petition from Charles Doucett, William Deacon, and David Rankin, Overseers of the Poor of the Parish of Bathurst, in the County of Gloucester, praying to be reimbursed expenses incurred in aid of sick and distressed Emigrants; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Rankin, by leave, presented a Petition from William O'Brien, of Blackville, in the County of Northumberland, praying compensation for ferrying the Mail Stage across Renous River, for a period of two years past; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Boyd, by leave, presented a Petition from James W. Chandler, Peter Smith, and others, Commissioners of the Alms House at Saint Andrews, in the County of Charlotte, praying to be reimbursed expenses incurred in the support of Emigrant Poor, during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Connell, by leave, presented a Petition from John Porter, John Hay, and 356 others, inhabitants of the Parish of Woodstock, in the County of Carleton, praying for a division of the said Parish; which he read.

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

Mr. Connell moved for leave to bring in a Bill, to erect the Western part of the Parish of Woodstock, into a separate and distinct Town or Parish.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Boyd, by leave, presented a Petition from Robert Dougherty, Mail Carrier between Saint Andrews and Saint Stephens, praying return Duty on a covered Wagon, imported from the United States in October last; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Barberie, by leave, presented a Petition from John Baptiste Esligher, Joseph Arseneau, Catharine Fitzgerald, and 20 others, of Dalhousie, in the County of Restigouche, praying that a grant may pass to aid them in purchasing Seed Grain, and Potatoes, their Crops last year having been destroyed by the Fires which raged in that section of the Country; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Barberie, by leave, presented a Petition from Robert Ferguson and others, Justices of the Peace for the County of Restigouche, praying that a grant may pass to defray the expense incurred in repairing the damages done to the Gaol by a mob in the month of July last, in defiance of the authorities; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had agreed to The Bill to authorize the Justices of the Peace for the County of Charlotte to make regulations for the Market Wharf in the Parish of Saint Stephen,
With an amendment, to which they desire the concurrence of the Assembly.

Mr. Barberie, by leave, presented a Petition from Dugald Stewart and John Montgomery, Overseers of the Poor, for the Parish of Dalhousie, in the County of Restigouche, praying that a grant may pass to reimburse expenses incurred in the support and relief of transient Emigrant Poor, during the past year; also a Petition from the same parties, praying to be reimbursed expenses incurred in the relief of Emigrants, during the same period; which he severally read.

Ordered, That the said Petitions be received, and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying that an Act may pass to enable the Saint John Water Company to transfer the Water Works and other property of the said Company to the Corporation of the said City; which he read.

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

Mr. End, by leave, presented a Petition from Hugh A. Caie, and 195 others, inhabitants of the Lower District, in the County of Gloucester, praying that a grant may pass towards completing a Road from Pokemouche to Shippegan; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communication, to report thereon.

Mr. Partelow, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying to be reimbursed for allowances made to sick, distressed and indigent Emigrants, by the Overseers of the Poor for the Parish of Portland, during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from Adam and Davidson, of the City of Saint John, Merchants, praying that a sum paid by them to Her Majesty's Attorney General, for an unavoidable breach of the "Act to provide for a regular supply of Seamen for new Ships in this Province," may be refunded to them, the said Act having been disallowed by Her Majesty's Government; which he read.

Ordered, That the said Petition be received, and referred to the Committee appointed to take Petitions of a like prayer under their consideration, to report thereon.

Mr. Partelow, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying an alteration in the Wharfage Laws so far as regards the City of Saint John and Parish of Portland; which he read.

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

Mr. Partelow, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, setting forth the distress to which the said City has become subject, by reason of the late several calamitous and destructive Conflagrations and other causes, and praying Legislative aid in the premises; which he read.

Ordered, That the said Petition be received, and referred to a Select Committee to report thereon; and further

Ordered, That Mr. Wilson, the Honorable Mr. Johnston, Mr. Hanington, Mr. L. A. Wilmot, the Honorable Mr. Weldon, and Mr. Hill, do compose the Committee.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House—

Returns from King's College for the past year, viz :—

Account of the Income and Expenditure :

Number and Names of the Professors :

Do. do. Students.

[See Appendix.]

Mr.

Mr. End, by leave, presented a Petition from William Deacon and Samuel Sutherland, of Bathurst, in the County of Gloucester, praying for a return of Duties paid upon American Flour imported into that place from Halifax, Nova Scotia, in the month of May last; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Trade, to report thereon.

Mr. Brown, by leave, presented a Petition from Solomon Vail, of Kingsclear, in the County of York, praying that a grant may pass to enable him to complete an Establishment for the accommodation of Travellers on the Great Road from Fredericton to Saint Andrews; which he read.

And upon the question, that the said Petition be received and referred to the Committee of Supply, the House divided—

YEAS, 15.

NAYS, 6.

Whereupon it was carried in the affirmative.

On motion of Mr. Woodward,

The House went into Committee of the whole, on a Bill to facilitate the means of supplying the City of Saint John with Water, by transferring the Water Works of the Saint John Water Company to the Mayor, Aldermen and Commonalty of the City of Saint John.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had the Bill referred to them under their consideration, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Boyd,

The House went into Committee of the whole, on a Bill to provide for the more effectually repairing the Streets and Bridges in the Town of Saint Andrews.

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

Mr. Jordan, by leave, presented a Petition from Thomas Graham, of the Parish of Portland, in the County of Saint John, Surgeon, praying to be remunerated for Professional attendance on poor and distressed Emigrants in the said Parish; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

On motion of Mr. Boyd,

The House went into Committee of the whole, on a Bill to establish a Ferry at Joe's Point, in the County of Charlotte.

Mr. M'Almon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, it was moved—That the further consideration of the said Bill be postponed for three months.

And upon the question, it was carried in the affirmative.

Ordered, That the Report be accepted.

On motion of Mr. Brown,

The House went into Committee of the whole, in further consideration of a Bill relating to the driving of Stage Coaches and other Wheel Carriages on the Great Roads of Communication throughout this Province.

Mr. J. M. Wilmot in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made amendments thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

The House adjourned until to-morrow morning at 10 o'clock.

Thursday, 3d February, 1842.

Prayers.

Read a second time—

A Bill to erect the western part of the Parish of Woodstock into a separate and distinct Town or Parish.

Mr. Connell, by leave, presented a Petition from James R. Tupper, of Woodstock, in the County of Carleton, praying that a grant may pass in aid towards running a line of Stages on the Road between that place and Fredericton; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Boyd, by leave, presented a Petition from Schuyler P. Frink, of Saint Stephen, in the County of Charlotte, setting forth, that he had made purchase of a large Tract of Land from the Crown, in the year 1835, and paid the first instalment thereon, and praying that he may receive consideration in Money or Land, equivalent to the amount so paid, he having surrendered the Land to the Crown; which he read.

Upon the question, that the said Petition be received and ordered to lie on the Table, the House divided—

YEAS, 7.

NAYS, 17.

Whereupon it was decided in the negative.

Mr. Jordan, by leave, presented a Petition from William Folyard, a licenced Teacher, praying to be remunerated for teaching a School in the Parish of Simonds, in the County of Saint John, for a period of three months in the year 1841; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. End, by leave, presented a Petition from William Stevens, Esquire, and 109 others, inhabitants of the County of Gloucester, praying that a grant may pass towards procuring Furniture, Library and Philosophical Apparatus for the Academy recently erected at Sackville, in the County of Westmorland; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Read a third time as engrossed,

A Bill to provide for the more effectually repairing the Streets and Bridges in the Town of Saint Andrews.

Resolved, That the Bill do pass.

Ordered, That Mr. Boyd take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to prevent frivolous and vexatious arrests.

Resolved, That the Bill do pass.

Ordered, That Mr. End take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Hill,

The House proceeded to take into consideration the amendment made by the Council, to

The Bill to authorize the Justices of the Peace for the County of Charlotte to make regulations for the Market Wharf in the Parish of Saint Stephen.

The amendment being read, is as follows:—

At A in the Preamble, expunge the words "Chapter twenty two," and insert the words "intituled An Act to authorize and empower the Justices of the Peace for the County of Charlotte to lease a part of the Public Landing at Salt Water, in the Parish of Saint Stephen."

And the question being put thereon,

Resolved, That the House do concur therein.

Ordered, That Mr. Hill return the Bill, with the amendments, to the Council, and acquaint them therewith.

Mr. Barberie, by leave, presented a Petition from John Montgomery, Arthur Ritchie, Robert Ferguson, and 100 others, Freeholders and Inhabitants of the County of Restigouche, praying an increase of Representation for that County; which he read.

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

On motion of Mr. End,

That the House proceed to the Order of the Day, to go into Committee of the whole on the several Messages received from His Excellency the Lieutenant Governor, as well as the various Documents communicated to the House by His Excellency's commands—

The Order of the Day being read, the House accordingly resolved itself into Committee thereon.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having several of the subjects referred to them under their consideration, had passed Four Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

1st.—*Resolved*, As the opinion of this Committee, That His Excellency's Message of the 25th January last, relative to Schools, and which was communicated to the House on the 26th of that month, should be referred by the House to the Select Committee appointed to report upon all matters connected with Education in this Province.

2d.—*Resolved*, As the opinion of this Committee, That the Report from the Commissioners for Seal Island, Campo Bello, and Saint Andrews Light Houses, laid before the House by command of His Excellency the Lieutenant Governor on the 26th January last, should be referred by the House to the Committee on Light Houses.

3d.—*Resolved*, As the opinion of this Committee, That the Message of His Excellency the Lieutenant Governor of the 26th January last, communicating to the House a Report from the Judges, with other papers relative to a provision required to be made for conducting Criminal Prosecutions in the Courts of Justice, should be referred by the House to a Select Committee to report thereon, by Bill or otherwise.

4th.—*Resolved*, As the opinion of this Committee, That the Report from William Napier and Henry W. Baldwin, Esquires, Commissioners for building a Bridge over Bathurst Basin, in the County of Gloucester, should be referred by the House to the Committee of Public Accounts.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

On motion of Mr. Partelow,

Resolved, That the subject matter of the first Resolution, relative to Education, and which passed in Committee of the whole House when in consideration of the Messages from His Excellency the Lieutenant Governor, be referred to the Committee appointed on the 31st of January last, to report upon all matters connected with Education in the Province.

Resolved, That the subject matter of the second Resolution, relative to Seal Island, Campo Bello, and Saint Andrews Lights, be referred to the Committee on Light Houses.

Resolved, That the Report from William Napier and Henry W. Baldwin, Esquires, Commissioners for building a Bridge over Bathurst Basin, in the County of Gloucester, be referred to the Committee on Public Accounts.

Resolved, That a Select Committee be appointed to take into consideration the subject matter of the third Resolution, relative to provision being made for conducting Criminal Prosecutions in the Courts of Justice in the Province.

Ordered, thereupon, That the Honorable Mr. Weldon, Mr. End, Mr. Hill, Mr. Beardsley and Mr. Hanington, do compose the Committee.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House, various Documents connected with Indian affairs, viz :—

Communication from the Honorable John S. Saunders, Surveyor General, with Schedule of Lands reserved for Indians :

Reports from Moses H. Perley, Esquire, Commissioner for Indian affairs :
 Letters from Captain O'Halloran, of Her Majesty's 69th Regiment.
 Report from Thomas M. Deblois, Esquire, Commissioner in the County of
 Gloucester :
 Report from Andrew Barberie, Esquire, Commissioner in the County of
 Restigouche.

[See Appendix.]

On motion of the Honorable Mr. Johnston, -

Ordered, That the several documents now laid before the House by command of His Excellency the Lieutenant Governor, be referred to the Committee appointed on the 24th day of January last, to take under consideration such parts of His Excellency's Speech as relates to the social improvement of the Indian Tribes, the settlement of their Reserves, and the Domains of the Crown, to report thereon.

On motion of the Honorable Mr. Johnston,

Ordered, That the House do on Monday next, the 7th instant, go into Committee of the whole, in further consideration of the Messages from His Excellency the Lieutenant Governor, as also the various Documents laid before the House by His Excellency's commands.

Mr. Brown, by leave, presented a Petition from John Wilson, of Saint Andrews, in the County of Charlotte, setting forth, that he was interested in the purchase of a large Tract of Land from the Crown in the year 1835, and paid the first instalment thereon, besides the expenses of Survey and Plans, and praying that he may receive some consideration for the sums so paid, he having made surrender of the grant.

The Petition being read, and upon the question that it be received and ordered to lie on the Table, the House divided—

YEAS, 5.

NAYS, 19.

And so it was decided in the negative.

Mr. Wilson, from the Committee appointed to examine what Laws have expired, or are near expiring, submitted their Report; and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee to examine what Laws have expired, or are about expiring, Report :

" Chap. 19, 1st Vict.—An Act to provide for the erection of Fences, with Gates, across the Highways on Deer Island, in the Parish of West Isles, in the County of Charlotte, expires 1st April, 1842.

" Chap. 53, 3d Vict.—An Act to prevent the destruction of Oysters in the Harbours of the Counties of Westmorland and Kent, expires 25th March, 1842.

" Chap. 74, 3d Vict.—An Act to continue several Acts for the establishment and regulation of Boards of Health in the several Counties of this Province, expires 1st April, 1842.

" Chap. 34, 4th Vict.—An Act imposing Duties for raising a Revenue, expires 1st April, 1842.

" Respectfully submitted.

" W. WILSON,
 W. END.

" Committee Room, 3d February, 1842."

Ordered, That the Report be accepted.

Mr. Partelow, by leave, presented a Petition from Thomas M'Avity and Company, of the City of Saint John, Merchants, praying to be reimbursed Duties paid on Goods destroyed at the Great Fire in the said City in November last; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon; and

On motion of the Honorable Mr. Weldon,

Ordered, That Mr. Connell be added to the said Committee.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill for the appointment of Firewards and the better extinguishing of Fires which may happen in that part of the Parish of Saint Stephen, commonly called Salt Water, and its immediate vicinity,

With amendments, to which they desire the concurrence of the House.

Mr.

Mr. End, a Member for the County of Gloucester, brought under the notice of the House, the matter of a great outrage committed upon him by Beverley Robinson, in consequence of certain expressions which he had used some days since, when in debate upon the Speech from His Excellency the Lieutenant Governor, at the opening of the Session; whereupon

On motion of the Honorable Mr. Weldon,

Whereas Beverley Robinson, of Douglas, in the County of York, has been guilty of a breach of the privileges of this House, by an assault upon William End, Esquire, a Member of this House, for words spoken in Debate; therefore

Resolved, unanimously, That the Speaker do forthwith issue his warrant to the Sergeant at Arms, to apprehend the said Beverley Robinson, and bring him to the Bar of this House, to answer for the said offence.

On motion of Mr. Brown,

The House went into Committee of the whole, on a Bill to establish the line of Road from Oak Bay, in the County of Charlotte, to the mouth of Eel River, in the County of York, as one of the Great Roads of Communication in this Province.

Mr. J. M. Wilmot, in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had the Bill referred to them under their consideration, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House the following Documents:—

Report from the Auditor General upon the Accounts of Expenditure on Great and Bye Roads during the past year, together with the audit thereon, made up to 26th January last.

[See Appendix.]

Estimate of the Revenue and Expenditure for the year 1842, and for a Consolidated Fund, and which is as follows:—

ESTIMATE OF THE REVENUE AND EXPENDITURE FOR 1842, AND FOR A CONSOLIDATED FUND.

ESTIMATE OF APPROPRIATIONS FOR THE YEAR 1842.

	CURRENCY.				STERLING, DOLLS. @ 4s. 2d.							
Civil List and Salary of the Master of the Rolls,.....	£15,300	0	0	—	—	£12,750	0	0				
Pay and Expenses of the Legislature.....	7,245	0	0	—	—	6,037	10	0				
Collection and Protection of the Revenue,.....	4,420	0	0	—	—	3,683	6	8				
Judicial Establishment,.....	860	0	0	—	—	716	13	4				
Provincial Contingencies,.....	1,000	0	0	—	—	833	6	8				
Contingencies of Secretary's Office,.....	105	0	0	—	—	87	10	0				
Printing Laws, Journals, &c...	1,500	0	0			1,500	0	0				
				30,730	0	0		25,608	6	8		
EDUCATION. { College and Grammar Schools	2,350	0	0	—	—	1,958	6	8				
{ Parish and Madras Schools,.....	12,500	0	0			10,416	13	4				
				14,850	0	0		12,375	0	0		
Packets and Couriers,.....	2,790	0	0	—	—	2,325	0	0				
Lunatic Asylum,.....	1,500	0	0	—	—	1,250	0	0				
Boards of Health,.....	900	0	0	—	—	750	0	0				
BOUNTIES. { Destruction of Bears,	300	0	0	—	—	250	0	0				
{ Erection of Oatmills,	250	0	0	—	—	208	6	8				
Agriculture and Immigration, Relief of Emigrants, and Charitable purposes,.....	1,950	0	0	—	—	1,625	0	0				
	3,750	0	0	—	—	3,125	0	0				
Carried forward,.....	£11,440	0	0	£45,580	0	0	£9,533	6	8	£37,983	6	8

<i>Brought forward</i> ,.....	£11,440	0	0	£45,580	0	0	£9,533	6	8	£37,933	6	8
Indians,.....	475	0	0	—	—	—	395	16	8			
Drawbacks and Return Duties,	3000	0	0	—	—	—	2,500	0	0			
Provincial Agent,.....	240	0	0	—	—	—	200	0	0			
Miscellaneous Services,.....	3,965	0	0	—	—	—	3,304	3	4			
Interest on sums borrowed,....	3000	0	0	—	—	—	2,500	0	0			
Support of Light Houses,.....	3,400	0	0	—	—	—	2,833	6	8			
“ of Sick and Disabled Seamen,	1,550	0	0	—	—	—	1,291	13	4			
Militia,.....	1,250	0	0	—	—	—	1,041	13	4			
Apprehension of Deserters,...	100	0	0	—	—	—	83	6	8			
Repairs of Public Buildings,...	1000	0	0	—	—	—	833	6	8			
				23,420	0	0				24,516	13	4
For Consolidated Fund,.....				25,000	0	0				20,833	6	8
Estimated amount of Revenue,.....	£100,000	0	0				Sterling,.....	£83,333	6	8		

ESTIMATED REVENUE FOR 1842.

Ordinary Net Revenue,.....	£50,000	0	0
For the support of Light Houses,.....	3,500	0	0
Do. of Sick and Disabled Seamen,.....	2,000	0	0
Passenger and Emigrant Duties,.....	2,000	0	0
Revenue from Her Majesty's Customs,.....	27,500	0	0
Casual and Territorial Revenue,.....	15,000	0	0
	£100,000	0	0

CONSOLIDATED FUND.

Charges.

Interest on sum proposed to be borrowed, viz :—£35,000, to pay off existing debt, now bearing 6 per cent. interest, and £65,000 for Roads, Public Buildings, and other Public Works, to be expended in 1842, 5 per cent.....	£5,000	0	0
Towards Sinking Fund for reduction of the sum borrowed, 5 per cent.....	5,000	0	0
Surplus towards future further loans for Public Works, in following years,.....	15,000	0	0
Amount charged on Revenue in 1842,.....	£25,000	0	0

The Honorable Mr. Johnston, also by command of His Excellency, laid before the House—

Copies of Despatches received from the Secretary of State for the Colonies relative to the Financial affairs of the Province, accompanied by a Report from Mr. James Pennington upon the subject.

These Documents being read at the Clerk's Table, are as follow :—

(Copy.)—No. 18.

Downing Street, 2d December, 1841.

SIR,—With reference to that part of your Despatch of the 21st June last, which relates to the mode of raising loans in New Brunswick, and to the state of the Currency, I transmit herewith, the copy of a Letter from the Assistant Secretary to the Treasury, enclosing a Report on those subjects from Mr. Pennington, and I have to request that you would, at your earliest convenience, furnish me with the information called for in that Report.

I have, &c. &c. &c.

(Signed)

STANLEY.

Sir W. COLEBROOKE, &c. &c. &c.

(Copy.)

Treasury Chambers, 30th November, 1841.

SIR,—With reference to a Letter from this Board, of 26th August last, I am commanded by the Lords Commissioners of Her Majesty's Treasury, to transmit to you for the information of Lord Stanley, copy of a Report from Mr. James Pennington, dated 5th ultimo, on the subject of the financial arrangements of New Brunswick, and I am to request that you will move Lord Stanley to call upon the Lieutenant Governor of New Brunswick, to furnish the information suggested by Mr. Pennington.

I am, &c. &c. &c.

(Signed)

C. E. TREVELYAN.

JAMES STEPHEN, Esquire, &c. &c. &c.

London

London, 5th October, 1841.

SIR,—I have the honor to acknowledge the receipt of your Letter, dated 27th August, enclosing Extracts of a Letter from Mr. Stephen, and its enclosures, relative to the financial arrangements of the Government of New Brunswick.

By these Extracts it appears, that in order to meet the deficiency of the Public Revenue, the Provincial Government has latterly been in the habit of "taking up credits" with the private Banks of the Province, and of allowing Interest on outstanding Warrants; that under this arrangement the sum of £36,368 10s. 8d. Currency, was due to the Bank of New Brunswick, at the commencement of present year, and that at the same period, the sum of £24,795 2s. was outstanding upon Warrants.

The Provincial Act, to which Sir W. Colebrooke refers, as authorizing these transactions with the Banks, I apprehend to be 2d Victoria, cap. 44, (1245.)

This Act authorizes the Treasurer of the Province to receive tenders from any Bank or Branch Bank in the City of Saint John, willing to advance money for the Public Service, to submit the tenders to the Lieutenant Governor for approval, and to enter into agreements with the party making the tender; after the agreement is entered into, the Treasurer is required to lodge all public monies with the contracting Bank, or its Branches.

The 18th clause of the Royal Instructions, upon the construction of which, in the Colony, Warrants have been issued, and left outstanding in the manner described by Sir Wm. Colebrooke, is as follows:—

"You are not to suffer any public money whatsoever, to be issued or disposed of otherwise than by Warrants under your hand, but the Assembly may, nevertheless, be permitted from time to time to view and examine the accounts of money disposed of by virtue of laws made by them, as there should be occasion."

With a view to the obtaining correct information as to the practical operation of these arrangements with the Banks, of the amount of the sums lodged in deposit, and of the advances made by the Banks to the Government, I have examined the Accounts transmitted from the Colony to the Auditors of Public Accounts in this Country, and have found, that as the Accounts of the Colony are not now audited in England, none of later date than the year 1837 have been received.

On the 30th June, 1837, it appears that the balance in favor of the Revenue was £46,484 0 4, and that this sum was disposed of and made up as follows:—

Loans to the Banks and the Bridge Company,	£35,000 0 0
Balance of the Account of the late Receiver General, as rendered by his Administrators,	5,510 0 0
Balance of the Account of the present Receiver General,	6,870 8 7
Audited and allowed Balance of the Commissioner of Crown Lands,	3,596 2 0½
	£50,976 10 8

Deduct,	
Unpaid Warrants,	£2,857 7 11
Amount credited in the Account rendered by the Administrators of the late Receiver General, and claimed by the Creditors of Crown Lands, but disallowed for want of Official Accounts, and until a final settlement of the late Receiver General's Accounts takes place,	1,635 2 5
	4,492 10 4
	£46,484 0 4

Whether there existed, at that period, any outstanding debts and engagements other than outstanding Warrants, amounting to £2,857 7s. 11d. it is not stated in the Accounts; if no such debts and engagements at that time existed, the Revenue of the Province must, I conceive, have been so far surplus in previous years, as to have enabled the Government to make advances, in the way of loan, to the Banking Institutions of the Colony, and the Bridge Company, to the extent of £35,000, at 3½ per cent. interest.

Since that period, the Revenue of the Province appears to have been unequal to the expenditure, and the deficiency has been met by raising money on loan from the Banks, and by the issue of Warrants bearing interest in the manner above mentioned.

On the 31st December last, the balance of Bonds and Cash, constituting part of the Assets of Government, is stated in an Account appended to the Lieutenant Governor's Despatch, to have been £44,082 17s. 1d. Whether this included the whole, or any part of the loans made to the Banks, previously to the 30th June, 1837, at 3½ per cent. interest, and whether the Banks to which any part of this money was lent, are those from which advances on a running credit are now obtained, it does not appear. It will be very desirable, that to the account of the receipts and expenditure of the Colony, transmitted to the Secretary of State, there should be added a statement of the mode in which the balance at the commencement, and at the termination of the Account, is made up, how it is disposed of, and of what it consists; it is likewise desirable, with a view to the future consideration of this subject, that a statement of the outstanding debts and engagements of the Province, and of the

the interest which they respectively bear, should be furnished by the Lieutenant Governor, also of the interest paid to and received from the Banks with which agreements are entered into, under the authority of the 2d Victoria, cap. 44.

With respect to the adoption of British Sterling as the money of Account in the Province, and the circulation of Foreign Coins, at their intrinsic value, as suggested by Sir Wm. Colebrooke, I beg to refer to the Report which I had the honour to submit to the Lords of the Treasury on this subject, on the 6th July, 1839.

I have, &c. &c. &c.

(Signed)

JAMES PENNINGTON.

JAMES STEPHEN, Esquire, &c. &c. &c.

Mr. Partelow, by leave, presented a Petition from Charles R. Jarvis of the City of Saint John, Merchant, praying to be reimbursed for Duties paid on Goods destroyed at the Great Fire in the said City in November last; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Palmer moved for leave to bring in a Bill, to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Leave granted.

Mr. Hayward moved for leave to bring in a Bill, to enable the Shareholders of a Company, called "The New Brunswick Steamboat Company," to sue and be sued by that name.

Leave granted.

The said Bill being brought in, was read a first time.

The House adjourned until to-morrow morning at 10 o'clock.

Friday, 4th February, 1842.

Prayers.

Read a second time—

A Bill to enable the Shareholders of a Company, called "The New Brunswick Steam Boat Company," to sue and be sued by that name.

Mr. Boyd, by leave, presented a Petition from Thomas Berry, of Saint Andrews, in the County of Charlotte, Contractor for building the new Court House at that place, praying compensation for loss sustained in the erection thereof; which he read.

And upon the question, that the said Petition be received and referred to the Committee of Supply, the House divided—

YEAS, 6.

NAYS, 12.

Whereupon it was decided in the negative.

Mr. End, by leave, presented a Petition from Joseph Read, and 51 others, inhabitants of the County of Gloucester, praying that an Act may pass, extending the time for exploration specified in the Lease to William Stevens, Esquire, of certain Mines and Minerals in the said County; which he read.

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

Mr. Partelow, by leave, presented a Petition from William H. Street, of the City of Saint John, Merchant, praying for return of Duties paid on a quantity of Geneva destroyed in the City Warehouse by the Great Fire in November last; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Owen, by leave, presented a Petition from the Justices of the Peace for the County of Charlotte, praying that an Act may pass to authorize a further assessment for the payment of the debts due from the said County; and also for a further grant in aid towards the erection of the new Court House; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying for certain amendments and additions to the Acts now before the House, for widening Saint John or Water Street, (so called) and

and for the opening of a new Street, in continuation thereof, from Duke Street to Saint James' Street, and that the same may not pass without such amendments ; which he read.

Ordered, That the said Petition be received, and lie on the Table; and
On motion of Mr. Partelow,

Resolved, That the said Petition, as well as the Bills for widening Saint John Street, and opening a new Street in continuation thereof, be referred to a Select Committee to report thereon.

Ordered, That the Honorable Mr. Weldon, Mr. L. A. Wilmot and Mr. End, do compose the said Committee.

Mr. Woodward, by leave, presented two Petitions from Robert Rankin and Company, of Saint John, Merchants, praying for a return of Head Money paid on Passengers by the brig Wilkinson, from Belfast, in April last, and the ship Macao, in June following; which he severally read.

Ordered, That the said Petitions be received, and referred to the Committee of Supply.

Mr. Hill, by leave, presented a Petition from the Reverend Henry Daniel, and 45 others, Minister and Members of the Wesleyan Congregation, Inhabitants of the Mill Town Circuit, in the County of Charlotte, praying that a grant may pass to the Trustees of the Wesleyan Academy, recently erected at Sackville, in the County of Westmorland, in aid of that Establishment; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Hill, by leave, presented a Petition from John Grimmer, of Saint Stephen, in the County of Charlotte, on behalf of himself and one James Gillis, praying that the penalty paid under the " Act to provide for a regular supply of Seamen for new Ships fitted out or loaded in the Province," may be refunded; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Partelow, by leave, presented two Petitions from Crookshank and Walker, of the City of Saint John, Merchants, praying for a return of Duties on Pimento shipped to Boston in the month of May 1840; which he severally read.

Ordered, That the said Petitions be received, and referred to the Committee of Supply.

Mr. Barberie moved for leave to bring in a Bill, to authorize the Magistrates for the County of Restigouche to levy an assessment upon the inhabitants of the said County to pay off the County Debt.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, by leave, presented a Petition from William P. Ranney, of the City of Saint John, Merchant, praying for a return of Duties on Wines exported to Halifax, Nova Scotia, in October, 1840; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Hill, by leave, presented a Petition from Samuel Frye, the Reverend Alexander McLean, Charles V. Forster, and 25 others, Members of the Saint Andrews Geological and Philosophical Society, in the County of Charlotte, praying aid towards the encouragement thereof; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Education, to report thereon.

Mr. Partelow, by leave, presented a Petition from Crookshank and Walker, of the City of Saint John, Merchants, praying to be reimbursed Duties on Goods destroyed in the City Warehouse, at the great Fire in November last; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Street, by leave, presented a Petition from Catharine Easton, a licenced Teacher, praying compensation for teaching a School at Chatham, in the County of Northumberland, for a period of one year and three months, ending in February, 1841; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Wilson moved for leave to bring in a Bill, to continue an Act, intituled "An Act to continue several Acts for the establishment and regulation of Boards of Health in the several Counties of this Province":

A Bill to continue an Act, intituled "An Act to prevent the destruction of Oysters in the Harbours of the Counties of Westmorland and Kent": and

A Bill to continue an Act, intituled "An Act to provide for the erection of Fences, with Gates, across the Highways on Deer Island, in the Parish of West Isles, in the County of Charlotte."

Leave granted.

The said Bills being brought in, were severally read a first time.

Mr. Partelow, by leave, presented a Petition from William H. Street, of the City of Saint John, Merchant, praying to be reimbursed for Duties paid on Rum and Brandy exported to Nova Scotia in the month of March last; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying that an Act may pass for improving the Police in the said City; which he read.

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

Mr. Partelow moved for leave to bring in a Bill, for improving the Police in the City of Saint John.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of Mr. End,

Resolved, That the Documents communicated to the House by His Excellency the Lieutenant Governor on Tuesday the 1st instant, relative to an application from the Board of Health for the County of Gloucester, for a grant to reimburse expenses incurred in the preservation of the Public Health, be referred to a Select Committee to report thereon.

Ordered, That Mr. M'Leod, Mr. Hill and Mr. Street, do compose the said Committee.

Mr. Connell, by leave, presented a Petition from Richard Ketchum, Esquire, and 28 others, Magistrates and Inhabitants of the County of Carleton, praying that an Act may pass to divide the Parish of Wakefield; which he read.

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

Mr. Connell moved for leave to bring in a Bill, to erect the upper part of the Parish of Wakefield, in the County of Carleton, into a separate and distinct Town or Parish.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Brown, by leave, presented a Petition from John Porter, George M. Porter, Joseph Porter and James Porter, Ship Owners, in Saint Stephen, in the County of Charlotte, praying that a sum of money paid under the "Act to provide for a regular supply of Seamen for new Ships fitted out or loaded in the Province," may be refunded to them; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

On motion of the Honorable Mr. Johnston,

Ordered, That the Estimate of the Revenue and Expenditure for the year 1842, and for a Consolidated Fund, laid before the House yesterday, by command of His Excellency the Lieutenant Governor, be referred to the Committee to take into consideration all matters relating to the Finances of the Province.

On

On motion of Mr. L. A. Wilmot,

Whereas it is deemed important that the opinion of the Law Officers of the Crown in this Province should be had as to the power of the Executive Government, under the Civil List Act, to compound or cancel any claims which may exist against any person for or by reason of any contract or agreement for the disposal of Crown Lands and Timber in this Province; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to call for the written opinion of the Law Officers of the Crown on the aforesaid subject; and that they should state by whom or by what authority such claims can be cancelled or compounded; and that His Excellency will be pleased to lay such opinion, when received, before this House.

Ordered, That Mr. L. A. Wilmot, Mr. Hanington and Mr. Palmer, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Palmer,

Ordered, That the House do on Thursday next, the 10th instant, go into Committee of the whole, in further consideration of the Bill to limit the duration of the Assembly.

Mr. Partelow, by leave, presented a Petition from William H. Street, James Lockwood and Company, Ezekiel Barlow and Sons, Thomas M'Avity and Company, John Kerr and Company, and 62 others, Merchants and Ship Owners of the City of Saint John, praying that an Act may pass to regulate Dockage, Wharfage and Cranage in the said City and Parish of Portland; which he read.

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

Mr. Partelow moved for leave to bring in a Bill, to regulate Dockage, Wharfage and Cranage in the City of Saint John and Parish of Portland.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Street,

Whereas there has been a Petition presented to this House from a large number of influential and respectable Freeholders on the South West Branch of the Miramichi River, praying that an Act may pass to alter the site at present established for the erection of the contemplated Bridge across the said Branch on the Great Road between Fredericton and Newcastle; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to appoint some fit and proper person or persons to examine the site at present established by Law across that River, and also the one proposed, and to report the result to His Excellency the Lieutenant Governor, to be laid before this House.

To which Mr. Partelow moved as an amendment—To expunge the whole of the said Resolution, as well as the Preamble thereto, and substitute the following:—

“*Resolved*, That the site for the contemplated Bridge over the South West Branch of the Miramichi River having been already twice carefully explored by Commissioners, and their Report established by Law, it would, in the opinion of this House, be an useless expense to recommend any further Exploration.”

Upon the question for adopting the amendment, the House divided as follows:—

YEAS.

The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Partelow,
L. A. Wilmot,
Beardsley,
Palmer,
Jordan,
Gilbert,
Woodward,
Freeze,
M'Leod,
Owen,
Hayward,
Brown,
Hill.

NAYS.

Mr. Street,
Rankin,
M'Almon,
J. M. Wilmot,
Wilson,
Boyd,
Hanington.

Whereupon it was carried in the affirmative.

Mr.

Mr. Brown, by leave, presented a Petition from William Todd, of Saint Stephen, in the County of Charlotte, praying for relief in consequence of losses sustained in the purchase of a Tract of Crown Land in the year 1835, and upon which he had paid two Instalments, and afterwards made surrender of the whole Tract; which he read.

And upon the question, that the said Petition be received and ordered to lie on the Table, the House divided—

YEAS, 9.

NAYS, 16.

Whereupon it was decided in the negative.

On motion of Mr. Stewart,

The House went into Committee of the whole, on a Bill for regulating the Salmon Fisheries in the County of Gloucester.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

Saturday, 5th February, 1842.

Prayers.

Read a second time the following Bills:—

A Bill for improving the Police in the City of Saint John:

A Bill to regulate Dockage, Wharfage and Cranage in the City of Saint John and Parish of Portland:

A Bill to authorize the Magistrates for the County of Restigouche to levy an assessment upon the inhabitants of the said County to pay off the County Debt:

A Bill to erect the upper part of the Parish of Wakefield, in the County of Carleton, into a separate and distinct Town or Parish:

A Bill to continue an Act, intituled "An Act to provide for the erection of Fences, with Gates, across the Highways on Deer Island, in the Parish of West Isles, in the County of Charlotte":

A Bill to continue an Act, intituled "An Act to prevent the destruction of Oysters in the Harbours of the Counties of Westmorland and Kent": and

A Bill to continue an Act, intituled "An Act to continue several Acts for the establishment and regulation of Boards of Health in the several Counties of this Province."

Read a third time as engrossed,

A Bill further to facilitate the means of supplying the City of Saint John with Water, by transferring the Water Works of the Saint John Water Company to the Mayor, Aldermen and Commonalty of the City of Saint John.

Resolved, That the Bill do pass.

Ordered, That Mr. Woodward take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill relating to the driving of Stage Coaches and other Wheel Carriages on the Great Roads of Communication throughout this Province.

Resolved, That the Bill do pass.

Ordered, That Mr. Brown take the said Bill to the Council, and desire their concurrence thereto.

Read as engrossed,

The Resolutions of Appropriation passed in Committee of Supply on the 31st day of January last.

Ordered, That Mr. Allen take the said Resolutions to the Council, and desire their concurrence thereto.

Mr.

Mr. Owen moved for leave to bring in a Bill, to authorize Her Majesty's Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. End, by leave, presented a Petition from James De Bourke, praying to be remunerated for teaching a School in the Parishes of Ludlow and Blissville, in the County of Northumberland, in the years 1839 and 1841; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Barberie, by leave, presented a Petition from John Campbell, William Doyle and Robert M'Intosh, Overseers of the Poor for the Parish of Durham, in the County of Restigouche, praying to be reimbursed expenses incurred in the support of and Medical attendance provided for one John Grosebeck, a transient Pauper, during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. End, by leave, presented a Petition from Thomas M. Deblois, Joseph Read and William Napier, Commissioners of Buoys and Beacons for the Harbour of Bathurst, in the County of Gloucester, praying to be reimbursed for advances made in that capacity; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Rankin, by leave, presented a Petition from John Fraser, Henry B. Allison, Esquires, and 38 others, of the County of Northumberland, praying that a grant may pass in aid of the Steamer Pocahontas, provided said Boat be placed on the line between Miramichi, Prince Edward Island and Pictou; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from Daniel Leavitt, of the City of Saint John, Merchant, praying for return of Duties on twenty two casks of Sugar destroyed at the Great Fire at Saint John in November last; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Woodward, by leave, presented a Petition from Thomas E. Millidge, of the City of Saint John, Merchant, praying a like return of Duties on Goods destroyed at the same Fire; which he read.

Ordered, That the said Petition be received, and referred to the same Committee.

Mr. Woodward, by leave, presented a Petition from Eaton, Burnham and Company, of the City of Saint John, Merchants, praying for a return of Head Money paid on Passengers by the brig Prince Albert, from Dublin, on the 7th of July last; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Street, by leave, presented a Petition from the Reverend Arthur M'Nutt, Alexander Goodfellow, Robert Morrow, William Letson, and 62 others, Minister and Members of the Wesleyan Congregations, and other Inhabitants of the Miramichi Circuit, in the County of Northumberland, praying that a grant may pass to the Trustees of the Wesleyan Academy recently erected at Sackville, in the County of Westmorland, in aid of that Establishment; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House—

Account of Expenses incurred by Moses H. Perley, Esquire, Commissioner for Indian affairs, on Missions to the Micicete Indians, on the River Saint John, and the Micmacs, in the Eastern part of the Province.

On motion of the Honorable Mr. Johnston,
Ordered, That the said Account be referred to the Committee on Indian affairs, to report thereon.

Mr. Stewart moved for leave to bring in a Bill, to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County for payment of the County Debt.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, by leave, presented a Petition from Robert W. Crookshank, of the City of Saint John, praying to be relieved from his bond to the Crown, by which he is obligated to erect Fire Proof Buildings either of Brick or Stone, on the North Market Wharf, beyond Nelson Street, for the reasons set forth in the Petition, and the certificates accompanying the same; which he read.

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

The Honorable Mr. Speaker laid before the House—

Return from the Marine Assurance Company, at Saint John, for the six months ending 31st December last, furnished in pursuance of their Act of Incorporation.

[See Appendix.]

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House—

Extract from a Report by the Honorable Judge Parker, in reference to the Riot at Restigouche.

This document being read at the Clerk's Table, is as follows:—

Extract of a Report from the Honorable Judge Parker, dated Bathurst, September 11, 1841.

"I had the honor of receiving Your Excellency's Letter of the 3d instant, addressed to Mr. Johnston and myself, on my return to this place from Restigouche, the County in which the outrage occurred to which Your Excellency refers.

"Although no depositions or other documents were laid before me, I felt it my duty while at Dalhousie, to make particular enquiry into the circumstances of so daring and violent a riot, accompanied by a rescue of prisoners in the Gaol, with a view to having the matter taken up before the Grand Jury, whose attention I particularly directed to the subject.

"I found that a Bill of Indictment had already been found at the Sessions against several of the persons accused, and Bench Warrants issued for their apprehension, but none had been taken, it being supposed they had left the Country.

"Although a large number of persons had joined in the riot, it was found impossible to identify any other persons by such evidence as would justify their apprehension, and no proceedings were taken at the Court over which I presided. I found a sort of Police force had been organized, under the direction of a respectable Militia Officer, but as there was only one prisoner in Gaol, a man convicted of Larceny, it was not thought necessary to continue the force beyond the sitting of the Court."

(Signed)

R. PARKER.

His Excellency the Lieutenant Governor.

(True Extract.)—R. HAYNE, A. D. C.

The Honorable Mr. Johnston, also by command of His Excellency, laid before the House—

Accounts from the Commissioners of Light Houses for the Saint Lawrence, of expenditures on the Light House at Point Escuminac, at the entrance of the River Miramichi.

On motion of Mr. Hill,

The House proceeded to take into consideration the amendments made by the Legislative Council to

The Bill for the appointment of Firewards, and the better extinguishing of Fires which may happen in that part of the Parish of Saint Stephen, commonly called Salt Water, and its immediate vicinity.

And they being severally read, and the question taken thereon, they were not concurred in by the House.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on a Bill for the better and more effectual auditing of the Public Accounts.

Mr.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

Mr. M'Leod, from the Committee appointed yesterday to take under consideration an application from the Board of Health for the County of Gloucester, to be reimbursed expenses incurred in the preservation of the Public Health, and which was laid before the House on the 1st instant by command of His Excellency the Lieutenant Governor, submitted their Report; and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“ The Select Committee to whom were referred certain Petitions and Accounts of the Board of Health for the County of Gloucester, sent down to this House by Message from His Excellency the Lieutenant Governor, praying for a Warrant to issue for the payment of Doctors Gordon and Bishop's account, as Health Officers of that Board, for vaccinating the poor French population of Bathurst and Caraquet, in that County, in the summer of 1841, amounting to the sum of £208 9s. Report :

“ That they have had under their consideration the said Petitions and Accounts, and have also had Doctor Gordon, one of the said Health Officers before them, and have heard that gentleman in support and explanation of the said Accounts; and after maturely considering and examining the said Accounts, and the statement of Doctor Gordon, the Committee are of opinion that the charge of 5s. per head, for vaccinating the 820 subjects at Caraquet, is entirely too high; that it appears from Doctor Gordon's statement, that the Health Officers were engaged on that duty about twenty days each. It also appears by the accounts that there were 23 subjects vaccinated in the Parish of Bathurst, the Parish in which both Health Officers reside.

“ The Committee are therefore of opinion, that if 46s. 8d. per day were allowed to the Health Officers respectively, for the time they were occupied at Caraquet, and 2s. per head for the subjects vaccinated in Bathurst, it would be an ample compensation for the services in question; that at this rate, the amount of the Health Officers remuneration for their services would amount to £95 12 8.

“ The Committee, however, feel it only justice to add, that it appears to the Committee that the Board of Health were influenced by the most humane motives in ordering the duty in question to be done, though they may have erred in judgment, in agreeing to give to the Health Officers so large a sum for the performance thereof, and that the Health Officers have only charged at the rate the Board of Health agreed to pay them.

“ WM. M'LEOD,
GEORGE S. HILL,
J. A. STREET.

“ *Committee Room, 5th February, 1842.*”

Ordered, That the Report be accepted.

The House adjourned until Monday morning next at 10 o'clock.

Monday, 7th February, 1842.

Prayers.

Read a second time—

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

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

Mr. L. A. Wilmot, by leave, presented a Petition from Edmund Ward, Proprietor and Editor of the Sentinel, Newspaper, complaining of certain Post Office charges on Newspapers circulated through the Provincial Post Offices, and praying relief; which he read.

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

Read

Read a third time as engrossed,

A Bill to establish the line of Road from Oak Bay, in the County of Charlotte, to the mouth of Eel River, in the County of York, as one of the Great Roads of Communication in this Province.

Resolved, That the Bill do pass.

Ordered, That Mr. Brown take the said Bill to the Council, and desire their concurrence thereto.

Mr. Taylor moved for leave to bring in a Bill, to authorize the establishment of a Market in Fredericton.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Woodward, by leave, presented a Petition from Daniel Leavitt, Charles Ward, George A. Lockhart, Esquires, and 168 others, Magistrates, Merchants, Traders and Inhabitants of the City of Saint John, praying that a Bill read in presence of the Grand Jury of Saint John, and now before the House, which provides for imposing a Top Wharfage, may not pass into a Law, for the reasons set forth in the said Petition; which he read.

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

Mr. Connell, by leave, presented a Petition from John Dibblee, Esquire, and 29 others, Magistrates and Freeholders of the County of Carleton, praying that an Act may pass for an increase of the Representation in the said County; which he read.

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

Mr. Connell moved for leave to bring in a Bill, to increase the Representation of the County of Carleton.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Wilson, by leave, presented a Petition from the Reverend George Miller, and 72 others, Minister, Officers and Members of the Wesleyan Congregations, and other Inhabitants in the Point de Bute Circuit, in the County of Westmorland, praying that a grant may pass to the Trustees of the Wesleyan Academy recently erected in Sackville, in the said County, in aid of that Establishment; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Taylor moved for leave to bring in a Bill, to repeal all the Acts now in force in regard to Fires in the Town of Fredericton and its vicinity, and to make other regulations in lieu thereof.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Woodward, by leave, presented a Petition from Crane and M'Grath, of the City of Saint John, Merchants, on behalf of F. A. Taylor, owner of the schooner Jane, praying for a return of Head Money paid at Saint John on Passengers by that vessel from Limerick, on the 29th of June last; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Fisher moved for leave to bring in a Bill, to provide for the repair of the Streets and Highways in Fredericton.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Hayward,

The House went into Committee of the whole, on a Bill to enable the Shareholders of a Company, called "The New Brunswick Steam Boat Company," to sue and be sued by that name.

Mr. End in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had the Bill referred to them under their consideration, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Wilson,

The House went into Committee of the whole, on a Bill to continue an Act, intituled "An Act to provide for the erection of Fences, with Gates, across the Highways on Deer Island, in the Parish of West Isles, in the County of Charlotte."

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had the Bill referred to them under their consideration, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

Mr. M'Leod, by leave, presented a Petition from Asa Davidson, High Sheriff of King's County, John Brittain, Esquire, and 120 others, Magistrates and Inhabitants of the Parishes of Springfield and Kingston, in the said County, praying that the proposed Bridge on the new line of Road between the Head of Bellisle and Kingston, may not be built until a better site be ascertained, and that the monies which may be granted for the said Road may be expended on certain parts thereof; which he read.

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

Mr. M'Leod, also by leave, presented a Petition from Thomas Ketchum, Esquire, Lewis Pickett, and 148 others, Inhabitants of the same Parishes, in King's County, praying that no alteration may take place in the site for the proposed Bridge on the new line of Road between the Head of Bellisle and Kingston; which he read.

Ordered, That this Petition be received, and lie on the Table.

Mr. Woodward, by leave, presented a Petition from Abraham Gesner, Provincial Geologist, praying for return Duties paid on the importation of Philosophical Apparatus from the United States; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Woodward, also by leave, presented another Petition from Abraham Gesner, praying that a grant may pass to aid him in establishing a Museum in the City of Saint John; which he read.

Ordered, That the said Petition be received, and lie on the Table; when

It was moved by Mr. Woodward,

Resolved, That the said Petition be referred to a Select Committee to report thereon.

Upon the question for adopting the Resolution, the House divided—

YEAS, 9.

NAYS, 13.

And so it was decided in the negative.

Mr. Hill moved for leave to bring in a Bill, relating to the appointment of Firewards, and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte, therein mentioned.

Leave granted.

The said Bill being brought in, was read a first time.

The House proceeded to the Order of the Day, to go into Committee of the whole in further consideration of the several Messages and other Documents communicated to the House by command of His Excellency the Lieutenant Governor.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had under their consideration the Message of the 24th January, communicated to the House on the 25th of the same month, relating to the Financial affairs of the Province, and that the Committee had made progress therein, and he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

Tuesday, 8th February, 1842.

Prayers.

Read a second time the following Bills:—

A Bill to authorize the establishment of a Market in Fredericton :

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

A Bill to repeal all the Acts now in force in regard to Fires in the Town of Fredericton and its vicinity, and to make other regulations in lieu thereof :

Bill to provide for the repair of the Streets and Highways in Fredericton : and

A Bill relating to the appointment of Firewards, and the better extinguishing of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte, therein mentioned.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House the following Documents:—

Report from the Commissioners of the Marine Hospital at the Port of Saint John, for the past year.

[See Appendix.]

Report from the Commissioners of the Bay of Fundy Light Houses, accompanied by Account of Expenditure for the past year.

[See Appendix.]

Report from Province Treasurer, communicating to His Excellency the information required in Mr. Pennington's Report, upon the subject of the Financial affairs of the Province, and which accompanied Lord Stanley's Despatch laid before the House on the 3d instant.

Letter from Her Majesty's Attorney General to His Excellency, relative to the penalties incurred by individuals under the Act to provide for a regular supply of Seamen, accompanied by Statements of Prosecutions had under the said Act.

[See Statements in Appendix.]

The Report from the Province Treasurer, as well as the Letter from the Attorney General, being read at the Clerk's Table, are as follow:—

REPORT FROM PROVINCE TREASURER ON SUBJECT OF FINANCIAL AFFAIRS.

(Copy)

Fredericton, 29th January, 1842.

SIR,—Having been called upon to furnish His Excellency the Lieutenant Governor with the information required in Mr. Pennington's Report, transmitted to His Excellency in Lord Stanley's Despatch, dated 2d December, 1841, I have the honor to submit the following remarks, viz:—

The accounts referred to by Mr. Pennington, of the 30th June, 1837, shewing a surplus or balance in favor of Government at that period of £46,484 0 4, were the statement of the Casual Revenue previously to its transfer to the General Revenues of the Province, in consideration of the Civil List being provided for by the Legislature; the outstanding Warrants of £2,857 7 11, were Warrants on that particular Revenue due at that date, out of the stated balance, and a further portion of that balance has never, I believe, been made available to the Provincial Treasury, in consequence of engagements previously made by the Government for work to be performed on the Royal Road. In July, 1837, the securities for the £35,000 were transferred to the Province Treasury, and Bills of Exchange to the amount of £15,000 Sterling, drawn on the Lords of the Treasury, on account of payments made by the New Brunswick and Nova Scotia Land Company. The proceeds of these Bills were applied towards the payment of the outstanding Provincial debts.

The Expenditure of the Province, in consequence of very large sums being appropriated to opening of and improving the Roads of Communication, having since that period exceeded the Revenue, the amount of £29,000, loaned to the Banks at 3½ per cent. interest, part of the £35,000 above mentioned, was called in, and at the close of past year, viz. 31st December, 1841, the Financial state of the Province stood thus:—

Debts and Liabilities,.....	£108,677 7 6
Assets, exclusive of the balance due by the Land Company,...	75,113 11 3

Amount of actual Debt,.....	£33,563 16 3
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The Bank Account, under the Act 2d Vict. cap. 44, allows an interest of 4 per cent. on Deposits, as well as on sums that may be drawn out by the Treasurer. A credit being allowed on the payment of Provincial duties, this Account was deemed expedient to enable the Treasurer to pay promptly all demands against the Province, but the increased expenditure having outstripped the limits

limits of this account, the Treasurer has been obliged to put a number of Warrants on interest, at the rate of six per cent. agreeably to the provisions of the previous Act of 4th Wm. 4, cap. 43.

Of the above debts and liabilities, about £20,000 bear 4 per cent. interest, and £8,000 bear 6 per cent. interest, against which, £25,000 of the assets bear also an interest of 6 per cent.

I have the honor, &c.

B. ROBINSON, P. T.

ALFRED READE, Esquire, Private Secretary.

LETTER FROM ATTORNEY GENERAL AS TO PENALTIES UNDER SEAMEN'S ACT

Fredericton, 5th February, 1842.

SIR,—I have the honor to enclose a statement of certain Prosecutions, instituted by several different informers, for penalties incurred by the defendants therein named, for the non-importation of Seamen, under the Provincial Act, passed in the third year of Her Majesty's Reign, entitled "An Act to provide for a regular supply of Seamen for new Ships fitted out or loaded in the Province"; which Act was subsequently disallowed by Her Majesty, in consequence of which all further proceedings ceased.

The account herewith rendered, states the amount which has been received by me on those Prosecutions. The Act provided that one half of all penalties should be paid to the person who sued and prosecuted for the same; and the other half into the Treasury of the Province, for the use and support of Sick and Disabled Seamen.

The moiety of these penalties, which have been received, was paid by me to the several prosecutors, shortly previous to the receipt of the Despatch announcing the Royal disallowance.

And it will be now for the Executive to direct, whether the remainder shall be paid into the Treasury, or returned to the different persons from whom the same was received.

I have the honor to be,

Your most obedient servant,

CHARLES J. PETERS,

Attorney General.

The Honorable WILLIAM F. ODELL, &c.

The Honorable Mr. Johnston, by leave, presented a Petition from John Murdoch, praying compensation for teaching a School in the Parish of Wicklow, in Queen's County, for one year, ending in February 1840; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

The Honorable Mr. Johnston moved for leave to bring in a Bill, to authorize the Justices of the Peace for Queen's County to levy an assessment to pay off the County Debt.

Leave granted.

The said Bill being brought in, was read a first time.

Read a third time as engrossed,

A Bill to enable the Shareholders of a Company, called "The New Brunswick Steam Boat Company," to sue and be sued by that name.

Resolved, That the Bill do pass.

Ordered, That Mr. Hayward take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to continue an Act, intituled "An Act to provide for the erection of Fences, with Gates, across the Highways on Deer Island, in the Parish of West Isles, in the County of Charlotte."

Resolved, That the Bill do pass.

Ordered, That Mr. Wilson take the said Bill to the Council, and desire their concurrence thereto.

Mr. Fisher, by leave, presented a Petition from Elijah L. Norcross, of Bangor, in the State of Maine, and United States of America, praying compensation for a Horse, Harness and Waggon seized and sold for a breach of the Revenue Laws, for the reasons set forth in the said Petition; which he read.

Ordered, That the said Petition be received, and referred to a Select Committee to report thereon; and further

Ordered, That Mr. Fisher, Mr. Hanington and Mr. Jordan, do compose the Committee.

On

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill to incorporate sundry persons by the name of The Saint Stephen's Marine Assurance Company.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had the Bill referred to them under their consideration, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

Mr. Woodward, by leave, presented a Petition from N. S. Demill, of the City of Saint John. Merchant, praying for a return of Duties on Goods destroyed by the Great Fire at that place in November last; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer under their consideration, to report thereon.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had agreed to

The Bill to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned," to the Towns of Dalhousie and Campbelton, in the County of Restigouche,

Without making any amendment thereto.

Mr. Boyd, by leave, presented a Petition from William Simpson, of Saint Andrews, in the County of Charlotte, praying that the grant for keeping the Ferry across the Waweig River may be continued until the contemplated Bridge over that River is completed; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Boyd, also by leave, presented a Petition from William White, of Saint Stephen, in the County of Charlotte, praying that the grant for keeping a Ferry at Oak Point may be continued; which he read.

Ordered, That this Petition be received, and referred to the same Committee.

Mr. Connell moved for leave to bring in a Bill, to repeal an Act to encourage the destroying of Wolves, and an Act to grant a bounty on the destruction of Bears in this Province, and make other provision for the same.

Leave granted.

Mr. Connell, by leave, presented a Petition from the Reverend George Johnston, and 73 others, Minister and Members of the Wesleyan Congregations, and other Inhabitants in the Woodstock Circuit, in the County of Carleton, praying that a grant may pass to the Trustees of the Wesleyan Academy recently erected at Sackville, in the County of Westmorland, in aid of that Establishment; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Palmer, by leave, presented a Petition from the Reverend Richard Shepherd, and 137 others, Minister and Members of the Wesleyan Congregations, and other Inhabitants of the County of Westmorland, of a like prayer; which he read.

Ordered, That this Petition be likewise received, and referred to the Committee of Supply.

Mr. Hill moved for leave to bring in a Bill, to authorize the appointment of Commissioners to examine into the state and condition of the several Banks in this Province.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, by leave, presented a Petition from A. M. Maxwell, Colonel and Lieutenant Colonel Commanding Her Majesty's Thirty Sixth Regiment, praying for a return of Duties paid on Wines, &c. for the use of the Mess; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr.

Mr. Partelow, by leave, presented a Petition from William Kilpatrick, of the Parish of Portland, in the County of Saint John, setting forth, that his House was pulled down by direction of the Magistrates and Firewards, at the time of the Great Fire at that place in August last, to prevent its further extending, and that the Fire did not subsequently reach the ground upon which his premises were erected, and praying Legislative aid for the loss sustained; which he read.

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

Mr. Fisher, by leave, presented a Petition from Colin Allan, M. D., Joseph Gaynor, William J. Bedell, and 17 others, Freeholders and Inhabitants of Fredericton, in the County of York, praying an alteration in the Law relating to the duration of the Assembly, and to the election of Members to serve therein, by limiting the duration of such General Assembly to four years, and shortening the polling at elections to one or two days; which he read.

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

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, in further consideration of the Messages and other Documents communicated by command of His Excellency the Lieutenant Governor.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Message of the 24th January, relating to the Financial affairs of the Province, again under their consideration, had made further progress therein, and he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

Wednesday. 9th February. 1842.

Prayers.

Read a second time—

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

A Bill to authorize the appointment of Commissioners to examine into the state and condition of the several Banks in this Province.

Mr. Hanington, by leave, presented a Petition from William C. Smith, and 118 others, inhabitants of the Counties of Westmorland and Kent, praying that the grant for the encouragement of the Packet plying between Shediac, in the said County of Westmorland, and Bedeque, in Prince Edward Island, may be continued; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Street, by leave, presented a Petition from Henry Swim, praying remuneration for ferrying the Mail for the last two years across the South West Branch of the River Miramichi where the Great Road crosses the said River; which he read.

Upon the question, that the said Petition be received and referred to the Committee of Supply, the House divided—

YEAS, 5.

NAYS, 10.

And so it was decided in the negative.

Mr. Hill, by leave, presented a Petition from Nehemiah Marks, of Saint Stephen, in the County of Charlotte, praying for a return of the penalty paid under the Act to provide for a regular supply of Seamen for new Ships built or fitted out within the Province, the said Act having been disallowed by Her Majesty's Government; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Connell, by leave, presented a Petition from Frederick Morehouse, James R. Tupper,

Tupper, and 18 others, Officers and Members of the Fire Engine Company in Woodstock, in the County of Carleton, praying to be further exempted from Parochial Duties ; which he read.

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

Mr. Connell moved for leave to bring in a Bill, to amend an Act, intituled "An Act for the appointment of Firewards in the Parish of Woodstock."

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Rankin, by leave, presented a Petition from James Holmes, of the Parish of Northesk, in the County of Northumberland, praying compensation for expenses in blowing Rocks and in clearing obstructions in the Little South West Branch of the River Miramichi ; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Street moved for leave to bring in a Bill, to repeal certain parts of an Act, intituled "An Act to authorize the appointment of Commissioners to lay out a Street or Highway through the Town of Chatham, and to establish and regulate Public Landings in the said Town," and to make other provisions in lieu thereof.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, by leave, presented a Petition from John V. Thurgar, of the City of Saint John, Merchant, praying to be reimbursed Duties paid on Goods destroyed at the Great Fire at that place in November last ; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Wilson, by leave, presented a Petition from Charles Thibedeau, of Dorchester, in the County of Westmorland, praying compensation for losses sustained in consequence of a suit prosecuted against him as a Commissioner of Bye Roads, for the reasons therein set forth ; which he read.

Ordered, That the said Petition be received, and referred to a Select Committee to report thereon ; and further

Ordered, That Mr. Fisher, Mr. End and Mr. Brown, do compose the said Committee.

Mr. Beardsley, by leave, presented a Petition from George L. Raymond, of Woodstock, in the County of Carleton, praying like compensation for loss in consequence of a suit brought against him for an alleged trespass, when executing a Contract under Commissioners for expending a certain Bye Road appropriation in that Parish ; which he read.

Ordered, That the said Petition be received, and referred to the same Committee, to report thereon.

Mr. Freeze, by leave, presented a Petition from James Cother, of Upham, in King's County, a Commissioner for expending a certain Bye Road grant, praying compensation for loss in consequence of a suit brought against him in that capacity, by one John Barnes, as well as to be reimbursed a sum expended in repairing a Bridge across Hammond River, over and above the amount of the grant ; which he read.

Ordered, That this Petition be received, and referred to the same Committee; and

On motion of Mr. Partelow ; further

Ordered, That the said John Barnes be furnished with a copy of the said Petition.

Mr. Wilson, by leave, presented a Petition from Peter Etter, Richard Lowerison and John G. Allen, Commissioners appointed under an Act of Assembly for building an Aboideau over the Au Lac River, in the County of Westmorland, praying that a grant may pass to reimburse the amount expended thereon ; which he read.

Ordered, That the said Petition be received, and referred to the Committee appointed to ascertain what sums will be required for the improvement of the Great and Bye Roads in the Province.

Mr. Boyd, by leave, presented a Petition from Robert Dougherty, Mail Carrier between

between Saint Andrews and Saint Stephen, in the County of Charlotte, praying for an additional grant for conveying a Daily Mail between those places; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. M^r. Leod, by leave, presented a Petition from John C. Vail, of Sussex, in King's County, Proprietor of the Victoria Stage Line running between Saint John and Dorchester, and thence to Amherst, in the Province of Nova Scotia, praying that a grant may pass to enable him to continue the same; which he read.

Ordered, That the said Petition be received, and referred to the same Committee to report thereon.

Mr. Barberie, by leave, presented a Petition from Hugh Montgomery, Arthur Ritchie, Dugald Stewart Esquires, and 30 others, Magistrates, Merchants and Inhabitants of the Parish of Dalhousie, in the County of Restigouche, praying that a special grant may pass to open a Road from Eel River Bridge to the Town of Dalhousie, the grant of last year for that Road not having been expended as was provided by the appropriation; which he read.

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

Mr. Taylor, by leave, presented a Petition from Sarah Gill, a licenced Teacher, praying that the Provincial allowance may be granted to her for teaching a School in the Parish of Saint Mary's, in the County of York, for one year ending in May last; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

On motion of Mr. Owen,

The House went into Committee of the whole, in further consideration of the Messages and other Documents communicated by command of His Excellency the Lieutenant Governor.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Message of the 24th January, relating to the Financial affairs of the Province, again under their consideration, the following Resolution was moved:—

Resolved, As the opinion of this Committee, That no Appropriation of Public Money should be made, at any future Session, in Supply for any purpose whatsoever, until there be a particular account of Income and Expenditure of the previous year, together with an estimate of the sums required to be expended as well for Ordinary as Extraordinary Services respectively, and also a particular estimate of the probable amount of Revenue for the ensuing year."

To which an amendment was moved—

To expunge the whole of the said Resolution, and substitute the following:—

"Whereas the present mode of Appropriation, tested by an experience of more than fifty years, has not only given satisfaction to the people of this Province, but repeatedly attracted the deserved approbation of the Colonial Ministers, as securing its Constitutional position to every Branch of the Legislature; therefore

Resolved, As the opinion of this Committee, That it is not expedient to make any alteration in the same."

And upon the question for adopting the same, the Committee divided as follows:—

YEAS.

The Hon. Mr. Weldon,
Mr. Allen,
Palmer,
Barberic,
Wilson,
M'Almon,
Stewart,
Hanington,
Partelow,
End,
Taylor,
Connell,
Beardsley,
Freeze,
M'Leod,
Brown,
Gilbert,
Hayward.

NAYS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
Mr. Jordan,
L. A. Wilmot,
Woodward,
Fisher,
J. M. Wilmot,
Rankin,
Boyd,
Hill,
Street,
Owen.

Whereupon it was carried in the affirmative.

And the Chairman then further reported, that he was directed to ask leave to sit again on the other Messages from His Excellency the Lieutenant Governor.

Ordered, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

Thursday. 10th February. 1842.
Prayers.

Read a second time—

A Bill to amend an Act, intituled "An Act for the appointment of Firewards in the Parish of Woodstock: and

A Bill to repeal certain parts of an Act, intituled "An Act to authorize the appointment of Commissioners to lay out a Street or Highway through the Town of Chatham, and to establish and regulate Public Landings in the said Town," and to make other provisions in lieu thereof.

Read a third time as engrossed,

A Bill to incorporate sundry persons by the name of The Saint Stephen's Marine Assurance Company.

Resolved, That the Bill do pass.

Ordered, That Mr. Hill take the said Bill to the Council, and desire their concurrence thereto.

Mr. Partelow, by leave, presented a Petition from Thomas Wallace, of the City of Saint John, praying for a return of Head Money paid on Passengers by the brig Eglinton, from Londonderry, in the year 1840; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Beardsley moved for leave to bring in a Bill, to amend an Act, intituled "An Act for further improving the Administration of Justice in Criminal cases."

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, by leave, presented a Petition from William Hammond, of the City of Saint John, Merchant, praying to be reimbursed Duties paid on Goods destroyed at the Great Fire in that place in November last; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. M'Leod, by leave, presented a Petition from Asa Davidson, Esquire, and 30 others, inhabitants of King's County, praying that a grant may pass to be expended on

on a certain part of the Great Road from Hennigar's to the Head of Bellisle; which he read.

Ordered, That the said Petition be received, and referred to the Committee for ascertaining what sums will be required for the improvement of Roads throughout the Province, to report thereon; and

On motion of Mr. M'Leod; further

Ordered, That a Petition from Asa Davidson, Esquire, and 120 others, as also a Petition from Thomas Ketchum, Esquire, and 148 others, in reference to the site for a Bridge on the new line of Road between Kingston and the Head of Bellisle, and which were presented to the House on the 7th instant, be referred to the same Committee.

Mr. Partelow, by leave, presented a Petition from Henry Gilbert, John Pollok, and James Gallagher, Esquires, and 122 others, inhabitants of the Parish of Portland, in the County of Saint John, praying that any Act which may pass for the establishment of a Police in Saint John, may not extend to that Parish; which he read.

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

Mr. Woodward, by leave, presented a Petition from Willard, Buchanan and Company, of the City of Saint John, Merchants, praying for a return of penalty paid by them under the "Act to provide for a regular supply of Seamen for new Vessels fitted out and loaded in the Province," the said Act having been disallowed by Her Majesty's Government; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Woodward, by leave, presented a Petition from Lauchlan Donaldson, Esquire, on behalf of the Chamler of Commerce of the City of Saint John, praying that an alteration may be made in the Revenue Laws, for the reasons therein set forth; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Trade, to report thereon.

Mr. Rankin moved for leave to bring in a Bill, to authorize the Justices of the Peace for the County of Northumberland to levy an assessment to discharge the debts due by the said County.

The Rule of the House, requiring Bills of a local or private nature to be read in presence of the Grand Jury, being in this instance dispensed with,—leave was granted.

The said Bill being brought in, was read a first time.

Mr. L. A. Wilmot, by leave, presented a Petition from Nicholas Murray, and others, Committee for building the new Roman Catholic Chapel in Fredericton, on behalf of the Congregation, setting forth, that in the erection of the said Building they were obliged to incur great additional expense in order to provide sufficient accommodation for Her Majesty's Troops, and praying for a further grant towards discharging the liability incurred thereby.

Mr. Partelow, by leave, presented a Petition from the Reverend William Temple, Sampson Busby and Enoch Wood, Trustees of the Wesleyan Academy at Sackville, in the County of Westmorland, praying that a grant may pass in aid of the Institution; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. L. A. Wilmot, by leave, presented a Petition from Isaac and Thomas Murray, of the Parish of Kingsclear, in the County of York, praying for a re-consideration of the matter of their claim, arising out of certain transactions with Duncan Barber, a Crown Debtor; which he read.

Ordered, That the said Petition be received, and referred to a Select Committee to report thereon; and further

Ordered, That Mr. Partelow, the Honorable Mr. Weldon, and Mr. Barberie, do compose the said Committee.

Mr. Brown, by leave, presented a Petition from Duncan Barber, of Kingsclear, in

the County of York, praying to be remunerated for losses sustained in consequence of certain Crown Prosecutions instituted against him; which he read.

When it was moved—That the said Petition be received, and referred to the same Committee to report thereon.

To which Mr. Partelow moved as an amendment—

To expunge all after the word “received” and substitute “lie on the Table.”

Upon the question for the amendment, the House divided—

YEAS, 9.

NAYS, 10.

And so it was decided in the negative.

The question was then taken upon the original motion, and it passed in the affirmative.

Mr. Beardsley, pursuant to leave granted, brought in a Bill, in amendment of the Law regulating Juries; which was read a first time.

Mr. Woodward, by leave, presented a Petition from Ezekiel Barlow and Sons, of the City of Saint John, Merchants, praying for a return of Duty on two Hogsheads of Whiskey exported to Halifax on the 20th December last; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Woodward, by leave, presented a Petition from Lauchlan Donaldson, Esquire, on behalf of the Chamber of Commerce of the City of Saint John, praying that measures may be adopted for the encouragement of the Fisheries; which he read.

Ordered, That the said Petition be received, and referred to the Committee appointed on the 24th January last, to take into consideration the subject of the Coast and River Fisheries, to report thereon.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House—

Returns from the Common Clerk of the City of Saint John, relative to the practice and proceedings in the City Court of the said City, the same being furnished in pursuance of an Address of the House to His Excellency of the 25th January last.

[*See Appendix.*]

Mr. Connell, pursuant to leave granted, brought in a Bill to repeal “An Act to encourage the destroying of Wolves,” and an “Act to grant a Bounty on the destruction of Bears in this Province,” and to make other provision for the same; which was read a first time.

Mr. Partelow, by leave, presented a Petition from James Whitney, praying aid to enable him to keep up a weekly Steam Communication between Saint John and Boston, in the United States; which he read.

Ordered, That the said Petitions be received, and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from Edwin Fairweather, of the City of Saint John, praying that a grant may pass to remunerate him for services in examining the Bridge over Hammond River, in the year 1838; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

On motion of Mr. Connell,

The House went into Committee of the whole, on a Bill to erect the upper part of the Parish of Wakefield, in the County of Carleton, into a separate and distinct Town or Parish.

Mr. Freeze in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Palmer,

That the House proceed to the Order of the Day, to go into Committee of the whole in further consideration of a Bill to limit the duration of the Assembly—

The

The Order of the Day being read, the House accordingly resolved itself into Committee of the whole on the said Bill.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, the following was moved—

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

Upon the question, the Committee divided as follows:—

YEAS.

Mr. Stewart,
Wilson,
Barberie,
J. M. Wilmot,
M'Leod.

NAYS.

The Hon. Mr. Speaker,
Mr. M'Almon,
Partelow,
Palmer,
End,
Street,
L. A. Wilmot,
Woodward,
H. T. Partelow,
Connell,
Beardsley,
Fisher,
Hayward,
Brown,
Hill,
Boyd,
Rankin,
Hanington,
Owen,
Freeze,
Gilbert.

And so it was decided in the negative.

That the Committee then went through the Bill, and after making amendments thereto, agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

Mr. End, from the Committee appointed on the 21st January last, to take under consideration the Petition from Albert G. Foster, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“ The Select Committee, to whom was referred the Petition of Albert G. Foster, praying that ‘ a Suit now pending against him, may be discontinued, and that he may be allowed to pay the sum due by four annual instalments, ’ Report—

“ That ‘ the transaction with Government, ’ mentioned by Petitioner, appears to be a Bond, dated the 9th June, 1836, which the Petitioner executed to the Crown to secure the duties on 480,000 superficial feet of Lumber, or 2,400 Logs cut by Petitioner, without lawful authority, on Crown Lands—that single duty only was exacted from Petitioner on that occasion—that the said Bond, though due in July, 1836, was not put in suit until June last.

“ Your Committee cannot see why the House should be called upon to interpose in this matter; but as it appears that the immediate levying of an Execution might be very injurious to the Petitioner, without any adequate benefit to the public interest, Your Committee recommend that an humble Address be presented to His Excellency the Lieutenant Governor, praying that the Sheriff or Officer to whom the Execution shall be directed, may be instructed to relieve the Petitioner, on receiving satisfactory security for payment of the debt and costs in five years from the first day of June next, by equal annual instalments.

“ W. END,
WM. M'LEOD,
J. M. WILMOT.

“ *Committee Room, 10th February, 1842.* ”

Ordered, That the Report be accepted.

Mr.

Mr. M'Leod, by leave, presented a Petition from the Reverend William Allen, and 44 others, Minister and Members of the Wesleyan Congregations, and other Inhabitants of the Long Reach and Jerusalem Settlements, in the King's and Queen's Counties Circuits, praying that a grant may pass to the Trustees of the Wesleyan Academy recently erected at Sackville, in the County of Westmorland, in aid of that Institution; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Hill moved for leave to bring in a Bill, for continuing the General Assembly in this Province, notwithstanding the demise of the Crown.

And upon the question for granting leave, it was decided in the negative.

Mr. Woodward, by leave, presented a Petition from John Ward, Robert W. Crookshank, Ralph M. Jarvis, Stephen Wiggins, Lauchlan Donaldson, Esquires, and 379 others, Magistrates, Freeholders, Freemen, and other Inhabitants of the City of Saint John and Parish of Portland, praying that measures may be had to provide for a Day and Night Police at those places, and that aid be granted in furtherance thereof; which he read.

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

Mr. Woodward moved for leave to bring in a Bill, to establish an efficient system of Police in the City of Saint John and Parish of Portland.

Leave granted.

The said Bill being brought in, was read a first time.

The House adjourned until to-morrow morning at 10 o'clock.

Friday, 11th February, 1842.

Prayers.

Read a second time—

A Bill to amend an Act, intituled "An Act for further improving the Administration of Justice in Criminal cases":

A Bill to authorize the Justices of the Peace for the County of Northumberland to levy an assessment to discharge the debts due by the said County:

A Bill in amendment of the Law regulating Juries:

A Bill to repeal an "Act to encourage the destroying of Wolves," and "an Act to grant a Bounty on the destruction of Bears," and to make other provision for the same: and

A Bill to establish an efficient system of Police in the City of Saint John and Parish of Portland.

On motion of Mr. Partelow,

Resolved, That the Bill last named, as well as another Bill now before the House, for improving the Police in the City of Saint John, together with the several Petitions in reference to those Bills, which were presented on the 4th and 10th instant, and ordered to lie on the Table, be now referred to a Select Committee to report thereon.

Ordered, That Mr. Fisher, Mr. M'Leod, Mr. Hayward, Mr. Beardsley and Mr. M'Almon, do compose the Committee.

The Honorable Mr. Johnston moved for leave to bring in a Bill, for the Consolidation of the Departments of Revenue in this Province, and to provide for the collection and protection thereof.

Leave granted.

The said Bill being brought in, was read a first time; and

On motion of the Honorable Mr. Johnston,

Ordered, That the same be forthwith printed, and one hundred copies thereof furnished for the use of the Legislature.

The Honorable Mr. Speaker laid before the House—

Report of the proceedings of the Charlotte County Agricultural Society, for the year 1841.

[See Appendix.]

On

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on a Bill to authorize the Justices of the Peace for Queen's County to levy an assessment to pay off the County Debt.

Mr. Connell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

Mr. End, by leave, presented a Petition from Thomas Morris, praying that the Provincial allowance may be granted to him for teaching a School in the Parish of New Bandon, in the County of Gloucester, for the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Partelow, by leave, presented a Petition from Eaton Monins, Lieutenant Colonel Commanding Her Majesty's Sixty Ninth Regiment, praying for a return of Duties paid on Wines, &c. for the use of their Mess during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Weldon moved for leave to bring in three several Bills, viz:—

A Bill to provide for the establishment of Municipal Authorities in this Province:

A Bill to establish a Board of Works in this Province: and

A Bill to repeal all the Laws now in force for regulāting, laying out and repairing Highways, and to make more effectual provisions for the same.

Leave being granted, the said Bills were severally read a first time.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, in further consideration of a Bill for the better and more effectual auditing of the Public Accounts.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had the Bill again before them, and the Seventh Section being under their consideration, which enacts—"That the annual sum of £— be paid by quarterly payments to said Auditor for his services, the same to be drawn by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, from such Fund as may be hereafter charged for that purpose,"

When it was moved—That the said Section be expunged.

And upon the question, the Committee divided as follows:—

YEAS.

The Hon. Mr. Speaker,
Mr. Palmer,
M'Almon,
Woodward,
Taylor,
Beardsley,
Fisher,
J. M. Wilmot,
Freeze,
M'Leod,
Gilbert,
Owen,
Brown,
Boyd,
Hill,
Rankin.

NAYS.

The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Partelow,
L. A. Wilmot,
H. T. Partelow,
Wilson,
Stewart,
Barberie,
Jordan.

Whereupon it was carried in the affirmative.

And the Chairman then further reported, that the Committee had gone through the Bill, and after making several amendments thereto, agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to

The Bill to authorize the Justices of the Peace for the County of York to levy a further assessment for the purpose of paying off the debt due on the erection of a new Gaol in the said County,

Without making any amendment thereto.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House—

Account from the Commissioners for the Provincial Dredging Machine of Expenditure made during the past year.

Mr. Brown, by leave, presented a Petition from the Honorable James Allanshaw, of Saint Andrews, Merchant, praying to be reimbursed a sum paid by him in October 1840, under the Act for a regular supply of Seamen for new Ships fitted out in this Province, the said Act having been disallowed by Her Majesty's Government; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. M'Leod moved for leave to bring in a Bill, to authorize the Justices of the Peace in and for King's County to raise a sum of money for paying the Contractors for building a Gaol in the said County.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Street moved for leave to bring in a Bill, in addition to an Act for the better regulating the Office of Sheriff in this Province.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, by leave, presented a Petition from John Pollok, Esquire, and others, of the Parish of Portland, in the County of Saint John, praying aid to enable the labouring Poor to be employed in improving and widening a certain Street in that Parish; which he read.

Ordered, That the said Petition be received, and referred to the Committee appointed on the 2d instant, to take under consideration a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying for aid in consequence of the distress occasioned by reason of the several calamitous and destructive conflagrations and other causes, to report thereon.

Mr. Partelow, also by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying the interposition of the Legislature with Her Majesty's Government, to enable them to effect a Loan in Great Britain; which he read.

Ordered, That this Petition be received, and referred to the same Committee, to report thereon.

The House adjourned until to-morrow morning at 10 o'clock.

Saturday, 12th February, 1842.

Prayers.

Read a second time the following Bills:—

A Bill for the Consolidation of the Departments of Revenue in this Province, and to provide for the collection and protection thereof:

A Bill to provide for the establishment of Municipal Authorities in this Province:

A Bill to establish a Board of Works in this Province:

A Bill to repeal all the Laws now in force for regulating, laying out and repairing Highways, and to make more effectual provisions for the same:

A Bill to authorize the Justices of the Peace in and for King's County to raise a sum of money for paying the Contractors for building a Gaol in the said County: and

A Bill in addition to an Act for the better regulating the office of Sheriff in this Province.

Mr.

Mr. Jordan, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying that a grant may pass to reimburse the Overseers of the Poor for the Parish of Simonds amount expended in the relief and support of sick, distressed and indigent Black Refugees during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Rankin, by leave, presented a Petition from Henry S. Shook, of Chatham, in the County of Northumberland, praying for remission of Duties paid at the Treasury at that Port, on Household Furniture; for the reasons set forth in the said Petition; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Rankin, by leave, presented a Petition from John Rennie, of Newcastle, in the County of Northumberland, praying to be remunerated for ferrying the Bay of Chaleur and Fredericton Mails over the River Miramichi, opposite to the Town of Chatham; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. M'Leod, by leave, presented a Petition from David B. Wetmore, Esquire, and 7 others, Magistrates for King's County, praying for a grant in aid of discharging a debt contracted in the building of the new Gaol in the said County, and that an Act may pass authorizing a Loan being made for the payment of any balance that may remain due; which he read.

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

Mr. M'Leod, by leave, presented a Petition from William Jones, of Norton, in King's County, Contractor for building a Bridge across the Intervale at Crawford's Mills, in the Parish of Hampton, praying compensation for loss sustained in the completion of his contract.

Upon the question, that the Petition be received and referred to a Select Committee to report thereon, it was decided in the negative.

Mr. End moved for leave to bring in a Bill, to incorporate sundry persons for the purpose of erecting and completing a Building in the City of Saint John, to be used as a Public Warehouse, Custom House, Provincial Treasury, and other public purposes.

Leave granted.

Mr. Boyd, by leave, presented a Petition from William Babcock, and 40 others, of Saint Andrews, in the County of Charlotte, praying that an Act may pass to incorporate a Company under the name of "The Saint Andrews Marine Assurance Company"; which he read.

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

Mr. Boyd, by leave, presented a Petition from William Dougan and Lucien L. Copeland, praying that a grant may pass to aid them in running a Stage between Saint John and Saint Andrews; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

The Honorable Mr. Johnston, by leave, presented a Petition from James Kerr, a licenced Teacher, praying remuneration for teaching a School for nine months in the Parish of Gagetown, in Queen's County, in the year 1837; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Hill, by leave, presented a Petition from William Babcock, C. R. Hatheway, Esquires, and 27 others, of Saint Andrews, in the County of Charlotte, praying for amendments in the Law relating to Tavern Keepers and Retailers; which he read.

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

The Honorable Mr. Weldon, by leave, presented a Petition from the Reverend Frederick Smallwood, and 70 others, Minister and Members of the Wesleyan Congregations, and other Inhabitants of the Richibucto Circuit, in the County of Kent, praying that

that a grant may pass to the Trustees for the Wesleyan Academy recently erected at Sackville, in the County of Westmorland, in aid of that Institution; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Woodward, by leave, presented a Petition from Adam and Davidson, of the City of Saint John, Merchants, praying to be reimbursed a sum paid by them under the Act to provide for a regular supply of Seamen for new Ships fitted out or loaded in this Province, the said Act having been disallowed by Her Majesty's Government; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Woodward, by leave, presented a Petition from Walker Tisdale and Son, of the City of Saint John, Merchants, praying for a return of Duties paid on Goods destroyed at the Great Fire at that place in November last; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. End, pursuant to leave granted, brought in a Bill, relating to the Mines and Minerals in the County of Gloucester; which was read a first time.

Mr. Woodward, by leave, presented a Petition from James Bradley and James Green, praying that a grant may pass in aid towards running a line of Stages between Fredericton and Saint John, on the Nerepis Road; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Connell, by leave, presented a Petition from Simon Ballard, praying for a continuation of the grant for keeping a Ferry at the mouth of the Arestook, on the Great Road of Communication to Canada; which he read.

And upon the question, that the said Petition be received and referred to the Committee of Supply, it was decided in the negative.

Mr. Street, by leave, presented a Petition from James Gilmour, Esquire, and 23 others, of the Parishes of Newcastle and Nelson, in the County of Northumberland, praying that the grant in aid of the Grammar School at Newcastle may be continued; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Weldon, by leave, presented a Petition from William M'Leod and David Wark, Overseers of the Poor for Richibucto, in the County of Kent, praying that a grant may pass to defray the expenses incurred in the support of transient Emigrant Poor during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Street moved for leave to bring in a Bill, to enable the Supreme Court to give relief against adverse claims made upon persons having no interest in such claims.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Allen, by leave, presented a Petition from Daniel Jewett, of Douglas, in the County of York, praying compensation for repairs made on the Bridge over the Mactiquack Stream, in the said Parish, in the year 1839; which he read.

Ordered, That the said Petition be received, and referred to the Committee appointed on the 26th January last, to take under consideration a Petition from Timothy Killeen, to be reimbursed a balance for work performed on the Great Road from Fredericton to Saint Andrews, to report thereon.

Mr. Street, by leave, presented a Petition from John M'Donald, Esquire, Benjamin Williston, Robert Noble, and 270 others, inhabitants of the County of Northumberland, praying that the Road from Chatham to Point Escuminac, may be established as one of the Great Roads of Communication in the Province; which he read.

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

Mr.

Mr. End, by leave, presented a Petition from James Eaton, a licenced Teacher, praying compensation for teaching a School at Bathurst, in the County of Gloucester, for a period of three months, ending in November last; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Street, by leave, presented a Petition from John Wilson, of Northesk, in the County of Northumberland, praying to be reimbursed loss sustained in running a Team Boat across the North and South West Branches of the River Miramichi, and for a further grant to enable him to continue the said Boat; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Street, by leave, presented a Petition from Phinehas Williston and Brothers, of Chatham, in the County of Northumberland, Merchants, praying for drawback on a puncheon of Rum shipped to Prince Edward Island in June, 1840; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

On motion of Mr. End,

That the House do now resolve itself into Committee of the whole, on the Report from the Select Committee on the application from the Board of Health for the County of Gloucester, to be reimbursed expenses incurred in the preservation of the Public Health, and which was presented to the House on the 5th instant—

Upon the question, it was decided in the negative.

On motion of Mr. Barberie,

The House went into Committee of the whole, on a Bill to increase the representation of the County of Restigouche.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the report be accepted, and the Bill engrossed.

Mr. Wilson, by leave, presented a Petition from the Reverend Peter Sleep, and 330 others, Minister and Members of the Wesleyan Congregations, and other Inhabitants in the Petitcodiac Circuit, in the County of Westmorland, praying that a grant may pass to the Trustees of the Wesleyan Academy, recently erected at Sackville, in the said County, in aid of that Institution; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Speaker laid before the House—

Return from the Mechanics' Whale Fishing Company, shewing the state of their affairs from its first formation to the 1st September, 1841, also List of Persons owning Stock in the said Company.

[See Appendix.]

Mr. Rankin, by leave, presented a Petition from James M. Kelly, of Newcastle, in the County of Northumberland, praying for a grant in aid to enable him to continue running a Line of Stages on the Road between Fredericton and Miramichi; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

On motion of Mr. Wilson,

Ordered, That Mr. End be added to the Committee appointed on the 2nd instant, to take into consideration a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying Legislative aid in consideration of the distress arising from the late calamitous and destructive Conflagrations and other causes.

The House adjourned until Monday morning next at 10 o'clock.

Monday, 14th February, 1842.

Prayers.

Read a second time—

A Bill relating to the Mines and Minerals in the County of Gloucester: and

A Bill to enable the Supreme Court to give relief against adverse claims made upon persons having no interest in such claims.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had agreed to The Bill to continue an Act, intituled "An Act to provide for the erection of Fences, with Gates, across Highways on Deer Island, in the Parish of West Isles, in the County of Charlotte,"

Without making any amendment thereto.

Mr. Boyd, by leave, presented a Petition from James Curtain, Ferryman at Joe's Point, in the County of Charlotte, praying to be reimbursed expenses incurred in transporting Her Majesty's Mails from that place to Robinstown; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Fisher moved for leave to bring in a Bill, to incorporate certain parts of the Parish of Fredericton, by the name of The City of Fredericton.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Connell, by leave, presented a Petition from Patrick O'Hanlon, a licenced Teacher, praying compensation for teaching a School in the Parish of Woodstock, in the County of Carleton, for a period of three months during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Rankin, by leave, presented a Petition from the Honorable Joseph Cunard, and others, Members of the Board of Health for the County of Northumberland, praying that an Act may pass authorizing the disposal of Sheldrake Island, and to apply the proceeds to the purchase of such part of Middle Island as may be required for public purposes, and the erection of Buildings thereon for a Lazeretto, and also for pecuniary aid in furtherance of that object; which he read.

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

Mr. Rankin moved for leave to bring in a Bill, to authorize the Justices of the Peace for the County of Northumberland to sell and dispose of Sheldrake Island.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Brown, by leave, presented a Petition from the Honorable James Allanshaw, of Saint Andrews, in the County of Charlotte, Merchant, praying for an investigation of certain Accounts with the Crown Land Department, with a view to the adjustment and settlement thereof; which he read.

Ordered, That the said Petition be received, and referred to a Select Committee to report thereon; and further

Ordered, That Mr. Taylor, Mr. Hayward, Mr. M'Leod, Mr. Beardsley and Mr. Freeze, do compose the said Committee.

Mr. Street, by leave, presented a Petition from Daniel Brockway, Contractor for building a Bridge over Renous River, praying compensation for extra work performed in the erection of the said Bridge; which he read.

And upon the question, that the said Petition be received and referred to a Select Committee to report thereon, the House divided—

YEAS, 10.

NAYS, 8.

Whereupon it was carried in the affirmative.

Ordered, That Mr. Street, Mr. M'Almon, Mr. Palmer and Mr. M'Leod, do compose the said Committee.

Mr.

Mr. Freeze, by leave, presented a Petition from William C. Pendleton, Contractor for building Bridges over the River Kennebecasis and Studholm's Mill Stream, praying to be reimbursed for extra work performed on those Bridges; which he read.

Ordered, That this Petition be received, and referred to the same Committee, to report thereon.

Mr. Beardsley, by leave, presented a Petition from John Gault, a licenced Teacher, praying that the Provincial allowance may be granted to him for teaching a School in the Parish of Woodstock, in the County of Carleton, for a period of six months, ending on the 1st of August, 1838; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

The Honorable Mr. Weldon, by leave, presented a Petition from James Reed, Junior, praying compensation for having taught a School in the Parish of Richibucto, in the County of Kent, for a period of six months, in the year 1836, he having been obliged to relinquish the School in consequence of ill health, before the expiration of the year; which he read.

Ordered, That this Petition be received, and referred to the same Committee.

Mr. Taylor, by leave, presented a Petition from the Justices of the Peace for the County of York, praying further aid to enable them to defray the expenses incurred in the erection of the new Gaol in the said County; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Taylor, by leave, presented a Petition from Isabel F. Jouett, a licenced Teacher, praying that the Provincial allowance may be granted to her for teaching a School in the Parish of Saint Mary's, in the County of York, for one year, ending on the 3d day of December last; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Fisher, by leave, presented a Petition from Edward W. Miller, Esquire, Robert Chestnut, and 200 others, Freeholders and Inhabitants of the County of York, praying that measures may be adopted to obtain a repeal of the Parliamentary Duty on Flour, or such reduction thereof as may be deemed expedient; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Trade, to report thereon.

Read a third time as engrossed,
A Bill to limit the duration of the Assembly.

Resolved, That the Bill do pass.

Ordered, That Mr. Palmer take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,
A Bill to increase the Representation of the County of Restigouche.

Resolved, That the Bill do pass.

Ordered, That Mr. Barberie take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

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

Resolved, That the Bill do pass.

Ordered, That Mr. Gilbert take the said Bill to the Council, and desire their concurrence thereto.

Mr. L. A. Wilmot moved for leave to bring in a Bill, to incorporate The Grand Falls Company.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Boyd;

Whereas it is expedient that Commissioners of Bye Roads should be furnished with proper

proper Forms of Accounts with Blank Receipts and Affidavits, to enable them to make their Returns according to Law ; therefore

Resolved, That a Committee be appointed to devise and settle such Forms as may be necessary, and that this House will provide for the printing of a sufficient number of the same, to be transmitted to the several Clerks of the Peace, and by them distributed to the several Bye Road Commissioners in their respective Counties.

Ordered, That Mr. Boyd, Mr. Brown and Mr. Hayward, be the Committee for that purpose.

Mr. Gilbert, by leave, presented a Petition from Philip White and others, inhabitants at the Washademoac Lake, in Queen's County, praying that a grant may pass to compensate the Ferryman for conveying Her Majesty's Mails at that place ; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Connell, by leave, presented a Petition from James E. Nicholson, and 13 others, the Grand Jury for the County of Carleton, setting forth, that a Bill was read in their presence at the last January Sessions, holden for the said County, to incorporate the Grand Falls Company, which goes to authorize the erection of a Boom across the River Saint John, and praying that the same may not pass into a Law ; which he read.

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

Mr. Partelow, by leave, presented a Petition from Thomas Raymond, of the City of Saint John, Merchant, praying to be reimbursed Duties paid on Goods destroyed at the Great Fire at that place in November last ; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer under their consideration, to report thereon.

Mr. Partelow, by leave, presented a Petition from Daniel Leavitt, Stephen Wiggins and Son, and 14 others, Merchants and Ship Owners, of the City of Saint John, praying that Bread from Foreign Countries may be imported free of duty ; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Trade, to report thereon.

Mr. Partelow, by leave, presented a Petition from James Hewett and John Winters, praying that a grant may pass to aid them in running a Daily Line of Stages between Fredericton and Saint John, by the River route ; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Hill moved for leave to bring in a Bill, to repeal an Act, intituled "An Act against tumults and disorders upon pretence of preparing or presenting Public Petitions or other Addresses to the Governor or General Assembly."

Leave granted.

The said Bill being brought in, was read a first time.

Mr. L. A. Wilmot moved for leave to bring in a Bill, to amend the Charter of King's College in this Province.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. L. A. Wilmot, by leave, presented a Petition from Solomon Vail, praying that a grant may pass to aid him in running an accommodation Stage on the new line of Great Road between Fredericton and Saint Andrews ; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Street moved for leave to bring in a Bill, further to extend the exemptions from Parochial and Militia Duties to the Firemen of the Town of Chatham.

Leave granted.

Mr. Taylor, by leave, presented a Petition from the Commissioners of the Alms House for the County of York, praying to be reimbursed expenses incurred in the support

support of distressed Emigrants and transient Paupers in the said County during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Brown, by leave, presented a Petition from John Wilson, Charles R. Hatheway, Esquires, and 260 others, Magistrates and Inhabitants of the County of Charlotte, praying that measures may be adopted for the erection of the contemplated Bridge over the River Waweig, on the site recommended by the Commissioners for examining the same; which he read.

Ordered, That the said Petition be received, and referred to the Committee to ascertain what sums will be required for the improvement of Roads throughout the Province, to report thereon; and

On motion of Mr. Brown; further

Ordered, That a Petition from William Hill, John B. Hill, Daniel Hill, and 148 others, praying that the Bridge over the Waweig River be placed near the mouth thereof, and which was presented to the House on the 25th January last, and ordered to lie on the Table, be referred to the same Committee.

Mr. Wilson, by leave, presented a Petition from Giles V. Smith, a licenced Teacher, praying that the Provincial allowance may be granted to him for teaching a School at Coverdale, in the County of Westmorland, for a period of six months, in the year 1830; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Fisher, by leave, presented a Petition from Asa Coy and Zebedee G. Gabel, Trustees for the Baptist Meeting House in Fredericton, praying for return of Duties on an Organ imported from the United States in October last; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Wilson, by leave, presented a Petition from John Beaumont, of Hillsborough, in the County of Westmorland, setting forth, that he had in the year 1828 obtained an allotment of Crown Land—that part thereof having been previously granted, he was obliged to relinquish the same, and praying compensation in consequence of the loss sustained; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Weldon moved for leave to bring in a Bill, to repeal the Act to prevent disorderly riding or driving on Public Bridges, and make other provisions in lieu thereof.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, by leave, presented a Petition from George P. Peters, Esquire, M. D. of the City of Saint John, praying to be remunerated for extra services performed in attending upon sick Emigrants at that place during the past year; which he read.

Ordered, That the said Petition be likewise received, and referred to the Committee of Supply.

Mr. Wilson, by leave, presented a Petition from Humphrey Hayward and John Graves, praying that a grant may pass to compensate them for the balance on work performed on the Great Road between Saint John and the Nova Scotia Line; which he read.

Ordered, That the said Petition be received, and referred to the Committee to ascertain what sums will be required for the improvement of the Roads throughout the Province.

Mr. Fisher, by leave, presented a Petition from Artemas Brockway, of Kingsclear, in the County of York, praying that a grant may pass to aid him in keeping up a House for the accommodation of Travellers at a Settlement on the Magaguadavic River, for the reasons stated in the said Petition; which he read.

Ordered, That the said Petition be received and referred to the Committee on Internal Communications, to report thereon.

On

On motion of Mr. Beardsley,

The House went into Committee of the whole, on a Bill to amend an Act, intituled "An Act for further improving the administration of Justice in Criminal Cases."

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

Mr. Wilson, from the Committee appointed on the 2nd day of February, instant, to take into consideration the several Petitions from the City of Saint John and Parish of Portland, upon the subject of the distress occasioned by the late destructive Fires at those places, and from other causes, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Select Committee, to whom was referred the Petition of the Mayor, Aldermen and Commonalty of the City of Saint John, setting forth the distress prevailing in that City and its vicinity among the labouring classes, in consequence of the late several destructive conflagrations, and the cessation of ordinary means of employment, and praying relief, having attended to the duty devolved upon them, Report—

"That it appears to your Committee, from the allegations in the said Petition, as well as from other authentic information, that upwards of 4000 persons are now dependent upon Parochial relief in that City—that the general Commercial embarrassment has rendered it impracticable to collect the Ordinary Assessments, so much so, that nearly £5000 remained outstanding on the 31st December last, and that unless some extraordinary relief be immediately afforded, famine and disease must soon prevail to an alarming extent. From these important facts your Committee are forced to the conclusion, that it is only from the Legislature that adequate aid can be obtained, and that the sum advanced by the Executive Government in December last appears to have been for the support of the Poor by the Corporation, and for the repayment of which ample security is given.

"Your Committee have therefore turned their attention to this subject, with a view to extend such relief, and at the same time to render it productive of permanent and useful improvement, and they therefore respectfully recommend that a sum not exceeding £2000 be granted to His Excellency the Lieutenant Governor, to be expended, under the superintendence of Commissioners, in the employment of such portions of the said destitute persons as cannot be otherwise advantageously employed, in macadamising the Marsh Great Road in the vicinity of the said City.

" W. WILSON,
J. W. WELDON,
H. JOHNSTON,
WILLIAM END,
L. A. WILMOT.

" *Committee Room, 14th February, 1842.*"

Whereupon, on motion of Mr. Street,

"*Resolved*, That the Report of the Select Committee be not received until the Corporation shew how the £3,250, already loaned to them by the Executive Government expressly for the relief of the sufferers by the late Fire and from other causes, has been expended, and whether expended for the purposes for which it was loaned, accompanied with a statement of the extent and amount of the present sufferings."

Upon the question for sustaining the said Resolution, the House divided as follows:—

YEAS.
 Mr. Street,
 Rankin,
 Owen,
 Hill,
 Boyd,
 Brown,
 Connell,
 Beardsley,
 Barberie,
 Hayward.

NAYS.
 The Hon. Mr. Johnston,
 The Hon. Mr. Weldon,
 Mr. End,
 Allen,
 Wilson,
 L. A. Wilmot,
 Jordan,
 Taylor,
 Freeze,
 M'Leod,
 Gilbert,
 Woodward.

And so it was decided in the negative.

The question was then taken for accepting the Report, when the House again divided—

YEAS, 12.

NAYS, 10.

Whereupon it was carried in the affirmative.

Ordered, thereupon, That the Report be accepted.

The House adjourned until to-morrow morning at 10 o'clock.

Tuesday, 15th February, 1842.

Prayers.

Read a second time the following Bills:—

A Bill to incorporate certain parts of the Parish of Fredericton by the name of The City of Fredericton :

A Bill to authorize the Justices of the Peace for the County of Northumberland to sell and dispose of Sheldrake Island :

A Bill to incorporate the Grand Falls Company :

A Bill to amend the Charter of King's College in this Province :

A Bill to repeal an Act, intituled "An Act against tumults and disorders upon pretence of preparing or presenting Public Petitions or other Addresses to the Governor or General Assembly": and

A Bill to repeal the Act to prevent disorderly riding or driving on Public Bridges, and make other provisions in lieu thereof.

Mr. L. A. Wilmot, by leave, presented a Petition from William Hammond, Peter Besnard, Ralph M. Jarvis, Edward L. Jarvis, Thomas L. Nicholson, George D. Robinson, John Walker, William H. Street, John Robertson and Charles Hazen, obligors on the Bonds to the Government as collateral security for the repayment of the Loan to the Saint John Bridge Company, praying to be relieved from legal proceedings now pending against them for the recovery thereof; which he read.

Upon the question, that the said Petition be received and ordered to lie on the Table, the House divided—

YEAS, 7.

NAYS, 16.

And so it was decided in the negative.

Mr. Barberie, by leave, presented a Petition from Robert H. Montgomery and Robert Ritchie, Overseers of the Poor for the Parish of Addington, in the County of Restigouche, praying to be reimbursed expenses incurred in the support of Sick and Emigrant Paupers for the years 1840 and 1841; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Connell, by leave, presented a Petition from George A. Bedell and John D. Beardsley, Overseers of the Poor for the Parish of Woodstock, in the County of Carleton, praying like remuneration for expenses incurred in the support of distressed Emigrants and transient Poor during the year 1840; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr.

Mr. Fisher, by leave, presented a Petition from James Nixon, of the Parish of Saint Mary's, in the County of York, praying that a grant may pass to improve the approach to the Ferry Landing opposite Fredericton; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Allen, by leave, presented a Petition from Thomas Lee and John Agnew, praying remuneration for ferrying Her Majesty's Mails across the River Saint John from Fredericton to the Nashwaak for the past year; which he read.

Ordered, That this Petition be received, and referred to the same Committee, to report thereon.

Mr. Connell, by leave, presented a Petition from John Hay, and 8 others, of the Parish of Woodstock, in the County of Carleton, praying for a grant in aid towards rebuilding a School House which was destroyed by fire during the past Summer; which he read.

Upon the question, that the said Petition be received and referred to the Committee of Supply, the House divided—

YEAS, 10.

NAYS, 11.

And so it was decided in the negative.

The Honorable Mr. Johnston, by leave, presented a Petition from Thomas Corrigan, praying for a grant in aid towards running a line of accommodation Stages established by him on the Road between Fredericton and Woodstock; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Fisher moved for leave to bring in a Bill, to diminish the expense of recovering Crown Debts of small amount.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Connell, by leave, presented a Petition from Richard Ketchum, Esquire, and 15 others, of the Parish of Woodstock, in the County of Carleton, praying that the Bill now before the House for dividing the said Parish, may not pass into a Law; which he read.

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

Mr. Partelow, by leave, presented a Petition from Ratchford and Brothers, of the City of Saint John, Merchants, praying for a return of Duties paid on Goods destroyed at the Great Fire at that place in November last; which he read.

Ordered, That the said Petition be received, and referred to the Committee for taking Petitions of a like prayer into consideration, to report thereon.

Mr. Allen, by leave, presented a Petition from Thomas Henderson, Colour Sergeant of the Thirty Sixth Regiment, praying pecuniary aid in consequence of a severe injury received when employed in transporting Militia Arms to Saint James, in the County of Charlotte, in the month of September last; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. End, pursuant to leave granted, brought in a Bill, to incorporate sundry persons for the purpose of erecting and completing a Building in the City of Saint John, to be used as a Public Warehouse, Custom House, Provincial Treasury and other Public purposes; which was read a first time.

Mr. Freeze, by leave, presented a Petition from David B. Wetmore, Esquire, and 58 others, inhabitants of King's County, praying for an amendment in the Act relating to Statute Labor on the Highways; which he read.

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

Mr. Brown, by leave, presented a Petition from Henry Dickson, of the Parish of Saint James, in the County of Charlotte, praying that a sum paid by him in the year 1830, towards the purchase of a Lot of Land from the Crown may be refunded, in order to meet a balance remaining due on a certain other purchase of Crown Land; which he read.

Ordered,

Ordered, That the said Petition be received, and referred to the Committee appointed on the 10th instant, to take into consideration a Petition from Isaac and Thomas Murray, presented to the House on that day, to report thereon.

Mr. Woodward, by leave, presented a Petition from Noah Disbrow, James White, Charles Ward, Robert W. Crookshank, Esquires, and 2080 others, Magistrates and other Inhabitants of the City and County of Saint John, praying that measures may be taken to obtain a repeal of the Parliamentary Duty on Wheat Flour imported into this Province; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Trade, to report thereon.

Mr. Woodward, by leave, presented a Petition from Nehemiah Merritt, George A. Lockhart, Daniel Ansley, Esquires, and 142 others, of the City of Saint John, praying an enquiry into the Practice of the City Court, and that certain abuses and defects therein may be remedied; which he read.

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

Mr. Hill, by leave, presented a Petition from John Haverty, praying compensation for teaching a School at the Parish of Saint Stephen, in the County of Charlotte, for a period of six months during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. L. A. Wilmot, by leave, presented a Petition from the Reverend Sampson Busby, and 74 others, Minister and Members of the Wesleyan Congregation, and other Inhabitants in the Fredericton Circuit, in the County of York, praying that a grant may pass to the Trustees of the Wesleyan Academy recently erected at Sackville, in the County of Westmorland, in aid thereof; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. L. A. Wilmot, by leave, presented a Petition from Michael Harley, of Fredericton, in the County of York, praying to be remunerated for certain extraordinary expenses incurred in the discharge of his duty as a Commissioner on the new line of Road from Salmon River to Richibucto; which he read.

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

Mr. L. A. Wilmot, by leave, presented a Petition from Henry S. Beek, of Fredericton, in the County of York, setting forth, that he had incurred a very heavy expense in publishing a Map of the Province, compiled from the latest surveys, and praying that a grant may pass in aid thereof; which he read.

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

Mr. Partelow, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying that a grant may pass in aid towards the building of the Alms and Work House in the Parish of Simonds, now in course of erection; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Weldon, by leave, presented a Petition from the Reverend James Haney, and 52 others, Minister, Elders and Congregation of Saint Andrews Church in Richibucto, in the County of Kent, praying that an Act may pass to enable the Trustees of the said Church to dispose of a Tract of Land granted for the use thereof, and apply the proceeds in the purchase of other Lands more beneficial to the said Church; which he read.

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

The Honorable Mr. Weldon, also by leave, presented a Petition from George E. Pagan, and others, Trustees of Saint Andrews Church at Richibucto, in connexion with the Church of Scotland, of a like prayer; which he read.

Ordered, That this Petition be likewise received, and lie on the Table.

The Honorable Mr. Weldon moved for leave to bring in a Bill, to authorize the Trustees

Trustees of Saint Andrews Church, in the Parish of Richibucto, in connexion with the Church of Scotland, to dispose of a part of a tract of Land granted for the use of the said Church, and to vest the proceeds in other lands more productive to the said Church.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, by leave, presented a Petition from John Allingham, of the Parish of Portland, in the County of Saint John, praying Legislative aid to reimburse him for the value of a House pulled down by direction of the Firewards at the great Fire at that place in August last, to prevent the conflagration extending; which he read.

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

Mr. L. A. Wilmot, by leave, presented a Petition from John Brown, of Fredericton, in the County of York, for upwards of twenty years a Mail Carrier in this Province, setting forth his services in that capacity, and praying relief in his present destitute circumstances; which he read

Upon the question, that the said Petition be received and referred to the Committee of Supply, the House divided—

YEAS, 6.

NAYS, 14.

And so it was decided in the negative.

Mr. Fisher moved for leave to bring in a Bill relating to Banks.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Brown, by leave, presented a Petition from Josephus Moore, of the Parish of Saint David, in the County of Charlotte, praying remuneration for loss sustained in consequence of the purchase of certain Lands from the Crown; which he read.

And upon the question, that the said Petition be received and ordered to lie on the Table, the House divided—

YEAS, 6.

NAYS, 19.

And so it was decided in the negative.

Mr. Allen, by leave, presented a Petition from Sarah West, of the Parish of Kingsclear, in the County of York, widow of an old Soldier who served in the Revolutionary War, praying aid in her destitute circumstances; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. L. A. Wilmot, by leave, presented a Petition from John Phelon, of Fredericton, in the County of York, a licenced Teacher, praying a grant to remunerate him for his services in that capacity during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Partelow moved for leave to bring in a Bill, to authorize the Justices of the Peace for the City and County of Saint John, to assess a portion of the Inhabitants thereof, for a loss sustained by William Kilpatrick, in consequence of the Fire in Portland in August 1841.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. L. A. Wilmot, by leave, presented a Petition from Frances Jemima Earls, of the Parish of Queensbury, in the County of York, praying remuneration for teaching a School in that Parish for a period of four months during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee on School Petitions, to report thereon.

Mr. Partelow, by leave, presented a Petition from George Bolton Watson, of the City of Saint John, praying that no further aid may be extended to the Mechanics' Institute in that City, until an alteration takes place in its constitution; which he read.

Ordered, That the said Petition be received, and referred to the Committee appointed on the 31st January, to take under consideration a Petition from that Institute for aid, to report thereon.

Mr.

Mr. Fisher moved for leave to bring in a Bill, further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Taylor, by leave, presented a Petition from Joseph Burgoyne, of the Parish of Kingsclear, in the County of York, praying remuneration for ferrying the Mails at Burgoyne's Ferry, (so called) for a period of ten years; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Internal Communications, to report thereon.

Mr. Woodward, by leave, presented a Petition from Robert Payne, James Gallagher, Jacob Allan, Esquires, and 72 others, inhabitants of the City and County of Saint John, praying that an Act may pass for the further protection of the Salmon Fisheries; which he read.

Ordered, That the said Petition be received, and referred to the Committee on the subject of the Coast and River Fisheries, to report thereon.

The Honorable Mr. Johnston moved for leave to bring in a Bill, relating to Debtors and Creditors.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Wilson, by leave, presented a Petition from Isaac Groce, John Steeves and Daniel Steeves, Overseers of the Poor for the Parish of Hillsborough, in the County of Westmorland, praying to be reimbursed expenses incurred in the relief of one William Baillie, a transient Pauper; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. L. A. Wilmot, by leave, presented a Petition from Julia Ann Colter, and 107 others, Females, resident in King's County, praying that an Act may pass to prevent the selling of ardent Spirits at Militia Trainings; which he read.

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

Mr. Wilson, by leave, presented a Petition from Bliss Botsford, James Robertson and William Steadman, Overseers of the Poor for the Parish of Moncton, in the County of Westmorland, praying to be reimbursed expenses incurred in the support of one Margaret Murphy, an Emigrant Pauper; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Johnston, by leave, presented a Petition from Thomas Moses, Deputy Treasurer at West Isles, in the County of Charlotte, praying an increased allowance for his services for the past year, for the reasons therein stated; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. L. A. Wilmot, by leave, presented a Petition from Donald Mackintosh, and 39 others, inhabitants of the Hanwell Settlement, in the County of York, praying Legislative aid towards the erection of an Oat Mill in the said Settlement; which he read.

Ordered, That the said Petition be received, and referred to the Committee on the Agricultural interests of the Province, to report thereon.

On motion of Mr. Wilson,

Ordered, That the Report of the Select Committee, to whom was referred the Petition of the Mayor, Aldermen and Commonalty of the City of Saint John, setting forth the distress prevailing in that City and its vicinity, among the labouring classes, and praying relief in the premises, and which was submitted to the House yesterday, be referred to the Committee of Supply.

On motion of Mr. Wilson,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them, again under their consideration, had passed one Resolution, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

Resolved, That there be granted

To His Excellency the Lieutenant Governor, a sum not exceeding £1,750, to be applied by such Commissioner or Commissioners as His Excellency may be pleased to appoint, for the purpose of affording relief to the suffering labouring Poor in the City of Saint John; and a further sum of two hundred and fifty pounds toward employing the distressed labouring classes in Portland; the same to be expended under the direction of Commissioners to be appointed by His Excellency.

And the Chairman further reported, that he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, the Resolution engrossed, and leave to sit again granted.

Mr. Fisher moved for leave to bring in a Bill, to impose a Tax upon Wild Lands.

Leave granted.

The said Bill being brought in, was read a first time.

The Honorable Mr. Johnston made application to be excused from serving on the Committee for taking into consideration the matters relating to the Financial affairs of the Province; which was granted.

Ordered, thereupon, That Mr. Hill be appointed to the said Committee, in his stead.

Mr. H. T. Partelow moved for leave to bring in a Bill, to authorize the Justices of the Peace for the County of Sunbury to make Rules and Regulations respecting the Draw in the Bridge over the River Oromocto.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying to be reimbursed for advances made towards the support of the House of Correction during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

On motion of Mr. Barberie,

Resolved, That a Committee be appointed to take into consideration the general state of the Post Offices throughout this Province, and report thereon.

Ordered, That Mr. Barberie, Mr. L. A. Wilmot and Mr. Fisher, do compose the said Committee.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill to authorize the appointment of Commissioners to examine into the state and condition of the several Banks in this Province.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

Mr. Partelow, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying to be reimbursed for advances made by the Overseers of the Poor, in the support of sick, indigent and distressed Emigrants in the said City during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Johnston, by leave, presented a Petition from John M'Lean, Archibald M'Lean, Enoch Lunt, and 14 others, inhabitants of Queen's County, and the County of Sunbury, praying for a reduction of the present Duties paid at the Crown Land Office on Licences to cut Timber and Logs; which he read.

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

Mr.

Mr. Wilson moved for leave to bring in a Bill, to authorize Commissioners for taking Affidavits in causes pending in the Supreme Court, to take Affidavits in causes pending in the several Inferior Courts of Common Pleas for the several Counties in this Province.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Boyd moved for leave to bring in a Bill, to Tax Itinerant Showmen, exhibiting in the Towns or Parishes within this Province

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Hill, by leave, presented a Petition from Michael Shepherd, and 123 others, inhabitants of the Parish of Sackville, in the County of Westmorland, praying that an Act may pass to prevent or restrain the importation of intoxicating Liquors in this Province; which he read.

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

The Honorable Mr. Weldon, by command of His Excellency the Lieutenant Governor, delivered the following Message:—

“New Brunswick.

“Message to the House of Assembly, 11th February, 1842.

“W. M. G. COLEBROOKE, Lt. Governor.

“The Lieutenant Governor lays before the Assembly, a Report which has been prepared by Lieutenant Webber Smith, of the Royal Artillery, with a Plan and Estimate, recommending the erection of an Iron Suspension Bridge at the Great Falls.

“From this Report, and the observations of Captain Battersbee, of the Royal Engineers, which accompanies it, it is apparent that a Survey by a competent Engineer must necessarily be made before the work can be undertaken. The Officer who may be employed on this Survey, might also execute the Survey of the Royal Road from Fredericton to the Great Falls, which has been recommended by the Supervisor, whose Report has been recently laid before the House.”

“W. M. G. C.”

[*See Appendix.*]

The Honorable Mr. Weldon, also by command of His Excellency, laid before the House the following Documents:—

Reports from David Crocker, Supervisor of the Great Roads between Miramichi and Restigouche, and Miramichi and Richibucto:

Returns of School Lands in the several Parishes; also of Lands formerly reserved for Schools, and afterwards granted for the benefit of the Church—the same being furnished under an Address of the 20th March, 1841.

[*See Appendix.*]

‘On motion of Mr. Partelow,

Resolved, That the Petition of William Jarvis, Charles Ward, Timothy Collins, and others, which was presented to the House on the 1st instant, and ordered to lie on the Table, praying that the provisions of the Act passed in 1839, to enable the then Burnt District to be rebuilt with Fire Proof Edifices, may be extended to the present Burnt District, be referred to a Select Committee to report thereon by Bill or otherwise.

Ordered, That Mr. Partelow, the Honorable Mr. Weldon, Mr. Hill, Mr. Allen and Mr. Beardsley, do compose the Committee.

On like motion of Mr. Partelow,

Ordered, That the Petition of Robert W. Crookshank, which was presented to the House on the 5th instant, and ordered to lie on the Table, praying to be relieved from his Bond to the Crown, by which he is obligated to erect a Fire Proof Building, either of Brick or Stone, on the North Market Wharf, beyond Nelson Street, be referred to the same Committee.

Mr. Partelow, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying to be reimbursed the expenses incurred in the

support of the Temporary Provincial Lunatic Asylum during the past year; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

Mr. Fisher, by leave, presented a Petition from Asa Coy, Esquire, and 126 others, inhabitants of Fredericton, in the County of York, praying that an Act may pass to incorporate a certain part of the said Parish, by the name of The City of Fredericton; which he read.

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

Mr. Wilson, by leave, presented a Petition from Bill Chappell, Esquire, and 4 others, of the County of Westmorland, praying that a Light House be erected on Journeyman Island, in the Gulf of Saint Lawrence; which he read.

Ordered, That the said Petition be received, and referred to the Committee on Light Houses, to report thereon.

Mr. H. T. Partelow, by leave, presented a Petition from Andrew M'Gowan, of the Parish of Hampton, in Queen's County, Contractor for making a certain part of the Great Road between Fredericton and Miramichi, setting forth that the Supervisor of the said Road had retained in his hands a part of the sum due him, upon the ground that the work was not performed agreeably to the Contract, and praying relief in the premises, for the reasons set forth in the said Petition; which he read.

Ordered, That the said Petition be received, and referred to the Committee appointed yesterday to take into consideration a Petition from Daniel Brockway, to report thereon.

Mr. Woodward, by leave, presented a Petition from Alexander Wedderburn, Emigrant Agent at Saint John, praying that a grant may pass to reimburse him for extra expenses incurred in the discharge of the duties of his Office; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Johnston moved for leave to bring in a Bill, to provide for amending the Laws of the Province, relating to the building and repairing Gaols within the Province, and the establishment of Prison Discipline within the same.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Boyd moved for leave to bring in a Bill, to incorporate the Saint Andrews Marine Assurance Company.

Leave granted.

The said Bill being brought in, was read a first time.

The House adjourned until to-morrow morning at 10 o'clock.

Wednesday. 16th February. 1842.

Prayers.

Read a second time the following Bills, viz:—

A Bill to diminish the expense of recovering Crown Debts of small amount:

A Bill to incorporate sundry persons for the purpose of erecting and completing a Building in the City of Saint John, to be used as a Public Warehouse, Custom House, Provincial Treasury, and other Public purposes:

A Bill to authorize the Trustees of Saint Andrews Church, in the Parish of Richibucto, in connexion with the Church of Scotland, to dispose of a part of a Tract of Land granted for the use of the said Church, and to vest the proceeds in other Lands more productive to the said Church:

A Bill relating to Banks:

A Bill to authorize the Justices of the Peace for the City and County of Saint John to assess a portion of the inhabitants thereof, for a loss sustained by William Kilpatrick, in consequence of the Fire in Portland in August, 1841:

A Bill further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates:

A Bill relating to Debtors and Creditors :

A Bill to impose a tax upon Wild Lands :

A Bill to authorize the Justices of the Peace for the County of Sunbury to make Rules and Regulations respecting the Draw in the Bridge over the River Oromocto :

A Bill to authorize Commissioners for taking Affidavits in causes pending in the Supreme Court to take Affidavits in causes pending in the several Inferior Courts of Common Pleas for the several Counties in this Province :

A Bill to tax Itinerant Showmen exhibiting in the Towns or Parishes within this Province :

A Bill to provide for amending the Laws of the Province relating to the building and repairing Gaols within the Province, and the establishment of Prison discipline within the same : and

A Bill to incorporate the Saint Andrews Marine Assurance Company.

Read as engrossed,

The Resolution of Appropriation made and passed in Supply yesterday.

Ordered, That Mr. Wilson take the said Resolution to the Council, and desire their concurrence thereto.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill to repeal an Act, intituled "An Act against tumults and disorders upon pretence of preparing or presenting Public Petitions or other Addresses to the Governor or General Assembly."

Mr. M'Almon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. M'Leod,

The House went into Committee of the whole, on a Bill to authorize the Justices of the Peace in and for King's County to raise a sum of money for paying the Contractors for building a Gaol in the said County.

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Beardsley,

The House went into Committee of the whole, in further consideration of a Bill to amend an Act, intituled "An Act for further improving the Administration of Justice in Criminal cases."

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made amendments thereto, and then agreed to the said Bill, under the Title of—

A Bill in addition to and in amendment of an Act, intituled "An Act for further improving the Administration of Justice in Criminal cases."

Ordered, That the Report be accepted, and the Bill engrossed, as amended, under the amended Title.

The Honorable Mr. Speaker laid before the House—

Report of the Agricultural Society for the County of Carleton, for the year 1841.

[See Appendix.]

On motion of Mr. End,

The House went into Committee of the whole, on a Bill relating to the Mines and Minerals in the County of Gloucester.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill to them referred, had made amendments thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

Mr.

Mr. Street moved for leave to bring in a Bill, to repeal an Act, intituled "An Act to authorize the Justices of the Peace for the County of Northumberland to erect a Lock-up House in the Town of Chatham, in the said County," and to make other provision in lieu thereof.

The question being taken—That the Rule limiting the time for the bringing in Bills and presenting Petitions, be in this instance dispensed with, and that leave be granted to introduce the Bill, the House divided—

YEAS, 7.

NAYS, 16.

And so it was decided in the negative.

Mr. Street then moved for leave to present a Petition from Michael Samuel, as Chairman of a Public Meeting of the Inhabitants of the Town of Chatham, in the County of Northumberland, and on their behalf, praying that the Bill to repeal the Act for the erection of a Lock-up House, and to make other provision in lieu thereof, may pass into a Law.

Upon the question for granting leave, it was likewise decided in the negative.

Mr. Street then moved for leave to present four several Petitions, viz:—From Alexander M'Laggan, Esquire, and 403 others, of the Parish of Blackville—John Leslie, Esquire, and 373 others, of the Parish of Nelson—Donald M'Kay, Esquire, and 87 others, of the Parish of Northesk—Robert Doak, Esquire, and 199 others, of the Parish of Blissfield, severally praying that no Act may pass authorizing an assessment on the County for the erection of a Lock-up House at Chatham.

And upon the question for granting leave to present these Petitions, it was again decided in the negative.

Mr. Rankin then moved for leave to present five Petitions, viz:—From John Nesmith, Esquire, and 399 others, of the Parish of Newcastle—John M'Donald and 281 others, of the Parish of Glenelg—Roderick M'Leod, Esquire, and 200 others, of the Parish of Alnwick—Abel Pond, and 99 others, of the Parish of Ludlow—Finlay M'Dearnid, and 108 others, of the Parish of Chatham, of a like prayer, against the passing of the said Bill.

Upon the question for granting leave to present these Petitions, it was likewise decided in the negative.

On motion of Mr. Brown,

Whereas the Select Committee, to whom was referred the Petition of Albert G. Foster, of Saint David, in the County of Charlotte, in their Report of the 10th instant, recommend that the Sheriff or Officer to whom Execution shall be directed, may be instructed to relieve the Petitioner, on receiving satisfactory security for the payment of the Debt and Costs in five years from the first day of June next, by equal annual instalments; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to give the necessary instructions for carrying into effect the recommendations of the Select Committee.

Ordered, That Mr. Brown, Mr. Boyd and Mr. J. M. Wilmot, be a Committee to wait upon His Excellency with the Address.

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on a Bill to repeal the Act to prevent disorderly riding or driving on Public Bridges, and make other provisions in lieu thereof.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the report be accepted, and the Bill engrossed.

On motion of Mr. Connell,

The House went into Committee of the whole, on a Bill to amend an Act, intituled "An Act for the appointment of Firewards in the Parish of Woodstock."

Mr. Freeze in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, it was moved—That the further consideration of the said Bill be postponed for three months.

And upon the question, the Committee divided—

YEAS, 12.

NAYS, 9.

Whereupon it was carried in the affirmative.

Ordered, That the Report be accepted.

The House adjourned until to-morrow morning at 10 o'clock.

Thursday, 17th February, 1842.

Prayers.

Read a third time as engrossed,

A Bill for the better and more effectual Auditing the Public Accounts.

Resolved, That the Bill do pass.

Ordered, That Mr. End take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to erect the upper part of the Parish of Wakefield, in the County of Carleton into a separate and distinct Town or Parish.

Resolved, That the Bill do pass.

Ordered, That Mr. Connell take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Wilson,

Resolved, That the House do now go into Committee of the whole, on a Bill to continue an Act, intituled "An Act to prevent the destruction of Oysters in the Harbours of the Counties of Westmorland and Kent."

To which the Honorable Mr. Weldon moved as an amendment—To expunge the word "now" and insert "this day three months."

And upon the question for the amendment, it was carried in the affirmative.

On motion of Mr. Wilson,

Resolved, That the House do now go into Committee of the whole, on a Bill to continue an Act, intituled "An Act to continue several Acts for the establishment and regulation of Boards of Health in the several Counties of this Province."

To which Mr. Hanington moved as an amendment—To expunge the word "now" and insert "this day three months."

And upon the question for the amendment, it was carried in the affirmative.

On motion of the Honorable Mr. Weldon,

Resolved, That the House do now go into Committee of the whole, on a Bill to authorize the Trustees of Saint Andrews Church, in the Parish of Richibucto, in connexion with the Church of Scotland, to dispose of a part of a Tract of Land granted for the use of the said Church, and to vest the proceeds in other Lands more productive to the said Church.

To which Mr. H. T. Partelow moved as an amendment—To expunge all after the word "*Resolved*," and substitute the following:—

"That the consideration of the said Bill be postponed until the next Session of the General Assembly, for the reason that the said Bill is of a private nature, and the Rule of the House which requires such Bills to be read in presence of the Grand Jury of the said County not having been complied with."

And upon the question, it was carried in the affirmative.

On motion of Mr. Connell,

The House went into Committee of the whole, on a Bill to repeal "An Act to encourage the destroying of Wolves," and "An Act to grant a Bounty on the destruction of Bears in this Province," and to make other provision for the same.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the

Bill referred to them, had made an amendment thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. Boyd,

The House went into Committee of the whole, on a Bill to provide for the appointment of Inspectors of Flour and Meal in the Towns of Saint Andrews, Saint Stephen and Saint George, in the County of Charlotte.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. End,

The House went into Committee of the whole, on a Bill to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County for payment of the County Debt.

Mr. Hill in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Rankin,

The House went into Committee of the whole, on a Bill to authorize the Justices of the Peace for the County of Northumberland to levy an assessment to discharge the Debts due by the said County.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Stewart,

The House went into Committee of the whole, on a Bill for regulating the Salmon Fisheries in the County of Gloucester.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill to them referred, had made amendments thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

Mr. Partelow, Chairman of the Committee on Public Accounts, reported—That they had under their consideration the Province Treasurer's Accounts, and he was directed to submit their Report thereon; and having then read the same, handed it in at the Clerk's Table where it was again read.

Ordered, That the Report be accepted; and

On motion of Mr. Partelow; further

Ordered, That one hundred copies thereof be forthwith printed.

On motion of Mr. Wilson,

The House went into Committee of the whole, on a Bill to authorize Commissioners for taking Affidavits in causes pending in the Supreme Court to take Affidavits in causes pending in the several Inferior Courts of Common Pleas for the several Counties in this Province.

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Partelow,

Whereas the practice that has obtained in this Colony of charging Postages on
Printed

Printed Newspapers, Journals of the Legislature, and other Printed Papers, operates oppressively upon the People of this Province, and prevents that free circulation of useful knowledge among its Inhabitants, which in the opinion of the House it is desirable to disseminate; therefore

Resolved, That an humble Address be prepared to be presented to the Queen's Most Gracious Majesty, praying that Her Majesty will be pleased to adopt such measures in the Post Office Department, as will ensure the conveyance of all such Printed Papers through the different Post Offices within this Province free from any such charge.

Ordered, That Mr. Partelow and Mr. End, be a Committee to prepare the Address.

The House adjourned until to-morrow morning at 10 o'clock.

Friday, 18th February, 1842.

Prayers.

Read a third time as engrossed,

A Bill to authorize the appointment of Commissioners to examine into the state and condition of the several Banks in this Province.

Resolved, That the Bill do pass.

Ordered, That Mr. Hill take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to repeal an Act, intituled "An Act against tumults and disorders upon pretence of preparing or presenting Public Petitions or other Addresses to the Governor or General Assembly."

Resolved, That the Bill do pass.

Ordered, That Mr. Hill also take this Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to repeal the Act to prevent disorderly riding or driving on Public Bridges, and make other provisions in lieu thereof.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Weldon take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

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

Resolved, That the Bill do pass.

Ordered, That Mr. Stewart take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to authorize the Justices of the Peace for the County of Northumberland to levy an assessment to discharge the debts due by the said County.

Resolved, That the Bill do pass.

Ordered, That Mr. Rankin take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to authorize Commissioners for taking Affidavits in causes pending in the Supreme Court to take Affidavits in causes pending in the several Inferior Courts of Common Pleas for the several Counties in this Province.

Resolved, That the Bill do pass.

Ordered, That Mr. Wilson take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Beardsley,

The House went into Committee of the whole, on a Bill in amendment of the Law regulating Juries.

Mr.

Mr. Barberie in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill before them, and the eighth Section thereof being under consideration, which enacts—That the several provisions of the said Bill “shall not extend nor be construed to extend to the City and County of Saint John,” an amendment was moved to the said Section—

To insert the Counties of Gloucester and Restigouche.

Upon the question for adopting the amendment, the Committee divided—

YEAS, 11.

NAYS, 12.

Whereupon it was decided in the negative.

That the Committee then went through the Bill, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Connell,

The House went into Committee of the whole, on a Bill to erect the Western part of the Parish of Woodstock into a separate and distinct Town or Parish.

Mr. J. M. Wilmot in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

Mr. End, from the Committee appointed to take under consideration the several Petitions praying for grants for services as Teachers of Schools, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee to whom were referred several Petitions claiming remuneration for teaching Schools, Report—

“That in acting under the Order of the House, your Committee have thought it expedient to reject all Petitions, in cases which could be brought before the respective Courts of General Sessions, under the existing Law;

“All applications where it did not appear that the inhabitants had complied with the conditions required by Law—where the applicant was not shewn to be duly licenced—and where the application was not sustained by the recommendation of the respective Trustees of Schools.

“Your Committee have therefore rejected—

“The Petition of Frances Jemima Earles, it not appearing that the inhabitants had complied with the conditions required by Law.

“The Petition of Isabel F. Jouett, for the same reason.

“The Petition of Sarah Gill, for the same reason.

“The Petition of John D. Gault, for the same reason.

“The Petition of John Haverty, for the same reason.

“The Petition of Catherine Easton, for the same reason.

“The Petition of George M'Kay and Samuel M'Farlane; the Trustees should apply to the Sessions.

“Also the Petitions of John Phelan, George D. Morrison, Michael Clarke and Patrick O'Hanlón, not being recommended by the Trustees.

“Also the Petition of James Kerr, it not appearing that he was licenced, nor that the inhabitants complied with the conditions required by Law.

“Also the Petitions of John Murdock and James Read, it not appearing that the applicants were licenced or recommended by the Trustees; the former has merely taught a Sunday School.

“Also the Petition of Giles V. Smith, it appearing that the services which he claims were rendered twelve years ago, and no explanation of the delay.

“The Petition of Thomas Morris your Committee refer to the Honorable House.

“Your Committee, in reference to the Petition of Robert Lindsay Saunders, the Teacher of the Colored Population in the Parish of Simonds, cannot discover that the Board of Education have made any Report on the state of this School; they recommend, however, that the grant of £40 be continued, no warrant to issue until His Excellency shall be satisfied of the efficiency of the Establishment.

“Your

"Your Committee recommend that the sum of £6 13 4 be granted to Margaret Sterling, widow of Wm. A. Sterling, a licenced Teacher, for four months services by him rendered in teaching a School in the Parish of Saumerez, in the County of Gloucester, immediately previous to his death.

"That there be granted to James De Bourke, the sum of £10 for teaching a School in the Parish of Ludlow, in the County of Northumberland, from August to December 1839, and in the adjoining Parish of Blissfield, in the same County, from December to April 1841, in all six months.

"That there be granted to William Folyard, a licenced Teacher, the sum of £5 for teaching a School in the Parish of Simonds, in the County of Saint John, for three months, ending 1st June, 1841.

"To Samuel Grimshaw, a licenced Teacher, the sum of £5 for teaching a School in the Parish of Studholm, in King's County, for three months.

"To James Wilson, a licenced Teacher, the sum of £20 for teaching a School in the Parish of Moncton, in the County of Northumberland, for one year, ending 27th May, 1840.

"To Amy G. Campbell, a licenced Teacher, the sum of £8 6 8 for having taught a School in Saint Andrews, in the County of Charlotte, for five months, ending in September 1841.

"That there be granted to James Eaton, a licenced Teacher, the sum of £5 for having taught a School in the Parish of Bathurst, in the County of Gloucester, for three months, ending November 1841, he having been prevented by ill health from completing his term.

"All which is respectfully submitted.

"JOHN JORDAN,
WILLIAM END,
HENRY T. PARTELOW,
PHILIP PALMER.

"Committee Room, 18th February, 1842."

Ordered, That the Report be accepted.

On motion of Mr. Taylor,

The House went into Committee of the whole, on a Bill to authorize the establishment of a Market in Fredericton.

Mr. M'Almon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

Mr. Woodward, from the Committee of Trade, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee to whom were referred all matters which might in any way affect the Trade of the Province, have had under their consideration the several Petitions referred to them, and beg leave to Report—That

"The Petition of Thomas Rankine and others, Bakers, of Saint John, praying that a protection duty may be laid on all Foreign Biscuit imported; and also the Petition of Daniel Leavitt and others, of the City of Saint John, praying that no duty may be levied on Biscuit, as prayed for in the Petition of the Bakers, have been under their consideration; and if the principle of protection which is already granted to different Manufacturers be admitted as proper and beneficial, your Committee think the Bakers entitled to it, as well as others, and submit to the House that a small duty might be laid on the article without much prejudice to other interests.

"The Petitions from the Counties of York, Charlotte and Saint John, praying that measures may be taken by the Legislature to obtain the repeal of the existing duty on Foreign Wheat Flour. These Petitions being so numerously signed, that from York having 200 names, from Charlotte 654, and from Saint John 2,084, have had the best attention of the Committee, and they recommend that an Address be presented to the Home Government, praying that the duty on Foreign Wheat Flour imported into this Province may be repealed.

"Your Committee would recommend in lieu of the existing Parliamentary Duties, that a Provincial Duty of 2s. 6d. per Barrel, should be imposed on all Foreign Flours, which they conceive would produce a greater amount of Revenue than that collected under the present system; and they would consequently suggest that a clause should be inserted in the Revenue Bill, to be passed the present Session, imposing said Duty, not to take effect however, until it be officially announced that the Imperial Duties have been repealed by Parliament.

"The Petition of John Miller, Deputy Treasurer at Bathurst, praying that a grant may be made to him in consequence of the decrease of his income by the falling off in the importation of dutiable Articles at that Port, his commission for the last year being only £53 6s. being a decrease of nearly four fifths of the income for 1835, and which has been gradually decreasing since that period; there is no recommendation on this Petition from the Province Treasurer; the Committee recommend that the Treasurer (if he approve) may make such compensation or addition to his commission out of the grant for the protection of the Revenue, not exceeding £25 per annum, for the two past years.

"The Petition of L. Donaldson, Esquire, President of, and on behalf of the Chamber of Commerce, of Saint John, recommending alterations in the Revenue Law, and also in the mode of collecting or securing the Duties. Your Committee think the subject one of much importance, and not agreeing on the mode to be adopted, leave it open for the action of the House when the subject may be brought under consideration.

"All which is respectfully submitted.

"I. WOODWARD, *Chairman.*
D. HANINGTON,
JAMES BOYD,
W. F. W. OWEN,
JOHN M. WILMOT,
ALEX. RANKIN,
JAMES TAYLOR.

"Committee Room, 17th February, 1842."

Ordered, That the Report be accepted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Secretary Odell, by command of His Excellency the Lieutenant Governor, delivered the following Message:—

"New Brunswick.

"Message to the House of Assembly, 18th February, 1842.

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

"The Lieutenant Governor communicates to the Assembly, copies of a correspondence he has held with Doctor Gesner relative to the disposition of a number of Persons in Saint John to form Settlements in the Country, and referring to his Message of the 1st instant, he recommends the subject to the Assembly as one of urgent importance at the present time. "W. M. G. C."

The Documents communicated by the foregoing Message, being read at the Clerk's Table, are as follow:—

(Copy.)

Saint John, 16th February, 1842.

SIR,—I beg leave to submit the following statement for the consideration of His Excellency:—

During my absence from Saint John, in forming a Settlement at Eel River, my son received applications for ungranted Lands, from one hundred and fifty persons. The total number of applicants at my office now amount to three hundred, and the whole number of persons in this City and its vicinity who are desirous of settling upon Wild Lands is not less than one thousand; but the greater part of this number are too poor to sustain themselves while they are clearing for and raising a crop.

Of the three hundred who have applied to me for information and advice, thirty require no aid from the Government; ten of them have been sent to Eel River; ten wish to settle upon the Saint Andrews Road, on the Magaguadavic, and ten are preparing to leave for the Victoria Settlement. I have thought it advisable to separate them in divisions, as they afford assistance to the poorer classes wherever they go. One hundred could be settled with an advance of five pounds for each family, and one hundred and seventy families could be settled at eight pounds per family, including the cost of seed for the first crop.

It has now been satisfactorily proved that Settlements can be formed in the Province, at any season of the year, and such as are made in the winter will have the advantage of a crop during the ensuing summer.

One of the good effects of opening a new Settlement is the spirit of others to follow the first pioneers. A number of persons of considerable property are now embarking for Eel River, where the first difficulties have been overcome, and several persons from Ireland have already written to their friends to join them in the Spring.

It is much to be regretted that so many families have been so far reduced by recent changes in the price of labor, that they are unable to support themselves in the forest while a crop is being prepared for; but to direct the attention of these persons to agriculture, and to aid them in clearing the Wilderness Land, is not only an act of benevolence, but also one of great importance to the Province. If properly conducted it would lay the foundation of a sound emigration hereafter.

If any funds could be appropriated to the establishment of new Settlements, I would beg to suggest the propriety of making no advance to any person until he had commenced operations on his Lot, and that a specified sum only be supplied to each individual in provisions and seeds, to be paid for in labor on the Roads.

At the present, all the time of myself and son is devoted to this class of men, and all the means within my power have been employed in aiding them.

I have reason to regret that so many persons of wealth and influence have not directed their attention to this important object, and in thus bringing the matter very briefly to His Excellency's notice, my desire has been to communicate a few facts which have fallen under my observation, and which are offered in behalf of the poor but willing Emigrant and Settler.

I have the honor, &c.

(Signed)

A. GESNER.

ALFRED READE, Esquire, Private Secretary, &c.

(Copy.)

Secretary's Office, Fredericton, 18th February, 1842.

SIR,—In answer to your Letter of the 16th instant, on the subject of settling persons on Wilderness Lands, I am directed by His Excellency the Lieutenant Governor to inform you that the question is under the consideration of the Legislature, having been specially referred to them by His Excellency; that on the Association being formed for the settlement of the Lands selected, the necessary surveys will be made, and Commissioners appointed to open communications and carry on any local improvements which the Settlers may collectively engage to execute, and for which advances may be made; but that funds cannot be advanced to individual Settlers.

I am, Sir, &c.

(Signed)

WM. F. ODELL.

To Dr. A. GESNER, &c. Saint John.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill relating to the appointment of Firewards and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte, therein mentioned.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Barberie,

The House went into Committee of the whole, on a Bill to authorize the Magistrates for the County of Restigouche to levy an assessment upon the inhabitants of the said County to pay off the County Debt.

Mr. Boyd in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Palmer,

The House went into Committee of the whole, on a Bill to divide the County of Westmorland into two Counties, and to provide for the government and representation of the new County.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, the following Resolution was moved:—

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

And upon the question being put thereon, the Committee divided as follows:—

YEAS.

YEAS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. End,
Hill,
Connell,
J. M. Wilmot,
H. T. Partelow,
Rankin,
Hayward,
Stewart,
Partelow.

NAYS.

Mr. Palmer,
Wilson,
Hanington,
Allen,
M'Almon,
Jordan,
Freeze,
Gilbert,
Brown,
Woodward,
Barberie.

Whereupon it was carried in the affirmative.

Ordered, That the Report be accepted.

The House adjourned until to-morrow morning at 10 o'clock.

Saturday, 19th February, 1842.

Prayers.

On motion of Mr. Gilbert,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

Resolved, That there be granted

To the Honorable W. F. Odell, Provincial Secretary, the sum of £—— for defraying the expenses of Printing, Stationery and Bookbinding, for the Secretary's Office for the year 1841.

To which it was moved as an amendment—To expunge all after the word "*Resolved*," and substitute the following :—

That it is inexpedient to make any grant for the contingencies of the Secretary's Office.

And upon the question for adopting the amendment, the Committee divided as follows :—

YEAS.

Mr. M'Almon,
Palmer,
Hanington,
Woodward,
Connell,
Freeze,
Gilbert,
Owen,
Brown,
Boyd,
Hill.

NAYS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Barberie,
Stewart,
Jordan,
Wilson,
Allen,
Partelow,
H. T. Partelow,
Taylor,
M'Leod.

Whereupon it was decided in the negative.

The question was then taken upon the original Resolution, when the Committee again divided—

YEAS, 12.

NAYS, 11.

And so it was carried in the affirmative, and the blank filled up with the sum of £105.

To Elizabeth Briscoe, the sum of £20 for teaching a School in Saint Andrews, for the year 1841.

To.

To the Committee of Management of the Infant School at Saint John, the sum of £25 in aid of individual subscription towards that Institution.

To Mrs. Isabella Hailes and the Committee of Management for the Poor School in Fredericton, the sum of £20 in aid of individual subscription towards the support of that Institution.

To William Watts, the sum of £10 for his services as Crier or Usher in the Supreme Court for the past year.

To John Gregory, the sum of £10 to prepare an Index to the Laws of the present Session.

To Matthew Brannen, of the Secretary's Office, the sum of £25 as a mark of approbation for his long and faithful services in that office.

To Elizabeth Fairchild, of the City of Saint John, the sum of £20 for her services as School Mistress for the past year.

To Doctor G. P. Peters, Surgeon to the Vaccine Institution, Central Board, Saint John, the sum of £20 for his services for the year 1841.

To the Committee of Correspondence, such sum as will procure a Bill of Exchange on London for £200, Sterling, to be remitted Henry Bliss, Esquire, Province Agent, for his Services for the past year.

And the Chairman further reported, that he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had agreed to

The Bill to repeal an Act, intituled "An Act to prevent the taking of Fish in the different Harbours and Rivers of this Province with drift Nets," so far as the same relates to the County of Westmorland,

Without making any amendment thereto.

On motion of Mr. Partelow,

Ordered, That the House do on Thursday next, the 24th instant, resolve itself into Committee of the whole, in consideration of the state of the Province.

On motion of Mr. Brown,

Resolved, That a Member be added to the Committee for taking into consideration the state of the Financial affairs of the Province.

Ordered, That Mr. Connell be added to the said Committee.

The House adjourned until Monday morning next at 10 o'clock.

Monday, 21st February, 1842.

Prayers.

On motion of Mr. Gilbert,

Resolved, That all the proceedings had on Saturday the 19th instant, in Committee of Supply, be expunged from the Journals.

Upon the question for sustaining the Resolution, the House divided as follows:—

YEAS.

Mr. Hill,
Woodward,
Boyd,
Brown,
Owen,
Palmer,
Gilbert,
M'Leod,
Freeze,
Beardsley,
Hayward,
Hanington,
M'Almon,
Connell.

NAYS.

The Hon. Mr. Weldon,
Mr. Allen,
Stewart,
Wilson,
Jordan,
Taylor,
J. M. Wilmot,
Rankin.

And so it was carried in the affirmative.

Mr.

Mr. Boyd, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of the 16th instant, on the subject of a prosecution at the suit of the Crown against Albert G. Foster, reported—That they had attended thereto, and that His Excellency was pleased to say, that he should give the necessary instructions in order to give effect to the wishes of the House.

Read a third time as engrossed,

A Bill to authorize the Justices of the Peace in and for King's County to raise a sum of money for paying the Contractors for building a Gaol in the said County.

Resolved, That the Bill do pass.

Ordered, That Mr. M'Leod take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill in addition to and in amendment of an Act, intituled "An Act for further improving the Administration of Justice in Criminal cases."

Resolved, That the Bill do pass.

Ordered, That Mr. Beardsley take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill for regulating the Salmon Fisheries in the County of Gloucester.

Resolved, That the Bill do pass.

Ordered, That Mr. Stewart take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to repeal "An Act to encourage the destroying of Wolves," and "An Act to grant a Bounty on the destruction of Bears in this Province," and to make other provision for the same.

Resolved, That the Bill do pass.

Ordered, That Mr. Connell take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Boyd,

The House went into Committee of the whole, on a Bill to tax Itinerant Showmen exhibiting in the Towns or Parishes within this Province.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, had made amendments thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. Boyd,

The House went into Committee of the whole, in further consideration of a Bill to authorize the Justices of the Peace for the County of Charlotte to make further provision for the payment of the Treasurer of that County.

Mr. Freeze in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again under their consideration, it was moved—That the further consideration of the said Bill be postponed for three months.

And upon the question, it was carried in the affirmative.

On motion of Mr. Boyd,

The House went into Committee of the whole, on a Bill to incorporate The Saint Andrews Marine Assurance Company.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Connell,
The House went into Committee of the whole, on a Bill to increase the Representation of the County of Carleton.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill before them, and the first Section being under their consideration, an amendment was moved thereto—To expunge the words "County of Carleton" and insert "Counties of Carleton and King's County, each."

Upon the question for adopting the amendment, the Committee divided—
YEAS, 14. NAYS, 10.

Whereupon it was carried in the affirmative.

That it was then moved—That "Northumberland" be inserted.

And upon this question, the Committee again divided, when it was likewise carried in the affirmative.

A motion was then made—To insert "Queen's County."

And upon this question, the Committee divided—
YEAS, 6. NAYS, 18.

And it was decided in the negative.

It was then moved—That "Sunbury" be inserted.

And upon this question, the Committee again divided—
YEAS, 4. NAYS, 20.

Which was likewise decided in the negative.

That the Committee then went through the Bill, and after making other amendments thereto, agreed to the same, under the Title of—

A Bill to increase the Representation of the Counties of Carleton, King's County and Northumberland.

The question being taken for accepting the Report, the House divided—
YEAS, 14. NAYS, 10.

And so it was carried in the affirmative.

Ordered, thereupon, That the Report be accepted, and the Bill engrossed, as amended, under the amended Title.

On motion of Mr. Owen,

The House went into Committee of the whole, on a Bill to authorize Her Majesty's Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt.

Mr. J. M. Wilmot in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

The House adjourned until to-morrow morning at 10 o'clock.

Tuesday, 22d February, 1842.

Prayers.

Read a third time as engrossed,

A Bill to increase the Representation of the Counties of Carleton, King's County and Northumberland.

Upon the question, that this Bill do now pass, and be sent to the Council for their concurrence, the House divided as follows:—

YEAS.

YEAS.

Mr. Boyd,
Brown,
Owen,
M'Leod,
Freeze,
Beardsley,
Connell,
Wilson,
Allen,
M'Almon,
End.

NAYS.

The Hon. Mr. Weldon,
Mr. Hanington,
H. T. Partelow,
Palmer,
Woodward,
Stewart,
Jordan,
Gilbert,
Hayward,
Hill,
Rankin.

And the division being equal, the Honorable Mr. Speaker decided the question in the negative.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill to establish the Line of Road from Oak Bay, in the County of Charlotte, to the mouth of Eel River, in the County of York, as one of the Great Roads of Communication in this Province:

The Bill to increase the Representation of the County of Restigouche: and

The Bill further to facilitate the means of supplying the City of Saint John with Water, by transferring the Water Works of the Saint John Water Company to the Mayor, Aldermen and Commonalty of the City of Saint John,

Without making any amendments thereto.

Read a third time as engrossed,

A Bill in amendment of the Law regulating Juries.

Resolved, That the Bill do pass.

Ordered, That Mr. Beardsley take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to authorize the Magistrates for the County of Restigouche to levy an assessment upon the inhabitants of the said County to pay off the County Debt.

Resolved, That the Bill do pass.

Ordered, That Mr. Barberie take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed.

A Bill to erect the Western part of the Parish of Woodstock into a separate and distinct Town or Parish.

Resolved, That the Bill do pass.

Ordered, That Mr. Connell take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill relating to the appointment of Firewards, and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte, therein mentioned.

Resolved, That the Bill do pass.

Ordered, That Mr. Hill take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill to amend an Act, intituled "An Act to repeal all the Acts regulating Tavern Keepers and Retailers, and to make other provisions in lieu thereof."

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill before them, and the second Section being under their consideration, which enacts—"That the fact of drinking any Spirituous, Vinous or other intoxicating Liquors, in any unlicensed House, Shop

Shop or other place, where such Liquors are reputed to be kept for sale, shall be taken and deemed to be *prima facie* evidence of an illegal sale, and subject the owner, tenant or other occupier of such House, Shop or other place, to all the pains and penalties imposed by Law on the illegal sale of such Liquors, unless satisfactory proof to the contrary be produced and shewn."

Upon the question for adopting the said Section, and that it stand part of the Bill, the Committee divided—

YEAS, 9.

NAYS, 11.

Whereupon it was decided in the negative.

That the Committee then went through the Bill, and after expunging the above recited Section thereof, had agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

Mr. Brown, from the Finance Committee, submitted a further Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed to take into consideration all matters relating to the Finances of the Province, further Report—

"That from Accounts and other Documents which have come under their notice, the Financial state of the Province, on the 31st of December last, stood as follows, viz:

Bonds and Cash in the Treasury and in suit,.....	£50,385
Due from the Nova Scotia and New Brunswick Land Company,...	11,335
Due from individuals for Land, Timber, &c.....	48,993

£110,713

Unpaid Appropriations,.....	£48,137
Due Savings' Bank,.....	9,337
Due Bank of New Brunswick,.....	35,902

93,376

Balance in favor of the Province,..... £17,337

"The Committee beg respectfully to observe, that although by the above statement there appears a considerable balance in favor of the Province, yet such is the general pressure arising from Commercial embarrassment and distress, that many of the claims cannot be collected at present; and from the same cause there will probably be a great falling off in the Revenue of the current year, as compared with the last and several of the preceding years.

"It will, therefore, be impossible to continue the usual scale of appropriations, without in some way raising a sum to meet the deficiency. This Committee cannot, however, recommend the borrowing of any sum of money whatever, neither do they deem it advisable to attempt to make up any deficiency by increased taxation. By an Act lately passed, the Province is entitled to draw upon the Bank of New Brunswick to the amount of £30,000, at 4 per cent. interest—so that of £35,902 now due that Bank, only £5,902 will require to be immediately provided for. Should the existing distress continue, a larger portion than usual of the funds of the Savings' Bank will probably be drawn out, but under the operation of the Provincial Act, the sum generally ranges between nine and ten thousand pounds.

"It will, therefore, be necessary to provide—

For the Bank of New Brunswick,.....	£5,902
For the unpaid Appropriations,.....	48,137

£54,039

Towards this, there are Bonds and Cash,.....	£50,385
Due from Nova Scotia and New Brunswick Land Company,.....	11,335

£61,720

Off the amount due by the Bridge and Water Companies, which cannot be collected this year,.....

£11,000

50,720

Leaving this balance unprovided for,..... £3,319

Resolved, That the Bill do pass.

Ordered, That Mr. Hill take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Beardsley,

Whereas it appears to this House that a Lease is preparing at the Land Office, to Henry J. Caldwell, Esquire, of the Banks of the River Saint John, at and near the Grand Falls, which will give the Lessee a right of preventing all other persons from landing, securing Timber in Rafts, and otherwise, and which will be prejudicial to the interests of all persons concerned in Lumbering above the Grand Falls; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to afford to the House such information on the subject as to His Excellency may seem meet, and in the mean time that he will be pleased to stay all further proceedings in granting such Lease.

Ordered, That Mr. Beardsley, Mr. Connell and Mr. Freeze, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. H. T. Partelow,

The House went into Committee of the whole, on a Bill to authorize the Justices of the Peace for the County of Sunbury to make Rules and Regulations respecting the Draw in the Bridge over the River Oromocto.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on a Bill to establish a Board of Works in this Province.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill to vacate the Seats of Members of the Assembly in certain cases.

Mr. End in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill before them, and the first Section thereof being under their consideration, which enacts—"That from and after the passing of this Act, any Member of the House of Assembly who shall accept of the office of Executive Councillor, or any office of profit or emolument under the Crown, shall be incapable of taking or holding his seat in the General Assembly of this Province while in such office, unless re-elected after his acceptance thereof."

An amendment was moved thereto—To expunge the words "the office of Executive Councillor, or."

Upon the question for adopting the amendment, the Committee divided as follows:—

YEAS.

The Hon. Mr. Johnston,
Mr. Wilson,
M'Almon,
Partelow,
Barberie,
Jordan,
L. A. Wilmot,
Freeze,
M'Leod,
Woodward,
Hayward,
H. T. Partelow.

NAYS.

The Hon. Mr. Weldon,
Mr. Hill,
Owen,
Rankin,
Boyd,
Brown,
Gilbert,
Fisher,
Beardsley,
Connell,
Taylor,
Hanington,
Palmer,
J. M. Wilmot,
Stewart,
Allen.

Whereupon it was decided in the negative.

That a further amendment was then moved to the said Section—To expunge the words "unless re-elected after his acceptance thereof."

And upon the question for adopting the same, the Committee again divided—

YEAS, 2.

NAYS, 26.

Which was likewise decided in the negative.

That the Committee then having made progress in the Bill, he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill to alter the Division Line of the Parishes of Douglas and Queensbury, in the County of York,

With amendments, to which they desire the concurrence of the Assembly.

Mr. Partelow, from the Committee on the part of this House, to join the Committee appointed by the Honorable the Legislative Council, to prepare Addresses to Her Majesty and the Imperial Parliament upon the subject of a revision of the Wood Duties, reported—That the Committee had met and prepared Drafts thereof, which he was directed to submit to the House, and the same being severally read, were handed in at the Clerk's Table, and there again read.

Ordered, That the Report be accepted; and

On motion of Mr. End,

The House went into Committee of the whole, on the said Addresses.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Addresses referred to them, and agreed to the same.

Ordered, That the Report be accepted.

The Addresses being then agreed to by the House, were ordered to be engrossed; and

On motion of Mr. Partelow,

Resolved, That a Committee be appointed to acquaint the Legislative Council that the House have agreed to the said Addresses.

Ordered, That Mr. Partelow be the Committee for that purpose.

On motion of Mr. L. A. Wilmot,

Ordered, That the House do on Friday next, the 25th instant, resolve itself into Committee of the whole, on a Bill to provide for the establishment of Municipal Authorities in this Province.

Upon the question for sustaining the same, the House divided—

YEAS, 18.

NAYS, 4.

And so it was carried in the affirmative.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Saunders, by command of His Excellency the Lieutenant Governor, laid before the House the following Documents:—

Custom House Accounts from the several Ports of Saint Andrews, Saint Stephen, Magaguadavic and Welchpool, for the year ending 5th January last.

[See Appendix.]

Report of a new Line of Road explored from Mrs. Keddle's Landing, (so called) to the Mouth of the Upsalquitch River.

[See Appendix.]

Report from Commissioners appointed under an Address of last Session, in reference to opening a Canal across Grimross Neck, accompanied by a Plan of a further Exploration made by them, and an account of the expense incurred in making the same.

[See Appendix.]

Report from Lauchlan Donaldson, Esquire, Surveyor of the Bay of Fundy Lights.

[See Appendix.]

Report from the Honorable the Surveyor General of a Survey made of the Line dividing the Counties of King's, Queen's and Sunbury, from the Counties of Kent and Northumberland, accompanied by an account of the expense in performing the service.

[See Appendix.]

Report from the Auditor General on an account of Beverley R. Jouett, Esquire, of the expense incurred in the Survey of a new Line of Road between Fredericton and the Oromocto Lake, and work performed thereon :

A Communication from William Tyng Peters, Esquire, one of the Commissioners for Indians, in reference to Medical attendance upon Indians in Queen's County :

A Communication from Her Majesty's Attorney General, in reference to expenses incurred in Prosecutions instituted in the year 1840, against the Editor and Printer of the Chronicle, under a Joint Address of the Legislative Council and Assembly, for a Libel on the late Lieutenant Governor.

[See Appendix.]

Returns of Fees received by certain Public Officers during the past year, the same being furnished under an Address of the House of the 27th January last, viz:—

Judges of the Supreme Court.

Provincial Secretary.

Attorney General.

Solicitor General.

Clerk of the Crown in the Supreme Court.

Clerk of the Pleas do. do.

Clerk of the Circuits.

[See Appendix.]

Opinion of Her Majesty's Attorney and Solicitor Generals as to the power of the Executive Government to cancel claims against persons by reason of Contracts or Agreements for disposal of Crown Lands and Timber in this Province, the same being furnished under an Address of the House of the 4th instant.

This Document being read at the Clerk's Table, is as follows:—

OPINION OF ATTORNEY AND SOLICITOR GENERALS.

MAY IT PLEASE YOUR EXCELLENCY,

In obedience to Your Excellency's command, requiring our opinion, as the Law Officers of the Crown, on a case stated in a Resolution of the House of Assembly, dated the 4th day of February, instant, in the following words:—

“As to the power of the Executive Government, under the Civil List Bill, to compound or cancel any claims which may exist against any person for or by reason of any contract or agreement for the disposal of Crown Lands and Timber in this Province; and also to state by whom or by what authority such claims can be cancelled.”

We

We have to say, that the case stated is in such general terms, that it amounts almost to a general abstract proposition, embracing all supposable cases that may arise; our opinion must accordingly be in rather general terms. And first, we are of opinion, that the Civil List Bill has not conferred on the Executive of the Province any power which it did not possess previous to the passing of that Act; and the sixth Section expressly provides, "That nothing in the Act contained shall extend, or be construed to extend in any wise to impair or affect any rights or powers of control, management or direction, which have been, or may be exercised by the authority of the Crown, or other lawful Warrant, relative to any suits or proceedings for the recovery of the said Hereditary, Territorial, Casual and other Revenues: or to compositions to be made on account of any of the same: or to any remission, mitigation or pardon of any penalties, or forfeitures incurred, or to be incurred, or to any other lawful act, matter or thing which has, or may be done, touching the same, &c. And that the said rights and powers shall continue to be used, exercised and enjoyed, in as full, free, and ample and effectual manner, to all intents and purposes, as if this Act had not been made, or as the same have, or might have been enjoyed by the Crown, &c. It being the true intent and meaning of this Act, that the said rights and powers shall not be in any degree abridged or restrained, or affected in any manner whatsoever: but only, that the monies arising from the full and free exercise and enjoyment of them, so subject as aforesaid, shall, during the continuance of this Act, be carried to, and made part of the joint Revenue, at the disposal of the General Assembly of the Province."

The seventh Section, "That nothing therein shall operate to annul or prejudice any sale, purchase, grant, lease, enfranchisement, exchange, contract, rent, charge, agreement, bond, mortgage, security, exoneration or other act, matter or thing relating to the said Lands, &c., which, at the time of passing the said Act, shall have been made or done, &c.: But the same shall remain good, valid and effectual for the benefit or security of His Majesty and Successors, &c."

It appears most clear, that the Executive Government have no power, under the Civil List Bill, to compound or cancel any claims of the Crown, which may exist against any persons for or by reason of any contract or agreement for the disposal of the Crown Lands and Timber, in this Province, which they did not possess previous to the passing of that Bill.

The question then resolves itself into this—Have the Executive of the Province any power to release or discharge any legal claim of the Crown against any individual in the Province, arising upon any debt, contract, or other agreement, whether the same shall be relative to the disposal of Crown Lands and Timber, or for any other cause?

And our opinion is, that the Executive is not authorized to release or discharge any legal claim of the Crown, against any individual, unless duly authorized so to do, by instructions from the Home Government.

Which is humbly submitted by Your Excellency's most obedient Servants,

CHARLES J. PETERS, *Attorney General.*
GEO. FRED. STREET, *Solicitor General.*

Fredericton, 14th February, 1842.

To His Excellency Sir W. M. G. COLEBROOKE, K. H., Lieutenant Governor, &c. &c. &c.

The House adjourned until to-morrow morning at 10 o'clock.

Thursday. 24th February. 1842.

Prayers.

Read a third time as engrossed,

A Bill relating to the sale of Logs and Timber.

Resolved, That the Bill do pass.

Ordered, That Mr. Taylor take the said Bill to the Council, and desire their concurrence thereto.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Resolutions of Appropriation dated the 15th day of February, instant; also The Bill to repeal the Act to prevent disorderly riding or driving on Public Bridges, and make other provisions in lieu thereof,

Without making any amendment thereto; and

The Bill to authorize Commissioners for taking Affidavits in causes pending in the Supreme Court to take Affidavits in causes pending in the several Inferior Courts of Common Pleas for the several Counties in this Province,

With an amendment, to which they desire the concurrence of the House.

And that the Council had also agreed to

The Joint Addresses of the Legislative Council and Assembly to Her Majesty and the Imperial Parliament, on the subject of the Protective Duties on Colonial Timber.

On

On motion of Mr. Wilson,

The House proceeded to take into consideration the amendment made by the Legislative Council to

The Bill to authorize Commissioners for taking Affidavits in causes pending in the Supreme Court to take Affidavits in causes pending in the several Inferior Courts of Common Pleas for the several Counties in this Province.

The amendment being read, is as follows:—

At A at the end of the Bill, add the words "Provided that no such Affidavit shall be taken by any Commissioner who is the Attorney in the cause to which such Affidavit may relate, except Affidavits to hold bail."

And the question being put thereon,

Resolved, That the House do concur therein.

Ordered, That Mr. Wilson return the Bill, with the amendment, to the Council, and acquaint them therewith.

On motion of Mr. Taylor,

The House proceeded to take into consideration the amendments made by the Council to

The Bill to alter the Division Line of the Parishes of Douglas and Queensbury, in the County of York.

The amendments being severally read, are as follow:—

At A in Section I. expunge the word "commences" and insert the words "shall commence."

At B insert the words "shall run."

At C expunge the words "North twenty seven degrees thirty minutes West."

At D expunge the words "North forty six degrees West."

At E expunge the words "North forty three degrees West."

And the question being severally put thereon,

Resolved, That the House do concur therein.

Ordered, That Mr. Taylor return the Bill, with the amendments, to the Council, and acquaint them therewith.

On motion of Mr. Fisher,

The House went into Committee of the whole, in further consideration of a Bill to vacate the Seats of Members of the Assembly in certain cases.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made amendments thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. Partelow,

The House went into Committee of the whole, on the Report from the Committee of Trade, which was submitted to the House on the 18th instant.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the matter referred to them under their consideration, the following Resolution was moved:—

"*Resolved*, As the opinion of this Committee, That an humble Address be presented to Her Most Gracious Majesty Queen Victoria, praying that Her Majesty will be pleased to have measures taken so to alter and amend the Imperial Act of the Third and Fourth of William the Fourth, Chapter Fifty Nine, as to repeal the Duties on Foreign Flour and Salted Provisions."

To which an amendment was moved—

To expunge all after the words "opinion of this Committee," and substitute "That that part of the Report of the Committee of Trade now under consideration, which relates to the removal of the Parliamentary Duties on Foreign Wheat Flour, and the imposition in lieu thereof of a Provincial Duty of Two shillings and Six pence per Barrel on all such Flour, to take effect on the official announcement of the said Parliamentary Duties having been removed, should be adopted by the House, and that the House should address Her Majesty's Government on the subject."

That

That an amendment was then moved to the said proposed amendment—To expunge the whole thereof, and substitute the following :—

“ That no action, at present, be taken to address the Home Government, for the purpose of rescinding the Duties on Foreign Wheat Flour.”

Upon the question for adopting the last proposed amendment, the Committee divided as follows :—

YEAS.

Mr. Connell,
Gilbert,
Freeze,
M'Leod,
End,
Barberie,
M'Almon,
Palmer.

NAYS.

The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Allen,
Jordan,
Stewart,
Wilson,
Partelow,
Hayward,
H. T. Partelow,
Hanington,
Beardsley,
J. M. Wilmot,
Fisher,
Woodward,
Owen,
Rankin,
Boyd,
Brown,
Hill.

Whereupon it was decided in the negative.

The question was then taken upon the first proposed amendment, and it was carried in the affirmative.

Ordered, That the Report be accepted.

The House proceeded to the Order of the Day, to go into Committee of the whole on the State of the Province.

The Order of the Day being read, the House accordingly resolved itself into said Committee.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the matter referred to them under their consideration, the following Resolution was moved :—

“ *Resolved*, As the opinion of this Committee, That the present embarrassed state of the Commercial World has operated very injuriously on the Public and Commercial interests of this Province, thereby reducing its Circulation to a very low ebb, and rendering it very difficult for parties or persons indebted to the Treasury to make their payments; and large amounts due by the Province cannot, under these circumstances, be liquidated, and the prospect of Revenue for the present year being very small, it would be imprudent to make any Appropriations for the Public Service; and further

“ *Resolved*, That unless the House come to the conclusion to procure a Loan in Great Britain, there is no other way by which the present embarrassment can be relieved, and Appropriations made for the Public Service.”

To which an amendment was moved—To expunge the whole of the said Resolution, and substitute the following :—

“ Whereas in the present unexampled crisis in the affairs of this Province, arising from the depressed state of Trade and consequent Commercial embarrassment, there is reason to apprehend that there will be a great falling off in the Revenue the present year, and that much difficulty will be experienced in collecting the amounts due to the Province; therefore

“ *Resolved*, As the opinion of this Committee, That in order to sustain the Public credit, to discharge the present debt, and to meet promptly the Appropriations of the present Session, it is highly indispensable for the House to authorize a Loan to the amount of £——.”

That

That an amendment was then moved to the said proposed amendment—To expunge the whole thereof, and substitute the following:—

Resolved, That while this Committee admit the present Commercial embarrassment prevailing in this Province, yet they deem it inexpedient to obtain a Loan in England to relieve the Province from the temporary distresses now existing.”

The question was then taken upon the said last proposed amendment, when the Committee divided as follows:—

YEAS.

The Hon. Mr. Weldon,
Mr. Hanington,
Barberie,
Palmer,
M'Almon,
Wilson,
Allen,
Stewart,
Connell,
Beardsley,
Taylor,
M'Leod,
Freeze,
Fisher,
Gilbert,
Owen,
Hayward,
Brown,
Boyd,
Hill,
Rankin,
L. A. Wilmot.

NAYS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
End,
Partelow,
Jordan,
J. M. Wilmot,
Woodward.

And so it was carried in the affirmative.

Ordered, That the Report be accepted.

The House adjourned until to-morrow morning at 10 o'clock.

Friday, 25th February, 1842.

Prayers.

Mr. Beardsley, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of the 23d instant, on the subject of the Lease of the Banks of the River Saint John, at and near the Grand Falls, to Henry J. Caldwell, Esquire, reported—That they had attended thereto, and that His Excellency was pleased to say, that the information should be communicated to the House.

Read a third time as engrossed,

A Bill to authorize the Justices of the Peace for the County of Sunbury to make Rules and Regulations respecting the Draw in the Bridge over the River Oromocto.

Resolved, That the Bill do pass.

Ordered, That Mr. H. T. Partelow take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to incorporate the Saint Andrews Marine Assurance Company.

Resolved, That the Bill do pass.

Ordered, That Mr. Hill take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to provide for the appointment of Inspectors of Flour and Meal in the Towns of Saint Andrews, Saint Stephen and Saint George, in the County of Charlotte.

Resolved, That the Bill do pass.

Ordered, That Mr. Hill also take this Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Rankin,

The House went into Committee of the whole, on a Bill to authorize the Justices of the Peace for the County of Northumberland to sell and dispose of Sheldrake Island.

Mr. Barberie in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, the following was moved :—

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

And upon the question, the Committee divided—

YEAS, 13.

NAYS, 10.

Whereupon it was carried in the affirmative.

On motion of Mr. Taylor,

The House went into Committee of the whole, in further consideration of a Bill to authorize the establishment of a Market in Fredericton.

Mr. M'Almon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made amendments thereto, and then agreed to the said Bill; under the Title of—

A Bill relating to the Market in Fredericton.

Ordered, That the Report be accepted, and the Bill engrossed, as amended, under the amended Title.

The House proceeded to the Order of the Day, to go into Committee of the whole on a Bill to provide for the establishment of Municipal Authorities in this Province.

The Order of the Day being read, the House accordingly resolved itself into Committee of the whole on the said Bill.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, the following Resolution was moved:—

Resolved, As the opinion of this Committee, That at this time it would be both impolitic and unwise to pass the Bill now under consideration, containing as it does, provisions which would materially alter the Constitution of this Province, hitherto affording its loyal People the most entire satisfaction; and that therefore the further consideration should be postponed until the next Session of the Legislature, when the opinions of the Constituency can be correctly ascertained."

To which an amendment was proposed—To expunge the whole of the said Resolution, and substitute the following:—

"Whereas it is the opinion of this Committee, that the Inhabitants of the several Counties in this Province have sufficient intelligence to manage their Parochial and County affairs: And whereas it is just and reasonable to tender to the said Inhabitants the advantages of managing their said affairs through the instrumentality of Municipal Corporations; therefore

Resolved, That the consideration of the Bill now before the Committee, should not be postponed until the next Session, but proceeded in, and such amendments made therein as will render it applicable to the circumstances of the Country."

That an amendment was then moved to the said proposed amendment—To expunge the same, and substitute the following:—

Resolved, That the further consideration of this Bill be postponed to the next Session of the General Assembly."

The question being then taken upon the last proposed amendment, the Committee divided as follows:—

YEAS.
 The Hon. Mr. Weldon,
 Mr. M'Almon,
 Allen,
 Hanington,
 Barberie,
 End,
 Wilson,
 Partelow,
 Taylor,
 Freeze,
 Gilbert,
 Rankin,
 Stewart.

NAYS.
 The Hon. Mr. Speaker,
 The Hon. Mr. Johnston,
 Mr. Jordan,
 L. A. Wilmot,
 Woodward,
 Connell,
 J. M. Wilmot,
 Fisher,
 Owen,
 Brown,
 H. T. Partelow,
 Beardsley,
 Hill,
 Hayward.

Whereupon it was decided in the negative.

That the Committee then made progress in the Bill, and he was directed to ask leave to sit again.

The Report of the Committee being then read—

The Honorable Mr. Weldon moved the following Resolution :—

“ *Resolved*, That the Report be not accepted, and that the further consideration of the Bill be postponed for three months.”

Upon the question for adopting this Resolution, the House divided—

YEAS, 12.

NAYS, 15.

And so it was decided in the negative.

Ordered, thereupon, That the Report be accepted, and leave to sit again granted.

The House adjourned until to-morrow morning at 10 o'clock.

Saturday, 26th February, 1842.

Prayers.

The engrossed Joint Addresses of the Honorable the Legislative Council and Assembly to Her Majesty and the Imperial Parliament, relative to a revision of the Wood Duties, were severally read, and are as follow :—

“ To the Queen's Most Excellent Majesty.

“ *The Humble Address of Your Majesty's Legislative Council and the House of Assembly of the Province of New Brunswick, in General Assembly convened.*

“ MAY IT PLEASE YOUR MAJESTY,

“ Your Majesty's most faithful subjects, the Legislative Council and Assembly of New Brunswick, having heard with great alarm that Your Majesty's Ministers contemplate such alteration in the Duties upon Wood imported into the United Kingdom, as will lessen the protection now afforded to Colonial over Foreign Wood—a measure involving consequences so ruinous to all Your Majesty's North American Colonies, and especially to New Brunswick, beg permission to lay at the Foot of the Throne, this their humble representation.

“ By the protecting system originally adopted for the purpose of rendering the Mother Country independent of Foreign Nations for a supply of Wood, a Trade of vast importance has been created, in which British capital and British enterprize alone are engaged, and British interests alone promoted.

“ That the Wood Trade is the staple of this Country, employing a numerous population of Emigrants and Lumberers; a large amount of capital invested in Saw Mills, Wharves, Warehouses, and other Establishments; and that while it encourages the settlement of the Country, it affords to the Agriculturist a ready and convenient market for the produce of his labors.

“ That the Province of New Brunswick has always been distinguished for the sound Constitutional principles of its inhabitants and its unshaken Loyalty to the British Crown.

“ That from the combined advantages of its Wood Trade and the cultivation of its soil,

soil, this Province has in the course of a few years sprung from helpless infancy to vigorous manhood, and achieved for itself a high station among the Colonies of Great Britain, the real worth of which can scarcely be appreciated during a period of tranquillity.

“That any alteration in the present scale of Duties, already so nearly equalized as barely to afford such protection to Colonial over Foreign Wood as enables the Trade to be prosecuted with the most rigid economy, would, in the opinion of Your Majesty’s Petitioners, be ruinous to this Province: because notwithstanding its rapid growth, it is yet too young to exist by its Agriculture alone; because its capital invested in Saw Mills, Wharves, Stores, Shipyards, and every other variety of fixed property necessary for prosecuting an extended Commerce and Shipbuilding, would, under any change of Duty, or even in the present mode of collecting the same, be not worth the ground they stand upon, and because its rapidly increasing Marine will be at once without employment and disastrously deteriorated in value.

“That free Foreign Trade and the abrogation of all fiscal restraints propounded by speculative Theorists as an equivalent for the destruction of the Staple Trade of the Country, Your Petitioners look upon as chimerical and delusive.

“The North American portion of the British Empire, and particularly New Brunswick, is not yet in a position advantageously to avail itself of a Foreign Trade, nor of any Commercial intercourse which is not based upon an exchange of its staple commodity.

“It is to Great Britain alone that New Brunswick can look for the preservation and protection of its Commerce, and the upholding of its prosperity and importance.

“That an amount of capital greater than the entire Commercial wealth of its inhabitants is invested in that description of real estate which (in the event of the dreaded measure being carried) could find no purchasers—in Ships and Lumber, depreciated to one fourth of their costs, and in Stocks on hand of British Merchandize, which must become nearly valueless.

“That the prosperity and improvement of this Colony is not the only consideration pressing upon the minds of Your Majesty’s Petitioners,—Your Royal Navy would lose its best nursery for Seamen,—the British Manufacturer one of the most extensive and profitable markets,—Great Britain a most promising receptacle for her redundant population,—the outpost of all the North American Colonies demolished by the depopulation of New Brunswick, and the fairest portions of Your Majesty’s Colonial Dominions exposed to the cupidity of a rival and most ambitious neighbouring power. Nor is this all: The ability to raise the means of paying the recently established Civil List of this Province, so cheerfully granted to Your Majesty, depends entirely upon the demand for its staple export, and the settlement of its wilderness lands. That the debts due to the British Merchants by the people of New Brunswick, must be nearly if not wholly unredeemed.

“That the property and capital created by the steady industry of an enterprising and loyal people will be wasted, and the Commerce of the Province become annihilated, as no capitalist would be found so deficient in sagacity as to invest money in a country without Trade, Agriculture, or any other channel from which a return might be expected.

“That no amount of Parliamentary compensation to the people, thus stripped of what they deem to be their just and equitable rights, could alleviate the distresses assuredly to follow the adoption of the contemplated measure.

“In conclusion, Your people of New Brunswick are essentially British,—they consume no other Manufactures,—they possess no other Trade,—they desire no other connection, and as they look to the Home of their Fathers for succour and support, so are they ever ready to shed their blood in defence of their Sovereign and of Her Dominions.

“We therefore humbly and earnestly implore Your Majesty to take this our Petition into Your Majesty’s most gracious consideration, assuring Your Majesty, that it is only by a rigid adherence to the present protective policy in favor of the North American Colonies, that Your Majesty’s subjects resident therein will be preserved from ruin.”

WARD CHIPMAN, *President Legislative Council.*
CHARLES SIMONDS, *Speaker of the Assembly.*

“To the Lords, Spiritual and Temporal, of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

“*The Humble Petition of Her Majesty's Legislative Council and House of Assembly of the Province of New Brunswick, in General Assembly convened.*

“MAY IT PLEASE YOUR MOST HONORABLE HOUSE,

“The Legislative Council and Assembly of New Brunswick having heard with great alarm, that Her Majesty's Ministers contemplate such alteration in the Duties upon Wood imported into the United Kingdom, as will lessen the protection now afforded to Colonial over Foreign Wood—a measure involving consequences so ruinous to all Her Majesty's North American Colonies, and especially to New Brunswick, beg permission to address Your Honorable House on this important subject.

“By the protecting system originally adopted for the purpose of rendering the Mother Country independent of Foreign Nations for a supply of Wood, a Trade of vast importance has been created, in which British capital and British enterprise alone are engaged, and British interests alone promoted.

“That the Wood Trade is the staple of this Country, employing a numerous population of Emigrants and Lumberers; a large amount of capital invested in Saw Mills, Wharves, Warehouses, and other Establishments; and that while it encourages the settlement of the Country, it affords to the Agriculturist a ready and convenient market for the produce of his labors.

“That the Province of New Brunswick has always been distinguished for the sound Constitutional principles of its inhabitants and its unshaken loyalty to the British Crown.

“That from the combined advantages of its Wood Trade and the cultivation of its soil, this Province has in the course of a few years sprung from helpless infancy to vigorous manhood, and achieved for itself a high station among the Colonies of Great Britain, the real worth of which can scarcely be appreciated during a period of tranquillity.

“That any alteration in the present scale of Duties, already so nearly equalized as barely to afford such protection to Colonial over Foreign Wood as enables the Trade to be prosecuted with the most rigid economy, would, in the opinion of Your Petitioners, be ruinous to this Province; because notwithstanding its rapid growth, it is yet too young to exist by its Agriculture alone; because its capital invested in Saw Mills, Wharves, Stores, Shipyards, and every other variety of fixed property necessary for prosecuting an extended Commerce and Shipbuilding, would, under any change of Duty, or even in the present mode of collecting the same, be not worth the ground they stand upon, and because its rapidly increasing Marine will be at once without employment and disastrously deteriorated in value.

“That free Foreign Trade and the abrogation of all fiscal restraints propounded by speculative Theorists as an equivalent for the destruction of the Staple Trade of the Country, Your Petitioners look upon as chimerical and delusive.

“The North American portion of the British Empire, and particularly New Brunswick, is not yet in a position advantageously to avail itself of a Foreign Trade, nor of any Commercial intercourse which is not based upon an exchange of its staple commodity.

“It is to Great Britain alone that New Brunswick can look for the preservation and protection of its Commerce, and the upholding of its prosperity and importance.

“That an amount of capital greater than the entire Commercial wealth of its inhabitants is invested in that description of real estate which (in the event of the dreaded measure being carried) could find no purchasers—in Ships and Lumber, depreciated to one fourth of their cost, and in stocks on hand of British Merchandize, which must become nearly valueless.

“That the prosperity and improvement of this Colony is not the only consideration pressing upon the minds of Your Petitioners,—the Royal Navy would lose its best nursery for Seamen,—the British Manufacturer one of the most extensive and profitable markets,—Great Britain a most promising receptacle for her redundant population,—the outpost of all the North American Colonies demolished by the depopulation of New Brunswick, and the fairest portions of Her Majesty's Colonial Dominions exposed to the cupidity of a rival and most ambitious neighbouring power. Nor is this all: The ability to raise the means of paying the recently established Civil

List of this Province, so cheerfully granted to Her Majesty, depends entirely upon the demand for its staple export, and the settlement of its wilderness lands. That the debts due to the British Merchants by the people of New Brunswick, must be nearly if not wholly unredeemed.

“That the property and capital created by the steady industry of an enterprising and loyal people will be wasted, and the Commerce of the Province become annihilated, as no capitalist would be found so deficient in sagacity as to invest money in a country without Trade, Agriculture, or any other channel from which a return might be expected.

“That no amount of Parliamentary compensation to the people thus stripped of what they deem to be their just and equitable rights, could alleviate the distresses assuredly to follow the adoption of the contemplated measure.

“In conclusion, the people of New Brunswick are essentially British,—they consume no other Manufactures,—they possess no other Trade,—they desire no other connection, and as they look to the Home of their Fathers for succour and support, so are they ever ready to shed their blood in defence of their Sovereign and of Her Dominions.

“We therefore humbly and earnestly implore Your Honorable House to take this our Petition into Your most favorable consideration, assuring Your Honorable House, that it is only by a rigid adherence to the present protective policy in favor of the North American Colonies, that Her Majesty’s subjects resident therein will be preserved from ruin.”

WARD CHIPMAN, *President Legislative Council.*

CHARLES SIMONDS, *Speaker of the Assembly.*

“To the Honorable the Knights, Citizens and Burgesses, representing the Commons of the United Kingdom of Great Britain and Ireland, in Parliament convened.

“*The Humble Petition of Her Majesty’s Legislative Council and House of Assembly of the Province of New Brunswick, in General Assembly convened.*

“MAY IT PLEASE YOUR HONORABLE HOUSE,

“The Legislative Council and Assembly of New Brunswick having heard with great alarm, that Her Majesty’s Ministers contemplate such alteration in the Duties upon Wood imported into the United Kingdom, as will lessen the protection now afforded to Colonial over Foreign Wood—a measure involving consequences so ruinous to all Her Majesty’s North American Colonies, and especially to New Brunswick, beg permission to address your Honorable House on this important subject.

“By the protecting system originally adopted for the purpose of rendering the Mother Country independent of Foreign Nations for a supply of Wood, a Trade of vast importance has been created, in which British Capital and British Enterprise alone are engaged, and British interests alone promoted.

“That the Wood Trade is the staple of this Country, employing a numerous population of Emigrants and Lumberers; a large amount of Capital invested in Saw Mills, Wharves, Warehouses, and other Establishments; and that while it encourages the settlement of the Country, it affords to the Agriculturist a ready and convenient Market for the produce of his labours.

“That the Province of New Brunswick has always been distinguished for the sound Constitutional principles of its inhabitants and its unshaken loyalty to the British Crown.

“That from the combined advantages of its Wood Trade and the cultivation of its soil, this Province has in the course of a few years sprung from helpless infancy to vigorous manhood, and achieved for itself a high station among the Colonies of Great Britain, the real worth of which can scarcely be appreciated during a period of tranquillity.

“That any alteration in the present scale of Duties, already so nearly equalized as barely to afford such protection to Colonial over Foreign Wood as enables the Trade to be prosecuted with the most rigid economy, would in the opinion of your Petitioners be ruinous to this Province: because notwithstanding its rapid growth, it is yet too young to exist by its Agriculture alone; because its Capital invested in Saw Mills, Wharves, Stores, Ship Yards, and every other variety of fixed property necessary for prosecuting an extended Commerce and Shipbuilding, would, under any change

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of duty, or even in the present mode of collecting the same, be not worth the ground they stand upon, and because its rapidly increasing Marine will be at once without employment and disastrously deteriorated in value.

"That free Foreign Trade, and the abrogation of all Fiscal restraints, propounded by speculative Theorists as an equivalent for the destruction of the Staple Trade of the Country, your Petitioners look upon as chimerical and delusive.

"The North American portion of the British Empire, and particularly New Brunswick, is not yet in a position advantageously to avail itself of a Foreign Trade, nor of any Commercial intercourse which is not based upon an exchange of its staple commodity.

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"That an amount of capital greater than the entire Commercial wealth of its inhabitants is invested in that description of real estate which (in the event of the dreaded measure being carried) could find no purchasers—in Ships and Lumber, depreciated to one fourth of their cost, and in stocks on hand of British Merchandize, which must become nearly valueless.

"That the prosperity and improvement of this Colony is not the only consideration pressing upon the minds of Your Petitioners,—the Royal Navy would lose its best nursery for Seamen,—the British Manufacturer one of the most extensive and profitable markets,—Great Britain a most promising receptacle for her redundant population,—the outpost of all the North American Colonies demolished by the depopulation of New Brunswick, and the fairest portions of Her Majesty's Colonial Dominions exposed to the cupidity of a rival and most ambitious neighbouring power. Nor is this all: The ability to raise the means of paying the recently established Civil List of this Province, so cheerfully granted to Her Majesty, depends entirely upon the demand for its staple export, and the settlement of its wilderness lands. That the debts due to the British Merchants by the people of New Brunswick, must be nearly if not wholly unredeemed.

"That the property and capital created by the steady industry of an enterprising and loyal people will be wasted, and the Commerce of the Province become annihilated, as no capitalist would be found so deficient in sagacity as to invest money in a country without Trade, Agriculture, or any other channel from which a return might be expected.

"That no amount of Parliamentary compensation to the people thus stripped of what they deem to be their just and equitable rights, could alleviate the distresses assuredly to follow the adoption of the contemplated measure.

"In conclusion, the people of New Brunswick are essentially British,—they consume no other Manufactures,—they possess no other Trade,—they desire no other connection, and as they look to the Home of their Fathers for succour and support, so are they ever ready to shed their blood in defence of their Sovereign and of Her Dominions.

"We therefore humbly and earnestly implore Your Honorable House to take this our Petition into Your most favorable consideration, assuring Your Honorable House, that it is only by a rigid adherence to the present protective policy in favor of the North American Colonies, that Her Majesty's subjects resident therein will be preserved from ruin."

WARD CHIPMAN, *President Legislative Council.*
CHARLES SIMONDS, *Speaker of the Assembly.*

On motion of Mr. Partelow,

Resolved, That a Committee be appointed on the part of this House, to join such Committee as may be appointed by the Honorable the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the said Addresses, and request that His Excellency will be pleased to transmit the same.

Ordered, That Mr. Partelow and Mr. Hayward be the Committee for that purpose; and further

Ordered, That Mr. Taylor communicate the same to the Council.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill relating to Banks.

Mr.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had the Bill referred to them under their consideration, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Saunders, by command of His Excellency the Lieutenant Governor, laid before the House the following Documents:—

Report from James A. Maclauchlan, Esquire, and the Honorable William H. Robinson, Supervisors of that part of the Canada Great Road lying between the Grand Falls and the Little Falls of the Madawaska River.

[*See Appendix.*]

Report of L. Bradshaw Rainsford and James Brown, Esquires, Commissioners for the Road between Oak Bay, in the County of Charlotte, and Eel River, in the County of York.

[*See Appendix.*]

Reports from James Brown and John Robinson, Esquires, Commissioners for exploring a Line of Road from the Keswick River to Mazeroll's Ferry, in the Parishes of Douglas and Queensbury, in the County of York.

[*See Appendix.*]

Report from the Honorable Thomas Wyer and Harris Hatch, Commissioners for examining as to the practicability of improving Dark Harbour, in the Island of Grand Manan.

[*See Appendix.*]

Report from the Auditor General on the Accounts of the Commissioners for Machias Seal Island, Campo Bello and Saint Andrews Light Houses.

[*See Appendix.*]

Communication from the Honorable William B. Kinnear, and William End, Esquire, two of the Queen's Counsel, in reference to services performed and expenses incurred in preparing a Bankrupt Bill under the order of His Excellency.

On motion of Mr. Beardsley,

The House went into Committee of the whole, in further consideration of a Bill for the establishment of Municipal Authorities in this Province.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made further progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

The House adjourned until Monday morning next at 10 o'clock.

Monday, 28th February, 1842.

Prayers.

Read a third time as engrossed,

A Bill to vacate the Seats of Members of the Assembly in certain cases.

Resolved, That the Bill do pass.

Ordered, That Mr. Fisher take the said Bill to the Council, and desire their concurrence thereto.

Mr. Palmer, pursuant to leave granted, brought in a Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province; which was read a first time.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to
The

The Bill to authorize the Justices of the Peace in and for King's County to raise a sum of money for paying the Contractors for building a Gaol in the said County, Without making any amendment thereto.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, in further consideration of a Bill to provide for the establishment of Municipal Authorities in this Province.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made further progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

The House being counted, and there not being fourteen Members present, the Honorable Mr. Speaker adjourned the House until to-morrow morning at 10 o'clock.

Tuesday, 1st March, 1842.

Prayers.

Read a second time—

A Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Read a third time as engrossed,

A Bill relating to the Market in Fredericton.

Resolved, That the Bill do pass.

Ordered, That Mr. Taylor take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Fisher,

Whereas by the Returns laid before this House there appears a Balance of £16,249 3s. 9d. due for Timber and Logs on Crown Lands cut under Licence, and which has been due and payable long since: And whereas the Public Service of the Province requires the employment of the said Balance; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause immediate measures to be taken for the collection of all such outstanding Balances or such parts thereof as can be recovered without subjecting the Government to loss.

Ordered, That Mr. Fisher, Mr. Hayward and Mr. Owen, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. L. A. Wilmot,

The House went into Committee of the whole, in further consideration of a Bill to provide for the establishment of Municipal Authorities in this Province.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made further progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Honorable Mr. Wyer was appointed a Committee on the part of the Council, to join the Committee of this House, to wait upon His Excellency the Lieutenant Governor with the Joint Addresses to Her Majesty and the Imperial Parliament, relative to a revision of the Wood Duties, and request His Excellency will be pleased to transmit the same.

The House adjourned until to-morrow morning at 10 o'clock.

Wednesday. 2d March, 1842.
Prayers.

Read a third time as engrossed,
A Bill relating to Banks.

Resolved, That the Bill do pass.

Ordered, That Mr. Fisher take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill to impose a Tax upon Wild Lands.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

The Honorable Mr. Speaker laid before the House—

Return from the Central Fire Insurance Company of New Brunswick, for the period ending 1st March, 1842, made up in pursuance of their Act of Incorporation.

The House adjourned until to-morrow morning at 10 o'clock.

Thursday. 3d March, 1842.
Prayers.

On motion of the Honorable Mr. Weldon,

Ordered, That the House do on Monday next, the 7th instant, resolve itself into Committee of the whole, in consideration of Ways and Means of raising a Revenue in the Province.

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill in addition to an Act for the better regulating the Office of Sheriff in this Province.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill to repeal certain parts of an Act, intituled "An Act to authorize the appointment of Commissioners to lay out a Street or Highway through the Town of Chatham, and to establish and regulate Public Landings in the said Town," and to make other provisions in lieu thereof.

Mr. Connell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had the Bill referred to them under their consideration, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

Mr. Brown, from the Committee appointed on the 14th of February last, to devise and settle certain Forms for the guidance of Commissioners for Bye Roads in making up their Accounts, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed to draw up Forms of Accounts, Receipts and Affidavits for Bye Road Commissioners, Report—That they have attended to that duty, and herewith present a Blank Form of Account and Affidavit, also two Forms of Receipts.

"All which is respectfully submitted.

"JAMES BROWN,
GEORGE HAYWARD,
JAMES BOYD.

"Committee Room, 3d March, 1842."

Ordered, That the Report be accepted.

Mr.

Mr. Hayward, from the Committee on the part of this House, to join the Committee of the Honorable the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the Addresses to Her Majesty and the Imperial Parliament upon the subject of a revision of the Wood Duties, and request that His Excellency would be pleased to transmit the same, reported—That they had met the Committee of the Council, and waited upon His Excellency with the said Addresses, and that he was pleased to say that they should be forwarded by the earliest opportunity.

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill to enable the Supreme Court to give relief against adverse claims made upon persons having no interest in such claims.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, the following was moved :—

Resolved, That the further consideration of this Bill be postponed for three months.

Upon the question for adopting the same, the Committee divided—

YEAS, 5.

NAYS, 15.

And so it was decided in the negative.

That the Committee then went through the Bill, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency the Lieutenant Governor, laid before the House—

Copies of various Documents in reference to an application from Henry John Caldwell, Esquire, for a Lease to certain Lands at and near the Grand Falls :

The same being furnished under an Address of the House of the 23d of February last ; also,

Copy of a Communication from Joseph Howe, Esquire, Deputy Postmaster General, at Halifax, in reference to the establishment of a direct Line of Post Communication between Fredericton and Saint Andrews.

This Document being read at the Clerk's Table, is as follows :—

General Post Office, Halifax, 22d February, 1842.

SIR,—I have the honor to acknowledge the receipt of your letter of the 18th instant, accompanied by a communication addressed to His Excellency Sir William Colebrooke, by the Honorables Thos. Wyer and Hatch, of the Legislative Council of New Brunswick, and Messrs. Owen, Hill, Boyd and Brown, Members of the House of Assembly, recommending the establishment of a direct Line of Post Communication between Fredericton and Saint Andrews ; and in answer, have to acquaint you, for the information of His Excellency, that I have given directions to the Postmaster at Fredericton to advertise for Tenders for the conveyance of the Mails between those places, the said service to commence on the 6th April next.

I have the honor, &c.

(Signed)

J. HOWE, D. P. M. G.

A. READE, Esquire, &c. &c.

On motion of Mr. L. A. Wilmot,

The House went into Committee of the whole, on a Bill to amend the Charter of King's College in this Province.

Mr. Barberie in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill before them, and the second Section being under their consideration, an amendment was moved thereto—To add the following :—

“ Provided always nevertheless, that no Clergyman of any Denomination be allowed to hold a seat in the said Council.”

Upon the question for adopting the same, the Committee divided as follows :—

YEAS.

YEAS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. End,
Jordan,
Wilson,
Hanington,
Partelow,
Woodward,
Owen,
H. T. Partelow.

NAYS.

Mr. Allen,
M'Almon,
Stewart,
Street,
Freeze,
Gilbert,
J. M. Wilmot,
Brown,
Boyd,
L. A. Wilmot.

Whereupon it was carried in the affirmative.

That the Committee then went through the Bill, and agreed to the same.

The question being taken in the House for accepting the Report, the House divided—

YEAS, 12.

NAYS, 7.

And so it was carried in the affirmative.

Ordered, thereupon, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. L. A. Wilmot,

Resolved, That the Bill to incorporate the Grand Falls Company, as well as the several Documents laid before the House this day by command of His Excellency the Lieutenant Governor, in reference to an application from Henry John Caldwell, Esquire, for a Lease to the Banks of the River Saint John at and near the said Falls, be referred to a Select Committee to report thereon.

Ordered, That Mr. L. A. Wilmot, the Honorable Mr. Johnston, Mr. Rankin and Mr. Hayward, do compose the said Committee.

On motion of Mr. End,

The House went into Committee of the whole, in further consideration of a Bill to establish a Board of Works in this Province.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made further progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

Friday, 4th March, 1842.
Prayers.

Read a third time as engrossed,

A Bill to impose a tax upon Wild Lands.

Resolved, That the Bill do pass.

Ordered, That Mr. Fisher take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill in addition to an Act for the better regulating the office of Sheriff in this Province.

Resolved, That the Bill do pass.

Ordered, That Mr. Street take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to repeal certain parts of an Act, intituled "An Act to authorize the appointment of Commissioners to lay out a Street or Highway through the Town of Chatham, and to establish and regulate Public Landings in the said Town," and to make other provisions in lieu thereof.

Resolved, That the Bill do pass.

Ordered,

Ordered, That Mr. Street take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Hill,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to take measures to cause Returns to be made from the several Post Offices in this Province, which Returns shall specify the amount of Postages received at them respectively, during the year ending the fifth day of January last; also, the rates of Postages on the several Mail Routes, with the extent of the same respectively; also, the amount of yearly compensation to the Postmasters respectively, whether that compensation be by salary or per centage, or both; also, the cost of conveying the Mails on the several Mail Routes, distinguishing the cost on each route; also, what Papers or other things are conveyed postage free; also, whether the Contracts with the Post riders are made to the lowest tender, and whether and in what cases the Post carriers are obliged to drive one, two or more horses, for the accommodation of Passengers, with the Mail; and also, such other particulars as may be necessary to a full knowledge of the affairs of the Department in this Province; and that His Excellency will be pleased to cause such Returns to be laid before the Assembly at an early day in the next Session of the Legislature.

Ordered, That Mr. Hill, Mr. H. T. Partelow and Mr. Fisher, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Partelow,

Resolved, That the Accounts numbers 107, 110, 113, 117, and 124, from the Report of the Committee of Accounts on the Accounts of the Province Treasurer, be referred to the Committee of Supply.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow:—

Resolved, That there be granted

To B. Robinson, Esquire, Province Treasurer, the sum of £190 7 10, being for contingencies of his office for the year 1841.

To D. W. Jack, the sum of £29 19 6 for Guaging and Weighing Dutiable articles at Saint Andrews the past year.

To R. Watson, the sum of £3 7 6 for Guaging and Weighing at Saint Stephen in 1841.

To William Joplin, the sum of £8 15s. for Guaging and Weighing Dutiable articles at Miramichi for the year 1841.

To Samuel H. Napier, the sum of £9 1s. for Guaging and Weighing at Bathurst for the year 1841.

To the Honorable W. F. Odell, Provincial Secretary, for defraying the expenses of Printing, Stationery, Book Binding, &c. for the Secretary's Office for 1841, the sum of £——.

To which the following was moved as an amendment—To expunge all after the word "Resolved," and substitute the following:—

"That it is the opinion of this Committee, that the contingencies of the Secretary's Office should, if paid, be provided for out of the same fund from which the salary of the Secretary is paid."

And upon the question for adopting the amendment, it was decided in the negative.

The question was then taken upon the original Resolution, when the Committee divided as follows:—

YEAS.

The Hon. Mr. Johnston,
 The Hon. Mr. Weldon,
 Mr. Rankin,
 H. T. Partelow,
 J. M. Wilmot,
 Taylor,
 Partelow,
 Jordan,
 End,
 Street,
 Wilson,
 Stewart,
 Allen,
 Barberie.

NAYS.

Mr. Fisher,
 Palmer,
 M'Almon,
 Hanington,
 L. A. Wilmot,
 Woodward,
 Freeze,
 Gilbert,
 Owen,
 Hill,
 Boyd,
 Brown.

And so it was carried in the affirmative, and the blank filled up with the sum of £105.
 To Elizabeth Briscoe, the sum of £20 for teaching a School in Saint Andrews for the year 1841.

To the Committee of Management of the Infant School at Saint John, the sum of £25 in aid of individual subscription towards that Institution.

To Mrs. Isabella Hailes and the Committee of Management for the Poor School at Fredericton, the sum of £20 in aid of individual subscription towards the support of that Institution.

To William Watts, £10 for his services as Crier or Usher in the Supreme Court for the past year, and the further sum of £10 for attending the Court of Chancery.

To John Gregory, the sum of £10 to prepare an Index to the Laws of the present Session.

To Matthew Brannen of the Secretary's Office, £25 as a mark of approbation for his long and faithful services in that Office.

To Elizabeth Fairchild of the City of Saint John, the sum of £20 for her services as Schoolmistress in that City.

To Doctor G. P. Peters, Surgeon to the Vaccine Institution, Central Board, Saint John, the sum of £20 for his services for the year 1841.

To the Committee of Correspondence, such sum as will procure a Bill of Exchange on London for £— Sterling, to be remitted Henry Bliss, Esquire, Province Agent, for his services for the year 1841.

To which an amendment was moved—To add the following:—

And further Resolved, that it is inexpedient to make in future any provision for this service.

Upon the question for adopting the amendment, the Committee divided—

YEAS, 4.

NAYS, 23.

And it was thereupon decided in the negative.

The question was then taken for filling up the blank with the sum of £100, when the Committee divided as follows:—

YEAS.
 Mr. Hill,
 Connell,
 Boyd,
 Brown,
 Gilbert,
 Freeze,
 Palmer,
 M'Almon,
 End.

NAYS.
 The Hon. Mr. Johnston,
 The Hon. Mr. Weldon,
 Mr. Rankin,
 Woodward,
 Fisher,
 J. M. Wilmot,
 L. A. Wilmot,
 H. T. Partelow,
 Taylor,
 Owen,
 Jordan,
 Street,
 Partelow,
 Stewart,
 Hanington,
 Wilson,
 Barberie,
 Allen.

Which was likewise decided in the negative.

The question was then taken for filling up the blank with the sum of £200, when the Committee again divided as follows:—

YEAS.
 The Hon. Mr. Johnston,
 The Hon. Mr. Weldon,
 Mr. Rankin,
 J. M. Wilmot,
 H. T. Partelow,
 Taylor,
 Owen,
 L. A. Wilmot,
 Jordan,
 Street,
 Partelow,
 Wilson,
 Stewart,
 Barberie,
 Allen,
 Fisher.

NAYS.
 Mr. Hill,
 Connell,
 Woodward,
 Boyd,
 Brown,
 Gilbert,
 Freeze,
 Hanington,
 Palmer,
 End,
 M'Almon.

And it was thereupon carried in the affirmative, and the blank filled up with the said sum of £200.

To the Adjutant General of the Militia Forces, the sum of £—— for his services for the year 1842.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 14.

NAYS, 11.

And it was thereupon carried in the affirmative, and the blank filled up with the sum of £75.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £40 for a Tide Waiter at Dalhousie, in the County of Restigouche, for the year 1842.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £30 for a Tide Waiter at Bathurst, in the County of Gloucester, for the year 1842.

To the Justices of the Peace for the City and County of Saint John, the sum of £150 towards the support of a Free School established in the said City, unconnected with the Madras Board.

To John Simpson, Queen's Printer, for printing the Daily Journals of the Legislative Council and Assembly during the present Session, the sum of £275.

To John Simpson, Queen's Printer, the sum of £150 towards printing the Laws of the present Session.

To

To B. C. Chaloner, Guager and Weigher at Saint John, the sum of £200, being in full for his services for the year 1841.

To Mary Ann Smith, for upwards of forty years a Schoolmistress at Saint John, the sum of £20 in consideration of her services in that capacity.

To Deborah Ann Lugin, widow of the late George K. Lugin, many years King's Printer in this Province, the sum of £25 to assist her in her present destitute situation.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £465 to pay the Provincial allowance to the Adjutants of the several Battalions of Militia in this Province; and the further sum of £232 10s. to pay the Serjeant Majors of the same during the past year, agreeably to a Law of the Province.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £100 to pay a Sub-Collector and Deputy Treasurer at Woodstock, in the County of Carleton, the duties of both Offices to be performed by one Officer; this to be in addition to the allowance made to Deputy Treasurers by Law.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £350 for the purpose of remunerating A. Gesner for his services the past year in continuing the Geological Survey of the Province; one hundred and fifty pounds of which to be applied in refunding the temporary advance made under the authority of His Excellency the Lieutenant Governor from the surplus of the Civil List on account of the same.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

Mr. Fisher, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House of the 1st March, instant, relative to the collection of the Balances due the Province for Timber and Logs cut on Crown Lands, reported—That they had attended to that duty, and that His Excellency was pleased to say, that he would give effect to the wishes of the House.

Mr. L. A. Wilmot moved for leave to present a Petition from George Woods, of Fredericton, in the County of York, setting forth certain difficulties with the Nova Scotia and New Brunswick Land Company, relative to a Tract of Land at the Stanley Settlement, which was allotted to one Thomas Stinson, and subsequently included in the Grant to the said Company, and praying relief in the premises.

The Rule of the House, limiting the time for introducing Petitions, being in this instance dispensed with, leave was granted, and the Petition then read.

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

The House adjourned until to-morrow morning at 10 o'clock.

Saturday, 5th March, 1842.

Prayers.

On motion of Mr. L. A. Wilmot,

The House went into Committee of the whole, in further consideration of a Bill for the establishment of Municipal Authorities in this Province.

Mr. Brown in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made amendments thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to the following Bills:—

The Bill relating to the appointment of Firewards and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte, therein mentioned:

The Bill to amend an Act, intituled "An Act to repeal all the Acts regulating Tavern Keepers and Retailers," and to make other provisions in lieu thereof:

The

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

The Bill to authorize the Magistrates for the County of Restigouche to levy an assessment upon the inhabitants of the said County to pay off the County Debt,

Without making any amendments thereto.

And that the Legislative Council had also agreed to

The Resolutions of Appropriation dated the 31st day of January last.

Read a third time as engrossed,

A Bill to amend the Charter of King's College in this Province.

Resolved, That the Bill do pass.

Ordered, That Mr. L. A. Wilmot take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Jordan,

Whereas it is the opinion of this House that the Salary of the present Provincial Secretary is sufficiently large to warrant the expediency of withholding in future any further grant for the contingent expenses of that Office; therefore

Resolved, That this House deem it inexpedient that any future grant should be made for that purpose.

To which Mr. Partelow moved as an amendment—To expunge the whole thereof, and substitute the following:—

Resolved, That it would be inexpedient to pass any vote touching the future grants for contingencies for the Secretary's Office, until the whole question of Fees not yet commuted, receivable at that Office, be first disposed of by the House."

Mr. Woodward then moved an amendment to the said proposed amendment—To expunge the same, and substitute the following:—

Resolved, That the Resolution granting £105, as contingencies to the Secretary of the Province, and also the Resolution in amendment thereto, reported from the Committee of Supply yesterday, be expunged from the Journals."

The question being taken upon the last proposed amendment, the House divided:—

YEAS, 14.

NAYS, 13.

And so it was carried in the affirmative.

Mr. Woodward, from the Committee to whom was referred the various Petitions to be reimbursed Duties on Goods destroyed at the Great Fire at Saint John in November last, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed on the 31st January last, to take into consideration certain Petitions presented to the House, praying for a return of Duties on Goods destroyed by Fire at Saint John on the night of the 15th November last, have attended to that duty, and beg leave to recommend to the House, after a careful investigation of the claims of the different persons, to grant the following sums, viz:—

To Waterhouse and Troop,.....	£33	13	11
Thomas Leavitt and Company,.....	107	8	6
Jardine and Company,.....	81	5	2
G. and J. Salter,.....	68	10	5
Alexander Robertson,.....	5	12	9
W. H. Street,.....	38	12	6
Crookshank and Walker,.....	99	6	0
Daniel Leavitt,.....	51	7	11
Thos. E. Millidge,.....	146	3	2
John V. Thurgar,.....	46	19	9
Wm. Hammond,.....	433	10	4
Thos. Raymond,.....	19	8	2
Ratchford and Brothers,.....	714	16	0
Charles R. Jarvis,.....	60	0	0
Walker Tisdale,.....	46	7	3
N. S. Demill,.....	25	0	0
Thos. McAvity and Company,.....	25	0	0

"The foregoing claims are all accompanied by the necessary certificates and affidavits, and your Committee recommend that the several sums be applied in payment of Bonds given for Duties on the articles consumed, if not previously paid; and if paid, then on any Bonds the parties may be under, next falling due; payments to be made in money only to those not being under any Bonds to the Treasury; and they would particularly direct attention to the claim of Messieurs Ratchford and Brothers, for Duties on sixty five puncheons of Rum imported ex schooner Camilla, from Halifax, in the month of January, 1841, Bond for that having been given under protest, as stated in Messieurs Ratchfords' Petition.

" Respectfully submitted.

" I. WOODWARD,
ALEX. RANKIN,
GEO. HAYWARD.

" Committee Room, 4th March, 1842."

Ordered, That the Report be accepted; and

On motion of Mr. Woodward; further

Ordered, That the said Report be referred to the Committee of Supply.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, in further consideration of a Bill to establish a Board of Works in this Province.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, the following was moved:—

Resolved, That the further consideration of the Bill be postponed until the next Session of the Legislature.

And upon the question, it was carried in the affirmative.

Ordered, That the Report be accepted.

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on a Bill to repeal all the Laws now in force for regulating, laying out and repairing Highways, and to make more effectual provisions for the same.

Mr. Barberie in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, had made amendments thereto, and then agreed to the said Bill, under the Title of—

A Bill to continue the Acts relating to Highways.

Ordered, That the Report be accepted, and the Bill engrossed, as amended, under the amended Title.

The House adjourned until Monday morning next at 10 o'clock.

Monday, 3th March, 1842.

Prayers.

The Honorable Mr. Speaker laid before the House—

Report of the Agricultural Society for the County of Sunbury, for the year 1841.

[*See Appendix.*]

Read a third time as engrossed,

A Bill to continue the Acts relating to Highways.

Resolved, That the Bill do pass.

Ordered, That Mr. Hanington take the said Bill to the Council, and desire their concurrence thereto.

Mr. Woodward, from the Committee on Light Houses, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

" The

“The Committee appointed to take under consideration all matters relating to Light Houses within the Province, beg leave to Report—

“That they have had before them the Report and Accounts of Expenditure of the Commissioners for the Bay of Fundy Light Houses, embracing six Establishments, say two at Saint John, Quaco, Cape Enrage, Gannet Rock and Point Lepreaux, by which it appears that the amount for repairs, supplies, &c. for the year 1841, is £884 1s. 1d.; the Salaries of the Keepers of the different Light Houses, £750; towards the support of the Light Houses on Brier Island and Cape Sable Seal Island, in Nova Scotia, £230 0 5; and for the Salary of the Superintendent, the same as last year, £250, (but no commission charged) making the whole expenditure for the past year, ending 31st December, 1841, £2114 1 6—all which is accompanied by the necessary Bills and Vouchers. They credit the amount due the Province per last year's account, £121 2 5; amount received from the Treasury, £2,017 10 5; for returned Oil, £14 8s.; and from the Charlotte County Commissioner, £1 12s., making in all the sum of £2,254 12 6; leaving a balance due the Province on 31st December last, £40 11s.; to this balance the Committee add the amount of £9 7 6, a charge for Office Rent, not heretofore charged by the Commissioners, making the amount due the Province, £49 18 6.

“Your Committee observe that no appropriation for £250, Salary to Mr. Donaldson, has been made, and they are of opinion that it should not have appeared in the Account, but that it should be left as heretofore to the decision of the House.

“Also the Report and Account of the Commissioners of Light Houses in the Gulf of Saint Lawrence, and for the erection of a Light House on Point Escuminac, which by the Report of the Commissioners, appears to have been completed and in operation on the 12th August last, and continued until the 25th December, 1841, as late a period as is necessary for the benefit of Vessels navigating that coast; the whole cost of the erection of the Light House and Keeper's House, with a supply of Oil, &c. including six month's Salary of the Keeper, also commission on the expenditure, except on the Salary, amounts to £1,795 11 10; they credit grant for this service, in 1840, of £600, also grant of 1841, £748 15 3, leaving a balance due the Commissioners, of £446 16s. 7d. The charge for the Keeper's Salary, including an amount for Fuel is £95, a sum less than any Keeper's Salary for the Bay of Fundy Lights, by £5, except the Keeper at Saint Andrews Harbour Light House. It appears that the collections at the Ports in the Gulf of Saint Lawrence for the support of this Establishment, also for the proportion that New Brunswick contributes towards the Light Houses on the Island of Saint Pauls, is sufficient for both purposes, amounting for the past year to £450 7 4, of which £250 is paid to Nova Scotia, leaving £200 7 4, which is more than sufficient for the support of the Point Escuminac Light, and thus it will be maintained by dues of Vessels benefited by it, and not bearing on the Light House Fund collected at other Ports in the Province.

“They have also had before them the Report and Accounts of the Commissioners of Machias Seal Island, Campo Bello, and Saint Andrews Light Houses, by which it appears that the expenditure for the year ending 31st December last, for supplies, alterations and repairs, was £607 0 8, commission on the same, £30 7s., and for Keepers' Salaries, £290, on which a commission is also charged of £14 10s, which is unsatisfactory and unusual, making the whole expenditure for this service, £941 17 8, all of which are accompanied by Accounts and Vouchers; they credit receipts from the Treasurer and from D. W. Jack, Deputy Treasurer, of £926 5 6, leaving a balance in favor of Commissioners of £15 12 2, from which, if the commission charged on the Salaries is deducted, will leave £1 2 2 balance.

“The Petition of Bill Chappel and others, praying that a Light House may be erected on Jourman Island, in the Gulf of Saint Lawrence, has also been under consideration of the Committee, and in their opinion it is an object of interest to other Colonies as well as to the shipping interest of this Province, and not having sufficient information before them to come to any definite conclusion on the subject, they cannot recommend to the House any action on the Petition.

“Your Committee reiterate the recommendation made in the Report of last year, that the two Boards of Commissioners now existing, for the management of the Lights in

in the Bay of Fundy, should be consolidated, for the same reasons as stated in the Report above referred to.

"All which is respectfully submitted.

"I. WOODWARD,
ALEX. RANKIN,
D. HANINGTON,
JAMES BOYD,
W. F. W. OWEN.

"Committee Room, 3d March, 1842."

Ordered, That the Report be accepted.

Read a third time as engrossed.

A Bill to enable the Supreme Court to give relief against adverse claims made upon persons having no interest in such claims.

Resolved, That the Bill do pass.

Ordered, That Mr. Street take the said Bill to the Council, and desire their concurrence thereto.

Mr. Hill, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of the 4th instant, relative to the Post Office Department in this Province, reported—That they had attended thereto, and that His Excellency was pleased to say, that he had no control over that Department, but would have pleasure in communicating the wishes of the House on the subject to the Home Government, and make known the result at the next Session.

On motion of Mr. Fisher.

The House went into Committee of the whole, on a Bill to diminish the expense of recovering Crown Debts of small amount.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Saunders, by command of His Excellency the Lieutenant Governor, delivered the following Message:—

"New Brunswick.

"Message to the House of Assembly, 7th March, 1842.

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

"The Lieutenant Governor communicates to the Assembly two Reports from the Collector of Customs at Saint John, detailing the circumstances attending the resistance made to the Officers of his Department, and outrages committed on them in discharging their duty for protection of the Revenue; measures have been taken for apprehending the offenders, and the Lieutenant Governor recommends that some compensation should be granted to the Officers.

"W. M. G. C."

The Honorable Mr. Saunders, also by command of His Excellency, laid before the House—

Report from Commissioners appointed under an Address of the 27th February, 1841, to revise the Ordinance of Fees in the Supreme Court, and to inquire into the propriety of introducing into the said Court the new Rules of Pleading in Civil Actions in force in England.

[See Appendix.]

Communication from Henry W. Baldwin, Esquire, in reference to the state of the Trade at Bathurst and Caraquet for the last five years, with a view to measures being taken for the improvement of those Sections of the Province :

Accounts of John Simpson, Esquire, Queen's Printer, for printing during the past year.

On

On motion of the Honorable Mr. Weldon,

That the House proceed to the Order of the Day, to go into Committee of the whole on Ways and Means of raising a Revenue in the Province.

The Order of the Day being read, the House resolved itself into said Committee.

Mr. J. M. Wilnot in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them, under their consideration, they had passed one Resolution, which he read, and is as follows :—

“Resolved, That in the opinion of this Committee, That the present Duties on articles imported into this Province should be continued, with certain alterations and modifications.”

And the Chairman further reported, that he was directed to ask leave to sit again.

The Resolution reported by the Committee being then handed in at the Clerk's Table, was there again read.

Ordered, That the Report be accepted, and leave to sit again granted.

Mr. Street moved for leave to bring in a Bill to continue and amend the Acts now in force relative to the Boards of Health in this Province.

The question being taken—That the Rule of the House, limiting the time for bringing in Bills, be dispensed with, the House divided as follows :—

YEAS.

Mr. Street,
Allen,
Jordan,
H. T. Partelow,
Barberie,
Stewart,
J. M. Wilnot,
Partelow,
Woodward,
Brown,
Rankin.

NAYS.

The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Hanington,
Hayward,
Wilson,
Fisher,
Gilbert,
Freeze,
Connell,
Palmer,
Mr. M'Almon.

And the division being equal, the Honorable Mr. Speaker decided the question in the negative.

Mr. Fisher, from the Committee to whom was referred the subject of the Acts regulating Elections of Representatives to serve in General Assembly, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows :—

“The Committee appointed on the 26th day of January last, to prepare a Bill to improve the Election Laws, report—That they have attended to that duty, and prepared a Bill to attain the object referred to them by the House, under the Title of—

“A Bill to improve the Law relating to the election of Representatives to serve in the General Assembly.

(Signed)

“CHARLES FISHER,
J. A. STREET,
GEO. S. HILL,
JAMES BROWN,
L. A. WILMOT.

“Committee Room, 7th March, 1842.”

Ordered, That the Report be accepted.

The Bill as reported by the Committee, being then handed in, was read a first time; and

On motion of Mr. Fisher,

Ordered, That the said Bill be forthwith printed, and one hundred copies thereof furnished for the use of the Legislature.

On motion of the Honorable Mr. Weldon,

Ordered, That the Report from the Commissioners for revising the Ordinance of Fees in the Supreme Court, and for inquiry into the propriety of introducing the new

Rules of Pleading in force in England into the said Court, and which was laid before the House this day, by command of His Excellency, be forthwith printed, and one hundred copies thereof furnished for the use of the Legislature.

The House adjourned until to-morrow morning at 10 o'clock.

Tuesday, 8th March, 1842.

Prayers.

Read a second time—

A Bill to improve the Law relating to the election of Representatives to serve in the General Assembly.

Read as engrossed,

The Resolutions of Appropriation passed in Committee of Supply on the 4th day of March, instant.

Ordered, That Mr. M'Almon take the said Resolutions to the Council, and desire their concurrence thereto.

On motion of Mr. Partelow,

Resolved, That the Report of the Select Committee, presented to the House on the 5th of February last, to whom was referred certain Petitions and Accounts of the Board of Health for the County of Gloucester, be referred to the Committee of Supply.

On motion of Mr. L. A. Wilmot,

Resolved, That the Bill to provide for the establishment of Municipal Authorities in this Province, be now read a third time.

To which Mr. Street moved as an amendment—To expunge all after the word "*Resolved*," and substitute "that the further consideration of this Bill be postponed until the next Session of the Legislature.

The question being taken upon the amendment, the House divided as follows:—

YEAS.

The Hon. Mr. Weldon,
Mr. Hanington,
Allen,
M'Almon,
Stewart,
Palmer,
Barberie,
Wilson,
Partelow,
Street,
Taylor,
Freeze,
Gilbert,
Rankin.

NAYS.

The Hon. Mr. Johnston,
Mr. L. A. Wilmot,
Jordan,
Connell,
Beardsley,
J. M. Wilmot,
Fisher,
Woodward,
Owen,
H. T. Partelow,
Hayward,
Brown,
Boyd,
Hill.

And the division being equal, the Honorable Mr. Speaker decided the question in the negative.

The question was then taken upon the original Resolution, when it was carried in the affirmative, and the Bill was accordingly read a third time.

The question was then taken upon the final passing of the Bill, and that it be sent to the Council for their concurrence, when the House again divided as follows:—

YEAS.

The Hon. Mr. Johnston,
Mr. L. A. Wilmot,
Jordan,
Connell,
Beardsley,
J. M. Wilmot,
Fisher,
Woodward,
Owen,
H. T. Partelow,
Hayward,
Brown,
Boyd,
Hill.

NAYS.

The Hon. Mr. Weldon,
Mr. Hanington,
Allen,
M'Almon,
Stewart,
Palmer,
Barberie,
Wilson,
Partelow,
Street,
Taylor,
Freeze,
Gilbert,
Rankin.

This division being equal, the Honorable Mr. Speaker decided it in the affirmative; whereupon

Resolved, That the Bill do now pass ; and

Ordered, That Mr. L. A. Wilmot take the said Bill to the Council, and desire their concurrence thereto.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on a Bill for the consolidation of the Departments of Revenue in this Province, and to provide for the collection and protection thereof.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, they had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to

The Bill to erect the upper part of the Parish of Wakefield, in the County of Carleton, into a separate and distinct Town or Parish,

Without making any amendment thereto.

The Honorable Mr. Speaker laid before the House—

Return from the Central Bank for the period ending 7th March, instant, made up in pursuance of their Act of Incorporation.

[*See Appendix.*]

Mr. Brown, from the Committee to whom was referred, on the 24th January last, the several subjects recommended in His Excellency's Speech at the opening of the Session, relative to a Canal between the Bay of Fundy and the Gulf of Saint Lawrence, and other Public Works, for the Internal Improvement of the Province, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows :—

“ The Committee appointed to take into consideration that part of the Speech of His Excellency the Lieutenant Governor, which relates to a Canal for connecting the Waters of the Bay of Fundy with the Gulf of Saint Lawrence—the construction of Dry Docks at Saint John—and the improvement of the Navigation of the River Saint John, Report—

“ That from the state of the Finances, as reported by a Select Committee during the present Session, and the repeated decisions of the House against a Loan, it will be impossible at this time, to undertake and prosecute any of the Public Works alluded to in this paragraph of His Excellency's Speech. Your Committee would therefore recommend that the consideration of those important measures should stand over until the Province be in a condition to prosecute and complete them. In the meantime, they

they hope that the contemplated Survey of the Canal will be prosecuted, should the appropriations be made on which the vote of this Province was contingent.

(Signed)

“JAMES BROWN,
I. WOODWARD,
W. WILSON,
J. M. CONNELL.

“Committee Room, 7th March, 1842.”

Ordered, That the Report be accepted.

The House adjourned until to-morrow morning at 10 o'clock.

Wednesday. 9th March. 1842.

Prayers.

On motion of Mr. Hill,

The House went into Committee of the whole, in further consideration of a Bill for the Consolidation of the Departments of Revenue in this Province, and to provide for the collection and protection thereof.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, and the fifty fourth Section being under their consideration, which enacts—

“That the present Deputy Treasurers of the Ports or Districts of * * *

* * * * *
from and after the time appointed for this Act to come into operation, shall be entitled to receive and draw at and from the Public Treasury of this Province, by Warrant of His Excellency the Lieutenant Governor or person administering the Government of this Province for the time being, by and with the advice of the Executive Council, during the natural lives of the said Deputy Treasurers, respectively, that is to say: unto Thomas H. Peters, the present Deputy Treasurer at the Port or District of Miramichi, the sum of ; unto John W. Weldon, the present Deputy Treasurer at Richibucto, the sum of ; unto Dugald Stewart, the present Deputy Treasurer at Dalhousie, the sum of ; unto John Miller, the present Deputy Treasurer at Bathurst, the sum of ; unto David W. Jack, the present Deputy Treasurer at Saint Andrews, the sum of ; unto the * * *

* * * * *
in each and every year, by even half yearly payments, to be computed from and after the half year next after the time appointed for this Act to come into operation; Provided always, that in the event of any of the said Deputy Treasurers accepting any appointment, place or office under Government, of equal or greater value than the sums hereby respectively granted to the said Deputy Treasurers, then and in such case the said sum shall cease to be payable, and from thenceforward shall no longer be paid to such Deputy Treasurer who shall so respectively accept such appointment, place or office, or if the emolument of such office shall be less than the compensation, the party shall receive the difference between such emoluments and such compensation granted to him by this Act.”

The question was then taken for expunging the same, when the Committee divided as follows:—

YEAS.

Mr. M'Almon,
Palmer,
Jordan,
L. A. Wilmot,
J. M. Wilmot,
Freeze,
Woodward,
Gilbert,
Beardsley,
Hayward,
Connell,
Brown,
Owen,
Hill,
Boyd.

NAYS.

The Hon. Mr. Johnston,
Mr. Rankin,
Street,
Partelow,
Wilson,
Stewart,
Barberie,
H. T. Partelow,
Taylor,
Fisher.

And so it was carried in the affirmative.

It was then moved—That the further consideration of the said Bill be postponed for three months.

And upon this question, the Committee again divided as follows :—

YEAS.

Mr. Barberie.
H. T. Partelow,
Palmer,
Wilson,
Stewart,
Street,
Rankin,
Freeze.

NAYS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
Mr. M'Almon,
Jordan,
Partelow,
L. A. Wilmot,
Beardsley,
Taylor,
Fisher,
J. M. Wilmot,
Gilbert,
Hayward,
Woodward,
Owen,
Connell,
Brown,
Boyd,
Hill.

Whereupon it was decided in the negative.

That the Committee then went through the Bill, and after making amendments thereto, agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

The Honorable Mr. Weldon moved for leave to bring in a Bill, imposing Duties for raising a Revenue.

Leave granted.

The said Bill being brought in, was read a first time.

The House adjourned until to-morrow morning at 10 o'clock.

Thursday, 10th March, 1842.

Prayers.

Read a second time—

A Bill imposing Duties for raising a Revenue.

Mr. Fisher, from the Committee appointed on the 11th day of February last, to take into consideration the Bill for improving the Police in the City of Saint John, as also the Bill to establish an efficient system of Police in Saint John and Portland, together with the several Petitions in reference thereto, submitted their Report, and

he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee to whom were referred the several Bills before the House relative to the establishment of an efficient Police in Saint John, have attended to that duty, and respectfully submit the following Report—

“That your Committee have had under consideration the Petition of the Common Council of the City of Saint John, praying the enactment of a Law for improving the Police in the said City :

“The Petition of John Ward, W. R. Crookshank, R. M. Jarvis, Stephen Wiggins, L. Donaldson, and 397 others, Magistrates, Freeholders and Freemen, and other Inhabitants of the City of Saint John and Parish of Portland, praying the enactment of a Law to authorize the establishment of an efficient Police for the City of Saint John and Parish of Portland, under the entire control of the Executive Government, and for an annual grant from the Legislature to assist in the maintenance of the contemplated Establishment ; to this Petition is appended a series of Resolutions passed at a Public Meeting held in Saint John in the month of January last, which for aught that appears, are perfectly consistent with the prayer of either of the aforementioned Petitions, so far as relates to the City of Saint John : there is also annexed to this Petition a copy of a presentment of the Grand Jury of the City and County of Saint John, made at the Court of Oyer and Terminer, holden for the said City and County in January last, and duly certified by the Clerk ; this presentment expresses the disapprobation of the Grand Jury to the Bill which the Common Council pray to be enacted :

“Also the Petition of Henry Gilbert, John Pollok, James Gallagher, and 122 others, Inhabitants of the Parish of Portland, praying to be excepted from the operation of any Act passed to establish a Police in Saint John.

“The respectability and number of the persons who have signed the Portland Petition, induced your Committee to reject that Parish from their consideration of the operation of the proposed measure, and to confine their attention solely to the propriety of passing an Act affecting that part of the City of Saint John lying on the eastern side of the Harbour ; and they have concluded to recommend to the House to forbear legislating upon the subject, until the City authorities and the Citizens can agree amongst themselves upon some measure that will attain the object prayed for, consistent with the constitutional rights and privileges of the Corporation.

“Before your Committee advert to the constitutional objections that influence them in this decision, they cannot avoid referring the House to all the recent legislation had with reference to the City of Saint John, and in which the immunities of the Corporation were in any way trespassed upon, as proving the necessity of proceeding upon these Bills with caution. The labours of a whole Session of the Legislature were rendered in a measure inoperative, by the conflict of the principal Acts of that Session with the privileges of the Corporation. The Assembly have granted large sums of money to the City of Saint John in aid of the local assessment, to enable them to carry into effect Laws passed at their own instance, and the severity of which have on all occasions been urged by themselves as an inducement to the House to make such grants. Both the Petitions presented to the House intimate the inability of the City to bear the sole expense of the proposed Police, and pray legislative aid in furtherance of the object ; indeed the often repeated assurance of the present impossibility of recovering the taxes now levied by Law upon the City of Saint John, for various Local and Civic purposes, prepared the minds of your Committee for the intimation of the Petitioners, that they would require Legislative aid to enable them to support the proposed Police. This alone, in the opinion of the Committee, would have been a sufficient reason for their present recommendation.

“The whole of these measures and propositions appear to have been prepared in a period of great excitement, the effects of which are plainly observable in the various provisions of the ‘ Bill to establish the Police in the City of Saint John and Parish of Portland,’ drawn by the Committee appointed at the Public Meeting. The very presentment of the Grand Jury is conceived in such objectionable terms, that it failed to produce upon the minds of your Committee, the effect that the opinion of such a body should always have.

“The whole principle of the Bill drawn under the authority of the Public Meeting, is so utterly at variance with the spirit and provisions of the City Charter, that should it

it receive the assent of the Legislature, your Committee are of opinion, a memorial from the City Council, at any time within two years, would obtain its rejection by Her Majesty.

“Your Committee now advert to several of the provisions of the ‘Bill to establish an efficient Police for the City of Saint John and Parish of Portland,’ in proof of their position.

“The first Section authorizes the Governor to appoint the Police Magistrates and Clerk, and affix their salaries, with power in the Bill to the Magistrates to appoint Constables and incur other attendant expenses. The twelfth Section authorizes the Justices of the Peace for the City and County of Saint John, in General Sessions, to apportion the amount of rate to be levied upon the City to support the Police so established, and the thirteenth Section compels the Common Council to make a rate for the payment of it. The seventh and eight Sections of the Act authorize the commitment of *loose, idle and disorderly persons*. The Charter expressly provides for the commitment also of *idle and suspicious and disorderly persons*. Your Committee apprehend these are several distinct provisions for the attainment of the same objects, and it is worthy of consideration whether these powers might not conflict.

“Your Committee assume from the Petition of the Common Council, that they have not the power to establish such a Police as the City requires, but the terms of the Charter convince them that the want of that power was an unintentional omission, for it appears to have been one of the objects prayed for by the inhabitants of the district of Par, and the granting thereof was evidently intended by the Crown when the City was incorporated. The inhabitants are represented in the Preamble to the Charter as ‘anxious to remove the remaining evils they at present labour under, *part of which flow from the want of a regular Magistracy for the able and orderly government of the districts they inhabit.*’ From this it is clear to your Committee that ‘a regular Magistracy for the able and orderly government of the City,’ was one object of their incorporation, and which if the Common Council have no power to attain, has been omitted in the details of the Charter. It is curious that language of the same import is employed by the framers of the Bill for the attainment of the same object. In the tenth Section, the Mayor and Recorder, with one or more Police Magistrates, (all appointed by the Governor,) are authorized to make Rules for the good government of the Police Office and the Constables, ‘*and for the enforcement of good order throughout the Community.*’ If this Bill passed, a new Magistracy would be imposed upon the City, with power in some respects conflicting with the Corporation, receiving a remuneration settled by the Governor, over which the Citizens would have no control, and which they would be compelled to pay. In the Boroughs in England, before the Queen can appoint Police Magistrates, or establish a Police Office, the Council of such Borough must settle the amount of salary it is willing to give to the officers appointed at their instance, and when they are so appointed, they act in harmony with the Borough Council. By the Bill in question, the Governor appoints the Officers and settles the amount of salary, and the Common Council is compelled to make a rate to defray the expense.

“Your Committee are led to believe that many of the Petitioners are unwilling to extend the powers of the City Council without an amendment of the Charter, which is evidently defective in several of its principal provisions, and they are of opinion that no action should be had upon this subject until these alterations are made. If the Electors and Councillors were required to possess a substantial qualification, and the appointment of the Mayor and other Ministerial Officers vested in the City Council, it would contain the means of its improvement, and in all probability reconcile the Citizens to its free operation. In remodelling its provisions, a great improvement would appear necessary in the City Court; and the remunerating the Clerk by a fixed salary, it is thought, would leave a large surplus of fees, which would form a considerable item in defraying the expense of a Police, without at all increasing the burthen of the rate payers.

“In conclusion, your Committee indulge the hope that the inhabitants of Saint John, in concert with the Civic Authorities, may agree upon such improvements in the terms and provisions of their Charter as will adapt it to modern times, and secure the good of the whole community. The Act providing for such improvement could also authorize the Council to establish a Police, and until some such course as this is adopted,

your

your Committee think it would be unwise and improper for the House to entertain the subject at all. In the mean time, they unanimously recommend the rejection of the several Bills referred for their consideration.

“ All which is respectfully submitted.

“ CHARLES FISHER,
B. C. BEARDSLEY,
GEO. HAYWARD,
DAVID M'ALMON.

“ *Committee Room, 9th March, 1842.*”

Ordered, That the Report be accepted.

Mr. Street, from the Committee appointed on the 14th day of February last, to take under consideration Petitions from Daniel Brockway and others, severally praying compensation for work performed on Roads and Bridges, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“ The Committee to whom were referred the Petition of Daniel Brockway, praying remuneration for alleged extra work on the new Bridge across Renous River, on the Great Road between Fredericton and Newcastle; and the Petition of Andrew M'Gowan, praying compensation for loss sustained in making a piece of Road between Fredericton and Miramichi, and of Alexander Goodfellow, Esquire, the Supervisor on that Road, improperly retaining money from Petitioner; and the Petition of William C. Pendelton, praying to be remunerated for extra work performed by him in the erection of two Bridges, one over the Mill Stream in Studholm, and the other over the Stream at Roach's in the County of King's: Having had the above mentioned Petitions with the papers and documents thereto attached, under consideration, Report—

“ In respect to the first mentioned Petition, that although they have every reason to believe the unfortunate Petitioner has been a serious loser in the erection of the Bridge in question, and on that score might be entitled to the consideration of the House, if it were not for the establishing a dangerous precedent, yet the Committee, after giving the allegations of the Petitioner attention, and hearing Alexander Goodfellow, the Supervisor on that Road, in explanation and in refutation thereof, are of opinion, that the said Petitioner has no just claims for extra work, and that at all events, if he has, the Supervisor will be legally liable therefor.

“ That in respect to the second above mentioned Petition, the Committee, after maturely examining the allegations in this Petition, and also hearing Mr. Goodfellow, the said Supervisor, in answer thereto, are of opinion, that if this Petitioner has sustained any loss, it has arisen from his own mismanagement, or from taking his contracts too low, and further, that the retaining of the sum of money by the Supervisor, as alleged in this Petition, is fully justified from the Petitioner having failed to fulfil his contract, and that the sum retained will not, in the opinion of your Committee, be sufficient to complete the same. The Committee cannot therefore recommend the prayer of this Petition.

“ That in respect to the last mentioned Petition, as the allegations therein are not supported either by the certificate or recommendation of B. L. Peters, Esquire, the then Supervisor, under whom the alleged extra work is stated to have been done, or by other vouchers shewing the work done, and the value thereof, the Committee cannot, in the absence of such certificate or vouchers, recommend the prayer of this Petition.

“ Respectfully submitted.

“ J. A. STREET, *Chairman*.
DAVID M'ALMON,
PHILIP PALMER.

“ *Committee Room, 8th March, 1842.*”

Ordered, That the Report be accepted.

On motion of Mr. Partelow,

Ordered, That the Report of the Select Committee presented to the House on the 18th day of February last, on the subject of applications from Teachers of Schools, for compensation for services in that capacity, be referred to the Committee of Supply.

Mr. Partelow, from the Committee on Public Accounts, submitted a Report, and he

he having read the same, handed it in at the Clerk's Table, where it was again read.

[See Appendix.]

Ordered, That the Report be accepted; and

On motion of Mr. Partelow: further

Ordered, That the said Report be referred to the Committee of Supply.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on a Bill to provide for amending the Laws of the Province relating to the building and repairing Gaols within the Province, and the establishment of Prison Discipline within the same.

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, it was moved—That the further consideration of the said Bill be postponed until the next Session of the Legislature.

And upon the question, the Committee divided—

YEAS, 17.

NAYS, 9.

Whereupon it was carried in the affirmative.

Ordered, That the Report be accepted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to

The Bill relating to the Market in Fredericton: and

The Bill relating to the Mines and Minerals in the County of Gloucester,

Without making any amendments thereto.

And that the Council had also agreed to

The Bill to limit the duration of the Assembly:

The Bill to Incorporate sundry persons by the name of the Saint Stephen's Marine Assurance Company: and

The Bill relating to the Sale of Logs and Timber,

With amendments, to which they desire the concurrence of the Assembly.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Saunders, by command of His Excellency the Lieutenant Governor, laid before the House—

A further Report from the Auditor General upon Accounts of Road Expenditures, during the past year.

[See Appendix.]

The Honorable Mr. Johnston moved for leave to bring in a Bill, to provide a retiring allowance for certain Deputy Treasurers of this Province.

Upon the question for granting leave, the House divided as follows:—

YEAS.

NAYS.

The Hon. Mr. Johnston,

Mr. Rankin.

Mr. Partelow,

Owen,

Wilson,

Beardsley,

Barberie,

Connell,

Jordan,

Woodward,

J. M. Wilmot,

Taylor,

Fisher,

Street,

H. T. Partelow,

Stewart,

Boyd,

M'Almon,

Brown,

Palmer.

L. A. Wilmot,

Hill.

And so it was carried in the affirmative.

The Bill was accordingly brought in, and read a first and second times; when

The Honorable Mr. Johnston moved—

Ordered, That the House do to-morrow resolve itself into Committee of the whole, in consideration of the said Bill.

To which Mr. Owen moved as an amendment—To expunge the word “to-morrow,” and insert “this day three months.”

Mr. Partelow then moved as an amendment to the said proposed amendment—To expunge the words “this day three months,” and insert the word “now.”

The question being taken upon the last proposed amendment, the House divided—
YEAS, 10. NAYS, 15.

And it was decided in the negative.

The question was then taken upon the first proposed amendment, when the House again divided—

YEAS, 13.

NAYS, 12.

And so it was carried in the affirmative, and the Bill accordingly postponed for three months.

On motion of Mr. Palmer,

The House proceeded to take into consideration the amendments made by the Council to

The Bill to limit the duration of the Assembly.

The amendments being twice severally read, are as follow :—

At A in Section I. expunge the remainder of the Section, and also the whole of Section II. and insert as follows :—

“And also so much of the third Section of the same Act as relates to the qualifications of Candidates or persons to be chosen as Members of the Assembly ; and also, the first Section of an Act made and passed in the ninth year of the Reign of His late Majesty King George the Fourth, intituled ‘An Act further to amend the Act for regulating Elections of Representatives in General Assembly,’ be, and the same are hereby repealed.

“II. And be it enacted, That no person shall be capable of being elected a Member of the Assembly of this Province, who shall not be legally seized as of freehold for his own use and benefit of Lands or Tenements within the Province, of the value of Three hundred pounds currency, over and above all rents, mortgages, judgments, executions or extents, charged upon or due and payable out of, or affecting the same, and shall have been seized of such Lands or Tenements six months previous to the teste of the Writ for such Election, and that every Candidate at any Election of Representatives in the General Assembly before he shall be capable of being elected shall, if required by any other Candidate, or any Elector, or by the Sheriff or Officer holding such Election, make before the said Sheriff or other officer the following Declaration :—

‘I, A. B. do declare and testify, that I am duly seized as of freehold for my own use and benefit of Lands or Tenements in the Province of New Brunswick, of the value of Three hundred pounds, currency, over and above all rents, mortgages, judgments, executions and extents, charged upon or due and payable out of, or affecting the same, and that I have been seized of such Lands or Tenements for the period of six months previous to the teste of the Writ for this Election.’

“III. And be it enacted, That if any person shall knowingly and wilfully make a false Declaration respecting his qualification as a Candidate at any Election as aforesaid, such person shall be deemed to be guilty of a Misdemeanor, and being thereof lawfully convicted, shall suffer the like pains and penalties as by Law are incurred by persons guilty of wilful and corrupt perjury in the County in which such false Declaration shall have been made.

“IV. And be it enacted, That every General Assembly of this Province hereafter to be summoned and chosen, shall, notwithstanding any Demise of the Crown, continue for four years from the day of the return of the Writs for choosing the same and no longer, subject nevertheless to be sooner prorogued or dissolved by the Lieutenant Governor or person administering the Government of the Province.”

At B in the Title, insert the words “and for other purposes therein mentioned.”

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on the said amendments.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill, with the amendments, referred to them under their consideration, they had agreed to the same.

Ordered, That the Report be accepted ; and further

Ordered,

Ordered, That Mr. Palmer return the Bill, with the amendments, to the Council, and inform them that the House have concurred therein.

On motion of Mr. Partelow,

Resolved, That this House do go into Committee of the whole, on the amendments made by the Council to

The Bill relating to the sale of Logs and Timber.

To which Mr. Street moved as an amendment—To expunge the whole of the Resolution after the word “Resolved,” and substitute the following:—

“As the amendments made by the Council to a Bill relating to the sale of Logs and Timber, is an interference upon the Privileges of this House, this House cannot go into consideration of the same.”

The question being taken upon the said amendment, the House divided as follows:—

YEAS.

The Hon. Mr. Johnston,
Mr. Gilbert,
Barberie,
Jordan,
M'Almon,
Hanington,
Hayward,
Street,
J. M. Wilmot,
Fisher,
Woodward,
Beardsley,
L. A. Wilmot,
Connell,
Boyd,
Hill.

NAYS.

The Hon. Mr. Weldon,
Mr. Rankin,
Brown,
Owen,
Taylor,
Freeze,
Partelow,
H. T. Partelow,
Stewart,
Wilson.

And so it was carried in the affirmative.

The House adjourned until to-morrow morning at 10 o'clock.

Friday, 11th March, 1842.

Prayers.

On motion of the Honorable Mr. Weldon,

Resolved, That all proceedings had yesterday upon the amendments made by the Council to the Bill relating to the sale of Timber and Logs, be expunged from the Journals.

Upon the question for adopting the said Resolution, the House divided as follows:—

YEAS.

The Hon. Mr. Weldon,
Mr. Allen,
Stewart,
End,
Wilson,
Barberie,
Partelow,
Street,
H. T. Partelow,
Taylor,
Freeze,
Hayward,
Brown,
Boyd,
Rankin,
Owen.

NAYS.

The Hon. Mr. Johnston,
Mr. L. A. Wilmot,
M'Almon,
Jordan,
Hanington,
Woodward,
J. M. Wilmot,
Connell,
Palmer,
Fisher,
Gilbert,
Beardsley.

And so it passed in the affirmative.

Mr.

Mr. End moved for leave to bring in a Bill, to regulate the Stumpage on Timber and Logs cut on Crown Lands.

Leave granted.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on a Bill relating to Debtors and Creditors.

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to

The Bill to repeal certain parts of an Act, intituled "An Act to authorize the appointment of Commissioners to lay out a Street or Highway through the Town of Chatham, and to establish and regulate Public Landings in the said Town," and to make other provisions in lieu thereof,

Without making any amendment thereto.

And that the Council had also agreed to

The Bill to continue the Acts relating to Highways,

With an amendment, to which they desire the concurrence of the Assembly.

Mr. End, pursuant to leave granted, brought in a Bill, to regulate the Stumpage on Timber and Logs cut on Crown Lands; which was read a first and second times.

On motion of Mr. End,

Ordered, That the House do on Monday next, the 14th instant, resolve itself into Committee of the whole, in further consideration of the Bill relating to Debtors and Creditors.

The House adjourned until to-morrow morning at 10 o'clock.

Saturday. 12th March. 1842.

Prayers.

The House proceeded to take into consideration the amendment made by the Legislative Council to

The Bill relating to Highways.

The amendment being read, is as follows:—

At A insert the words "in amendment of the Act."

And the question being put thereon,

Resolved, That the House do concur therein.

Ordered, That Mr. Brown return the Bill, with the amendment, to the Council, and acquaint them therewith.

On motion of Mr. Partelow,

Resolved, That the House do now go into Committee of the whole, on a Bill to authorize the Justices of the Peace for the City and County of Saint John to assess a portion of the inhabitants thereof, for a loss sustained by William Kilpatrick, in consequence of the Fire in Portland in August 1841.

To which the Honorable Mr. Weldon moved as an amendment—To expunge the word "now" and insert the words "this day three months."

Upon the question for adopting the amendment, it passed in the affirmative.

On motion of Mr. Palmer,

The House went into Committee of the whole, on a Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their

their consideration, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill to improve the Law relating to the Election of Representatives to serve in the General Assembly.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill before them, the following was moved:—

Resolved, That the further consideration of this Bill be postponed until the next Session of the General Assembly.

Upon the question being put thereon, the Committee divided as follows:—

YEAS.

The Hon. Mr. Weldon,
Mr. Hanington,
M'Almon,
Allen,
Jordan,
End,
Stewart,
Barberie,
Wilson,
Partelow,
Beardsley,
Freeze,
Gilbert,
Hayward.

NAYS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
Mr. Street,
Taylor,
Connell,
J. M. Wilmot,
Fisher,
L. A. Wilmot,
Owen,
Brown,
Boyd,
Hill,
Rankin,
Woodward.

And that the division being equal, he had decided the question in the negative.

That the Committee then proceeded in the Bill, and the fourth Section thereof being under their consideration, which declares the qualification of persons having a right to vote at Elections, the following was moved to be added—

“On leasehold property for which an annual rent is paid not less than Ten pounds per year, and has been at least one year in possession of the same.”

Upon the question for adopting the amendment, the Committee divided, and it was decided in the negative.

The following Resolution was then moved:—

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

The question being taken upon this Resolution, the Committee again divided as follows:—

YEAS.

The Hon. Mr. Weldon,
Mr. H. T. Partelow,
M'Almon,
Allen,
Wilson,
Stewart,
Hanington,
End,
Barberie,
Partelow,
Beardsley,
Jordan,
Freeze,
Rankin,
Hayward.

NAYS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
Mr. L. A. Wilmot,
Connell,
Taylor,
Woodward,
Fisher,
Street,
Brown,
Boyd,
Owen,
Hill,
J. M. Wilmot.

And so it was carried in the affirmative.

Ordered, That the Report be accepted.

Mr. L. A. Wilmot, from the Committee appointed on the 3d day of March, instant, to take under consideration a Bill to incorporate the Grand Falls Company, as well as other Documents in reference to a Lease to Henry John Caldwell, Esquire, of Lands near the said Falls, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Select Committee to whom were referred the Bill for incorporating the Grand Falls Company, together with the Messages of His Excellency the Lieutenant Governor relating thereto, having attended to the duty devolved upon them, beg leave to Report—

“That they are unanimously of opinion that the Booms, Sluice and Draw, contemplated by the Bill, would be of general benefit to all persons having Timber, Logs, or other Lumber, to pass the Great Falls.

“The large investments made in the erection of the Mills at the Falls by Sir John Caldwell, justly call for some protection from the Legislature, for the Logs required for the use of those Mills; and the Committee conceive that a Boom for such purpose may be kept without interfering materially with the public uses of the River.

“The object of the Bill before the Committee is evidently twofold: first, to secure the Logs intended for the Mills; and secondly, to create facilities for the passage of Timber and Logs by the Falls.

“For the attainment of the first object, the erection of Booms above the Falls will be sufficient; but for the attainment of the second object, it will also be necessary to build a Dam across the River below the Falls, to construct a sluice by the Main Fall and the great eddies, and to erect a Boom below the lower Landing, for holding the Timber after its passage over or by the Falls.

“The Committee having examined the plan of the premises, and being personally acquainted with the locality, conceive that no rational objection can exist against the proposed erections, with the exception of the Boom below the Falls, which from its contemplated extent would shut up all the best rafting ground there, and consequently would compel those who might wish to avoid the Sluice and Booms, to proceed further down the River for the collecting and rafting of their Timber. The Committee therefore think that a portion of the Cove below the Falls should be left open for public use.

“The term of seven years contemplated by the Bill for carrying its provisions into operation the Committee think too long, and therefore recommend its reduction to five years from the 1st January last.

“The Committee on examining the Petition of James E. Nicholson and others, Grand Jurors for the County of Carleton, against the passage of the Bill in question, discover that the Petitioners are under a mistake as to the powers intended to be given by the Bill.

“Respectfully submitted.

“L. A. WILMOT,
H. JOHNSTON,
ALEX. RANKIN,
GEO. HAYWARD.

“Committee Room, 12th March, 1842.”

Ordered, That the Report be accepted.

Mr. L. A. Wilmot moved for leave to present a Petition from Frederick B. Dibblee, of Woodstock, in the County of Carleton, setting forth certain losses incurred by him in discharge of his duty as Commissioner for expending certain sums of money granted by the Legislature, on a certain Road in the said Parish, and praying relief.

The Rule of the House, limiting the time for presenting Petitions, being in this instance dispensed with, leave was granted, and the Petition read.

Ordered, That the said Petition be received, and referred to the Committee appointed on the 9th day of February last, to take under consideration a Petition from Charles Thibedeau, of like prayer, to report thereon.

On motion of Mr. End,

The House went into Committee of the whole, on a Bill to regulate the Stumpage of Timber and Logs cut on Crown Lands.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same, under the Title of—

A Bill to restrain the provisions of the Fifth Section of an Act, intituled "An Act for the support of the Civil Government in this Province," and establish sundry regulations for the disposal of the Crown Woods in certain cases.

Ordered, That the Report be accepted, and the Bill engrossed under the amended Title.

The House adjourned until Monday morning next at 10 o'clock.

Monday, 14th March, 1842.

Prayers.

On motion of the Honorable Mr. Johnston,

That the House proceed to the Order of the Day, to go into Committee of the whole, in further consideration of a Bill relating to Debtors and Creditors.

The Order of the Day being read, the House accordingly resolved itself into Committee of the whole on the said Bill.

Mr. Barberie in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, they had made further progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

Read a third time as engrossed,

A Bill to restrain the provisions of the Fifth Section of an Act, intituled "An Act for the support of the Civil Government in this Province," and to establish sundry regulations for the disposal of the Crown Woods in certain cases; when

On motion of Mr. End,

Resolved, That this Bill do now pass, and be sent to the Council for their concurrence.

To which Mr. Woodward moved as an amendment—To expunge all after the word "*Resolved*," and insert—

"That the Bill to restrain the Fifth Section of the Civil List Bill, and to dispose of the Crown Woods, do not pass, as in the opinion of this House, the passing of a Bill strictly in accordance with amendments made by the Legislative Council, to a Bill which has been decided by this House to be a Money Bill, is virtually a violation of the Privileges of this House, and also destructive of its independence, inasmuch as it is submitting to dictation from another Branch of the Legislature."

The Honorable Mr. Weldon then moved as an amendment to the said amendment—To expunge the whole thereof, and substitute the following:—

"That inasmuch as the Crown by the Act, intituled "An Act for the support of the Civil Government of this Province," only surrendered the proceeds of all and every the Hereditary, Casual and Territorial Revenues, and of all Sales and Leases of Crown Lands, Woods, Mines and Royalties of the Crown within this Province, after deducting the necessary expenses incurred in the collection and protection thereof, this House in passing any Bill for the regulation of the Land Department, should pass it only in the terms of the Despatch of the Right Honorable the Secretary of State for the Colonies, under date of the 5th September, 1836, to His Excellency Sir Archibald Campbell, the then Lieutenant Governor of this Province, which was, that no such Bill should come into operation until after four months from the passing thereof, or in accordance with the Despatch of the Right Honorable Lord John Russell to His Excellency Sir John Harvey, of the 4th June, 1840, which requires a clause suspending the operation of any such Act for the signification of Her Majesty's Royal pleasure;—that this Bill having only for its object to enable the Lieutenant Governor, by and with the advice of the Executive Council, to dispose of Timber and Wood on the Waste Lands of the Crown in this Province at private Sale, without Public Auction, and not a Bill of Supply or aid whereby any tax is imposed upon the property of Her Majesty's Subjects in this Province, it may be amended by the Legislative Council without intrenching upon the Rights and Privileges of this House."

The question being taken upon this amendment, the House divided as follows:—

YEAS.

YEAS.

The Hon. Mr. Weldon,
Mr. Taylor,
Stewart,
Allen,
Wilson,
Partelow,
Street,
Freeze,
Barberie,
H. T. Partelow,
Owen,
Rankin,
Boyd,
Brown.

NAYS.

The Hon. Mr. Johnston,
Mr. Jordan,
M'Almon,
Palmer,
L. A. Wilmot,
Hanington,
Woodward,
Hill,
Connell,
End,
Beardsley,
Gilbert,
Fisher,
Hayward.

And the division being equal, the Honorable Mr. Speaker decided the question in the negative.

The question was then taken upon the first proposed amendment, when the House again divided as follows:—

YEAS.

Mr. Palmer,
L. A. Wilmot,
Hanington,
Woodward,
Hill,
Connell,
Beardsley,
Fisher,
Gilbert,
Owen,
Jordan.

NAYS.

The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Taylor,
M'Almon,
Stewart,
Allen,
Wilson,
Partelow,
Street,
End,
Barberie,
Freeze,
Hayward,
H. T. Partelow,
Rankin,
Boyd,
Brown.

Whereupon it was decided in the negative.

The question was then taken upon the original Resolution, when the House again divided as follows:—

YEAS.

The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Stewart,
Partelow,
Allen,
Wilson,
Street,
End,
Freeze,
Barberie,
H. T. Partelow,
Hayward,
Owen,
Brown,
Boyd,
Rankin,
M'Almon,
Taylor.

NAYS.

Mr. Jordan,
Palmer,
L. A. Wilmot,
Hanington,
Woodward,
Connell,
Beardsley,
Fisher,
Gilbert,
Hill.

And so it passed in the affirmative.

Ordered,

Ordered, thereupon, That Mr. End take the said Bill to the Council, and desire their concurrence thereto.

Mr. Hill moved for leave to present a Petition from Justus Wetmore and John E. Messinett, Overseers of the Poor for the Parish of Saint George, in the County of Charlotte, praying to be reimbursed the amount paid for the support of Emigrant Poor in the said Parish during the past year.

The rule of the House, limiting the time for introducing Petitions, being in this instance dispensed with, leave was granted, and the Petition being then read,

Ordered, That it be received, and referred to the Committee of Supply.

Mr. Owen moved for leave to bring in a Bill, to amend the Acts now in force for regulating the Elections of Representatives in General Assembly.

And upon the question for granting leave, the House divided—

YEAS, 11.

NAYS, 16.

Whereupon it was decided in the negative.

Mr. Woodward, from the Committee to whom was referred the subject of the Coast and River Fisheries, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Select Committee appointed on the 24th January last, to take into consideration that part of His Excellency's Speech relating to the Coast and River Fisheries, and to whom were also referred several Petitions on the same subject, have attended to that duty, and beg leave to Report—

“That the recommendation made by His Excellency in his Speech at the opening of this Session of the Legislature, that ‘some provision for the protection and encouragement of the valuable Coast and River Fisheries of the Province will be necessary,’ has been under their consideration, and agreeing with His Excellency on the importance of this Branch of the Trade of the Province, yet in consequence of the state of the Finances, and the prospect of a small Revenue for the coming year, the Committee cannot recommend any encouragement by money bounty, but hope that the Executive will take such measures as may be in its power, for the protection of the same.

“The Petition of W. F. W. Owen, and 99 others, praying that measures may be taken to prevent Foreign Fishermen from taking Fish in the Bays, Rivers, &c. within the County of Charlotte; and the Petition of Henry Heney, Samuel Fountain, and 84 others, may be considered as a protest against the allegations and reasons in the first named Petition, and the Committee are of opinion that the interests of both Petitioners will be best promoted by leaving them to their legal rights, and such further protection as may be thought necessary, and which your Committee think might be afforded by extending the powers of the Overseers of the Fisheries, in regard to seizures of Nets, &c. to the Boats in which they are employed.

“Petition of John Ward, John Kerr, and 165 others, of Saint John, in which they set out, that feeling deeply the great importance of the Fisheries, the great necessity that exists for fostering and promoting them, and the great benefit that would flow from their being steadily followed, and pray that a Bounty may be granted to encourage the prosecution of the same:—They also advert to the great number of fishing Vessels of the United States, which annually resort to our coast and fishing grounds, encouraged by liberal bounties from that Government, and procure and carry from them to a Foreign Country, a valuable commodity both for Home consumption and for exportation, to the injury of the Fishermen of the Province.

“Petition of the Chamber of Commerce at Saint John, by L. Donaldson, Esquire, the President;—after setting out various reasons, pray that the House would give its attention to the subject of the Fisheries, and suggesting the expediency of granting Bounties for the encouragement of the same.

“The Committee quite concur in the view taken by the Petitioners from Saint John as to the importance of the subject, and although under existing circumstances they cannot recommend any Bounty, yet they hope that the House will strongly recommend to His Excellency that measures be taken to protect our Fishermen in their lawful rights, and to repress unlawful intrusion on, and invasion of, our fishing grounds and shores by Foreigners.

"Petition of Robert Payne, James Gallagher, and 72 others, praying that the Salmon Fishery of the Saint John River may be protected by enforcing the existing Laws on the subject, by doubling, or more, the amount of fines now prescribed on transgressions against those Laws, and against negligent Overseers of Fisheries. The Committee are of opinion that the subject of the Fisheries in the River Saint John, merits a particular consideration, and that the fish ways should be left clear and unobstructed to all the back waters of the River as far as possible, to secure and perpetuate those nurseries for the spawn of Salmon and other Fish. Your Committee have no data before them to enable them to offer any other observations on this River Fishery.

"All which is respectfully submitted.

"I. WOODWARD,
JAMES BOYD,
P. STEWART,
PHILIP PALMER,
W. F. W. OWEN.

"Committee Room, 12th March, 1842."

Ordered, That the Report be accepted.

On motion of the Honorable Mr. Johnston,
Resolved, That the Bill for the Consolidation of the Departments of Revenue in this Province, and to provide for the collection and protection thereof, be now read a third time.

To which Mr. Street moved as an amendment—To expunge the word "now," and insert "this day three months."

Upon the question for the amendment, the House divided—

YEAS, 16.

NAYS, 11.

And so it was carried in the affirmative, and the further consideration of the said Bill accordingly postponed for three months.

Mr. Freeze moved for leave to bring in a Bill, to improve the Representation of the Province.

Upon the question for granting leave, the House divided—

YEAS, 9.

NAYS, 14.

Whereupon it was decided in the negative.

On motion of Mr. Hayward,

Ordered, That Mr. Fisher be added to the Committee appointed on the 14th day of February last, to take into consideration a Petition from the Honorable James Allanshaw, praying for an investigation into certain Accounts with the Crown Land Department, in the room of Mr. M'Leod, a Member of the said Committee, who is prevented from attending in consequence of severe indisposition.

The House adjourned until to-morrow morning at 10 o'clock.

Tuesday, 15th March, 1842.

Prayers.

On motion of Mr. L. A. Wilmot,

The House went into Committee of the whole, on a Bill to incorporate the Grand Falls Company.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, the following Resolution was moved:—

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

And upon the question being put thereon, the Committee divided as follows:—

YEAS.

YEAS.
Mr. Connell,
Beardsley,
Boyd,
M'Almon.

NAYS.
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Rankin,
Hill,
Allen,
Jordan,
Brown,
L. A. Wilmot,
Owen,
Gilbert,
Freeze,
J. M. Wilmot,
End,
Street,
Partelow,
H. T. Partelow,
Woodward,
Palmer,
Stewart.

Whereupon it was decided in the negative.

The following was then moved as an additional Section to the said Bill :—

“ And be it enacted, That if at any time during the period limited for this Act to continue in force, or at the expiration thereof, it shall be deemed more advantageous to the Public interest to take the Dams, Piers or other improvements made under the authority of this Act, from the hands of the said Company, in which case the said Company shall be entitled to receive the value of such Dams, Piers or other improvements, and of such other losses as the said Company may sustain, by reason of the said Dams, Piers or other improvements not having paid the annual interest of the capital so invested : Provided always, that nothing in this Act contained shall be construed to authorize any interference with the Navigation of the River Saint John, or of the Public Landing at the Grand Falls, or of any right to open a Canal across the Isthmus.”

And upon the question for adopting the same, it was decided in the negative.

The following was then moved as a Section to the Bill :—

“ And be it enacted, That this Act shall continue and be in force for — years and no longer.

And upon the question for adopting this Section, it was likewise decided in the negative.

That the Committee then went through the Bill, and after making amendments thereto, agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

Mr. End moved for leave to bring in a Bill, to revive an Act, intituled “ An Act for regulating the Salmon Fisheries in the County of Gloucester.”

The Rule of the House, limiting the time for bringing in Bills, being in this instance dispensed with, leave was granted.

The said Bill being brought in, was read a first and second times.

Mr. Street moved for leave to bring in a Bill to continue and amend the Acts now in force relative to the Boards of Health in this Province.

The question being taken—That the Rule of the House, limiting the time for bringing in Bills, be dispensed with, and leave granted, the House divided—

YEAS, 12.

NAYS, 12.

And the division being equal, the Honorable Mr. Speaker decided the question in the negative.

Mr. Woodward, from the Committee appointed on the 21st day of January last, to take into consideration the several matters connected with Internal Communication, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows :—

“ The

“ The Committee to whom were referred all Petitions for aid in promoting the Internal Communication throughout the Province; also Petitions for assistance to promote communication, by Packet or otherwise, with the neighbouring Colonies, have had the following Petitions under their consideration, and Report as follows—

“ Petition of William Weeks, of the Bay of Verte, praying aid to assist in running a Packet between Prince Edward Island and Bay of Verte, at least once every fortnight, touching at Bedeque and Charlotte Town each alternate voyage; the Committee recommend that the sum of £20 be granted on the same terms as last year.

“ Petition of David Caldwell, of Norton, in County of Kings, praying that no grant may pass to the Victoria Stage Line, running between Saint John and Amherst, because he is now, and has been a Mail carrier in the Province for 14 years, and has afforded to the public every accommodation, and has provided safe and comfortable carriages, with good horses and careful drivers, on the aforesaid route, and that the annual grant to the proprietors of the ‘Victoria,’ operates injuriously to the Petitioner; the Committee are of opinion, that if the assistance is withheld from the Victoria Line this year, that it would be the cause of great disappointment to the Proprietors, and also to the Public, and therefore cannot recommend compliance with the Petition.

“ Petition of William Ketchum, praying remuneration for ferrying the Mails on Hammond River, during the time the Bridge was impassable in the Summer of 1840; this not being a regular Ferry, your Committee cannot recommend that any grant be made for the service.

“ Petition of William Simpson, praying allowance of ten pounds for attending the Ferry at Waweig;

“ “ William White, for attending the Ferry at Oak Point;

“ “ John Rennie, for attending the Ferry on the Miramichi at Chatham;

“ “ James Curtain, for attending the Ferry at Joe’s Point;

“ “ Philip White and others, for Ferry at the Narrows of the Washademoac;

“ “ John Wilson, for keeping a Team Boat at the Ferry across the North West Miramichi;

“ “ Joseph Burgoyne, for Ferry across the Saint John;

“ “ William O’Brien, for Ferry across the Renous;

“ “ Lee and Agnew, across the River Saint John to the Nashwaak;

“ The Committee cannot recommend any grant to the Petitioners, for the reasons set forth in the Report of the Select Committee, made to the House on 8th March, 1841; and further, that the Ferries are all taken by persons with the knowledge of their obligation to transport Her Majesty’s Mails across the various Ferries.

“ Petition of William Robinson, praying for a grant to remunerate him for extra services in carrying Her Majesty’s Mails between Cape Tormentine and Jollicure for six months; the Committee recommend the sum of £20, the same as last year, in consequence of the Courier having to carry the Mails a greater distance than last year, by the alteration of the Great Road to Sackville.

“ Petition of Thomas Murray and others, of Queen’s County, praying aid to enable them to run a Courier from Washademoac to Sussex Post Office; your Committee recommend that the sum of £10 be granted in aid of private subscription for this service.

“ Petition of James R. Tupper, praying aid in running a Stage between Woodstock and the Grand Falls; the Committee recommend the sum of £50, half the amount of last year.

“ Petition of Hugh A. Caie, and other inhabitants of the Lower District of Gloucester, praying that a sum may be granted for the Road from Pokemouche to Shippegan; the Committee think this Petition has by mistake been referred to them, as in their opinion it ought to have gone before the Road Committee, they therefore cannot recommend any thing on the subject.

“ Petition of James R. Tupper, of Woodstock, praying aid to assist him in running a Stage Coach between Fredericton and Woodstock. It appears that the Petitioner has succeeded the Company who formerly ran a line on this route, and proposes to keep the same in an efficient manner; the Petition is recommended by several very respectable persons, and your Committee recommend the sum of £100, being half the sum granted for this service last year,—a conclusion which they have come to in respect to all similar applications.

“ Petition

“ Petition of William C. Smith and others, inhabitants of Westmorland and Kent, praying aid for the encouragement of running a Packet between Shediac and Bedeque; your Committee recommend that the sum of £20 be granted on the same terms as last year, that is, that the Vessel shall be at all times fit to carry Passengers.

“ Petition of James Holmes, of the Parish of Northesk, in County of Northumberland, praying compensation for expenses incurred in removing obstructions in the Little South West Branch of the Miramichi; but as this is a private work for private purposes, the Committee cannot recommend that any grant be made to the applicant.

“ Petition of Robert Dougherty, of Saint Andrews, praying aid to enable him to run a Daily Stage between Saint Andrews and Saint Stephen; the Committee recommend that the sum of £25 be granted for this service, without requiring the Stage to run oftener than the last year.

“ Petition of John C. Vail, of Sussex Vale, praying that a grant may pass to assist him in running the Stage between Saint John and Dorchester, accompanied by an account sworn to, shewing a loss on the year ending 6th January last, of £206 4 6, exclusive of the Provincial Grant, which was £250, which left the Proprietor £44 15s. 6d. to pay for deterioration and wear and tear; the Committee recommend that £125 be granted for this service, half the sum voted last year.

“ Petition of William Dougan and L. L. Copeland, praying aid for running a Stage between Saint John and Saint Andrews; your Committee recommend as this is a line of importance and accommodation, that there be granted to the Petitioners the sum of £100, on the same conditions as the grant for this service last year.

“ Petition of James Bradley and James Green, praying that a grant may pass to enable them to run a Stage on the Road from Fredericton to Saint John, until the opening of the navigation; the Committee recommend that the sum of £75 be granted on the same terms as last year.

“ Petition of James M. Kelly, of Newcastle, praying aid to enable him to continue running a line of Stages between Fredericton and Miramichi; the Committee recommend that the sum of £125 be granted for this service on the same terms as last year.

“ Petition of James Hewitt and John Winters, praying aid towards the daily Line of Stages between Saint John and Fredericton during the Winter on the Ice; the Committee recommend that the sum of £50 be granted for this service.

“ Petition of Solomon Vail, of the County of York, praying aid in running a Line of Stages between Fredericton and Saint Andrews, by the new Road; the Committee recommend the sum of £75, provided the Line shall be kept up, and under the same regulations as last year.

“ Petition of Artemas Brockway, of the County of York, praying Legislative aid to reimburse him for expenses incurred in the erection of a House of Entertainment on the Magaguadavic River; your Committee cannot recommend that the prayer of the Petition be complied with.

“ Petition of James Nixon, recommended by several others, praying that a grant of money may be made to build a Wharf at the Ferry Landing opposite Fredericton; your Committee recommend that the Petition be not complied with.

“ Petition of Thomas Corrigan, praying aid in running a Stage between Fredericton and Woodstock; but your Committee find that the applicant is carrying Her Majesty's Mails, and having but recently entered into contract, did it without reference to any grant from this House, and particularly as the House did not make any grant to the person carrying the Mail last year, they cannot recommend the prayer of the Petition.

“ Your Committee in coming to the conclusion of recommending to the House to grant one half of the usual allowance to the different Stage Coaches, are of the opinion that the state of the Provincial Funds would not justify them in going beyond that amount, and that the time is near at hand when Stage Coaches and Packets, for the accommodation of Travellers, must be sustained by the Public without the aid of the Legislature. Your Committee hope that the Post Office Department would in future in making arrangements for carrying the Mails on the various Great Roads throughout the

the Province, provide that Contractors for carrying the Mails should be prepared to accommodate Travellers in the Mail Carriages.

" All which is respectfully submitted.

" I. WOODWARD,
PHILIP PALMER,
J. W. WELDON,
W. F. W. OWEN.

" *Committee Room, 15th March, 1842.*"

Ordered, That the Report be accepted ; and
On motion of the Honorable Mr. Weldon ; further

Ordered, That the said Report be referred to the Committee of Supply.

Mr. Brown, from the Committee to whom were referred the Petitions from Timothy Killeen and Daniel Jouett, severally praying remuneration for work performed on the Great Road to Saint Andrews, and a Bridge over the Mactaquack Stream, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows :—

" The Committee appointed on the 26th January last, to take into consideration the Petition of Timothy Killeen, of Kingsclear, in the County of York, praying for remuneration for labour on the Road between Fredericton and the Hanwell Settlement, in the year 1826, and also the Petition of Daniel Jouett, of Douglas, in the same County, praying remuneration for labour in repairing the Bridge over Jouett's Mill Dam, in the year 1839, having attended to that duty, submit the following Report—

" That in regard to the Petition of Timothy Killcen, your Committee find that the Petitioner claims the sum of £65 for cutting out and grubbing two miles of Road in the year 1826, under the direction of the Honorable Thomas Baillie, as Commissioner; one half of which he acknowledges having received. The certificates of Mr. Baillie and Mr. Smith, which accompany the Petition, although they imply that a balance is due to the Petitioner, yet as they do not shew what that balance is, and as the Committee have no means of ascertaining the amount which may be due, they cannot recommend the prayer of this Petition without further proof.

" That as regards the Petition of Daniel Jouett, claiming the sum of £20 for certain repairs on a Bridge over Jouett's Mill Dam, in the Parish of Douglas, and County of York, in the year 1839, your Committee have ascertained that the said Bridge was repaired by one Jacob Allen, under the direction of one Jessy Cristy, as Commissioner, and that the said Jesse Cristy obtained a grant of £10 from the Province Treasurer last year, as remuneration for the services so performed. The Petitioner avers that he paid the said Jacob Allen for the work done on the said Bridge ; but as it does not appear that he had any appointment as a Commissioner, and as the aforesaid sum of £10 has already been drawn and paid, this Committee cannot recommend the prayer of this Petition.

" JAMES BROWN,
GEO. HAYWARD.

" *Committee Room, 15th March, 1842.*"

Ordered, That the Report be accepted.

On motion of the Honorable Mr. Johnston,

The House again went into Committee of the whole, in further consideration of a Bill relating to Debtors and Creditors.

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made amendments thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. Woodward,

Resolved, That the House do now go into Committee of the whole, on a Bill to establish an efficient system of Police in the City of Saint John and Parish of Portland.

To which Mr. Fisher moved as an amendment—To expunge the word " now," and insert the words " this day three months."

And upon the question for the amendment, it was carried in the affirmative, and the Bill accordingly postponed for three months. On

On like motion of Mr. Woodward,
Resolved, That the House do now go into Committee of the whole, on a Bill for improving the Police in the City of Saint John.

To which Mr. Fisher moved as an amendment—To expunge the word “now,” and insert the words “this day three months.”

And upon the question for the amendment, it was carried in the affirmative, and the Bill accordingly postponed for three months.

The House adjourned until to-morrow morning at 10 o'clock.

Wednesday. 16th March, 1842.

Prayers.

Read a third time as engrossed,
A Bill relating to Debtors and Creditors.

Resolved, That the Bill do pass.

Ordered, That Mr. Woodward take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill to incorporate certain parts of the Parish of Fredericton by the name of The City of Fredericton.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. F. P. Robinson, by command of His Excellency, laid before the House—

Copy of a Communication from George Baillie, Esquire, relative to the purchase of Dunn's Normal School Manual, made under a grant of the Legislature of last Session; also

Accounts of Mr. Baillie, as Agent General for Crown Colonies, for the years 1840 and 1841.

[See Accounts in Appendix.]

The Communication from Mr. Baillie, being then read at the Clerk's Table, is as follows:—

(Copy.)

No. 2, Parliament Street, 3d February, 1842.

SIR,—I have the honor to acquaint Your Excellency with reference to my letter of the 22d December last, that Mr. Rickton, the Agent of the British and Foreign School Society, has provided 800 copies of Dunn's Normal School Manual, and he has under my direction forwarded the case to Liverpool, to the care of Messrs. D. & C. M'Iver and Company, in order that it may be forwarded by the Caledonia, appointed for the Mail of this day, and I trust that it will reach Your Excellency in safety. Mr. Rickton's account including £1 5s. for packing cases, amounts to £114 11 8, exclusive of the charge at Liverpool, the amount of which I am at present unacquainted with, not having received Messrs. M'Iver's account.

I have the honor, &c.

(Signed)

G. BAILLIE.

His Excellency Sir Wm. COLEBROOKE, &c. &c. &c.

P. S.—I beg leave to enclose Accounts of my Receipts and Expenditure for the Province of New Brunswick, for 1840 and 1841.

The Honorable Mr. Robinson, also by command of His Excellency, laid before the House—

Letter from the Commissioners for Judicial Inquiry, appointed under an Address of the House of last Session, with an Account of the Expense incurred in performing the service.

On

On motion of the Honorable Mr. Johnston,
Ordered, That the matter of Mr. Baillie's Communication in reference to the expense incurred in the purchase of Dunn's Normal School Manual; as also

The account of the Expenses incurred by the Judicial Inquiry, be referred to the Committee of Supply.

On motion of the Honorable Mr. Weldon,
 The House went into Committee of the whole, on a Bill imposing Duties for raising a Revenue.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, had made amendments thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. Hill,

The House proceeded to take into consideration the amendments made by the Legislative Council to

The Bill to incorporate sundry persons by the name of The Saint Stephen's Marine Assurance Company.

And upon the question, it was decided in the negative.

Read a third time as engrossed,

A Bill to incorporate the Grand Falls Company.

Resolved, That the Bill do pass.

Ordered, That Mr. L. A. Wilmot take the said Bill to the Council, and desire their concurrence thereto.

Mr. Hill moved for leave to bring in a Bill, to incorporate the Saint Stephen's Marine Assurance Company.

The Rule of the House, limiting the time for bringing in Bills, being in this instance dispensed with, leave was granted, and the said Bill being brought in, was read a first and second times.

On motion of Mr. Fisher,

Resolved, That the various Returns relating to School Lands, and which were communicated to the House on the 15th of February last by command of His Excellency the Lieutenant Governor, be referred to the Committee on Education.

On motion of Mr. Partelow,

Whereas this House has observed by the Resolutions laid upon the Table of the House of Commons of the United Kingdom, by the Right Honorable W. E. Gladstone, on the subject of a revision of the Customs Duties, as applying to the British Colonial Possessions abroad, alterations are there contemplated, which, if adopted, will entirely destroy the valuable Trade so long hitherto carried on under British protection, between those American Colonies and the British West Indies, inasmuch as Foreign Lumber will be admitted duty free, and other articles at comparatively trifling impositions: And whereas this House cannot but view with great alarm the introduction of a measure so ruinous in its consequences to Her Majesty's Loyal North American Subjects, at a time when their Trade with the United Kingdom is labouring under such severe depression, when no positive security is felt for the continuance of the protection now afforded to them in that Trade, and when the constant agitation of the withdrawal of such protection has so greatly injured the value of the immense investments made for its prosecution; therefore

Resolved, That humble Addresses be prepared to be presented to Her Majesty and the Imperial Parliament, on this vitally important subject; and that Her Majesty's Legislative Council be requested to join the House in the same.

Ordered, That Mr. Partelow communicate the said Resolution to the Council, and request that they will join in the said Addresses.

Mr. L. A. Wilmot, from the Joint Committee of the Legislative Council and Assembly, for the control and management of the Library of the two Houses, laid before this House the Rules drawn up and agreed upon by the said Joint Committee, and which are as follow:—

RULES FOR THE REGULATION AND GOVERNMENT OF THE JOINT LIBRARY OF THE
LEGISLATURE.

1st.—That the Library be under the immediate care and control of a Committee of six, each House to appoint three.

2nd.—That it be established in the new Library Room, as set apart and appropriated for that purpose, between the Committee Rooms of the House of Assembly and the Chancery Offices.

3rd.—That there be a Librarian appointed by the Committee, whose duty it shall be to attend in the Library daily during the sitting of the Legislature, from the hour of ten o'clock in the morning until five in the afternoon, and from seven o'clock to nine in the evening, and during the recess, every Wednesday from 12 o'clock at noon to 4 o'clock, P. M. and to be ready to attend at any other time to open the Library at the request of a Member of the Legislature.

4th.—That the Librarian shall be held accountable for all Books in the Library, and shall keep a correct catalogue thereof; he shall also keep a Book in which he shall enter the name of every Book when out of the Library, and by whom taken; and it shall be his duty to see that all Books taken out be returned.

5th.—That no Book be taken out of the Library until the Librarian shall have entered the same in his Book, with the name of the person taking the same.

6th.—That no person have a right of access to the Library but the Members of the Legislature, the Master of the Rolls, the Judges of the Supreme Court, the Members of the Executive Council, the Secretary of the Province, the Governor's Private Secretary, the Officers of the Governor's Staff, and Officers of both Houses of the Legislature.

7th.—That the Newspapers taken by the respective Houses, be deposited during the recess in the Library, and kept there on file for the use of the Members of the Legislature.

8th.—That the Librarian be at all times under the direction of the Standing Committee.

A. E. BOTSFORD,
GEO. FRED. STREET,
L. A. WILMOT,
CHARLES FISHER,
WILLIAM END.

The House adjourned until to-morrow morning at 10 o'clock.

Thursday, 13th March, 1842.

Prayers.

On motion of the Honorable Mr. Weldon,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to lay before this House any further instructions that may have been received from Her Majesty's Government, relative to the issue of Government paper or securities, of a date subsequent to those contained in a Despatch of the Right Honorable the Secretary of State for the Colonies of the 2d September, 1833.

Ordered, That the Honorable Mr. Weldon, Mr. Hanington and Mr. Street, be a Committee to wait upon His Excellency with the Address.

The Honorable Mr. Johnston, Chairman of the Committee on Roads, reported, that the Committee had under their consideration the subject of the Great and Bye Roads, and submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee appointed to take into consideration what sums it may be necessary to grant for repairing and improving the Great and Bye Roads throughout the Province, recommend that the sum of £2,627 be granted for keeping the Great Roads in repair, and the sum of £15,675 be granted for the Bye Roads, and that the same be apportioned as follows, viz:

BYE ROADS.

For the County of York,.....	£1480
Ditto ditto Carleton.....	1480
Ditto ditto Queen's,.....	1380
Ditto ditto Gloucester,.....	1050
Ditto ditto Westmorland,.....	1680
Ditto ditto Charlotte,.....	1630
Ditto ditto King's,.....	1580
Ditto ditto Saint John,.....	1180
Ditto ditto Kent,.....	1010
Ditto ditto Sunbury,.....	825
Ditto ditto Northumberland,.....	1555
Ditto ditto Restigouche,.....	825
	<hr/>
	<u>£15,675</u>

GREAT ROADS.

Saint John to Nova Scotia Line,.....	£250
Ditto to Saint Andrews,.....	120
Fredericton to Saint John, Nerepis,.....	100
Nerepis to Gagetown,.....	20
Dorchester to Shediac,.....	15
Shediac to Petitcodiac,.....	12
Richibucto to Chatham,.....	50
Newcastle to Bathurst,.....	80
Bathurst to Campbelton,.....	400
Fredericton to Woodstock,.....	400
Woodstock to Arestook,.....	200
Fredericton to Finger Board,.....	50
Bellisle to Saint John,.....	40
Fredericton to Newcastle,.....	300
Ditto to Saint Andrews,.....	200
Salisbury to Hopewell,.....	60
Shediac to Richibucto,.....	40
Woodstock to Houlton,.....	20
Waweig to Saint Stephen,.....	10
Oromocto to Gagetown,.....	15
Oak Bay to Eel River,.....	75
Arestook to Grand Falls,.....	70
Fredericton to Bend of Petitcodiac,.....	100
	<hr/>
	<u>£2,627</u>

“ H. JOHNSTON,
W. WILSON,
GEO. HAYWARD,
S. FREEZE,
GEO. S. HILL,
J. W. WELDON,
ALEX. RANKIN,
A. BARBERIE,
WILLIAM END,
CHARLES FISHER,
J. R. PARTELOW.

“ Committee Room, 17th March, 1842.”

Ordered, That the Report be accepted; and

On motion of the Honorable Mr. Weldon; further

Ordered, That the said Report be referred to the Committee of Supply.

On

On motion of Mr. Partelow,
The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

Resolved, That there be granted

To the Commissioners of Light Houses in the Bay of Fundy, the sum of £600 to defray the contingent expenses of Gannet Rock, Point Leproe and Quaco Light Houses for the year 1842.

To the Commissioners of Light Houses in the Bay of Fundy, the sum of £250 for contingent expenses of Light Houses at the entrance of the Harbour of Saint John for 1842.

To the Commissioners of Machias Seal Island, Campo Bello, and Saint Andrews Harbour Light Houses, the sum of £550 to defray the contingent expenses of the said Light Houses for the year 1842.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding £—— to defray any expenses that may be incurred in the protection of the Provincial Revenue for the year 1842.

Upon the question for filling up the blank with £600, the Committee divided as follows :—

YEAS.

Mr. M'Almon,
Palmer,
Stewart,
End,
Street,
Connell,
Beardsley,
Freeze,
Gilbert,
Owen,
Brown,
L. A. Wilmot,
Boyd,
Hill,
Rankin,
Woodward.

NAYS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Wilson,
Allen,
Partelow,
H. T. Partelow,
J. M. Wilmot,
Jordan,
Fisher.

And so it was carried in the affirmative, and the blank filled up with £600.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £25 in aid of individual subscription, to pay a Courier between Bathurst and Pokemouche, via Shippegan, in Gloucester.

To the Justices of the Peace for Queen's County, the sum of £15 to enable them to pay a Courier between Gagetown and the Nerepis for the year 1842.

To the Justices of the Peace for the County of Westmorland, the sum of £25 to enable them to pay a Courier passing between Harvey and the Great Road leading from Dorchester to Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £25 in aid of individual subscription, to pay a Courier between Pokemouche and Miramichi, in the Counties of Northumberland and Gloucester.

To the Governor and Trustees of the Madras School, the sum of £500 for the year 1842, towards the support of that Institution.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £20 in aid of individual subscription, to pay a Courier between Saint John and Saint Martin's.

To

To Her Majesty's Attorney General, the sum of £ ——— for the year 1841.

Upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Partelow,
Wilson,
J. M. Wilmot,
Rankin.

NAYS.
The Hon. Mr. Speaker,
Mr. Hill,
Boyd,
Brown,
Owen,
Fisher,
L. A. Wilmot,
End,
Freeze,
Gilbert,
Beardsley,
Connell,
Woodward,
Street,
Allen,
Jordan,
Palmer,
H. T. Partelow,
Hanington,
M'Almon,
Stewart,
Barberic.

And it was thereupon decided in the negative.

To Her Majesty's Solicitor General, the sum of £ ——— for the year 1841.

Upon the question for sustaining this Resolution, it was likewise decided in the negative.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £ ——— to be paid to the Managing Committee of the Baptist Seminary in Fredericton, under the control of the Committee, when it shall be certified to the satisfaction of His Excellency the Lieutenant Governor, that the Male and Female Departments are in an efficient state.

To this Resolution the following amendment was moved:—

“That as there is a Petition before the House, referred to the Committee of Supply, from the Baptist Education Society, which should be taken up in the ordinary course, when in consideration of the Petitions, according to the then respective numbers, it is unusual and improper now to bring forward this Resolution.”

Upon the question being taken upon the said amendment, the Committee divided—

YEAS, 8.

NAYS, 20.

And it was thereupon decided in the negative.

The question was then taken upon the Resolution, and it was carried in the affirmative, and the blank filled up with the sum of £250.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £50 in aid of the Grammar School presently taught at Newcastle, in the County of Northumberland, by John Seewright, to whom the same shall be paid, in part of his salary for teaching said School the present year, on its being certified to His Excellency the Lieutenant Governor or Commander in Chief, by Henry B. Allison, Esquire, and the Reverend James Souter, that the same is due to the said John Seewright for such service.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of £500 to be paid to the Trustees of the Wesleyan Academy erected in Sackville, in the County of Westmorland, in aid of individual subscriptions and donations for that Institution.

And that the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill to vacate the Seats of Members of the Assembly in certain cases:

The Bill to authorize the Justices of the Peace for the County of Northumberland to levy an assessment to discharge the debts due by the said County :

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

The Bill to enable the Supreme Court to give relief against adverse claims made upon persons having no interest in such claims,

Without making any amendments thereto.

And that the Council had also agreed to the following Bills, with amendments, viz :

The Bill to incorporate the Saint Andrews Marine Assurance Company:

The Bill to authorize the Justices of the Peace for the County of Sunbury to make Rules and Regulations respecting the Draw in the Bridge over the River Oromocto:

The Bill to incorporate the Saint Stephen Log and Timber Sluice Company,

To which they desire the concurrence of the Assembly.

And he further informed the House, that the Council had passed

A Bill, intituled "An Act to make further provisions relating to the Provincial House of Correction," and to give it the name of "The Provincial Penitentiary,"

To which they also desire the concurrence of the Assembly.

The Bill sent from the Council, relating to the Provincial House of Correction, was read a first time.

The House adjourned until to-morrow morning at 10 o'clock.

Friday, 19th March, 1842.

Prayers.

On motion of Mr. H. T. Partelow,

The House proceeded to take into consideration the amendments made by the Legislative Council to

The Bill to authorize the Justices of the Peace for the County of Sunbury to make Rules and Regulations respecting the Draw in the Bridge over the River Oromocto.

The amendments being severally read, are as follow :—

At A insert a Preamble as follows :

"Whereas it is necessary that provision should be made to prevent the Oromocto River being obstructed in such manner as to prevent the free use of, and passage to and through the Draw made in the Bridge erected over the said River near the mouth thereof, and to protect the said Draw from injury."

At B in Section I. expunge the words "that the Justices of the Peace for the County of Sunbury, in General Sessions convened, are hereby authorized and empowered to make Rules and Regulations respecting the Draw in the Bridge over the River Oromocto," and insert the words "that it shall and may be lawful for the Justices of the Peace for the said County of Sunbury, in General Sessions assembled, and they are hereby authorized and empowered to make Rules and Regulations to prevent the passage to and from and through the Draw made in the Bridge lately built over the River Oromocto, near to the mouth of the said River, from being obstructed by means of Vessels, Timber, Logs, Rafts or Lumber, or Rubbish of any description being deposited, placed or allowed to remain in any place in the said River, either above or below the said Bridge, and also to prevent damage or injury to be done to the said Draw in the said Bridge."

At C expunge the words "or who may injure the said Draw."

At D in the Title, expunge the word "respecting," and insert the words "for protecting the Public use of."

And the question being severally put thereon,

Resolved, That the House do concur therein.

Ordered, That Mr. H. T. Partelow return the Bill, with the amendments, to the Council, and acquaint them therewith.

Read a second time—

A Bill sent down from the Council, intituled “An Act to make further provision relating to the Provincial House of Correction, and to give it the name of The Provincial Penitentiary.”

On motion of Mr. End,

The House went into Committee of the whole, on a Bill to revive an Act, intituled “An Act for regulating the Salmon Fisheries in the County of Gloucester.”

Mr. Connell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

Mr. Allen moved for leave to present a Petition from Jarvis Ring, George E. Ketchum, and 225 others, Freeholders and Inhabitants of the County of York, praying that the Bill now before the House, to incorporate the City of Fredericton, may not pass into a Law.

The Rule of the House, limiting the time for introducing Petitions, being in this instance dispensed with, leave was granted, and the Petition being read,

Ordered, That it be received, and lie on the Table.

On motion of Mr. Fisher,

The House went into Committee of the whole, in further consideration of a Bill to incorporate certain parts of the Parish of Fredericton, by the name of The City of Fredericton.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, the following Resolution was moved:—

Resolved, That the further consideration of this Bill be postponed until the next Session of the General Assembly.

And upon the question being put for adopting the said Resolution, the Committee divided—

YEAS, 13.

NAYS, 15.

Whereupon it was decided in the negative.

That the Committee then went through the Bill, and after making several amendment thereto, agreed to the same, under the Title of—

A Bill to incorporate the City of Fredericton.

Ordered, That the Report be accepted, and the Bill engrossed, as amended, under the amended Title.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply yesterday the 17th instant.

Ordered, That Mr. Jordan take the said Resolutions to the Council, and desire their concurrence thereto.

The Honorable Mr. Weldon, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of yesterday, praying that His Excellency would be pleased to lay before this House any further Instructions which may have been received from Her Majesty's Government, of a date subsequent to the Despatch of the Right Honorable the Secretary of State for the Colonies, of 2d September, 1833, relative to the issue of Government paper or securities, reported—That they had attended to that duty, and that His Excellency was pleased to say, he would lay the information before the House.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, they had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

Resolved, That there be granted

To James Whitehead, an old Soldier in the Revolutionary War, the sum of £20 to relieve him in his present distressed circumstances, his being an extraordinary case, and no application being made under the Law.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £30 for a Tide Surveyor at Shippegan and Caraquet, in the County of Gloucester, for 1842.

To the Widow of Isaac W. Jouett, late Usher of the Black Rod to the Legislative Council, the sum of £25 to assist her in her present destitute circumstances.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £50 for a Missionary for the Melicete Tribe of Indians stationed at Fredericton, for the year 1842.

To Mary Harned, Widow of the late Alward Harned, formerly Doorkeeper of this House, the sum of £20.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £15 in aid of a Public Conveyance from the Bend of Petitcodiac to Shediac.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £15 for the purpose of encouraging a Stage between Dalhousie and Campbellton.

To Ann Fowler, Widow of the late Caleb Fowler, who served as an Ensign in the Revolutionary War in America, the sum of £20 to assist her in her present distressed circumstances.

To the Appraisers at Saint John, under the Imperial Act, the sum of £50 each, to remunerate them for services the past year.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £50 towards remunerating Missionaries stationed at Madawaska, for the purpose of giving attendance to the Tobique and other Indians established in the neighbourhood of that Settlement.

That in the Committee the following Resolution was moved :—

That there be granted to His Excellency the Lieutenant Governor or Administrator of the Government, a sum not exceeding £—— for the purpose of providing for the expenses of Doctor A. Gesner in 1842, in continuing the Geological Survey of the Province.

And upon the question for sustaining the said Resolution, the Committee divided as follows :—

YEAS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
Mr. Fisher,
Woodward,
L. A. Wilmot,
End,
J. M. Wilmot.
Allen.

NAYS.

The Hon. Mr. Weldon,
Mr. Partelow,
Freeze,
Palmer,
Hanington,
Wilson,
M'Almon,
Stewart,
Barberie,
Gilbert,
Street,
Rankin,
Owen,
Boyd,
H. T. Partelow,
Brown,
Taylor.

Whereupon it was decided in the negative.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered,

Ordered, That the Report be accepted, the Resolutions which passed in Committee engrossed, and leave to sit again granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to the proposed Joint Addresses to Her Majesty and the Imperial Parliament, on the subject of a revision of the Customs Duties, as applying to the British Colonial Possessions abroad; and that Messieurs Robertson and Wyer were appointed a Committee on the part of the Council, to join such Committee as may be appointed by the Assembly to prepare the same.

On motion of Mr. Partelow,

Resolved, That a Committee be appointed to join the Committee of the Legislative Council, to prepare the said Addresses.

Ordered, That Mr. Partelow, Mr. Rankin, Mr. Connell and Mr. Brown, be the Committee for that purpose; and further

Ordered, That Mr. Brown do communicate the same to the Council.

The House adjourned until to-morrow morning at 10 o'clock.

Saturday. 19th March. 1842.

Prayers.

Mr. Barberic, the Member for the County of Restigouche, applied for leave of absence after Wednesday next, which was granted.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill to incorporate the Saint Stephen Marine Assurance Company.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill before them, and the First Section thereof having been passed by the Committee, and which is as follows:—

“ I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, in all cases when the value of the Estate of any Testator or Intestate shall not exceed one hundred and fifty pounds, only half of the Fees prescribed in the Table of Fees for Estates not exceeding £300, annexed to the said recited Act passed in the third year of the Reign of Her present Majesty, intituled ‘An Act in amendment of the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates,’ shall be paid and chargeable for the services and proceedings had in the Surrogates’ Courts, under the authority of the said Act, any thing therein contained, or any Law, usage or custom to the contrary notwithstanding.”

It was moved—That the said Section be again brought under their consideration.

And upon the question for the re-consideration, the Committee divided as follows:—

YEAS.

Mr. Street,
Taylor,
Allen,
Partelow.

NAYS.

The Hon. Mr. Johnston,
Mr. Hill,
Brown,
Hayward,
Fisher,
Gilbert,
Freeze,
Connell,
Beardsley,
J. M. Wilmot,
H. T. Partelow,
Hanington,
Palmer,
M'Almon.

Whereupon it was decided in the negative.

That the Committee then went through the Bill, and after making amendments thereto, agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply yesterday the 18th instant.

Ordered, That Mr. H. T. Partelow take the said Resolutions to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill imposing Duties for raising a Revenue.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Weldon do take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

Resolved, That there be granted

To the Clerk of the Crown in the Supreme Court, the sum of £100 for his services for the year 1841.

To Sarah Cyphers, Widow of an Officer of the Revolutionary War, the sum of £20 to aid her in her present destitute condition.

To the Widow of Thomas Burden, late Lieutenant of the Corps of Loyal Associated Refugees, the sum of £20 towards assisting her in her present distressed circumstances.

To Richard S. Clarke, the sum of £— towards relieving him in his present necessitous condition.

Upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.

The Hon. Mr. Johnston,
 The Hon. Mr. Weldon,
 Mr. End,
 Stewart,
 Partelow,
 Street,
 Taylor,
 J. M. Wilmot,
 Fisher,
 L. A. Wilmot,
 Gilbert,
 H. T. Partelow,
 Boyd,
 Hill,
 Rankin,
 Barberie,
 Allen.

NAYS.

Mr. M'Almon,
 Hanington,
 Palmer,
 Wilson,
 Jordan,
 Woodward,
 Connell,
 Beardsley,
 Brown,
 Freeze,
 Owen.

And it was thereupon carried in the affirmative, and the blank filled up with the sum of £50.

To Mary Dingee, Widow of the late James Dingee, the sum of £15 to assist her in her present destitute situation.

To Jane M'Cardy, the Widow of a meritorious Officer of the Revolutionary War, the sum of £20 to assist her in her present circumstances.

To Xenophon Jouett, late Usher of the Black Rod to the Honorable Her Majesty's Legislative Council, the sum of £— in consideration of his long services and advanced age, having served that Body nearly thirty eight years.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 11.

NAYS, 16.

And it was thereupon decided in the negative.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £— to reimburse the Justices of the Peace for the County of Restigouche for expenses incurred under their direction by the High Sheriff of that County in the employment of an extraordinary Police for the protection of the Gaol, occasioned by an alarming riot which occurred at Dalhousie during the last year.

Upon the question for sustaining this Resolution, the Committee divided, and it was carried in the affirmative; and

It was moved—That the blank be filled up with the sum of £100.

And upon the question, the Committee again divided, and it was decided in the negative.

A motion was then made—That the blank be filled up with the sum of £193 19 8.

Upon this question, the Committee divided as follows:—

YEAS.

The Hon. Mr. Johnston,
 The Hon. Mr. Weldon,
 Mr. Stewart,
 Jordan,
 Partelow,
 Allen,
 Wilson,
 Barberie,
 Street,
 Taylor,
 H. T. Partelow,
 Rankin,
 Boyd.

NAYS.

Mr. Palmer,
 Hanington,
 Beardsley,
 Woodward,
 Freeze,
 Connell,
 Gilbert,
 J. M. Wilmot,
 Fisher,
 Hill,
 Owen,
 Brown,
 L. A. Wilmot.

And the question being equal, he had decided it in the negative.

It was then moved—That the blank be filled up with the sum of £90.

And

And upon this question, the Committee again divided, and it was also decided in the negative.

A motion was then made—To fill up the blank with the sum of £193 10s.

Upon this question, the Committee again divided as follows :—

YEAS.

The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Stewart,
Jordan,
Partelow,
Allen,
Wilson,
Barberie,
Street,
Taylor,
H. T. Partelow,
Rankin,
Boyd,
M'Almon.

NAYS.

Mr. Palmer,
Hanington,
Beardsley,
Woodward,
Freeze,
Connell,
Gilbert,
J. M. Wilmot,
Fisher,
Hill,
Owen,
Brown,
L. A. Wilmot.

And it was thereupon carried in the affirmative, and the blank accordingly filled up with the sum of £193 10s.

To the Commissioners appointed to select a proper site for the contemplated Gagetown Canal, the sum of £25 to reimburse them in full for their services and expenses incurred in 1841, in attending to that duty ; £6 15s. of which to be paid by them to John Collins, for surveying, and 30s. to the Printers, for advertising, &c.

To the Commissioners of the Dredging Machine, the sum of £170 14 6, being the balance over expended by them, per the Report on their Accounts.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £17 2s. to reimburse B. R. Jouett for the balance due him for exploring and surveying a new Line of Road between Fredericton and the Oromocto Lake.

To W. T. Peters, Esquire, one of the Commissioners of Indian affairs, the sum of £9 9 6 to enable him to provide for the services of a Medical attendant on a number of sick Indians in Gagetown, Queen's County, in December last.

To the Board of Health for the County of Gloucester, the sum of £95 12 8 to remunerate Doctors Gordon and Bishop, Health Officers of that Board, for vaccinating the poor French population of Bathurst and Caraquet, in that County, in the summer of 1841, agreeably to the Report of the Select Committee of the 5th February last; and the further sum of £15 for the Clerk's services the past year.

Resolved, That the following sums be granted for

Kent Bye Roads :

£40	For the Road from Point Sapine to Kouchibouguac.
15	For the Road from Point Edward, up the River Kouchibouguac, on the North side thereof.
15	For the Road on the North side of the Kouchibouguac River, up Stream.
10	For the Road on the South side of the Kouchibouguac, above the Post Road.
25	For the Road on the South side of the Kouchibouguac, below the Post Road.
10	For the Road from Kouchibouguac to the Little River.
10	For the Road from Taddy Babino's lower line to the Post Road.
25	For the Road from the Post Road up the North side of the Kouchibouguacis River.
15	For the Road on the South side of the Kouchibouguacis River, from the Rapids up.
20	For the Road on the North side of the Aldoune River.
20	For the Road on the South side of the Aldoune River up.
150	For the Road from Mill Creek to Molus River.
10	For the Road from John James' upper line to Mill Creek.

- £10 For the Road from Molus River to Bass River.
 10 For the Road leading up the Bass River.
 20 For the Road from Bass River to Taylor's Mills on the Main River.
 10 For the Road from Mill Creek to the Indian Line; two thirds of which to be expended above Carruthers' upper line.
 45 For the Road from Child's Creek to the East Branch Bridge; two thirds of which to be expended in paying for the repairs of the Bridge over Child's Creek, the residue for the Road.
 30 For the Road from the Reserve to the Post Road; two thirds of which to be expended in paying for the repairs of the Bridge over Bell's Creek.
 10 For the Road from Peter Allan's to Atkinson's Mill.
 15 For the Road from Little Chockpish to the Great Chockpish.
 10 For the Road from the Post Road at M'Gowan's to the new Settlement in rear of the old French Grant.
 15 For the Road from Richibucto River to the Richibucto Cape, and for the Bridge over Atkinson's Mill.
 10 For the Road from Galloway to the East Branch Bridge.
 16 For the Road from the Catholic Chapel to the West Branch Bridge; one half of which to be expended between the Chapel and Hayward's.
 15 For the Road from Thomas Graham's, on the Richibucto River, to the Ferry over the Saint Nicholas River.
 10 For the Road on the East side of the South Branch of Saint Nicholas River, from Kinsla's Brook up.
 20 For the Road from Middle Island Creek to Bell's Creek.
 19 For the Road from Middle Island Creek, down the River, to Thomas Graham's.
 15 To complete the Breakwater at the Bridge over the Coal Branch.
 15 For the Road from Coal Branch Bridge to the Mill on the Main River.
 20 For the Roads on the North and South side of the Coal Branch, from the Mills up.
 20 For the Road and Bridge from the East Branch Bridge to the Coal Branch.
 25 For the Road from Chockpish to Buctouche, by Oliver Myers'.
 15 For the Road on the South side of the Chockpish River; one half below the Post Road.
 10 For the Road from Savoy's to the Post Road.
 10 For the Road from the Glenelg Settlement to the 4th tier of Lots.
 20 For the Road on the North side of the Buctouche River, and repairs of the Bridge over Mill Creek.
 20 For the Road from the upper side line of the Indian Reserve, on the North side of the Buctouche River, up the River.
 15 For the Bridge over Black River, at the Chapel.
 30 For the Road on the South side of the Buctouche River, from Coate's Mill down.
 10 For the Road on the North side of the Little Buctouche River, from Ward's Brook up to the Mills.
 20 For the Road on the South side of Little Buctouche River to Smelt Brook, and to complete the Bridge over the same.
 15 For the Road to the Thibedeaux Settlement.
 20 For the Shore Road from Cocagne to Buctouche.
 10 For the Road from the Surat Settlement to the Post Road.
 20 For the Road and Bridges on the North side of the Cocagne River, from the upper line of Joseph Guegan's Lot.
 30 For the Road and Bridges on the South side of Cocagne River.
 10 For the Road from Cocagne River to the County Line, near Guegan's.
 20 For the Road from the Post Road, by the Cove at Robicheaux's, round the Cape.
 10 For the Road through the Cocagne Cape, from Robicheaux's to the Gulf Shore.

Resolved,

Resolved, That the following sums be granted for

Acstigouche Bye Roads:

£50	For the Road from James Christopher's to Flat Lands.
100	For the Road from the Flat Lands to Isaac Mann's.
100	For the Road from Mrs. Keddel's to Grog Island Brook.
100	For the Road from Grog Island Brook to the Settlement at the Mouth of the Upsalquitch.
30	For the Road to the Sugar Loaf Mountain Settlement.
80	For the Road to the Colebrooke Settlement.
50	From Eel River Settlement to the Great Road near Dalhousie.
30	For the Road on the South side of Eel River Gully.
30	For the Road from the Great Road leading to the Mountain Brook Settlement, on the line between Craigh's and Lavolette.
20	For the Road to the Glenburnie Mill Settlement.
30	For the Road to the Murdock Settlement.
50	For the Road from M'Pherson's old place to the Landing at the Bay Shore, as adopted by Supervisor Crocker.
25	For the Road from Nash's Creek to the Settlement in rear.
30	For the Road to the Doyle Settlement.
20	For the Road leading from the Great Road to Little Belle Dune Point, as laid off by Supervisor Crocker.
50	For the Road from Dalhousie to the Crocker line, and towards the approach to Rock Island.
30	For the Road leading from Dalhousie to Belle Vue Settlement.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency the Lieutenant Governor, laid before the House—

Copy of a Communication received from His Excellency Viscount Falkland, Lieutenant Governor of Nova Scotia, with copy of a Despatch from the Secretary of State for the Colonies, as also of a Letter from His Excellency Sir Henry Vere Huntley, Lieutenant Governor of Prince Edward Island, upon the subject of a Canal to connect the Waters of the Bay of Fundy with the Waters of the Saint Lawrence.

These Documents being severally read at the Clerk's Table, are as follow:—

(Copy.)

Government House, Halifax, 11th March, 1842.

SIR,—I have the honor to transmit to Your Excellency herewith, a copy of a Despatch received by me from Lord Stanley, dated 2d December, 1841, in reference to a proposed survey of the site of a Canal, to connect the waters of the Saint Lawrence with the Bay of Fundy, with a copy of a Letter from Sir Henry Vere Huntley, Lieutenant Governor of Prince Edward Island, accompanied by an extract from the appropriation Act of that Colony in 1841, in answer to a Communication addressed by me to him, upon the same subject, conformably to a request in Lord Stanley's Despatch. I have to add, that several propositions made in the Committee of Supply of the House of Assembly of this Province during the present Session, for grants varying from £500 down to £150, in aid of the proposed survey, have all been negatived by decided majorities; and I cannot, therefore, at present hold out any prospect of the Legislature of Nova Scotia co-operating in the undertaking.

I have the honor, &c.

(Signed)

FALKLAND.

His Excellency Sir WILLIAM COLEBROOKE, K. H., &c. &c. &c.

(Copy.)

Downing Street, 2d December, 1841.

MY LORD,—The Lieutenant Governor of New Brunswick has requested me to appoint a competent Engineer to examine the various lines which have been surveyed for the formation of a Canal to connect the waters of the Saint Lawrence with the Bay of Fundy, and to decide which should be adopted. I have informed him, that as soon as the Legislatures of the respective Colonies, interested in the work, shall have guaranteed funds for defraying the expense of such examination, steps would be taken for obtaining the services of a fit person for the duty.

I observe, by the Journals of the Assembly of Nova Scotia, for 1840, that the co-operation of that House had been invited, but that the Session terminated without any notice being taken of the subject.

I have, therefore, to request that Your Lordship will, at the next meeting of the Legislature, take a favorable opportunity of calling the attention of the Assembly to the proposed survey, and inform Sir W. Colebrooke of the sum which they may be willing to contribute towards the expense.

I have further to request Your Lordship to communicate with the Lieutenant Governor of Prince Edward Island, in order that he may remind the Assembly of that Island, of the Resolution passed by them in 1810, to take into favorable consideration at its next Session, the propriety of defraying a portion of the expense from the Revenue at their disposal.

I have, &c.

(Signed)

STANLEY.

Viscount FALKLAND, &c. &c. &c.

(Copy.)

Government House, Prince Edward Island, 14th February, 1842.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's Communication of the 28th January, transmitting a copy of a Despatch from Lord Stanley, relative to the formation of a Canal to connect the waters of the Saint Lawrence with the Bay of Fundy, and requesting a statement of the amount of the expense which this Government may be disposed to incur for the proposed survey of the site of such Canal.

In reply, I beg to inform Your Lordship that the Legislature of this Island, in the Session of 1841, granted the sum of £200 in aid of the important measure to which Lord Stanley's Despatch has reference, and I have the honor to transmit for Your Lordship's information, an extract from the appropriation Act, explaining the object of the grant in question.

I have, &c.

(Signed)

H. V. HUNTLEY, *Lt. Governor.*

His Excellency the Right Honorable Viscount FALKLAND, G. C. H., &c. &c. &c.

Extract from the Appropriation Act of Prince Edward Island, passed in 1841.

"And a further sum not exceeding two hundred pounds, to be paid to the Government of New Brunswick, towards defraying the expense of obtaining a survey, exploration and estimate of the proposed line of Canal between the Bay of Fundy and the Gulf of Saint Lawrence, should the same be required."

The Honorable Mr. Shore, also by command of His Excellency, laid before the House—

A further Report from the Auditor General, upon Accounts of Road Expenditures during the past year.

[*See Appendix.*]

Petition from Edward W. Miller, Esquire, High Sheriff of the County of York, accompanied by various Accounts, and praying to be remunerated for the following services performed by him, viz:—

For serving Exchequer Processes from the year 1817 to 1840;

For summoning Grand and Petit Jurors for the Supreme Court, from the year 1816 to 1840;

For Fees as Surveyor General of Woods and Forests, in the years 1819 and 1820;

For services and expenses incurred in the discharge of his duty as a Seizing Officer, in the years 1819 and 1820.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had passed the following Bills, viz:—

A Bill intituled "An Act to amend the Law relating to the punishment of offences:"

A Bill intituled "An Act to amend the Law relating to Burglary:"

A Bill intituled "An Act further to amend the Law relating to offences against the person:"

A Bill intituled "An Act to amend the Law relating to Robbery:" and

A Bill intituled "An Act to amend the Laws relating to burning and destroying Buildings and Ships."

The foregoing Bills sent down from the Council, were then severally read a first time.

On motion of Mr. L. A. Wilmot,

Resolved, That the Petition of George Woods, relative to certain difficulties with the Nova Scotia and New Brunswick Land Company, as regards a Tract of Land at the Stanley Settlement, and which was included in the Grant to the said Company, which Petition was presented to the House on the 4th instant, and ordered, to lie on the Table, be referred to a Select Committee to report thereon.

Ordered, That Mr. L. A. Wilmot, the Honorable Mr. Weldon, and Mr. Stewart, do compose the said Committee.

The House adjourned until Monday morning next at 10 o'clock.

Monday, 21st March, 1842.

Prayers.

Read a second time—

The following Bills sent down from the Legislative Council, viz :

A Bill intituled "An Act to amend the Law relating to the punishment of offences:"

A Bill intituled "An Act to amend the Law relating to Burglary:"

A Bill intituled "An Act further to amend the Law relating to offences against the person:"

A Bill intituled "An Act to amend the Law relating to Robbery: and

A Bill intituled "An Act to amend the Laws relating to burning or destroying Buildings and Ships."

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow:—

Resolved, That there be granted

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £40 towards the support of a Free School for the education of the Colored Children at Loch Lomond, in the County of Saint John, at present taught by Robert Lindsay, the same not to be drawn until His Excellency or the Administrator of the Government for the time being, shall be satisfied of the efficiency of the said School.

To Margaret Sterling, Widow of William A. Sterling, a licenced Teacher, the sum of £6 13 4 for four months services rendered by him in teaching a School in the Parish of Saumarez, County of Gloucester, immediately previous to his death.

To James DeBourke, the sum of £10 for teaching a School in the Parish of Ludlow, in the County of Northumberland, from August to December, 1839, and in the adjoining Parish of Blissfield, in the same County, from December to April, 1841, in all six months.

To William Folyard, a licenced Teacher, the sum of £5 for teaching a School in the Parish of Simonds, in the County of Saint John, for three months, ending 1st June, 1841.

To Samuel Grimshaw, a licenced Teacher, the sum of £5 for teaching a School in the Parish of Studholm, in King's County, for three months.

To James Wilson, a licenced Teacher, the sum of £20 for teaching a School in the Parish of Moncton, in the County of Westmorland, for one year, ending 27th May, 1840.

To Amy G. Campbell, a licenced Teacher, the sum of £8 6 8 for having taught a School in Saint Andrews, in the County of Charlotte, for five months, ending in September, 1841.

To James Eaton, a licenced Teacher, the sum of £5 for having taught a School in the Parish of Bathurst, in the County of Gloucester, for three months, ending November, 1841, he having been prevented from ill health from completing his term.

To

To Thomas Morris, the sum of £20 for teaching a School in the Parish of New Bandon, in the County of Gloucester, for one year, ending 1st January, 1842, it appearing from the Certificate of the Board of Education, that he had duly passed the Board, and from the Certificate of the Trustees, that he had faithfully performed the duty, but was prevented from getting his licence owing to some proposed changes in the School system, as they are informed.

To John Murdoch, the sum of £20 for teaching a School for one year in the Parish of Wickham, in Queen's County, from January 1839, to January 1840.

To George D. Morrison, a licenced Teacher, the sum of £40 for teaching a School in the Parish of Saint James, in the County of Charlotte, for two years, ending on the 1st day of September, 1838, the same having been certified by the Trustees of the Parish.

To Mrs. Isabel F. Jouett, the sum of £20 for teaching a School for one year for poor children in the Parish of Saint Mary's, in the County of York, in the year 1841, she having kept the said School to the satisfaction of the Trustees, who have duly certified to that effect.

To Sophia Cox, the sum of £— to compensate her for teaching a School in the Parish of Fredericton, nine months in the year 1841.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 12.

NAYS, 7.

And it was carried in the affirmative, and the blank filled up with the sum of £15.

To the Trustees of Schools of the Parish of Beresford, in the County of Gloucester, the sum of £10 for the use of the School at Little Roche, taught by Pierre Roi, for seven months to 15th February, 1842.

To Catherine Easton, the sum of £10 for teaching a School in the Parish of Chatham, in the County of Northumberland, from the 17th November, 1839, to the 18th February, 1841, being a period of fifteen months.

To Patrick O'Hanlon, a licenced Teacher, the sum of £— for teaching a School three months in the Parish of Woodstock, County of Carleton.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 11.

NAYS, 8.

And it was carried in the affirmative, and the blank filled up with the sum of £5.

To Frances Jemima Earls, the sum of £7 10s. for teaching a School in the Parish of Queensbury, County of York, for four months and fourteen days.

To Patrick Bennett, a licenced Teacher, the sum of £10 for teaching a School six months ending 27th July, 1840, in the District of Frog Pond, Parish of Simonds, County of Saint John.

To Sarah Gill, the sum of £20 for teaching a School in the Parish of Saint Mary's, in the County of York, in the year 1841.

To the following parties, the sums affixed to their respective names, to reimburse them for Duties paid or secured on Goods destroyed at the Great Fire in Saint John, on the 15th November last, viz:—

Waterhouse and Troop,.....	£33	13	11
Thomas Leavitt and Company,.....	107	8	6
Jardine and Company,.....	81	5	2
G. and J. Salter,.....	68	10	5
Alexander Robertson,.....	5	12	9
W. H. Street,.....	38	12	6
Crookshank and Walker,.....	99	6	0
Daniel Leavitt,.....	51	7	11
Thomas E. Millidge,.....	146	3	2
John V. Thurgar,.....	46	19	9
William Hammond,.....	433	10	4
Thomas Raymond,.....	19	8	2
Ratchford and Brothers,.....	714	16	0
Charles R. Jarvis,.....	60	0	0
Walker Tisdale,.....	46	7	3
N. S. Demill,.....	25	0	0
Thomas M'Avity and Company,.....	25	0	0

The said amounts to be applied in payment of Bonds given for Duties on the articles consumed, if not previously paid; and if paid, then to be endorsed on any Bond the parties may be respectively obligors for, next falling due; payments to be made in money only to those not being obligors to any Bonds to the Treasury, agreeably to the Report of the Select Committee appointed to investigate and report upon the respective Petitions.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £250 for the improvement of the Road from Saint John to the Nova Scotia Line, and for the reparation of Bridges on the same.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the following sums for the reparation and improvement of the undermentioned Great Roads and Bridges on the respective Lines:—

Saint John to Saint Andrews,.....	£120
Fredericton to Saint John, via Nerepis,.....	100
Nerepis to Gagetown,.....	20
Dorchester to Shediac,.....	15
Shediac to Petitcodiac,.....	12
Richibucto to Chatham,.....	50
Newcastle to Bathurst,.....	80
Bathurst to Campbellton, (the same to be laid out in the County of Restigouche),.....	400
Fredericton to Woodstock,.....	400
Woodstock to Arestook,.....	200
Fredericton to Finger Board,.....	50
Bellisle to Saint John,.....	40
Fredericton to Newcastle,.....	300
Ditto to Saint Andrews,.....	200
Salisbury to Hopewell,.....	60
Shediac to Richibucto,.....	40
Woodstock to Houlton,.....	20
Waweig to Saint Stephen,.....	10
Oromocto to Gagetown,.....	15
Oak Bay to Eel River,.....	75
Arestook to Grand Falls,.....	70
Fredericton to Bend of Petitcodiac,.....	100

£25 of the sum last named to be paid by the Commissioner to Thomas Cox, for a Bridge at Newcastle, built during the past year.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £— for that part of the Great Road to the Canada Line, lying from the Grand Falls upwards.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 5.

NAYS, 16.

And it was decided in the negative.

To Thomas H. Black, the sum of £— for teaching a School twelve months in the Parish of Saint Martin's, County of Saint John, ending 15th September, 1825.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS 4.

NAYS 20.

And it was decided in the negative.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £20 for the encouragement of a Packet between Prince Edward Island and Bay Verte, in the County of Westmorland, the same to be paid to William Weeks, or such other person as may establish the same, (the former failing to do so) on a Certificate being produced from Commissioners to be appointed for that purpose, that the said Packet has run at least once a fortnight during the season, touching at Bedeque and Charlotte Town each alternate voyage.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £20 to aid the inhabitants of the County of Westmorland to employ a Courier to carry the Mails from Cape Tormentine to the Great Road of Communication through that County, it appearing from the Report from the Select

Committee, that the distance has been increased by the alteration of the Great Road to Sackville.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £10 in aid of individual subscription to pay a Courier between Washademoak and the Sussex Post Office.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £50 to be paid to James R. Tupper for keeping up a conveyance between Woodstock and the Grand Falls.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £100 for the purpose of encouraging a Stage Coach between Fredericton and Woodstock, for the year 1842; the same to be paid to James R. Tupper, on a satisfactory Certificate being produced that the service has been faithfully and efficiently performed.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £20 for the encouragement of a Packet between Shediac and Bedeque, the same to be paid to Anthony Simpson, on a certificate being produced that the said Packet has been at all times fit to carry Passengers, and that she has been running at least once a week from the opening of the Navigation to the close thereof.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £25 in aid of individual subscription for carrying the Mails three times a week during the present year, with a double Sleigh or Waggon with two Horses, for the accommodation of Passengers, between Saint Andrews and Saint Stephen.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £— to be paid to John C. Vail, to enable him to keep up the efficient Four Horse Coach Establishment between Saint John and Dorchester, for 1842, on satisfactory Certificates being furnished that the service has continued to be faithfully performed.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 16.

NAYS, 11.

And it was carried in the affirmative, and the blank filled up with the sum of £125.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £100 towards the encouragement of a Stage Coach between Saint Andrews and Saint John; the same not to be paid until satisfactory certificates are produced that the said Stage has been kept up during the year 1842, in its present efficient state, and that the Mail has been carried daily between the said two places, (Sundays excepted.)

To James Bradley and James Green, the sum of £75 towards remunerating them for establishing and keeping up an efficient Stage Communication between Saint John and Fredericton, and particularly at times when the navigation of the River is obstructed, and teams are prevented from running on the Ice.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £125 for the year 1842, towards the support of the efficient Stage Establishment between Fredericton and Miramichi, the same to be paid to James M. Kelly of Newcastle, or such other person or persons who may be willing to perform that duty, on the pre-requisites required by the Act of 1841, Cap. 36, being complied with, with reference to the grant then made for this service.

To James Hewitt and John Winters, the sum of £50 to remunerate them in part for keeping up an efficient Daily Establishment between Saint John and Fredericton on the Ice during the last Winter, agreeably to the Report of the Select Committee of the 13th March.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £75 for the encouragement of a Stage between Fredericton and Saint Andrews; the same to be paid to Solomon Vail, when it shall be certified that the said service has been properly and faithfully performed.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £100 to encourage the running a covered Stage Coach from Dorchester to Miramichi; such sum to be paid to the person or persons who shall

run

run a Stage Coach for the space of one year, from the 1st June, 1842, at least twice a week; the same to be certified by Commissioners appointed for the purpose.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £50 to encourage the running of a covered Stage Coach from Miramichi to Bathurst the present year; the same to be paid to the person or persons running the same at least twice a week, on satisfactory Certificates being produced that the service has been faithfully and efficiently performed.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £—— to remunerate a Ferryman at the Aroostook for his services in facilitating the passage of the Mail across the said River, during the year 1841.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 7.

NAYS, 17.

And it was decided in the negative.

To His Excellency the Lieutenant Governor and Commander in Chief, the sum of £—— to remunerate John Street, a settler on the Restook Portage, agreeably to a Resolution of this House passed the 15th March, 1827, for the encouragement of such settler, when it shall be certified to His Excellency that the conditions required by the said Resolution have been complied with.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 14.

NAYS, 11.

And it was carried in the affirmative, and the blank filled up with the sum of £30.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill imposing Duties for raising a Revenue.

And he further informed the House, that the Council had agreed to

The Bill to incorporate the Grand Falls Company,

With amendments, to which they desire the concurrence of the Assembly.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply on Saturday the 19th instant.

Ordered, That Mr. Hanington do take the said Resolutions to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to incorporate the Saint Stephen Marine Assurance Company.

Resolved, That the Bill do pass.

Ordered, That Mr. Hill take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates.

Resolved, That the Bill do pass.

Ordered, That Mr. Fisher take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to revive an Act, intituled "An Act for regulating the Salmon Fisheries in the County of Gloucester."

Resolved, That the Bill do pass.

Ordered, That Mr. End take the said Bill to the Council, and desire their concurrence thereto.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, laid before the House—

Report from the Auditor General on the Accounts from the Commissioners for Government House, accompanied by a Report from the Commissioners, and Accounts of Expenditure on the Establishment during the past year; also

Two Letters from Henry Gilbert and Leveret H. Deveber, Esquires, Commissioners for expending a sum voted in Supply this present Session of the Legislature, for the relief of the destitute Poor at Saint John.

These Letters being read at the Clerk's Table, are as follow:—

“ Saint John, New Brunswick, March 10, 1842.

“ SIR,

“ We have to acknowledge the receipt of your Letter of the 24th ultimo. We have received the Warrant from the Treasurer, and commenced employing the suffering labouring Poor on the 28th ultimo. For the information of His Excellency, we have employed all that applied, on the following scale :

1st Class—Man, wife, and 1 child,	1s. 3d. per day, half time, or	4s. 6d. per week.
2nd “ “ “ 3 children,	1s. 6d. “	6s. “
3rd “ “ “ 5 “	1s. 9d. “	7s. 6d. “
4th “ “ “ 7 “	2s. “	9s. “

Almost all worked per week.

Cartmen, 4s. per day, not exceeding half time.

Overseers, 4s. per day for the working days.

Those that handle powder, 2s. per day, family large or small.

“ Agreeably to this scale, we paid about three hundred pounds last week, including powder and tools. It is impossible to say whether the number will increase or diminish. We do not apprehend much diminution when the Spring opens, as there appears to be very little prospect of employment by individuals. There undoubtedly will be some; but if the Emigrants arrive, it will be necessary to make provision for them. Would it not be well to suggest to His Excellency the expediency of having a fund from which the Emigrant could be assisted to get out of the Country.

“ We have the honor, &c.

(Signed)

H. GILBERT,
L. H. DEVEBER.

“ To Wm. F. ODELL, Esq. Prov. Secretary, &c. Fredericton.”

“ Saint John, New Brunswick, March 17, 1842.

“ SIR,

“ For the information of His Excellency we have to say, that the applicants for employment increased last week, and we fear they will not diminish, as there appears to be very little prospect of much employment when the spring opens. The number of men, women and children sustained from what we paid the laborers last week, were two thousand seven hundred, besides the Cartmen and their families. This is in addition to those who receive support from the Overseers of the Poor, as we give nothing to those who are under the care of the Overseers of the Poor. As we have paid something exceeding three hundred pounds per week, His Excellency will see the necessity of making further provision. Should we be mistaken in our apprehension of the want of employment the money can be repaid into the Treasury.

“ We have &c.

H. GILBERT,
L. H. DEVEBER. } Commissioners.

“ The Honorable Wm. F. ODELL, Province Secretary, &c. &c. Fredericton.”

On motion of Mr. Hill,

The House proceeded to take into consideration the amendments made by the Legislative Council to

The Bill to incorporate the Saint Stephen Log and Timber Sluice Company.

The amendments being severally read, are as follow:—

At A in Section I. insert the words “ such Sluice to be taken out of the present Log Sluice already erected, and which is fed or supplied by and from the Pond of the upper Mill at Mill Town.”

At B in Section XI. expunge the words “ between the upper Mills, at Mill Town, and middle landing aforesaid,” and insert the words “ at the place mentioned in the first Section of this Act.”

At C in Section XIII. insert the words “ Provided also, that said Log and Timber Sluice, when erected, shall only be used and occupied two days in each week.”

And the question being severally put thereon,

Resolved, That the House do concur therein.

Ordered, That Mr. Hill do return the Bill, with the amendments, to the Council, and acquaint them therewith.

On

On motion of Mr. Boyd,

The House proceeded to take into consideration the amendments made by the Council to

The Bill to incorporate the Saint Andrews Marine Assurance Company.

The amendments being severally read, are as follow:—

At A Section II. expunge the words “twenty five,” and insert “thirty.”

At B Section II. expunge “two thousand five hundred,” and insert “three thousand.”

At C expunge “two thousand five hundred,” and insert “three thousand.”

At Cc expunge the word “twenty,” and insert “thirty.”

At D expunge the word “eight,” and insert “twelve.”

At E Section III. expunge the word “twenty,” and insert “thirty.”

At F Section V. expunge “two thousand five hundred,” and insert “three thousand.”

At G Section V. expunge “two thousand five hundred,” and insert “three thousand.”

At H Section VI. expunge “two,” and insert “three.”

At I Section VII. insert “of whom the President shall always be one.”

At J after Section IX. insert a new Section, as follows:—

“X. And be it enacted, That no Director shall be entitled to any salary or emolument for his services, but that the Stockholders of the said Corporation may make such compensation to the President as shall appear to them reasonable.”

Alter the numbers of the remaining Sections.

At K Section X. expunge the word “one,” and insert “two.”

At L Section XIV. expunge the words “two thousand five hundred,” and insert “three thousand.”

At M expunge “two thousand five hundred,” and insert “three thousand.”

At N Section XY. expunge the words “five hundred.”

At O insert the words “and provided also, that the gross amount insured by the said Corporation at any time shall not exceed the sum of one hundred and twenty thousand pounds.”

At P Section XVI. insert the word “half.”

At Q expunge the word “four,” and insert “five.”

At R expunge “four,” and insert “five.”

At S Section XXVIII. expunge “four,” and insert “six.”

At T Section XXIX. insert the word “five.”

At U expunge Section XXXI. XXXII. XXXIII. XXXIV. and XXXV.

And the question being severally put thereon,

Resolved, That the House do concur therein.

Ordered, That Mr. Boyd do return the Bill, with the amendments, to the Council, and acquaint them therewith.

On motion of Mr. End,

The House went into Committee of the whole, on a Bill to regulate Dockage, Wharfage and Cranage, in the City of Saint John and Parish of Portland.

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, it was moved—That the further consideration of the said Bill be postponed until the next Session of the General Assembly.

And upon the question, the Committee divided—

YEAS, 12.

NAYS, 13.

Whereupon it was decided in the negative.

That the Committee then went through the Bill, and after making amendments thereto, agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on a Bill sent down from the Council, intituled “An Act to amend the Law relating to Robbery.”

Mr. J. M. Wilmot in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill read a third time to-morrow.

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on a Bill sent down from the Council, intituled "An Act to amend the Law relating to the punishment of offences."

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill read a third time to-morrow.

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on a Bill sent down from the Council, intituled "An Act to amend the Law relating to offences against the person."

Mr. Fisher in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill read a third time to-morrow.

The House adjourned until to-morrow morning at half past 9 o'clock.

Tuesday, 22d March, 1842.

Prayers.

Mr. Fisher, from the Committee appointed on the 19th day of January last, to take into consideration the subject of Fees and Emoluments of the Public Officers in the Province, submitted a Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed to inquire and report to the House, whether any and what Salaries of Officers of the Provincial Government can be reduced, and what Fees, if any, can be abolished or commuted, with a due regard to the Public Service, and without impairing the efficiency of any Department, have attended to that duty; and are of opinion, that all the Officers whose Salaries are chargeable upon the Civil List, or otherwise paid out of the Ordinary Revenues of the Province, or by Fees, should receive fixed annual Salaries, proportioned to the duties performed and responsibility incurred in the faithful discharge of the duties of such Office, or the skill and knowledge required by the Officer.

"In the event of a vacancy occurring in the office of Secretary, your Committee are of opinion, that the internal arrangement of that Office should be under the control of the Governor and Executive Council, in the same manner as the Indoor Establishment of the Crown Land Office. The amounts received by the present Secretary from the Civil List, will provide an ample income for his Successor, after defraying the salaries of the necessary Clerks, and the contingencies of Office, and leave a surplus to the credit of the Civil List Fund. The Fees now received by the Secretary for Marriage Licences, and any other Fees it may be advisable to continue, will under this arrangement be paid over to the Province Treasury, and thereby greatly increase the saving proposed in any change of office, without being at all burthensome to the country.

"The Fees now paid by Schoolmasters for Licence to teach, and to persons applying under the Act 4th William the 4th, to solemnize Marriages, should, in the opinion of the Committee, be abolished.

"The Committee are of opinion, that the office of Receiver General should be abolished, and the duties of that Office transferred to the Provincial Treasurer, who should then reside in Fredericton.

"Your Committee are of opinion, that such of the Fees now paid to the Judges and Clerk of the Supreme Court, as it may not be advisable to abolish, should be paid over to the Treasury for the use of the Province, and that the Judges should receive the several Salaries recommended below in lieu thereof, and that the Clerk of the Pleas should also receive a fixed Salary.

"Your

“ Your Committee have included in the scale of Salaries the sum of five hundred pounds to provide for an Auditor and Clerk. The Right Honorable Lord Glenelg stated in his Despatch of the 5th September, 1836, that it was his intention to devote a portion of the surplus of the Civil List Fund to the establishment of an efficient Office of Audit for all the Revenues raised within the Province, and your Committee are of opinion that the sum of £500 is an ample remuneration for an Auditor and Clerk to Audit the Receipts and Expenditure of all the Revenues raised in the Province.

“ Your Committee indulge the hope that no Incumbent will be allowed to resign his office with the expectation or understanding that the Salary enjoyed by him shall be apportioned between him and his Successor;—the introduction of this principle, your Committee conceive would be highly injurious to the Public Service, and directly opposed to Lord John Russell’s Despatch of the 16th of October, 1839, upon the Tenure of Public Offices.

“ Your Committee recommend the following scale of Salaries, in currency of the Province, to be applied to the present Surveyor General, and all other Officers on a change of office :—

The Chief Justice, besides travelling expenses,.....	£1000	0	0
Puisne Judges, besides travelling expenses, each,.....	900	0	0
Provincial Secretary,.....	600	0	0
Clerks and other expenses to be settled by the Governor and Executive Council.			
Private Secretary of the Lieutenant Governor,.....	250	0	0
The Surveyor General,.....	600	0	0
The Attorney General,.....	600	0	0
The Solicitor General,.....	250	0	0
The Receiver General, (if necessary).....	300	0	0
The Auditor General, and Clerk,.....	500	0	0

“ The Committee report two Bills, to carry out some of the recommendations herein noticed ; one—‘ A Bill relating to the Fees of the Secretary of the Province ;’ and the other—‘ A Bill to commute the Fees of the Judges in the Supreme Court, and of the Clerk of the Pleas in the Supreme Court ;’ which they recommend to the favorable consideration of the House.

“ All which is respectfully submitted.

“ CHARLES FISHER,
I. WOODWARD,
JAMES BROWN,
L. A. WILMOT,
GEO. S. HILL.

“ *Committee Room, 13th March, 1842.*”

Ordered, That the Report be accepted.

The Bills, as reported by the Committee, being then handed in, were severally read a first time.

Mr. Woodward, from the Committee to whom was referred the subject of Imprisonment of Debtors, submitted their Report, and he having read the same, handed it in at the Clerk’s Table, where it was again read, and is as follows :—

“ The Committee appointed on the 24th January last, to take into consideration that part of His Excellency’s Speech relating to the Laws regarding the Imprisonment of Debtors,—the same having undergone important changes in England,—have attended to that duty, and Report—

“ That in their opinion great evils and great distress have been produced at different times, in consequence of the existence of the cruel and unwise Law of Arrest and Imprisonment for Debt. They conceive the depriving a British subject of his liberty, except for some crime, is in violation of his inherent and unalienable right ; and they do most earnestly hope and trust, that such amendment may soon be made in the Provincial Laws, as will remove the present evils that exist, and the stigma that rests on the inhumanity of such Laws.

“ They find, on inquiry, that much evil exists in the imprisonment of the persons of parties, against whom Judgments and Executions are obtained, on trial before Justices
of

of the Peace; and also out of the City Court of the City of Saint John,—in the latter particularly; as from the extravagant costs in the said Court, the evil is much increased, as it increases the amount to be liquidated; and where it is discharged by the Imprisonment of the Debtor, it takes so much more time “to lay it out,” as it is called.

“The Committee find by a Return made to the House, pursuant to an Address to His Excellency the Lieutenant Governor, praying for a Return of the Proceedings of the City Court of the City of Saint John, for three months, ending 31st December last, that much litigation is carried on in that Court,—as in the six Courts held each fortnight, during the said three months, there were 1641 Summonses and Attachments issued—453 of which were for sums under 20s., and some of them as low as 1s., on which the Costs are as great as if the amount had been £5. If in a cause of 1s. claim, Judgment was obtained on Trial, commencing on Summons, Defendant appearing and a Jury had, the expense and costs would be 16s. 11d., besides 1s. for each Subpœna for every Witness required,—an enormous sum. They are of opinion that the operation of the City Court at Saint John is productive, as at present constituted, of many evils, and will adduce a calculation of expense attending it, as an illustration of some of them. Taking the number of Summonses and Attachments from the Return, 1641 will give an average at each Court of 273 causes, should they all go to Trial; the Plaintiff and Defendant, and say three Witnesses on each side, would in all probability be present, which would make 2134 persons occupied by the Court, besides the spectators, who are generally numerous. Taking the value of the labor of these persons at 2s. 6d. per day—a small amount in ordinary times—it will make the enormous sum lost to individuals, of £273 in labor, besides the Costs of Court, which are very great and enormously disproportionate to the amounts in litigation;—as proofs of which, the income of the Common Clerk, reported as being very large, the wealth acquired by the City Marshals, and the excesses and excitement attending on the Trials, are some. Taking the six Courts at the aforesaid average, it would be £1638, or the enormous sum in one year of £6652. And the Committee would ask, What is gained? and state some of the results in answer,—which are, many persons imprisoned—their labor lost to themselves and the Country—in many cases their wives and children on the Parish,—the Plaintiff very often losing his Debt and Costs,—the City Clerk receiving an overgrown income,—the City Marshalls acquiring fortunes, derived from the hard earnings of the poorer class of persons:—Is not this more than equivalent to the small amount sought to be recovered? It would be better, in the opinion of your Committee, that there should be no legal means of recovering small Debts, if by such a sacrifice as now attends them. To remove the evil, in some measure, they report ‘A Bill to abolish Imprisonment for Debt, for sums under £5,’ which they recommend to the adoption of the House. The intention of the Bill is to relieve the person only of the Debtor from Imprisonment for small sums, and not to have a retrospective effect.

“All which is respectfully submitted.

“I. WOODWARD, *Chairman.*

“*Committee Room, 18th March, 1812.*”

Ordered, That the Report be accepted.

The Bill, as reported by the Committee, being then handed in, was read a first time.

According to the Order of the Day, the following Bills, sent down from the Legislative Council, were severally read a third time, viz:—

A Bill, intituled “An Act to amend the Law relating to Robbery:

A Bill, intituled “An Act to amend the Law relating to the punishment of offences: and

A Bill further to amend the Law relating to offences against the person.

Resolved, That the House do concur therein.

Ordered, That Mr. Allen do return these Bills to the Council, and acquaint them therewith.

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on a Bill sent down from the Council, intituled “An Act to amend the Laws relating to burning or destroying Buildings and Ships.”

Mr.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill read a third time to-morrow.

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on a Bill sent down from the Council, intituled "An Act to amend the Law relating to Burglary."

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill read a third time to-morrow.

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on a Bill sent down from the Council, intituled "An Act to make further provision relating to the Provincial House of Correction, and to give it the name of The Provincial Penitentiary."

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, they had made an amendment thereto, and then agreed to the said Bill.

The amendment being then handed in at the Clerk's Table, was there read, and is as follows:—

At A add the following Section, and alter the numeration of the succeeding Section:

"VII. And be it enacted, That it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of the Executive Council, upon application being made by the Board of Commissioners of the said Penitentiary, to issue his Warrant or Warrants upon the Treasury for a sum not exceeding three hundred pounds annually, to defray the expense of providing food for the Prisoners, and materials for employing them at labor; provided always, that the said Commissioners shall at the end of each and every year make up and render a full and detailed account of the expenditure of such sum or sums to be laid before the Legislature within twenty days after the meeting thereof."

Ordered, That the Report be accepted.

The amendment was then read a second time, and ordered to be engrossed; and further

Ordered, That the said Bill, as amended, be read a third time to-morrow.

Mr. Hill, from the Committee appointed at the last Session, to make inquiry during the recess into the causes of Intemperance, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed under a Resolution of the 18th March last, relating to the extent, causes and effects of Intemperance in this Province, beg leave to Report—

"That in May last, they drew up a series of Questions for the purpose of eliciting the information required for the attainment of the object in view, and procured 200 copies of the Queries, together with the Resolution and a Circular Letter, to be printed and sent to different persons in various parts of the Province, with a request of assistance to enable the Committee to carry out the object of the Resolution, and that Answers might be transmitted to them as early as the first of November last. A very limited number of Answers were received, the greater part of which came in, some shortly before, and some after the commencement of the present Session. The object of the Committee was to obtain as extensive an accumulation of effects based upon the most satisfactory data as possible. Many of the Answers were deficient in this respect, as they contained rather opinions than facts—opinions formed doubtless with the strictest regard to accuracy, yet wanting in that assurance of certainty which would place them beyond cavil.

"Your Committee at the same time desire to acknowledge their obligation to the several

several Gentlemen who have favored them with Answers, and trust that the valuable information and suggestions conveyed in those Answers will be made available for the advancement of the cause, and solicit a continuance of their labor.

“Your Committee have come to the conclusion that the most effectual means of collecting the statistics of Intemperance throughout the Province, would be the employment of a competent paid Agent, whose business it should be to visit the principal places in the Province, and collect facts bearing on the subject from Sheriffs, Coroners, the Overseers and Managers of the different Eleemosynary and other Public Institutions, the Records of Criminal Justice, and other sources whence information may be gathered.

“Your Committee however are prepared to shew that the elements of Intemperance, and of all its associated evils, are of frightful magnitude. Although the general results may well be inferred from the cause, yet an accurate account of the evils, in all their details, which proceed from it, so far as human investigation and inquiry can trace them, would contribute essentially to arouse the public mind, and give a new impulse to the progress of the Temperance Reform.

“Your Committee subjoin a statement of the quantity of Ardent and Vinous Liquors (including a small quantity of Cordials) consumed in the Province in each of the last nine years, taken from the Reports of the Select Committees on the Treasurer's Accounts:—

The quantity in 1833	was	338,753	Gallons.
“ 1834	“	345,382	“
“ 1835	“	486,074	“
“ 1836	“	354,953	“
“ 1837	“	311,407	“
“ 1838	“	425,558	“
“ 1839	“	399,308	“
“ 1840	“	281,303	“
“ 1841	“	273,974	“

Total in 9 years, 3,216,712 Gallons.

which, at 6s. 3d. per Gallon to the consumer, amounts to £1,005,222, or an average yearly sum of £111,691. If to this we add an average yearly expenditure for the same period of £13,309 for Liquors brought into the Province by illicit introduction, and for other alcoholic drinks not included in the above statement, the average annual cost to the Country for the last nine years, is £125,000 for an article not required by the physical wants of the people.

“The incidental pecuniary loss to the Country by crime, pauperism, disease, loss of labor, destruction of property by design and by fire, and other casualties consequent on the above consumption, may be fairly taken to be equal to the cost to the consumer, making an average annual cost to the Country of £250,000, or £2,250,000 in nine years,—a sum sufficient to build a substantial Rail Road three hundred miles in length, and keep it in perfect repair.

“The £125,000 would, at £160 per mile, or ten shillings a rod, have constructed 781 miles of good Turnpike Road every year through our Wilderness Lands, and annually laid open for settlement 9996 Farms of 100 acres each, with a front of fifty rods to each Farm, or 4998 Farms, allowing one half the Lands to be unfit for Settlement. It would, in the nine years, have macadamized 2250 miles of Road at £500 a mile. It was more than equal to the whole Ordinary and Extraordinary Revenue of the Province. If divided equally among the 12 Counties of the Province, it would have given annually to each, over £12,000. It amounts to about eight times the sum yearly granted for the purposes of Education. It would have supported all the Educational Institutions and Common Schools—all the Ministers of Religion—all the Pauperism—all the expense of Crime and Criminal Justice in the Province. It would have relieved every man from Debt—filled every mouth with bread, and every head with knowledge.

“By including the annual incidental loss, each of the above estimates would be doubled.

“A lighter public taxation and increased Revenue would, from the increased power of consumption, be the certain result of a disuse of Alcoholic drinks.

“The

“ The great resources of the Province may be inferred from its power to sustain such an immense weight, pressing on the elements of its prosperity, without being crushed by it.

“ Your Committee are aware that whilst the evil depends mainly for a remedy on social reform, the Legislature may and ought to act as a powerful auxiliary, as well in hastening its progress, as in its final consummation.

“ All which is respectfully submitted.

“ GEORGE S. HILL, *Chairman.*

“ *Committee Room, 15th March, 1842.*”

Ordered, That the Report be accepted.

Mr. H. T. Partelow moved for leave to bring in a Bill, to appropriate a part of the Public Revenue for the Services therein mentioned.

Leave granted.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow:—

Resolved, That there be granted

To the Committee of the Infant School recently established in Fredericton, the sum of £50 in aid of that Institution, and fitting up a Room for the same.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £— to provide for a Warehouse Keeper and Locker in Saint Stephen, in the County of Charlotte.

Upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.

The Hon. Mr. Johnston,
Mr. Partelow,
Fisher,
Taylor,
Connell,
Owen,
Woodward,
Rankin,
Street,
Brown,
Hill,
Boyd,
L. A. Wilmot,
H. T. Partelow.

NAYS.

The Hon. Mr. Speaker,
The Hon. Mr. Weldon,
Mr. Barberie,
M'Almon,
Stewart,
Palmer,
Jordan,
Hanington,
End,
Wilson,
J. M. Wilmot,
Beardsley,
Gilbert.

And it was thereupon carried in the affirmative.

It was then moved—That the blank be filled up with the sum of £25; and upon the question, it was decided in the negative.

A motion was then made, to fill up the blank with the sum of £50; and upon this question, it was carried in the affirmative, and the blank filled up accordingly.

To Nicholas Sinnott, of Wexford, Ireland, the sum of £33 15s. to reimburse him for double Head Money paid on Passengers per barque Shelmelere, from Limerick the same to be taken from the Emigrant Fund.

To Rachel Martin, a valuable Instructress of Youth, the sum of £20 for teaching a School in the City of Saint John, and Parish of Portland, for the past year.

To the Justices of the Peace of the County of Restigouche, the sum of £46 to be applied towards the payment of the erection of two School Houses in the Parish of Colebrooke, for which the inhabitants of that Parish were unable to provide in consequence of their poverty, the failure of their crops, and the destruction of their Houses and Barns by fire, and also two School Houses, which these, when built, are intended to replace.

To

To Seymour Pickett, of Kingston, King's County, the sum of £46 9 8 to reimburse him for Duties paid on Machinery for the manufacture and dressing of Homespun Cloth in 1841.

To Thomas Herrett, an old Soldier of the Revolutionary War in America, the sum of £10, it appearing by Petition, that the amount allowed by Law in such cases could not be drawn in consequence of his being absent from the Province at the time the Law passed.

To Seth B. Howes, the sum of £—— to reimburse him for Duties paid on twenty nine Horses and eleven Waggon, belonging to a Circus Company from the United States, which came into this Province for the purpose of exhibition, and were subsequently taken out of the same, as duly certified by the Deputy Treasurer at Saint Stephen, and authenticated by other satisfactory documents.

Upon the question for sustaining the Resolution, the Committee divided—

YEAS, 5.

NAYS, 16.

And it was decided in the negative.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £—— towards the building of a Public Wharf at the Salt Water Landing in the Parish of Saint George, in the County of Charlotte.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 7.

NAYS, 20.

And it was decided in the negative.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £—— towards the erection of a Breakwater in Mace's Bay, in the Counties of Saint John and Charlotte.

Upon the question for sustaining this Resolution, it was decided in the negative.

To Otis Small, the sum of £23 6 11 to reimburse him for Duties paid on Bricks, &c. imported from the United States, to rebuild a part of the Burnt District of 1839, in Saint John.

To the Honorable John Robertson, the sum of £15 8 11 to reimburse him for Duties paid on Bricks imported from the United States, for rebuilding a part of the Burnt District of 1839, in Saint John.

To Leveret H. DeVeber, the sum of £8 13 3 to reimburse him for Duties paid on Bricks imported from the United States, for rebuilding his Store destroyed by Fire in Saint John, in 1841.

To John Walker of Saint John, the sum of £—— to reimburse him for Duties paid on Bricks imported from the United States, for building the new Custom House.

Upon the question for sustaining this Resolution, it was decided in the negative.

To the Overseers of the Poor of the Parish of Saint Stephen, the sum of £80 7 8 to reimburse them for expenses incurred in the support and relief of sick, indigent and distressed Emigrants, in the year 1841; to be taken from the Emigrant Fund.

To Stephen Watson, William Straight, and William Sharp, the sum of £10 each to remunerate them for Ferrying Her Majesty's Mails over the Washademoak and Jemseg Ferries for the past year; and further resolved, that no further grant be made for that service.

To John Wilson, the sum of £—— to remunerate him for the conveying Her Majesty's Mails across the North West Branch of the Miramichi, for the years 1840 and 1841.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 9.

NAYS, 14.

And it was decided in the negative.

To the Overseers of the Poor for the Parish of Bathurst, County of Gloucester, the sum of £20 16 6 to reimburse them for expenses incurred in the support and relief of sick, distressed and indigent Emigrants in that Parish.

To the Commissioners of the Alms House at Saint Andrews, the sum of £383. 4 6 to reimburse them for expenses incurred in the support and relief of sick, indigent and distressed Emigrants in that Parish, for the year 1841; the same to be taken from the Emigrant Fund.

To Robert Doherty, of Saint Andrews, the sum of £—— to reimburse him for Duties paid on a Waggon imported from the United States, for the accommodation of Passengers between Saint Andrews and Saint Stephen.

Upon the question for sustaining this Resolution, it was decided in the negative.

To the Justices of the Peace for the County of Restigouche, the sum of £— to be applied in the purchase of Seed Grain and Potatoes, for the relief of the suffering Poor of the Parish of Dalhousie, in consequence of their crops having been destroyed by fires the last year, which raged with great violence in that district, the season being one of unusual drought.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 14.

NAYS, 14.

And the division being equal, it was decided in the negative.

To the Justices of the Peace of the County of Restigouche, the sum of £— to remunerate them for expenses incurred in repairing the Gaol, in consequence of the damage done to the same at the late extraordinary riot which took place in that County.

Upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.

NAYS.

Mr. Allen,
H. T. Partelow,
Stewart,
End,
Partelow,
Barberie,
Street,
Wilson,
Taylor,
Rankin.

The Hon. Mr. Speaker,
Mr. M'Leod,
Hill,
Boyd,
Connell,
Woodward,
Brown,
L. A. Wilmot,
Fisher,
Owen,
J. M. Wilmot,
Gilbert,
Palmer,
Hanington,
Freeze,
Beardsley.

And it was thereupon decided in the negative.

Whereas very great distress prevails at present in several of the Parishes in the County of Carleton, in consequence of the failure of the Potatoe and Buckwheat Crops during the last year; therefore

Resolved, That there be granted to the Magistrates of the County of Carleton the sum of £— towards relieving the distressed inhabitants in the said Parishes.

On the question for sustaining the Resolution, the Committee divided—

YEAS, 10.

NAYS, 14.

And it was thereupon decided in the negative.

Resolved, That the following sums be granted for

Westmorland County Spc Roads:

£40	For the Road from Benjamin Landrie's to William Read's.
15	For the Road from the Sackville Great Marsh Road to Point Migic.
10	For the Road from P. Chapman's to Thomas Oulton's, Jr.
25	For the Road from Thomas Oulton's, Jr. to the Emigrant Road.
15	For the Road from Thomas Oulton's, Jr. to Joseph Murray's.
10	For the Road from George Richardson's to Crossman's.
10	For the Road from Tedish to Great Shemogue.
20	For the Road and Bridges from John Anderson's to Cadman's.
25	For the Road from Sackville to Aboushagan.
50	For the Road from Gaspereaux to Cape Tormentine, through the Emigrant Settlement; £15 2s. 6d. of which to be paid to John Trenholm, for repairs on the Gaspereaux Bridge.
15	For the Road from the Great Road to Grand Aunce, by the second Westcock Hill Settlement.
20	For the Road from the Gaspereaux to the Great Shemogue.
20	For the Road from E. Raworth's to Cape Spear.
20	For the Road from Wood Point to Cape Maranguin.
10	For the Road from Wm. Kinnear's to Fairfield.

- £15 For the Road from Silas C. Charter's to Benjamin Landrie's.
 40 For the Road from John Wells' to Point Migic; £3 15s. to be paid to George Laurence for expenditure.
 10 For the Road from Shemogue Road to Square Lake.
 10 For the Road from Edward Capel's to Gooden's.
 7 10 For the Road from Aboushagan to Cornea's Meadow.
 15 For the Road from the Road in Dorchester to Crossman's.
 15 For the Road from Webster's to Lezere's, in Barrichoie.
 40 For the Road from Kouchibouguac Lake to Benjamin Tingley's, on the North Brook.
 10 For the Road from Bay Verte to Dobson's.
 10 For the Road from Sackville Church to British Settlement.
 10 For the Road from near Gaspereaux Bridge to Otter Creek.
 20 For the Road from Henry Ward's to the Road from George Dobson's to the Emigrant Road.
 35 For Kouchibouguac Bridge.
 20 For a Bridge over Long Lake in Jolicœur, in aid of individual subscription.
 20 For the Road from James George's to Josiah Hicks'.
 5 For the Road from the Road in Tedish to the Gould Settlement.
 10 For a Bridge over Tedish River.
 5 For the Road in the Ohio Settlement in Shediac.
 5 For the Road from David Armour's to Scoudac River.
 5 For the Road from Raphael Burk's to the Beleveau Settlement.
 15 For the Road from Barter's Cove, on the North side of Shediac River to the County Line.
 20 For the Road from the Road in Shediac to the French Settlement.
 10 For the Road from Peter Babinot's to Newman's Mills, North side Shediac River.
 7 10 For the Road from Tignish Road to the Landing at David Irvin's.
 20 For the Road from George Lunn's to Benjamin Tingley's.
 10 For the Road from Log Lake to Touse's.
 10 For the Road from the Great Shemogue Road to the Little Shemogue.
 10 For the Road from James Ayer's to Beech Hill.
 15 For the Road from the Road in Great Shemogue to the Little Cape.
 10 For the Road from Wm. Read's to Thomas Ayer's.
 10 For the Road from Bay Verte to Tignish.
 10 For the Road from Townsend's to Bay Verte.
 10 For the Road on Beech Hill, in Sackville, to be expended in straightening the Road in front of George Bowser's Farm.
 5 For the Road from Fairfield to A. Fillmore's.
 20 For the Bridge over Arseneau's Creek, near the Chapel in Barrichoie, to be applied in liquidating the accounts for building the same.
 10 For the Road from Robert Trenholm's to Wm. Peacock's.
 10 For the Road from Guiton's, up the East side of the Memramcook River.
 5 For the Road from the Aboushagan Road to Miles Sears'.
 15 For the Road from Ezra Peck's, through the Haley Settlement.
 5 For the Road from the Great Road to Aaron Robinson's.
 5 For the Eben Wilbur's Road.
 5 For the Road from Harrison's on the Shediac Road, to Brown's Mill.
 5 For the Road from Fox Creek to the Gould Settlement.
 5 For the Road to the Hicks' Settlement on Butternut Ridge.
 5 For the Road from Alexander Kinnear's to Joseph Chapman's, through the Steeves' Settlement, on Butternut Ridge.
 5 For the Road from Abner Taylor's to the Lewis Settlement.
 20 For the Road from Gilbert Forsyth's in New Horton, to Cape Enrage.
 40 For the Road from Germain Town to Point Wolfe Harbour.
 25 For the Road from New Ireland to Salmon River.
 5 For the Road from Aaron Steven's to New Horton.
 10 For the Road from Wm. Fillmore's to Daniel Copps', on the Ridge.

- £10 For the Road from John Ritchie's to Stephen Stiles', on Crooked Creek.
 7 10 For the Road through the Memel Road Settlement.
 25 For the Road to the Caledonia Settlement, from Hopewell.
 60 For the Road from M'Latchy's Bridge to James Gunning's; of which sum
 £5 16s. to be paid J. Wallace.
 20 For the Road from Chapman's up Turtle Creek, to Mitton's.
 10 For the Road from Thomas Colpitt's Mill through to the Coverdale River
 Road, and thence to Robert Colpitt's.
 50 For the Bridge over the Pollet River, on a site to be ascertained by a
 Commissioner to be appointed by His Excellency the Lieutenant
 Governor.
 10 For the Road from M'Laughlan Road to Irishtown.
 15 For the Road from the Pollet River Road, near Mrs. Smith's, to the Great
 Road at Powel's.
 35 For the Road and Bridge from the Great Road to the Irvine Settlement,
 by Henry Steeves'.
 10 For the Road from Alexander Cane's to George Colpitt's Mill.
 5 For the Road from the Haley Settlement Road to Hezekiah Woodworth's.
 5 For the Road from Dover to William M'Farlane's.
 10 For the Road from William Chapman's to Timothy Horseman's.
 20 For the Road from Hamilton's, in Hopewell, to Hayward's.
 20 For the Road from Hayward's to the Great Road in Hillsborough.
 40 For the Road from the Bend to the Mountain Settlement.
 10 For the Roads connected with the Mountain Settlement; £5 to be expended
 between Lutz's and Steeves'.
 10 For the Road from Robert Colpitt's, Junior, to the King's County Line,
 near J. Hoyt's.
 5 For the Road from James Crandall's to Bell's Farm.
 15 For the Road from George Colpitt's up Coverdale River.
 15 For the Road from Robert Scott's to North River.
 10 For the Road from Henry Steeves' to the Round Hill, and thence to Hugh
 Duffy's.
 10 For the Dorchester Island Road.
 30 For the Road from Jonathan Cole's to the Joggin's.
 10 For the Road from Grand Aunce to Hard Ledge.
 5 For the Road from the Great Road to Peter Jonah's.
 5 For the Road from the Main Road near Stoney Creek to Thos. Rogers'.
 50 For the Road from the Bend to Irishtown, and thence to the French Set-
 tlement.
 20 For the Road from the Shediac Road thro' the French Minudie Settlement.
 7 10 For the Road from the Great Road to Brown's Mill, by P. Kearnan's.
 32 10 For the Road from the Great Road to Butternut Ridge; of which sum,
 £7 10s. to be paid James Blakeney.
 10 For the Road over the Badro Marsh.
 10 For the Road from near Gabriel Herbert's to Dover.
 20 For the Road from Dover to Belliveau Village, and thence to the Great
 Road; £7 10s. of which sum to be paid to Lorang Godet.
 7 10 For the Road over the Cormea Marsh.
 30 For the Road from Ralph Carter's to the Petitcodiac River.
 5 For the Road from the Chapel Road to Lorang Legere's.
 5 For the Marsh Road from the Cape Road to Cole's Point.
 10 For the Road from John Palmer's to second Westcock Hill.
 10 For the Road from the Great Road to Dorchester through the Chapman
 Mill Settlement.
 5 For the Road from Crawson's to Seawnae's.
 5 For the Road from Abraham Steve's to the Great Road on Turtle Creek.
 5 For the Road through the Keillor and Chapman Mill Settlement.

Resolved,

Resolved, That the following sums be granted for

Northumberland Byc Roads:

- | | |
|---------|---|
| £10 | To improve the Road leading from the first to the second tier of Lots above John Henderson's Farm, Chatham. |
| 10 | To improve the Road leading from the first to the second tier of Lots above the Farm of Thomas H. Peters, Esquire, in the Parish of Chatham. |
| 10 | To improve the Road to the second tier of Lots below the Parsonage, Chatham, and from thence on the New Line of Road towards Napan. |
| 32 13 9 | To George Fowler, to reimburse him for the sum of £31 2 8 over expended by him, together with 5 per cent. Commission thereon. |
| 20 | For repairing Black River Bridge, and improving the Road from thence to the Little Branch Bridge, Black River. |
| 10 | Towards opening and improving the Road from the Little Branch School House towards the Upper Settlement. |
| 10 | Towards improving the Road from the Little Branch Bridge towards Horton's Creek. |
| 20 | Towards improving the Road from John M'Donald's Farm to Kingston's, and from thence towards Bay du Vin River Mills. |
| 15 | Towards opening that part of the Road marked D on the Plan, between Bay du Vin River Mills and the Richibucto Road. |
| 40 | Towards opening and improving the Road from Williston's Farm to Eel River. |
| 10 | Towards opening the Road from Carrol's Brook to Sergeant's Upper Line on the Line of Road surveyed by Deputy Saddler, marked B. |
| 10 | Towards improving the Road from Kingston's Farm to the Bay du Vin River Mills. |
| 10 | Towards improving the Road from Horton's Creek to John M'Donald's Farm. |
| 10 | Towards improving the Road on the North side of Black River, from Alexander Campbell's Farm to the residence of Farquhar M'Graw. |
| 15 | To improve the Road from Dicken's residence to Bay du Vin River at the City Landing. |
| 15 | To improve the Road on the North side of Black River from the Richibucto Road upwards, a distance of 1½ miles, on the Line laid out by Deputy Peters. |
| 20 | To open the Road leading from Hannah's upper clearance, Napan, to the Westfield Settlement, (so called) between Napan and Black River, in the rear of Thomas Hannah's Block, upon the line already laid out by Deputy Peters. |
| 20 | To improve the Road between Taylor's Creek and Point Aux Car. |
| 20 | To improve the Road leading from the Bridge at Black River to Napan. |
| 30 | Towards the erection of a Bridge at the School House, Napan. |
| 50 | To Alexander Goodfellow and Richard Sutton, to enable them to pay the balance due on Barnaby's River Bridge. |
| 125 | Towards improving the Road from Newcastle to Chaplin's Island; £25 of which to be expended between Newcastle, and the Mill Stream. |
| 15 | To improve the Road from the Chaplin Island Road to the Copp Settlement. |
| 5 | Towards opening and making a Road from the Mouth of Trout Brook to John Shaddick's Farm. |
| 90 | Towards improving the Road from the Mill Stream, North Esk, to Malchet's, and from thence by the New Line of Road up to the Indian Reserve. |
| 10 | Towards repaing the Bridge at M'Kay's Cove. |
| 25 | Towards improving the Road from Oxford's Cove to Fiddes' Farm. |
| 10 | To continue the Road in front of Porter and Stewart's Farm. |
| 20 | To continue the Road in rear of Morefield's along the front of the 1st tier of Lots to the Bathurst Road; of which sum, £12 17 6 to reimburse Mr. Goodfellow the amount over expended by him. |

£10.

- £10 To improve the Road from White's Creek, below Oak Point, back to the Tabusintac Road.
- 15 To improve the Road from Lower Nequack to Stymis's Mill.
- 5 To explore and open a line of Road from Lot No. 22, occupied by Edward O'Brien, to the Head of the Tide in the French Cove, on the said Line of Road.
- 200 Towards improving the Road from Bartibog to Tabusintac, and reimbursing Mr. Goodfellow £78 11 6 over expended by him.
- 25 Towards opening and making the New Line of Road on the East side of Bartibog from Moody's Point to M'Ginne's Farm.
- 10 Towards improving the Road from Patrick Hall's place, in a Westerly direction to Bartibog.
- 40 To improve the Road from Cuppage and White's to James Holmes' Farm on the Little South West, and from thence upwards.
- 35 To improve the Road from Beaubair's Point to Cuppage and White's.
- 20 To improve the Road from the North West to the South West Branch of Miramichi through the Williamston Settlement.
- 10 To improve the Road from Jared Tozer's upper line from the North West, to the lower Williamston Settlement.
- 40 To improve the Road from Flet's Cove through the Nowland Settlement to Barnaby's River; of which sum, £25 1s. to reimburse Richard Sutton the amount over expended by him.
- 15 To improve the Road from Flet's Cove to Barnaby's Island.
- 10 To improve the Road from James Nowland's to the third tier of Lots.
- 55 To improve the Road on the South side of the South West, from Barnaby's River Bridge to Doyle and Tobin's Farm, thence towards Indian Town.
- 25 To improve the Road on the East side of Barnaby's River to Hutchinson's Farm.
- 10 To improve the Road on the East side of Barnaby's River to More's Farm.
- 15 To improve the Road from Saunders's Grist Mill to the Settlement on the right hand branch of Barnaby's River.
- 10 To improve the Road on the South side of Barnaby's River to the Semi-wagan Ridge.
- 15 Towards improving the Road from William Hogan's Farm to M'Allister's, in the Parish of Blissfield.
- 15 To improve the Road from Cains River, on the South West Branch of Miramichi, up till it strikes the Road to the Settlement on Cain's River, coming out to the South West.
- 30 Towards improving the new line of Road on Cains River.
- 20 Towards improving the Road on the North side of Renous River, between Indian Town and Lee's Farm.
- 20 Towards improving the Road from Lee's Farm on the North side of Renous River, to James Donaldson's Farm.
- 20 To improve the Road from the Horse Shoe on Cain's River, to the Main South West, agreeable to Saddler's line.
- 50 Towards opening a Road from Bartholomew's Mills to the new Settlement on the Dungarvon.
- 25 To improve the Line from Doak and M'Laggan's Mills to the upper Settlement on Bartholomew's Mills.
- 25 To improve the Road from Doak and M'Laggan's Mills to the Mouth of the Dungarvon on Renous River.
- 20 To improve the Road from Bartholomew's Mills to the Forks, and building a Bridge at Clarke's landing.
- 15 To improve the Road on the South side of the Dungarvon, from John Bassiet's clearance to the South West Road; £6 8 9 of which to be paid to David Saddler.
- 40 To improve the Road from opposite Boies Town to the Campbell Settlement.
- 22 6 3 To explore and improve the Road on the North side of the South West, from opposite Boies Town to the easterly extremity of the Parish of Ludlow.

Resolved,

Resolved, That the following sums be granted for

Gloucester Bye Roads :

£30	For the Roads on Middle River.
20	For the Road from Bathurst towards the Babino.
30	For the Road on Little River.
10	For a Road from Little Nipisiguid Gully to the Great Road.
140	For the Bridge over the Tettagouche River at Blackstock's Mills, and the approaches.
60	For the Road on the South side Tettagouche River Settlements.
30	For the Road from Blackstock's Mills to Bathurst.
100	For the Road from Blackstock's Mills towards Kinsale and Dunlop.
20	For the Road from Doucett's Cove to Middle River Bridge; out of which ten pounds to be paid to Joseph Read, a balance due him, as per Audit of 1841.
20	For the Road from Miramichi Portage to Bass River.
20	For repairing the Bass River Bridge.
100	For the Road from Teague's Brook to Bass River.
50	For the Road from Teague's Brook to Waterloo.
15	For the Road from Ben. Sullivan's to the Big Cove.
60	For the Road from End's Bridge to the South River of Caraquet.
100	For Caraquet lower Portage; out of which £20 12 6 to be paid to George Severet, late Commissioner.
56	15 For the Road from Pokemouche to the County Line.
50	For the Road from Caraquet to Shippegan, by Saint Simon's.
40	For the Road from Joseph Sewell's to the head of the tide on the Main Pokemouche.
20	For the Road through the Garryowen Settlement.
78	5 To Valentine Gibbs, of Pokemouche, a Commissioner of Bye Roads, for an expenditure by him made, as per Audit of 1841, on a Bridge over Lousier's Brook.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply yesterday the 21st instant.

Ordered, That Mr. Freeze take the said Resolutions to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to incorporate the City of Fredericton.

Resolved, That the Bill do pass.

Ordered, That Mr. Fisher do take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to regulate Dockage, Wharfage and Cranage in the City of Saint John and Parish of Portland.

Resolved, That the Bill do pass.

Ordered, That Mr. End do take the said Bill to the Council, and desire their concurrence thereto.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, delivered the following Message :—

"New Brunswick.

"Message to the House of Assembly, 21st March, 1842.

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

" The Lieutenant Governor, in answer to the Address of the Assembly of the 17th instant,

instant, lays before them the copy of a Despatch which he has received from the Secretary of State for the Colonies, together with Extracts of two Despatches therein referred to, which were addressed by him to the Secretary of State with the Blue Books for 1840 and 1841.

“ W. M. G. C.”

The Documents accompanying the foregoing Message, being read at the Clerk's Table, are as follow:—

[No. 31.]

Downing Street, 29th January, 1842.

SIR,—With reference to my Despatch of the 9th December, on the subject of your proposal for effecting a Consolidation of the Revenue Departments of New Brunswick, I have to transmit to you the extract of a Report from the Commissioners of Customs, dated the 13th instant, and to inform you that the Lords Commissioners of the Treasury have signified their readiness to afford every proper facility for the collection of the Provincial Duties by the Officers of Her Majesty's Customs. Their Lordships, however, will defer the consideration of any arrangements, which it may be advisable to adopt for this purpose, until they shall have before them the suggestions of the Commission to whom you intend to refer the subject, and the information called for by the Commissioners of Customs.

The Lords of the Treasury have further stated, that they will postpone any specific instructions upon the subject of the Financial arrangements of the Province, until you shall have furnished the information required by their letter of the 30th of November; but adverting to the suggestion thrown out in your Despatch of the 12th of November, of appropriating a portion of the Revenue of the Province to defray the interest of Funds to be raised for the execution of “reproductive Works,” their Lordships would caution you against giving your sanction for the adoption of any measure for raising money and anticipating the future Revenue of the Province, for the sake of Public Works, without having previously obtained the authority of Her Majesty's Government.

I have, &c. &c. &c.

(Signed)

STANLEY.

Lieut. Governor Sir W. COLEBROOKE, &c. &c. &c.

(Copy.)

Extracts from Despatch No. 75, dated November 12th, 1841.

“ In the present Returns a difficulty has arisen from the accounts having been made up for three quarters of the year, or from the 1st of January to 30th September last; it has been found impracticable to ascertain the amount of Revenue separately collected in the first three quarters, or in the last quarter of 1840, for the purpose of comparison; and as the payments under the annual appropriations of the last Session are still in progress, it has been found necessary in some cases to insert the amount of these appropriations for the current year in the account of disbursements.

“ For example: the sum of £15,764 5s. is entered for Parish Schools, and the sums of £32,055 18s. 9d. and £14,660 13s. 2d. for Roads and Bridges, the contracts having been executed. The accounts of these disbursements have been rendered, although the payments are not completed.

“ From the statement at page 30, it would not appear that the Revenue in the current year has declined. The remarks at pages 31 and 33, explain in what manner this statement has been framed. In making up the accounts for the year, a stricter adherence to the printed Forms has been observed than in the Blue Book for 1840.

“ Adverting to my former observations on the excess of the disbursements over the expenditure in 1840, it is probable that the same excess will occur in the present year, and from the tenor of the remarks of the Lords of the Treasury communicated with Lord John Russell's Despatch, No. 50, of August 28th, some further explanation is necessary in reviewing the Public Accounts. It will be seen that the appropriations for Roads and Bridges, amounting in the present year to £47,700, are alone equivalent to the deficiency in the last year, and as it would be impossible to curtail this expenditure without arresting the improvement and settlement of the Country, it remains to be considered in what manner it may be provided for without pressing so immediately on the resources of the people. The details of these appropriations are entered at pages 52 and 53. The system of Statute Labor, which imposes on the labouring classes an obligation to render annually four days labour gratuitously in the repairs of the Roads, is generally complained of, and the attempts which have been made to amend this system, by substituting a uniform rate upon the granted lands have hitherto failed; such a measure, by subjecting Proprietors to a moderate charge for those improvements, by which the value of their property is sustained and augmented, is so equitable, that I hope it may be adopted.

“ With the exception of the Statute Labor for annual repairs, there are no local appropriations for Roads or Bridges, which wholly depend on the grants of the Assembly, nor are these provided for by the application of the Public credit to these indispensable works, but they constitute a direct charge on the annual Revenue, and a burthen upon the people, for opening and improving a country of which but a small portion has hitherto been reclaimed.

“ If a portion of this Revenue were to be specially appropriated to defray the interest of Funds to be raised for the execution of reproductive Works, negotiable securities might be issued for this object, and applied in aid of local appropriations. By the settlement of the Country, the Revenue would be progressively augmented, and the charge might be ultimately liquidated, without imposing an undue burthen on the people.

“ The

“ The present appropriations must be regarded, as of the nature of capital invested in improvements, the amount of which is inadequate to the object, while the charge is imposed on a Revenue, which can only be improved by augmenting the resources of the Province through the influx of Settlers.”

(Signed)

W. M. G. COLEBROOKE.

(Copy.)

Extracts from Despatch No. 28, dated 21st June, 1841.

“ Referring to my Despatch, No. 9, dated 29th May, forwarding the Blue Book for 1840, I have now the honor to submit the observations which an examination of its details has suggested to me, in regard to the state and prospects of the Province.

1st.—Taxes, Fees, Duties, &c. &c. Page 1-14.

“ The collection of various Duties upon the same articles, through Her Majesty’s Customs and the Provincial Treasury, is productive of inconvenience and unnecessary expense to the Public.

“ The Deputies from the Provincial Assembly, when in England, stated to Lord Glenelg in their Letter dated 19th July, 1836, ‘ that in every Port and place in New Brunswick, where there is an Officer of Customs, there is also one for the protection of the Provincial Revenue, and it was considered by them that one Officer might discharge the duties of both, which, as they stated, would not only reduce the expense of collection, but would also facilitate and benefit the trade of the Country.’

“ In these observations, urged by the Assembly on the attention of Her Majesty’s Government, I am disposed to concur, and I would recommend, as in several other Colonies, that the Officers of Her Majesty’s Customs should be authorized and directed to collect and pay over the Duties raised under Provincial Acts. By this arrangement, the Provincial Treasury would admit of being removed to the seat of Government at Fredericton from Saint John, where it is now established to enable the Treasurer to collect the Duties at that Port, a duty which now devolves upon him.

Revenue and Expenditure, Pages 19, 33.

“ The late period at which the Blue Book for the past year has been made up, renders it necessary to advert to the present state of the Provincial Finances and the prospect which they hold out.

“ I consider that a stricter adherence to the prescribed form in making up the abstract, would be desirable, and that the objection stated at page 21 is insufficient.

“ The fixed Revenue may be admitted to include the Duties collected under Acts of Parliament or Acts of the Province, and much advantage would attend the separation of the ordinary and contingent expenditure.

“ The balance on the 30th December, 1839, being stated at £61,349, and that on the 31st December, 1840, £7,944, the difference, £53,405, may be assumed as the excess of Expenditure over the Receipts in 1840, and from the enclosed statement of the Finances for the current year, the deficiency is estimated at £48,350, Sterling.

“ Your Lordship will observe that a practice prevails of taking up credits with the Private Banks in the Province to meet these deficiencies, and also of allowing interest on outstanding warrants; that £36,368, Currency, is thus due to the Bank of New Brunswick, and £24,795, Currency, upon Warrants. The Provincial Act for sanctioning this arrangement has been renewed in the last Session. For the sums deposited in Savings’ Banks Treasury Bonds are issued, the amount of which, by an Act of this Session, may be increased to £20,000.

“ I hope that all impediments will be removed to the issue of negotiable securities at such a rate of interest as will be adequate to sustain their credit for the sums which the Province may have to raise to meet its disbursements.

“ In reviewing these disbursements, your Lordship will observe that considerable sums have been granted in the past and present years for Roads and Bridges and for Schools; that these disbursements may be more effectually regulated than at present appears to be generally admitted, but no doubt can be entertained of the Public advantage resulting from such expenditure; and I would observe that as seven eighths of the Lands, or 14 millions of acres are estimated to be at the disposal of the Crown and unreclaimed, it is obviously impossible that the inhabitants of the settled parts of the Province from their own resources, can defray the expenses required to be incurred in opening so vast an extent of Wilderness to an Emigrant population, but the works required being reproductive, when the Country has been settled, there can be no difficulty in raising the Funds required for the purpose, and of providing for the payment of the interest and ultimate redemption of the principal.

“ The remark (page 33) as to the increase of Expenditure indicates the irregularity consequent on the mode of providing for the Public expenses, Warrants for sums payable at the Treasury remaining outstanding at interest, and the amount not brought to account within the year, causing an excess or diminution of the charges of one year with another.

Local Revenues, Page 35, 39.

“ The adoption of effectual measures for the formation of Settlements by European Emigrants on the Wilderness Lands would greatly augment the Revenue, arising from the sales of Lands, and without diminishing, for a considerable time, that derived from Timber cut on the Reserve Lands.

“ Tracts of Land in favourable situations for such Settlements, in different parts of the Province, have been selected, and are in progress of being surveyed, and Emigration Societies are organizing in the several Counties.

Public

Public Works, Pages 51, 53.

"It would be very desirable that the Accounts of Expenses incurred under this head, should be kept in such a manner as to admit of the return being filled up. By the Acts referred to considerable appropriations are annually made at the discretion of the Assembly, in aid of the construction of Public Roads and of Bye Roads; and although the appointments of Supervisors for the Public Roads are made by the Lieutenant Governor, there is no effectual control over the expenditure, as the accounts have not been rendered to the Executive Government, but reserved for audit by the Assembly in the following year.

"The Bye Roads are superintended by Commissioners, and the same observation is applicable as to the want of adequate control over the expenditure upon them. No Surveys or Estimates are prepared.

"As the work is required to be finished by the 1st of October, I have ordered the accounts to be rendered to me by the middle of that month, and I hope that the Assembly will concur with me in the advantage of placing this important branch of the Public Expenditure under the direction of a Board of Public Works."

(Signed)

W. M. G. COLEBROOKE.

(Copy.)

Extract from a Report of the Commissioners of Customs, dated 13th January, 1842.

We report that in the month of December last we received a representation from the Collector of this Revenue at Saint John, New Brunswick, stating that he had been requested by the Lieutenant Governor of the Province, to place himself in communication with the Provincial Treasurer, for the purpose of framing a Report for His Excellency's consideration, as to the practicability of consolidating the establishments at present employed in the collection of the Imperial and Provincial Duties of Customs, and requesting to be furnished with our instructions for his government.

"That upon the subject being brought under our notice by the Collector of Saint John, and previously to the receipt of your Lordship's annexed order of reference, we had directed the Collector to lose no time, upon the receipt of our order, in complying with the requisition of the Lieutenant Governor, and furnishing His Excellency with any information which he might desire upon the subject, transmitting to us copies of his correspondence with the Colonial Government, for our information."

(Signed)

R. B. DEAN,
C. C. SMITH,
H. RICHMOND,
S. E. SPRING RICE.

Custom House, 13th January, 1842.

Mr. L. A. Wilmot, from the Committee appointed on the 19th day of January last, to take under consideration the subject of Agriculture, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Select Committee on Agriculture, beg leave to submit the following Report—

"In view of the general Commercial embarrassment at present prevailing throughout the Province, and in prospect of its continuance for some time to come, we conceive that every reasonable encouragement should be extended by the Legislature for the advancement of our Agricultural interests.

"The conditional grants of the Legislature have been drawn during the past year by several Societies to the amount of about £700, and from Reports of the proceedings of some of those Societies, now before us, we are happy to say that the small Legislative allowance has been productive of a vast amount of good.

"The Reports before us are from Societies in the following Counties:—Charlotte, York, Carleton, Sunbury, Kent, Gloucester, Northumberland and Restigouche, and the information therein contained is of the most encouraging character.

"The Charlotte County Society should deservedly rank the foremost as it has been in successful operation for more than 22 years past. This well conducted and spirited Society has been productive of much good. The importation of Seeds and Implements, since its formation, amount to upwards of £1500, and the Premiums awarded for Stock and Produce, and donations to poor Settlers during the same time exceed £400; and when it is borne in mind that these laudable efforts have been principally unaided by Legislative grants, we have much pleasure in commending the perseverance and successful exertions of this Society as a worthy example to others throughout the Province.

“ The Secretary of this Society, in his last Report, observes, that ‘ although the severe and continued drought during the latter part of Summer and the first part of Autumn, more or less affected all the Crops, with the exception of Hay, the general yield may be estimated at nearly a fair average, and the Board have much pleasure in stating that in some instances the Wheat Crops were good, and therefore augur favorably for its future cultivation under skilful management with the aid of experience, especially in regard to the selection of Seed.’ In another part of this valuable Report it is said, ‘ the liberal grants of the Legislature have enabled the Society to extend its operations without exhausting its funds, and may probably authorize it to embrace further measures for the improvement of Stock, especially Sheep and Swine; and should the same fostering care be continued, importations of live Stock to forward that important object may be anticipated. The Board are the more encouraged in entertaining this project from the increasing disposition among Agricultural followers to co-operate with the Society.’

“ We have an interesting Report from the York Society which has been organized under very favorable auspices. The Secretary of this Society, in speaking of the cultivation of Wheat, says—

‘ The old cry that “ this is not a Wheat growing country,” is practically contradicted every year by those of our Farmers who pay due attention to the mode of cultivation; those who fail invariably attribute their loss to the climate, while their want of success is generally chargeable to their bad husbandry. At Stanley, Wheat was produced weighing upwards of 70lbs. per bushel and free from all defects; and finer Wheat cannot be grown in any country than was this year exhibited at the Society’s Show.’

“ This Society has imported Seeds and Implements, and besides awarding £50 in Premiums at the Cattle Show, has remitted £60 Sterling to England for Sheep.

“ The Report from the Kent Society contains ample evidence of the capabilities of that County for the growth of Wheat. Premiums were awarded for Wheat, Barley and Oats, and the Secretary observes, that ‘ most of the samples of Grain produced were of a very superior quality. The best white Oats weighed 48lbs. per bushel, the best Barley, 56lbs., the best Wheat, 68lbs., and the second best, 66½lbs. per bushel.’ The same Report says, that ‘ the Wheat in some instances suffered from rust, but the *early sown* generally escaped uninjured.’ This Society contemplates the introduction of improved breeds of Cattle and Sheep during the current year.

“ The Report from the Sunbury Society says, ‘ our Hay and Potatoo crops were about average ones. The Wheat on the upland and *early sown* was generally very good, but on the interval lands in many instances suffered from rust, having been *put in late* in consequence of the freshet.’ A Cattle Show was held by this Society, and Premiums awarded, and a quantity of Seeds and Agricultural Implements have been imported, but no improved breeds of Stock have been introduced. The Secretary says that ‘ the beneficial results of the Society are already very visible.’ J. M. Wilmot, Esquire, the President of this Society, grew 178 bushels of superior Wheat, weighing 65lbs. per bushel, on 7 acres. By due attention to the selection and preparation of Seed and the cultivation of the soil, Mr. Wilmot has been very successful in the growing of this valuable grain.

“ The Carleton Society Report shews that their funds have been principally applied in the importation of Seed Wheat, Grass Seeds, and Agricultural Implements. No Premiums have as yet been awarded, nor has this Society imported any improved breeds of Stock. After recommending that the sum of £40 be expended in Premiums the next year, the Report says, that ‘ the past season has been in some respects unfavorable, especially for the growth of Potatoes and Buckwheat, yet of Wheat, Oats and Hay, there is more than an average crop.’

“ The Northumberland Society has been very spiritedly conducted, and the Report contains some very valuable and gratifying information. The Cattle imported by this Society in 1840, are highly spoken of,—are said to stand the climate well, and are easily kept. We are informed by the Report of this Society, that Henry Cunard, Esquire, of Chatham, produced the extraordinary quantity of 80 bbls. Carrots from one third of an acre. Tares mixed and sown with an equal quantity of Oats, have been found very productive and are strongly recommended to general use as green food

food for Cattle, and especially for Milch Cows. The Report says, 'our climate is healthy, our soil good and capable of producing all sorts of Grain usually grown in Britain and the neighbouring Colonies.' This Society has imported a large amount of valuable Seeds, and also 2 Bulls and 2 Heifers of the Ayreshire Breed, 20 Sheep of the Leicester, Cheviot and Highland Breeds, and 9 Pigs of an improved Breed, all of which were sold at Auction to Members of the Society. In addition to these a large amount of valuable Seeds have been imported.

"The Report from the Restigouche Society exhibits a very gratifying result. Premiums were awarded last year for Wheat, Oats, Barley and Grass Seeds, and also for Cattle, Sheep and Hogs. The Committee say in their Report that 'they are happy in having it in their power to congratulate the Members on the benefits resulting from the influence of the Society, inasmuch as they can state that Agriculturists have been induced to attempt an extended growth of Wheat, Barley and Black Oats, and although having had to struggle with the difficulty of an unusually dry season, still remunerating crops have rewarded their endeavours.'

"The Gloucester County Society, after some discouragements in its original formation, is now in a prosperous condition. A Cattle and Grain Show was held last year, and the Report states that 'the Sheep, Hogs and Neat Cattle were very superior specimens of their several kinds. The Wheat was particularly fine and clean. The best weighed 65lbs. per bushel, and the second best 66lbs. and no sample was exhibited weighing less than 64lbs. The best Black Oats weighed 40lbs. and the best White 38lbs. per bushel.' This valuable Report concludes as follows:—

Your Committee are of opinion that in a few years by proper cultivation and attention this County will be capable of raising all the bread stuff required by its inhabitants. Our short and warm Summers and rich soil seem better adapted for the successful cultivation of Wheat than many other crops, while Mills are rapidly multiplying throughout every Parish.'

"We regret that some Agricultural Societies have not forwarded any Reports. We have procured however from the Honorable A. E. Botsford, a short statement of the proceedings of the Westmorland Society, from which it appears that Premiums were awarded for a variety of objects—a quantity of Seeds imported, and several Bulls and Rams of improved Breeds ordered from England, and which are expected to arrive during the present Spring.

"We are highly gratified with the satisfactory evidence contained in the several Reports before us of the practicability of growing good Wheat crops in all parts of the Province. Good Seed, properly prepared and sown early in well tilled soil, has in almost every instance produced good crops.

"Cheered by these encouraging Reports, we unanimously recommend the continuation of the conditional grant as heretofore made, and we hope that the several Societies will endeavour during the present year to set apart as large a portion of their funds as they possibly can, for the importation of improved Breeds of Stock from Great Britain.

"We would suggest that arrangements be immediately made by the several Societies to procure statistical returns from their respective Counties or Districts of the quantities of Grain, Potatoes, Turnips and Hay, grown in each year.

"The Reports of the Societies should in future be accompanied by accounts current of income and expenditure.

"We have examined the Petition of the Saint John Horticultural and Agricultural Society, praying for pecuniary assistance towards the support of "The New Brunswick Agriculturist," published monthly in Saint John. We have also been furnished with Copies of this Publication for five Months, ending in September last.

"While we would recommend the diffusion of Agricultural knowledge, as indispensable to an improved mode of Husbandry, we cannot recommend any direct Legislative provision for this purpose, but refer the subject to the consideration of the House. Several of the Societies now procure and circulate gratuitously Agricultural Publications among their Members. This course we would recommend to all the Societies, and we hope they will immediately subscribe as far as their means will justify to the "New Brunswick Agriculturist." The talent with which this Publication has been

been conducted hitherto, warrants us in hoping that it will soon meet with an extensive circulation.

“Speed the Plough.”

“Respectfully submitted.

L. A. WILMOT,
JAMES BROWN,
J. A. STREET,
P. STEWART,
A. BARBERIE,
DAVID M'ALMON,
PHILIP PALMER,
JOHN JORDAN,
J. M. CONNELL,
GEO. HAYWARD,
THOS. GILBERT,
WM. M'LEOD.

“Committee Room, 23d March, 1842.”

Ordered, That the Report be accepted; and

On motion of Mr. Partelow; further

Ordered, That the said Report be referred to the Committee of Supply.

Mr. End, from the Committee to whom was referred the Accounts of Her Majesty's Printer, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Select Committee appointed on the 1st February to examine and report upon the Accounts of Her Majesty's Printer, for the past year, have attended to that duty, and beg leave to submit the following Report—

“No. 1. Is an Account of £246 0 6, for Advertisements and other Publications in the Royal Gazette from 1st January to the 29th December, 1841, including £15 for Militia General Orders, and a small charge for Orders and Notices of the Supreme Court and Court of Chancery.

“This Account is made up by charging for the Square at 2s. 6d. for the first insertion and 1s. 3d. per Square, for each continuation.

“A Column of the Gazette contains 12 Squares, equal to 30s. a Column. The Committee having referred to the Printer's Accounts, in the Nova Scotia Journals, find that 35s. per Column is allowed for the like service in that Province. In addition, the Committee would observe that all private and Sheriff's Advertisements pay 4s. 6d. per Square, and they are therefore of opinion that the Account is reasonable, and should be allowed.

“No. 2. Is an Account of £175 8 6, for Stationery and Printing for the Legislative Council in 1841. £151 is charged for 150 copies of Council Journals, Appendix and Index.

“These Journals are printed in Quarto size, and are charged per Sheet of 8 Pages at £4 12 6, with the exception of the Scale Work in the Appendix, which is charged at £7 10 0 per Sheet. The Committee on reference to the Accounts for Printing the Nova Scotia Journals find that £5 per Sheet of 8 Quarto Pages is allowed in that Province. This Account also contains a charge of £13 16 0 for 15 copies of the Royal Gazette for the Legislative Council, which the Committee conceive to be a proper and reasonable charge.

“No. 3. Is a general Account against the Province, amounting to £913 8 0. Against this there is credited £300 granted by the Legislature, on account, at the last Session, leaving a balance due of £603 8 0.

“This account includes the charges for Printing the Revised Journals and Laws, as also for Printing the Laws in Pamphlet form.

“£90 10 0 is charged for 600 copies of the Laws and Index. This charge is reasonable and just.

“£231 is charged for 150 copies of Journals and Index. The Journals being of Folio size and charged at 17s. 6d. more per Sheet of 8 Pages than the Council Journals. This additional charge is reasonable, taking into account the additional work and materials.

“Another item in this Account, and to which the Committee wishes to call the particular attention of the House, is, for Printing the Appendix, amounting to £278 12 6.

Upwards

Upwards of 27 Sheets of 8 Pages each are charged at £7 10 0 per Sheet, and upwards of 11 Sheets at £6. Upon an examination of the work done, and comparing it with the other work, the Committee are of opinion that the charges are reasonable, and should be paid; but the Committee are also of opinion, that more than one half of the ordinary Scale Work may be properly omitted, in future, in the Appendix.

"The Committee cannot see the necessity of publishing any items of the several Accounts of the Crown Land Office, the Receiver General, the Customs and Treasury, but would recommend that in future those Accounts be carefully examined by a Committee of the House, and such parts only selected for publication as may be considered necessary. In addition to a saving of about £100 a year by such a reduction of the Appendix, the Pamphlet Laws, amounting to about £75 a year, will in future be avoided.

"This Account includes a charge of £75 for 200 extra copies of the daily Journals ordered by the House at the last Session. This charge is, in the opinion of the Committee, a reasonable one, and should be allowed.

"The Committee perceive that the charge for Printing per Quire of Foolscap is 5s. This is 3s. less than is allowed in Nova Scotia, and 2s. 6d. less than is paid by private individuals for blank forms, and is therefore a reasonable charge.

"This account also contains a charge for the Royal Gazette sent to the Members of the House, who are not entitled to them officially.

"The Committee felt it their duty to inquire into the cause of delay in completing the Revised Journals. The voluminous Appendix, including a great variety and quantity of Scale Work, and ranged under separate heads, has been paged and included in the general Index. This course has led to the delay, as a great deal of the Scale Work cannot be divided among many different Compositors, but must be set up by one or two men; and the Committee believe, from the information they have received, that a Compositor could set up 3 Pages of the ordinary Journals in the same time that he could set up the return of the Population of any of the Counties, or a Page of the returns from the Crown Land Office, Receiver General or Deputy Seizing Officers. Another cause which led to the delay in putting out the Journals of the last and preceding year was the including the Appendix in the general Index.

"The Committee, therefore, after full consideration, recommend that the Appendix be in future indexed, numerically, separately from the Journals.

"The Committee having carefully examined the Accounts before them, and compared the work with the Laws and Journals of Nova Scotia, and the charges with those allowed and approved of in that Province, by a Select Committee, upon a full and careful examination, are unanimously of opinion that the charges in Mr. Simpson's Accounts are reasonable, and that no person could perform the same amount of labour, in the same unexceptionable and correct manner, at a less rate, and receive a fair remuneration for the service.

"With a view, however, to economy, the Committee recommend that all unimportant matter should in future be omitted from the printed Journals.

"Before the Committee conclude, they feel it due to Mr. Simpson to remind the House, that the greatest portion of his work is done nearly a year before he is paid for it.

" W. END,
L. A. WILMOT,
W. WILSON.

" Committee Room, 21st March, 1842."

Ordered, That the Report be accepted; and

On motion of Mr. Partelow; further

Ordered, That the said Report be referred to the Committee of Supply.

Mr. Fisher, from the Committee appointed on the 8th February last, to take under consideration a Petition from Elijah L. Norcross, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee to whom was referred the Petition of Elijah L. Norcross, praying the return of the proceeds of the sale of a horse, waggon, harness, buffalo skins, &c. Report—

"That it appears that the articles in question were the property of the Petitioner, who resides in the County of Penobscot, in the State of Maine, and were hired by him to one Chesley D. Bean, for the purpose of going to Houlton, in the State of Maine; that Bean, instead of making use of the said articles for the purpose of the hiring, fraudulently brought them into this Province, where they were seized and sold for a breach of the Revenue Laws before the Petitioner could arrive in the Province.

"The Petition is supported by all requisite vouchers, duly and fully authenticated, and the statements in the Petition are thereby sustained to the satisfaction of the Committee. It appears the articles sold for £28 and upwards, and after deducting the expenses incident to the seizure, produced the sum of £24 18 6, which was paid into the Treasury.

"The Duties upon the articles, if legally imported, would have amounted to about £10 15s., which would leave the sum of £13 10 6.

"By the terms of the Revenue Laws, one third is paid to the Seizing Officer, one third to the Lieutenant Governor, and one third to the Collector of the Customs, for the use of Her Majesty.

"Your Committee, under the peculiar hardship of the Petitioner's case, recommend him to the consideration of the House.

"All which is respectfully submitted.

"CHARLES FISHER,
D. HANINGTON.

"Committee Room, 22d March, 1842."

Ordered, That the Report be accepted.

The House adjourned until to-morrow morning at half past 9 o'clock.

Wednesday, 23d March, 1842.

Prayers.

Read a second time the following Bills, viz:—

A Bill relating to the Fees of the Secretary of the Province:

A Bill to commute the Fees of the Judges in the Supreme Court, and of the Clerk of the Pleas in the Supreme Court: and

A Bill to abolish Imprisonment for Debt for sums under Five Pounds.

According to the Order of the Day, the following Bills, sent down from the Legislative Council, were severally read a third time:—

A Bill, intituled "An Act to amend the Law relating to Burglary:" and

A Bill, intituled "An Act to amend the Laws relating to burning or destroying Buildings and Ships."

Resolved, That the House do concur therein.

Ordered, That Mr. Beardsley do return these Bills to the Council, and acquaint them therewith.

According to the Order of the Day, the Bill sent down from the Legislative Council, intituled "An Act to make further provision relating to the Provincial House of Correction, and to give it the name of The Provincial Penitentiary," as well as the engrossed amendment made by the House thereto, were read a third time.

Resolved, That the House do agree to the Bill, as amended.

Ordered, That Mr. Beardsley do also return this Bill to the Council, and acquaint them that the House had made an amendment thereto, and then agreed to the said Bill, and request the concurrence of the Council to the said amendment.

On motion of Mr. L. A. Wilmot,

The House proceeded to take into consideration the amendments made by the Council to

The Bill to incorporate the Grand Falls Company.

The amendments being severally read, are as follow:—

At A in Section II. expunge the words "the same being," and insert the words "Provided always, that such works when."

At B insert the words "or which may be granted."

At

At C expunge the word "one," and insert the words "shall be."

At D in Section IV. insert the words "printed and."

And the question being severally put thereon,

Resolved, That the House do concur therein.

Ordered, That Mr. Taylor do return the Bill, with the amendments, to the Council, and acquaint them therewith.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply yesterday the 22d instant.

Ordered, That Mr. J. M. Wilmot do take the said Resolutions to the Council, and desire their concurrence thereto.

Mr. Street, from the Committee appointed on the 24th day of January last, to take under consideration the subject of the social improvement of the Indian Tribes, and to which Committee was referred various Documents laid before the House by command of His Excellency the Lieutenant Governor on the third day of February last, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows :—

"The Select Committee to whom were referred the several Reports of Moses H. Perley, Esquire, upon the subject of the Micmac and Melicite Indian Tribes in this Province, laid before the House by Message from His Excellency the Lieutenant Governor on the 3d of February last, Report—

"That it appears from Mr. Perley's Reports, that by the direction of His Excellency the Lieutenant Governor, he has travelled through the different sections of the Province the last Autumn, visited the Indian Settlements, examined into their present state of living, means of subsistence, various occupations, and the Moral and Religious character of the different Indian Tribes in this Province; the Report also contains a Census of each Tribe, and an account of the situation, extent, and present state of the different Reserves of Land in each County, with a great deal of other information of a cursory nature, not necessary here to remark upon.

"From Mr. Perley's Reports it would appear that the Micmac Tribes inhabit the Northern and Eastern, and the Melicite Indians the Southern and Western Sections of the Province :—That the total population of the Micmac Indians is one thousand three hundred and seventy nine, and of the Melicite Tribe, four hundred and forty two.

"That there are extensive Reserves in different parts of the Country set apart by the Government in the early settlement of the Province for the benefit of these people, which in quantity and situation, are as follow, viz :—

In the County of Northumberland,.....	33,158 Acres.
" " Kent,.....	8,106 "
" " Restigouche and Gloucester,.....	2,700 "
" " Carleton,.....	1,600 "
" " Saint John,.....	15 "
	45,579

besides a tract of Land which the Indians claim, situate at the Meductic Point, in the County of Carleton, of which no record or mention as a Reserve to the Indians, is to be found in the Surveyor General's Office.

"In the County of York, the Indians, it would appear from Mr. Perley's Report, also own, by purchase, a tract of Land at the French Village of about 320 Acres.

"It also appears from these Reports, that many, if not all of these Reserves have been much encroached upon, that extensive Settlements and Plantations have been made thereon by the White Inhabitants, especially in the County of Northumberland, but (with very few exceptions in this latter County,) under Leases from the Indians themselves, at a reserved Rent, far short of the annual value of the Land; this, however, your Committee are of opinion, is the natural consequence of leaving such extensive tracts of wild and valuable Lands for the use of the Indians, without the care of any Superintendent upon the spot to look after them, and after all, as most of those Reserves have long since become useless to the Indians as Hunting Grounds, and as they have, with trifling exceptions, hitherto used them for little else; and contrasting the

the fine Plantations and extensive improvements made by the White Inhabitants upon many parts of these Reserves in the different sections of the Province, with the state of wilderness in which they would now be but for these improvements, your Committee are of opinion, that however unjustifiable in a legal point of view the locations upon these Reserves may be, yet they have been far from having the effect of diminishing their real value, and that it is in reality better for the Country that these Lands should be even thus settled than to have remained in a state of wilderness:—Your Committee are also of opinion, as it appears by Mr. Perley's Report, and by the Petitions of the Squatters themselves to the Government, that these locations have been, with few exceptions, made by the consent of the Indians, and that the occupiers are willing to throw themselves upon the mercy of the Government, it would be unwise and impolitic (except where the rights of the Crown are set at defiance) to resort to coercive measures or to eject the occupiers; that on the contrary, your Committee are of opinion, it would be much better for the Indians, and more consistent with a due regard to the equitable rights of the Squatters, and tend greatly to promote the improvement and settlement of the Country if the Lands thus occupied were either sold or leased to the occupants upon such fair and equitable terms as would not only secure to them the value of their improvements, but to the Indians a reasonable remuneration for their Lands, or for the rents, issues and profits thereof; and while on this subject, considering that there are now in this Province about 50,000 Acres of valuable Land tied up in these Reserves, and that the far greater proportion thereof is lying in a state totally useless to the Indians, or to any other class of persons, your Committee cannot refrain from expressing their conviction that it would be much more for the interest of the Indians, and add greatly to the settlement of the Province, if such portions of these Reserves as are of no use to the Indians were laid off into lots and leased or sold, and the annual rents or proceeds of such sales were made to constitute a fund to be applied in aid of promoting Agricultural pursuits among the Indians and such branches of instruction as may be useful to the Indian youth, and towards the support of the aged and infirm of the respective Tribes.

“In conclusion, your Committee are of opinion, that although Mr. Perley's Report is unnecessarily voluminous and contains a great deal of matter not exactly adapted to the object of his Mission, yet that it also contains much statistical and other useful information connected with the Indians and the Indian Reserves necessary for the Government and the Legislature to be in possession of, which, however, for the most part your Committee are of opinion might have been obtained from the Public Offices, and through the Indian Commissioners of the respective Counties, with, comparatively speaking, a trifling expence.

“Your Committee have also had under consideration Mr. Perley's account for travelling charges incurred in performing the duties of his Mission, amounting to the sum of £228 4 8; and as your Committee are of opinion that these charges are high, and evince very little regard to economy on the part of Mr. Perley, your Committee refer the same to the consideration of the House, as they do not, under the circumstances, feel themselves justified in recommending any specific appropriation therefor.

“All which is respectfully submitted.

“J. A. STREET,
WILLIAM END,
A. BARBERIE,
DAVID M'ALMON,
JOHN ALLEN.

“Committee Room, 22d March, 1842.”

Ordered, That the Report be accepted; and

On motion of Mr. Street; further

Ordered, That so much of the said Report as refers to the Accounts of Moses H. Perley, Esquire, Commissioner for Indian Affairs, be referred to the Committee of Supply.

Mr. Taylor moved for leave to bring in a Bill, to establish sundry regulations for the future disposal of Crown Lands in certain cases.

The Rule of the House, limiting the time for bringing in Bills, being in this instance dispensed with, leave was granted.

The said Bill being brought in, was read a first and second times.

Mr.

Mr. End moved for leave to bring in a Bill, in addition to and declaratory of an Act, intituled "An Act for the establishment as Public Roads of all Roads in this Province for which any Public Monies may have been or shall be hereafter granted."

The like Rule of the House, limiting the time for bringing in Bills, being in this instance dispensed with, leave was granted.

The said Bill being brought in, was read a first and second times.

On motion of Mr. Taylor,

Ordered, That the further consideration of the Bill to repeal all the Acts now in force in regard to Fires in the Town of Fredericton and its vicinity, and to make other regulations in lieu thereof, be postponed until the next Session of the Legislature.

On motion of Mr. Fisher,

The House went into Committee of the whole, in further consideration of a Bill to diminish the expense of recovering Crown Debts of small amount.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had passed the following Resolution:—

Resolved, That the further consideration of the said Bill be postponed until the next Session of the Legislature.

Ordered, That the Report be accepted.

On motion of Mr. Woodward,

The House went into Committee of the whole, on a Bill to commute the Fees of the Judges in the Supreme Court, and of the Clerk of the Pleas in the Supreme Court.

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had made amendments thereto, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

The Honorable Mr. Weldon, from the Committee appointed on the 4th day of February last, to examine into the Bills for widening John Street, and opening a new Street in continuation thereof, as well as the several Petitions relative thereto; to which Committee was referred a Petition from William Jarvis, and others, for an extension of the Act of 1839, for rebuilding the Burnt District, having had the several matters under their consideration, submitted their Report, which he read, and then handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Select Committee to whom were referred the several Bills before the House, to authorize the widening and opening of certain Streets in the City of Saint John, as also the several Petitions on the same subject; and also the Petition of William Jarvis and others, Proprietors of property destroyed by the Great Fire in Saint John in November last, praying that an Act may be passed similar in its provisions to that passed in 1839, for the purpose of loaning money for rebuilding the district in the said City destroyed by fire in November last, having attended to that duty, beg leave to Report—

"The Bill, intituled 'A Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to widen John or Water Street, (so called) in the said City,' provides for the opening of the said Street from the Market Square to Princess Street to a uniform width; but the Committee having taken into consideration the allegations of the Petition from the Mayor, Aldermen and Commonalty, on this subject, are of opinion that the said Street should be opened to the width of forty feet from Tisdale's Corner to Princess Street, and from Princess Street to Duke Street to the width of fifty feet; and the Committee have prepared an amendment to the Bill to this effect. As the Bill makes the Corporation liable to pay the assessed compensation to Proprietors entitled thereto, within a limited period, whether the amount be collected or not, the Committee have prepared and recommended to the House an amendment, making the Corporation liable only in the event of the amount being collected, and the amendment also provides that the Corporation shall pay to the parties

parties entitled thereto, a proportion of compensation, whenever the amount collected shall equal twenty five per cent., and should the money not be collected, through the neglect of the Corporation, they shall be liable to pay in like manner as if the same had been collected.

"The other Bill before the Committee, intituled A 'Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to lay out and open a Street in the said City, in continuation of John or Water Street (so called) southwardly to the prolongation of Saint James Street,' we recommend to the favorable consideration of the House, with an additional provision, requiring the Corporation to pay over to the parties entitled to compensation, whenever the amount collected shall equal twenty five per cent., and making the Corporation liable for such amount of compensation as should not be collected through the neglect of the Corporation.

"Your Committee have also had under their consideration the Petition of William Jarvis and others, Owners and Proprietors of property destroyed by the Great Fire in the City of Saint John in November last, praying for a Loan to enable them to rebuild with fire proof Buildings; and after having carefully considered the matter set forth in the said Petition, they cannot recommend to the House to comply with their application.

"All which is respectfully submitted.

"J. W. WELDON,
W. END,
L. A. WILMOT.

"Committee Room, 23d March, 1842."

Ordered, That the Report be accepted.

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on a Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to widen John or Water Street, (so called) in the said City.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, they had adopted the amendments recommended by the Select Committee in the foregoing Report, and then agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

On motion of the Honorable Mr. Weldon,

The House went into Committee of the whole, on a Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to lay out and open a Street in the said City in continuation of John or Water Street, (so called) southwardly to the prolongation of Saint James Street.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, they had adopted the amendments recommended by the Select Committee in the foregoing Report, and agreed to the said Bill.

Ordered, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. End,

Ordered, That the Petition from Henry Beek, relative to the expense incurred by him in Publishing a Map of the Province, and which was presented to the House on the 15th of February last, and ordered to lie on the Table, be referred to a Select Committee to report thereon.

Ordered, That Mr. End, Mr. L. A. Wilmot and Mr. Partelow, be the Committee for that purpose.

Mr. H. T. Partelow moved for leave to bring in a Bill, to provide for opening and repairing Roads and erecting Bridges throughout the Province.

Leave granted.

On motion of Mr. Woodward,

The House went into Committee of the whole, on a Bill relating to the Fees of the Secretary of the Province.

Mr.

Mr. Connell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill to them referred, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

The Honorable Mr. Weldon, from the Committee appointed on the 10th day of February last, to take under consideration a Petition from Isaac and Thomas Murray, upon the subject of their claim, arising out of transactions with Duncan Barber, a Crown Debtor, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“ The Committee to whom was referred the Petition of Isaac and Thomas Murray, of Springhill, in the County of York, praying for a reconsideration of their claim for relief from difficulties in which they have been involved by transactions with Duncan Barber, a Debtor to the Crown, Report—

“ That they have given the subject matter referred to them there careful consideration, and they find the object of the Petitioners, so far as their property is concerned, is to obtain relief *in toto* from the effect of Crown Bonds to a large amount, given by the said Duncan Barber, in ratification of various Land and Lumber transactions with the Crown Land Office; to recover the amount of which Bonds, the Attorney General, on behalf of the Crown, has seized and sold under Writs of Extent, the property called ‘Springhill,’ which the Petitioners sold in 1836 to the said Duncan Barber, the Crown Debtor, and took a Mortgage thereon to secure the sum of Four thousand pounds, being the amount of the purchase money:—By the proceedings of the Attorney General to secure the Crown Debt, the security of the Petitioners is of course destroyed, the property not being worth more than the amount actually due on the Mortgage; this bears peculiarly hard upon the Petitioners, but it is nevertheless the legal effect of Bonds to the Crown, which take precedence of and intercept all securities to a Subject of dates subsequent to those of the Bonds to the Crown. This point being fully established in the Law, it appears the Petitioners took no steps to dispute the proceedings had upon the Bonds in the Courts of Law, but relying upon the equity of their case, they have from time to time appealed to the House and the Provincial Government for relief. By reference to the Journals of the House, it appears that in order to afford some relief, the House did on the 30th March, 1840, and 18th February, 1841, receive and adopt the Reports of the Select Committees, which had been previously raised to consider the Petitions of Messieurs Murrays which had been presented to the House, the last action of the House being the Resolution dated 9th March, 1841, whereby the amount of the Crown claim was reduced to £2,063, as being all that was due on the Bonds, of a date previous to the Mortgage; against paying this amount, the Petitioners during the last recess appealed to the Executive Government, adducing additional allegations since discovered, and otherwise materially altering the general features of their case; but not obtaining any relief, they have again appealed to this House.

“ Your Committee have examined with due care the allegations of the Petitioners, and the evidence by which they are supported, and they are of the opinion the case is one of peculiar hardship to the Petitioners, and Your Committee have reason to believe the existence of the Crown Bonds was denied at the Crown Land Office, which it is urged was the only place of deposit for such Bonds in February 1836, whereby the Petitioners were induced to accept that as a security for their money, which they otherwise would not have done; and if so, the obvious inference to be deduced is, that the Bonds which appear to bear a date prior to the Mortgage have been antedated at the Crown Land Office, in accordance with a practice which obtained from an alleged necessity of making the Bonds and Sales of Land, or Leases for Lumbering persons, agree in date.

“ The Petitioners have also made certain other allegations, of the truth of which Your Committee see no reason to doubt, tending still further to shew Your Committee that the Petitioners are entitled to a favorable consideration, and in this opinion Your Committee are borne out by the terms of the Report by the Attorney General to His Excellency the Lieutenant Governor, made in reference to this case, and quoted in part by the Petitioners.

“ The

“The position of the Petitioners in reference to the ‘Springhill’ property, is that of Mortgagees in possession, while at the same time the property is bound by the Extent and Judgment at the instance of the Crown. They are also the ostensible purchasers of the property at the Crown Sale, for the sum of £3,505, no part of which has been paid, nor does it appear any security therefor has been given.

“In considering the means by which relief can be given to the Petitioners, your Committee have necessarily adverted to the opinions expressed by the Attorney General to His Excellency the Lieutenant Governor, on special references of the case made to him, and also to the opinion of the Attorney and Solicitor Generals, on the general reference made to them in compliance with an Address of the House of the 4th February last, as to the powers of the Executive Government under the Civil List Act, to compound or cancel any such claims, communicated to the House on the 23d of the same month; and without controverting these opinions thus expressed, or yielding to the correctness of views then entertained, your Committee consider the Petitioners’ case involving very many questions connected with the government and mode adopted in managing the Crown Revenues previous to their surrender to the Legislature; and as no money has been paid into the Treasury of this Province, your Committee would recommend that the Petitioners should, through His Excellency the Lieutenant Governor, submit their case to the Home Government, for such relief as the merits of the Petitioners’ case may require.

“Respectfully submitted.

“J. W. WELDON,
J. R. PARTELOW,
A. BARBERIE.

“Committee Room, 23d March, 1842.”

Ordered, That the Report be accepted.

On motion of Mr. Street,

Whereas in the present depressed state of the Commercial operations of this Country, the enforcing immediate payment of the Crown dues on Timber Leases and Licences, must prove extremely injurious and embarrassing to the inhabitants in many parts of the Province, especially in the Lumbering Districts: And whereas under these circumstances it would, in the opinion of this House, in all cases where it can be done without prejudice or injury to the rights of the Crown, be desirable to give time to the Crown Debtors for the payment of arrearages due on Timber Leases and Licences; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct the Surveyor General and Law Officers of the Crown in all cases where such debts or arrearages are well secured, or where good security may be offered for the payment of such debts or arrearages and interest, as may be due on Timber Leases or Licences up to the 24th June, 1841, and where such arrearages cannot be immediately recovered without serious inconvenience to the person or persons from whom such arrearages may be due, to receive such security, and in such cases to extend the time for the payment of such arrearages to any period or periods not exceeding six, twelve and eighteen months; and that in the meantime, that is during the said six, twelve and eighteen months, His Excellency will also be pleased to direct all proceedings now in process for the recovery of such arrearages to be stayed, until the further direction of His Excellency.

Upon the question for adopting the same, the House divided as follows:—

YEAS.

Mr. Street,
Stewart,
H. T. Partelow,
Barberie,
Taylor,
Beardsley,
Connell,
L. A. Wilmot,
End,
Rankin.

NAYS.

The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Partelow,
Palmer,
Hanington,
Hayward,
Jordan,
Woodward,
M'Leod,
Gilbert,
Fisher,
L. A. Wilmot,
Brown,
Boyd,
Freeze.

And it was thereupon decided in the negative.

Mr. Brown, from the Committee to whom were referred the several Petitions praying for return of Penalties paid under the Act to provide Seamen for new Ships, in consequence of the said Act having been disallowed by Her Majesty, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee appointed on the 20th January last, to take into consideration certain Petitions relating to prosecutions by Her Majesty's Attorney General, under ‘An Act to provide for a regular supply of Seamen for new Ships built and fitted out within this Province,’ having attended to that duty, present the following Report:

“The Petition of John Alexander, of the City of Saint John, sets forth, that the sum of £100 was paid by him to the Attorney General, as a fine for non-compliance with the provisions of the above mentioned Act.

“The Petition of John Wishart, of Saint John, sets forth, that the sum of £190 was paid by him as a fine under the provisions of the same Act.

“The Petition of Milby and Thomas, of Saint John, sets forth, that the sum of £80 was paid by them as a fine under the operation of the same Act.

“The Petition of Adam and Davidson, of Saint John, sets forth, that the sum of £90 had in like manner, and for similar reasons, been paid by them.

“The Petition of John Grimmer, of Saint Stephen, sets forth, that a fine of £50 had been paid by him under the operation of the same Act.

“The Petition of John Porter and Brothers, of Saint Stephen, sets forth, that £60 had been paid by them as a fine under the provisions of the same Act.

“The Petition of Nehemiah Marks, of Saint Stephen, sets forth, that the sum of £60 18s. was paid by him as a fine under the provisions of the same Act.

“Certificates and Affidavits, certifying the facts therein stated, are attached to several of these Petitions, and the several sums therein mentioned are all stated in the Attorney General's Accounts, as having been paid to him by the respective parties.

“The Petition of Willard, Buchanan and Company, of Saint John, sets forth, that under the operation of the same Act, they had imported a number of Seamen, the expense of which amounted to £106 2 6, and that they derived no advantage whatever from their importation. The affidavit of Asa Willard is attached to this Petition.

“The Petition of James Allanshaw, of Saint Andrews, sets forth, that he in like manner paid £68 for the importation of Seamen under the provisions of the said Act, from which he received no advantage whatever. Mr. Allanshaw's own certificate is attached to this Petition; also the certificate of Mr. Jack, the Deputy Treasurer.

“The Petition of Adam and Davidson, shewing the payment of £40 for the importation of Seamen under the said Act, from which they derived no advantage whatever. To this Petition is attached the affidavit of the Master of the Vessel in which the Seamen were imported.

“It appears that in consequence of the disallowance of the said Act by Her Majesty, the Attorney General discontinued ten other actions then depending for the recovery of fines under the operation of the same; and in order to place all persons affected thereby

thereby on the same footing, the Committee respectfully recommend the several cases set forth in the respective Petitions, to the favourable consideration of the House.

“ JAMES BROWN,
B. C. BEARDSLEY.”

“ *Committee Room, 23d March, 1842.*”

Ordered, That the Report be accepted ; and

On motion of Mr. Brown ; further

Ordered, That the said Report be referred to the Committee of Supply.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

Resolved, That there be granted

To the Overseers of the Poor of the Parish of Dalhousie, County of Restigouche, the sum of £75 17 6 to reimburse them for advances made towards the support and relief of sick, indigent and distressed Emigrants in the year 1841 ; the same to be taken from the Emigrant Fund.

To the Overseers of the Poor of the Parish of Dalhousie, County of Restigouche, the sum of £5 1s. to reimburse them for expenses incurred in conveying Mary Wilson and her family of five children from that place, where they landed from Ireland, poor and destitute Emigrants, to Saint John, at which place the husband of the said Mary Wilson resided ; the same to be taken from the Emigrant Fund.

To the Justices of the Peace of the City and County of Saint John the sum of £249 12s. 8d. to reimburse the Overseers of the Poor of the Parish of Portland for advances made by them towards the support and relief of sick, distressed and indigent Emigrants in the year 1841 ; the same to be taken from the Emigrant Fund.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £65 to enable him to relieve Solomon Vail, who has established himself on the Great Road from Fredericton to Saint Andrews for the accommodation of passengers, it appearing that the said Vail was obliged to become bound to pay for the Land at the rate of 15s. per acre, which he bid off at Public Sale, and that the competition arose at the sale, by which he was compelled to give so great a price, by the interference of parties interested against such House of Accommodation being erected on the said Road.

To Thomas Graham, Surgeon, residing in the Parish of Portland, County of Saint John, the sum of £— towards remunerating him for Medicines and attendance on poor Emigrants in that Parish ; the same to be taken from the Emigrant Fund.

Upon the question for sustaining this Resolution, it was decided in the negative.

To the Justices of the Peace for the County of Charlotte, the sum of £— in aid of Assessment, and towards enabling them to pay off a part of the debt contracted by them for the building of the new Court House in that County.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 12.

NAYS, 14.

And it was decided in the negative.

To Robert Rankin and Company, the sum of £15 8 4 to reimburse them for double Head Money paid on Passengers per the brig Wilkinson, from Belfast, on the 1st June last ; the same to be taken from the Emigrant Fund.

To Robert Rankin and Company, the sum of £66 7 6 to reimburse them for double Head Money paid on Passengers at the Treasurer's Office, per ship Macao from Londonderry, on the 1st June last ; the same to be taken from the Emigrant Fund.

To Crookshank and Walker, of Saint John, the sum of £5 18 6 to reimburse them for Duties paid on Pimento shipped to Boston in the schooners Eleanor Jane and Banner.

To William P. Ranney, of Saint John, the sum of £3 6s. to reimburse him for Duties paid on Wines exported to Halifax.

To,

To James Kerr, a licenced Teacher, the sum of £15 to remunerate him for teaching a School in Gage Town, Queen's County, for a period of nine months in the year 1837.

To William H. Street, the sum of £14 12s. to reimburse him for Duties paid on Rum and Brandy exported to Digby, Nova Scotia.

To the Overseers of the Poor for the Parish of Durham, County of Restigouche, the sum of £—— to reimburse them for expenses incurred in the support of and for Medical attendance afforded to John Grosbeck, a sick and distressed Emigrant; the same to be taken from the Emigrant Fund.

Upon the question for sustaining this Resolution, it was decided in the negative.

To the Commissioners of Buoys and Beacons for the County of Gloucester, the sum of £—— to remunerate them for advances made in purchasing Buoys, erecting Beacons and otherwise improving the Harbour of Bathurst about five years since, it appearing that when the expenditure was made, they had reason to believe that they would be reimbursed by dues on Vessels resorting thither, but that the Trade has since so fallen off as will barely meet the annual expenditure.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 14.

NAYS, 14.

And the division being equal, the Chairman decided it in the negative.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £175 for the current year, from the 20th day of May next, for the purpose of encouraging Steam Communication between Miramichi, Charlotte Town and Pictou; provided that a good and efficient Boat be by the period above named put on that line, and that the same do run regularly not less than once a fortnight between the above mentioned places between the 20th May and 20th November next, (going and returning once a fortnight) and proceeding up the River Miramichi as high as the Town of Newcastle each trip, both on the arrival and departure of the said Boat, to discharge and receive freight and passengers, touching at Douglstown for the same purpose both on her arrival and departure, and stopping at each of those places each time not less than half an hour; which sum shall be paid to such person or persons as may run such Boat, by Warrant under the Hand and Seal of His Excellency the Lieutenant Governor, only on its being certified to him by Commissioners to be by His Excellency appointed to superintend such Steam Navigation in this Province, that a good and efficient Boat has been put on said line, and that the conditions of this grant have been for the year for which the grant is applied to be paid in all respects complied with.

To the Overseers of the Poor of the Parish of Addington, County of Restigouche, the sum of £43 4 1 to reimburse them for expenses incurred in the support and relief of sick, indigent and distressed Emigrants; the same to be taken from the Emigrant Fund.

To Eaton, Burnham and Company, of Saint John, the sum of £20 6 8 to reimburse them for double Head Money paid on Passengers per brig Prince Albert, in July last, at the Treasurer's Office in Saint John; the same to be taken from the Emigrant Fund.

To Crane and M'Grath, Agents for F. A. Taylor, of Tralee, in Ireland, the sum of £14 5s. as a reimbursement for double Head Money paid on Passengers per schooner Jane, from Limerick, at the Treasurer's Office in Saint John in June last; the same to be taken from the Emigrant Fund.

To Doctor A. Gesner, the sum of £10 2 5 to reimburse him for Duties paid on Philosophical Apparatus imported from the United States in January last.

To Lieutenant Colonel Maxwell, of Her Majesty's 36th Regiment, the sum of £82 18s. 9d. to reimburse the Officers of that Regiment for Duties paid on Wines, &c. used at the Mess during the past year.

Resolved, That the following sums be granted for

Charlotte County Byc Roads:

- | | |
|-----|--|
| £50 | For the Frye Road, to avoid hills thereon, in the Parish of Saint Andrews; £5 of which to be paid to the person who explored and cut out the same. |
| 25 | For Turnpiking the alteration of last year on the Frye Road in the Parish of Saint Andrews. |
| | £7 10 |

- £7 10 For making a Bridge on the Road from the Saint John Road through the Glebe in the Parish of Saint Andrews.
- 10 For the repairing the Road from the Road leading to the Rolling Dam to Michael Shea's in the Parish of Saint Andrews.
- 7 10 For the Road leading from the Road to Saint Stephen to the Salt Water, between Currie's and Bradford's, in the Parish of Saint Andrews.
- 10 For filling up the ruts and gravelling the Road from Price's to Indian Point in the Parish of Saint Andrews.
- 7 10 For repairing the embankment near Dun's Farm on the Road leading to Joe's Point in the Parish of Saint Andrews.
- 10 For the Road from James Thompson's to Chamcook, and to repair Bridges thereon by Hagerty's in the Parish of Saint Andrews.
- 10 For the Road from Saint Stephen Road to the Salt Water, between Mowet's and Carlow's, in the Parish of Saint Andrews.
- 10 For the Road from Spears' Corner to Hunter's Mill in the Parish of Pennfield.
- 10 For the Cold Brook Road in the Parish of Pennfield.
- 10 For the Road from Jesse Prescott's to near Mealy's in L'Etang in the Parish of Pennfield.
- 5 For the Road from John Munroe's, Senior, to Samuel Munroe's Landing in the Parish of Pennfield.
- 25 For the Road from Hawkins' Field to the Saint John Road near Waters' in the Parish of Pennfield.
- 10 For the Road from Beaver Harbor to Andrew Hall's Mills in Pennfield.
- 15 For the Road to Crow Harbor, beginning at M'Donald's.
- 15 For the Road to Sealey's Cove from J. Tatton's to Brittany's.
- 10 For the Road from Mealey's Barn to M'Dermot's Farm in the Parish of Pennfield.
- 15 For the Road from the County Line in Dipper Harbor to Cassidy's, in Le Prœ, Pennfield.
- 10 For the Road from Widow M'Callum's to Dowd's Cove Landing in Pennfield.
- 7 10 For the Road from Roger Trainor's to Thompson's Kiln in Pennfield.
- 15 For the Road from Buckman's Mill to Beaver Harbor in Pennfield.
- 7 10 For the Road from the Beaver Harbor Road to John Eldridge's Landing in Pennfield.
- 10 For the Road leading from Justus Justison's to George Cricket's lane in Pennfield.
- 25 To purchase materials for a Bridge across the Pond Hole (so called) from Daniel Leman's to John Pendleton's on Deer Island.
- 20 For the Road from Price's Farm to William Ferris' at Northern Harbor on Deer Island.
- 36 For the Roads in the Lower District of the Island.
- 10 For Bridging the Road from the Pleasant Ridge Road to Joseph Newel's on the Little Pleasant Ridge in the Parish of Saint George.
- 20 For the Road from Neil M'Nichol's in L'Etete, to Robert Holmes' in the Parish of Saint George.
- 20 To alter the Road through John Dick's Farm, and build a Bridge across Green's Brook in the Parish of Saint George.
- 10 For the Road from Archibald M'Vicar's at Back Bay, to Robert Patterson's on the Murphy Road, (so called) in the Parish of St. George.
- 20 For the Road from Bridges' Farm to the Pomeroy Bridge in the Parish of Saint George.
- 10 For the Road from the Old Fredericton Road to the County Line near the Flume Bridge in the Parish of Saint George.
- 15 For the Road from the Piskehagan Stream to Niles' Brook, near Bassett's Farm, in the Parish of Saint George.
- 10 For the Road from the Mascareen Road to the Lime Kiln in the Parish of Saint George.

- £7 10 For the Road from Archibald M'Vicar's line to Henry Cook's at Back Bay in the Parish of Saint George.
- 40 For the Road leading from M'Carroll's corner to Sealy's Mill ; one half of which to be expended between Sealy's Mill and the Bridge ; the other half between the Bridge and M'Carroll's in the Parish of Saint George.
- 10 For the Road from the upper Mills to the Red Rock Settlement in the Parish of Saint George.
- 30 For the Road from the upper Mills to the Old Fredericton Road in the Parish of Saint George.
- 10 For the Road from Lime Island Bar to the Lime Company's Road in the Parish of Saint George.
- 10 For the Road through Mascareen, commencing at Mrs. Sutherland's, to the Ferry Road, (so called) opposite Hobbs', on the new line of Road.
- 10 For the Road from the School House to Summers' on the East side of the Magaguadavic River in the Parish of Saint George.
- 86 10 For the Road from Lindsay's to the Pleasant Ridge, to terminate at the Digdeguash River in Saint Patrick.
- 20 For the Road from the Fredericton Road towards Edwin Foster's in Saint Patrick.
- 20 For the Road from William Thomas' to beyond John Connick's in Saint Patrick.
- 7 10 For the Road from the Clarence Hill Settlement towards Whittier's Ridge in Saint Patrick.
- 7 10 For the Road from the Clarence Hill Settlement towards Patrick Reddington's in Saint Patrick.
- 15 For the Road from the Widow Wilson's towards the Rolling Dam in Saint Patrick.
- 20 For the Road from Turner's Mill to Edward Lascelles' in the Parish of Saint Patrick.
- 10 For the Road from the Widow Wilson's to the Still Water Bridge in the Parish of Saint Patrick.
- 10 For the Road from William M'Brine's to the Fredericton Road in the Parish of Saint Patrick.
- 10 For covering the Causeway on the Bog Road (so called) in the Parish of Saint Patrick.
- 7 10 For the Road from the Main Road, by Kill Cat Lake, to Blakely's Farm in Saint Patrick.
- 10 For the Road from Turner's Mills, by Quin's, to the Old Digdeguash Road in Saint Patrick.
- 10 For the Road from the Main Road to Hugh Burns' in Saint Patrick.
- 10 For the Road from the Clarence Hill Road to near Robert Parks', to run North and South, in the Parish of Saint Patrick.
- 10 For the Road from De Wolf's Dam to Ewart's in Saint James.
- 10 For the Road from Milltown to Richard Baxter's in Saint Stephen.
- 30 For the Road from the late James Symonds' to the farthest extremity of the Little Ridge ; one half to be laid out on either side of the Moannes Stream after repairing the Bridge across the same.
- 25 For the Road from Joel Hill's to Sprague's Falls ; £20 12s. of which to be paid to Robert M. Todd for an over expenditure on the lower Moannes Bridge last year.
- 30 For the new Road from the Ledge to Oak Point in Saint Stephen.
- 30 For the Road from the Cove in Saint Stephen to the Basswood Ridge in Saint James.
- 10 For the Road from the Kirk to Bleakley's in Saint James.
- 10 For the Road from the new Moannes Bridge at Hill's Meadows to the Chandler Road in Saint Stephen.
- 30 For the Road from the main Road near Moore's Mill past Peake's to the Baillie Settlement in Saint James.
- 15 For the Road from the Cove to the foot of Potter's Hill in Saint Stephen.

- £12 10 For the Road from the Woodstock Road to John Arbuckle's in Saint James.
- 10 For the Road from the Baillie Settlement to the Anderson Settlement in Saint James.
- 10 For the Road from the Thompson Settlement to the Pinkerton Settlement in Saint James.
- 20 For the Road from the Long Bridge past James Maxwell's and through Oak Hill to the Canous Stream in Saint James.
- 10 For the Road from John Pomeroy's to the Kirk in Saint James.
- 30 For the Road from Potter's Hill through the Burnt Land to the Kirk in Saint James.
- 20 For the Road from Spence's to Clarke's Point in Saint James.
- 20 For the Road from the Kirk over the Basswood Ridge to Oak Hill in Saint James.
- 10 For the Road from the Episcopal Church in Saint James to the Basswood Ridge.
- 10 For the Road from John Pomeroy's to the Little Ridge in Saint James.
- 15 For the Road from the Lynnfield Settlement to the Thompson Settlement in Saint James.
- 15 For the Road from the School House on the Basswood Ridge to William Morrison's, Senior, Corner, to complete the opening of the same.
- 15 For the new Road from the Long Bridge in Saint Stephen past Moore's Mill in Saint David.
- 10 For the Road from Hitchings's Mill to the Little Ridge in Saint James.
- 15 For the Road from Cotterell's Mill to the Head of Oak Bay in Saint David.
- 8 For the Road from John Wilson's House to the West end of the Causeway in Saint David.
- 15 For the Road from Anderson's to Robert Ferguson's, and thence to Young's Corner in Saint David.
- 8 For the Road from William Malkson's to the Main Road in Saint David.
- 8 For the Road from Thomas Mitchell's to the Main Road in Saint David.
- 8 For the Road from Robert Davidson's to the Main Road in Saint David.
- 8 For the Road from Patrick Develin's to the Main Road in Saint David.
- 12 For the Road from Tower's Corner to the foot of Maclaughlin's Hill in Saint David.
- 12 For the Road from Whitmore's Corner to the Woodstock Road in Saint David.
- 8 For the Road from Whitmore's Corner, by Carter's, to the Woodstock Road in Saint David.
- 10 For the Road from Nisbett's in Saint David, to Simmonds' in St. James.
- 10 For the Road from the Tower Hill Road to Stuart's Mill site in St. David.
- 8 For the Road from William Moore's Corner, over Shaw's Hill, to the Allen Brook in Saint David.
- 8 For the Road from William Gillis' to William Hitchings' in Saint David.
- 8 For the Road from William Tremble's to the Main Road in Saint David.
- 8 For the Road from Joseph Reid's Corner to Ross' in Saint David.
- 9 10 For the Road from Devoy's Corner towards the School House near Moses Reid's in Saint David.
- 12 For repairing the Bridge over the Green Brook, and the Road and Hill on the Easterly side of the same, at the Grand Harbour in Grand Manan.
- 12 For the Hill Road from the Pine Tree below Bingham's to the South Line of the Bingham Grant, Grand Manan.
- 40 For the Back Road from the Landing at Drake's Dock to the Road leading to Dark Harbour, Grand Manan.
- 20 From the Main Road at Marks' Hill to Long Pond Beach, Grand Manan.
- 20 For the main Road from Bent's Tannery to the Southern Settlement in Grand Manan.
- 85 For the Road from Welch Pool to Curry's Cove in the Parish of Campo Bello.

Resolved,

Resolved, That the following sums be granted for

King's County Bye Roads:

- £15 For the Road from the late Judge Perry's towards Kingston Court House.
- 10 For the Road from the late Judge Perry's to John Dixon's.
- 25 For the Road by the Point of the Mountain, between James Snider's and James Puddington's.
- 15 For the Road from Wetmore's Mills, Kennebeccasis, to the Midland Settlement.
- 20 For the Road from Henry Williams', Long Reach, to the Midland, thence towards White's Mills; £5 10s. of which sum to be paid by the Commissioner to Ephraim Ward, to complete the contract for building a Bridge on said Road in 1841.
- 10 To build a Bridge over the Stream between Lowel's and Coffee's on the Midland Road.
- 10 For the new Road between Richard Kierstead's and Anthony Logie's.
- 15 For the Neck Road from near Seeley's Point, Long Reach, to James White's, Kennebeccasis.
- 10 For the Road leading across Long Island.
- 10 For the Road along the West side of Long Island.
- 10 For the Road from Henderson's Cove to Wm. M'Culgan's.
- 10 For the Road from the Ferry Landing, near Sugget's, to the Reach Road.
- 15 For the Road leading from the Reach Road to John Brittain's, Kingston.
- 10 For the Road leading from John M'Kenzie's, by the Bay Shore, to the Meeting House, near James Peters' Landing.
- 10 For the Road from Seymour Pickett's Mills to the Forks of the Road leading to Bellisle.
- 15 To aid in rebuilding the Bridge on the Road between William Peters' and Cornelius Nice's.
- 10 For the Road from the Widow Erbe's Landing to James Peters'.
- 10 For the Road from the Post Road, Grand Bay, to the Fowler Settlement, (so called) in Westfield.
- 10 For the Road from the Fowler Settlement to that of Mitchell, Ready and others, in the third tier of Lots.
- 10 For the Road from the Post Road to John Stevenson's in the Finlay Settlement.
- 10 For the Road from Robert Craig's to the Salmon Rock.
- 10 For the Road through the second tier of Lots from Greenwich Parish Line to Cheyne's.
- 10 For the Road leading from the Road across the second tier of Lots back to Stephen Cronk's in the third tier.
- 10 For the Road from the Long Reach to the Cheyne Settlement.
- 20 To improve the worst parts of the Road between the Reverend C. Milner's and Greenwich Hill Creek.
- 10 For the Road from Beattie's Point, Milkish, to Kingston Parish Line.
- 10 For the Winter Road and Bridge near upper end of Kennebeccasis Island.
- 20 To cut down the Hill on the Winter Road, near James B. Lyons', Long Reach, and otherwise improve the Road thence to the Milkish.
- 10 For the Road from the School House, near Harding's, to Land's End.
- 20 For the Road from the Kingston Parish Line, on the Long Reach, to George Harding's.
- 15 To cut down a Hill and otherwise improve the Road between Charles Richards' and Thomas Flewelling's, Senior.
- 12 To improve the Public Landing near Zebulon Jones'.
- 8 For the Bridge and Approaches over Henry Bulyea's Brook.
- 20 For the Road from the Widow Lynch's to the Cross Roads, and thence by Hickey's to the County Line, near Moore's.
- 10 For the Road from William Bogle's to the Yorkshire Road.
- 10 For the Road from Wayland's, on the Menzie Road, towards the Yorkshire Road.

- £10 For the Road leading from the Front to the Settlement of John Crabb, Junior, and others, to be expended principally between the Swamp Hill and Herrington's Bridge.
- 40 To aid in making an alteration in the Road at Greenwich Hill.
- 10 For the Road from the Reverend James Cookson's to the Road leading up to the Head of Bellisle Bay.
- 15 For the Road and Bridges leading from Jenkins' Brook, in the Pigeon Settlement, past the James Lake's Road towards Michael Collins'.
- 10 For the Road from Brayman's to Jenkins'.
- 15 For the Road leading from the Bellisle Road, near Urquhart's Cove, to the Back Settlement Road, near Jacob Pigeon's.
- 10 For the Road from James Lake's to John Ricker's.
- 15 For the Road from Thomas Spragg's old House to the Big Brook.
- 15 For the Road from the Scotch Church to Donald M'Lauchlin's, and thence to the County Line, towards Shearer's.
- 5 For the Road leading from the Scotch Settlement Road to the County Line, towards Alexander Stewart's.
- 10 For the Road from John Gow's, in the West Scotch Settlement, to the Scotch Church.
- 10 For the Road from the School House, in the West Scotch Settlement, to the junction of the Road, near Thomas Spragg's.
- 10 For the Road leading from the Scotch Settlement Road to Eli Northrup's.
- 25 For the Road from Isaac Crawford's to Ezekiel Foster's.
- 10 For the Road from Redding's Creek, by way of Robert Smith's, to the Pequoket Road.
- 10 For the Road leading from the Maxwell Road to Gordon's.
- 10 For the Road from Peter Parlee's to Charles H. Blood's.
- 10 For the Road from Jonathan Smith's to the School House, near Doctor Wilson's.
- 10 For the Road from Redstone's Mill to the County Line, near Maxwell's.
- 10 For the Road from George Wilson's to the Settlement of Edward Allingham and others.
- 10 For the Road from William Peerson's to Francis Gallaher's.
- 20 For the Road from James Giou's to near Robert Colpit's.
- 10 For the Road from Henry Parlee's to Thomas Coate's Mill.
- 10 For the Road from William Walker's to John Hays'.
- 10 For the Road leading from Norton Church to D. B. Wetmore's.
- 10 For the Road from Stewart's Mill to near Moses Innes'.
- 10 For the Road from Hodgins to James Innes'.
- 10 For the Road from Moody's to Salt Spring Road.
- 10 For the Road from Burgoin's to Pattycake.
- 10 For the Road from the School House, near Floyd's, to M'Comb's.
- 10 For the Road from William Baxter's to Moses Innes'.
- 30 Towards the completion of the Bridge over Sherwood's Cove, in Hampton ; of which sum, £11 10s. to be applied by the Commissioners to pay the Contractor for work already performed on said Bridge.
- 10 For the Road from the Golden Grove School House to the Saint John County Line.
- 10 For the Road from the late James Smith's Mill to the Golden Grove School House.
- 10 For the Road from the late James Smith's to the County Line, near the second Loch Lomond.
- 15 For the Road from Gondola Point Church to John H. Wright's, and thence through to the Main Post Road.
- 15 To rebuild a Bridge near William Titus'.
- 10 For the Road from Richard Smith's to Groom's Bridge.
- 10 For the Road from the Church in Hampton to the old Pattycake Road.
- 10 For the Road from Darling's to Beyea's Farm, on the old Post Road.
- 10 For the Road from the Main Road to John C. Robertson's.

- £5 For the Road from the South Stream Bridge to the County Line, by John M'Affee's.
- 20 For the Road from the Bridge near the Widow Barnes', by way of the new Road, to the Church in Upham, and thence to William Baird's.
- 20 To rebuild the Bridge near the Widow Barnes'.
- 10 For the Road leading from Samuel Henderson's to the Main Road.
- 10 For the Road from near Charles Robinson's, Hammond River, to Andrew Bull's.
- 10 For the Road leading from Faulkener's, across Scott's Bridge, to the new Line of Road from Sussex to Saint John.
- 20 For the Road leading from the Widow Barnes', in Upham, to Mitchell's Corner, in the Pattycake Settlement, in Norton.
- 10 For the Road from near the Church, in Upham, to the Salt Spring Road, near James Robertson's.
- 10 For the Road from Patrick Smith's to Deforest's Lake.
- 10 For the Road from Daniel Campbell's to Sherwood's Mill.
- 10 For the Road from Edward M'Mackin's Line to James Dunn's.
- 10 For the Road from the County Line, near Tabor's, to the Hammond River Bridge; out of which sum, £5 4s. to be paid to W. R. Sentell, late Commissioner, for over expenditure on said Road.
- 10 For the Road from the Widow Barnes' to the Hammond River Bridge, near Trainor's.
- 15 For the Road leading from the Hammond River Bridge, near Trainor's, to the Saint John County Line, near Cother's; out of which sum, £6 to be paid to the Contractors for building the said Bridge, that amount being due on their contract.
- 15 To improve the worst parts of the Shepody Road between Nethery's and the Westmorland County Line.
- 10 For the Road from William Basken's Eastern Line to William Lockhart's.
- 10 For the Road from Mrs. Paton's, Shepody Road, to Dutch Valley, by the Anderson Settlement.
- 10 For the Road from Frederick Mires' to Abraham Adair's.
- 10 For the Road from Samuel Godard's to the Bridge near Moses Chambers'.
- 10 For the Road from near John Fryer's to Ratter's, Campbell Settlement.
- 10 For the Road from Drummond's to Carson's.
- 15 For the Road from Ellison's to the Parish Line, near William Baxter's.
- 10 For the Road on the line between Fairweather's and Thomas Herritt's, to be continued to the Ganter Road.
- 10 For the Road from M'Larren's Brook to the Cross Road, by Cassedy's.
- 10 For the Road from Daniel Campbell's to Sidney Baxter's.
- 5 For the Road from the Post Road to William Harmer's.
- 5 For the Road from the Post Road to Jacob Hall's.
- 10 For the Road from Antoine Clain's to a new Settlement, by way of M'Enaspy's place.
- 10 For the Road from Dennis Larey's to Hugh Patterson's, above Hayward's Mills.
- 10 For the Road from M'Ewen's to the Main Road.
- 15 For the Road from Patrick Welch's to the Shepody Road, near M'Laughlin's.
- 10 For the Road from Walker's to Fairweather's, by way of Ward's Creek.
- 10 For the Road from John M'Monagle's to the Campbell Settlement.
- 10 For the Road from the South Branch Road towards James Hayward's and others.
- 10 For the Road from John H. Ryan's to Gabriel Fowler's.
- 10 For the Road from Richard Jordan's to the Cross Road near William Marr's.
- 10 For the Road from near Gersham Keirstead's to Nathaniel Johnson's.
- 10 For the Road from John Snider's Mountain to the main Road near John Darling's.
- 10 For the Road from Thomas Kierstead's to the main Road near Joseph Darling's.

£20	For the Road from Ezekiel Foster's to Queen's County Line through the English Settlement.
10	For the Road from Land granted to P. Z. Parlee to James Goslin's, on a new Line of Road.
10	For the Road from near Cornelius Parlee's the 2d, through Lots to No. 19, on a new Line of Road on White Mountain.
10	For the Road from near Wicham Stockton's to near Nicholas Grigg's.
10	For the Road from Beckwith's to Gayley's.
10	For the Road from Alward's to Beech's, on Smith Creek.
10	For the Road from Lockhart's to Wesley Perry's, near Queen's County Line.
10	For the Road from the Corn Ridge to near Robert Keith's.
10	For the Road from Mullin's to Josiah Keith's.
10	For the Road from near Paul Kingston's to the English Settlement Road, near Richard Smith's
10	For the Bridge near Ryan's, in aid of the grant last year.
10	For the Road from Nathaniel Sharp's to Robert M'Arthur's.
10	For the Road from Charles Gayley's to John Little's.
5	For the Road from Richard Folkin's to the Nathaniel Johnson Road.
5	For the Road from Benjamin Wright's to the Mill Stream Road.
10	For the Road from the Mill Stream Road to Morris Frazee's by James Ryan's Mill.
10	For the Road from John Snider's by Morris Frazee's to the Main Road at the Mill Stream.
5	For the Road from Sharp's to Wright's by way of Leper's.
10	For the Road from Samuel Stockton's to Oldfield's near Mars Bridge, (so called.)
5	For the Road from the Smith Creek Road to John M'Arthur's by Leggett's.

Resolved, That the following sums be granted for

Sunbury Bye Roads:

£40	For the Road from George Boon's to Ralph Seely's.
10	For the Road from Isaac Cogswell's to the Garey Road.
10	For the Road from George Morrow's dwelling house to the South Branch Road.
10	For the Road from Jeremiah Smith's to the Garey Road.
10	For the Road from South Branch Road to Scoullar's Mills.
10	For the Road to a New Settlement near Walter Patterson's.
20	For the Road from Thomas Hartt's to Solomon Tracey's.
50	For the Road from Rushagonis to Hartt's Mills.
18	For the Road from Hartt's Mills to Diamond Square.
15	For the Road from Burpe's Mill through the Gordon Settlement.
15	For the Road from William Dow's to J. M. Wilmot's Farm.
20	For the Road from John Grass' to the Rushagonis Road near Peabody's.
20	For the Road from John Bell's to Burpe's Mill.
10	For the Road from the Road near Jones' at Rushagonis, to the Oromocto River opposite John Wood's.
35	For the Road from the Widow Kirkpatrick's to the County Line between Queen's and Sunbury.
25	For the Road from Thomas Hartt's to Thomas Mersereau's.
10	For the Road from the South Branch Road to John M'Laughlin's.
10	For the Road from John Peabody's to John Morgan's.
50	For the Road from the French Lake Road to the Little River Mills in the Parish of Sheffield.
50	For the Road from the Highway in Burton, at or near Jacob Smith's, to the Nerepis Road.
10	For the Road from William Boon's to Thomas Stennix.
15	For the Road from Scoullar's Mills to the Upper Settlement past Smith's.
10	For the Road leading from John Nason's, Senior, Farm to the Rushagonis Road.

£15	For the Road from the Garey Road to a new Settlement above Nevers' Mills.
10	For the Road from Patrick M'Laughlin's to the South Branch Road.
25	For the Road from Jeremiah Tracey's, Junior, to Edmund Creekmore's.
10	For the Road from Solomon Tracey's to John M'Claskey's.
20	For the Road from Thomas Smith's to John Morgan's.
10	For the Road from Three Tree Creek to the Rushagonis Road.
20	For widening the Road at Burpe's Mill Dam in the Parish of Burton, and to pay balance due to Moses C. Burpe.
10	For the Road from John Morgan's to the Beaver Dam, Rushagonis.
60	For the Road from Ralph Seely's to the Widow Kirkpatrick's, and to build a Bridge over Back Creek; this in addition to the sum granted for the Road last year and not expended.
42 1 1	To pay expenses incurred in running Lines between the Parishes of Burton, Lincoln and Blissville, in 1841.
10	For building a Bridge at or near John Sinckler's on the Road leading from Partelow's landing to John Peabody's.
75	For building a Bridge at the Blind Thoroughfare in the Parish of Sheffield, and for the Road leading to the same.
10	For the Road from Gillan's to Abner Mersereau's.
10	For the Public Wharf in Sheffield, and to pay Stephen Burpe balance due him.
15	For the Road from William Dow's to John Grass'.
9 18 11	For the Road from the Nerepis Road to Morrow's Mill.

And the Chairman further reported, that he was directed to ask leave to sit again.
Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

The House adjourned until to-morrow morning at half past 9 o'clock.

Thursday, 24th March, 1842.

Prayers.

On motion of Mr. Woodward,

Resolved, That so much of the Report of the Committee on Light Houses which was presented to the House on the 7th March, instant, as relates to the Light House at Point Escuminac, be referred to the Committee of Supply.

On motion of Mr. Taylor,

The House went into Committee of the whole, on a Bill to establish sundry regulations for the future disposal of Crown Lands in certain cases.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, it was moved—To expunge so much of the second Section thereof as authorizes the sale of Lands in small tracts for immediate settlement "by four annual instalments."

Upon the question, the Committee divided as follows :—

YEAS.

The Hon. Mr. Speaker,
 The Hon. Mr. Johnston,
 The Hon. Mr. Weldon,
 Mr. Woodward,
 Stewart,
 Wilson,
 Partelow,
 Hayward,
 Hanington,
 Taylor,
 J. M. Wilmot,
 L. A. Wilmot,
 Gilbert,
 Rankin,
 Street.

NAYS.

Mr. Barberie,
 H. T. Partelow,
 M'Almon,
 Allen,
 End,
 Connell,
 Beardsley,
 Freeze,
 Fisher,
 Brown,
 Boyd,
 Hill,
 M'Leod,
 Owen.

And it was thereupon carried in the affirmative.

That the Committee then proceeded in the Bill, and made progress therein, and he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, and leave granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Saunders, by command of His Excellency, laid before the House—

Various Documents in reference to the purchase of Lands at Woodstock for the erection of Barracks; accompanied by Plan of the said Lands:

Plan for the contemplated Bridge over the Grand Falls, prepared by Charles Taushett, of Quebec:

Petition from Jeremiah Drake, Thomas Trafton and James M'Gregor, Commissioners of Sewers for Saint John, praying aid towards repairing the Aboideau at the mouth of the Marsh Creek:

Petition from James Heney, an old Soldier, praying aid in consequence of his very indigent circumstances.

On motion of Mr. Fisher,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to lay before this House a copy of the Bond or Bonds given by the Corporation of Saint John to secure the payment of the sum of £3250 advanced to the City for the purpose of enabling the Common Council to employ the labouring Poor, and also a detailed account of the expenditure of the said sum.

Ordered, That Mr. Fisher, Mr. Woodward and Mr. J. M. Wilmot, be a Committee to wait upon His Excellency with the Address.

Read a third time as engrossed,

A Bill to commute the Fees of the Judges in the Supreme Court, and of the Clerk of the Pleas in the Supreme Court.

Resolved, That the Bill do pass.

Ordered, That Mr. Woodward do take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill relating to the Fees of the Secretary of the Province.

Resolved, That the Bill do pass.

Ordered, That Mr. Woodward do also take this Bill to the Council, and desire their concurrence thereto.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply yesterday the 23d instant.

Ordered, That Mr. Jordan take the said Resolutions to the Council, and desire their concurrence thereto.

On

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

Resolved, That there be granted

To Thomas Wallace, Agent for the owners of the brig Eglinton, of Belfast, the sum of £26 1 s to reimburse them for double Head Money paid on Passengers per that Vessel from Londonderry, at the Treasurer's Office ; the same to be taken from the Emigrant Fund.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £150 to be paid over to the Building Committee of the new Roman Catholic Church erected at Fredericton, so soon as it shall be certified that a suitable and convenient portion of the said building is set apart for the use of Her Majesty's Troops in the Garrison of Fredericton, belonging to that Denomination.

To E. Barlow and Sons, the sum of £24 6s. to reimburse them for Duties paid on two hogsheads of Whiskey exported from Saint John to and landed in Halifax, Nova Scotia.

To James Whitney, of Saint John, the sum of £125 in part to compensate him for keeping up during the last year an efficient Communication by Steam once a week between Saint John and Boston.

To Lieutenant Colonel Monins, of Her Majesty's 69th Regiment, the sum of £103 14s. 9d. to reimburse the Officers of that Regiment for Duties on Wines, &c. used by the Officers of the Mess during the past year.

To the Justices of the Peace of the City and County of Saint John, the sum of £145 15s. 2d. to reimburse the Overseers of the Poor in the Parish of Simonds for expenses incurred during the past year in the support and relief of sick, distressed and indigent Black Refugees.

To Henry G. Shook, of Chatham, in the County of Northumberland, the sum of £— being the amount of Duty paid at the Treasury on Furniture imported on board the schooner Edward, from New York, for his own private use.

Upon the question for sustaining this Resolution, it was decided in the negative.

To the Overseers of the Poor for the Parish of Richibucto, County of Kent, the sum of £13 5 6 to reimburse them for expenses incurred in the support and relief of distressed Emigrants in the year 1841 ; the same to be taken from the Emigrant Fund.

To Phineas Williston and Brothers, the sum of £8 18 6 to reimburse them for Duties paid on a puncheon of Rum exported from Miramichi to Prince Edward Island in 1840.

To the Justices of the Peace for the County of York, the sum of £500 in aid of assessments towards the erection of a new Gaol recently built in Fredericton in that County ; the same not to be drawn from the Treasury until June 1843.

To the Commissioners of the Alms House of the County of York, the sum of £226 12s. 6d. to remunerate them for expenses incurred in the support and relief of sick, indigent and distressed Emigrants in the year 1841 ; the same to be taken from the Emigrant Fund.

To the Trustees of the Baptist Meeting House in Fredericton, the sum of £— to reimburse them for Duties paid on an Organ for the use of the said Meeting House, imported from the United States.

Upon the question for sustaining the Resolution, the Committee divided as follows :—

YEAS.

The Hon. Mr. Speaker,
 The Hon. Mr. Johnston,
 Mr. Taylor,
 H. T. Partelow,
 Jordan,
 M'Almon,
 Hanington,
 Partelow,
 Gilbert,
 Connell,
 Freeze,
 M'Leod,
 Wilson,
 J. M. Wilmot,
 Palmer.

NAYS.

The Hon. Mr. Weldon,
 Brown,
 Boyd,
 Street,
 Barberie,
 Stewart,
 End,
 Rankin,
 Owen.

And it was carried in the affirmative, and the blank filled up with the sum of £14 10s.

To John Beaumont the sum of £—— to compensate him for a loss on a lot of Land drawn by him, a part of it having been previously granted.

Upon the question for sustaining this Resolution, it was decided in the negative.

To the Overseers of the Poor of the Parish of Woodstock, the sum of £100 in full to reimburse them for expenses incurred in the support and relief of sick, indigent and distressed Emigrants; the same to be taken from the Emigrant Fund.

To Thomas Henderson, Colour Sergeant of the Thirty Sixth Regiment, the sum of £15, in consequence of his having had his leg fractured in several places, by which he has become entirely disabled, while escorting Militia Arms from Saint Stephen to Saint James, in the County of Charlotte, in 1841; he having been employed in drilling the Militia under the direction of the late Commander in Chief for the last four years.

To the Justices of the Peace for the City and County of Saint John, the sum of £500 in aid of assessments in the erection of a City or County Alms House in the Parish of Simonds; in the County of Saint John; the same not to be drawn from the Treasury until June 1843.

To Sarah West, the Widow of an old Soldier of the Revolutionary War, the sum of £10 to assist her in her destitute condition.

To the Overseers of the Poor of the Parish of Hillsborough, County of Westmorland, the sum of £—— to reimburse them for the support and relief of W. Baillie, a transient Pauper, in the year 1841.

Upon the question for sustaining this Resolution, it was decided in the negative.

To the Overseers of the Poor for the Parish of Moncton, the sum of £—— to reimburse them for the expenses incurred in the support and relief of Margaret Murphy, a transient Pauper.

Upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.

The Hon. Mr. Speaker,
 The Hon. Mr. Johnston,
 Mr. Wilson,
 Taylor,
 L. A. Wilmot,
 Hanington,
 Barberie,
 M'Almon,
 Allen,
 Connell,
 Partelow,
 Palmer,
 Fisher.

NAYS.

The Hon. Mr. Weldon,
 Mr. Rankin,
 Hill,
 Brown,
 Boyd,
 End,
 Gilbert,
 Freeze,
 Beardsley,
 Woodward,
 H. T. Partelow,
 Street,
 Stewart.

And the division being equal, he had decided in the negative.

Resolved,

Resolved, That the following sums be granted for

Carleton Bye Roads :

- | | | |
|-----|--|--|
| £7 | To improve the Road on the lower line of the Woodstock grant near Eel River. | |
| 40 | To improve the Road near Judge Beardsley's past M'Donald's and Ivey's to the further end of the Settlement. | |
| 10 | For the Road near O'Donald's running in a Southerly direction between the second and third tier of Lots. | |
| 10 | To improve the Road through the Spear Settlement leading to the Mountain. | |
| 10 | To improve the Road from the lower line of the Glebe Lot in Woodstock to M'Kenzie's corner. | |
| 7 | To open a Road from the said last mentioned Road at the first Settlement thereon running in a Southerly direction. | |
| 5 | For the Road from John Beardsley's to a back Settlement. | |
| 7 | To improve the Road past William Bull's from Richmond Road to the Hodgden Road. | |
| 5 | To improve the Road from C. Wolhaupter's to Fleming's. | |
| 7 | To improve the Road from Richmond corner to the Hodgden Road. | |
| 7 | For the Road from M'Kenzie's corner to O'Brien's. | |
| 20 | To improve the Road from M'Kenzie's corner past Henderson's to Ivey's. | |
| 40 | To improve the Road from M'Kenzie's corner to Woodward's. | |
| 10 | To improve the Road from the fifth and sixth Tier running through the land belonging to the Kirk. | |
| 35 | To improve the Road from Woodward's, past Blue's, to Gidney's. | |
| 20 | To open a Road from Gidney's to Eel River. | |
| 7 | To improve the Road from Frazer Duff's to the Grist Mill. | |
| 7 | For the Road from M'Kenzie's Corner to the Boundary Line. | |
| 20 | To improve the Road from the Hodgden Road, past Yerxa's and Ford's, to the further end of the Settlement. | |
| 7 | To improve the Road from the Hodgden Road, past Marsh's, to the Houlton Road. | |
| 10 | To improve the Road from S. Moles' South Line and Phillip Davies' North Line. | |
| 10 | To improve the Road from the School House in the Irish Settlement, past Daly's, to the Hodgden Road. | |
| 10 | To open a Road from Daly's to Jones'. | |
| 7 | To improve the Road from Fleming's to Carson's. | |
| 10 | For a Road leaving the Houlton Road near J. Currie's, and running a Southerly direction to the Hodgden Road. | |
| 10 | To improve the Road from M'Indoe's to Peabody's Mill. | |
| 10 | To improve the Road from Peabody's Mill to the Maduxnikick Creek. | |
| 7 | To improve the Road from the Falls of the Maduxnikick Creek, towards M'Bride Settlement. | |
| 5 | To improve the Road from Jacob M'Lellan's to John Coffee's. | |
| 10 | To improve the Road from Richmond Corner to Peabody's Mill. | |
| 100 | To assist the inhabitants in aid of individual subscriptions in commencing to build a Bridge across the Meduxnikick River near Martin's; provided the said inhabitants shall commence to build the Bridge the ensuing Summer, (1842,) the intention of this appropriation being, if the said inhabitants shall not commence the erection of said Bridge the said appropriation shall be expended on the following Roads, in the following amounts on each Road, that is to say: £60 on the Road from Bell's past Grant's and Wilson's to the Saint John River, and £40 to open a new Road from Alexander Lindsay's towards Wellington. | |
| 25 | To improve the Road from the Houlton Road near George Hilman's to George Gartley's. | |
| 10 | To open a new Road near Faulkner's in a Westerly direction. £20 | |

£20	For the Road from Gartley's to the Meduxnikick.
40	To improve and open the Road past Elisha Baker's to intersect the Road from Sharp's to Wilson's.
40	To improve the Road and Bridges from Patchell's to Daniel Shaw's.
12	To improve the Road from Elisha Cogwell's in the Newburgh Settlement, the principal part of this to be laid out on the cross Road in said Settlement.
20	To improve the Road from Daniel Shaw's to the Deep Creek in Brighton.
120	This sum to be expended towards building a Bridge across the Deep Gully in Brighton.
30	To improve the Road from the mouth of the Begaguimick on the South side to the Cold Stream; out of this sum the Commissioner is authorized to pay the balance due on a Bridge near said Stream.
10	For the Road near James Clark's to the School House.
7	To improve the Cross Road near Burlock's Farm in a Southerly direction.
20	To improve the Road from the North side of the Begaguimick to the Cold Stream; out of this sum the Commissioner will pay the balance due on the Bridge on said Road.
12	To improve the Road from the mouth of the Cold Stream to the further end of the Settlement on said Stream.
10	To improve the Road from the mouth of the Cold Stream up the Begaguimick.
£10	For the Road from the Cold Stream to the River Saint John.
10	This sum to improve a Cross Road in a Back Settlement in the rear of Lloyd's.
34	To improve the Road on the Begaguimick to the Presqu' Isle Island; out of this sum the balance due on the Bridge over Jensiu's Creek is to be paid.
10	To improve the Road near Tompkin's to a back Settlement.
7	To improve the Road from Monquat to a back Settlement.
10	For the Road from the Little Chicktehawk Bridge to a back Settlement on the Miramichi Road.
10	For the Road from Richard Hopkin's to the Monquat.
10	For the Road from Thomas Gee's to a back Settlement in the Parish of Wicklow.
10	To improve the road from John Wright's Farm to a back Settlement in the Parish of Andover.
7	For the Road from W. Roakes' to John Taylor's in a back Settlement.
20	To improve the Road from the Monquat Stream to Richard Wharton's.
20	To improve the Road from Richard Wharton's to the Tobique River.
10	For the Road from Tobique River to Salmon River.
5	To improve the Road from the Eight Mile Tree on the Arestook Portage to the River Saint John.
20	To improve the Road from the mouth of the Arestook to the Falls of the Restook.
15	For the Road from B. Tibbetts' to a back Settlement.
10	To improve the Road from T. Pomfrey's to a back Settlement.
10	For the Road from O'Conner's Creek to a back Settlement.
80	To improve the Road from Boyer's Mill past Tracey's and Burpe's Mill to Big Presqu' Isle towards Broadstreet's.
10	To improve the Road from Burpe's Mill to the back Settlement.
10	To improve the Road from Charles Lewis' in a Northerly direction past Stewart's, to be laid out on the Swamp.
10	To open a Road from a Fir Tree near the School House past Andrew Hunter's to Tracey's Mills in the Greenfield Settlement.
30	To improve the Road from Andrew Kenney's past Holmes' to the further end of the Settlement.
15	For the Road from Carr's to Wakeman's in a back Settlement.
10	For the Road from Andrew Kinney's to intersect the Road from Robert Carr's to Wakeman's.

- £12 To improve the Road from James Jones' above the Little Presqu' Isle to a back Settlement; the Commissioner to pay the balance over expended on this Road.
- 25 To improve the Road from Burpe's Mills to Boyer's in Wakefield.
- 25 To improve the Road and Bridge near Simonson's to Palmer's.
- 10 To improve the Road from Palmer's up the Little Presqu' Isle.
- 25 To improve the Road from Mallory's in a northerly direction, past the Grist Mill, and Edgar's to Ketchum's. Commissioner to pay the amount over expended on this Road the last year.
- 10 For the Road from the Grist Mill to Simonson's.
- 10 To improve the Road near Hannah's, past Payson's Mills, to Lindsay's.
- 25 To open a new Road from Lindsay's in a Northerly direction through the new Settlement.
- 15 To improve the Road from William Lindsay's, past M'Lauchlan's, to the Saw Mill.
- 5 To improve the Road from William Lindsay's to William Bell's.
- 30 For the Road from the late Curran's towards Briggs'.
- 10 For the Road from James M'Grath's corner to a new Settlement near William Hopkins'.
- 12 For the Road from Henry Sharpe's to the Creek Settlement.
- 15 For the Road from Stoddard's to Ketchum's Store.
- 5 For the Road from Johnson's to Dunn's.
- 7 For the Road from R. Humes' to J. Tracey's.
- 15 To improve the Road from M'Indoe's to Peabody's Mills; the same to be reappropriated it being unexpended the last year.

Resolved, That the following sums be granted for

Saint John Bt Roads:

- £15 For the Road from Blakslee's Farm to Little River.
- 70 For the Road from Frog Pond to Loch Lomond.
- 10 For the Road from the Black Settlement Road to Garnett's.
- 30 For the Road from Garnet's to Emerson's Creek, Mountain Road.
- 20 For the Road from Little River to Miskeck.
- 25 For the Road from Little River to Loch Lomond.
- £50 For the Road from Little River to Black River.
- 7 For the Road from Golden Grove Road to M'Gregor's Mill.
- 10 For the Road from the Golden Grove Road, near Godsoe's, towards the head of the second Loch Lomond.
- 20 For the Road from the Bridge, near Cody's, to the head of first Lake.
- 70 For the Road from the head of the first Lake to Quaco.
- 10 For the Road from Miskeck Mills to Cape Spencer.
- 20 For the Road opened by Brown and others, past Brown's Mill, to Tynemouth.
- 30 For the Road from Black River to Emerson's Creek, and thence to Gardner's Creek; £10 of which sum to be paid John R. Partelow, advances made by him for said Road; half of the remaining sum to be expended between Black River and Emerson's Creek, and the remaining part towards Gardner's Creek and the improvement of M'Larren's Hill.
- 8 For the Road from Cother's Road (so called) to the County Line towards the late Miller Smith's.
- 35 For the Road from the Black Settlement Road to Wilmot's Farm, back Road.
- 25 For the Road from the Quaco Road, through the Ryan Settlement, to the new Shepody Road.
- 20 For the Road from Quaco to the County Line, near Tabor's, old Road, to be expended from Quaco, onwards.
- 10 For the Road from John Davidson's to the old Quaco Road.
- 7 For the Road from Millican's Road, past Cain's, to the County Line.
- 10 For the Road from the Quaco Road to Tynemouth, past John Brown's.

- £20 For the Road from Quaco Road to the County Line, Mill and Church Road.
- 45 For the Road from Cody's to the School House in the Hibernian Settlement.
- 25 For the Road from the above School House to the Forks of the Road opened by Brown and others.
- 10 For the Road from Mahor's West Line to Harding's Mill, to be expended from Mill, onwards.
- 15 For the Road from Quaco Road to the County Line, near Read's Farm.
- 10 For the Road from Bridge at Tynemouth, leading across the Marsh, and thence to Quaco, by the Shore Road.
- 15 For the Road from Forks of the M'Britany Road to Tynemouth, by Frazer's Mill.
- 25 For the Road from Tynemouth Road past Power's Farm to Quaco.
- 25 For the Road explored from Stanley's to West Beach.
- 15 For the Road from the Hibernia Settlement to the Quaco Road.
- 25 For the Road from the Westmorland Road through the Golden Grove Settlement.
- 10 To improve that part of the Old Westmorland Road from the Forks of the Marsh Road and old Westmorland Road, near the Aboideau, towards Walker Tisdale's Farm House.
- 10 For the Road between West Beach and Black River Road, Dowd's Road, (so called.)
- 10 For the Road from Barry's Mill to Loch Lomond Road.
- 10 For the Road from the Valley Road to the County Line near William R. Sentell's.
- 10 To assist the inhabitants in opening a Road from the County Line near Tabor's at Hammond River, through the Town Plat at Quaco.
- 25 For the new line of Road as laid out by John Hooper, from Blakslee's Barn till it meets the Road leading to Owen and Duncan's Mill.
- 11 5 To remunerate George Morrison in part for money due him for work performed under B. L. Peters, Esquire.
- 35 For the Road from Dipper Harbour School House to the Saint Andrew's Road.
- 10 For the Road from Black Beach to Pisirinco.
- 10 For the Road from Sand Cove to the main Road from Saint John to Saint Andrew's.
- 48 15 For balance due on the Bridge across Craft's Mill Stream on the Saint Andrews Road.
- 20 For the Road from the Narrows at Musquash to the Saint Andrews Road.
- 12 For the Road from Black Beach by the Irish Settlement.
- 10 For the Road from Hatfield's Mill to M'Namara's.
- 10 For the Road from the Settlement near Menzie's Mill to Saint Andrews Road.
- 10 For the Road from Spruce Lake to the Landing place at Pisirinco.
- 10 For the Road from Hephburn's to the Saint Andrews Road.
- 16 For the Road from the Saint Andrews Road to Maces Bay near Hanson's Mill.
- 10 For the Road from Negro Point to the City Line, West side.
- 25 For the Road from Boar's Head to the Kennebeckasis Road leading from M'Kay's Mill.
- 40 For the Road from the Highway at Delany's to the Kennebeckacis.
- 45 For the Road from Indian Town Road to the Kennebeckacis opposite the Brothers'.
- 35 For the Road from M'Kay's Mill to the Kennebeckasis.
- 15 For the Road leading to Sand Point.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Black, by command of His Excellency, laid before the House—

Accounts of Expenditures made in the City of Saint John and Parish of Portland, for the employment of the labouring Poor.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill to regulate Dockage, Wharfage and Cranage in the City of Saint John and Parish of Portland,

Without making any amendments thereto.

And that they had also agreed to

The Resolutions of Appropriation dated the 4th day of March, instant.

Mr. End, from the Committee appointed on the 9th day of February last, to take under consideration a Petition from Charles Thibedeau, praying compensation for losses in consequence of a Prosecution instituted against him as a Commissioner for Bye Roads; to which Committee were referred various other Petitions of a like prayer, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee to whom were referred the Petitions of Charles Thibedeau, of Dorchester, in the County of Westmorland,—George S. Raymond, of Woodstock, in the County of Carleton,—James Cother, of Loch Lomond, in the County of King's County; and Frederick B. Dibblee, of Woodstock, in the County of Carleton, Commissioners of Bye Roads, praying relief for losses by them alleged to have been sustained in the due discharge of their respective duties, Report as follows—

“Charles Thibedeau, complaining that he was sued in 1840, by one Uzeb Cormier, for the recovery of £4 10s. for work done in the year 1836, by the said Cormier for Thibedeau, on a Public Road in Westmorland, then under Petitioner's superintendence; that he had paid the said Cormier in 1836, and that the receipt had been transmitted to Fredericton, as a voucher attached to his account;—That on the Trial, the Petitioner offered secondary evidence of the said payment, which was deemed inadmissible, and a Judgment for £4 10s. rendered against him; that Petitioner availed himself of the usual mode of reversing this Judgment, in which he failed, and was rendered thereby liable to a sum of £23 6 6;—The Committee regret that the Magistrate before whom this matter was tried had not advised the Petitioner on the legal mode of proving the Receipt; and that a portion of the very heavy expenses incurred had not been applied in the first instance to a proper defence of Cormier's suit, which might have been the means of defeating his unjust claim; for the Committee deem it unjust, inasmuch as the Receipt referred to does appear on the Files of this House;—The Committee, however, under a conviction that the Petitioner acted honestly, although ignorantly, have come to the conclusion to recommend that the sum of £15 be granted to him.

“George Raymond and Frederick B. Dibblee, appear to have been prosecuted jointly, and the Petitioner Raymond separately, for alleged trespasses on certain Lands;—that they appear to have defended those actions, on the ground that the *locus in quo* was a Public Road, legally laid out, opened and recorded by the Commissioners of Roads, which defence, in the opinion of the Supreme Court, was not sustained, and the Defendants were rendered liable to damages with enormous costs.—The judgment obtained against the Petitioner Dibblee, is £49 10 1, besides £26 13s. 11d. incurred in his defence, in all amounting to £76 14s. which your Committee recommend should be granted to Mr. Dibblee.

“The Petitioner Raymond appears to have been subjected to the payment of three Bills of Cost, viz: The costs of the separate proceedings against him, which he settled before the Judgment was entered up, amounting to..... £23 0 0

The costs of defending this action,..... 12 14 5

And the costs of his defence of the joint action,..... 12 14 5

Amounting in all to..... £48 8 10

which we recommend to be provided for.

“The Committee observe the Petitioner Raymond was not Commissioner on any Road,

Road, and that his liability was occasioned by his having taken a job on the Road, under the Commissioner Dibblee.

"The Committee consider these to be cases of extreme hardship, and one which materially affects the Road service; for if persons appointed to expend grants of money on Roads considered Public, (and on which public monies had been previously expended,) are to be deemed trespassers by reason of some informality in the original laying out of such Roads, your Committee submit that a remedial Bill should be immediately introduced.

"Petition of James Cother, accompanied by an account of the expenditure of a Grant of £38 made in 1840, "to pay for a new cutwater and sundry repairs to the Hammond River Bridge near Barnes'."—A certificate of John Brawley,—an affidavit of Thomas Cother,—an affidavit of John Barnes, with notice and receipt annexed,—and a Certificate of R. L. Hazen, Esquire, of Saint John, were produced.

"The Committee after a careful examination of these documents, do not recommend this Petition to the favourable consideration of the House, and are of opinion that the conduct of the Petitioner has been in this respect highly reprehensible. That the expenses he complains of have been occasioned by his refusing to pay the just claim of Barnes until compelled to do so by legal means, and that he shall be called upon to account satisfactorily for the expenditure of £38 by him drawn from the Treasury in June 1840.

"All which is respectfully submitted.

"W. END,
J. BROWN.

"Committee Room, 24th March, 1842."

Ordered, That the Report be accepted; and

On motion of Mr. End; further

Ordered, That so much of the said Report as recommends grants of money to be made, be referred to the Committee of Supply.

On motion of Mr. L. A. Wilmot,

Ordered, That a Petition from Michael Harley, praying remuneration for services performed in discharge of his duty as a Road Commissioner, and which was presented to the House on the 15th day of February last, and laid on the Table, be referred to the Committee of Supply.

The House adjourned until Saturday morning next at half past 9 o'clock.

Saturday, 26th March, 1842.

Prayers.

Read a third time as engrossed,

A Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to widen John or Water Street, (so called) in the said City.

Resolved, That the Bill do pass.

Ordered, That Mr. Woodward do take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to lay out and open a Street in the said City, in continuation of John or Water Street, (so called) southwardly to the prolongation of Saint James Street.

Resolved, That the Bill do pass.

Ordered, That Mr. Woodward do also take the said Bill to the Council, and desire their concurrence thereto.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply on Thursday the 24th day of March, instant.

Ordered, That Mr. Connell do take the said Resolutions to the Council, and desire their concurrence thereto.

On motion of Mr. End,

The House went into Committee of the whole, on a Bill in addition to and declaratory

declaratory of an Act, intituled "An Act for the establishment as Public Roads of all Roads in this Province for which any Public Monies may have been or shall be hereafter granted."

Mr. L. A. Wilmot in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill to them referred, had made progress therein, and he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, and leave granted.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

Resolved, That there be granted

To Thomas Moses, Deputy Treasurer at West Isles, the sum of £50 to reimburse him for services performed the past year; and further resolved, that no further grant be made for the continuation of the service of this Officer.

To the Justices of the Peace of the City and County of Saint John, the sum of £—— to reimburse them for advances made to the Provincial House of Correction; one half of which sum to be paid the present year, and the remainder on the 1st June, 1843.

Upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.

The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Hanington,
End,
Owen,
Jordan,
Partelow,
Allen,
Gilbert,
Stewart,
Palmer,
Woodward,
Taylor,
L. A. Wilmot.
H. T. Partelow,
Wilson,
Freeze.

NAYS.

Mr. Rankin,
Hill,
Boyd,
Brown,
M'Leod,
Street,
Beardsley,
Connell,
M'Almon,
Fisher.

Whereupon it was carried in the affirmative, and the blank filled up with the sum of £2,068 5 4.

To Alexander Wedderburn, Emigrant Agent, the sum of £—— in full for extra services, and in addition to the amount of £100 Sterling, per annum, chargeable for this Officer's salary on the Civil List.

Upon the question for sustaining this Resolution, it was decided in the negative.

To the Commissioners appointed to improve the navigation of the Grand Lake by the removal of a Bar at the entrance of the Jemseg, the sum of £500 towards the completion of that object.

To William End, Esquire, Queen's Counsel, the sum of £—— to remunerate him for conducting several Criminal Prosecutions at the adjourned Circuit of the Court of Over and Terminer in Saint John, in November last.

Upon the question for sustaining this Resolution, it was decided in the negative.

To His Excellency the Lieutenant Governor or Administrator of the Government

for the time being, the sum of £—— to provide for the expenses of Moses H. Perley, Esquire, Commissioner for Indian Affairs, appointed by His Excellency to investigate and report upon the condition of the Indian Tribes in the Province, and their Reserves within the same; such sum as His Excellency may have temporarily advanced towards this service to be deducted from the above grant, and to be replaced in the fund from which it has been drawn.

Upon the question for sustaining the Resolution, the Committee divided as follows:—

YEAS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Stewart,
M'Almon,
Jordan,
Wilson,
Partelow,
Allen,
H. T. Partelow,
M'Leod,
Owen,
Brown,
Boyd,
Hill,
Street,
Rankin,
End,
Taylor,
L. A. Wilmot.

NAYS.

Mr. Freeze,
Beardsley,
Gilbert,
Hanington.

And it was thereupon carried in the affirmative, and the blank filled up with the sum of £228 4 8.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £—— to remunerate Moses H. Perley, a Commissioner for Indian Affairs, for his services on a Mission authorized by His Excellency for enquiring into the condition of the Indian Tribes in this Province, and reporting upon the Indian Reserves.

And upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
Mr. Jordan,
Stewart,
Wilson,
Partelow,
L. A. Wilmot,
Allen,
Fisher,
Woodward,
Connell,
Taylor,
Rankin,
Brown,
Street,
Hill.

NAYS.

The Hon. Mr. Weldon,
Mr. Palmer,
M'Almon,
Hanington,
H. T. Partelow,
Beardsley,
Freeze,
M'Leod,
Gilbert,
Owen,
End,
Boyd.

Whereupon it was carried in the affirmative.

The question being then taken for filling up the blank with the sum of £50, the Committee again divided as follows:—

YEAS.

YEAS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
Mr. Partelow,
Stewart,
Wilson,
Jordan,
Fisher,
L. A. Wilmot,
Street,
End,
Allen,
Woodward,
Connell,
Taylor,
Owen,
Brown,
Rankin.

NAYS.

The Hon. Mr. Weldon,
Mr. Palmer,
Beardsley,
M'Almon,
Hanington,
H. T. Partelow,
Freeze,
M'Leod,
Gilbert,
Hill,
Boyd.

And it was likewise carried in the affirmative, and the blank accordingly filled up with the sum of £50.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £—— to provide for the payment of the Commissioners appointed by His Excellency, and expenses incurred by them in framing the Debtor and Creditor Bill, and that no provision be made for such services in future.

And upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Allen,
Partelow,
H. T. Partelow,
Wilson,
Stewart,
Jordan,
Fisher,
Street,
Taylor,
M'Leod,
Rankin,
Woodward.

NAYS.

Mr. Owen,
Boyd,
Brown,
Gilbert,
Freeze,
Connell,
Beardsley,
Palmer,
Hanington,
M'Almon.

Whereupon it was carried in the affirmative, and the blank filled up with the sum of £35.

To the Commissioners of the Judicial Enquiry, the sum of £16 16 9, being actual expenses incurred and paid by them in engrossing their Report, and for Postages, &c.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £11 2 6 to be paid the Deputy Surveyor appointed under the direction of the Surveyor General, the balance due him for surveying a part of the Division Lines between the Counties of Westmorland and Kent, Queen's and Westmorland, Saint John and King's County.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £54 7s. to be paid to the Deputy Surveyor appointed under the direction of the Surveyor General, the amount of his account for surveying a part of the Division Line between the County of Northumberland and the Counties of Sunbury and Queen's.

To His Excellency the Lieutenant Governor the sum of £450 to provide for the Contingent Expenses of the Government the past year.

Resolved,

Resolved, That the following sums be granted for

Queen's County Bye Roads:

- £10 For a new line of Road on the Western side of the Nerepis, from William Jones' upper line until it meets the Gagetown Road.
- 10 For a Road leading from the Gagetown Road, between the line of John Smith and William Allingham, running from thence to a Road laid out by George Lyons'.
- 5 For the Road from the Butler Settlement to the Nerepis Road.
- 20 For the new Road leading from Dunn's Corner, on the Gagetown Road, to the Nerepis Road, and for a Bridge over the Nerepis Stream.
- 7 10 For the Road leading from the Gagetown Road to the North line of Wm. Crozier's land, West side Nerepis Creek.
- 10 For the Road from Morrill's Corner to Henry Lyon's Bridge.
- 5 For the Road leading from the Gagetown Road to the Nerepis, by way of Gabriel Fowler's.
- 5 For the George Lyon Road.
- 10 For the Road on the Eastern side of the Nerepis Stream through the Robb Settlement, and from thence to the Bridge on the Gagetown Road.
- 5 For the Road from David Speight's, through the Hopewell Settlement, to Henry Lyons' Bridge.
- 5 For the Road leading from the Hopewell Settlement to the Jerusalem Settlement.
- 10 For the Road through Douglas Valley, via Paschal's and Trafton's, towards Back Creek.
- 10 For the Road from Church on Gagetown Road to Gillan's.
- 10 For the Road from Park's Corner to Thomas Chadwick's.
- 20 For the Road from the Church in Coothill Settlement, by way of Richard Polly's Corner, to the Yorkshire Road (so called) which leads to the Long Reach, by way of Jones' Mill.
- 10 For the Road from a back Settlement of coloured people to the main Ocnabog-Road.
- 15 To build a Bridge over the South West Branch of the Ocnabog River, and to improve the Road from Ocnabog Bridge to the New Ireland Settlement.
- 10 For the Road from Inch's Corner to the King's County Line.
- 10 For the Road from Oak Point, Lewis Cove, to the Washademoac.
- 5 For the Road from the North East Branch of Lewis' Cove to the main Post Road, near Farmer's, via John Huggard's.
- 5 For the Road from the North East Branch of Lewis' Cove to Foster's Mill.
- 5 For the Road from the Public Landing, Lewis' Cove, to John Shaw's Mill.
- 5 For the Road from the Big Brook to the County Line, by way of Thomas Robertson's.
- 5 For the Road leading from the Main Road, which leads from VanWart's Mill, to the Rush Hill Settlement.
- 7 10 For the Road from the School House in the Shannon Settlement to William Hull's.
- 5 For the Road from Hugh M'Craig's to the Porcupine Road, at Samuel London's.
- 7 10 To improve the Road and build a Bridge on the Road on the line between William Ward's and John M'Cready's, in the Shannon Settlement, to the Main Road.
- 10 For the Road from Wetmore's Mills to the new Post Road, and for the Bridge over the Mill Brook below the Mill.
- 10 For the Road joining the Post Road near Hugh Smith's, passing by Samuel Chisholm's Wild Meadows, and to Shaw's Mill.
- 7 10 To build a Bridge across a Brook near the line between Robert Golding's and Robert Bulyea's.
- 5 For the Road on line between Nos. 10 and 11, in Grant to Day and others.

- £10 To build a Bridge on the front Road on the Eastern side of the Washademoac Lake, between Jacob Day's and John M'Donald's.
- 10 To improve the Road on the Eastern side of the Washademoac Lake, between Craft's corner and Abraham Bulyea's.
- 10 For the Road from Benjamin Appleby's Point to John Craft's.
- 5 For the Road from the Bank of the Stream leading to Van Wart's Mill to the said Mill.
- 10 To improve the Road from Samuel London's to Dickey's Mill, and to build a Bridge over Allbright Brook.
- 5 For the Road from the County Line crossing the Beaver Dam Stream to Dickey's Mill.
- 5 For the Road from Dickey's Mill to the Cross Road leading to Murdock's.
- 5 For the Road from the Cross Road to meet the Grant of last year, expended by Robert Golding.
- 5 For the Road from the corner of the Cross Road up to Murdock's.
- 10 For the Road from Oak Point to the Henderson Settlement.
- 10 For the Road from the Public Landing, South West Branch of Lewis' Cove, to J. Somerville's line.
- 5 For the Road from Andrew Somerville's to the Road leading to the Bellisle and Washademoac.
- 7 10 For the Road between John Wilson's and the County Line near William Henderson.
- 10 To raise the Bridge over Charles Robinson's Brook.
- 15 For the Bridge over Wigwam Brook, and to improve the Road.
- 40 For the Road from Dykeman's Brook to Cox's Mill, and repairing Bridge.
- 10 To open a Canal through a Bar between Bussy's and Lackey's.
- 30 For the Road between Lackey's and James M'Donald's.
- 5 For the Road from the Main Road on South side of Cumberland Bay to the Shore on the line between John Langly and Peter M'Intyre.
- 5 For the Road between Elkin's and Joseph Barton's.
- 10 For the Road from 17 Cove to the School House near Thomas Wassin's South side Cumberland Bay.
- 10 For the Road from the Settlement in rear of William Wiggin's Land to the front Road.
- 5 For the Road through a Swamp across John Stratton's Land on the Main Road between George Burke's and John M'Vicar's, Grand Lake.
- 4 14 To Samuel White, to repay him a balance due for over expenditure in 1837.
- 5 For the Road from the Grand Lake Shore, on the line between David M'Intosh and Gideon Tower, to intersect the Road leading from Cox's Mill to Dykeman's Bridge.
- 10 For the Road from Cumberland Bay Bridge to George Burk's, and to the Shore on the line between John Stratton's and Robert Snell's.
- 10 For the Road leading from the Cumberland Bay Road to Lepsett's, running parallel with Lauchlan M'Lean's upper line.
- 10 For the Road from M'Lean's Mill to Robert Caldwell's lower line, and for improving the Bridge at the head of Cumberland Creek.
- 10 For the Road leading from M'Lean's Mill to Stratton's.
- 10 For the Road between the Young Cove Mills and James Spence.
- 40 For the Road from Cumberland Bay Bridge to Cole Creek, on the line explored by William Fosbay, Esquire.
- 5 For the Road from Cumberland Bay Bridge to Allan M'Lean's.
- 5 For the Road from Richard Barton's to William Melroy's.
- 5 For the Road from Cox's Point to Coal Creek.
- 5 To raise the Bridge on No. 20 Brook.
- 5 For the cross Road from Elkins's to Joseph Barton's.
- 10 For the Road from William Barry's to Brown's Mill on the East side of Coal Creek.
- 5 To finish cutting down the Hill at Coakly Brook.
- 5 For the Road from the lower Mills to the upper Mills on the East side of New Castle.

- £5 For the Road from Cox's Point to Beaver Pond Bridge.
5 For Slough near Cox's Point.
5 For the Road from A. Barton's to C. M'Namara's.
5 For improving the Bridge and diverting the Water Courses on that part of the Road in the English Settlement called Harvey's Hill.
5 For the Road from John Henderson's, Maxwell's Irish Settlement, leading to the English Settlement to Murray's Mill.
5 For the Road from Thomas Murray's English Settlement to Lot No. 1 in East Waterloo Settlement.
5 For the Road from English Settlement to Murray's Saw Mill.
5 For the Road from English Settlement to Henderson's Irish Settlement.
5 For the Road from Murray's Saw Mill through the Johnston Settlement to King's County Line.
7 10 For the Road from Murray's Saw Mill through the M'Farlane Settlement.
5 For the Road from Hall's English Settlement to Jenkins's Road.
5 For the Road from David Nodin's on the main Road to Murray's new Grist Mill.
5 For the Road from Captain Seacord's to Charles Crookshank's.
5 For the Road from Murray's Grist Mill, English Settlement, to James Lynch's.
5 For the Road from Pearce's Western Line to Joynes' Eastern Line, Waterloo Settlement.
5 For the Road from Joynes' Eastern line to the Road leading from Salmon Creek to East Scotch Settlement.
5 For the Road leading from Woodstock to the Road leading from Stewart's to Shearer's.
7 10 For the Road leading from the Waterloo Settlement Road to Griffin's, between Bedwell's and Lot of Shewbridge.
10 For the Road from the new Post Road to the Waterloo Settlement, on A. Cochran's South line.
10 For the Road from Andrew Richardson's to the English Settlement.
10 For the Road from County Line, near Maxwell's, to Thomas Boyd's, by way of the English Settlement.
5 For the Road through Salmon Creek Settlement, beginning at George Kincade's upper line.
10 For the Road from Thomas Thompson's to Hall's English Settlement.
25 For the Road leading from Doctor Bevin's, or the Bridge, as may be hereafter determined, on Long Creek, Queen's, to the M'Farlane and Mountain Settlements, in the County of King's.
7 10 For the Road leading from the Bridge at Long Creek, to intersect the Road leading to the English Settlement.
7 10 For the Road leading from John Johnston's to the King's County Line, commencing at the said John Johnston's.
10 For the Road from Thomas Ham's to John Corcoran's.
10 For the Road from James M'Auley's to Patrick M'Cunly's.
10 For the Road from lower Nerepis Brook to upper Nerepis Brook.
10 For the Road from George Cole's to Charles Crookshank's upper line.
10 For the Road from Samuel Cole's to William Phillips'.
10 For the Road from the mouth of Long Creek to William Maskell's.
10 For the Road from Obediah Starkey's to Charles Vincent's.
20 For a new Road from Iron Bound Cove, Salmon River, and Hardwood Ridge.
20 For the Road from Briggs' Landing on the Road leading from Salmon River to Summers' upper line.
20 For the Road leading from Summers' upper line to the Hardwood Ridge.
20 For a new Road between the Salmon River Mills and Coal Creek Mills, to communicate with the Great Road leading from the Grand Lake to Richibucto.
5 For the Road leading from Moses Lattar's Farm to the Salmon River Mills.

- £7 10 For the Road between W. M'Allister's and Long Creek, on the Eastern side of Salmon River.
- 5 For the Road from Syphers' Pond to Little River.
- 10 For the Road leading from the front Road near the margin of the Grand Lake to the main Road commencing on the line near John Burrel's.
- 15 For the Road leading from Gershom Clark's to David Brill's on the South East side Maquapit Lake.
- 11 13 8 For the Road between Baillie's Point and New Castle Mills to intersect the Great Road from Fredericton and Petitcodiac.
- 20 For the Road between the Salmon River Road and Brown's Mill on the North side of Coal Creek.
- 10 For the Road leading from Cole's to New Canaan.
- 20 For the Road leading from the Fork Stream (so called) to the old Canaan Settlement, intersecting the Great Road leading to Fredericton, and for a Bridge over the said Stream.
- 15 To open a Road on the North side of New Canaan River leading from M'Donald's Mill to the new line of Road to Fredericton.
- 5 For levelling a Hill at Murray's Brook.
- 5 For levelling a Hill at Ephraim Carpenter's.
- 10 For the Road from the County Line to A. Stewart's Bridge, near Waterloo Settlement.
- 10 For a Bridge on Stewart's Stream, and to make a new Road to intersect with the Cross Road leading from Bellisle to Salmon Creek, English Settlement, to the Washademoac, by way of Ebenezer Perry's.
- 7 10 On the Road altered from Alexander Clark's Lot to Joseph Stockford's upper line, near Watson's Ferry, to White's Ferry, East side of Grand Lake.
- 10 To complete the Road at the Nerepis and a Bridge at James Green's, and also a Bridge at the lower Nerepis Brook, on the Road altered at that place.
- 40 For the Main Road from Maquapit Lake to Newcastle, and from thence to Hardwood Ridge.
- 20 For new Road from Public Landing to the Gagetown Road.
- 15 For the Road from Dennis Mahony's Farm towards the Nerepis Road.
- 15 For the Road from near the Forks of the Road from Gagetown to Ocnabog, near John Gaunce to M'Allister's, on the Nerepis Road.
- 10 For the Road from Harrison's, Jerusalem Settlement, to King's County Line.
- 8 For the Road running South from the new Ireland Road to the Road which runs through Kemble's Manor.
- 15 For the Road from M'Conkey's to Sanburn's Mill, and building a Bridge.
- 8 For the Road through the North part of the new Ireland Settlement.
- 10 For the Road from Mahood's Corner to the Gagetown Road.
- 5 For a Bridge over Tabb's Brook on the Road from the corner of Lot No. 6 to the Great Road near the Den.
- £8 For the Road from the Grand Lake to Richard Stevens' in the back Settlement between Hugh Cameron's and John M'Lean's.
- 8 For the Road from Cox's Mill, through the back Settlement, intersecting the Great Road leading from Washademoac to Jemseg.
- 8 For the Road from Lot No. 6, between the first and second tier of Lots, to intersect the Great Road near the Den.
- 15 For building a Bridge near George Smith's in Young's Cove on the main Road through the Settlement.
- 5 For repairing the Bridge across Young's Creek near Wiggins' Mill.
- 5 For the Road from Washademoac Lake near Orchard's Mill.
- 11 2 4 To N. Hubbard, Commissioner, to enable him to pay Thomas Thompson for making a Road during the past year at Long's Creek.
- 10 For the Road from John Corcoran's to Thomas Wetherall's Mill.
- 15 For the Road from Wiggins' Mill to Washademoac, near Widow Jenkins'.
And

And the Chairman further reported, that he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Saunders, by command of His Excellency, laid before the House—

Various Documents in reference to transporting two Prisoners, Martin Newman, and William Roberts, to England, with an account of the expenses incurred thereby :

Communication from Alexander Rankin and J. A. Street, Esquires, relative to the Survey of Land for the settlement of Emigrants upon the Dungarvon River, in the County of Northumberland, as also a new line of Road in connection therewith :

Report from the Auditor General upon Accounts of Road Expenditures on the Canada Line, between the Grand Falls and Little Falls of Madawaska ; and the Bridge over the Arestook River :

A third Letter from Henry Gilbert and Leveret H. Deveber, Esquires, Commissioners for expending a sum voted in Supply this present Session of the Legislature, for the relief of the destitute Poor at Saint John.

This Letter being read at the Clerk's Table, is as follows :—

Saint John, New Brunswick, March 23d, 1842.

SIR,—For the information of His Excellency, we have to state, that the applications for employment continue to increase. There appears to be very few able to employ the labouring class, and those that are, appear not disposed, there being no immediate prospect of a beneficial return. Those of the labouring class that can remove are doing so ; several took passage for the Westward last week. We apprehend a difficulty in keeping order in the City, unless the suffering labouring Poor are employed. The 17th passed away without any riot ; those few who left their work returned next day, and have been well behaved since.

We have the honor to be, yours, &c.

H. GILBERT,
L. H. DEVEBER. } *Commissioners.*

The Honorable Wm. F. ODELL, Provincial Secretary, &c. &c. &c.
Fredericton.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to the following Bills, viz :—

The Bill to incorporate the Saint Stephen Marine Assurance Company : and
The Bill to revive an Act, intituled " An Act for regulating the Salmon Fisheries in the County of Gloucester,"

Without making any amendments thereto.

And also to

The Bill relating to Debtors and Creditors,

With amendments, to which they desire the concurrence of the Assembly.

And he further informed the House, that the Council had agreed to

The amendments made by the Assembly to the Bill sent down from the Council, intituled " An Act to make further provision relating to the Provincial House of Correction, and to give it the name of The Provincial Penitentiary."

The House adjourned until Monday morning next at half past 9 o'clock.

Monday, 28th March, 1842.

Prayers.

Mr. Partelow, from the Committee on the part of this House, to join the Committee appointed by the Honorable the Legislative Council, to prepare Addresses to Her Majesty and the Imperial Parliament upon the subject of a revision in the Customs Duties, as applying to the British Colonial Possessions, reported that the Committees had met and prepared Drafts thereof, which he was directed to submit to the House; and the same being severally read, were handed in at the Clerk's Table, and there again read.

Ordered, That the Report be accepted.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply on Saturday the 26th day of March, instant.

Ordered, That Mr. Taylor do take the said Resolutions to the Council, and desire their concurrence thereto.

On motion of Mr. Owen,

Whereas there are at present two Commissioners for the Light Houses on Partridge Island and the Beacon Light House at the Harbour of Saint John, and other Commissioners for the Light Houses at Gannet Rock, Point LePreaux, Quaco, and Cape Enrage, and also other Commissioners for the Light Houses at Saint Andrews, Campo Bello, and Machias Seal Islands: And whereas all those Light Houses are situated in the Bay of Fundy, and the requisite attention could be given to the service by one Board of Commissioners, to meet as often as might be necessary at Saint John, by which arrangement much expense might be saved: And whereas a Select Committee of the House of Assembly, appointed to take into consideration all matters connected with the Light Houses of the Province, have reported at different times that one Board of Commissioners only, to have under their charge all the Light Houses in the Bay of Fundy, would be an improvement on the present mode; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to re-organize the present Boards of Commissioners, and appoint such a number of properly qualified Gentlemen for the service, to form one Board, to be holden at Saint John, for the management of all matters connected with the Light Houses belonging to this Province in the Bay of Fundy, as recommended by the Select Committee of the House on this subject in a Report on the 26th February, 1841.

Ordered, That Mr. Owen, Mr. Woodward and Mr. Boyd, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Taylor,

The House went into Committee of the whole, in further consideration of a Bill to establish sundry regulations for the future disposal of Crown Lands in certain cases.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made amendments thereto, and then agreed to the said Bill, under the Title of—

A Bill to restrain the provisions of the Fifth Section of an Act, intituled "An Act for the support of the Civil Government in this Province," and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases.

Ordered, That the Report be accepted, and the Bill engrossed, as amended, under the amended Title.

On motion of Mr. M'Leod,

Resolved, That the Petition from David B. Wetmore, Esquire, and others, Magistrates for King's County, praying for a grant in aid towards discharging a debt contracted in building a new Gaol, and which was presented to the House on the 12th day of February last, and ordered to lie on the Table, be referred to the Committee of Supply.

On motion of Mr. Palmer,

The House again went into Committee of the whole, on a Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

of

Mr.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again under their consideration, they had agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of the Honorable Mr. Weldon,

Ordered, That the Committee appointed on the third day of February last, to take into consideration the subject of provision being made for conducting Criminal Prosecutions in the Courts of Justice, be discharged.

On motion of Mr. Woodward,

Whereas it appears by a Report from the Judges of the Supreme Court of the Province, of 1st December last, made to His Excellency the Lieutenant Governor, and laid before this House on the 27th January last, that the Attorney and Solicitor Generals are not thought to be obliged by virtue of their Offices, to conduct such Crown business as has been heretofore the practice; and whereas inconvenience may be experienced by the Public service in consequence of the duties of the said Officers being undefined; therefore

Resolved, As the opinion of this House, That the income of those Officers, and the large amount of Fees derived by the Attorney General, and the honorary distinction, and both those Officers being on the road to preferment in the Judiciary of the Province, are, and should be, full and complete satisfaction for the said Officers, and for the performance of all the Crown business that may be required to be done in the different Courts in the Province as heretofore; and further

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to communicate this opinion of the House to the said Crown Officers, and in the event of their refusing to do what may be required of them for the Public Service, as has heretofore been the practice, that this House is of the opinion that Gentlemen of the Bar, of talent and industry, can be found to fill the said Offices satisfactorily, without any increased expense to the Province.

To which Mr. Partelow moved as an amendment—To expunge the whole of the said Resolution, as well as the Preamble thereto, and substitute the following:—

Resolved, That until a case shall arise where Her Majesty's Attorney and Solicitor Generals refuse to do the duty as heretofore performed by them, it is inexpedient for this House to express any opinion on the subject matter now under consideration."

Mr. Hill then moved as an amendment to the said proposed amendment—To expunge the whole thereof, after the word "*Resolved*," and substitute as follows:—

"As the opinion of this House, That the practice of nearly sixty years, during which time the Crown Officers have conducted Criminal Prosecutions, as well at Bar as on the Circuits, is conclusive of the duty of those Officers in the premises, and ought not now to be brought in question."

The question was then taken upon the last proposed amendment, when the House divided—

YEAS, 11.

NAYS, 10.

Whereupon it was carried in the affirmative.

The Honorable Mr. Speaker communicated a Letter received by him, in reference to the Address of this House to His Royal Highness Prince Albert, congratulating His Royal Highness on the Birth of the Heir Apparent to the British Throne, and the happy recovery of the Queen, and the same being read, is as follows:—

Royal Pavilion, Brighton, February 26, 1842.

Sir,—I have laid before Prince Albert the Address, transmitted to me by Lord Stanley, of the House of Assembly of New Brunswick, and I am commanded by His Royal Highness, to return His best thanks for their congratulations on events so interesting to himself and the nation at large, as the Birth of an Heir Apparent to the Throne, and the convalescence of Her Majesty the Queen.

I have the honor to be, Sir,

Your most obedient servant,

G. E. ANSON.

On motion of Mr. Hill,

Whereas experience has shown that large grants of Public Lands to individuals have been obstructive of the settlement of the Country, and a serious hindrance to the advancement of its Agriculture, and injurious to the resources of Public Revenue; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to restrain the sale of Crown Lands at Auction to any one person, either at one or more sales, to a quantity not exceeding Five hundred acres, and that an upset price shall in all cases be fixed at what may be deemed a reasonable price for the Lands thus exposed to sale, and that no grant be issued until the whole of the purchase money be paid.

Ordered, That Mr. Hill, Mr. Brown and Mr. M'Leod, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Hanington,

Resolved, That the Bill to restrain the provisions of the Fifth Section of an Act, intituled "An Act for the support of the Civil Government in this Province," and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases, be engrossed on Parchment.

Upon the question for adopting the said Resolution, the House divided as follows:—

YEAS.

The Hon. Mr. Johnston,
Mr. M'Almon,
Jordan,
Hanington,
L. A. Wilmot,
Woodward,
Beardsley,
J. M. Wilmot,
Gilbert,
Fisher,
Connell,
Hayward,
Hill.

NAYS.

The Hon. Mr. Weldon,
Mr. Allen,
Partelow,
Stewart,
Wilson,
Taylor,
Freeze,
M'Leod,
H. T. Partelow,
Brown,
Boyd,
Rankin.

And it was thereupon carried in the affirmative.

On motion of Mr. Woodward,

The House went into Committee of the whole, on a Bill to abolish Imprisonment for Debt for sums under Five Pounds.

Mr. Boyd in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, the following was moved—

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

And upon the question, the Committee divided—

YEAS, 7.

NAYS, 14.

Whereupon it was decided in the negative.

That the Committee then went through the Bill, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Hill,

Resolved, As the opinion of this House, that the proper site for the contemplated new Bridge across the Waweig, in the County of Charlotte, is at the mouth of that Stream, and not at the upper place, near Watts' Tannery.

When Mr. End moved the previous question—That the question upon the Resolution be now put.

And upon the question, the House divided—

YEAS, 9.

NAYS, 11.

Whereupon it was decided in the negative.

On motion of Mr. End,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

Resolved. That there be granted

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £300 to enable the Commissioners of Indian affairs to afford relief to indigent and distressed Indians in this Province; the Warrant for the sum not to issue until an account of the former grant be rendered.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £75 for a Packet to keep up a communication between Saint Andrews and West Isles, Campo Bello and Grand Manan.

To His Excellency the Lieutenant Governor, the sum of £—— to enable the Honorable Charles Simonds to cancel a Bond given by him to the Queen for that sum upon the security of which His Excellency advanced the above sum for the purpose of employing the distressed labouring classes in Portland; the extreme exigency of the case admitting of no delay; also, such sum as will pay the interest on the said Bond to August next, agreeably to the condition thereof.

To which an amendment was moved—To add the following :—

“The same to be taken out of the £500 granted this Session for the Alms House for the City and County of Saint John.”

An amendment was then moved to the said proposed amendment—To substitute the following in place thereof :—

“The same to be deducted from the appropriation that may be made at the next Session of the Legislature, for improving the Road between Fredericton and Saint John.”

And the question being taken upon the last proposed amendment, it was carried in the affirmative.

The question was then taken upon the Resolution as amended, and it also passed in the affirmative, and the blank filled up with the sum of £250.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £—— for Provincial Contingencies for the year 1842.

Upon the question for filling up the blank with the sum of £300, the Committee divided as follows :—

YEAS.

The Hon. Mr. Weldon,
Mr. End,
M'Almon,
Hanington,
Wilson,
Beardsley,
Fisher,
Freeze,
Gilbert,
Palmer,
H. T. Partelow,
Brown,
Boyd,
Hill.

NAYS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
Mr. Street,
L. A. Wilmot,
Partelow,
Allen,
Stewart,
Woodward,
J. M. Wilmot,
Connell,
M'Leod,
Owen,
Jordan,
Taylor,
Rankin.

And it was decided in the negative.

It was then moved—That the blank be filled up with the sum of £450; and upon the question, the Committee again divided as follows :—

YEAS.

YEAS.
 The Hon. Mr. Speaker,
 The Hon. Mr. Johnston,
 Mr. Street,
 Partelow,
 Stewart,
 Woodward,
 J. M. Wilmot,
 Connell,
 L. A. Wilmot,
 Owen,
 Taylor,
 Jordan,
 Rankin.

NAYS.
 The Hon. Mr. Weldon,
 Mr. Allen,
 End,
 Hanington,
 Wilson,
 Beardsley,
 Freeze,
 Palmer,
 Gilbert,
 H. T. Partelow,
 Brown,
 Boyd,
 Hill,
 M'Almon,
 M'Leod,
 Fisher.

And it was likewise decided in the negative.

A motion was then made—To fill up the blank with the sum of £400 ; and upon this question, the Committee again divided as follows :—

YEAS.
 The Hon. Mr. Speaker,
 The Hon. Mr. Johnston,
 Mr. Allen,
 Stewart,
 Partelow,
 Street,
 Woodward,
 J. M. Wilmot,
 L. A. Wilmot,
 Connell,
 M'Leod,
 Owen,
 Taylor,
 Rankin,
 Jordan.

NAYS.
 The Hon. Mr. Weldon,
 Mr. End,
 M'Almon,
 Hanington,
 Wilson,
 Beardsley,
 Freeze,
 Gilbert,
 Fisher,
 Palmer,
 H. T. Partelow,
 Brown,
 Boyd,
 Hill.

Whereupon it was carried in the affirmative, and the blank accordingly filled up with the said sum of £400.

Resolved, That the following sums be granted for

Dork Bye Roads :

- £50 For the Road leading to the Howard Settlement, £5 of which to be laid out towards the Skiff Lake, if necessary, and £10 from the Howard Settlement to Dow's Mills and the new Settlement forming on Eel River.
- 17 For the Road to the Allandale Settlement, out of which any balance due to the Commissioner for exploring last year to be paid.
- 10 For the Road leading to the Rosborough Settlement.
- 30 For the Road from the Poquiock Settlement to the Magundy.
- 12 For the Road from Carson's corner to Wilson's Mills, and, if necessary, a small sum may be expended between the River and the Poquiock Settlement.
- 25 For the Road from the River Saint John to the School House, Magundy, out of which the soft part of the new Road to be gravelled.
- 7 10 For the Road from Lake George to Marlow's in the Moody Settlement.
- 7 10 For the Road leading to Lake George past Irving's.
- 50 For the Road from the Magundy Settlement across Lockhart's field to the Magaguadavic ; £3 of which towards paying Lockhart the damages for going through his field.

£5	For the Road leading from the Magaguadavic Road to James Brown's.	
30	For the Road from the New Market Settlement to and through the Smithfield Settlement to the Saint Andrews Road, passing Mr. S. Hunter's; £2 of which may be expended in improving the Road to Abrams'.	
18	For the Road leading to the Settlement on Gardner's Creek, one third of which to be expended between G. H. Kitchen's and Nelson's.	
15	For the Road leading from the Bridge on Long's Creek to John Barker's, recently opened by the Commissioners.	
35	To build a Bridge over Baker's Creek and to improve the Road to the New Maryland Settlement.	
25	For the Road leading from the Alms House to the New Maryland Settlement.	
15	For the Road from the New Maryland Settlement downward.	
20	For the Road leading to the Glebe.	
63	15 For the Road from the Rushagonis to the Saint Andrews Road.	
5	For the Road leading to Foy's in the Hanwell Settlement.	
10	For the Road on the South side of the Rushagonis.	
10	For the Road from Morgan's to Beaver Dam.	
7	10 For the old Road leading to Spring Hill.	
7	10 To open a Road from the Great Road leading to the Meeting House and Burying Ground near Lawrence's, ending on the upper side of the old Road.	
128	To remunerate Jacob M'Kean for erecting a Bridge over the Mactaquack and further to improve the Road leading thereto.	
25	For the Road leading to the Campbell Settlement.	
20	For the Road leading from the Campbell Settlement downward toward the Nackawickack near the mouth of Trout Creek.	
15	For the Road to and through the upper Caverhill Settlement towards the lower Settlement.	
10	For the Road to and through the lower Caverhill Settlement to the upper Settlement.	
38	For the Road from Adam Jackson's to the River Saint John.	
50	To open and improve the new Road leading from the Scotch Settlement to the Caverhill through the new Settlement; £5 of this sum to improve the Road leading to Sharp's.	
35	For the Road from William Gray's to the mouth of the Mactaquack.	
5	For the Road to King's on the old Bear Island Road.	
15	For the Road from Humphrey Sisson's to James Whitehead's.	
20	For the Road from the Keswick, through the Tripp Settlement, to Whitehead's.	
10	For the Road from Harris' to the Keswick.	
8	For the Road from Burt's to Christy's on the Ridge, particularly over the Low Land.	
15	For the Road from Darius Burt's towards the upper end of the Settlement, passing Gould Crouse's.	
40	To remunerate David Burt for erecting a Bridge on the Keswick Creek at Estey's, any balance to be laid out in improving the Road leading to E. Stone's and E. Porter's.	
15	For the Road from Jones' Mills to Cardigan; £2 of which to be expended on the North line, if necessary.	
20	For the Road from the Bird Settlement Road to the Keswick, through the Boon Settlement, passing Harris'.	
25	To remunerate Richard Dunn in part for erecting the Market Wharf, in aid of individual contribution.	
10	For the Road leading from the Penniack Mills to Goodspeed's.	
10	For the Road leading from the Penniack Mills to the upper part of the Settlement.	
15	To improve the Hill near Archibald Clayton's, on the Nashwaak.	
50	For the Road on the Eastern side of the Nashwaak.	£35

- £35 For the Road from M'Laggan's to Stanley; £7 of which to be expended upon the Nashwaak Settlement leading towards Stinson's.
- 7 10 For the Road from the Nashwaak Bridge upwards, on the East side of the Stream to M'Pherson's.
- 60 For the Road leading from the South Branch of the Tay to Stone's; £10 of which to improve the Road leading to Stanley, by Mick's, provided Mick gives up the Land; £5 to improve the Road through Cardigan, if necessary; and £2 for a Road to Hauks' and Williams'.
- 30 For the Road leading from Doctor Jacob's Farm to Stanley; £2 of which to improve the Road to Davidson's.
- 10 For the Road to Larkin's.
- 10 To remunerate Colonel Hayne for improvements made on the Road leading from Stanley to Nashwaak last Summer, Colonel Hayne having paid the balance.
- 20 For the Road leading to Charles King's.
- 14 For the Road leading to the M'Leod Hill Settlement.
- 35 For the Road leading from the Great Road to Miramichi to the Nashwaak.
- 15 For the Road leading from the Nashwaak to the New Durham Settlement.
- 5 For the Road leading from the Tay Creek to Campbell's.
- 50 To make an embankment on the River Saint John.
- 15 To improve the Road from Hughes' to the Texas River.
- 86 5 Further to improve the Road to the New Maryland Settlement beyond Lawrence's.
- 10 For the Road leading to the Petitcodiac Road near the County Line.
- 7 10 To open a Road from Piercy's in Harvey to Little Settlement in the rear.
- 5 Towards exploring and opening a Road from Wilson's in Harvey to William Patterson's in the rear.
- 5 To explore a Road from William Embleton's to Lake George.
- 5 Towards exploring a Road between the New Maryland Settlement and the Oromocto Lake.

And the Chairman further reported, that he was directed to ask leave to sit again. *Ordered*, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, delivered the following Message:—

“New Brunswick.

“Message to the House of Assembly, 28th March, 1842.

“W. M. G. COLEBROOKE, Lt. Governor.

“The Lieutenant Governor has the satisfaction of communicating to the Assembly, Copy of a Despatch he has received from the Secretary of State for the Colonies, conveying Her Majesty's gracious acceptance of their Address on the Birth of the Prince of Wales.

“W. M. G. C.”

The Despatch communicated by the foregoing Message, being read at the Clerk's Table, is as follows:—

[No. 35.]—(Copy.)

Downing Street, 21st February, 1842.

SIR,—I have received your Despatch of the 28th January, 1842, enclosing Addresses to the Queen and to His Royal Highness Prince Albert, on the occasion of the Birth of the Prince of Wales.

I have laid the Address to the Queen before Her Majesty, and have received Her Majesty's commands to instruct you to convey to the House of Assembly the assurance of the high gratification with which Her Majesty has received this proof of the loyal and affectionate interest taken by the House, in an event so intimately connected with Her Majesty's domestic happiness, and giving, under the blessing of Divine Providence, the prospect of cementing and perpetuating the Union which happily subsists between the different parts of the widely extended Dominions of the British Crown.

I have, &c.

(Signed)

STANLEY.

Lieutenant Governor Sir WILLIAM COLEBROOKE, &c. &c. &c.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to the Resolutions of Appropriation dated the 17th and 18th days of March, instant.

And he further informed the House, that the Council had agreed to the Joint Addresses prepared by the Joint Committee of the Council and Assembly, to Her Majesty and the Imperial Parliament, on the subject of a revision of the Customs Duties as applying to the British Colonial Possessions abroad.

On motion of Mr. Partelow,

Resolved, That the Report from the Auditor General on the Accounts of the Commissioners for Government House, and which was communicated by Message from His Excellency the Lieutenant Governor on the 21st instant; also so much of the Auditor's Reports on the Accounts of Supervisors of Great Roads, as well as those of Commissioners for expending Special Road Grants, and for Explorations, and which shew amounts over expended, be referred to the Committee of Supply.

On like motion of Mr. Partelow,

Resolved, That the Petition from the Mechanics' Institute, at Saint John, praying for a grant in aid towards the payment of a debt due by them, and which was presented to the House on the 31st day of January last, and referred to a Select Committee to report thereon, be referred to the Committee of Supply.

The House adjourned until to-morrow morning at half past 9 o'clock.

Tuesday. 29th March. 1842.

Prayers.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave to sit again granted.

A Message from His Excellency the Lieutenant Governor, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

The House attended, and being returned --

The Honorable Mr. Speaker then reported, that he had addressed His Excellency as follows: --

" May it please Your Excellency,

" The Assembly have passed 'A Bill imposing Duties for raising a Revenue ;'

" And I present that Bill in the name and on behalf of Her Majesty's faithful and loyal Subjects, the Commons of New Brunswick, and pray that Your Excellency will be pleased to give your assent thereto."

That His Excellency was then pleased to give his assent to the Bill presented by the House, as also to the following Bills, intituled --

An Act to authorize the Justices of the Peace for the County of Charlotte to make regulations for the Market Wharf in the Parish of Saint Stephen :

An Act to repeal an Act, intituled " An Act to prevent the taking of Fish in the different Harbours and Rivers of this Province with drift Nets," so far as the same relates to the County of Westmorland :

An Act to extend the provisions of an Act, intituled " An Act to repeal the Laws now in force for appointing Firewards, for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and

for

for other purposes therein mentioned," to the Towns of Dalhousie and Campbellton, in the County of Restigouche :

An Act to authorize the Justices of the Peace for the County of York to levy a further assessment for the purpose of paying off the debt due on the erection of a new Gaol in the said County :

An Act to continue an Act, intituled " An Act to provide for the erection of Fences with Gates, across the Highways on Deer Island, in the Parish of West Isles, in the County of Charlotte" :

An Act to establish the Line of Road from Oak Bay, in the County of Charlotte, to the mouth of Eel River, in the County of York, as one of the Great Roads of Communication in this Province :

An Act to repeal the Act to prevent disorderly riding or driving on Public Bridges, and make other provisions in lieu thereof :

An Act to authorize the Justices of the Peace in and for King's County to raise a sum of money for paying the contractors for building a Gaol in the said County :

An Act to authorize Commissioners for taking Affidavits in causes pending in the Supreme Court to take Affidavits in causes pending in the several Inferior Courts of Common Pleas for the several Counties in this Province :

An Act to alter the Division Line of the Parishes of Douglas and Queensbury, in the County of York :

An Act to authorize the Justices of the Peace for Queen's County to levy an assessment to pay off the County Debt :

An Act to amend an Act, intituled " An Act to repeal all the Acts regulating Tavern Keepers and Retailers," and to make other provisions in lieu thereof :

An Act to authorize Her Majesty's Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt :

An Act to authorize the Magistrates of the County of Restigouche to levy an assessment upon the Inhabitants of the said County to pay off the County Debt :

An Act relating to the appointment of Firewards, and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte, therein mentioned :

An Act to erect the upper part of the Parish of Wakefield, in the County of Carleton, into a separate and distinct Town or Parish :

An Act to vacate the Seats of Members of the Assembly in certain cases :

An Act relating to the Market in Fredericton :

An Act to authorize the Justices of the Peace for the County of Northumberland to levy an assessment to discharge the debts due by the said County :

An Act to enable the Supreme Court to give relief against adverse claims made upon persons having no interest in such claims :

An Act to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County for payment of the County Debt :

An Act to continue the Acts relating to Highways :

An Act to repeal certain parts of an Act, intituled " An Act to authorize the appointment of Commissioners to lay out a Street or Highway through the Town of Chatham, and to establish and regulate Public Landings in the said Town," and to make other provisions in lieu thereof :

An Act to increase the Representation of the County of Restigouche—(with a suspending clause) :

An Act to limit the duration of the Assembly—(with a suspending clause) : and

An Act relating to the Mines and Minerals in the County of Gloucester—(with a suspending clause.)

On motion of Mr. Partelow,

The House went into consideration of the Addresses reported from the Joint Committee of the Legislative Council and Assembly to Her Majesty and the Imperial Parliament, relative to a revision of the Customs Duties, as applying to the British Colonial Possessions abroad ; and the same being unanimously agreed to, were thereupon

Ordered, To be engrossed ; and further

Ordered, That Mr. Brown acquaint the Legislative Council that the House have agreed to the said Addresses.

On

On motion of Mr. Connell,

Resolved, That the several Documents communicated to the House on the 24th instant, in reference to the purchase of Land at Woodstock, in the County of Carleton, for the erection of Barracks, be referred to a Select Committee to report thereon.

Ordered, That the Honorable Mr. Johnston, Mr. L. A. Wilmot and Mr. Connell, do compose the said Committee.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had appointed the Honorable Messieurs Wyer and Hatch a Committee on the part of that House, to join such Committee as may be appointed by the Assembly, to wait upon His Excellency the Lieutenant Governor, and request he will be pleased to transmit to Her Majesty and the Imperial Parliament the Joint Addresses relative to a revision of the Customs Duties, as applying to the British Colonial Possessions abroad.

On motion of Mr. Partelow,

Resolved, That a Committee be appointed on the part of this House, to join the Committee of the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the said Addresses.

Ordered, That Mr. Partelow, Mr. Wilson, Mr. Street and Mr. L. A. Wilmot, be the Committee on the part of this House; and further

Ordered, That Mr. Wilson communicate the same to the Council.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow:—

Resolved, That there be granted

To the Justices of the Peace of the City and County of Saint John, the sum of £— to reimburse the Overseers of the Poor of the City of Saint John for advances made during the past year towards the support and relief of sick, distressed and indigent Emigrants, and for supplies furnished Emigrants landed on the Quarantine Establishment at Partridge Island; the same to be taken from the Emigrant Fund.

To which an amendment was moved—To expunge the words “the same to be taken from the Emigrant Fund,” and substitute the following:—

“The same to be taken out of the £3,250 recently loaned by the Executive to the Corporation of the City of Saint John.”

Upon the question for sustaining the amendment, the Committee divided as follows:—

YEAS.
 Mr. Rankin,
 Hill,
 Boyd,
 Brown,
 Beardsley,
 Street,
 Stewart.

NAYS.
 The Hon. Mr. Weldon,
 The Hon. Mr. Johnston,
 Mr. L. A. Wilmot,
 Allen,
 Palmer,
 M'Almon,
 Jordan,
 Hanington,
 End,
 Partelow,
 Taylor,
 Woodward,
 J. M. Wilmot,
 Fisher,
 Freeze,
 H. T. Partelow,
 Owen,
 Hill,
 M'Leod,
 Wilson,
 Gilbert.

And it was thereupon decided in the negative.

The question was then taken upon the original Resolution, and it passed in the affirmative, and the blank filled up with the sum of £2,183 16 2.

To William Watts, the sum of £10 for airing and taking care of the Province Hall.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £—— to be applied for purchasing a Lot of Land in Saint Stephen, in the County of Charlotte, for the use of the Indians in the County, in addition to the sum of £50 granted last year; the same to be paid in 1844.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS 8,

NAYS, 13.

And it was thereupon decided in the negative.

To the Magistrates of the County of Westmorland, the sum of £20 to be applied towards the maintenance of a Ferry between Dorchester and Hopewell.

To John Simpson, Queen's Printer, the sum of £150 towards printing the Journals of the present Session.

To the Justices of the Peace of King's County, the sum of £125 towards paying off the debt due on the erection of the new Goal.

To Robert Gowan, the sum of £50 for extra services in the Crown Land and Surveyor General's Office.

That the sum of £200 granted in the year 1841 for the purpose of building a Steam Boat Wharf at the outer Harbour of Saint Andrews, in the County of Charlotte, be re-appropriated as follows, that is to say: for the purposes of cutting a Sewer to run parallel to the said Harbour of Saint Andrews, and to prevent the filling up of the same.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £27 16 7 to reimburse Staff Adjutant George Priestly for amount over expended in drilling the Provincial Militia the past year.

To the Justices of Charlotte, the sum of £—— to enable them to pay off part of the County Debt.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 6.

NAYS, 13.

And it was thereupon decided in the negative.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £26 to be paid to Corporal George Wright, of the Royal Artillery, for one year's services in taking care of and cleaning Militia Arms.

To the President and Directors of the Mechanics' Institute at Saint John, the sum of £100 to enable them to discharge a part of the heavy debt due on the erection of the said building.

To

To David A. Rose, the sum of £—— to purchase Books for the Library of the Mutual Improvement Society in Saint Stephen.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 8.

NAYS, 17.

And it was thereupon decided in the negative.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £1000 for the completion of the Bridge over Bathurst Basin, in the County of Gloucester.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £50 to be expended in erecting a Bridge across the Meduxnickick, in the Parish of Wakefield.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £133 5s. being the balance due to the Contractor for a Bridge over Barnaby's River, on the South side of the South West Branch of the Miramichi.

To His Excellency the Lieutenant Governor or Administrator of the Government for time being, the sum of £—— towards the erection of a Bridge over the Waweig River, in the County of Charlotte, at the site determined on, near to Watts' Tannery.

To which an amendment was moved—To add the following:—

“ And further resolved, that the money be expended on the site at the mouth of the said Stream.”

An amendment was moved to the said amendment—To expunge the whole thereof, as well as the original Resolution, and substitute the following:—

“ Resolved, That no monies be granted for the Waweig Bridge, until a competent person be appointed to fix the site of the Bridge.”

The question being taken upon the last proposed amendment, it was decided in the negative.

The question was then taken upon the first proposed amendment, and it was also decided in the negative; and

Upon the question for sustaining the original Resolution, it was carried in the affirmative, and the blank filled up with the sum of £100.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the further sum of £750 towards the protection of the Revenue the present year.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the further sum of £500 to be applied in discharging the various Contracts made by the late Commissioner on the Road from Fredericton to Petitcodiac, and towards further improving the same; £10 of which to be paid to Samuel J. Wilmot, for the value of improved land taken from him by an alteration in the said Road.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £—— towards the improvement of the new Road to Canada above the Grand Falls.

Upon the question for filling up the blank with the sum of £500, the Committee divided as follows:—

YEAS.

The Hon. Mr. Johnston,
 The Hon. Mr. Weldon,
 Mr. Jordan,
 Partelow,
 Wilson,
 Allen,
 Street,
 L. A. Wilmot,
 Connell,
 Beardsley,
 Fisher,
 Taylor,
 Brown,
 Owen,
 Boyd,
 Rankin,
 Hill,
 J. M. Wilmot,
 Woodward.

NAYS.

Mr. H. T. Partelow,
 Gilbert,
 M'Leod,
 Freeze,
 Stewart,
 Hanington,
 End,
 Palmer,
 M'Almon.

And it was thereupon carried in the affirmative, and the blank filled up with the said sum of £500.

To the Commissioners of Light Houses in the Gulph of Saint Lawrence, the sum of £446 16 7, being the balance due them on the erection of a Light House on Point Escuminac, agreeably to the Report of the Select Committee of the 7th March, instant; the same to be taken from the Light House Fund.

To L. Donaldson, Esquire, Superintendent of Bay of Fundy Light Houses, the sum of £— in addition to £44 4s. commission allowed the Commissioners of the said Light Houses on the Contingent Expenses of last year; the same to be taken from the Light House Fund.

Upon the question for filling up the blank with the sum of £105 16s. the Committee divided—

YEAS, 18.

NAYS, 12.

And it was thereupon carried in the affirmative, and the blank filled up with that sum.

To the Quarter Master General of the Militia Forces, the sum of £200 for his services for the year 1841.

To Henry Chubb, of Saint John, the sum of £83 6 9, being the amount of his account for Printing the fourth Report of Dr. Gesner's Geological Survey of the Province, and Reports of the Accounts of Supervisors of Great Roads and Commissioners of Bye Roads.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £50 in aid of completing the new Road from Grooms' in Hampton to the Toll Bridge in Norton.

To His Excellency the Lieutenant Governor and Commander in Chief, the sum of £750 for the purpose of encouraging and promoting Immigration to this Province; the said sum to be apportioned among the several Counties within the same, at and after the rate of £60 to each County, and to be paid accordingly, on a satisfactory Certificate being produced to His Excellency the Commander in Chief for the time being, that an equal amount has been subscribed and paid by any persons associated together for the purposes intended by this grant in the County for which such appropriation is to be applied; which sum for said County, together with said grant, making together a sum not less than £120 for every County which may avail itself of said appropriation, to be expended as may be considered advisable for the encouragement of Immigration, by every such Association, and that an account of the expenditure be laid before the Legislature at the next Session.

To His Excellency the Lieutenant Governor or Commander in Chief, not exceeding the following sums for the support and encouragement of Agricultural Societies in the respective Counties, viz:—

Restigouche,.....	£100	Northumberland,.....	£100
Westmorland,.....	100	Saint John,.....	100
Queen's,.....	100	York,.....	100
Gloucester,.....	100	Kent,.....	100
King's,.....	100	Charlotte,.....	100
Sunbury,.....	100	Carleton,.....	100

which sums, or aliquot portions thereof, shall be paid to the order of the President of the respective Agricultural Societies, when it shall be certified to His Excellency that any portion of the inhabitants of any one of the said Counties have subscribed and paid a sum equal to one half the respective sums above mentioned, or the said aliquot portions thereof, which sums so paid shall be accounted for to the Legislature; provided always, that in such Counties wherein District Agricultural Societies are formed, embracing one or more Parishes only, it shall and may be lawful for His Excellency to apportion the amounts so to be granted to those Counties among the said District Societies.

To the Commissioners of the Alms House for the County of York, the sum of £200 to reimburse them for advances made by them to the suffering labouring Poor in Fredericton, in breaking stone for the use of the Roads.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £99 15s. to be paid D. M'Millan for binding 200 copies of the Revised Statutes of this Province.

And the Chairman further reported, that he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to the Resolutions of Appropriation dated the 19th day of March, instant.

And he also communicated the following:—

“ Legislative Council Chamber, 29th March, 1842.

“ RESOLVED, That this House doth allow the Accounts reported to the Committee for fitting up and furnishing the Council Chamber, amounting to Eight hundred and three pounds eighteen shillings.

“ ORDERED, That the foregoing Resolution be communicated to the Assembly, in order that provision may be made for the payment of the aforesaid expenditure.

WILL. TYNG PETERS, *Clerk.*”

On motion of the Honorable Mr. Weldon,

The House proceeded to take into consideration the amendments made by the Legislative Council to

The Bill relating to Debtors and Creditors.

The amendments being twice severally read, are as follow:—

At A Section III. expunge the remainder of the Section, and insert as follows:—

“ Owing debts to the amount of not less than five hundred pounds currency, shall be liable to become Bankrupts within the meaning of this Act, and may upon Petition to the Chancellor or Master of the Rolls of this Province, of one or more of their Creditors to whom they owe debts, amounting in the whole to not less than two hundred pounds currency, or of any other person or persons on the behalf of such Creditor or Creditors, on oath in duplicate, accompanied by the further proof hereinafter mentioned, be declared accordingly, by fiat of the said Chancellor or Master of the Rolls, as hereinafter mentioned in the following cases, that is to say, whenever such person shall depart from this Province with intent to defraud their Creditors, or to avoid service of, or arrest by the ordinary process of the Law, or shall conceal themselves to avoid being arrested, or having been arrested by mesne or final process, or rendered in discharge of their Bail, shall escape or remain a Prisoner either in Gaol or on the limits thereof for the space of two months, or shall willingly or fraudulently procure themselves to be arrested, or their goods, chattels, lands or tenements to be attached, distrained, sequestered or taken in execution, or shall remove their goods, chattels or effects,

effects, or conceal them to prevent their being levied upon, or taken in execution or by other process, or shall make any fraudulent conveyance, sale, assignment, gift, loan or transfer, warrant of Attorney to confess a judgment, or other device of or affecting their lands, tenements, goods or chattels, monies, credits or evidences of debt: Provided always, that no person shall be liable to become Bankrupt by reason of any such Act of Bankruptcy committed more than six months before the issuing of the fiat in Bankruptcy against him.

“IV. And be it enacted, That if any person owing debts to the amount of not less than five hundred pounds currency, shall file in the Office of the Register of the Court of Chancery of this Province, a declaration in writing, signed by such person, and attested by an Attorney or Solicitor, that he is insolvent or unable to meet his engagements, the said Register shall sign a Memorandum that such declaration hath been filed, which Memorandum shall be authority for the Printer of the Royal Gazette to insert an advertisement of such declaration therein, and every such declaration shall be deemed an Act of Bankruptcy committed by such person at the time when such declaration was filed, and a fiat may be granted thereupon, upon the application of Creditors, as and to the amount aforesaid: Provided always, that no fiat shall be so granted after the expiration of three calendar months, nor unless such advertisement shall have been inserted in the Royal Gazette within fifteen days after such declaration was filed.”

At B Section IV. expunge the words “complained of,” and insert the words “relied on.”

At C expunge Section VI.

At D expunge Sections VIII. and IX. and insert as follows:—

“VIII. And be it enacted, That when and so soon as the proper Commissioner shall have received any fiat and documents as aforesaid, he shall forthwith endorse thereon the day and hour on which he received the same, and by warrant under his hand and seal shall appoint one fit and proper person to be a provisional Assignee of the estate and effects of the said alleged Bankrupt, and shall cause notice to be personally served on such alleged Bankrupt, if he shall be found within the jurisdiction of such Commissioner; and if not so found, then to be left at the last place of abode or business of the said alleged Bankrupt, or delivered to his wife, or some adult member of his family, or agent, by which notice the said alleged Bankrupt shall be required within thirty days after service thereof, as aforesaid, to surrender and conform to or dispute the alleged Bankruptcy; and in case the said alleged Bankrupt should, within the said period of thirty days, file with said Commissioner a declaration in writing of such dissent, and desire to contest such alleged Bankruptcy, that then the said Commissioner shall forthwith transmit such declaration to the Chancellor or Master of the Rolls, who shall proceed to the determination of the question so in contest, as hereinafter directed; and in case the said alleged Bankrupt should not, within the said period of thirty days after service of such notice, file with the said Commissioner such declaration, or when the said Chancellor or Master of the Rolls shall have determined and confirmed the said fiat of Bankruptcy, that then the said Commissioner shall as soon as may be thereafter, cause public notice of the said appointment to be published in one or more of the newspapers of the County, City and County, or District in which such Commissioner hath jurisdiction, and if there shall be no newspaper printed in said County, City and County, or District, then in the Royal Gazette of this Province, and shall thereby require all persons indebted to said Bankrupt, by a certain day to be therein expressed, to pay all such sum or sums of money, debts or duties as they may owe to the said Bankrupt, and deliver up all other property and effects of said Bankrupt in their possession, power or custody, to him, the said Assignee; and by the same notice shall require all the Creditors of the said Bankrupt who shall or may be resident in this Province, or in any other of Her Majesty's North American Provinces, or in the West Indies, or in the United States of America, within three months of the day of the date of such notice, to deliver in, and prove to the satisfaction of the said Commissioner, their respective claims and demands, whether the same be actually due or to become due against the said Bankrupt; and if it should appear, or if the said Commissioner should have reason to believe that any Creditors of the said Bankrupt reside in any part of the United Kingdom of Great Britain and Ireland, then notice shall be forthwith transmitted for publication in the London Gazette, calling upon such Creditors to appoint an agent or agents in this Province,

Province, and to deliver, and prove to the satisfaction of the said Commissioner, their respective claims and demands as aforesaid against the said Bankrupt, within three months from the day of the date of the said notice so published in the London Gazette.

“IX. And be it enacted, That if such Chancellor or Master of the Rolls shall find the petitioning Creditor's debt or debts, or the general debt or debts due by the said alleged Bankrupt, or the facts and circumstances relied on as constituting the Act or Acts of Bankruptcy, are not sufficiently proved to satisfy the provisions of this Act, that then the said fiat so by him first granted shall thereby be annulled, and all the property and rights of property affected by such fiat shall thereupon revert in the said alleged Bankrupt as fully and completely to all intents and purposes as if the said fiat never had been granted, or provisional Assignee appointed.”

At E Section IX. expunge the Section, and insert a new Section as follows:—

“XI. And be it enacted, That the provisional Assignee so appointed, shall hold his place until some other person or persons shall be appointed by the Chancellor or Master of the Rolls, on the application of a majority of the Creditors in number and value of the said Bankrupt, if they think proper so to do; and in case of the vacancy of any Assignee by death, the said Commissioner shall appoint another fit and proper person to fill such vacancy, who shall in like manner hold his situation until some other person or persons shall be appointed by the Chancellor or Master of the Rolls, on the application of Creditors as aforesaid; and every Assignee, before entering upon the duties of his office, shall be sworn before the Commissioner to the faithful performance of the duties of the same, and the said Commissioner shall also require and receive from every Assignee a Bond, with at least two Sureties, satisfactory to such Commissioner, and in such sum as he may deem proper, conditioned for the faithful discharge of all his duties as such Assignee, which Bond shall be given to such Commissioner by the name of his office, and shall and may, in case of any breach of the conditions thereof, be sued and sueable by the said Commissioner, or his successor in office, under the order of the Chancellor or Master of the Rolls, in any Court of Record in this Province, for the benefit of the Creditors and others interested.”

At F Section XII. expunge the words “said Assignee so appointed,” and insert the words “Assignee duly appointed under this Act.”

At G Section XIII. expunge the word “two,” and insert the word “four.”

At H expunge the words “and shall disqualify the Bankrupt from receiving a Certificate or discharge as hereinafter mentioned.”

At I expunge the words “one month,” and insert the words “two months.”

At K expunge Sections XIV. XV. XVI. and XVII., and insert as follows:—

“XIV. And be it enacted, That every Bankrupt who shall have duly surrendered, and in all things conformed himself to the provisions of this Act, shall be discharged from all debts due by him at the time of issuing the fiat, and from all claims and demands against him in case he shall obtain a Certificate of such conformity, so signed and allowed, and subject to such provisions as hereinafter directed; but no such Certificate shall release or discharge any person who was a partner with such Bankrupt at the time of his Bankruptcy, or who was then jointly bound or had made any joint contract with such Bankrupt.

“XV. And be it enacted, That such Certificate shall be signed by four fifths in number and value of the Creditors of the Bankrupt, who shall have proved debts to the amount of ten pounds or upwards, who shall thereby testify their consent to the Bankrupt's discharge as aforesaid, but no such Certificate shall be such discharge unless the Commissioner shall, in writing under his hand and seal, certify to the Chancellor or Master of the Rolls, that such Bankrupt has made a full discovery of his estate and effects, and in all things conformed as aforesaid, and that there does not appear any reason to doubt the truth or fullness of such discovery, and also that the Creditors have signed in manner herein directed, and unless the Bankrupt make oath in writing that such Certificate and consent were obtained without fraud.

“XVI. And be it enacted, That every Commissioner so to be appointed as aforesaid, shall have jurisdiction in all matters and proceedings in Bankruptcy arising under this Act, or any Act hereafter to be passed on the subject of Bankruptcy within the County, City and County, or District for which he shall be so appointed, and the jurisdiction hereby conferred on any and every such Commissioner shall extend to all cases and

and controversies in Bankruptcy arising between the Bankrupt and any person claiming any debt or demand under the Bankruptcy, to all cases and controversies between the Creditor and the Assignee of the estate, whether in office or removed, to all cases and controversies between such Assignee and the Bankrupt, and to all matters and things to be done under and by virtue of the Bankruptcy, until the final distribution and settlement of the estate of the Bankrupt and the close of the proceedings in Bankruptcy, subject, however, to appeal to or review by the Court of Chancery as before and hereinafter provided.

“XVII. And be it enacted, That the Court of Chancery in this Province shall have an appellate jurisdiction of all matters cognisable by the said Commissioner, and if upon the hearing of any matter, whether upon appeal or otherwise, brought before the said Court, relating to Bankruptcy, any question of fact shall arise, which, in the opinion of the said Court, cannot be satisfactorily determined without a trial by Jury, such Court shall have authority to order a feigned issue to be made up in the Supreme Court, and to prescribe the manner of making up such issue so as to present the question in dispute, and to direct the County in which the same shall be tried, and the Supreme Court shall have power to grant new trials of such issues as in personal actions pending in that Court, and the final determination of such issue shall be conclusive as to the facts therein controverted in the proceedings before the Court of Chancery, and it shall be in the discretion of the said Court of Chancery to order and direct by whom and in what manner the costs and expenses attending such issue shall be paid.”

At L Section XIX. expunge the words “in Chancery or extraordinary,” and insert “or Master extraordinary in Chancery.”

At M insert the word “in.”

At N insert the words “printed and.”

At O insert the words “printed and.”

At P expunge the words “pursuant to the fourteenth Section of this Act.”

At Q expunge the words “and all unsatisfied judgments thereon.”

At R expunge the Section, and insert a new Section as follows:—

“XX. And be it enacted, That no Creditor having security shall receive upon any such security more than a rateable part of such debt, except in respect of any Execution levied by seizure upon, or any Mortgage upon any part of the property of such Bankrupt, or any lien on his personal property before the fiat in Bankruptcy.”

At T Section XXII. insert the words “Chancellor or.”

At U insert the words “printed and.”

At V insert the word “then.”

At W insert the words “printed and.”

At X insert the words “Chancellor or.”

At Xx expunge the words “pronounce deliverance and release,” and insert the words “make an order releasing and discharging.”

At Y expunge the word “and.”

At Z Section XXIII. expunge the words “a Commission of,” and insert the words “the providings in.”

At AA Section XXIV. expunge the words “from and after the receipt by any Commissioner as aforesaid of any fiat in Bankruptcy, made on the application of any Debtor, and.”

At Bb expunge the words “at the instance of any Creditor.”

At Cc expung the words “after the receipt of any fiat or.”

At Dd insert new Section—

“XXVII. And be it enacted, That after the lapse of twelve months from the date of the fiat, if it shall appear to the Commissioner expedient to sell any interest which the Creditors have in the outstanding debts, he shall fix a day for holding a meeting of the Creditors to take the same into consideration, and shall give thirty days notice thereof in one or more of the newspapers printed and published within the District for which he may act, if any such there be, and in the Royal Gazette of this Province, of the time and place of such meeting, and if three fourths of such Creditors in number and value then assembled shall decide in favor of such sale, such debts may then be sold under the order of the Commissioner, at such time as he may direct, giving due

notice thereof, and a Certificate signed by such Commissioner of such sale, shall be in all Courts of Justice evidence of such sale and assignment, and the purchasers thereof may sue for and recover such debt or debts in any Court of competent jurisdiction within this Province as Assignee thereof.

At Ee Section XXVII. expunge the words "by the verdict of a Jury."

At Ff expunge the words "whether such Bankrupt be in custody of the person who may be authorized to arrest him, pursuant to the tenth Section of this Act, or confined in the Common Gaol as hereinbefore mentioned."

At Gg Section XXIX. expunge the words "either on the Petition of such Partners or any one of them or."

At Hh expunge the Section, and insert a new Section, as follows:—

"XXXIII. Provided always, and be it enacted, That nothing in this Act shall extend, or be construed to extend, to release or discharge the person or property of any Crown Debtor, from liability as such Crown Debtor; but all Crown claims and demands shall remain to be sued for, prosecuted and recovered, in all respects, as if this Act had not been passed.

Alter the numbers of the Sections so as to correspond with the foregoing amendments.

At Ii insert a new Section as follows:—

"XXXIV. And be it enacted, That this Act shall not come into operation, or be in force until Her Majesty's Royal approbation be thereunto first had and declared."

At Kk in the Title expunge the words "Debtors and Creditors" and insert "Bankruptcy in this Province."

On motion of Mr. Beardsley,

The House went into Committee of the whole, on the said amendments.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill, with the amendments, referred to them, under their consideration, had agreed to the same.

The question being then taken in the House for accepting the Report, the House divided—

YEAS, 15.

NAYS, 5.

And so it was carried in the affirmative.

Ordered, thereupon, That the Report be accepted; and further

Ordered, That the said amendments be read a third time to-morrow.

The House adjourned until to-morrow morning at half past 9 o'clock.

Wednesday. 30th March. 1842.

Prayers.

Read a third time as engrossed,

A Bill to restrain the provisions of the Fifth Section of an Act, intituled "An Act for the support of the Civil Government in this Province," and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases.

Resolved, That the Bill do pass.

Ordered, That Mr. Taylor do take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to abolish Imprisonment for Debt for sums under Five Pounds.

Resolved, That the Bill do pass.

Ordered, That Mr. Woodward do take the said Bill to the Council, and desire their concurrence thereto.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply on Monday the 28th and Tuesday the 29th instant.

Ordered, That Mr. H. T. Partelow take the said Resolutions to the Council, and desire their concurrence thereto.

On

On motion of Mr. Woodward,

Resolved, As the opinion of this House, That the Message from the Legislative Council sent down to this House yesterday, and communicating that the said Council "doth allow the Accounts reported by the Committee for fitting up and furnishing the Council Chamber, amounting to eight hundred and three pounds eighteen shillings,—and Ordered, that the foregoing Resolution be communicated to the Assembly, in order that provision be made for the payment of the aforesaid expenditure,"—is at variance with the practice of the Legislature in auditing and allowing accounts of the expenditure of the Public Money of the Province, and a violation of the Privileges of the Assembly.

To which the Honorable Mr. Weldon moved as an amendment—To expunge the whole of the said Resolution, and substitute the following:—

Resolved, That the Message of the Legislative Council of the 29th instant, relative to the expense incurred in fitting up and furnishing the Council Chamber, be referred to the Committee of Privileges to report thereon."

Upon the question for adopting the amendment, the House divided—

YEAS, 15.

NAYS, 9.

And it was thereupon carried in the affirmative.

Mr. H. T. Partelow, pursuant to leave granted, brought in a Bill to appropriate a part of the Public Revenue for the services therein mentioned; which was read a first and second times.

Mr. Owen, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with an Address of the House of the 28th instant, requesting that His Excellency would be pleased to consolidate the several Boards of Commissioners for Light Houses in the Bay of Fundy, and place the said Lights under the control and management of one Board, reported—That they had attended thereto, and that His Excellency was pleased to say, he would attend to the recommendation of the House.

The engrossed Joint Addresses of the Honorable the Legislative Council and the Assembly to Her Majesty and the Imperial Parliament, relative to a revision of the Customs Duties, as applying to the British Colonial Possessions abroad, were severally read, and are as follow:—

"To the Queen's Most Excellent Majesty.

"The Humble Address of Your Majesty's Legislative Council and the House of Assembly of the Province of New Brunswick, in General Assembly convened.

"MAY IT PLEASE YOUR MAJESTY,

"Your Majesty's loyal Subjects, the Legislative Council and Commons of New Brunswick, beg leave most humbly to approach Your Majesty with sentiments of unaltered attachment to Your Majesty's Person and Government, and to lay at the Foot of the Throne this their representation, on a subject in which Your Majesty's Possessions on this Continent are vitally interested.

"The Council and Assembly, during the present Session, have had occasion to address Your Majesty, praying that no alteration might take place in the existing Duties upon Foreign and Colonial Wood imported into the United Kingdom, and pointed out the ruinous consequences that would inevitably ensue by the abolition of that protection, so long and so wisely afforded to the British Commercial Marine, by the line of policy hitherto maintained; and the Council and Assembly did hope that their earnest solicitations would be favorably considered; but their anxiety on this subject has been deeply increased by learning that Resolutions have been recently laid upon the Table of the House of Commons by one of Your Majesty's Ministers, for a revision of the Customs Duties as applying to the British Colonial Possessions abroad, similar in their provisions to those introduced into the late Parliament by the Right Honorable his predecessor in office.

"The effect of these Resolutions, if adopted, will be to destroy the extensive and valuable Trade hitherto carried on between Your Majesty's North American Colonies and the British West Indies,—to render entirely valueless the immense amount of Tonnage and other Capital and establishments invested in its prosecution, and to inflict

inflict a deadly blow on the Commercial maritime superiority which the British Nation now enjoys.

“The Council and Assembly deem it unnecessary in this Address to particularize the baneful effects which will be produced, because these have been brought most prominently under Your Majesty’s most gracious consideration by the Legislature and Chamber of Commerce of Nova Scotia; also by a Petition from the Magistrates, Merchants, Ship Owners and others, of the City of Saint John, the Commercial Metropolis of this Province, as well as by Petitions from other parts thereof. The Council and Assembly would, however, beg leave specially to refer to these appeals to Your Majesty, and in doing so they would most solemnly confirm with one voice the positions therein set forth, and on behalf of this Colony, humbly solicit Your Majesty’s most gracious consideration.

“That a measure fraught with such ruinous consequences to Your Majesty’s North American Provinces, could for a moment be entertained by Your Majesty’s present advisers, the Council and Assembly were not prepared to learn, much less to apprehend, because that great and influential party had hitherto, both in and out of office, successfully resisted those sweeping changes in the Colonial system which the advocates of what is commonly called ‘Free Trade,’ had from time to time brought under the consideration of Your Commons House of Parliament.

“Should those Resolutions be sustained by that House, and their provisions become Law, Commercial evils are not the only ones which the Council and Assembly have reason to apprehend. They very much fear, that the ruin of the West India Trade, followed up, as they apprehend it will be, by a revision of the Wood Duties in the United Kingdom, would be viewed by the North American Colonists as such an abandonment of their interests by Your Majesty’s Councils as could not fail to excite discontent, and have a strong tendency to shake that loyal affection which they have hitherto cherished with such honest zeal towards the Parent State—a political evil which the inhabitants of this Province would most seriously deprecate, as weakening those ties to that Country which they and their fathers before them have so steadfastly adhered to through every change of fortune, prosperous or adverse.

“The Council and Assembly yet cherish the hope that their fears cannot be realized, and that the North American Colonies may still continue in the enjoyment of that which is most congenial to their habits, principles and feelings—a British Trade and British Protection—consumers almost exclusively of British Manufactures, rapidly extending and increasing—exchanging their Staple Commodities for Goods, the produce of British skill and British labor, as well as for the productions of their fellow Colonists in the West Indies,—a Trade in importance to the Mother Country, second only to the Coal Trade, in the employment of so large a portion of the British Commercial Marine, and as a Nursery for British Seamen, whose services are always at command to maintain British superiority on the boundless Ocean. Ships, Colonies and Commerce is the sentiment under which Great Britain has been exalted to her present proud pre-eminence among the Nations of the World; and the Council and Assembly assure Your Majesty, that no indemnification which the well known liberality and integrity of Your Majesty’s Government and the Imperial Parliament might suggest, as an act of justice to the great Colonial interests thus annihilated, could possibly avert the ruin of the British North American Colonies as an integral portion of the British Empire.

“The Council and Assembly earnestly implore Your Majesty to take this their humble representation into Your Majesty’s most gracious consideration, and adopt such measures as may quiet the apprehension of Your Majesty’s faithful and loyal subjects the people of New Brunswick.”

“To the Lords, Spiritual and Temporal, of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

“*The Humble Petition of Her Majesty’s Legislative Council and House of Assembly of the Province of New Brunswick, in General Assembly convened.*

“MAY IT PLEASE YOUR MOST HONORABLE HOUSE,

“The Legislative Council and Assembly of New Brunswick, during the present Session, have had occasion to address Your Most Honorable House, praying that no alteration

alteration might take place in the existing Duties upon Foreign and Colonial Wood imported into the United Kingdom, and pointed out the ruinous consequences that would inevitably ensue by the abolition of that protection, so long and so wisely afforded to the British Commercial Marine, by the line of policy hitherto maintained; and the Council and Assembly did hope that their earnest solicitations would be favorably considered; but their anxiety on this subject has been deeply increased by learning that Resolutions have been recently laid upon the Table of the House of Commons by one of Her Majesty's Ministers, for a revision of the Customs Duties as applying to the British Colonial Possessions abroad, similar in their provisions to those introduced into the late Parliament by the Right Honorable his predecessor in office.

"The effect of these Resolutions, if adopted, will be to destroy the extensive and valuable Trade hitherto carried on between Her Majesty's North American Colonies and the British West Indies,—to render entirely valueless the immense amount of Tonnage and other Capital and establishments invested in its prosecution, and to inflict a deadly blow on the Commercial maritime superiority which the British Nation now enjoys.

"The Council and Assembly deem it unnecessary in this Address to particularize the baneful effects which will be produced, because these have been brought most prominently under Her Majesty's most gracious consideration by the Legislature and Chamber of Commerce of Nova Scotia; also by a Petition from the Magistrates, Merchants, Ship Owners and others, of the City of Saint John, the Commercial Metropolis of this Province, as well as by Petitions from other parts thereof. The Council and Assembly would, however, beg leave specially to refer to these appeals to Her Majesty, and in doing so they would most solemnly confirm with one voice the positions therein set forth, and on behalf of this Colony, humbly solicit the consideration of Your Most Honorable House.

"That a measure fraught with such ruinous consequences to Her Majesty's North American Provinces, could for a moment be entertained by Her Majesty's present advisers, the Council and Assembly were not prepared to learn, much less to apprehend, because that great and influential party had hitherto, both in and out of office, successfully resisted those sweeping changes in the Colonial system which the advocates of what is commonly called 'Free Trade,' had from time to time brought under the consideration of the Commons House of Parliament.

"Should those Resolutions be sustained by that House, and their provisions become Law, Commercial evils are not the only ones which the Council and Assembly have reason to apprehend. They very much fear, that the ruin of the West India Trade, followed up, as they apprehend it will be, by a revision of the Wood Duties in the United Kingdom, would be viewed by the North American Colonists as such an abandonment of their interests by Her Majesty's Councils as could not fail to excite discontent, and have a strong tendency to shake that loyal affection which they have hitherto cherished with such honest zeal towards the Parent State—a political evil which the inhabitants of this Province would most seriously deprecate, as weakening those ties to that Country which they and their fathers before them have so steadfastly adhered to through every change of fortune, prosperous or adverse.

"The Council and Assembly yet cherish the hope that their fears cannot be realized, and that the North American Colonies may still continue in the enjoyment of that which is most congenial to their habits, principles and feelings—a British Trade and British Protection—consumers almost exclusively of British Manufactures, rapidly extending and increasing—exchanging their Staple Commodities for Goods, the produce of British skill and British labor, as well as for the productions of their fellow Colonists in the West Indies,—a Trade in importance to the Mother Country, second only to the Coal Trade, in the employment of so large a portion of the British Commercial Marine, and as a Nursery for British Seamen, whose services are always at command to maintain British superiority on the boundless Ocean. Ships, Colonies and Commerce is the sentiment under which Great Britain has been exalted to her present proud pre-eminence among the Nations of the World; and the Council and Assembly assure Your Most Honorable House, that no indemnification which the well known liberality and integrity of Her Majesty's Government and the Imperial Parliament might suggest, as an act of justice to the great Colonial interests thus annihilated,

could possibly avert the ruin of the British North American Colonies as an integral portion of the British Empire.

“The Council and Assembly earnestly implore Your most Honorable House to take this their humble representation into Your most favorable consideration, and adopt such measures as may quiet the apprehensions of Her Majesty’s faithful and loyal Subjects the people of New Brunswick.”

“To the Honorable the Knights, Citizens and Burgesses, representing the Commons of the United Kingdom of Great Britain and Ireland, in Parliament convened.

“*The Humble Petition of Her Majesty’s Legislative Council and House of Assembly of the Province of New Brunswick, in General Assembly convened.*”

“MAY IT PLEASE YOUR HONORABLE HOUSE,

“The Legislative Council and Assembly of New Brunswick, during the present Session, have had occasion to address Your Honorable House, praying that no alteration might take place in the existing Duties upon Foreign and Colonial Wood imported into the United Kingdom, and pointed out the ruinous consequences that would inevitably ensue by the abolition of that protection, so long and so wisely afforded to the British Commercial Marine, by the line of policy hitherto maintained; and the Council and Assembly did hope that their earnest solicitations would be favorably considered; but their anxiety on this subject has been deeply increased by learning that Resolutions have been recently laid upon the Table of the House of Commons by one of Her Majesty’s Ministers, for a revision of the Customs Duties as applying to the British Colonial Possessions abroad, similar in their provisions to those introduced into the late Parliament by the Right Honorable his predecessor in office.

“The effect of these Resolutions, if adopted, will be to destroy the extensive and valuable Trade hitherto carried on between Her Majesty’s North American Colonies and the British West Indies,—to render entirely valueless the immense amount of Tonnage and other Capital and establishments invested in its prosecution, and to inflict a deadly blow on the Commercial maritime superiority which the British Nation now enjoys.

“The Council and Assembly deem it unnecessary in this Address to particularize the baneful effects which will be produced, because these have been brought most prominently under Her Majesty’s most gracious consideration by the Legislature and Chamber of Commerce of Nova Scotia; also by a Petition from the Magistrates, Merchants, Ship Owners and others, of the City of Saint John, the Commercial Metropolis of this Province, as well as by Petitions from other parts thereof. The Council and Assembly would, however, beg leave specially to refer to these appeals to Her Majesty, and in doing so they would most solemnly confirm with one voice the positions therein set forth, and on behalf of this Colony, humbly solicit the consideration of Your Honorable House.

“That a measure fraught with such ruinous consequences to Her Majesty’s North American Provinces, could for a moment be entertained by Her Majesty’s present advisers, the Council and Assembly were not prepared to learn, much less to apprehend, because that great and influential party had hitherto, both in and out of office, successfully resisted those sweeping changes in the Colonial system which the advocates of what is commonly called ‘Free Trade,’ had from time to time brought under the consideration of Your Honorable House.

“Should those Resolutions be sustained by Your Honorable House, and their provisions become Law, Commercial evils are not the only ones which the Council and Assembly have reason to apprehend. They very much fear, that the ruin of the West India Trade, followed up, as they apprehend it will be, by a revision of the Wood Duties in the United Kingdom, would be viewed by the North American Colonists as such an abandonment of their interests by Her Majesty’s Councils as could not fail to excite discontent, and have a strong tendency to shake that loyal affection which they have hitherto cherished with such honest zeal towards the Parent State—a political evil which the inhabitants of this Province would most seriously deprecate, as weakening those ties to that Country which they and their fathers before them have so stedfastly adhered to through every change of fortune, prosperous or adverse.

“The

“The Council and Assembly yet cherish the hope that their fears cannot be realized, and that the North American Colonies may still continue in the enjoyment of that which is most congenial to their habits, principles and feelings—a British Trade and British Protection—consumers almost exclusively of British Manufactures, rapidly extending and increasing—exchanging their Staple Commodities for Goods, the produce of British skill and British labor, as well as for the productions of their fellow Colonists in the West Indies,—a Trade in importance to the Mother Country, second only to the Coal Trade, in the employment of so large a portion of the British Commercial Marine, and as a Nursery for British Seamen, whose services are always at command to maintain British superiority on the boundless Ocean. Ships, Colonies and Commerce is the sentiment under which Great Britain has been exalted to her present proud pre-eminence among the Nations of the World; and the Council and Assembly assure Your Honorable House, that no indemnification which the well known liberality and integrity of Her Majesty’s Government and the Imperial Parliament might suggest, as an act of justice to the great Colonial interests thus annihilated, could possibly avert the ruin of the British North American Colonies as an integral portion of the British Empire.

“The Council and Assembly earnestly implore Your Honorable House to take this their humble representation into Your most favorable consideration, and adopt such measures as may quiet the apprehension of Her Majesty’s faithful and loyal Subjects the people of New Brunswick.”

The said Addresses were then handed to the Joint Committees to wait upon His Excellency therewith, to request that he will be pleased to transmit the same.

On motion of Mr. L. A. Wilmot,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to inform this House whether any communication has lately been received from Her Majesty’s Secretary of State for the Colonies on the subject of the amendment of the Charter of King’s College, and if so, that His Excellency would be pleased to lay before this House a copy of such communication.

Ordered, That Mr. L. A. Wilmot, Mr. Freeze and Mr. McLeod, be a Committee to wait upon His Excellency with the Address.

Mr. L. A. Wilmot moved for leave to bring in a Bill, to enable the New Brunswick Steam Boat Company to sue and be sued by that name.

And upon the question, that the Rule of the House, limiting the time for bringing in Bills, be in this instance dispensed with, the House divided—

YEAS, 19.

NAYS, 7.

And it was thereupon carried in the affirmative, and leave accordingly granted to bring in the Bill.

The said Bill being then brought in, was read a first and second times.

According to the Order of the Day, the amendments made by the Legislative Council to

The Bill relating to Debtors and Creditors,

Were severally read a third time; when

On motion of Mr. Beardsley,

That the said amendments be again referred to a Committee of the whole House,

Upon the question, the House divided as follows:—

YEAS.

Mr. Beardsley,
Freeze,
Owen,
Boyd.

NAYS.

The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. M'Almon,
Stewart,
Jordan,
End,
Partelow,
Street,
Rankin,
L. A. Wilmot,
Woodward,
Taylor,
Hayward,
J. M. Wilmot,
M'Leod,
Gilbert,
H. T. Partelow,
Palmer,
Fisher.

Whereupon it was decided in the negative.

The question was then taken for the final passing of the said amendments, when the House again divided—

YEAS, 17.

NAYS, 6.

And it was carried in the affirmative ; and therefore

Resolved, That the House do concur in the said amendments ; and

Ordered, That Mr. Allen return the Bill, with the amendments, to the Council, and acquaint them therewith.

The Honorable Mr. Johnston, from the Committee appointed yesterday to take under consideration various Documents communicated to the House by command of His Excellency the Lieutenant Governor, in reference to the site for Barracks at Woodstock, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows :—

“The Committee to whom were referred the several Documents laid before the House by command of His Excellency the Lieutenant Governor, on the 24th instant, relating to the purchase of a Lot of Land in the vicinity of Woodstock, as a site for a Barrack contemplated to be built by Government at that place, Report—

“That they have had the same under their consideration, and their attention was chiefly directed to the proposal of Mr. Webster, the owner of the Land considered as most eligible for the above purpose ; the Committee find that the Tract contains in the whole 40 acres, for which Mr. Webster states he paid \$6000, and at that rate, with interest, he is willing to sell that part of the Lot required for the Barracks, about 30 acres. This sum greatly exceeds, in the opinion of the Committee, the true value of the Land, and they recommend, if no better terms can be made with Mr. Webster for the purchase, that recourse should be had to a Jury under the Law of the Province, to fix a value on the said Land, and that a sum not exceeding the sum of £750, in addition to the grant of £300 made at the last Session, be voted in Supply to His Excellency the Lieutenant Governor, to enable His Excellency to complete the purchase.

“The Committee find that Mr. Webster, as a surety, is indebted to the Province in the sum of £750, the fourth instalment on a purchase of Land made by C. C. Bradbury, which will cover the above appropriation.

“H. JOHNSTON,
L. A. WILMOT,
J. M. CONNELL.

“Committee Room, 29th March, 1842.”

Ordered, That the Report be accepted ; and

On motion of Mr. Partelow ; further

Ordered, That the said Report be referred to the Committee of Supply.

Mr.

Mr. Fisher, from the Committee appointed on the 15th day of February last, to take into consideration the general state of the Post Offices throughout the Province, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows :—

“ The Committee appointed to inquire into and Report upon the present state of the Post Office Department in this Province, have attended to that duty so far as was in their power, and submit the following Report—

“ Your Committee regret that the Post Office Commission instituted in Canada under the authority of the British Government, by the late Lord Sydenham; has not effected any improvement in the Post Office in this Province, or any other of the North American Colonies. While every other Provincial Institution has been more or less improved, this Department has to a great extent remained stationary. In some parts of the Province, there is as much delay and uncertainty in the transmission of the Mails as there was in the first settlement of the Country, and every thing connected with the establishment evinces a degree of rudeness inapplicable to modern times. The irregularity of some of the routes, the high rates of Postage, the enormous tax charged upon Newspapers and Periodicals, the very limited operations of the Department, and the independent and irresponsible character of the whole establishment, are all subjects demanding the serious attention of the Legislature.

“ The most difficult branch of the subject is the management and controul of the Office ; and if any method can be devised to obtain for the Executive Government of the Province either the controul of the Department, or such an influence over its concerns as will secure for it the sympathy of the Local Legislature, without touching on its Imperial character, very beneficial results will be the consequence.

“ Whilst your Committee are of opinion that the Post Office should not be made a source of Revenue, they are desirous of saving to the Province any item of the Public expenditure which has grown out of the imperfections of the present establishment. To say nothing of the deep interest the inhabitants of the Province have in the management of the Post Office, every appropriation made for the improvement of a Public Road must be considered a grant indirectly in aid of the Office. For several years past the Legislature have appropriated about £2000 annually, to encourage Stage Coaches, Packets, Couriers, and to assist Ferrymen. This large sum produces no corresponding fiscal benefit to the Province, and is only beneficial in increasing facilities for travelling. Such an improvement in the system might be made as would save this large expenditure to the Province, and attain for the travelling Public all the advantages contemplated by the Legislature in making the appropriation. That in addition to this sum, your Committee have reason to believe that the Postage paid by the Province for the transmission of Letters and Papers connected with Legislative business, and for the various Public Departments, amounted last year to about £1300.

“ Should the Post Office, under an improved system of management, require an annual grant of £2000 for the next five years, it is evident from the above statement, that in a pecuniary point of view the Province would not lose, whilst in the vast Commercial and social benefits an improved system would confer, every inhabitant would be greatly advantaged.

“ Your Committee recommend the establishment of Post Offices or Receiving Houses in all the principal Settlements, and at intervals, as local circumstances may require, upon all Public Roads. When practicable and expedient the Mails should be conveyed in Coaches capable of carrying passengers and baggage, and the Contractor should be required, under a sufficient penalty, to perform the journey in a stated period. The description of conveyance must depend upon the state of the Road and the relative importance of the Mail route it traverses. This method would secure to travellers a comfortable conveyance to any part of the Province, and would not have the effect of retarding the Mails: for in all cases the Mail Contractors would carry passengers, even if not required so to do. Under an improved system, all the present Stage Coach Companies might be immediately connected with the Post Office ; the sums now given to assist to keep up their establishment would be absorbed in the price paid them for carrying the Mails. There are many Settlements in the Province where the carrying of the Mails on horseback would answer every purpose. By thus expanding the operations of the Post Office a great benefit will be conferred upon every branch of business.

“ The

"The Committee are of opinion that there should be a Deputy Post Master General or Superintendent in the Province, whose duty it should be to prescribe the Mail routes, to establish the various Post Offices and Receiving Houses, and to increase their number as the increasing population and business of the Country may require. To appoint, subject to the approval of the Post Master General, the Post Masters and subordinate officers, to fix their salaries, and to manage the whole concerns of the Office, subject to the general regulations of the Department. Your Committee are of opinion that the Post Masters should all be remunerated by fixed salaries dependent upon the duty performed.

"The Committee are of opinion that the rate of Postage should be uniform, as in Great Britain, and that the charge for transmitting a Letter of half an ounce and under, to any part of the Province, should not exceed four pence. Should the thus reducing the rate cause a present diminution in the receipts, the Committee are of opinion the Legislature should supply the deficiency, which could not be of very long continuance.

"The Committee are of opinion that Newspapers, Papers emanating from the Legislature, and Pamphlets not exceeding twenty four pages, should be carried free of Postage. Your Committee do not recommend these exemptions merely as a boon to the Publishers, but as a mean of procuring for the inhabitants of the rural districts cheap knowledge.

"The munificent sum paid by the Parent State for the transmission of the Mails to the North American Colonies by the Atlantic Steamers, should, in the opinion of the Committee, be a sufficient inducement for the Legislature to appropriate such sums of money as may from time to time be required to make fully available to the Province the great advantages thus conferred by the Imperial Government.

"All which is respectfully submitted.

"CHARLES FISHER,
L. A. WILMOT.

"Committee Room, 30th March, 1842."

Ordered, That the Report be accepted.

Read a third time as engrossed,

A Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Resolved, That the Bill do pass

Ordered, That Mr. Palmer take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Fisher,

Whereas this House has during the last three years appropriated large sums of money towards the improvement of the Great Road between Nova Scotia and Canada, to facilitate the conveyance of the Mails in connection with the Atlantic Steamers, agreeably to the recommendation of the Right Honorable Lord Glenelg, contained in his Despatch of the 24th day of October, 1838, and which appropriations have been limited this year to a small amount in consequence of the embarrassed state of the Trade of the Province: And whereas there is now a large overplus of the fund granted for the support of the Civil Government of the Province, which surplus the Right Honorable Lord Glenelg, on the surrender of the Casual and Territorial Revenue to the Province on condition of the granting of the said Civil List, did signify it as the intention of His Majesty's Government to appropriate exclusively to objects connected with the Province, and with a view solely to Public Interests: And whereas the appropriating the present surplus or a portion thereof to the improvement of the above mentioned Road would be highly beneficial to the Province, and promote an object of great National importance; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to bring under the notice of Her Majesty's Government the propriety and expediency of appropriating the present surplus or a portion of it to the improvement of those parts of the aforesaid Great Road lying between Fredericton and the Petitcodiac, and between the Restook and the Canada Line, in order that the whole of the new route to Canada may be fitted for the carriage of the British Mails.

Ordered, That Mr. Fisher, Mr. Woodward and Mr. Stewart, be a Committee to wait upon His Excellency with the Address.

On

On motion of Mr. Partelow,
The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

Resolved, That there be granted

To Edmund Ward, the sum of £—— to remunerate him for services performed in reporting and publishing the Debates of this House during the present Session.

Upon the question for sustaining this Resolution, the Committee divided as follows :—

YEAS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Partelow,
End,
Jordan,
M'Almon,
Palmer,
Taylor,
Woodward,
Fisher,
H. T. Partelow,
Brown,
Boyd,
Rankin,
J. M. Wilmot,
L. A. Wilmot,
Wilson,
Allen.

NAYS.

Mr. Stewart,
Street,
Beardsley,
Freeze,
Gilbert,
Owen.

And it was thereupon carried in the affirmative.

It was then moved—That the blank be filled up with the sum of £150; when the Committee again divided as follows :—

YEAS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Partelow,
Hanington,
Jordan,
End,
Wilson,
Allen,
Taylor,
Fisher,
Connell,
H. T. Partelow,
Brown,
Boyd,
L. A. Wilmot,
Hill.

NAYS.

Mr. M'Leod,
Stewart,
M'Almon,
Street,
Palmer,
Woodward,
Beardsley,
Freeze,
Gilbert,
Owen,
Rankin,
J. M. Wilmot.

And it was thereupon carried in the affirmative, and the blank accordingly filled up with the said sum of £150.

To J. R. Fitzgerald, the sum of £25 to remunerate him for such time as he was employed in reporting the Debates of this House.

To His Excellency the Lieutenant Governor or Administrator of the Government for

for the time being, the sum of £50 to pay a Messenger to Her Majesty's Executive Council.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £—— to provide for Printing the Decisions of the Supreme Court, as reported by D. S. Kerr, Esquire.

Upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.

The Hon. Mr. Johnston,
Mr. Partelow,
H. T. Partelow,
Street,
L. A. Wilmot,
Allen,
Taylor,
M'Leod,
Fisher,
Rankin,
Stewart,
Taylor,
Brown,
End.

NAYS.

Mr. M'Almon,
Hanington,
Wilson,
Woodward,
Connell,
J. M. Wilmot,
Freeze,
Palmer,
Boyd.

And it was thereupon carried in the affirmative.

It was then moved—That the blank be filled up with the sum of £100; and upon the question, the Committee again divided as follows:—

YEAS.

The Hon. Mr. Johnston,
Mr. Partelow,
Stewart,
End,
Wilson,
Street,
H. T. Partelow,
Taylor,
Fisher,
Brown,
Rankin,
Allen,
M'Leod.

NAYS.

Mr. L. A. Wilmot,
Boyd,
Palmer,
Freeze,
J. M. Wilmot,
Beardsley,
Connell,
Woodward,
Hanington,
M'Almon.

And so it was likewise carried in the affirmative, and the blank accordingly filled up with that sum.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding £100 in addition to the amount allowed by Law for the purpose of rewarding persons for extraordinary exertions in apprehending Deserters from Her Majesty's Land Forces.

To Thomas Hanford, of Saint John, the sum of £23 9s. to reimburse him for Duties paid on Goods destroyed at the Great Fire in November last.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £405 9 7 to reimburse the late Supervisor on that part of the Road leading from Saint John to the Nova Scotia Line, between Saint John and Hayward's Mills, for materials furnished and expenses incurred in securing Hammond River Bridge.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £13 16 4 to reimburse the Commissioners appointed to explore a line of Road from the Penniock to Miramichi Portage, the balance due them.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £26 16 11 to reimburse the late Supervisor on the Great Road leading from Dorchester to Shediac and Shediac to the Bend of Petitcodiac, the balance due him.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £99 9 4 to reimburse the late Supervisors on the Great Road leading from Fredericton to Saint Andrews, the balance due them.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £153 1 10 to reimburse the late Supervisor on the Great Road from Newcastle to Bathurst and thence to Campbellton, the balance due him.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £30 14 3 to reimburse the late Supervisor on the Great Road leading from Richibucto to Chatham, the balance due him.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £98 15 11 to reimburse the late Supervisor on the Great Road leading from Saint John to Hayward's Mills, part of the Road to the Nova Scotia Line, the balance due him.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £178 10 6 to reimburse the late Supervisors on the Great Road leading from Fredericton to Woodstock, West side River Saint John, the balance due them.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £189 10s. to reimburse the late Supervisor on the Great Road leading from Hayward's Mills to the Nova Scotia Line, part of the Road to that Line, the balance due him.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £27 12 11 to provide for the payment of a balance due the late Commissioner on the Road from Oromocto to Gagetown.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £15 12s. to provide for the payment of a balance due the late Commissioner on the Road leading from Loch Lomond to Sussex Vale.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £50 towards exploring and opening a new Road from Bartholomew's Mills to the Dungarvon Settlement on the Miramichi, a distance of nine miles, made in pursuance of the Report of the Agricultural Committee during the Session of the Legislature of 1841.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £17 5s. to provide for the payment of the balance due the late Commissioner for widening the Canal between South Bay and Musquito Cove.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £44 10s. to provide for the payment of the balance due the late Commissioner for the improvement of the Road to Indian Town, in the County of Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £234 2 2 to provide for the payment of the late Commissioner appointed to explore certain parts of the Royal Road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £50 to open the Road through the Victoria Settlement on the line between the Counties of Queen's and Sunbury.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £17 4 3 to provide for the payment of a Commissioner for exploring a Road in Douglas and Queensbury, County of York.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £25 towards opening a Road from the new Settlement on Eel River to Richmond Settlement, in the County of Carleton.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £283 4s. to reimburse the Commissioners for building a Public Wharf at Indian Town, in the Parish of Portland, County of Saint John, the balance due them.

To the Justices of the Peace of the City and County of Saint John, the sum of £3,140 14 5 to reimburse the Superintendent of the Temporary Provincial Lunatic Asylum, established in the said City, for the support of that Institution, and additional accommodation for the increased inmates in 1841.

To

To the Overseers of the Poor of the Parish of Saint George, County of Charlotte, the sum of £46 2 6 to reimburse them for advances made for the support and relief of sick, indigent and distressed Emigrants for the year 1841; the same to be taken from the Emigrant Fund.

To the Commissioners to be appointed by His Excellency the Lieutenant Governor, the sum of £270 for improving the Harbour of Saint Andrews, agreeably to the Report of the Commissioners appointed under an Address of this House on the 18th March last.

To the Commissioners of Government House, the sum of £1,862 1 2 being the amount of expenditures, agreeably to the Auditor's Report, comprising new Furniture, Tradesmen's Accounts, Wages to Mechanics, Laborers, &c.; £12 of which to be paid to John Clark, Junior, for his services and expenses in repairing four times to Fredericton from Saint John, for the purpose of examining the bank of the River opposite Government House.

To John Simpson, Esquire, Queen's Printer, the sum of £245 0 6 for the payment of sundry publications in the Royal Gazette.

To John Simpson, Queen's Printer, the sum of £175 8 6, being amount of his account for printing, &c. the Journals of the Legislative Council.

To John Simpson, Queen's Printer, the sum of £603 8s. being balance of his account for printing the Journals and Laws, and other public printing.

To Niel M'Lean, the sum of £15 being return of 5s. currency per barrel Provincial Duty, paid in addition to the Imperial Duty of 5s. sterling per barrel, on 60 barrels Middlings Wheat Flour, imported ex schooner Susan, from Halifax, in November last.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £75 to be applied in the payment of the balance due on the purchase of 800 copies of "Dunn's Normal School Manual," by George Baillie, Esquire, of London, for the use of the Province.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding £750 in addition to the grant of last Session, for the purpose of being applied towards the purchase of land at Woodstock, on which to erect Barracks for the use of Her Majesty's Troops.

To the Commissioners to be appointed by His Excellency the Lieutenant Governor, the sum of £— for the purpose of opening Dark Harbour, in the Island of Grand Manan, agreeably to a report of the Commissioners appointed under an address of this House of the 18th March last.

Upon the question for sustaining this Resolution, it was decided in the negative.

To the Joint Committee of the Legislative Library, the sum of £— sterling, towards completing the supply of Books for the said Library.

Upon the question for filling up the blank with the sum of £200, the Committee divided as follows:—

YEAS.
 The Hon. Mr. Speaker,
 The Hon. Mr. Johnston,
 The Hon. Mr. Weldon,
 Mr. Partelow,
 Jordan,
 End,
 Street,
 Wilson,
 L. A. Wilmot,
 Woodward,
 J. M. Wilmot,
 Fisher,
 H. T. Partelow,
 Owen,
 Taylor,
 Rankin.

NAYS.
 Mr. Brown,
 M'Almon,
 Allen,
 Stewart,
 Connell,
 Beardsley,
 Palmer,
 Freeze,
 M'Leod,
 Gilbert,
 Boyd,
 Hanington.

And it was thereupon carried in the affirmative, and the blank accordingly filled up with that sum.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £100 for the widening and further improving the Canal between South Bay and Musquito Cove.

To Peter Etter, Richard Lawrence and John Gallen, Commissioners of Sewers, for building an Aboideau over the Aulac, the sum of £300 to assist them in the work undertaken by them.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £100 for repairing the Hampton Ferry Bridge in King's County.

To the Librarian of the Legislative Library, the sum of £75 for his services to the end of the present Session.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of £20 for improving the Road from the Forks of the Road leading to Ocnabog and John Gaunce's to M'Allister's on the Road leading from Gage Town to Nerepis.

To John Alexander, of the firm of Alexanders, Barry and Company, the sum of £— to reimburse them for part penalty incurred and paid in not complying with the Act to provide for a regular supply of Seamen for new ships; the said Act having been subsequently disallowed by Her Majesty's Government.

Upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.

Mr. Beardsley,
Partelow,
Woodward,
J. M. Wilmot,
Brown,
Boyd,
Hill.

NAYS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Hanington,
Freeze,
Stewart,
Jordan,
H. T. Partelow,
L. A. Wilmot,
Taylor,
Fisher,
End,
Gilbert,
Rankin,
M'Leod.

And it was thereupon decided in the negative.

And the Chairman further reported, that he was directed to ask for leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, communicated the following:—

“ Legislative Council Chamber, 30th March, 1842.

“ ORDERED, That the Master in Chancery do go down to the Assembly, and communicate the accompanying Address to His Excellency the Lieutenant Governor, on the subject of the importation of Colonial Wood into the Mother Country, and request that House to join therein.

WILL. TYNG PETERS, *Clerk.*”

On motion of Mr. Partelow,

Resolved, That this House will join the Legislative Council in the Address to His Excellency, communicated by the foregoing Message, and that the House do now go into consideration thereof.

The Address being then read at the Clerk's Table, is as follows:—

“ To

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

"The Humble Address of Her Majesty's Legislative Council and House of Assembly in General Assembly convened.

"MAY IT PLEASE YOUR EXCELLENCY,

"WE, Her Majesty's faithful and loyal Subjects, the Legislative Council and House of Assembly of the Province of New Brunswick, beg leave to solicit Your Excellency's best assistance in laying these our humble representations on the proposed alterations in the Timber Duties at the Foot of the Throne.

"We cannot avoid feeling that we make this request at the risk of appearing importunate, after having so recently forwarded to Your Excellency our Joint Address on the subject of the proposed modification of the Duties for regulating the Trade of the Colonies. The nature of the Communication but just received from our Provincial Agent, will, we trust, prove a sufficient apology to Your Excellency, who has recently and considerably come forward with means to alleviate the distresses of the labouring classes, and in whose deep sympathy in their present suffering, the mercantile body feel so well assured.

"The information just received leaves us little doubt but that the protection hitherto afforded the Wood Trade in the West India Market will be done away with. Our alarm has been further increased by the certainty that a very material alteration is about to take place in the Timber Duties, under the sanction of Her Majesty's Ministers. We have further learnt, with, if possible, increased dismay, that a measure still more fatal to the industry of every class, will probably be brought forward, embracing not only an alteration in the Duty on Deals, but in the mode of receiving the Duty on them, by estimating it on the cubic contents, in lieu of the present ready and well understood mode of receiving it by tale, thereby deranging the system so long established, and whereby this Province was enabled to compete with those Countries of the North of Europe, in the immediate vicinity of Great Britain; a system which was most carefully considered by Her Majesty's Government in 1821; and under the confidence in which the Inhabitants of this Province have laid out all their available capital, in constructing Saw Mills on almost every one of its streams, the advantages to be derived from which are not only about to be lessened most materially by the provisions of the Colonial Trade Act, but will be wholly lost to the Country, should the same become a Law.

"In the midst of an unparalleled Commercial distress, now fearfully felt throughout every class of Her Majesty's Subjects in this Province, we humbly solicit Your Excellency's influence in aid of this our representation, in the hope that a due consideration of them by Her Majesty's Ministers may avert from this Province the enactment of a series of measures so fraught with its ruin even to the destruction of that hope which might otherwise support us under the heavy pressure of our present difficulties."

Resolved, That the House do concur in the said Address; and

Ordered, That Mr. Brown communicate the same to the Council.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Honorable Messieurs Street and Wyer were appointed a Committee on the part of the Council, to join such Committee as may be appointed by the Assembly, to present the Address to His Excellency the Lieutenant Governor, on the subject of the alteration of Duties on Colonial Wood imported into the Mother Country.

On motion of Mr. Brown,

Resolved, That a Committee be appointed on the part of this House, to join the Committee of the Legislative Council, to present the said Address to His Excellency.

Ordered, That Mr. Brown, Mr. L. A. Wilmot, Mr. Connell and Mr. M'Almon, be the Committee for that purpose; and further

Ordered, That Mr. Brown communicate the same to the Council.

The Honorable Mr. Weldon, from the Committee of Privileges, submitted a Report
in

in reference to a Message from the Legislative Council of yesterday, as to the expense incurred in fitting up the Council Chamber, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee of Privileges, to whom was referred the Message from the Legislative Council of yesterday, upon the subject of fitting up and furnishing the Council Chamber, which the Message states amounts to eight hundred and three pounds eighteen shillings, and that the Legislative Council doth allow the same—having taken the same into consideration, Report—

“Your Committee consider the proceeding adopted by the Legislative Council in this regard, a departure from the course hitherto pursued by that House. In 1830, when the Legislative Council resolved that the Journals of that House should be printed from the first Session thereof, the Resolution was communicated to the House, in order that provision might be made for carrying the same into effect. In 1831, an estimate of printing and publishing was communicated by the Legislative Council to the House, which the House referred to the Committee on Public Accounts, and a vote in Supply passed. The Legislative Council, in the same year, also communicated to the House a Resolution of that House, that their Journals would be printed at the close of each Session, in order that the requisite provision should be made therefor.

“That in 1832, the Committee of the Legislative Council appointed to superintend the printing the Journals of that House, submitted an Account, which shewed a balance, and which Account was thereupon communicated to the House of Assembly.

“In these cases the Accounts were submitted to the House, while in the present instance the Legislative Council have undertaken to audit and allow the Account reported by the Committee of the Legislative Council, and communicate only to this House the aggregate sum, without any Accounts, which your Committee conceive to be an infringement upon the rights of the House of Assembly. Among the most important privileges of the House of Assembly is the undoubted right of examining, allowing and auditing all Accounts of Public Expenditure.

“All which is respectfully submitted.

“J. W. WELDON,
G. S. HILL,
JOHN ALLEN,
W. WILSON,
J. A. STREET.

“Committee Room, 30th March, 1842.”

Ordered, That the Report be accepted.

Mr. Street, from the Committee on the part of this House, to join the Committee of the Honorable the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the Joint Addresses of the Council and Assembly to Her Majesty and the Imperial Parliament upon the subject of a revision of the Customs Duties, as applying to the British Colonial Possessions abroad, reported—That the Committees had met, and waited upon His Excellency with the said Addresses, and that His Excellency was pleased to say, that he should have great pleasure in forwarding those Addresses, accompanied by the strongest recommendations from himself in furtherance of the objects thereof.

Mr. Brown, from the Committee on the part of this House, to join the Committee of the Honorable the Legislative Council, to present the Joint Address of the Council and Assembly to His Excellency the Lieutenant Governor, upon the subject of the contemplated alterations in the Duties on the importation of Colonial Wood into the Mother Country, reported—That the Committees had met, and waited upon His Excellency with the Address, and that His Excellency was pleased to say, that he should not fail to avail himself of the present Mail to bring the same under the notice of Her Majesty's Government.

Mr. Gilbert, a Member from Queen's County, applies for leave of absence after to-morrow, which was granted to him.

Mr. Fisher, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address of the House of the 24th instant, praying that His
x†
Excellency

Excellency would be pleased to cause to be laid before the House a copy of the Bond or Bonds given by the Corporation of the City of Saint John, to secure the payment of the sum of £3,250 advanced to the Corporation, for the purpose of enabling them to employ the labouring Poor, reported—That they had attended thereto, and that His Excellency was pleased to say, he would furnish the information prayed for in the said Address.

The House adjourned until to-morrow morning at half past 9 o'clock.

Thursday, 31st March, 1842.

Prayers.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

A Message from His Excellency the Lieutenant Governor, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

The House attended, and being returned—

The Honorable Mr. Speaker informed the House that His Excellency had been pleased to give his assent to the following Bills:—

An Act further to facilitate the means of supplying the City of Saint John with Water, by transferring the Water Works of the Saint John Water Company to the Mayor, Aldermen and Commonalty of the City of Saint John :

An Act to authorize the Justices of the Peace for the County of Sunbury to make Rules and Regulations respecting the Draw in the Bridge over the River Oromocto :

An Act to incorporate the Saint Stephen Log and Timber Sluice Company :

An Act to incorporate the Saint Andrews Marine Assurance Company :

An Act to revive an Act, intituled "An Act for regulating the Salmon Fisheries in the County of Gloucester" :

An Act to amend the Law relating to Burglary :

An Act to amend the Law relating to the punishment of offences :

An Act to make further provision relating to the Provincial House of Correction, and to give it the name of The Provincial Penitentiary : and

An Act to incorporate the Grand Falls Company—(with a suspending clause.)

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to the Resolutions of Appropriation dated the 21st, 22d, 23d, 24th, and 26th days of March, instant, with the following exceptions:—

To Nicholas Sinnott, of Wexford, Ireland, the sum of £33 15s. to reimburse him for double Head Money paid on Passengers per barque Shelmelere, from Limerick ; the same to be taken from the Emigrant Fund :

To the Justices of the Peace of the County of Restigouche, the sum of £40 to be applied towards the payment of the erection of two School Houses in the Parish of Colebrooke, for which the Inhabitants of that Parish are unable to provide, in consequence of their poverty, the failure of their crops, and the destruction of their houses and barns by fire, and also two School Houses, which these, when built, are intended to replace :

To the Overseers of the Poor of the Parish of Saint Stephen, the sum of £80 7 8 to reimburse them expenses incurred in the support and relief of sick, indigent and distressed Emigrants in the year 1841 ; the same to be taken from the Emigrant Fund :

To the Overseers of the Poor for the Parish of Bathurst, County of Gloucester, the sum

sum of £20 16 6 to reimburse them for expenses incurred in the support and relief of sick, indigent and distressed Emigrants in that Parish for the year 1841 :

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £150 to be paid over to the Building Committee of the new Roman Catholic Church erected at Fredericton, so soon as it shall be certified that a suitable and convenient portion of the said building is set apart for the use of Her Majesty's Troops in the Garrison of Fredericton, belonging to that Denomination :

To James Whitney, of Saint John, the sum of £125 in part to compensate him for keeping up during the past year an efficient Communication by Steam once a week between Saint John and Boston :

To the Commissioners of the Alms House of the County of York, the sum of £226 12s. 6d. to remunerate them for expenses incurred in the support and relief of sick, indigent and distressed Emigrants in the year 1841 ; the same to be taken from the Emigrant Fund :

To the Trustees of the Baptist Meeting House in Fredericton, the sum of £14 10s. to reimburse them for Duties paid on an Organ for the use of the said Meeting House, imported from the United States :

To the Overseers of the Poor of the Parish of Woodstock, the sum of £100 in full to reimburse them for expenses incurred in the support and relief of sick, indigent and distressed Emigrants ; the same to be taken from the Emigrant Fund :

Which were not concurred in.

And that the Council had also agreed to the Resolutions of Appropriation dated the 28th day of March, instant.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply yesterday the 30th instant.

Ordered, That Mr. Beardsley do take the said Resolutions to the Council, and desire their concurrence thereto.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them again under their consideration, had passed a number of Resolutions, and he having read the same, handed them in at the Clerk's Table, where they were again read, and are as follow :—

Resolved, That there be granted

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £25 in full to reimburse Sarah Woodlands for Timber cut on her Land towards building a Bridge over Sullivan's Creek, in the County of York, agreeably to the recommendation of the Supervisors.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £136 to pay Adam D. Allan the balance of his account for the Bridge over Sullivan's Creek, County of York, and the further sum of £100 in part to remunerate him for 500 Logs prepared for the said Bridge destroyed, by fire.

To the Justices of the Peace of the County of Charlotte, the sum of £—— towards paying the Debt due on the Court House.

Upon the question for sustaining this Resolution, the Committee divided as follows :—

YEAS.

Mr. Allen,
Fisher,
L. A. Wilmot,
Taylor,
Partelow,
Woodward,
M'Leod,
Brown,
Owen,
Boyd,
Hill,
H. T. Partelow,
Jordan.

NAYS.

The Hon. Mr. Johnston,
Mr. Street,
M'Almon,
Stewart,
Connell,
Beardsley,
Palmer,
J. M. Wilmot,
Freeze,
Gilbert,
Rankin.

And it was carried in the affirmative, and the blank filled up with the sum of £150.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £18 10s. to be applied in paying for storage of Militia Arms; £10 of which in Fredericton, and £8 10s. in Woodstock.

To the Commissioners of the Alms House in the County of York, the sum of £173 9 4 to remunerate them for expenses incurred in support of Emigrant Paupers during the year 1841; the same to be taken from the Emigrant Fund.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £— towards repairing the Aboideau at the commencement of the Great Road of Communication from Saint John to the Nova Scotia Line.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 4.

NAYS, 17.

And it was thereupon decided in the negative.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £15 in part to remunerate Charles Tibideau for damages and costs sustained by him in defending a suit as a Bye Road Commissioner, agreeably to the Report of the Select Committee of the 24th instant.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £76 14s. to remunerate Frederick B. Dibblee for damages and costs in defending a suit as Bye Road Commissioner, agreeably to the Report of the same Committee.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £48 8 10 to remunerate George S. Raymond, of Woodstock, in the County of Carleton, for costs in defraying suits as Contractor under a Bye Road Commissioner, agreeably to the Report of the same Committee.

To Robert Dougherty, the sum of £3 17 4 as a return of Duty on a covered Carriage, imported by him from the United States, for the comfort and convenience of Passengers travelling from Saint Stephen to Saint Andrews.

To Patrick Clinch, Esquire, the sum of £15 to reimburse him in monies overpaid by him in repairing Bridges destroyed by Freshets in 1838.

To John Miller, Deputy Treasurer at Bathurst, the sum of £25 for the year 1840, and a further sum of £25 for the year 1841, as compensation for the decrease of his income, the same to be taken from the grant made for the protection of the Revenue, as recommended in the Report of the Committee of Trade.

To Elijah L. Norcross, of Penobscot, State of Maine, the sum of £13 10 6 to remunerate him for the loss of a Horse, Waggon, Harness, &c., hired by him to one Charles D. Bean, for the purpose of proceeding to Houlton, in the same State, but who fraudulently brought them into this Province, where they were sold for a breach of the Revenue Laws, before the said Norcross could arrive therein, agreeably to the Report of the Select Committee of the 22d March, instant.

To Ann M'Donald, widow of the late Lieutenant M'Donald, of the Jersey Volunteers, the sum of £20 to relieve her in her present destitute circumstances; and the further sum of £20 omitted to be placed into the Law of last year's Appropriation.

To His Excellency the Lieutenant Governor, the sum of £50 18s. to pay the Commissioners the balance due for building the Arestook Bridge.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £75 to enable the late Supervisor of the Road from Saint John to Bellisle, to satisfy certain Contracts made by him.

To His Excellency the Lieutenant Governor or Administrator of the Government, the sum of £50 for the Road from Hammond River to Hopewell, one half of which sum to be expended in King's County, from Hammond River onwards.

To His Excellency the Lieutenant Governor or Administrator of the Government, the sum of £50 towards opening a Road through the new Settlement forming between the Penniack and Miramichi Portage.

To His Excellency the Lieutenant Governor, a sum not exceeding £100 to enable him to reimburse Dr. Gesner for expenses incurred by him in forming a new Settlement on Eel River, in the County of York, upon lands remote from the River Saint John, and well adapted for cultivation.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £70 to enable the late Supervisor on the Road from Fredericton to the Nerepis to discharge sundry Contracts on the said Road, and the balance of £24 6 1 over expended the last year.

To Jacob Kollock, a meritorious old Officer resident at Carleton, in the County of Kent, the sum of £20 in consideration of his being now totally blind and in the most indigent circumstances.

To His Excellency the Lieutenant Governor the sum of £86 5s. to reimburse the Commissioner on the Road leading to New Maryland for over expenditure during the past year; the same to be deducted from the Bye Road money granted for the County of York at the next Session of the Legislature.

To the President and Members of the Agricultural Society of the County of Saint John, the sum of £100 to remunerate in part the Publisher of the "Agriculturist," a Monthly Periodical for the diffusion of Agricultural information circulated by the said Society during the past year; and that no further grant be made for this service in future.

To the Chairman of the Committee of Public Accounts, the sum of £100 for extra service in that capacity during the present Session.

To the President of the Saint Andrews Geological and Philosophical Society, the sum of £20 in aid of the said Institution.

To the Overseers of the Poor for the Parish of Saint Stephen, the sum of £80 to reimburse them in monies expended by them in support of distressed Emigrant Poor in that Parish for the year 1841; the same to be taken from the Emigrant Fund.

To the Overseers of the Poor for the Parish of Woodstock, in the County of Carleton, the sum of £75 to reimburse them for expenses incurred in supporting sick and distressed Emigrants for the year 1840.

To the Commissioners of the Province Hall, the sum of £102 6 3 for expenses about the Province Hall, and the further sum of £10 towards improving the grounds in front of the Province Hall.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of £—— to pay off the balance due to Michael Harley as Commissioner on the new Road between Grand Lake and Richibucto.

Upon the question for sustaining this Resolution, it was decided in the negative.

To His Excellency the Lieutenant Governor, the sum of £—— to pay off the expenses of Thomas M'Gaghey, incurred in obedience to the commands of the Government, in attending as Special Constable on the investigation respecting the burning of the Church in Grand Manan.

Upon the question for sustaining this Resolution, it was decided in the negative.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £75 to assist Henry S. Beek in defraying the expenses of publishing a Map of the Province, agreeably to a Report of the Select Committee.

That the sum of £50 in the hands of the Commissioners for extending the Breakwater in Quaco, be reappropriated, and laid out on the new line of Road from Vaughan's Creek in Quaco to the County Line towards Noah Tabor's, Shepody Road, laid out by Deputy Surveyor Keleher.

To His Excellency the Lieutenant Governor, the sum of £25 to remunerate Paul Beardsley for losses sustained in consequence of his imprisonment in the United States,

States, arising out of his endeavor to prevent the encroachment of the Americans on the Disputed Territory in the year 1839.

To the Overseers of the Poor of the Parish of Dalhousie, in the County of Restigouche, the sum of £61 8 7 to reimburse the Overseers of that Parish for expenses incurred in the support and relief of sick and distressed Emigrants in that Parish in the year 1841; the same to be taken from the Emigrant Fund.

To the Commissioners of Government House, the sum of £150, being amount expended by them for Coals for Government House.

To William B. Phair, Esquire, Postmaster, the sum of £—— for the Postages of the Legislature during the present Session.

To the Clerk of the House of Assembly, the sum of £—— for the Contingent Expenses of the present Session.

And the Chairman further reported, that the Committee having finished the business referred to them, it was

Resolved, That the Committee do now rise.

Ordered, That the Report be accepted, and the Resolutions engrossed.

On motion of Mr. L. A. Wilmot,

The House went into Committee of the whole, on a Bill to enable the New Brunswick Steam Boat Company to sue and be sued by that name.

Mr. Brown in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of the Honorable Mr. Weldon,

Resolved, That the House do this day three months resolve itself into Committee of the whole, in further consideration of Ways and Means of raising a Revenue of the Province.

Mr. Hill, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with an Address of the House of the 28th instant, relative to the sale of Crown Lands at Public Auction in quantities not exceeding five hundred acres to any one person, reported—That they had attended thereto, and His Excellency was pleased to say that the subject of the Address would be duly considered.

Mr. Taylor, from the Committee appointed on the 14th day of February last, to take under consideration a Petition from the Honorable James Allanshaw, relative to the adjustment of certain accounts with the Crown Land Department, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee to whom was referred the Petition of James Allanshaw, of Saint Andrews, praying for an investigation of certain Accounts with the Crown Land Office, with a view to the adjustment of the same, have had the said Petition, with the Documents accompanying it, under their consideration, and beg leave to submit the Report—

“It appears that the total amount claimed by the Crown to June 1841, which includes the whole amount of Timber required to be cut on each Lease, with the excess, is £1,773.

“As an offset in part to this demand, the Petitioner claims to be deducted certain deficiencies of Lumber for the years 1838, 1839 and 1840, as certified by Deputy Mahood, and which amount in the whole to £412 16 6; besides the deficiency of 1841, also certified by the same Deputy, £273 12 3, and amounting in the whole to £686 8 9, leaving a balance upon that statement of account, of £986 11 3. Your Committee are of opinion that under all the circumstances of the case, the Petitioner should be relieved on surrendering all the Leases, and paying immediately the sum of £1,100. The case is involved in some complexity and difficulty, and the Committee feel satisfied that by adopting this course, the true interests of the Government will be

be best consulted, and from its nature no general rule applicable to other cases can be adopted.

“ All which is respectfully submitted.

“ JAMES TAYLOR,
WM. M'LEOD,
GEO. HAYWARD,
S. FREEZE,
CHARLES FISHER.

“ *Committee Room, 31st March, 1842.*”

Ordered, That the Report be accepted.

Mr. L. A. Wilmot, from the Committee appointed on the 19th day of March, instant, to take under consideration the Petition from George Woods, relative to a lot of land at the Stanley Settlement, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“ The Select Committee to whom was referred the Petition of George Woods, setting forth certain difficulties with the Nova Scotia and New Brunswick Land Company, on the subject of a Lot of Land at Stanley, and praying relief, having attended to the duty imposed upon them, beg leave to submit the following Report—

“ We find, by Documents before us, that one Thomas Stinson was authorized by Minute in Council in 1826, to locate upon a Lot of 200 acres, north side of Nashwaak, in the Parish of Saint Mary's. Under this Minute of Council, Stinson went on and made improvements, and was in possession, residing upon and improving the same, but had not obtained a grant at the time the grant was issued to the Land Company, which included Stinson's Lot.

“ Frequent remonstrance was made by Stinson, when he assigned his interest to the Petitioner, until 1837, who agreed with Company's Agent, E. N. Kendall, to refer the valuation of the improvements to L. B. Rainsford and W. Wilmot, Esquires, of Fredericton, and at the time appointed for the hearing, the Company's Agent not attending, the Arbitrators could not proceed, and the reference was at an end.

“ The Petitioner has from that time continued to press Company's Agent for a settlement down to the present time, but without effect.

“ It appears from a note of Company's Surveyor, under date 28th April, 1838, that Colonel Hayne, the Company's Agent, had consented to pay £102 10s. in full for Stinson's claim, including a claim of one Stewart, similarly situated, but no part of this sum has ever been paid.

“ The Documents connected with this matter being very numerous, we cannot now go at large into them, but as the facts of the case constitute a very strong equitable claim against the Company, we hope that before another Session of the Legislature, the Company's Agent will be induced to come to an amicable arrangement with the Claimant, and in the event of no settlement being had before another Session, we would recommend that the matter be then further considered by the House.

“ All which is respectfully submitted.

“ L. A. WILMOT,
J. W. WELDON.

“ *Committee Room, 30th March, 1842.*”

Ordered, That the Report be accepted.

On motion of Mr. H. T. Partelow,

The House went into Committee of the whole, on a Bill to appropriate a part of the Public Revenue for the Services therein mentioned.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill to them referred, had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

On motion of Mr. Partelow,

Resolved, That the further consideration of a Bill to Incorporate sundry persons for the purpose of erecting and completing a building in the City of Saint John to be used as a Public Warehouse, Custom House, Provincial Treasury, and other Public purposes; also

A Bill in addition to and declaratory of an Act, intituled "An Act for the establishment as Public Roads of all Roads in this Province for which any Public Monies may have been or shall be hereafter granted,"—be postponed for three months.

Mr. Fisher, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of yesterday, praying that His Excellency would be pleased to bring under the notice of Her Majesty's Government the propriety and expediency of expending the Surplus of the Civil List Fund on the Great Road between Nova Scotia and Canada, reported—That they had attended thereto, and that His Excellency was pleased to say he would comply with the prayer of the said Address with pleasure.

Mr. L. A. Wilmot, from the Committee appointed on the 31st day of January last, to take under consideration the subject of Education, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Select Committee on Education beg leave to submit the following Report—

"Feeling deeply impressed with the importance of the subject referred to us, we have carefully considered a variety of propositions for the improvement of the present system of Parish Schools throughout the Province.

"The first and most important point to which we would direct the attention of the House, is that of Parochial assessment. The present voluntary and therefore uncertain mode of local contribution for the support of Teachers, and the erection of School Houses, should not be permitted to continue longer. The extension of Education among all classes, is a subject of National and Provincial importance; and we know of no Parochial or Local Institution which better deserve the aid of assessment, than the Parish Schools of the Country.

"The Legislature of this Province has bountifully dispensed pecuniary aid from the Public Treasury, and although much good has doubtless been done under the present system, yet we have reason to fear that in many populous portions of the rural Districts of the Province, an extraordinary degree of apathy has characterized the Parents and Guardians of Youth, who, we fear, in many instances, are allowed to grow up to manhood, ignorant of the first rudiments of Education.

"While income and property are justly taxed for other County and Parish purposes, such as the support of the Poor—the local administration of Justice—the erection of Public Buildings, and other objects, so do we conceive, should the income and property of every Parish be taxed for the support of Education.

"He who has property, and no children, should be compelled to contribute towards the education of the children of those who may have no property.

"We sincerely hope that this subject will be well considered during the recess, by all those who feel an interest in the advancement of Education.

"Another point we have had under consideration is, the propriety of employing a General Visitor of Parish Schools, whose duty it should be to inspect all the Schools in the Province, examine the Scholars, and report to the Legislature the state of efficiency of every School in each year. Such a measure may be attended with beneficial results, but we are not now prepared to recommend its adoption.

"Another point considered by us is, as to the necessity of establishing a Provincial Normal School for the education of Teachers, Male and Female. We would forbear at present expressing a decided opinion on this point, but we would submit, that as the several Grammar Schools in the Province are required to take at least five free Scholars, those privileges might, under the direction of the Trustees, be conferred on young men desirous of being qualified as Parish School Teachers.

"We would also submit that Licences should be divided into three classes:

"1st. For the Province generally;

"2d. For a particular County;

"3d. For a particular District or Parish in any County;

and that the Provincial grants should be graduated according to the class of the Teacher.

"As the present Parish School Act will expire next year, we hope that these our suggestions will be considered, and receive that attention which we respectfully conceive their importance demands.

"We

" We are not now prepared to investigate the various Returns of School Lands submitted to us, but must defer their consideration until the next Session.

" All which is respectfully submitted.

"L. A. WILMOT,
H. JOHNSTON,
J. A. STREET,
GEORGE S. HILL,
J. W. WELDON,
GEO. HAYWARD.

" *Committee Room, 31st March, 1842.*"

Ordered, That the Report be accepted.

Mr. H. T. Partelow, pursuant to leave granted, brought in a Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province ; which was read a first and second times.

Mr. L. A. Wilmot, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of yesterday, praying that His Excellency would be pleased to lay before the House, Copies of any Communications which may have been lately received upon the subject of the modification of the Charter of King's College, reported—That they had attended thereto, and that His Excellency was pleased to say, he would reply thereto by Message.

Mr. L. A. Wilmot, from the Committee appointed on the 23d day of March, instant, to take under consideration a Petition from Henry S. Beek, relative to the publication of a Map of the Province, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows :—

" The Select Committee to whom was referred the Petition of Henry S. Beek, of Fredericton, setting forth certain expenses incurred by him in the publication of a Map of the Province, and praying Legislative assistance, Report—

" That they have examined the allegations in the said Petition, and a copy of the Map published by the Petitioner, and are unanimously of opinion, that it is the most correct of any yet published, and well deserves encouragement.

" It was supposed by some that this Map recognized the Boundary Line as claimed by the United States, and that its publication might therefore be prejudicial hereafter in any future discussion of the subject, but after the most careful examination, we cannot discover that any admissions are made of any right whatever of the United States to any portion of the Disputed Territory.

" We would inform the House, that a large item in the expense incurred by the Petitioner will be the Duty of 40 per cent. on the importation of the Maps ; we would therefore respectfully recommend that a sum of money be granted to the Petitioner in aid of his expensive and commendable undertaking.

" Respectfully submitted.

"L. A. WILMOT,
J. R. PARTELOW.

" *Committee Room, 31st March, 1842.*"

Ordered, That the Report be accepted.

On motion of Mr. Fisher,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to bring under the notice of Her Majesty's Government, the subject matter of the Report of the Post Office Committee, and ascertain how far the views of the House as therein contained can be carried out, and lay the result of such Communication before the House at the next Session of the General Assembly.

Ordered, That Mr. Fisher, Mr. Freeze and Mr. Rankin, be a Committee to wait upon His Excellency with the Address.

The House adjourned until to-morrow morning at half past 9 o'clock.

Friday, 1st April, 1842.

Prayers.

On motion of Mr. L. A. Wilmot,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency would be pleased, should the necessity arise, to place a sum not exceeding £100 in the hands of a Commissioner, to be expended in the purchase of Provisions and Seed for the new Settlement now forming on Eel River, upon condition that the Settlers become bound to repay the amount of the advances so made, by opening the Roads to and through that Settlement, and that the House will make provision therefor at the next Session of the Legislature.

Ordered, That Mr. L. A. Wilmot, Mr. Brown and Mr. Connell, be a Committee to wait upon His Excellency with the Address.

Read a third time as engrossed,

A Bill to enable the New Brunswick Steam Boat Company to sue and be sued by that name.

Resolved, That the Bill do pass.

Ordered, That Mr. L. A. Wilmot take the said Bill to the Council, and desire their concurrence thereto.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply yesterday the 31st day of March.

Ordered, That Mr. L. A. Wilmot also take these Resolutions to the Council, and desire their concurrence thereto.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to the Resolutions of Appropriation dated the 29th day of March last, with the following exceptions:—

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £50 to be expended in erecting a Bridge across the Maduxnikick, in the Parish of Wakefield:

To His Excellency the Lieutenant Governor or Administrator of the Government, the sum of £50 in aid of completing the new Road from Groom's, in Hampton, to the Toll Bridge in Norton,

Which were not concurred in.

On motion of Mr. Brown,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency would be pleased to order the collection and payment of all balances in the hands of persons who have been Supervisors or Commissioners for expending Public Monies on the Roads, and other Public Works; the said order to extend to all persons who have not accounted, as well as to those from whom balances are due on accounts rendered, unless such Supervisors or Commissioners account satisfactorily therefor with the Auditor within three months.

Ordered, That Mr. Brown, Mr. Beardsley and Mr. Woodward, be a Committee to wait upon His Excellency with the Address.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill to restrain the provisions of the Fifth Section of an Act, intituled "An Act for the support of the Civil Government in this Province," and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases,

With amendments, to which they desire the concurrence of the Assembly.

On motion of Mr. L. A. Wilmot,

Resolved, That the House do go into consideration of the said amendments made to the Bill sent down by the Legislative Council in foregoing Message, this day three months.

And upon the question, the House divided as follows:—

YEAS.

YEAS.

The Hon. Mr. Johnston,
Mr. Woodward,
M'Almon,
L. A. Wilmot,
Beardsley,
Fisher,
Hayward,
Hill.

NAYS.

The Hon. Mr. Weldon,
Mr. Street,
Partelow,
M'Leod,
H. T. Partelow,
Taylor,
Brown,
Boyd,
Owen,
Stewart.

Whereupon it was decided in the negative ; when

On motion of Mr. Street,

Resolved, That the House do now go into consideration of the amendments made by the Council to the said Bill.

Upon this question, it was carried in the affirmative ; and

The said amendments were then severally read a first time, and are as follow :—

At A in Section I. insert the words “ upon such terms and conditions as the said Lieutenant Governor or Commander in Chief, by and with the advice of the Executive Council, may deem fit.”

At B insert the word “ so.”

At C expunge the words “ for immediate payment of three shillings, currency, per acre, by four annual instalments.”

At D Section II. expunge the remainder of the Section, and insert the following :—

“ Upon such terms and conditions as the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of the Executive Council, shall from time to time deem fit : Provided always, that no such Timber, Logs or other Lumber shall be so disposed of at less rates than the following, that is to say :—Square Red Pine Timber, two shillings and six pence per Ton ; square White Pine and Sapling Red Pine, two shillings per Ton ; square Birch, Spruce and Hemlock, one shilling and six pence per Ton ; Pine and Spruce Logs, at two shillings and six pence per thousand superficial feet ; and all other descriptions of Wood, at ten pounds upon every one hundred pounds of its estimated value.”

At E Section III. expunge the remainder of the Section, and insert the following words, “ or upon such other terms as they may deem fit.”

At F Section V. insert the words “ upon such terms and conditions as they may deem fit.”

At G. expunge the words “ for immediate payment.”

At H expunge Sections VI. and VII.

At I Section VIII. insert the words “ shall in all cases and in all Courts of Law and Equity within this Province be deemed and taken to be evidence that all the requisitions of the said in part recited Act or of this Act.”

At K expunge Section IX. and alter the numbers of the Sections so as to correspond with the foregoing amendments.

The question being then taken—That the House do concur in the said amendments. And it was decided in the negative.

On motion of Mr. Allen,

Resolved, That the Accounts and Papers of Edward W. Miller, Esquire, laid before this House by order of His Excellency the Lieutenant Governor on the 19th instant, be referred to a Select Committee, with instructions to report thereon at the next Session of the General Assembly.

Upon the question for sustaining the Resolution, the House divided—

YEAS, 11.

NAYS, 6.

And it was thereupon carried in the affirmative.

Ordered, thereupon, That Mr. Barberie, Mr. Owen, Mr. Palmer, Mr. L. A. Wilmot, the Honorable Mr. Weldon, and Mr. H. T. Partelow, be the Committee for that purpose.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Saunders, by command of His Excellency, delivered the following Message :—

NEW

“New Brunswick.

“Message to the House of Assembly, 1st April, 1842.

“W. M. G. COLEBROOKE, Lt. Governor.

“The Lieutenant Governor, referring to the Address of the Assembly of the 30th ultimo, informs the House, that a Despatch has been received from the Secretary of State, which will be communicated to the College Council as soon as that Body can be convened; and the Lieutenant Governor will take the earliest practicable opportunity of communicating to the Assembly the information that it may require in regard to that Institution.

“W. M. G. C.”

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on the Report from the Select Committee on the Petition from the Honorable James Allanshaw, relative to the adjustment of claims from the Crown Land Department against him, and which was submitted to the House on the 31st day of March last.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Report referred to them under their consideration, the following Resolution was moved:—

Resolved, As the opinion of this Committee, That the Report of the Select Committee should be sustained.

That upon the question for sustaining this Resolution, the Committee divided—

YEAS, 7.

NAYS, 7.

And the division being equal, he had decided it in the negative.

It was then moved—That the question upon the Resolution, be reconsidered.

And upon this question the Committee again divided—

YEAS, 10.

NAYS, 8.

Whereupon it was carried in the affirmative.

And an amendment was then moved to the said Resolution—To expunge the whole thereof, and substitute the following:—

Resolved, As the opinion of this Committee, That it would be inexpedient for the House to sustain the Report made by the Select Committee in the case under consideration, the principle thereof being in direct variance with the Report of the Select Committee, presented to and adopted by this House on the 30th March, 1840, and on which the Executive Government of the Province have since that period been proceeding.”

Upon the question for adopting the amendment, the Committee divided as follows:—

YEAS.

NAYS.

The Hon. Mr. Speaker,
The Hon. Mr. Johnston,
The Hon. Mr. Weldon,
Mr. Beardsley,
Connell,
Allen,
Partelow,
Hayward,
Boyd,
H. T. Partelow.

Mr. Woodward,
L. A. Wilmot,
Owen,
Brown,
Fisher,
Taylor,
Street,
Hill.

And it was thereupon carried in the affirmative.

Ordered, That the Report be accepted.

On motion of Mr. L. A. Wilmot,

Resolved, That the case of Isaac Murray and Thomas Murray, praying for relief from the effect of certain Crown Bonds given by one Duncan Barber, and for the payment of which their property has been sold, calls for relief, inasmuch as the proceedings of the Crown have been founded on Bonds, which there is reason to believe were antedated, and which, if not reversed, would lead to the ruinous oppression of the Petitioners; but in deference to the at present uncontroverted opinions of the Law Officers of the Crown, this House should abstain from adjudicating thereon, until the opinion of the Lords of Her Majesty's Treasury shall be known. On

On motion of Mr. H. T. Partelow,
The House went into Committee of the whole, in further consideration of a Bill to appropriate a part of the Public Revenue for the services therein mentioned.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them they had made further progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave to sit again granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had agreed to The Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province.

Mr. L. A. Wilmot, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of this day, praying for a certain advance to be made towards the support of a new Settlement now forming at Eel River, reported—That they had attended thereto, and that His Excellency was pleased to say, that he would have much satisfaction in complying with the Address.

On motion of Mr. Street,

Resolved, That the Reports made by the Auditor General on the expenditure of the monies granted for the Public Service the last year, and which were severally communicated to the House by Message from His Excellency the Lieutenant Governor on the 3d day of February, and 10th and 19th day of March last, be referred to the Committee on Public Accounts to report thereon.

On motion of Mr. Street,

Ordered, That the Clerk of this House do hereafter annually furnish such of the Judges of the Supreme Court as are not ex officio entitled to them, with one copy each of the Printed Journals and Appendix of this House.

On motion of Mr. H. T. Partelow,

The House went into Committee of the whole on a Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration they had made progress therein, and he was directed to ask leave to sit again.

Ordered, That the Report be accepted, and leave granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Black, by command of His Excellency, communicated to the House—

A fourth Letter received from Henry Gilbert and Leveret H. Deveber, Esquires, Commissioners for expending an appropriation made this present Session for the employment of the destitute Poor in Saint John.

This Communication being read at the Clerk's Table, is as follows :—

(Copy.)

Saint John, N. B. March 30, 1842.

SIR,—For the information of His Excellency, the expenditure last week was less than the week before.

Several of the labouring class have gone to the Westward, leaving their Wives and Children destitute of any support. We shall probably have sufficient funds for this and the ensuing week ; we have only to repeat our apprehension of the difficulty and impossibility of preserving order in the City if the labouring poor are not employed.

We have the honour, &c. &c. &c.

(Signed)

H. GILBERT,
L. H. DEVEBER.

The Honorable Wm. F. ODELL, Provincial Secretary, &c. &c. &c.

Mr. Fisher, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of yesterday, praying that His Excellency would be pleased to bring the subject matter of the Report of the Post

A†

Office

Office Committee under the notice of Her Majesty's Government, reported—That they had attended thereto, and that His Excellency was pleased to say, that he would have great pleasure in complying with the wishes of the House.

Mr. Brown, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of this day, upon the subject of the collection of balances unaccounted for by Supervisors and Commissioners for expending Public Monies on the Roads and other Public Works, reported—That they had attended thereto, and that His Excellency was pleased to say, that the wishes of the House should be complied with.

The House adjourned until to-morrow morning at half past 9 o'clock.

Saturday, 2d April, 1842.

Prayers.

On motion of Mr. H. T. Partelow,

The House went into Committee of the whole, in further consideration of a Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them again under their consideration, they had agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to the several Resolutions of Appropriation dated the 30th and 31st days of March last, with the following exceptions, viz:—

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of £20 for improving the Road from the Forks of the Road leading to Ocnabog and John Gaunce's to M'Allister's on the Road leading from Gagetown to the Nerepis :

To Elijah L. Norcross, of Penobscot, State of Maine, the sum of £13 10 6 to remunerate him for the loss of a Horse, Waggon, Harness, &c., hired by him to one Charles D. Bean, for the purpose of proceeding to Houlton, in the same State, but who fraudulently brought them into this Province, where they were sold for a breach of the Revenue Laws, before the said Norcross could arrive therein, agreeably to the Report of the Select Committee of the 22d March, instant :

To the Overseers of the Poor for the Parish of Saint Stephen, the sum of £80 to reimburse them in monies expended by them in support of distressed Emigrant Poor in that Parish for the year 1841 ; the same to be taken from the Emigrant Fund :

To the Overseers of the Poor for the Parish of Woodstock, in the County of Carleton, the sum of £75 to reimburse them for expenses incurred in supporting sick and distressed Emigrants in 1840 :

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £75 to assist Henry S. Beek in defraying the expenses of Publishing a Map of the Province, agreeably to the Report of the Select Committee :

To J. R. Fitzgerald, the sum of £25 to remunerate him for such time as he was employed in reporting the Debates of this House : and

To the President and Members of the Agricultural Society of the County of Saint John, the sum of £100 to remunerate in part the Publisher of the "Agriculturist," a monthly periodical for the diffusion of Agricultural information, circulated by the said Society during the past year :

Which several Resolutions of Appropriation were not concurred in.

Read a third time as engrossed,

A Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province.

Resolved, That the Bill do pass.

Ordered, That Mr. H. T. Partelow do take the said Bill to the Council, and desire their concurrence thereto.

On

On motion of Mr. H. T. Partelow,
The House went into Committee of the whole, in further consideration of a Bill to appropriate a part of the Public Revenue for the Services therein mentioned.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them again under their consideration, had agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province.

Read as engrossed,

The Resolutions of Appropriation made and passed in Supply on Thursday the 31st day of March last, severally granting

To William B. Phair, Esquire, £497 9s. for the Postages; and

To the Clerk of the House of Assembly, £2134 16 8 for the Contingent Expenses of the present Session.

Ordered, That Mr. Boyd take the said Resolutions to the Council, and desire their concurrence thereto.

The House adjourned until Monday morning next at 10 o'clock.

Monday, 4th April, 1842.

Prayers.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, delivered the following Message:—

“New Brunswick.

“Message to the House of Assembly, 4th April, 1842.

“W. M. G. COLEBROOKE, Lt. Governor.

“The Lieutenant Governor communicates to the Assembly a Copy of a Despatch which he has received from the Lieutenant Governor of Nova Scotia, with Copies of his correspondence with the Secretary of State for the Colonies, and of Resolutions passed by the House of Assembly of that Province, with other papers relative to the charges for conveyance of the Mails between Halifax and Canada.

“The Lieutenant Governor recommends the subject to the immediate consideration of the House.

“W. M. G. C.”

The Documents communicated by the foregoing Message, being read at the Clerk's Table, are as follow:—

Government House, Halifax, 30th March, 1842.

SIR,—I have the honor to enclose, for the information of Your Excellency, a copy of a Report (see Paper marked No. 1) of a Committee of the House of Assembly of Nova Scotia, on the Post Office affairs of the Colony; and I also transmit (see Paper No. 2) a copy of some Resolutions passed by the House of Assembly, having relation to this subject. To the sixth of these Resolutions especially, I beg to direct Your Excellency's attention. By the Report now sent, it will be seen that £1550 sterling, the whole sum required for the maintenance of the contract entered into by the Home Government with Mr. Cunard “for the establishment of Mail Coaches for the conveyance of the Post Office Letter bags between Halifax and Pictou,” has hitherto been furnished by this Province; although, in my Despatch, No. 68, dated 27th April, 1841, addressed to Lord John Russell, (see Paper No. 4) I distinctly intimated in reply to his Despatch, No. 16, dated 17th November, 1840, that £550 only had been voted by the Legislature for that purpose.

The perusal of these Papers will, I think, make it apparent to Your Excellency—

1st—That the contract was originally entered into chiefly with a view of expediting the correspondence between Great Britain and Canada, and that Nova Scotia derives little direct advantage from it, the internal postage of the Province being provided for by other sources.

2ndly—That New Brunswick participates, though in a smaller degree, in the benefits derived under the contract by Canada, inasmuch as the New Brunswick Mails are conveyed from Halifax on the Pictou route by the Mail Coaches as far as Truro, more than half the distance.

3rdly—That the Imperial Government never intended that Nova Scotia should bear more than a fair proportion of the expense incurred by the establishment of a line of Mail Coaches between Halifax and Pictou.

I therefore earnestly hope that Your Excellency will endeavour to induce the Legislature of New Brunswick to contribute annually during the next seven years a specific sum, not less than £250 sterling, in aid of the designs of Her Majesty's Government.

I am about to address His Excellency the Governor General on this subject, and I anticipate that the Canadian Parliament will cheerfully grant the remaining £750.

I have the honor to be, Sir,

Your Excellency's most obedient humble servant,

FALKLAND.

His Excellency Sir WILLIAM COLERBROOKE, K. C. H. &c. &c. &c.

[No. 1.]

“The Committee on the Receipts and Expenditure of the Post Office and all matters relating thereto, beg leave to Report:—

“That the recent changes in this Department, and the increased demand on our Provincial Treasury, render it necessary to revert to the true state of the question depending between the Home Government, the Provinces of Canada and New Brunswick, and this Legislature. The Committee have therefore renewed the inquiries instituted in previous Sessions, and refer in the Appendix to all the Reports and Documents to be found in our Journals since the year 1836, and annex an abstract of the Accounts rendered in the usual form by the Deputy Post Master General for the year ending the 5th January last.

“From these Documents it appears that an abstract of the Post Office Accounts has been prepared on the same principle every year since 1836, and which after a close examination by the General Post Office in 1839, was approved of as correct. Without entering into minute details, it is established by the experience of the last six years as a fact placed, as the Committee conceive, beyond all question, that the proceeds of the internal Postage of this Province, independent of and separated from the Packet Postage, yield a sufficient fund to defray the whole charge of keeping up the lines of internal Communication as they existed in 1839. The new lines since authorized by this House may occasion a trifling deficiency; but in the year 1840, notwithstanding a new charge of £550 thrown upon us, and which ought, in whole or in part, to have been refunded by the Canadian Post Office, but £396 was required and drawn out of the Provincial Treasury.

“This last year the sum of £881 has been drawn under the Resolution of 16th March 1840, and the Deputy Post Master makes a further demand of £1143. And as the same necessarily will recur every year, a permanent annual charge of about £2000 will be cast upon our Revenue, the greater part of which, in the view of this Committee, ought to be contributed from other sources.

“The Committee disclaim any intention or desire to interfere with the Packet Postage, which could not be placed at the disposal of a local Legislature without the passage of an Act conformably to the 4 and 5 Will. 4, chap. 7. But they do claim the right of having the expense of the Post Office Establishment at Halifax defrayed out of the Packet Postage; because First,—it has been so charged in all the abstracts prepared by the Committees of this House since 1836, and sanctioned by the Home Government; and Secondly—because it seems not unreasonable that it should be so, as the Establishment is kept up for the benefit of our Sister Colonies as well as our own, and the charge of carrying the English Letters throughout the Province has been borne by our funds.

“Were we to grant the balance of £1143 asked by the Deputy Post Master General, we would in fact be assuming the charge of the Establishment which has risen from the sum of £625, currency, for annual salaries, to the sum of £1637. The Establishment until last year having consisted of Mr. Howe himself, at a salary of £500, currency, and his Assistant, at a salary of £125, currency, but consisting at the present time, in consequence of the large increase of duty, brought by the English Steamers, of the Deputy Post Master General, at the same salary of

Three Assistants, at £187 10s. each, viz: a Deputy Postmaster, Surveyor, and	£500 0 0
Accountant,	562 10 0
Four Clerks, at £125 each,	500 0 0
A Messenger, at £75 a year,	75 0 0

Making, £1637 10 0

To which the charge for Office Rent, Fuel and Stationery, is to be added, being as yet only the sum of 55 10 0

And the result is, not less a sum than £1693 0 0
currency, per annum, equal to £1355, sterling.

“An Establishment of this character is an Imperial not a Provincial Office, and the Committee cannot recommend any action of this House which might be construed into a recognition of their liability for it as a charge on the Colonial Revenue.

“The House will perceive that the sum of £1143 9s. is stated in the accounts sent in as due to the Post Office Department, being the net amount of Packet Postage without deduction, and this is the amount which the Deputy Post Master General has stated to the Committee through their Chairman that he desires to be granted; but the Committee while they are desirous of protecting that Officer from

from liability or censure by his superiors; have not been able to convince themselves that it is incumbent on this House to grant that amount.

“ The whole question was discussed by the Delegates of the Assembly in 1839, with the authorities in London, and the Treasury Minute of 3d September 1839, was settled with their approval and acquiescence, and having been acted on by the Assembly, is equally binding on this House and on the Home Government. This Minute, speaking of the Lords of the Treasury and of the representations that had been recently submitted to them by Messieurs Young and Huntington, contains the following paragraph :— ‘ They are of opinion that so long as the Revenue derived from the internal Postage is sufficient to meet the expenditure for the internal Communications, no demand for this object should be made upon the Provincial Funds; and in conformity with these views, I am to request that you will suggest to Lord Normanby, that the Lieutenant Governor of Nova Scotia may be instructed to inform the Legislature that no vote will be required for maintaining the present lines of Post Office Communication so long as the Postage receipts shall continue as they would now appear to be, adequate to meet the expenditure; but that should the Legislature deem it advisable that the lines of Communication should be increased, my Lords will in that case, rely upon provision being made by the House of Assembly for defraying any expense of such additional Communication that may not be covered by increased postage.’ ”

“ Now the Committee have already shewn that the receipts from internal Postage are adequate to meet the expenditure for maintaining the lines of Post Communication as they existed in 1839, and the demand upon the Provincial Treasury arises solely from the contract entered into last year for transmitting the Mail by the Steamers and otherwise to and from Halifax, Truro and Pictou.

“ This contract has been acted on throughout the year, but was not executed by Mr. Howe and Mr. Cunard, until the 14th December last. It provides for the transmission of the Mail to and from Halifax, Truro and Pictou, three times in each and every week, between the 1st day of May and the 1st of November, in each year, and twice in every week during the remainder of each year, and also twice in every month during the time in each and every year at which the Mails shall be conveyed between Quebec and Pictou by Steamboats; leaving the transmission of the English Mails during the rest of the year when it goes wholly by land, as the subject occasionally of extra charge. For this service Mr. Cunard is to receive £1550, sterling, equal to £1937 10s. currency, out of the Revenue of the Post Office, for eight years, and he agrees to convey the Mail in Coaches drawn by four Horses, to perform the whole distance between Halifax and Pictou in seventeen hours, and to carry passengers by or for the Steam Packets at the rate or fare of £2 10s. sterling, each. The contract contains many other clauses with which the Committee need not trouble this House; but what they do invite the attention of the House to, is the fact, that the whole amount payable under the contract is included in the present accounts, and creates the necessity for a demand upon our Treasury.

“ Till 1839, the expense of carrying the Mail to and from Halifax, Truro and Pictou, was but £285 currency. In 1840, it was increased by a new charge of £550, to the sum of £835, it is now advanced to £1937, not for our accommodation only, but for the benefit of the Sister Colonies of Canada and New Brunswick, whose heavy Mails by and for the Steam Packets are carried through our Territory, and a large expense of course is incurred.

“ This House came to a Resolution in the last Session, that of the £1550, sterling, they would pay £550 as their fair proportion; and the Committee conceive that the remaining £1000 ought to be borne by the public funds of Canada and New Brunswick, in the proportion of £750 a year for the former, and £250 for the latter. The liability of these Provinces to contribute their fair proportion appears to the Committee too clear to be denied; and they recommend that Resolutions should be adopted conformable to this Report, and communicated with a copy of it, through His Excellency the Lieutenant Governor, to the Governor General of Canada, and the Lieutenant Governor of New Brunswick, in the hope that their respective Legislatures will pass an adequate grant for the period of the contract on the same principle which has been followed in respect of Light Houses and other undertakings and works of common utility.

“ The Committee would be glad, that the Resolutions that may be adopted by the House should also be transmitted through His Excellency the Lieutenant Governor to the Right Honorable the Colonial Secretary, with a declaration of the House that there is no disposition to throw any part of the charge of £1550 on the Home Government; the Committee conceiving that the inestimable advantages conferred on these Colonies by Steam Communication, ought to be met in the most cordial spirit by corresponding efforts on their part to improve their internal Communication and facilitate the transmission of the Mail at their own expense throughout their respective Territories.

(Signed)

“ WILLIAM YOUNG, *Chairman.*
H. HUNTINGTON,
THOS. DICKSON,
JOHN HOLMES,
JAS. TURNBULL.

“ Halifax, 26th February, 1842.”

ABSTRACT OF POST OFFICE ACCOUNTS FOR 1841.

English Postage.

Amount of unpaid Letters received from England,
Paid Letters sent to England,

CURRENCY.
£1331 19 10
302 10 4

£1634 10 2

Payments.

Salary to Deputy Post Master General,
Being for parts only } To Assistant,
of the year. } To several others, as per account,

£500 0 0
140 12 6
331 5 0

Office Rent, Fuel and Stationery,

£971 17 6
55 13 11

1027 11 5

£606 18 9

Dead Letters sent to England,
One third of which is chargeable to other Colonies,

£448 16 9
149 12 3

299 4 6

Clear balance resulting from English Postage,

£307 14 3

Internal Postage.

Amount received for unpaid Letters at, and paid Letters sent from Halifax Office,
Net Revenue remitted by Deputy Post Master, after paying their Commission,
Way and Ship Letters,

£3829 6 9
2070 8 8
361 0 1

£6260 15 6

Off—Letters charged against Halifax and sent to the interior,
Pence paid for Ship Letters,

£1625 13 7
47 13 0

1673 6 7

One half of the above £299 4 6,

£4587 8 11
199 12 3

£4387 16 8

Payments.

Riding Work and Couriers, including expenses, and £65 13 9 incidental expenses,
Other incidental charges,

£5486 13 0
97 13 6

5584 6 6

Deficiency of internal Postage,
Add allowance for American Postage in both sums, say,

£1196 9 10
203 10 2

£1400 0 0

Of the amount for riding work there is paid for the Mail from Halifax to Pictou,
under Messrs. S. Cunard & Co's Contract,
Whereas our own Provincial Mail, independently of the Canadian and New Brunswick Mails, by and for the Steamers, cost in the years 1838 and 1839, respectively, but

£1963 6 7

235 0 0

Making a difference of

£1678 6 7

There is also charged in the Accounts of 1841, for Expresses with the English Mail, £152 10 0

A large proportion of which sums ought to be borne by Canada and New Brunswick, as it is evident, if they contributed as they ought, that our internal Postage would sustain itself as in former years, and no money would require to be drawn from our Treasury.

References

References to the Journals of the House of Assembly.

1837.	Appendix.	No. 69, fol. 88.
1838.	Appendix.	No. 85, fol. 190.
1839.	Appendix.	No. 51, fol. 88. No. 61, fol. 102.
1840.	Journal.	Fol. 791-2.
		Resolutions of the House.
	Appendix.	No. 6, fol. 29, being Lord John Russell's Despatch. No. 11, fol. 48, 51, being the Delegates' Letter to Mr. Baring, and settlement made with him by Mr. Young. No. 57, fol. 160. Accounts for 1839, and No. 70, fol. 178. Report thereon.
1841.	Journal.	Fol. 179.
		Resolution of the House.
	Appendix.	No. 42, fol. 129. No. 69, fol. 193. Accounts and Report thereon.

(A true Copy.)

JAMES I. GRAY, *Clerk Assistant.*"

[No. 2.]

"In the House of Assembly, 17th March, 1842.

"1.—*Resolved*, That the Accounts of the Deputy Post Master General having been accurately and minutely examined during the last six years by Committees appointed by this House, it has been satisfactorily ascertained that the proceeds of the Internal Postage of this Province, independent of and separated from the Packet Postage, yield a sufficient fund to defray the whole charge of keeping up the lines of Internal Communication as they existed in the year 1839.

"2.—*Resolved*, That Her Majesty's Government having been pleased by the Treasury Minute of September 3, 1839, to concede to this House and to declare it as their opinion, that so long as the Revenue derived from the Internal Postage was sufficient to meet the expenditure for the Internal Communications, no demand for that object should be made upon the Provincial Funds, this House resolved on the 16th of March, 1840, that no vote of money for the maintenance of the lines of Post Communication and Ferries then existing would require to be made during that Session; the ordinary grant therefor in the four preceding years having amounted, on an average, to the sum of £1360 currency, and in the year 1839 having risen to the sum of £1562, and this House accordingly voted no money therefor in the Session of 1840, but pledged themselves to provide for any deficiency that might be found therein, so as the lines of Internal Communication should not be interrupted or diminished.

"3.—*Resolved*, That in the year 1840 a further charge of £550 was incurred for the conveyance of the English Canadian Mail from Halifax to Pictou, and although such charge was included in the Post Office Accounts and paid out of the general fund, the sum of £396 only was required and drawn from the Provincial Treasury under the vote of 16th March, 1840, for keeping up all the lines of Post Communication throughout the Province, including several new lines authorized by this Legislature in the Session of 1840.

"4.—*Resolved*, That in the year 1841 the sum of £881 was drawn from the Provincial Treasury for keeping up the said lines, and this House have been called upon and obliged in the present Session to grant a further sum of £550 in respect thereof, making the whole charge for the last year £1431, no part of which is in fact required for keeping up the said lines.

"5.—*Resolved*, That the necessity for drawing the sums last above mentioned out of our Provincial Treasury has arisen solely out of the Contract recently entered into for the transmission of the English and other Mails to and from Halifax, Truro and Pictou, at an annual charge of £1550 sterling, equal to the sum of £1937 10s. currency, which is included in the Post Office Accounts rendered this Session, and has occasioned the deficiency of £1431, after appropriating thereto the net balance resulting from the English Packet Postage.

"6.—*Resolved*, That in the opinion of this House, the sum of £550 sterling, and no more, ought to be contributed of the above sum of £1550 out of the funds of this Province, and that the remainder ought in the view of this House, for the reasons stated by the Post Office Committee in their Report of this Session, to be borne by the Public Funds of Canada and New Brunswick, so as to relieve the Home Government of any charge in respect thereof.

"7.—*Resolved*, That copies of the foregoing Resolutions and Report be communicated to His Excellency the Lieutenant Governor, with a respectful request that His Excellency will be pleased to transmit the same to the Right Honorable the Secretary of the Colonies, and to their Excellencies the Governor General of Canada and the Lieutenant Governor of New Brunswick, that the same may be submitted to their respective Legislatures.

(True Extract.)

JAMES I. GRAY, *Clerk Assistant.*"

[No. 3.]

[No. 3.]

"Downing Street, 17th November, 1840.

[No. 16.]

"MY LORD,—I transmit to you herewith the copy of a Letter from the Post Master General to the Lords Commissioners of the Treasury, submitting a tender which has been made by Mr. Cunard for the establishment of Mail Coaches for the conveyance of the Post Office Letter bags between Halifax and Pictou, and I have to request that Your Lordship will take the subject into your early consideration, and inform me what assistance may be expected from the funds of Nova Scotia towards defraying the expense which this measure will entail.

"I have, &c.

(Signed)

J. RUSSELL."

The Lord Viscount FALKLAND, &c. &c. &c.

[No. 4.]

"Government House, Halifax, April 27, 1841.

(Copy.)—No. 68.

"MY LORD,—In reference to your Despatch, No. 16, dated 17th November, 1840, transmitting a copy of a Letter from the Post Master General to the Lords Commissioners of the Treasury, submitting a tender made by Mr. Cunard for the establishment of Mail Coaches for the conveyance of the Post Office Letter bags between Halifax and Pictou, and desiring that I will inform you what assistance may be expected from the funds of Nova Scotia towards defraying the expense this measure will entail,—I beg to state, that the House of Assembly, taking into consideration the statement made in the letter of the Post Master General, that the sum total demanded by Mr. Cunard for carrying into effect the new arrangement between Halifax and Pictou is £1550 sterling, per annum, has passed a Resolution, a copy of which I enclose, authorizing the application of the sum of £550 sterling, to that particular service, and expressing a willingness to continue such an arrangement for a period of eight years.

"The remaining £1000 sterling, ought, in the opinion of the House of Assembly, to be defrayed either from the funds of the Canadian Post Office, or by the General Post Office in London, it being contended that the Canadian Post Office receives the benefit of the Postage that accrues from the transport of the very heavy Mails which are forwarded from hence to Pictou, the destination of which is invariably Canada.

"I have, &c.

(Signed)

FALKLAND."

The Lord JOHN RUSSELL, &c. &c. &c.

The House proceeded to take into consideration the subject communicated by the foregoing Message; when

On motion of Mr. L. A. Wilmot,

Resolved, That this House cannot undertake to make any provision towards the transmission of the Mails from Halifax until a full and detailed Account of the Income and Expenditure of the Post Office in this Province, shall be laid before the Legislature.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Saunders, by command of His Excellency, delivered the following Message:—

"New Brunswick.

"Message to the House of Assembly, 4th April, 1842.

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

"The Lieutenant Governor lays before the Assembly the Accounts of Expenses incurred in fitting up and furnishing the Council Chamber, which he recommends may be provided for.

"W. M. G. C."

On motion of Mr. L. A. Wilmot,

Ordered, That the accounts communicated by the foregoing Message, be referred to the Committee on Public Accounts to report thereon.

Mr. Woodward, from the Committee on Public Accounts, submitted their Report on the said Accounts, and he having read the same, handed it in at the Clerk's Table where it was again read, and is as follows:—

"The Committee of Public Accounts to whom was referred the Message of His Excellency the Lieutenant Governor of this date, with certain Accounts of Expenditure in fitting up and furnishing the Legislative Council Chamber, Report—

"That they have had the same under consideration, and on examination, find the whole amount to be £803 18s., from which the Committee deduct the amount of

£300 appropriated at the last Session of the Legislature, and recommend that the House make provision for the balance of £503 18s. by Address to His Excellency, pledging the House to make appropriation for the same at the next Session of the Legislature.

“ All which is respectfully submitted.

“ I. WOODWARD,
JAMES TAYLOR,
HENRY T. PARTELOW,
JAMES BOYD.

“ *Committee Room, 4th April, 1842.*”

Ordered, That the Report be accepted.

On motion of Mr. L. A. Wilmot,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to advance the sum of £503 18s. for the purpose of paying the expense incurred in the fitting up of the Council Chamber as communicated by His Excellency's Message of this day, and approved of by the Committee on Public Accounts, and that this House will make provision therefor, at the next meeting of the Legislature.

Ordered, That Mr. L. A. Wilmot, Mr. Hayward and Mr. Boyd, be a Committee to wait upon His Excellency with the Address.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery informed the House, that the Council had agreed to the following Resolutions of Appropriation, dated the 31st March last:—

To William B. Phair, Esquire, Post Master, the sum of £497 9s. for the Postages of the Legislature during the present Session; and

To the Clerk of the House of Assembly, the sum of £2,134 16 8 for the Contingent Expenses of the present Session.

Read a third time as engrossed,

A Bill to appropriate a part of the Public Revenue for the Services therein mentioned.

Resolved, That the Bill do pass.

Ordered, That Mr. J. M. Wilmot take the said Bill to the Council, and desire their concurrence thereto.

Mr. L. A. Wilmot, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of this day, praying that His Excellency would be pleased to advance the sum of £503 18s. for the purpose of paying the expense incurred in the fitting up of the Council Chamber, and informing His Excellency that the House would make provision therefor at the next Session of the Legislature, reported—That they had attended to that duty, and that His Excellency was pleased to say, that he would have much satisfaction in complying with the wishes of the House.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had agreed to

The Bill to appropriate a part of the Public Revenue for the Services therein mentioned.

A Message from His Excellency the Lieutenant Governor, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

The House attended, and being returned—

The Honorable Mr. Speaker reported, that he had addressed His Excellency to the following effect:—

“ *May it please Your Excellency,*

“ Among various other subjects of great importance which were brought under the consideration of the Legislature by Your Excellency at the opening of the present Session, the Laws relating to Insolvency seemed to require the most careful consideration, as a Bankrupt Law, based upon sound equitable principles, appeared to be indispensable for the security of Commercial credit; to this end a Bill has been

passed by the two deliberative Branches; and I entertain no doubt, that if this Bill should become a Law, it will prove highly beneficial to the Trade of the Province.

"Other measures of a comprehensive nature, which were submitted by Your Excellency for the consideration of the Legislature, have been freely discussed, and will, I trust, be taken up at an early period of the next Session: The enlightened and liberal character of these measures cannot, I think, fail of securing to them a high degree of Public approbation.

"The Assembly have passed—

"A Bill to provide for the Ordinary Services of the Province:

"A Bill to appropriate a part of the Public Revenue for the Services therein mentioned: and

"A Bill to provide for the opening and repairing Roads and erecting Bridges throughout the Province.

"These Bills I present in the name and on behalf of Her Majesty's faithful and loyal Subjects, the Commons of New Brunswick, and pray that Your Excellency will be pleased to give your assent to them."

That His Excellency was then pleased to give His assent to the several Bills presented by the Assembly, and also to the following:—

An Act further to amend the Law relating to offences against the person:

An Act to amend the Law relating to Robbery:

An Act to amend the Laws relating to burning or destroying Buildings and Ships:

An Act to incorporate the Saint Stephen Marine Assurance Company:

An Act to regulate Dockage, Wharfage and Cranage in the City of Saint John and Parish of Portland:

An Act relating to Bankruptcy—(with a suspending clause.)

And His Excellency was then pleased to make the following Speech to both Houses:—

"Mr. President, and Gentlemen of the Legislative Council,

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

"The great importance of the business which has engaged your attention has protracted your labours to a later period than usual, and in bringing the Session to a close, I cannot omit to express to you my congratulations on the successful accomplishment of some measures, the value of which will be generally appreciated.

"The amelioration of the Criminal Laws—the improvement of the Provincial Prison and its Regulations—and the Act for the protection of Commercial Credit, in cases of Bankruptcy, are evidence of the spirit by which you have desired to assimilate the Laws and Institutions of the Province to those of England, and I cannot too emphatically express to you my own conviction that in pursuing this course and securing to the People the full benefits of the British Constitution, you will afford the most effectual guarantee for their freedom and happiness.

"I lament that the Commercial difficulties to which I had occasion to allude at the beginning of the Session, have not yet subsided, and that the sufferings of the labouring classes in Saint John, from want of employment, continue, although alleviated by the considerate aid you have afforded them.

"I have to assure you of the deep sympathy of Her Majesty in the trials to which Her Loyal Subjects have thus been exposed, and which I earnestly hope will be of short duration.

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

"I thank you for the supplies which have been granted, and which, so far as may be practicable, will be applied in such a manner as to secure the interests of the Province in the objects for which they have been provided.

"Mr. President, and Gentlemen of the Legislative Council,

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

"The postponement of much business till the next Session, will afford to you an opportunity of ascertaining the sentiments of the people, in regard to several measures of

of great importance to their future welfare ; and if circumstances shall require that I should call you together at an earlier period than usual, I shall rely on your support in sustaining the credit of the Province, and in seconding the exertions of an enterprising People, in developing its great resources.

“ In such pursuits their success, under Providence, cannot be doubtful, while they seek to raise their prosperity on the basis of Christian morals, which as an inseparable part of the Common Law of England ,will be an unfailing guide to them in all the relations of life.”

That His Honor the President of the Legislative Council then said—

“ *Honorable Gentlemen of the Legislative Council,*

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

“ It is His Excellency the Lieutenant Governor's will and pleasure, that this General Assembly be prorogued until the last Tuesday in June next; and this General Assembly is accordingly prorogued until the last Tuesday in June next, then here to be holden.”

CHARLES P. WETMORE, *Clerk.*

APPENDIX.



APPENDIX.

RETURNS FROM BANKS AND OTHER INCORPORATED COMPANIES.

CENTRAL BANK OF NEW BRUNSWICK.

State of the Central Bank of New Brunswick at 3 o'clock, P. M. on Monday 6th Dec. 1841.

LIABILITIES OF THE BANK.

Capital Stock paid in,.....	£35,000	0	0
Bills in circulation,.....	18,067	15	0
Cash deposited, including all sums whatever due from the Bank not bearing interest, (its Bills in circulation, profits and balances due to other Banks excepted,).....	11,602	11	11
Balance due to other Banks,.....	0	0	0
Amount due from the Bank, bearing interest,	9,743	6	6
Profits on hand,.....	1,710	19	3
	<u>£76,124</u>	<u>12</u>	<u>8</u>

RESOURCES OF THE BANK.

Gold, Silver, and other coined metals in its Banking House,.....	£2,831	8	3
Bills of other Banks incorporated in this Province,.....	893	7	6
Balance due from other Banks,.....	940	7	2
Amount of all debts due, including Bills of Exchange, and all stock and funded debts of every description, except balances due from other Banks,.....	70,092	8	3
Real Estate,.....	1,367	1	6
	<u>£76,124</u>	<u>12</u>	<u>8</u>

Date and amount of the last Dividend, 7th June, 1841, Three per centum, One thousand and fifty pounds.

Amount of reserved profits at the time of declaring the last Dividend, Six hundred and twenty three pounds nine shillings and four pence.

Debts due and not paid and considered doubtful, Three thousand pounds.

I, Samuel W. Babbit, Cashier of the Central Bank of New Brunswick, do make oath and say that the foregoing Return is correct and true, to the best of my knowledge and belief.

SAM. W. BABBIT.

Sworn before me this twenty first December, 1841.
THOMAS C. LEE, J. P.

We,

We, Thomas R. Robertson, B. Wolhaupter, C. MacPherson, John F. Taylor, Thomas Pickard and George J. Dibblee, being a majority of the Board of Directors of the Central Bank of New Brunswick, do make oath and certify that the Books of the said Bank indicate the state of facts stated in the foregoing Return, and that we have full confidence in the truth of the said Return so made by the Cashier of the said Bank.

T. R. ROBERTSON,
B. WOLHAUPTER,
C. MACPHERSON,
JOHN F. TAYLOR,
THOMAS PICKARD,
GEO. J. DIBBLEE.

Sworn before me this twenty first December, 1841.
THOMAS C LEE, J. P.

State of the Central Bank of New Brunswick on Monday the 7th March, 1842.

LIABILITIES OF THE BANK.

Capital Stock paid in,.....	£35,000	0	0
Bills in circulation,.....	19,622	10	0
Cash deposited, including all sums whatever due from the Bank not bearing interest, (its Bills in circulation, profits and balances due to other Banks excepted,).....	10,686	5	8
Amount due from the Bank, bearing interest,.....	8,238	11	9
Balance due to other Banks,.....	0	0	0
Profits on hand,.....	1,195	8	6
	£74,742	15	11

RESOURCES OF THE BANK.

Gold, Silver, and other coined metals in its Banking House,.....	£3,310	1	9
Bills of other Banks incorporated in this Province,.....	2,096	12	6
Balance due from other Banks,.....	1,987	10	10
Amount of all debts due, including Bills of Exchange and all stock and funded debts of every description, except balances due from other Banks,.....	65,981	9	4
Real Estate,.....	1,367	1	6
	£74,742	15	11

Date and amount of the last Dividend, 6th December, 1841, Three per cent. One thousand and fifty pounds.

Amount of reserved profits at the time of declaring the last Dividend, Six hundred and sixty pounds nineteen shillings and three pence.

Debts due and not paid and considered doubtful, Three thousand pounds.

I, Samuel W. Babbit, Cashier of the Central Bank of New Brunswick, do make oath and say that the foregoing Return is correct and true. to the best of my knowledge and belief

SAM. W. BABBIT.

Sworn before me this eighth day of March, 1842.
THOMAS C. LEE, J. P.

We, George J. Dibblee, Thomas Pickard, Benjamin Wolhaupter, T. R. Robertson and John F. Taylor, being a majority of the Directors of the Central Bank of New Brunswick, do certify and make oath that the Books of the said Bank indicate the state of facts stated in the foregoing Return, and that we have full confidence in the truth of the said Return so made by the Cashier of the said Bank.

GEO. J. DIBBLEE,
THOMAS PICKARD,
B. WOLHAUPTER,
T. R. ROBERTSON,
JOHN F. TAYLOR.

Sworn before me this eighth day of March, 1842.
THOMAS C. LEE, J. P.

COMMERCIAL BANK OF NEW BRUNSWICK.

Abstract from the Weekly Balance Sheets, showing the average amount of the Liabilities and Assets of the Commercial Bank of New Brunswick for the half year ending the 3d April, 1841.

LIABILITIES OF THE BANK.

Capital Stock paid in,.....	£168,529	2	8
Bills and Notes in circulation, not bearing interest,.....	84,564	14	7
Ditto ditto, bearing interest,.....	0	0	0
Balances due to other Banks,.....	12,971	18	1
Net profits,.....	5,949	3	3
Cash deposited with the Bank, including all sums due from the Bank, not bearing interest, (its bills in circulation, and balances due to other Banks excepted,).....	15,531	17	3
Cash deposited, bearing interest,.....	5,360	1	8
Total Liabilities of the Bank,.....	£292,906	17	6

RESOURCES OF THE BANK.

Gold, Silver, and other coined metals in the Banking House,.....	£17,251	13	1
Real Estate, &c. &c.....	7,348	13	10
Bills of other Banks,.....	29,752	7	8
Balances due from other Banks,.....	6,630	8	9
Debts due to the Bank, including Notes, Bills of Exchange, and all stock and funded debts of every description, (balances due from other Banks excepted,).....	231,923	14	2
Total Resources of the Bank,.....	£292,906	17	6

Rate of last Dividend, Three and a half per cent.

Amount of last Dividend, Five thousand two hundred and fifty pounds.

Reserved profits at the time of declaring last Dividend, Four hundred and seventy nine pounds sixteen shillings and eight pence.

Doubtful debts, none.

Capital Stock paid in, One hundred and fifty five thousand one hundred and ninety seven pounds ten shillings.

(Errors Excepted.)

Commercial Bank of New Brunswick, 3d April, 1841.

L. BURNS, PRESIDENT.

G. C. PARTELOW, *Cashier.*

Abstract from the Weekly Balance Sheets, shewing the average amount of the Liabilities and Assets of the Commercial Bank of New Brunswick, for the half year ending the 2d October, 1841.

LIABILITIES OF THE BANK.

Capital Stock paid in,.....	£153,174	2	9
Bills and Notes in circulation, not bearing interest,.....	82,302	4	4
Ditto ditto, bearing interest,.....	0	0	0
Balances due to other Banks,.....	16,387	19	6
Net profits,.....	3,634	16	10
Cash deposited with the Bank, including all sums due from the Bank, not bearing interest, (its bills in circulation, and balances due to other Banks excepted,).....	8,023	19	10
Cash deposited, bearing interest,.....	4,795	8	2
Total Liabilities of the Bank,.....	£268,318	11	5

RESOURCES OF THE BANK.		
Gold, Silver, and other coined metals in the Banking House,.....	£10,494	14 8
Real Estate, &c. &c.....	8,240	10 4
Bills of other Banks,.....	17,701	5 4
Balances due from other Banks.....	19,426	0 7
Debts due to the Bank, including Notes, Bills of Exchange, and all stock and funded debts of every description, (balances due from other Banks excepted,).....	212,456	0 6
Total Resources of the Bank,.....	£268,318	11 5

Rate of last Dividend, Three and a half per cent.

Amount of last Dividend, Five thousand two hundred and fifty pounds.

Reserved profits at the time of declaring last Dividend, Seven hundred and ninety pounds and eleven pence.

Doubtful debts, none.

Capital Stock paid in, One hundred and fifty thousand eight hundred and twenty seven pounds ten shillings.

(Errors Excepted.)

Commercial Bank of New Brunswick, 2d October, 1841.

L. BURNS, PRESIDENT.

G. C. PARTELOW, *Cashier.*

BANK OF NEW BRUNSWICK.

State of the Bank of New Brunswick on Monday 3d January, 1842, at 10 o'clock, A. M.

LIABILITIES OF THE BANK.		
Capital Stock paid,.....	£100,000	0 0
Bills in Circulation,.....	20,625	17 6
Net Profits on hand,.....	1,116	0 6
Balance due to other Banks,.....	0	0 0
Cash deposited, including all sums due from the Bank, not bearing Interest, (its Bills in circulation, Profits, and Balances due to other Banks excepted,).....	9,051	19 1
Cash deposited, bearing Interest,.....	0	0 0
Total Liabilities of the Bank,.....	£130,793	17 1

RESOURCES OF THE BANK.		
Gold, Silver, and other Coined Metals in its Banking House,.....	£8,913	8 2
Real Estate,.....	5,771	10 5
Bills of other Banks, incorporated in this Province,.....	4,534	0 0
Balance due from other Banks,.....	4,006	1 11
Debts due to the Bank, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, (Balances due from other Banks excepted,).....	107,568	16 7
Total Resources of the Bank,.....	£130,793	17 1

Amount of the last Dividend, (declared 2d October, 1841,) Three thousand pounds.
Reserved Profits at the time of declaring the last Dividend, Twenty nine pounds twelve shillings and ten pence.

Doubtful Debts, none.

R. WHITESIDE, CASHIER.

I, Richard Whiteside, Cashier of the above named Bank, do solemnly swear that the above is true, according to the best of my knowledge and belief.

R. WHITESIDE.

Sworn at the City of Saint John, this fourth day of January, 1842,
Before me, ROBERT W. CROOKSHANK, J. P.

SAINT

SAINT STEPHEN'S BANK.*State of Saint Stephen's Bank on the first Monday of January, 1842, at 3 o'clock, P. M.***DUE FROM THE BANK.**

Capital Stock paid in,.....	£25,000	0	0
Bills in Circulation,.....	10,423	15	0
Net profits on hand,.....	1,504	4	6
Balance due to other Banks,.....	420	10	10
Cash deposited, including all sums whatever due from the Bank not bearing Interest, (its Bills in circulation, profits and balances due to other Banks excepted,.....	5,299	0	0
Cash deposited bearing interest,.....	0	0	0
Total amount due from the Bank,.....	£42,647	10	4

RESOURCES OF THE BANK.

Gold and Silver in its Banking House,.....	£5,592	15	7
Personal Estate,.....(safe).....	173	15	0
Bills of other Banks incorporated in this Province,.....	215	10	0
Bills of other Banks without the Province,.....	74	5	0
Balances due from other Banks,.....	5,253	11	7
Amount of all debts due the Bank, including Notes, Bills of Exchange, and all stock and funded debts of every description, excepting balances due from other Banks,.....	31,337	13	2
Total amount of Resources of the Bank,.....	£42,647	10	4

Date and time of declaring the last Dividend, September 30, 1841.

Amount of last Dividend, Four and a half per cent. One thousand one hundred and twenty five pounds.

Amount of reserved profits at the time of declaring the same, Seven hundred and twenty five pounds.

Amount of all debts due not paid and considered doubtful, none.

D. UPTON, CASHIER.

CHARLOTTE, ss.—On this third day of January, in the year of our Lord one thousand eight hundred and forty two, personally appeared David Upton, Cashier of the Saint Stephen's Bank, and made oath to the truth of the statements contained in the preceding Return by him signed, according to the best of his knowledge and belief.

SAM. ABBOT, J. P.

The undersigned, a majority of the Directors of the Saint Stephen's Bank, hereby certify that the Books of said Bank exhibit the facts presented in the foregoing statement or return signed by their Cashier, and that they have full confidence in the truth of said Return so by him made.

WM. PORTER,
JOHN MARKS,
GEO. M. PORTER,
ROBERT M. TODD,
NEHEMIAH MARKS.

CHARLOTTE, ss.—Be it remembered, that on this third day of January one thousand eight hundred and forty two, personally appeared before me the within named William Porter, John Marks, George M. Porter, Robert M. Todd and Nehemiah Marks, a majority of the Directors of the Saint Stephen's Bank, who made oath to the truth of the within Certificate by them subscribed.

SAM. ABBOT, J. P.

CENTRAL FIRE INSURANCE COMPANY.

*Return of the State of the Central Fire Insurance Company of New Brunswick, Tuesday
1st March, 1842.*

STOCK ACCOUNT.

DR.

To Amount of Capital Stock paid in,.....	£10,000	0	0
“ Amount not paid in, to be secured by Bonds,.....	40,000	0	0
	<u>£50,000</u>	<u>0</u>	<u>0</u>

CR.

By Amount of Capital loaned to Individuals on Promissory Notes, with two endorsers,.....	£6,107	4	9
“ Amount of Capital invested in Bank Stock,.....	2,725	0	0
		<u>£8,832</u>	<u>4 9</u>
“ Amount due by Shareholders on Capital not paid in, the greater proportion of which is secured by Bonds agreeably to the Act of Incorporation,.....		40,000	0 0
		<u>£48,832</u>	<u>4 9</u>
“ Balance due on Stock paid in, carried down,.....		1,167	15 3
		<u>£50,000</u>	<u>0 0</u>

ACCOUNT CURRENT.

DR.

To Amount paid Stockholders since last Return, on account of a Dividend of 5 per cent. declared for half year ending June, 1839,		£33	6	0
“ Paid Contingent Account for past year,.....		326	1	1
1841 “ Amount of Bank Stock purchased since last Return,		575	0	0
April 30.— “ Paid Miss E. Williamson, damage done to her house by fire on the 17th March last,.....	£11	4	0	
“ Paid Francis Peabody's claim for loss of house by fire in March last, £100, less 21s. 2d. interest, being paid before due,	98	18	10	
“ Paid Messrs. J. Cunard & Co's error on interest on premium note taken in March last for premium,.....	1	0	0	
August 2.— “ Paid Wm. Hammond for loss and damage on goods by fire in March last,.....	36	14	10	
“ Paid J. D. M'Intyre,	44	4	7	
“ Paid D. Robertson on account of claim for loss of House in March, (£800,).....	753	14	7	
Nov. 12.— “ Paid Lawrence Halcrow for claim of £350 for loss of Mill at Shediac in July last,	305	0	0	
27.— “ Paid Alex. Robertson for damage on goods by fire 15th November last,.....	12	10	0	
1842 Feb'y 10.— “ Paid Thomas & Sandall on account of their claim of £1000 for loss and damage on goods in November last,.....	700	0	0	
“ Paid Waterhouse & Troop do. of £500,	200	0	0	
“ Paid D. J. M'Laughlin, on account of his claim for £500 for loss of House,.....	100	0	0	
“ Paid Wm. Hammond for loss and damage on goods, £89 3 3, less 12s 3d interest,	88	11	0	
“ Paid Alex. M'Millan do. £183 2 7, less 43s 6d for interest,.....	180	19	1	
		<u>£2,532</u>	<u>16 11</u>	
<i>Carried forward,.....</i>		<u>£934</u>	<u>7 1</u>	

1842	<i>Brought forward</i> ,.....	£2,532 16 11	£934 7 1
Feb'y 23.—To	Paid Henry Jackson's claim of £42 12 2, loss and damage on goods by fire 20th December last, as arranged by the Com- mittee at.....	19 9 6	
			2,552 6 5
	" This amount of Notes taken for Premium transferred since last Return to Stock account, and included in money loaned to individuals on Promissory Notes,		480 0 0
	" Balance in favor of the Company, deducted from amount due by the Company, as stated below,.....		1,421 7 6
			<u>£5,388 1 0</u>
1841	Cr.		
March 2.—By	Balance on hand,.....		£649 5 2
1842			
March 1.—	" Interest received on Capital Stock loaned to individuals and on Notes taken for premium,.....		336 10 10
	" Amount of Dividend received on Bank Stock owned by the Company,.....		154 2 6
	" Amount called in since last Return on money loaned out of the Capital Stock,.....		427 19 10
	" Discount on Bank Stock purchased since last Return,		19 10 0
	" Premiums received by Agents of the Company last year, so far as Returns have been made, after de- ducting Commission,.....	£1,912 17 6	
	" Premiums received by Office in Freder- icton since last Return to date, in- cluding Policies and extra Prem's,....	1,887 15 2	
			<u>3,800 12 8</u>
			<u>£5,388 1 0</u>

DUE BY THE COMPANY.

To	Balance on Capital Stock, as per Stock Account above,.....	£1,167 15 3
"	Balance due Stockholders on a Dividend for half year ending June, 1839,.....	32 14 0
"	Balance due on Losses sustained last year, payable on the 6th March, instant,.....	1,112 17 6
		<u>£2,313 6 9</u>

Deduct from which as follows :

Balance in favor of the Company, as appears by the above Account Current,.....	£1,421 7 6	
Interest on Notes not yet due, to date,.....	187 13 7	
		<u>1,609 1 1</u>
Actual Balance due on Capital paid in,.....		<u>£704 5 8</u>

Aggregate amount of Risks taken by Agents of the Company,.....	£75,535 6 8
Ditto ditto ditto Office in Fredericton,.....	86,016 6 9
	<u>£161,551 13 5</u>

Real Estate owned by the Company, none. Surplus profits, none.
Total amount of Losses sustained by the Company since last Return, £3,668 1 3

YORK, ss.—William M'Beath, of the County aforesaid, Secretary to the Central Fire Insurance Company of New Brunswick, maketh oath and saith that the foregoing statement is correct to the best of his knowledge.

WM. M'BEATH, SECRETARY.

Sworn to at Fredericton, this first day of March, 1842,
Before me, JOHN T. SMITH, J. Peace.

W. D. HARTT,
B. WOHLAUPTER,
THOS. T. SMITH,
THOS. STEWART,
JOHN S. COY, } DIRECTORS

NEW BRUNSWICK MARINE ASSURANCE COMPANY.

General Return of the affairs of the New Brunswick Marine Assurance Company for the six months ending the 31st December, 1841, inclusive.

	RISK.			PREMIUM.		
Outstanding Risk and the Premium thereon, 30th June, 1841,.....	£63,565	0	0	£2,046	10	0
Underwritten since 30th June, 1841,.....	234,014	0	0	7,930	3	4
	<u>£297,579</u>	<u>0</u>	<u>0</u>	<u>£9,976</u>	<u>13</u>	<u>4</u>
Determined of Risk outstanding 30th June,.....	£59,520	0	0	£1,798	1	6
Ditto of Risks taken since 30th June,.....	169,244	0	0	4,918	14	4
Outstanding of Risk taken prior to 30th June,.....	4,045	0	0	248	8	6
Ditto of Risk taken since 30th June,.....	64,770	0	0	3,011	9	0
	<u>£297,579</u>	<u>0</u>	<u>0</u>	<u>£9,976</u>	<u>13</u>	<u>4</u>
Loss paid during the past six months,.....				£4,032	19	3
Estimated liability for Loss not yet due,.....				5,317	0	0
				<u>£9,349</u>	<u>19</u>	<u>3</u>

Dividend—There was none declared in July, 1841.

“ On the 7th January, 1842, a Dividend of 10 per cent. on the paid up Capital was declared payable to the Stockholders on and after the 1st March ensuing, amounting to,.....£1,000 0 0

Surplus apparent after paying the Dividend, in premium Notes having some time to run,.....£684 19 7

The paid up Capital, say 20 per cent. of £50,000 is now invested—In Bonds of the Corporation of the City of Saint John, £5000; in Bank Stocks in the City of Saint John, £5000,.....£10,000 0 0

The residue of the Capital, say 80 per cent. of £50,000, is secured to the Company by the Bonds of the individual Stockholders, with sureties satisfactory to the Board of Directors, as provided for by the Act of Incorporation, Sec. 5, £40,000 0 0

(Errors Excepted.)

Saint John, N. B. 10th January, 1842.

A. JACK, SECRETARY.

List

List of Stockholders in the New Brunswick Marine Assurance Company, 6th Jan. 1842.

Charles Allison,	Halifax,	20	D. J. M'Laughlin,	Saint John,	30
J. H. Anderson,	....	20	Allan M'Lean,	....	8
M. B. Almon,	....	45	Thomas Nisbet,	....	4
Thomas Barlow,	Saint John,	40	Isabella Oliver,	....	20
Ezekiel Barlow,	....	20	Thomas Pettingell,	....	15
I. L. Bedell,	....	20	Thomas Paddock's Heirs,	....	5
George Bond,	Carleton,	5	William Parks,	....	30
W. A. Black,	Halifax,	20	William Ruddock,	Portland,	20
John Bazalgette,	....	40	John Robertson,	Saint John,	20
Francis Collins,	Saint John,	10	Duncan Robertson,	....	20
William Carroll,	....	20	W. J. Ritchie,	....	5
R. W. Crookshank,	....	30	John Rodgers,	St. Andrews,	5
Joseph Cunard,	Miramichi,	50	Matilda Starrs' Trustees,	Halifax,	20
Enos Collins,	Halifax,	80	J. L. Starrs' Assignees,	....	52
Timothy Collins,	Saint John,	20	Joseph Starr,	....	30
William Crane,	Sackville,	20	David Starr,	....	30
John Duncan,	Saint John,	20	G. H. Starr,	....	50
John Duffus,	Halifax,	20	William Salters,	....	10
T. S. Estey,	Saint John,	5	Daniel Starr,	....	30
Joseph Fairweather,	....	20	J. G. Sawyer,	....	20
Edwin Ketchum,	....	10	W. H. Scovil,	Saint John,	50
James Kirk,	....	36	W. F. Smith,	....	10
James Keator,	....	40	Alfred Smithers,	....	45
John Kerr,	....	20	J. V. Thurgar,	....	20
Edward Kenney,	Halifax,	20	E. L. Thorne,	....	20
W. H. Keating,	....	10	Charles Twining,	Halifax,	5
J. H. Hartt,	Saint John,	100	Richard Tremain,	....	5
John Haws,	....	20	Scott Tremain,	....	12
John Hammond,	....	20	A. M. Uniacke,	....	30
R. L. Hazen,	....	10	J. B. Uniacke,	....	30
J. E. W. Ingles,	Halifax,	6	C. H. Wallace,	....	10
Eliza Ingles,	....	4	C. W. Wallace,	....	10
J. M. W. Irish,	Saint John,	10	G. C. Whidden,	....	10
E. L. Jarvis,	....	20	J. T. Wainwright,	....	10
William Jarvis,	....	30	George Wheeler,	Saint John,	20
William Jack,	....	40	W. Walker,	....	35
William Leavitt,	....	20	John Ward, Junior,	....	20
Thomas Leavitt,	....	20	John Walker,	....	30
Daniel Leavitt,	....	10	J. M. Wilmot,	....	20
Francis Leavitt,	....	10	Stephen Wiggins,	....	35
James Moran,	Quaco,	10	F. A. Wiggins,	....	35
William Murdock,	Halifax,	20	Jacob Wilson,	....	5
J. S. Morris,	....	30	John Wishart,	....	50
J. G. Marshall,	....	18			

87 Stockholders,—2000 Shares.

Adam Jack, Secretary to the New Brunswick Marine Assurance Company, maketh oath that the annexed Returns, exhibiting the transactions of the Company during the six months ending the last of December, 1841; the amount of paid in Capital, and how it is invested; and the manner in which the residue of the Capital Stock is secured to the Company; the amount of Dividend declared, and the apparent surplus profit; with the names of the Stockholders,—Is a just and true statement of the affairs of the Company, and a correct list of Stockholders' names as they stood on the last day of December aforesaid.

A. JACK.

Sworn before me this 24th January, 1842.

GEO. D. ROBINSON, J. P.

The undersigned, Directors in the New Brunswick Marine Assurance Company, do severally make oath that the accompanying statement of the affairs of the Company; the investment of the paid up Capital, and the security of the residue of the Stock; the amount of Dividend declared, and the apparent

apparent surplus profit; with the names of the Proprietors of the Stock, as made up and attested by the Secretary, are substantially correct; that the Books of the Company indicate the state of facts there set forth, and that we have every confidence in the fidelity of the said Return.

J. KIRK, PRESIDENT.
 JOHN WISHART,
 JOHN V. THURGAR,
 F. A. WIGGINS,
 WM. H. SCOVIL.

Sworn before me this 24th January, 1842.
 GEO. D. ROBINSON, J. P.
 Wm. H. Scovil sworn 31st January, 1842.
 GEO. D. ROBINSON, J. P.

MECHANICS' WHALE FISHING COMPANY.

Statement of the Affairs of the Saint John Mechanics' Whale Fishing Company from commencement up to 1st September, 1841.

DR.			
To	Amount of Capital Stock paid in, say 72 per cent. on £50,000,....	£36,000	0 0
"	Nett proceeds ship Pacific's cargo, 1st voyage,...	£5,403	9 3½
"	Ditto do. Royal William's do. 2d do.	38	3 10
		5,441	13 1½
"	Amount of Liabilities to date,.....	10,538	14 1
"	Balance in favor of the Company,.....	1,014	19 2½
		£52,995	6 5

CR.			
1840	By Amount at debit ship Mechanic, 1840,.....	£9,164	14 8
1841			
Mar. 24—	" Paid Commission on extra Insurance,.....	23	13 9
Oct. 29—	" Paid Captain Allen's Draft,.....	151	10 0
Jun. 30—	" Do. do. do.	76	17 6
		11,508	18 7
Dec. 26—	" Paid T. M. Smith's account,.....	0	5 5
Mar. 1—	" Paid M. Thompson's account,.....	1	0 0
Aug. 24—	" Paid Benjamin Price's two Drafts,.....	137	18 7
		11,648	2 7
"	Amount at debit ship Pacific's 2d voyage,.....	8,555	12 11
"	Amount due the Company by the Officers, Crews, &c... ..	4,837	4 1
"	Bills Receivable on hand,.....	1,310	8 0
"	Amount of Goods on hand, and Property in Portland,....	7,369	6 10
"	Amount expenses of the Company, in Rents, Salaries, &c. &c. from commencement,.....	3,857	16 1
"	Amount of Dividend declared payable 15th July last, say 20 per cent. on £30,000,.....	6,000	0 0
		£52,995	6 5

I, John Kirby, Secretary to the Saint John Mechanics' Whale Fishing Company, do swear that the above statement of the affairs of said Company are just and true, to the best of my knowledge and belief.

JOHN KIRBY.

Sworn the 9th day of February, 1842, before me,
 GEO. A. LOCKHART, J. P.

THOMAS NISBET, PRESIDENT.
 C. D. EVERITT,
 D. J. McLAUGHLIN, } DIRECTORS.
 JOHN DUNCAN, }

List of Stockholders belonging to the Saint John Mechanics' Whale Fishing Company up to 1st September, 1841.

1	Berryman, John	58	Keltie, Robert
2	Balloch, Alexander	59	Keator, James
3	Burns, John	60	Kinsman, Frederick
4	Barker, Spafford	61	Kerr, John
5	Blakslee, Henry	62	Kirk, James
6	Barker, J. W.	63	Lawton, James
7	Barlow, Thomas Jun.	64	Lawton, William
8	Barbour, Robert	65	Lawton, Charles
9	Beek, James S.	66	Lawrence, Alexander
10	Barker, Elijah	67	Lingley, Joseph
11	Black, William A.	68	Lingley, Edward
12	Bazelgette, Lieut. Col. B. A.	69	Lingley, J. B.
13	Barlows, Ezekiel & Thos.	70	Lumbart, P.
14	Cunnard, Thomas	71	Lugrin, S. L.
15	Cudlip, J. W.	72	Lawson, William Jun.
16	Clarke, Isaac	73	Maniton, Sampson
17	Cunnard, Robert	74	Mosher, Ira
18	Cameron, Robert	75	M'Pherson, Charles
19	Crear, John	76	Marjoribanks, Thomas
20	Cook, Samuel	77	M'Lauchlan, Charles
21	Calvert, Richard	78	Melick, Charles J.
22	Case, Mayes	79	M'Laughlin, D. J.
23	Crookshank, R. W.	80	M'Donald, C. C.
24	Duncan, John	81	M'Naughton, John
25	Dooley, John	82	M'Millan, Alexander
26	Dunham, William	83	Morrow, George
27	Dalton, Samuel	84	M'Cready, William
28	Everitt, Charles D.	85	Merritt, Nehemiah
29	Fulton, Robert	86	M'Lean, Allen
30	Fisher, Charles	87	Nisbet, Thomas
31	Fairweather, Joseph	88	Nisbet, Thomas Jun.
32	Gregory, John	89	Nisbet, Robert
33	Godsoe, Nathan	90	Nisbet, William
34	Godsoe, Charles	91	Nowlin, George V.
35	Gerow, James	92	Olive, William
36	Hans, Thomas	93	Olive, Isaac
37	Harris, James	94	Oliver, Mrs.
38	Hutchinson, William	95	Pollok, John
39	Hutchinson, George	96	Pickard, Henry
40	Hartt, William D.	97	Peters, Samuel
41	Hardenbrook, John	98	Peters, James
42	Hay, Thomas	99	Purrinton, Daniel
43	Hartt, John	100	Quintance, Thomas
44	Hales, James	101	Ratchford, E. D. W.
45	Hartt, George W.	102	Robertson, William A.
46	Haws, John	103	Ray, G. T.
47	Hales, John	104	Rankin, Robert
48	Hathaway, F. W.	105	Robertson, Alexander
49	Harrison, Rev. William	106	Robertson, John
50	Hennigar, Henry	107	Roberts, William
51	Johnston, David	108	Robertson, Robert Jun.
52	Jouett, I. W.	109	Ruddock, N.
53	Jordan, Samuel	110	Rhodes, John
54	Johnstone, James	111	Strange, Samuel
55	Irish, J. M. W.	112	Scott, Daniel
56	Jordon, Thomas	113	Spahnn, Justin
57	Kearney, Thomas	114	Stevens, Ebenezer

115	Sorrell, Charles	127	Tibbitts, James
116	Spiller, Samuel	128	Taylor, N. S.
117	Sears, Edward	129	Wilmot, John L.
118	Scars, George	130	Wood, Sylvester
119	Stephens, Robert	131	Wishart, John
120	Summers, Robert	132	Ward, John
121	Strickland, George	133	Walker, Thomas
122	Stewart, C. C.	134	Wiggins, Stephen & Son,
123	Smith, Benjamin	135	Uniacke, A. M.
124	Scott, James	136	Uniacke, J. B.
125	Starr, J. L.	137	Young, Silas
126	Thompson, George		

I, John Kirby, Secretary to the Saint John Mechanics' Whale Fishing Company, do declare that every of the Stockholders in the above List contained are "bona fide" British Subjects, and that no Foreigner or Alien hath any share or interest in the Stock of the said Company.

JOHN KIRBY.

Declared before me this 9th day of February, 1842.
GEO. A. LOCKHART, J. P.

THOS. NISBET, PRESIDENT.
C. D. EVERITT,
D. J. McLAUGHLIN, } DIRECTORS.
JOHN DUNCAN,

CASUAL AND TERRITORIAL REVENUE ACCOUNTS.

ABSTRACT

Of the Receipts and Expenditure of the Queen's Casual and Territorial Revenues of the Province of New Brunswick for the year ending the thirty first December, 1841.

RECEIPTS.

To Balance in favor of the Revenue on the 31st December, 1840,.....	£2,900	6	4
“ Gross proceeds of Tonnage on Timber and Lumber cut on Crown Lands,.....	15,753	17	10
“ Gross proceeds of Land Sold and Leased,.....	3,044	1	7
“ Contingencies collected at Crown Land Office,.....	281	14	0
“ Ditto collected at Secretary's Office,.....	414	16	8
“ Fines in Courts of Law,.....	96	1	0
	£22,490	17	5

EXPENDITURE.

By amount paid	sundry Inspections and Surveys,.....	£1,438	15	6
“	“ Return of Double Duty,.....	82	19	0
“	“ Return of Deposits on Timber and Lumber applications,.....	195	10	10
“	“ Return on Land not vacant,.....	102	3	1
“	“ Balance of H. J. Hansard's account against Royal Road,.....	145	13	7
“	“ Paid Province Treasurer under Act of Assembly,.....	15,074	12	0
“	“ Indoor Establishment of Crown Land Office,.....	1,010	0	0
“	“ Extra Clerk hire, do. do.....	333	6	8
“	“ Stationery and Binding, do. do.....	69	2	6
“	“ Fuel, do. do.....	21	6	0
“	“ Postages, do. do.....	155	6	2
“	“ Candles and sundries, do. do.....	66	14	10
“	“ For a Theodolite, do. do.....	38	15	1
“	“ For Printing, do. do.....	172	9	9
“	“ Jacob Allan's Salary and Expenses,.....	328	15	7
“	“ Travelling Expenses of Members Executive Council,.....	164	10	0
“	“ Auditor General, Contingencies,.....	33	2	5
“	“ Receiver General's do.....	42	3	5
“	“ Attorney General's do.....	20	0	0
“	“ George Priestley, Staff Adjutant, balance of account,.....	27	16	7
“	“ Doctor Gesner, Salary,.....	150	0	0
“	“ Costs of Law,.....	11	9	11
“	“ The late Commissioner of Crown Lands exonerated from this amount by the Commissioners for auditing the C. Revenue accounts,.....	324	4	9
“	“ Balance in favor of the Revenue,.....	2,480	19	9
		£22,490	17	5

F. P. ROBINSON,
AUDITOR GENERAL.

SCHEDULE OF WARRANTS DRAWN ON THE QUEEN'S CASUAL REVENUE FOR THE YEAR 1841.

PURPORT.

TO WHOM PAYABLE.

1841.									
267	Jan. 6.	H. B. Rainsford,	£39	2	0	0	Inspecting Timber, &c. between 14th May and 16th July, 1840, ordered in Council 5th January, 1841.		
268	...	John Davidson,	52	0	0	0	Inspecting Timber, ordered in Council 5th January, 1841.		
269	...	John Simpson,	152	2	3	0	Printing to 9th December, 1840, ordered in Council 5th January, 1841.		
270	...	William Mahood,	10	0	0	0	Double Duty, ordered in Council 5th January, 1841.		
271	...	L. A. Wilnot,	11	9	11	0	Costs in the case of John M'Alpine, ordered in Council 5th January, 1841.		
272	...	William Grant and 10 others,	24	15	0	0	Return of Deposit on rejected Timber Applications.		
273	...	B. Robinson, P. Treasurer,	1,396	14	1	0	On account of monies in the Receiver General's hands belonging to the Casual Revenue, on 31st Dec. 1840.		
274	Feb. 2.	John Wilson,	15	0	0	0	Being an amount paid by him for Land since appearing to have been granted, ordered in Council 2d February, 1841, to be returned.		
275	3.	Nelson Arnold,	43	10	0	0	Inspecting Timber between 6th March and the 1st June, 1839.		
276	...	Nelson Arnold,	23	15	0	0	Inspecting Timber between 11th June and the 4th July, 1839.		
277	...	William B. Phair,	34	2	4	0	Surveyor General's Postage, Quarter ending 31st December, 1840.		
278	...	Francis Beverly,	7	13	6	0	Stationery and Binding for Crown Land Office, ordered in Council 2d February, 1841.		
279	...	Adam Charteris, (Gowan,)	1	16	0	0	Bark for Surveyor General's Office, ordered in Council 2d February, 1841.		
280	...	William J. Bedell,	5	6	8	0	Box of Sperm Candles for Surveyor General's Office, ordered in Council 2d February, 1841.		
281	...	William Mahood,	92	4	8	0	Inspecting Timber between 11th June and 16th November, 1840, ordered in Council 2d February, 1841.		
282	...	H. M. G. Garden,	70	0	0	0	Inspecting Timber between 8th March and 16th November, 1840, ordered in Council 2d February, 1841.		
283	...	Jacob Allan,	37	5	7	0	Balance of expenses incurred in discharge of his duty, ordered in Council 2d February, 1841.		
284	...	Henry S. Beek,	7	17	10	0	Stationery and Binding for the Surveyor General's Office, ordered in Council 2d February, 1841.		
285	...	James Willox,	3	0	5	0	Stationery for the Auditor's Office, ordered in Council 2d February, 1841.		
286	...	Henry S. Beek,	1	0	0	0	Lighting Fires, cleaning and attending the Auditor's Office, ordered in Council 2d February, 1841.		
287	...	Aaron Levy,	18	2	8	0	Amount of his account for expenses incurred in his Office from 1st May to 31st December, 1840, ordered in Council 2d February, 1841.		
288	...	Hon. T. C. Lee,	1,014	10	0	0	On account of monies in the Receiver General's hands belonging to the Casual Revenue, on 31st Jan. 1841.		
289	3d.	B. Robinson, P. Treasurer,	2	0	0	0	Amount paid by him for the Survey of certain Islands in Charlotte County, ordered to be returned in Council 2d October, 1840.		
290	11.	John McCann,	30	0	0	0	Being an amount paid by him for 200 acres of Land at Auction, and ordered to be returned in Council 2d February, 1841, to be returned to Thomas Sutton.		
291	...	John Shannon,	15	5	0	0	Being an amount paid by him for Land and Postage in Nelson, ordered in Council 2d February, 1841, to be returned to him.		
292	...	James McKie,	9	1	1	0	Amount of purchase money paid by him in 1837, Park's Island, N. River, since claimed by the Indians, ordered in Council 1st September, 1840.		
293	25.	William End, Esq.	63	17	6	0	Inspecting Timber, &c. between 8th January and 21st May, 1840, ordered in Council 2d March, 1841.		
294	Mar. 3.	Nelson Arnold,	25	10	0	0	Surveying on the Road near the Harvey Settlement, ordered in Council 2d March, 1841.		
295	...	Beverley R. Jouett,	10	15	0	0	Examining Timber Berths, &c. in 1838 & '39, omitted in former Accts. ordered in Council 2d March, 1841.		
296	...	H. M. G. Garden,	15	11	0	0	Amount of his Acct. for expenses in keeping and risking Timber at St. John, ordered in Council 2d March, '41.		
297	...	John H. Godard,							

Schedule of Warrants drawn on the Queen's Casual Revenue for the year 1841.—Continued.

PURPORT.

TO WHOM PAYABLE.

1841.									
298	Mar. 31.	B. Robinson, P. Treasurer,	£500	0	0	0	On account of monies in the Receiver General's hands belonging to the Queen's Casual Revenue, on 28th February, 1841.		
299	...	John S. Saunders,	252	10	0	0	Indoor Establishment of the Crown Land Office, Quarter ending 31st March, 1841.		
300	...	Mr. Simonds,	17	10	0	0	For three journeys to Fredericton to attend the Executive Council, to 31st March, 1841.		
301	...	Hon. Mr. Johnston,	23	6	8	0	do.		
302	...	Hon. John S. Saunders,	51	5	0	0	Extra Clerk Hire, Quarter ending 31st March, 1841.		
303	Apr. 5.	B. Robinson, P. Treasurer,	1,928	7	2	0	On account of monies in Receiver General's hands belonging to Queen's Casual Revenue to 31st Mar. 1841.		
304	6.	Hon. John W. Weldon,	10	10	0	0	A journey to Fredericton to attend the Executive Council.		
305	...	Thomas Carson,	27	7	0	0	Purchase money and interest thereon paid by him on a lot of land which had been previously granted to another person, ordered in Council 2d November, 1840.		
306	...	Florence Hawks,	2	5	0	0	Being a sum deposited by him on a Petition for Licence to cut Pine Timber, which Petition has been rejected in Council 2d March, 1841.		
307	...	William B. Phair,	32	8	8	0	Surveyor General's Postage, Quarter ending 31st March, 1841.		
308	...	H. J. Hansard, Esq.	38	15	1	0	For the purchase of a Theodolite from him by the Surveyor General, ordered in Council 27th March, 1841.		
309	...	John S. Saunders,	10	0	0	0	Ordered in Council 27th March, 1841, to be advanced to the Surveyor General towards the expenses of Mr. Wilkinson's survey of the rear line of the Grant to Garnet, Jacobus and others. [1841.]		
310	...	Attorney General,	10	0	0	0	Allowance for Stationery to August, 1840, ordered in Council 2d August, 1839.		
312	...	John Bedell,	15	0	0	0	Return of Tonnage paid by him on 200 tons of Birch which has not been cut, ordered in Council 26th March, 1841.		
313	May 1.	William J. Bedell,	20	0	0	0	Amount returned overpaid by him on account Licence No. 53, ordered in Council 26th March, 1841.		
314	...	Michael Holland,	5	10	0	0	Being an amount paid to the Receiver General by stundry purchasers of Crown Lands upon which improvements estimated at this sum had been made by M. Holland.		
315	7.	B. Robinson, P. Treasurer,	1,804	0	0	0	On account of monies in your hands belonging to the Queen's Casual Revenue.		
316	13.	Jacob Allan,	62	10	0	0	His Salary to 31st March, 1841.		
317	31.	Hon. John W. Weldon,	3	1	3	0	Being an overcharge paid by him to the Receiver General, ordered in Council 26th May, 1841.		
318	June 2.	B. Robinson, P. Treasurer,	1,418	15	7	0	On account of monies in the Rec. General's hands belonging to the Queen's Casual Revenue, 31st May, 1841.		
319	30.	P. Palmer, Esq.	3	12	0	0	For inspecting a reported trespass, ordered in Council 29th June, 1841.		
320	...	G. & J. Munroe,	0	19	0	0	Candlesticks for Crown Land Office, ...		
321	...	Andrew Stein,	15	0	0	0	Wood for Crown Land Office, ...		
322	...	W. N. Akerly,	6	17	3	0	Pencils for Crown Land Office, ...		
323	...	Alexander McNeil,	20	4	0	0	Double Duty, ...		
324	...	H. M. G. Garden,	94	15	3	0	Proportion of Double Duty, ...		
325	...	Matthew Carowthers,	6	19	6	0	Inspecting Timber, &c. between 18th March and 22d December, 1840, ordered in Council 29th June, 1841.		
326	...	F. P. Robinson,	252	10	0	0	Auditor's Contingencies, ordered in Council 29th June, 1841.		
327	...	Hon. John S. Saunders,	69	11	8	0	Indoor Establishment Crown Land Office, ...		
328	...	Diito,	925	19	7	0	Extra Clerk Hire of the Crown Land Office, ...		
329	July 3.	Beverly Robinson,	62	10	0	0	On account of monies in the Receiver General's hands belonging to the Queen's Casual Revenue.		
330	14.	Jacob Allan, Esq.					His Salary to 31st June, 1841.		

Schedule of Warrants drawn on the Queen's Casual Revenue for the year 1841. Continued.

		TO WHOM PAYABLE.		PURPORT.	
1841					
331	July 21.	Joseph Ross,	£5 0 0	0	Repayment of expenses incurred by him in the Survey and application of 100 acres of Land near Niguno, Northumberland, ordered in Council 4th August, 1811.
332	31.	James Taylor and 7 others,	18 0 0	0	Return of deposit on rejected Timber Applications.
333	Aug. 4.	H. B. Rainsford,	40 10 0	0	Inspecting Timber between 10th September, 1810, and 17th April, 1811, ordered in Council 3d Aug. 1811.
334	...	John Gorman,	20 0 0	0	Return of amount paid by him on Timber Applications in 1810, ordered in Council 4th August, 1811.
335	...	Justin Spahan,	3 1 3	3	Thermometer Scale and cleaning Clock Crown Land Office, ...
336	Aug. 4.	E. O. Bradley,	4 6 3	3	Blacksmith Work Crown Land Office, ...
337	...	D. McMillan,	1 19 3	3	Steel Pens for Crown Land Office, ...
338	...	Thomas Stoward,	1 0 11	11	Paint for marking Timber, ...
339	...	Hon. William Black,	11 13 4	4	Two journeys from Saint John to attend Council, to 31st March, 1811.
340	...	James Anmond,	1 18 0	0	Cabinet Work for Crown Land Office to 4th March, 1811, ordered in Council 3d August, 1811.
341	...	Francis Beverly,	17 5 5	5	Stationery and Binding for Crown Land Office, ...
342	...	Beverley R. Jonett,	9 12 8	8	Surveying at the Hanwell Settlement, ...
343	...	Thomas Swade,	7 10 0	0	For post services as Messenger to the Surveyor General's Office, ...
344	...	John Simpson,	20 7 6	6	Printing Blanks for Crown Land Office, ...
345	...	T. O'Keleher,	21 15 0	0	Surveying Lands in King's and Saint John Counties, ...
346	...	S. S. Wilnot,	18 15 0	0	Surveying in Westmorland, ...
347	...	William B. Phair,	39 14 6	6	Surveyor General's Postage, Quarter ending 30th June, 1811, ...
348	...	Annsa P. Flaglor,	127 5 0	0	Surveying Land in Sunbury and Queen's Counties, ...
349	...	Mark Needham,	4 10 0	0	Coal for Crown Land Office, ...
350	...	Jacob Allan,	41 10 0	0	Expenses of his Office as Inspecting Officer, ...
351	...	B. Robinson, P. Treasurer,	1,595 7 9	9	On account of monies in the Receiver General's hands belonging to the Queen's Casual Revenue.
352	15.	Hon. Attorney General,	10 0 0	0	Allowance for Stationery for the year 1841, ordered in Council 2d August, 1811.
353	Sept. 3.	B. Robinson, P. Treasurer,	2,765 7 1	1	On account of monies in the Receiver General's hands belonging to the Queen's Casual Revenue.
354	...	A. P. Flaglor,	17 12 6	6	Inspecting Timber in March, 1811, ordered in Council 2d September, 1811.
...	...	Edward W. Miller, Esq.	12 0 0	0	Auditor's Office Rent to 21st August, 1811, ...
...	...	William Mahood,	3 13 6	6	Double Duty paid to R. General, 14th May, 1811, ...
...	...	William Mahood,	91 17 6	6	Inspecting Timber to 27th May, 1811, ...
356	...	Joseph Hunter,	38 19 0	0	Survey of Land, ...
...	...	Allan McLean,	18 7 0	0	Survey of Land in July, 1811, ...
...	...	H. S. Beck,	13 10 4	4	Stationery Crown Land Office, to 14th August, 1811, ...
...	...	William Mahood,	4 2 6	6	Survey of Land on the Saint Andrew's Road, ...
...	...	Joseph Hunter,	127 10 6	6	Inspecting Timber to 14th August, 1811, ...
...	...	Richard Dunn,	3 17 3	3	Carpenter's work for Crown Land Office, ...
...	...	H. B. Rainsford,	51 6 3	3	Inspecting Timber to 24th July, 1811, ...
356	Sept 3.	H. B. Rainsford,	14 1 0	0	Double Duty paid to R. General, ordered in Council 2d September, 1811.
357	...	James Davidson,	13 5 0	0	For the survey of various Lots of Beech Land in Counties of Northumberland and Gloucester, which have since been reserved for Public uses, in Council 2d September, 1811.

EXPENDITURE OF THE CIVIL LIST FOR THE YEAR 1841.

FIRST QUARTER.

His Excellency Sir John Harvey,	Lieutenant Governor,	£865	7	8
Henry Harvey, Esquire,	Private Secretary,	57	13	10
Honorable Ward Chipman,	Chief Justice,	274	0	9
.... William Botsford,	Justice Supreme Court,	187	10	0
.... James Carter,	Do. do.	187	10	0
.... Robert Parker,	Do. do.	187	10	0
.... William F. Odell,	Provincial Secretary,	399	17	9
.... Thomas Baillie, one moiety of Salary as Surveyor Gen.		150	0	0
.... John S. Saunders, do. do. do.		150	0	0
.... F. P. Robinson,	Auditor General,	86	10	9
.... Thomas C. Lee,	Receiver General,	86	10	9
.... Charles J. Peters,	Attorney General,	158	13	0
.... George F. Street,	Solicitor General,	57	13	10
Alexander Wedderburn,	Emigrant Agent,	28	16	11
Reverend Robert Wilson,	Presbyterian Minister,	14	8	5
Honorable George F. Street,	Treasurer of King's College,	277	15	6
Commissioners of Indians,	Donations,	15	0	0
Anthony Lockwood, not to be paid till life certificate is produced,	Annuity,	43	5	4
		£3,228	4	6
Surplus on the Quarter,		396	15	6
		£3,625	0	0

SECOND QUARTER.

His Ex. Sir W. M. G. Colebrooke,	Lieutenant Governor,	£609	6	6
Alfred Reade, Esquire,	Private Secretary,	40	12	5
Honorable Ward Chipman,	Chief Justice,	274	0	9
.... William Botsford,	Justice Supreme Court,	187	10	0
.... James Carter,	Do. do.	132	15	9
.... Robert Parker,	Do. do.	187	10	0
.... William F. Odell,	Provincial Secretary,	399	17	9
.... John S. Saunders, one moiety of Salary as Sur. Gen.		150	0	0
.... Thomas Baillie, do. do. do.		150	0	0
.... F. P. Robinson,	Auditor General,	86	10	9
.... Thomas C. Lee,	Receiver General,	86	10	9
.... Charles J. Peters,	Attorney General,	158	13	0
.... George F. Street,	Solicitor General,	57	13	10
Alexander Wedderburn,	Emigrant Agent,	28	16	11
Reverend Robert Wilson,	Presbyterian Minister,	14	8	5
Honorable George F. Street,	Treasurer of King's College,	277	15	6
Commissioners of Indians,	Donation,	15	0	0
Anthony Lockwood, not to be paid till life certificate be produced.	Annuity,	43	5	4
		£2,900	7	8
Surplus on the Quarter,		724	12	4
		£3,625	0	0

THIRD QUARTER.

His Ex. Sir W. M. G. Colebrooke,	Lieutenant Governor,	£865	7	8
Alfred Reade, Esquire,	Private Secretary,	57	13	10
Honorable Ward Chipman,	Chief Justice,	274	0	9
.... William Botsford,	Justice Supreme Court,	187	10	0
.... James Carter,	Do. do.	130	18	2
.... Robert Parker,	Do. do.	187	10	0
.... William F. Odell,	Provincial Secretary,	399	17	9
.... John S. Saunders, one moiety of Salary as Sur. Gen.		150	0	0
.... Thomas Baillie,	do. do.	150	0	0
.... F. P. Robinson,	Auditor General,	86	10	9
.... Thomas C. Lee,	Receiver General,	86	10	9
.... Charles J. Peters,	Attorney General,	158	13	0
.... George F. Street,	Solicitor General,	57	13	10
Alexander Wedderburn,	Emigrant Agent,	28	16	11
Reverend Robert Wilson,	Presbyterian Minister,	14	8	5
Honorable George F. Street,	Treasurer of King's College,	277	15	6
Commissioners of Indians,	Donation,	15	0	0
Anthony Lockwood, not to be paid till life certificate is produced.	Annuity,	43	5	4
		<hr/>		
		£3,171	12	8
Surplus on the Quarter,		453	7	4
		<hr/>		
		£3,625	0	0
		<hr/> <hr/>		

LAST QUARTER.

His Ex. Sir W. M. G. Colebrooke,	Lieutenant Governor,	£865	7	8
Alfred Reade, Esquire,	Private Secretary,	57	13	10
Honorable Ward Chipman,	Chief Justice,	274	0	9
.... William Botsford,	Justice Supreme Court,	187	10	0
.... James Carter,	Do. do.	187	10	0
.... Robert Parker,	Do. do.	187	10	0
.... William F. Odell,	Provincial Secretary,	399	17	9
.... John S. Saunders, one moiety of Salary as Sur. Gen.		150	0	0
.... Thomas Baillie,	do. do.	150	0	0
.... F. P. Robinson,	Auditor General,	86	10	9
.... Thomas C. Lee,	Receiver General,	86	10	9
.... Charles J. Peters,	Attorney General,	158	13	0
.... George F. Street,	Solicitor General,	57	13	10
Alexander Wedderburn,	Emigrant Agent,	28	16	11
Reverend Robert Wilson,	Presbyterian Minister,	14	8	5
Honorable George F. Street,	Treasurer of King's College,	277	15	6
Commissioners of Indians,	Donation,	15	0	0
Anthony Lockwood, not to be paid till life certificate is produced.	Annuity,	43	5	4
		<hr/>		
		£3,228	4	6
Surplus on the Quarter,		396	15	6
		<hr/>		
		£3,625	0	0
		<hr/> <hr/>		

DISTRIBUTION OF THE SURPLUS CIVIL LIST.

1841.		DR.	
No. 18.	Jan. 6—Wm. B. Phair, Mr. Secretary Odell's Postage to 31st December, 1840,.....	£38	4 2
21.	Apr. 6—Sir John Harvey, Salary as Lient. Governor to 27th April, 1841,.....	256	1 2
22.	.... —H. Harvey, do. Private Secretary, do.	17	4 4
23.	.... —Wm. B. Phair, Secretary's Postage to 31st Mar. 1841,	29	10 11
25.	Jul. 27—Wm. B. Phair, do. to 30th June, "	33	9 8
26.	Aug. 4—A. Wedderburn, grant to relieve him under his present difficulties,.....	50	0 0
30.	Oct. 11—Mr. Secretary Odell's Postage to 30th Sept. 1841,.....	53	5 5
	Arrear due John S. Saunders of one moiety for 1840, not charged in the Civil List for that year,.....	200	0 0
	Balance in the Receiver General's hands 31st December, 1841,.....	4094	2 0
		<hr/>	
		£4,771	17 8
		<hr/>	

		CR.	
By Balance of the Surplus Civil List in the Receiver General's hands, 31st December, 1840,.....		£2,800	7 0
Surplus on the Quarter ending 31st March, 1841,.....		396	15 6
Surplus on the Quarter ending 30th June, 1841,.....		724	12 4
Surplus on the Quarter ending 30th September, 1841,.....		453	7 4
Surplus on the Quarter ending 31st December, 1841,.....		396	15 6
		<hr/>	
		£4,771	17 8
		<hr/>	

F. P. ROBINSON,

*Auditor General of the Queen's Casual Revenue.**Auditor's Office, 1st January, 1842.*

RECEIVER GENERAL'S ACCOUNTS.

The Queen's Casual Revenue in Account Current with Thomas C. Lee, Receiver General, from 1st Jan. to 31st Dec. 1841.

1841.	DR.	
Dec. 31.	Paid Warrants as per Return,.....	£19,693 1 2
....	Balance on hand this date,.....	2,494 4 0
		£22,187 5 0
		£22,187 5 0
1841.	CR.	
Jan. 1.	Balance on hand,.....	£2,596 14 1
Dec. 31.	Amount of Receipts on Tickets issued from Crown Land Office, per Return,.....	19,079 13 5
....	Amount received for Contingencies, as per Return,.....	510 17 8
		£22,187 5 2
		£22,187 5 2

THOMAS C. LEE,
RECEIVER GENERAL.

Receiver General's Office, January 19, 1842.

ACCOUNT

*Of Monies received by the Receiver General for Contingencies between 1st January and
31st December, 1841.*

DATE.	ON WHAT ACCOUNT.	No. of Rec. Gen's. Receipt.	AMOUNT.
Jan. 22.	A Davidson, Sheriff of King's County, Fines,.....	5527	£30 0 0
Feb. 17.	Hon. William F. Odell, Contingencies, Quarter ending 31st De- cember, 1840,.....	5594	125 10 0
" 27.	Sheriff of the City and County of Saint John, Fines to date,.....	5624	51 0 0
June 11.	Amount received from Sheriff of Charlotte, Fines,.....	6213	5 1 0
" "	Amount received from Coroner of City and County of Saint John, Fines,.....	6215	10 0 0
" 30.	Hon. William F. Odell, Contingencies, Quarter ending 31st March, 1841,.....	6258	92 8 4
Dec. 30.	Hon. William F. Odell, Contingencies, Secretary's Office, from 1st April to 30th September, 1841,.....	6939	196 18 4
			£510 17 8

THOMAS C. LEE,
RECEIVER GENERAL.

ACCOUNT

ACCOUNT

Of Warrants on the Queen's Casual Revenue paid by the Receiver General between 1st January and 31st December, 1841.

DATE.	NAME.	No.	AMOUNT.	
Jan. 6	Campbell, John	265	£2 5 0	
" 8	Rainsford, H. B.	267	39 2 6	
....	Wilmot, L. A.	271	11 9 11	
....	Provincial Treasurer,	273	1,596 14 1	
" 9	Davidson, John	268	52 0 0	
....	Simpson, John	269	152 2 3	
....	Grant, Tristram E.	272	2 5 0	
" 18	Hammond, A. J.	265	2 5 0	
....	Taylor, James	272	2 5 0	
....	Kilburne, Isaac	272	2 5 0	
" 26	Long, Abraham	272	2 5 0	
" 28	Miller, A. P.	259	2 12 6	
" 30	Robertson, Cumming	272	2 5 0	
....	Cunard, Joseph	265	2 5 0	
				£1,872 1 3
Feb. 3	Wilson, John	274	15 0 0	
....	Porter, John	272	2 5 0	
" 4	Lee, Hon. Thomas C.	288	18 2 8	
....	Arnold, Nelson	275	43 10 0	
....	Ditto,	276	23 15 0	
" 5	Beek, Henry S.	284	18 2 9	
....	Ditto,	286	3 0 5	
....	Libby, Aaron	287	1 0 0	
....	Phair, William B.	277	34 2 4	
....	Provincial Treasurer,	289	1,014 10 0	
" 9	Willox, James	285	7 17 10	
....	Lunt, Henry	272	2 5 0	
" 10	Daily, Francis	265	2 5 0	
" 11	Beverly, Francis	278	7 13 6	
" 25	Mahood, William	270	3 10 0	
....	Ditto,	281	92 4 8	
" 27	End, William	293	9 1 1	
....	Bedell, W. J.	280	5 6 8	
....	Garden, H. M. G.	282	70 0 0	
....	Gowan, Robert	279	1 16 0	
....	Allan, Jacob	283	37 5 7	
				1,412 13 6
Mar. 2	Pickard, Valentine	272	2 5 0	
" 4	Jouett, Beverley R.	295	25 10 0	
" 5	Provincial Treasurer,	298	500 0 0	
" 16	Arnold, Nelson	294	63 17 6	
" 18	McCann, John	290	2 0 0	
" 25	Simonds, Hon. Charles	300	17 10 0	
....	Johaston, Hon. Hugh	301	23 6 8	
" 30	Saunders, Hon. John	299	252 10 0	
....	Ditto,	302	51 5 0	
				938 4 2
April 6	Provincial Treasurer,	303	1,028 7 2	
" 7	Hawks, Florence	306	2 5 0	
" 16	Weldon, Hon. J. W.	304	10 10 0	
" 19	Phair, William B.	307	32 8 8	
				£1,073 10 10
	<i>Carried forward,</i>			£3,222 18 11

Warrants on the Casual Revenue paid by the Receiver General.—Continued.

DATE.	NAME.	No.	AMOUNT.		
	<i>Brought forward,.....</i>		£1,073	10 10	£4,222 18 11
Apr. 19	Saunders, John S.	309	10	0 0	
....	Peters, C. J.	310	10	0 0	
....	Munroe, George	272	2	5 0	
" 21	Hansard, H. J.	308	38	15 1	
" 22	Bedell, John	312	15	0 0	
" 26	Shannon, John	291	30	0 0	
					1,179 10 11
May 4	Holland, Michael	314	5	10 0	
" 5	Albee, William	265	2	5 0	
" 10	Provincial Treasurer,	305	1,804	0 0	
" 12	Bedell, W. J.	313	20	0 0	
" 13	Allan, Jacob	316	62	10 0	
					1,894 5 0
June 7	Provincial Treasurer,	318	1,448	15 7	
" 16	Godard, John	297	15	11 0	
" 17	Garden, H. M. G.	296	10	15 0	
					1,475 1 7
July 1	Saunders, Hon. J. S.	327	252	10 0	
....	Ditto,	328	69	11 8	
....	Carson, Thomas	305	27	7 0	
....	Stein, Andrew	321	15	0 0	
....	Palmer, Philip	319	3	12 0	
" 3	Robinson, Hon. F. P.	326	6	19 6	
" 5	Garden, H. M. G.	324	20	4 0	
" 6	Provincial Treasurer,	329	925	19 7	
" 12	M'Neil, Alexander	323	6	17 3	
" 14	Akerly, William N.	322	3	10 0	
" 17	Carruthers, Matthew	325	94	15 3	
" 26	Ross, Joseph	331	5	0 0	
					1,431 6 3
Aug. 5	Munro, G. and J.	320	0	19 0	
....	M'Kie, James	292	15	5 0	
" 7	Gorman, John	334	20	0 0	
....	Swade, Thomas	343	7	10 0	
....	Spahn, Justin	335	3	1 3	
....	Provincial Treasurer,	351	1,595	7 9	
....	Phair, William B.	347	39	14 6	
....	Annand, James	340	1	18 0	
....	Needham, Mark	349	4	10 0	
" 9	Simpson, John	344	20	7 6	
....	Underhill, T. W.	332	2	5 0	
....	Jouett, Beverley R.	342	9	12 8	
....	Rainsford, H. B.	333	40	10 0	
" 10	Allan, Jacob	350	41	10 0	
....	Ditto,	330	62	10 0	
....	Bradley, E. O.	336	4	6 3	
....	Beverly, Francis	341	17	15 5	
" 16	Black, Hon. William	339	11	13 4	
" 18	The Attorney General,	352	10	0 0	
" 19	Flaglor, A. P.	348	127	3 0	
" 21	Stewart, Thomas	338	1	0 11	
" 31	O'Keleher, Thomas	345	24	15 0—	2,061 14 7
	<i>Carried forward,.....</i>				£12,264 17 3

Warrants on the Casual Revenue paid by the Receiver General.—Continued.

DATE.	NAME.	No.	AMOUNT.	
	<i>Brought forward,</i>			£12,264 17 3
Sept. 4	Miller, E. W.	355	12 0 0	
" 6	Provincial Treasurer.	354	2,765 7 1	
" ..	Rainsford, H. B.	356	65 7 3	
" ..	Gareelon, Isaac	357	50 15 10	
" 7	Beek, Henry S.	356	13 10 4	
" ..	Weldon, Hon. J. W.	317	3 1 3	
" 10	Flaglor, Amasa P.	355	17 12 6	
" ..	Dunn, Richard	356	3 17 3	
" 13	Hunter, Joseph	356	38 19 0	
" ..	Ditto,	356	127 10 6	
" 16	Jouett, B. R.	358	50 0 0	
" 18	Connell, Charles	332	2 5 0	
" 20	M'Lean, Allen	356	18 7 0	
" 24	Mahood, William	356	99 13 6	
" 25	Logan, Archibald	357	2 0 0	
				3,270 6 6
Oct. 2	Taylor, James	332	2 5 0	
" ..	Ditto,	332	2 5 0	
" ..	M'Raw, Hugh	332	2 5 0	
" ..	Grant, William	272	2 5 0	
" ..	Johnston, Hon. Hugh	360	23 6 8	
" ..	Simonds, Hon. Charles	360	29 3 4	
" ..	Black, Hon. William	360	17 10 0	
" ..	Cunard, Joseph	360	21 0 0	
" ..	Weldon, Hon. J. W.	360	10 10 0	
" 5	Saunders, Hon. J. S.	361	312 3 9	
" 6	Wilkinson, John	362	6 2 6	
" ..	Ditto,	364	46 11 3	
" ..	Provincial Treasurer.	363	1,044 18 9	
" ..	Annand, James	365	10 10 0	
" 8	Phair, W. B.	366	49 0 8	
" ..	Ditto,	367	4 5 9	
" 12	Wilmot, S. S.	346	18 15 0	
" ..	Davidson, John	365	74 3 3	
" 13	M'Lean, Archibald	368	2 5 0	
" 14	Allan, Jacob	359	62 10 0	
" 20	Gesner, Abraham	369	150 0 0	
" 22	Priestley, George	370	27 16 7	
" 23	Bedell, W. J.	368	2 5 0	
" 30	Davidson, James	357	13 5 0	
				1,935 2 6
Nov. 3	Lunt, Enoch	368	2 5 0	
" 4	Perley, William E.	368	2 5 0	
" 6	Provincial Treasurer,	371	579 13 0	
" 12	Spence, John	368	4 10 0	
" ..	Barber, Duncan	368	2 5 0	
" 29	Pickard, Thomas	368	2 5 0	
				593 3 0
Dec. 4	Rainsford, H. B.	372	17 10 0	
" 6	Lee, Hon. Thomas C.	372	24 0 9	
" 7	Provincial Treasurer,	373	770 19 0	
" 8	Robinson, Hon. F. P.	372	2 5 0	
	<i>Carried forward,</i>		£814 14 9	£18,063 9 3

		£814 14 9	£18,063 9 3
	<i>Brought forward</i> ,.....		
Dec. 11	Demill, R. S. 368	2 5 0	
" 13	Hansard, H. J. 375	146 13 7	
....	Peters, C. J. Junior, 372	160 17 0	
....	Beek, H. S. 372	3 11 9	
" 15	Jouett, B. R. 374	35 9 8	
" 16	Gowan, Robert 372	3 13 11	
....	Bedell, W. J. 332	2 5 0	
....	Ditto, 372	7 10 0	
" 24	Reynolds, William 372	7 1 3	
" 28	Taylor, James 368	6 15 0	
....	M'Lean, W. A. 368	2 5 0	
....	Grant, F. E. 368	2 5 0	
....	M'Raw, Hugh 368	2 5 0	
....	Stewart, Peter 368	2 5 0	
....	Ditto, 332	2 5 0	
" 29	Carman, A. S. 265	2 5 0	
" 31	Saunders, Hon. J. S. 376	358 15 0	
....	Allan, Jacob 377	62 10 0	
....	Underhill, T. W. 368	2 5 0	
....	Demill, Rufus 332	2 5 0	
		1,630 1 11	
	Overpaid in August on 341		£19,693 11 2
			0 10 0
	Total amount of Payments,.....		£19,693 1 2

THOMAS C. LEE,
RECEIVER GENERAL.

RETURNS FROM CROWN LANDS OFFICE.

RETURN OF INSTALMENTS DUE ON LAND SALES, As appears by the Books of the Crown Lands Office on the 31st Dec. 1841.

Record.	NAME.	COUNTY.	Acres.	Amount due.
	1830.			
33	Allingham, George	Queen's,	200	£15 0 0
37	Alcorn, Hugh	Westmorland,	200	7 10 0
38	Alcorn, Andrew	Ditto,	200	11 5 0
56	O'Sullivan, Timothy	Saint John,	200	15 0 0
90	Young, Etienne	Gloucester,	200	11 5 0
94	Nicholson, James E.	Carleton,	200	3 15 0
109	Best, Francis	King's,	250	12 10 0
110	Phillips, John	Sunbury,	200	15 0 0
115	Demerchant, Charles	Carleton,	300	11 5 0
116	Watson, William	Ditto,	100	7 10 0
117	Murphy, Jeremiah	Queen's,	200	10 0 0
125	M'Laughlin, James	Carleton,	200	10 0 0
132	Clarke, Robert	Kent,	200	13 10 0
146	Conry, Thomas	Carleton,	200	15 0 0
149	Dane, Peter	King's,	200	10 0 0
158	Butler, John	Carleton,	200	15 0 0
160	Doyle, Patrick	Restigouche,	200	5 0 0
167	Kennedy, Michael	Carleton,	200	15 0 0
169	Rolfe, John	Northumberland,	100	5 0 0
170	Phillips, Robert	Carleton,	100	7 10 0
179	Carroll, Patrick	Kent,	300	19 10 0
191	Bird, Samuel, Jun.	York,	200	5 0 0
192	Caldwell, Casper	Carleton,	300	15 0 0
198	Brown, Mary	Kent,	100	9 0 0
208	Gillin, John	Queen's,	200	15 0 0
	1831.			
231	Mitchell, Peter, Jun.	Northumberland,	100	6 10 0
256	Matheson, John	Ditto,	224	16 16 0
265	Hutchins, Joseph	Ditto,	100	9 15 0
273	Jonah, John, Jun.	Westmorland,	188	9 8 0
274	Drydon, James M.	Ditto,	185	13 17 6
275	Hawthorn, Mary	Carleton,	200	7 10 0
276	Harkins, James	King's,	200	15 0 0
301	M'Cain, George	Ditto,	200	5 0 0
302	Fairweather, George M.	Ditto,	215	10 15 0
315	Lockhart, Andrew	Ditto,	200	10 0 0
317	Kerns, Edward	Queen's,	200	15 0 0
318	O'Shea, Patrick	Northumberland,	152	17 2 0
321	Rody, James	Westmorland,	200	15 0 0
323	Mullen, Anthony	Carleton,	102	7 10 0
344	Bray, Gideon	Westmorland,	200	15 0 0
352	Hope, William	Ditto,	217	16 5 6

Carried forward,..... £469 19 0

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount.
	1831.	<i>Brought forward,.....</i>		£469 19 0
355	Anderson, John	Northumberland,	300	22 10 0
362	Carruthers, James	Carleton,	100	9 15 0
369	M'Gowan, Daniel	Queen's,	200	15 0 0
376	Forsyth, William	Carleton,	200	11 5 0
382	Corbett, Matthew	Ditto,	400	37 10 0
383	Byron, William	Void.	—	0 0 0
387	Haughey, Arthur	Carleton,	192	15 0 0
408	Dunne, John	Northumberland,	200	18 15 0
420	Murphy, Alexander	Ditto,	120	3 15 0
427	Glen, John	Queen's,	100	13 0 0
443	Dealy, William	Ditto,	200	10 0 0
444	Carruthers, Archibald	York,	100	9 15 0
448	M'Carroll, Edward	Queen's,	150	11 5 0
456	Gallivan, John	Carleton,	100	3 5 0
461	Morrison, Alexander	Westmorland,	200	18 15 0
463	Toole, Edward	Queen's,	200	16 17 6
478	Barker, Richard	Carleton,	100	13 0 0
479	Barker, Thomas	Ditto,	100	13 0 0
480	Fullerton, Mary	Ditto,	100	13 0 0
481	Bacon, Jacob, Jun.	Ditto,	100	13 0 0
484	Burgess, John	Kent,	200	15 0 0
485	Hope, Thomas	Westmorland,	200	10 0 0
489	Muldoon, James	Carleton,	200	18 15 0
491	Quinn, Hugh	Queen's,	200	15 0 0
492	Cogswell, Amos	Sunbury,	300	22 10 0
500	Hewitt, James	Charlotte,	200	16 17 6
502	Marshall, Robert	King's,	169	14 5 0
532	Radley, Robert	Queen's,	100	13 0 0
	All balances due on Sales to this time are subject to interest.			
	1832.			
552	Pitt, Thomas	Kent,	100	3 5 0
562	Campbell, John	Carleton,	100	9 15 0
571	Sinkler, Patrick	Westmorland,	100	9 15 0
583	M'Donald, James	Northumberland,	200	15 0 0
592	Hopper, Henry	Westmorland,	126	6 10 0
598	Carle, Edward	King's,	100	13 0 0
601	M'Nair, Nathaniel	Restigouche,	140	46 10 0
622	West, Enoch	Westmorland,	186	15 0 0
631	Charleton, Augustus	Queen's,	240	22 10 0
633	Kingston, Thomas	Northumberland,	192	15 0 0
635	Rainsford, Timothy	King's,	200	16 17 6
636	Coughlan, John	Ditto,	100	15 0 0
638	Richards, Thomas	Kent,	200	21 0 0
639	King, Robert	Charlotte,	200	15 0 0
642	Henry, Jacob	Ditto,	200	16 17 6
648	Aché, Charles	Gloucester,	100	8 0 0
652	Nief, Michael	Northumberland,	200	6 5 0
663	Parlee, Robert	King's,	200	7 0 0
667	Morehouse, John	York,	300	39 7 6
671	Nickerson, Edward	Carleton,	100	13 2 6
678	Meek, John	York,	100	3 15 0
682	Davidson, John	Saint John,	100	7 10 0
687	Allan, Joseph	York,	100	13 2 6

Carried forward,..... £1202 16 6

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount.
	1832.	<i>Brought forward,.....</i>		£1202 16 6
694	Miller, Israel	Carleton,	100	8 15 0
696	Savoy, Joseph P.	Restigouche,	100	11 5 0
716	M'Cormick, Brian	Westmorland,	50	7 10 0
724	Dougherty, Charles	Carleton,	150	19 13 9
725	Higgins, John	Ditto,	100	4 7 6
730	Porter, Francis	King's,	145	16 6 3
745	Ryan Dennis	Northumberland,	100	13 2 6
746	Martin, Samuel	York,	100	13 0 0
749	Cormea, Silvan	Kent,	100	13 2 6
753	Proctor, John	Northumberland,	100	17 10 0
773	Clarke, Anne	Carleton,	130	14 12 6
791	O'Hara, John	Ditto,	200	26 5 0
800	Gogen, Richard	Northumberland,	200	26 5 0
801	Campbell, Michael	Carleton,	228	22 10 0
802	M'Millan, Daniel	Ditto,	115	31 10 0
803	Knowles, John	Ditto,	126	22 10 0
805	Mulhorn, William	Ditto,	100	13 2 6
810	Darkus, Aaron	Ditto,	200	26 5 0
811	Martin, William	Ditto,	100	13 2 6
815	Murray, John	Northumberland,	100	4 7 6
817	Ross, Garrett	King's,	100	13 2 6
820	M'Kay, Andrew	Carleton,	220	9 12 6
832	Haney, Patrick	York,	100	8 15 0
833	Haney, Thomas	Ditto,	100	8 15 0
835	Stewart, Charles	King's,	137	17 19 7
839	Murphy, Jeremiah	Northumberland,	100	13 2 6
841	Dougherty, Thomas	Carleton,	100	13 2 6
843	Darcus, William	Ditto,	100	13 2 6
	1833.			
851	O'Donoghoe, Daniel	Northumberland,	90	11 16 3
863	Bohan, William	Ditto,	100	17 10 0
864	O'Brien, Jerry	Ditto,	100	3 15 0
865	Henry, Andrew	York,	100	13 2 6
868	Atcheson, George	Charlotte,	233	20 7 9
870	Ward, James	Queen's,	100	8 15 0
872	Harcoc, Peter	Restigouche,	200	26 5 0
896	O'Donnell, John	Queen's,	100	13 2 6
922	Dougherty, John	King's,	170	19 2 6
924	Murkay, Phillip	Kent,	300	8 15 0
927	Fleming, William	Queen's,	170	48 0 0
929	O'Hara, Robert	Carleton,	100	13 2 6
937	Hill, Daniel, Jun.	Charlotte,	20	9 7 6
952	Johnston, Henry	Kent,	100	3 15 0
977	Cunningham, Peter	Gloucester,	200	26 5 0
978	Fortune, John	Northumberland,	100	11 5 0
988	Brooks, Robert	Westmorland,	110	24 8 1
990	Marley, William	Queen's,	100	17 10 0
993	M'Elroy, Hugh	Carleton,	150	6 11 3
999	M'Avoy, John	Northumberland,	100	13 2 6
1001	Kinné, James	Westmorland,	170	14 17 6
1003	Bacon, Jacob, Jun.	Carleton,	100	17 10 0
1020	Green, Isaac	Ditto,	100	13 2 6
1021	Quig, Michael	Queen's,	150	16 17 6

Carried forward,..... £2003 16 11

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount.
	1833.	<i>Brought forward,</i>		£2003 16 11
1023	Kougho, Miles	Northumberland,	150	19 13 9
1025	Doran, Thomas	Sunbury,	100	13 2 6
1026	M'Vey, Thomas	Ditto,	100	13 2 6
1028	Webster, Joseph	Queen's,	100	17 10 0
1033	Jenkin, John	King's,	127	16 13 4
1036	Sowers, John	Queen's,	100	13 2 6
1038	Baker, John	Carleton,	50	6 11 3
1039	Allingham, William	Queen's,	160	14 0 0
1041	Vodden, Robert	Northumberland,	100	13 2 6
1048	Hitchcock, Benjamin	Carleton,	100	8 15 0
1049	M'Cain, George	Ditto,	100	4 7 6
1051	Dunn, John	York,	100	8 15 0
1061	Dempsey, Lucretia	Restigouche,	100	17 10 0
1063	Spheres, Maxwell	King's,	97	4 4 10
1069	Fraser, Donald St. G.	Restigouche,	Town Lot.	13 10 0
1076	Hyland, Thomas	Carleton,	200	26 5 0
1077	Doyle, Patrick	Ditto,	200	26 5 0
1096	Allison, William	Northumberland,	120	9 0 0
1097	Barry, William	Ditto,	100	8 15 0
1098	Harley, James	Ditto,	100	8 15 0
1101	Craig, Christopher	Carleton,	200	8 15 0
1115	Kingston, Paul	Northumberland,	100	7 10 0
1120	Smith, Clapman	Sunbury,	100	7 10 0
1125	M'Arthur, James	Kent,	50	6 11 3
1126	Young, George	Ditto,	100	4 7 6
1127	Carson, James	Carleton,	100	17 10 0
1128	Peabody, Stephen	Northumberland,	200	7 10 0
1132	Adams, William	York,	110	4 16 3
1138	Sullivan, Michael	Saint John,	100	4 7 6
1140	Mann, Andrew	Carleton,	100	17 10 0
1146	Murray, Thomas	Kent,	100	8 15 0
1153	Green, Joseph	Carleton,	200	8 15 0
1154	Armstrong, James	Ditto,	100	13 2 6
1156	Cronkhite, Samuel H.	Ditto,	150	19 13 9
1157	Cronkhite, Abraham	Ditto,	150	13 2 6
1160	Caverhill, Thomas	York,	236	30 18 0
1161	Kelly, John	Queen's,	100	11 5 0
1169	M'Lean, Hector	Ditto,	100	8 15 0
1171	Lipsett, James	Carleton,	100	11 5 0
1174	Barnes, John	Ditto,	100	13 2 6
1175	Barnes, Thomas	Ditto,	100	13 2 6
1178	Wiseman, Joseph	Gloucester,	100	8 0 0
1180	Ahern, Jeremiah	Ditto,	100	17 10 0
1181	Combs, Joseph	Ditto,	100	17 10 0
1183	Kerr, Gavin	Ditto,	75	3 5 7
1189	Daley, Patrick	Queen's,	200	22 10 0
1195	Melvin, David	Saint John,	150	6 11 3
1196	M'Ginn, Terence	King's,	100	4 7 6
1205	Wilton, Jonathan	Queen's,	100	4 7 6
1217	Brown, Elias	York,	100	8 15 0
1218	Abraham, Patrick	Ditto,	200	26 5 0
	1834.			
1224	Martin, Richard	Carleton,	200	17 10 0

Carried forward,..... £2641 13 8

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount due.
	1834.	<i>Brought forward,</i>		£2641 13 8
1229	Bohan, Jerry	Northumberland,	116	15 4 6
1230	Bohan, William	Ditto,	120	15 15 0
1234	Coughlan, Patrick	Ditto,	100	17 10 0
1236	Bohan, Connell	Ditto,	100	17 10 0
1239	Gilmore, Moses	Charlotte,	100	15 0 0
1244	Harley, Jeremiah	Northumberland,	100	13 2 6
1251	Murphy, Patrick	Queen's,	200	26 5 0
1261	Smith, Thomas	Northumberland,	100	13 2 6
1274	Clarke, William	York,	100	17 10 0
1275	Clarke, John	Ditto,	100	17 10 0
1305	Copp, Alexander	Northumberland,	200	22 10 0
1306	Wilson, William	Charlotte,	150	6 11 3
1309	Turner, Thomas	Ditto,	200	26 5 0
1310	Anderson, Magnus	Ditto,	100	13 2 6
1318	Carle, Edward	King's,	100	8 15 0
1319	Melone, Daniel	Westmorland,	100	12 7 6
1327	Brockway, Reuben	York,	300	26 5 0
1329	O'Dougherty, Archibald	King's,	200	24 15 0
1332	Anderson, William	Ditto,	100	13 2 6
1336	Gilmore, Adoniram	Charlotte,	95	8 0 0
1339	M'Grigor, Grigor	Carleton,	170	22 6 3
1345	Weeks, John	Ditto,	100	17 10 0
1347	Porter, John	Northumberland,	100	17 10 0
1348	Martin, Michael	Ditto,	150	19 13 9
1351	Martin, Asa	Westmorland,	250	32 16 3
1358	Greenlaw, Elijah, Jun.	Charlotte,	80	5 0 0
1360	Thompson, James	Ditto,	34	6 7 6
1363	Emery, Charles	Carleton,	200	26 5 0
1364	Stone, Isaac	Northumberland,	50	7 10 0
1372	Ullock, Jeremiah	Ditto,	100	13 2 6
1373	Sullivan, David	Ditto,	90	7 17 6
1374	M'Carthy, Dennis	Ditto,	100	17 10 0
1375	Regan, Cornelius	Ditto,	100	17 10 0
1379	Gowen, John, Jun.	Ditto,	110	13 2 6
1380	M'Namara, Joseph	Queen's,	100	13 2 6
1381	Kelly, John	Westmorland,	90	11 5 0
1388	Weaver, Frederick	Northumberland,	197	25 17 1
1389	Vernon, James	Charlotte,	130	11 7 6
1390	Whittier, Murrill	Ditto,	100	13 2 6
1393	Jamieson, Hugh	York,	100	13 2 6
1405	Baker, Joseph	Westmorland,	136	30 12 0
1412	Muir, David	King's,	100	10 0 0
1418	Gardiner, James	Ditto,	100	15 0 0
1422	Berry, Thomas	Westmorland,	100	17 10 0
1425	Taylor, George	Ditto,	100	12 7 6
1426	Coffee, Darby	Ditto,	100	25 0 0
1427	Ryan, Patrick	Northumberland,	100	17 10 0
1432	Doyle, Edward	King's,	100	17 10 0
1434	Hughson, William	Gloucester,	215	9 8 1
1440	Miller, Ira	Carleton,	150	15 0 0
1446	Armstrong, Sutton	Ditto,	200	26 5 0
1448	Boies, Angus	Northumberland,	100	22 10 0
1456	Carson, William	Ditto,	200	26 5 0

Carried forward,..... £3528 12 10

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount.
	1835.	<i>Brought forward,.....</i>		£3528 12 10
1469	Kirkpatrick, Thomas	Carleton,	70	3 10 0
1480	Scribner, Ezra	Westmorland,	150	15 0 0
1483	Johnston, William	Ditto,	100	20 0 0
1484	Fraser, James, Jun.	Charlotte,	100	15 0 0
1486	Blake, Silvanus L.	York,	110	15 13 9
1492	Sullivan, Daniel	Westmorland,	225	50 12 6
1493	Ryan, Dennis	Northumberland,	200	17 10 0
1495	Taylor, Samuel	King's,	100	17 10 0
1499	Crawford, William	Ditto,	100	13 2 6
1512	Nesbitt, Ann	Carleton,	100	7 10 0
1526	Stewart, Peter	Restigouche,	200	8 15 0
1528	O'Dougherty, Michael	Gloucester,	140	15 15 0
1531	Smith, William	Ditto,	100	17 10 0
1534	Bagley, Samuel	Carleton,	100	15 0 0
1538	Kenny, John O.	King's,	200	26 5 0
1544	Whittier, Henry, Sen.	Charlotte,	200	15 0 0
1559	Pratt, Mary	Ditto,	10	5 0 0
1560	Reardon, Martin	Saint John,	100	11 5 0
1576	Bleakney, Robert	Westmorland,	100	15 0 0
1591	Trahar, Edward	Queen's,	100	15 0 0
1601	Dorion, John B.	Gloucester,	50	1 17 6
1609	Blanchard, Augustine	Ditto,	100	11 5 0
1619	Donahoe, Patrick	Northumberland,	200	26 5 0
1620	Ryan, Philip	Ditto,	200	17 10 0
1621	Boyle, William	Ditto,	200	17 10 0
1622	Griffiths, Joseph	Ditto,	100	14 12 6
1627	Rourke, Andrew	Restigouche,	200	15 0 0
1636	Seelye, Henry	Charlotte,	2800	315 0 0
1645	Drake, Warren	Carleton,	96	14 8 0
1648	Bubar, John	Ditto,	90	11 5 0
1649	Bubar, William	Ditto,	100	18 15 0
1659	Watson, Elijah R.	Ditto,	200	60 0 0
1669	Murray, Timothy	Westmorland,	95	14 5 0
1672	M'Donald, Paul	Charlotte,	500	65 12 6
1673	Bradbury, Christopher C.	Carleton,	8000	1206 5 0
1683	Laferty, George	Ditto,	200	12 10 0
1691	Davis, Thomas	Charlotte,	254	75 0 0
1695	Martin, Bryan	Westmorland,	100	5 0 0
1700	Burns, John W.	Queen's,	100	8 15 0
1701	Cubberson, Joseph	Carleton,	168	31 10 0
1709	Dickson, Henry	Charlotte,	100	9 7 6
1711	Loiall, James	Ditto,	112	8 7 0
1712	Emery, Charles	Carleton,	400	40 0 0
1726	Dorah, James	Queen's,	200	12 10 0
1729	Armstrong, Barnabas	Carleton,	200	26 5 0
1730	Sloot, Benjamin	Ditto,	200	17 10 0
1738	Lewis, Abraham	Westmorland,	100	20 0 0
1739	M'Pherson, Charles	Restigouche,	4	79 18 1
1743	Tracey, Samuel, Jun.	Carleton,	200	30 0 0
1744	Gillispie, John	Northumberland,	100	15 0 0
1747	Adams, John	York,	140	21 0 0
1748	Corey, Thomas	Carleton,	50	5 12 6
1753	Kearney, James	Northumberland,	129	21 15 4

Carried forward,..... £6098 2 6

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount.
	1835.	<i>Brought forward,.....</i>		£6098 2 6
1754	O'Keefe, John	Northumberland,	87	14 13 7
1757	Coram, Thomas	Queen's,	100	15 16 3
1758	Demill, Rufus S.	Carleton,	200	31 17 6
1761	M'Gee, Michael	Ditto,	120	31 17 6
1781	Barrett, Thomas	Northumberland,	189	18 18 0
1784	Tobin, James	Ditto,	100	5 0 0
1799	Sinclair, Daniel	Westmorland,	200	30 0 0
1800	Ritchie, John	York,	100	15 0 0
1804	M'Lean, Charles	Saint John,	200	30 0 0
1815	Hurley, Dennis	Northumberland,	100	15 0 0
1822	Brown, Robert	Carleton,	200	17 10 0
1831	M'Laughlin, Daniel	York,	100	18 15 0
1833	Gowen, John	Northumberland,	100	15 0 0
1840	Salter, James	Gloucester,	200	10 0 0
1841	Salter, John	Ditto,	200	10 0 0
1842	Welton, Bartholomew	Ditto,	200	15 0 0
1843	Carew, Walter	Ditto,	200	10 0 0
1847	Godan, Moses	Ditto,	200	22 10 0
1850	Stewart, Alexander	King's,	300	7 10 0
	1836.			
1853	Everitt, Joseph	Carleton,	200	20 0 0
1855	Kirkpatrick, George	Sunbury,	100	15 0 0
1860	Lockwood, Anthony	Northumberland,	180	33 15 0
1863	Smith, Patrick	Carleton,	96	18 0 0
1864	Wiley, William	Westmorland,	100	18 15 0
1865	Sproule, James	King's,	100	8 15 0
1866	Robinson, John	Ditto,	100	13 2 6
1867	M'Cann, William	Northumberland,	106	15 18 0
1869	Donovan, John	Ditto,	89	8 18 0
1872	Dunn, William	Ditto,	110	2 15 0
1874	Buckley, John	Ditto,	100	15 0 0
1885	Trites, George	Westmorland,	166	8 6 0
1886	Trites, Abraham	Ditto,	166	8 6 0
1887	Maddison, Robert	Ditto,	166	8 6 0
1888	Fillimore, William	Ditto,	170	31 17 6
1896	Sloot, Elias	Carleton,	100	8 15 0
1898	O'Brien, Edward	Northumberland,	100	15 0 0
1904	Carl, Edward	King's,	100	11 5 0
1908	Akerley, William N.	Carleton,	300	57 3 9
1950	Foster, Asa	Charlotte,	100	8 15 0
1965	Creaton, Brice	King's,	200	45 0 0
1967	Rait, James	York,	1000	309 7 6
1968	Rait, James	Ditto,	400	116 5 0
1972	Story, Joseph	Northumberland,	100	10 0 0
1979	Sheridan, Patrick	Queen's,	100	22 10 0
1999	Dempsey, Thomas	Gloucester,	200	12 10 0
2000	Cronin, David	Ditto,	100	6 5 0
2001	Sisk, Patrick	Ditto,	200	12 10 0
2002	Cusson, John	Ditto,	180	16 17 6
2041	Breen, John	Carleton,	116	17 8 0
2042	Berton, George F. S.	Ditto,	100	22 10 0
2046	Shadick, John	Northumberland,	100	19 1 3
2050	Abbott, Samuel	Charlotte,	10000	2250 0 0

Carried forward,..... £9620 7 4

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount.
	1836.	<i>Brought forward,.....</i>		£9620 7 4
2051	Davidson, John	York,	500	112 10 0
2055	M'Carthy, John	Northumberland,	90	13 10 0
2059	Rogers, William	King's,	200	26 5 0
2060	Fleming, John	Charlotte,	200	26 5 0
2062	Ewart, George	Ditto,	160	30 0 0
2065	Murphy, Timothy	York,	100	22 10 0
2067	Milton, Peter	Westmorland,	182	23 17 9
2079	Garcelon, Isaac	Charlotte,	3	15 0 9
2080	Jouett, John D.	Carleton,	200	45 0 0
2085	Haslet, James	Westmorland,	100	18 15 0
2086	Murray, Christopher	York,	5000	1125 0 0
2088	Messinett, John E.	Charlotte,	200	30 0 0
2091	Warren, William	Northumberland,	160	36 0 0
2094	Walsh, James	Gloucester,	200	18 15 0
2115	Delaney, James	Northumberland,	100	9 7 6
2118	Killam, William B.	Westmorland,	250	21 17 6
2119	Eaton, George	Charlotte,	200	75 12 6
2121	Crandlemire, William	Carleton,	100	15 0 0
2138	Partelow, Henry T.	Ditto,	295	67 5 3
2139	Giberson, Joshua	Ditto,	100	22 16 3
2140	Robinson, Daniel L.	Saint John,	200	75 12 6
2146	M'Donald, Paul	Charlotte,	290	87 18 1
2147	M'Donald, Paul	Ditto,	100	37 16 3
2155	Read, Joseph	Restigouche,	18	58 10 0
2159	Barber, Moses	Charlotte,	200	25 0 0
2246	Coughlan, Thomas	Northumberland,	100	15 4 2
2248	Quinn, Charles	York,	100	22 16 3
2250	Pratt, Joseph	Charlotte,	300	68 8 9
2251	Gorden, Francis	Kent,	200	45 12 6
2254	M'Cafferty, John	Northumberland,	280	105 0 0
2256	Carruthers, William	King's,	100	22 10 0
2257	Underhill, Thomas W.	Northumberland,	172	38 14 0
2258	Price, Matthias	Ditto,	150	12 7 6
2261	Thompson, Andrew	Charlotte,	150	19 13 9
2262	Parker, William	Northumberland,	100	6 5 0
2266	Harding, Matthew	Charlotte,	100	15 0 0
2267	Crawford, Thomas	Sunbury,	200	26 5 0
2268	Buckley, Bartholomew	Saint John,	250	10 0 0
2269	Nicholson, Arthur	Carleton,	220	24 15 0
2278	Ready, Timothy	Saint John,	200	15 0 0
2279	Milican, James	Ditto,	590	73 15 0
2283	M'Creedy, Thomas	Westmorland,	125	10 18 9
2288	Giberson, Joshua	Carleton,	125	28 2 6
2293	Smith, Peter	Gloucester,	200	30 0 0
2294	Jones, Patrick	Northumberland,	100	12 10 0
2297	Tracey, Samuel, Jun.	Carleton,	50	11 5 0
2298	O'Keleher, Thomas	Saint John,	100	22 10 0
2299	Harding, Forsyth	Westmorland,	100	22 10 0
2300	M'Ginn, Michael	King's,	100	5 0 0
2304	Lennon, John	Queen's,	95	14 5 0
2306	Hart, George H.	Charlotte,	50	11 5 0
2307	Simpson, James	Westmorland,	100	13 2 6
2309	Cameron, James	York,	100	10 0 0

Carried forward,..... £12,373 7 4

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount.
	1836.	<i>Brought forward,</i>		£12,373 7 4
2311	Caie, Hugh A.	Northumberland,	100	15 0 0
2312	Nelson, Edward	Saint John,	200	10 0 0
2315	Fulton, Francis	Queen's,	150	15 0 0
2320	Knight, Joshua	Charlotte,	200	45 0 0
2326	Flinn, John	Northumberland,	50	11 5 0
2327	Miller, Christopher	York,	300	22 10 0
2331	Greaves, Albert M.	Westmorland,	80	18 0 0
2394	Kelly, Daniel	Queen's,	25	4 13 9
2395	Kelly, John	Ditto,	50	5 12 6
2396	M'Farlane, Andrew	Westmorland,	100	15 0 0
2398	Mahood, William	Charlotte,	300	37 2 6
2399	Kelsoe, Thomas	King's,	200	37 10 0
2402	Rait, James	Charlotte,	750	126 11 3
2408	M'Kay, John	Northumberland,	100	15 0 0
2411	Clarke, George	Queen's,	80	12 0 0
2412	Carroll, Matthew	Northumberland,	150	16 17 6
2414	Giberson, Joshua	Carleton,	100	22 10 0
2415	Berton, George F. S.	Queen's,	475	108 7 2
2416	Belyea, David	King's,	100	22 10 0
2428	Gorden, William	Sunbury,	105	9 3 9
2430	Beattie, Margaret	Kent,	150	16 17 6
2431	M'Neal, Finlay	Ditto,	150	22 10 0
2432	M'Intosh, Norman	Ditto,	100	15 0 0
2433	M'Gillivray, John	Ditto,	100	15 0 0
2435	Marsh, George	Ditto,	100	15 0 0
2436	Atkinson, Miracious	Ditto,	100	22 10 0
2437	Powell, Thomas	Ditto,	100	15 0 0
2439	Money, James, Sen.	Ditto,	300	45 0 0
2440	Vouteur, Charles	Ditto,	100	15 0 0
2446	Saunders, James	Ditto,	50	7 10 0
2447	Morton, James	Ditto,	100	5 0 0
2448	Curron, Turner	Ditto,	100	10 0 0
2450	Whelan, James	Ditto,	100	13 2 6
2453	Leizer, Jane	Ditto,	200	30 0 0
2454	Degan, John	Ditto,	150	22 10 0
2457	Kinsilla, Michael	Ditto,	100	13 2 6
2464	Millican, James	Saint John,	1000	225 0 0
2465	Robinson, George D.	Ditto,	1000	225 0 0
2466	Robinson, Daniel L.	Ditto,	1000	225 0 0
2470	Smith, Thomas	King's,	80	12 0 0
2471	M'Carthy, Michael	Northumberland,	80	18 0 0
2472	M'Kim, Robert	Queen's,	200	5 0 0
2473	M'Kim, George	Ditto,	200	5 0 0
2476	Ruel, John G.	Carleton,	290	51 11 3
2476	Ruel, John G.	Ditto,	140	26 5 0
2477	Ruel, John G.	Saint John,	39	7 6 3
2479	Kinne, James	Westmorland,	100	12 7 6
2480	Greaves, Riley	Ditto,	100	10 0 0
2481	Farley, Nathaniel	Carleton,	145	24 9 4
2482	Robicheau, John B.	Kent,	100	4 7 6
2483	Pearce, Robert	Carleton,	100	18 15 0
2485	Fitzherbert, Jonas	Ditto,	150	22 10 0
2487	Hogan, John	Northumberland,	80	7 0 0

Carried forward,..... £14,125 15 1

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount.
	1836.	<i>Brought forward,.....</i>		£14,125 15 1
2488	Hunter, William	King's,	125	16 8 1
2489	Sinkler, Finley	Westmorland,	200	30 0 0
2490	Dumaresq, Perry	Restigouche,	200	26 5 0
2491	Cox, Abraham	Carleton,	100	13 2 6
2492	Maddox, Patrick	Northumberland,	140	14 0 0
2493	Starritt, William	Carleton,	100	13 2 6
2494	Pye, John	Charlotte,	49	7 7 0
2495	Long, John	York,	100	15 0 0
2496	Smith, James	King's,	100	18 15 0
2497	Tunney, James	Ditto,	100	12 7 6
2498	Tuff, Richard	Saint John,	50	5 0 0
2499	Tippin, Joseph	Westmorland,	100	10 0 0
2500	Donovan, Timothy	Saint John,	100	10 0 0
2501	Downing, Alexander	Carleton,	120	22 10 0
2512	M'Elhenny, Thomas	Northumberland,	100	15 0 0
2513	Coglan, John	Saint John,	90	13 10 0
2517	Delong, Aaron	Ditto,	120	15 0 0
2518	Chaison, Abraham	Gloucester,	30	3 0 0
2521	Fraser, James, Jun.	Charlotte,	200	26 5 0
2523	Laundrie, Peter	Gloucester,	200	26 5 0
2525	King, Joseph	Charlotte,	110	18 11 3
2527	Fitzgerald, Patrick	Westmorland,	75	11 5 0
2528	Duncan, Andrew	Gloucester,	240	45 0 0
2530	M'Clelland, William	Charlotte,	200	20 0 0
2532	M'Quey, Thomas	York,	200	30 0 0
2535	Black, Samuel	Carleton,	100	15 0 0
2536	M'Lauren, Archibald	Saint John,	290	54 7 6
2539	M'Mullin, Mary	Northumberland,	200	18 15 0
2540	M'Curdy, Peter	Charlotte,	118	13 5 6
2542	Broder, James	King's,	140	21 0 0
2555	Muzroll, Lazard	Gloucester,	100	11 5 0
2558	Sterritt, William	York,	68	8 18 6
2559	Burns, Peter	Northumberland,	200	30 0 0
	1837.			
2567	Smith, Samuel	Westmorland,	180	27 0 0
2569	DeCantillon, John	Northumberland,	50	3 2 6
2587	Burke, Robert	Gloucester,	200	15 0 0
2590	Wilson, Martin	Westmorland,	100	12 7 6
2592	Parlee, Abraham	King's,	100	7 10 0
2594	M'Laughlin, Daniel	Charlotte,	100	13 2 6
2595	O'Shea, James	Northumberland,	100	13 2 6
2596	Wall, John	Restigouche,	200	26 5 0
2601	Dougherty, Bernard	Westmorland,	68	8 18 6
2604	Carruthers, Matthew	Northumberland,	60	11 5 0
2605	Donovan, Florence	Saint John,	100	22 10 0
2607	Maher, Thomas	Northumberland,	100	7 10 0
2609	Pratt, James	York,	72	13 10 0
2612	Shaw, James	Charlotte,	50	7 10 0
2613	Robinson, Joseph	Gloucester,	100	13 2 6
2616	Pinette, Marcelle	Ditto,	169	12 19 6
2617	Rodgers, Andrew	Carleton,	100	11 5 0
2618	M'Brien, William Jun.	Charlotte,	80	7 10 0
2619	Stone, Thomas	Queen's,	200	9 15 0

Carried forward,..... £14,979 5 11

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount.
	1837.	<i>Brought forward,</i>		£14,979 5 11
2622	Cardiff, Edward	Northumberland,	85	11 3 1
2625	Pomroy, Joseph Y.	Charlotte,	155	15 10 0
2626	Clarke, William	Queen's,	137	17 19 7
2627	Jepson, Robert	Northumberland,	60	9 0 0
2628	Vernon, James	Charlotte,	300	61 17 6
2629	Killgrace, Noble	Queen's,	100	11 5 0
2631	Christal, John	Kent,	100	11 5 0
2632	Meux, Lange	Ditto,	100	11 5 0
2638	Crosil, William	Charlotte,	80	10 10 0
2640	Coughlan, Charles	Gloucester,	60	9 0 0
2643	Leak, Jacob	King's,	100	13 2 6
2645	Moore, Josephus	Charlotte,	200	37 10 0
2646	Hayes, James	Gloucester,	50	7 10 0
2650	Maillie, Firman	Ditto,	100	3 15 0
2654	Parle, John	Restigouche,	80	7 10 0
2660	Boudreaux, Jerome	Gloucester,	98	11 0 6
2661	Eady, William, Jun.	Ditto,	100	9 7 6
2662	Eady, William	Ditto,	100	9 7 6
2663	Eady, John	Ditto,	100	9 7 6
2664	Good, Edward	Ditto,	60	3 15 0
2665	Good, William	Ditto,	60	3 15 0
2666	Collins, Timothy	Ditto,	65	6 1 10
2667	Murphy, Jeremiah	Ditto,	127	11 18 1
2668	Mahoney, Thomas	Ditto,	138	12 18 9
2669	Daily, Joseph	Ditto,	100	9 7 6
2670	Curo, John	Restigouche,	80	7 10 0
2675	Kerr, Gavin,	Gloucester,	100	15 0 0
2681	Smith, William	Ditto,	100	13 2 6
2700	M'Grane, John	Queen's,	120	18 0 0
2728	Govain, Charles	Gloucester,	150	16 17 6
2731	Arseneau, Clement	Ditto,	200	12 10 0
2732	Irving, George	Kent,	100	11 5 0
2734	Brean, Samuel	Ditto,	200	22 10 0
2735	Holland, Patrick	Ditto,	100	11 5 0
2736	Phea, Christopher	Ditto,	100	11 5 0
2737	Burke, William	Ditto,	60	6 15 0
2738	Jirior, Mansfield	Ditto,	100	11 5 0
2740	Mercure, David	Ditto,	50	5 12 6
2741	Muzeroll, Joseph	Ditto,	100	3 15 0
2742	Basterashe, Fidelle	Gloucester,	165	21 13 1
2747	Griffiths, Joseph	Northumberland,	40	3 0 0
2748	Ryan, Patrick	Ditto,	200	26 5 0
2751	Turner, William	York,	100	15 0 0
2752	Redpath, Hamilton	Westmorland,	200	45 0 0
2798	Barton, Stephen	Kent,	100	3 15 0
2815	Hunter, Samuel, Sen.	York,	100	7 10 0
2816	Greer, Samuel	Ditto,	100	11 5 0
2822	Desmond, Patrick	Northumberland,	50	5 12 6
2842	Watson, George	King's,	80	9 0 0
2843	Ross, James	Charlotte,	100	3 15 0
2844	Heafy, James	Carleton,	100	7 10 0
2845	M'Cluskey, James	Sunbury,	100	11 5 0
2852	Price, Robert	King's,	55	4 2 6

Carried forward,..... £15,645 13 4

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount.
	1837.	<i>Brought forward,.....</i>		£15,645 13 4
2858	Marshall, John	King's,	100	7 10 0
2861	Waters, Patrick	Charlotte,	100	7 10 0
2870	M'Knight, William	King's,	100	11 5 0
2872	Freeze, A. S.	Ditto,	100	3 15 0
2874	Toole, Matthew	Northumberland,	100	11 5 0
2877	Gordon, William	Charlotte,	100	11 5 0
2878	Robertson, Alexander	Kent,	100	11 5 0
2881	French, John	King's,	100	11 5 0
2882	M'Canna, John	Ditto,	100	11 5 0
2886	Maddox, John	Northumberland,	100	11 5 0
2890	Freeze, Hiram	Ditto,	100	3 15 0
2891	Kincaid, John	Ditto,	100	11 5 0
2900	Hurley, Dennis	Ditto,	50	5 12 6
2909	Bigley, Thomas	King's,	55	6 3 9
2914	Murphy, James	Carleton,	100	11 5 0
2925	Hebert, Peter	Kent,	100	7 10 0
2926	Irvin, William	Queen's,	100	7 10 0
2930	Todd, Freeman H.	Charlotte,	200	20 0 0
2941	Watson, Thomas	King's,	100	11 5 0
2951	Saunderson, William	Queen's,	100	7 10 0
2952	O'Brien, E. H.	Westmorland,	148	11 2 0
2964	Kincaid, David	King's,	100	11 5 0
2965	Kincaid, William	Ditto,	100	11 5 0
2968	Johnson, William	York,	50	5 12 6
2978	Hopewell, Richard	Queen's,	100	7 10 0
3009	Anderson, William	Sunbury,	100	11 5 0
3407	Boyd, James	York,	200	31 6 0
2987	Anderson, John	King's,	100	11 5 0
2988	M'Mahon, Thomas	Northumberland,	100	7 10 0
2989	Hickey, John	Ditto,	100	11 5 0
2991	Herrington, John		100	3 15 0
2995	Kilpatrick, Joseph	Carleton,	100	11 5 0
2996	Pond, William	York,	100	7 10 0
2997	Estey, Abel	Ditto,	100	7 10 0
3008	Estey, Stephen	Ditto,	100	11 5 0
3014	Broad, James		100	3 15 0
3018	Armstrong, John	Queen's,	200	7 10 0
3020	Ferguson, James	Kent,	100	11 5 0
3038	Craig, Martin		70	2 12 6
3045	Pickett, Philip	Northumberland,	100	11 5 0
3048	Christy, James	Charlotte,	200	22 10 0
3050	Porter, Mary	Ditto,	50	5 12 6
3055	Cumming, James	Ditto,	100	15 0 0
3064	Vantassell, Reuben	Queen's,	200	18 15 0
3067	M'Laughlin, Patrick	Sunbury,	100	7 10 0
3098	Blakeney, Samuel	Charlotte,	100	11 5 0
3109	Wright, Caleb	York,	140	25 0 0
3177	Dowling, William	Ditto,	100	7 10 0
3198	Murphy, Daniel	Restigouche,	100	7 10 0
3208	Foley, John	Westmorland,	100	7 10 0
3213	Melvin, John	York,	100	33 4 2
3221	Roberts, Francis	Restigouche,	100	3 2 6
3223	Duncan, George	Saint John,	240	7 10 0

Carried forward,..... £16,203 16 9

Return of Instalments due on Land Sales on 31st December, 1841.—Continued.

Record.	NAME.	COUNTY.	Acres.	Amount.
	1837.	<i>Brought forward,.....</i>		£16,203 16 9
3245	Gracey, William	Gloucester,	100	7 10 0
3250	Hamilton, John	Restigouche,	100	7 10 0
3252	Walker, Robert		100	5 0 0
3259	Sparrow, John	Northumberland,	100	7 10 0
3284	Miller, Charles	Queen's,	100	7 10 0
3303	Dunn, John		100	3 15 0
3402	Butler, Timothy	Queen's,	100	3 15 0
3483	Murphy, Martin	Northumberland,	150	5 12 6
3599	Rieley, Edward		100	3 15 0
Total Instalments due under the Sale System from 1830,....				£16,255 14 3

R. GOWAN, *Accountant.*

26th January, 1842.

JOHN S. SAUNDERS.

Return of sums due for Instalments on Leases to cut Timber and Lumber, to 24th June, 1841, inclusive.

No.	Lessee.	Security on Bond.	Amount.
1	Blake, Sylvanus L.	Thomas Davis,	£78 15 0
2	Dow, Asa	W. J. Bedell,	105 0 0
5	Tibbits, James	James Taylor,	175 0 0
6	Allanshaw, James	John M'Master,	35 0 0
7	Ditto,	none.	21 0 0
9	Berton, James D.	Thomas Stewart,	80 0 0
10	Glazier, Benjamin	Jedediah Slason,	183 15 0
11	Foster, Albert G.	Duncan Barber,	52 10 0
12	Curry, Daniel T. (10 yrs)	Thomas Curry,	6 11 3
16	Hill, Daniel	W. Todd, Jr. & J. M'Allister, Jr.	49 17 6
19	Porter, William	J. & G. M. Porter,	52 2 6
20	Ditto,	George M. Porter,	36 15 0
23	Jones, Henry	Jedediah Slason,	44 0 0
25	Clinch, Patrick	Joseph Wetmore,	252 0 0
26	Ditto,	Ditto,	42 0 0
28	Phillips, David	Henry Jones,	38 10 0
30	Hitchings, Stephen H.	James Spence,	80 7 6
31	Tibbits, James	Tyler P. Shaw,	168 0 0
33	Marsh, John L.	F. E. Beckwith,	168 0 0
35	Phillips, David	Henry Jones	88 0 0
37	Griffith, Benjamin P.	Sidney S. Gates,	180 0 0
42	Allanshaw, James	James Douglas,	122 10 0
43	Maxwell, John	B. F. Wait,	49 0 0
44	Porter, George M.	John Porter,	3 1 3
48	Estabrooks, Stephen P.	Joseph F. Estabrooks,	80 0 0
49	Watson, Peter	none.	85 10 0
50	Phillips, James A.	Michael Lavine,	128 0 0
51	Ditto,	Ditto,	192 0 0
52	Ditto,	Ditto,	144 0 0
55	Wilson, Joseph	John E. Messinet,	47 5 0
56	Ditto,	Ditto,	47 5 0
57	Allan, Joseph C.	James Taylor,	12 0 0

Carried forward,.....

£2850 15 0

Return of Instalments due on Leases to cut Timber and Lumber.—Continued.

No.	Lessee.	Security on Bond.	Amount.
	<i>Brought forward,</i>.....	.....	£2,850 15 0
60	Moore, Josephus	Duncan Barber,	249 7 6
61	Carman, Ambrose S.	A. G. Foster,	216 0 0
62	Foster, Albert G.	Stephen White,	35 0 0
64	Shea, Elihu	Charles Connell, Jun.	196 0 0
65	Parent, Daniel	Joseph Parent,	28 10 0
66	Crockett, Amos	J. Porter, & G. M. Porter,	12 5 0
70	Porter, George M.	John Porter,	14 0 0
71	Goss, Peter	George Eaton,	70 0 0
74	Morrow, George	Joseph Estabrooks, Jr.	12 0 0
75	Ditto,	Ditto,	36 0 0
76	Johnston, James	Alexander Rankin,	20 0 0
78	Nason, Thomas, Jun.	David Hartt,	7 0 0
79	Wilson, Joseph	John E. Messinett,	23 12 6
80	Sprague, Nathaniel	James Fish,	72 0 0
81	Gilman, Nehemiah	John F. Taylor,	9 0 0
82	Porter, John	G. M. Porter,	15 15 0
83	Rait, James (15 years.)	James Dobie,	494 0 0
84	Ditto, do.	Ditto,	380 0 0
85	Smith, Daniel	John Mitchell,	21 0 0
91	Rankin, Alexander	Francis Ferguson,	282 0 0
93	Ditto,	none.	100 0 0
94	Ditto,	none.	28 0 0
95	Ditto,	none.	28 0 0
96	Plummer, Amos	Joseph F. Estabrooks,	22 0 0
101	Mersereau, Jacob	Ezekiel Seelye,	10 10 0
103	Carman, A. S.	James P. Wetmore,	54 0 0
104	Martin, John	Samuel G. Martin,	80 0 0
106	Mooers, Nathaniel	John J. Donald,	95 0 0
107	Hayward, Humphrey	Henry Gray,	60 0 0
121	Ramsay, Hugh	Archibald Ramsay,	10 0 0
123	Stewart, Peter	James F. Gordon,	32 0 0
124	Woodward, John G.	I. Woodward & J. Taylor,	216 0 0
128	Bartlett, James H.	William Walker,	266 0 0
129	Rait, James	James Dobie,	152 0 0
132	Montgomery, John	William S. Smith,	84 0 0
135	Samuel, Michael	Peter M'Dougall,	24 0 0
136	Cunard, Joseph	B. Wolhaupter,	1200 0 0
137	Allanshaw, James	none.	108 10 0
138	M'Kean, John	Thomas Kent,	216 2 6
139	Blake, Sylvanus L.	George W. Gillmor,	133 0 0
142	Knight, Joshua	Gideon Knight,	83 2 6
143	Seelye, Henry	W. C. Pendleton,	78 15 0
146	Seelye, Philo	Robert Sparks,	110 5 0
147	Curry, William	James Pratt, Jun.	31 10 0
149	Cunard, Joseph	John Hea,	272 0 0
150	Ditto,	Ditto,	21 0 0
152	Dewitt, Charles	William Scoullar,	52 10 0
154	Cunard, Joseph	John Hea,	200 0 0
155	Ditto,	Ditto,	320 0 0
156	Ditto,	Ditto,	20 0 0
157	Ditto,	none.	48 0 0
158	Ditto,	John Hea,	120 0 0
159	Ditto,	Ditto,	192 0 0
	<i>Carried forward,</i>.....	.....	£9,512 10 0

Return of Instalments due on Leases to cut Timber and Lumber.—Continued.

No.	Lessee.	Security on Bond.	Amount.
	<i>Brought forward,</i>		£9,512 10 0
160	M'Allister, John	William Todd, Jun.	78 15 0
166	Hill, Horatio, N.	James Albee,	10 10 0
167	Cunard, Joseph	John Hea,	68 0 0
168	Ditto,	Ditto,	96 0 0
169	Morrow, George	Thomas Gillespie,	10 10 0
172	Cunard, Joseph	John Hea,	120 0 0
173	Hitchings, Stephen H.	R. Spence & J. Spence,	47 5 0
174	Gilmore, Daniel	James Pratt, Jun.	110 13 9
175	Porter, John	George M. Porter,	10 10 0
176	Gilmor, Adoniram	Isaac Davis,	78 15 0
177	M'Laggan, Alexander	John Hayward,	10 10 0
180	Cunard, Joseph	John Hea,	80 0 0
181	Ditto,	Ditto,	124 0 0
182	Boies, Thomas	Sanford Boies,	262 10 0
183	Montgomery, John	William S. Smith,	34 0 0
184	Rankin, Alexander	none.	4 7 6
185	Ditto,	none.	28 0 0
187	Donald, John J.	John Hea,	112 0 0
188	Allanshaw, James	William Whitlock,	26 5 0
190	Loch, William	Hugh Hamill,	20 0 0
191	Ditto,	Ditto,	100 0 0
192	Cunard, Joseph	John Hea,	140 0 0
193	Whitney, Jeremiah	George Morrow,	14 0 0
194	Cunard, Joseph	John Hea,	196 0 0
196	Marsh, John L.	George Marsh,	120 0 0
197	Taylor, John F.	James Taylor,	16 0 0
198	Boone, Alexander	William Smith,	42 0 0
209	M'Leod, Roderick	Donald M'Leod,	24 0 0
211	Tibbits, Benjamin	Francis Tibbits,	120 0 0
215	Cunard, Joseph	John Hea,	124 0 0
216	Ditto,	Ditto,	172 0 0
217	Ditto,	Ditto,	64 0 0
218	Ditto,	Ditto,	72 0 0
220	Ditto,	Ditto,	80 0 0
221	Ditto,	Ditto,	96 0 0
222	Smith, Joseph	William Scoullar,	28 0 0
223	Hoyt, Orlo	Ditto,	70 0 0
224	Napier, William	Chipman Botsford,	64 0 0
225	Rankin, Alexander	none.	48 0 0
226	Ditto,	none.	31 10 0
227	Ditto,	none.	156 0 0
228	Cunard, Joseph	John Hea,	56 0 0
229	Ditto,	Ditto,	56 0 0
230	Ditto,	Ditto,	56 0 0
231	M'Leod, Roderick	Donald M'Leod.	5 0 0
232	Allanshaw, James	none.	857 10 0
235	Jones, Henry	David Phillips,	112 0 0
236	Hanson, Robert V.	Gideon Knight,	55 2 6
237	Ford, John P.	Stephen White,	43 15 0
238	Budd, Edward J.	Geo. D. Robinson,	236 5 0
240	Huestis, Benjamin A.	L. H. Huestis,	112 0 0
243	Estabrooks, Stephen P.	Amos Plummer,	84 0 0
244	Balloch, James	A. T. Coburn,	135 0 0

Carried forward,..... £14,431 3 9

Return of Instalments due on Leases to cut Timber and Lumber.—Continued.

No.	Lessee.	Security on Bond.	Amount.
	<i>Brought forward</i> ,.....		£14,431 3 9
245	Cuppage, John	James White,	456 0 0
247	Read, Joseph	John Brown,	210 0 0
248	Ditto,	Ditto,	105 0 0
249	Hoyt, William	William Scoullar,	21 0 0
251	Saunders, William	William M'Leod,	35 0 0
252	M'Leod, William	William Saunders,	32 0 0
253	Cunard, Joseph	John Hea,	248 0 0
254	Ditto,	Ditto,	105 0 0
255	Burpe, Isaac	G. Burpe & M. Brannen, Jr	42 0 0
256	Carman, A. S.	James P. Wetmore,	24 0 0
257	Dickinson, Samuel	Samuel Akerley,	60 0 0
258	Rait, James	James Dobie,	312 0 0
259	Ditto,	Ditto,	168 0 0
	Total,.....		£16,249 3 9

26th January, 1842.

R. GOWAN, Accountant.

Return of Amount due the Casual Revenue for Tonnage on Timber and Lumber cut in Excess of Leases and Licences, and cut without Licence, to 31st December, 1841, and remaining then unsettled.

Dr.

Report	Particulars.	Amount due.
	Balance unsettled per Return, 31st Dec. 1840,.....	£12,359 0 9
253	Due in Deputy Layton's District in the year 1840,	452 0 0
254	" " Rainsford's " 1840,	35 0 0
256	" " Mahood's " 1841,	3 10 0
257	" " Hunter's " 1841,	225 16 0
258	" " M'Niell's " 1841,	427 6 0
260	" " Layton's " 1841,	133 6 0
261	" " Allan's (St. John,) 1841,	366 6 0
		—1,643 4 0
		<u>£14,002 4 9</u>

Cr.

Name.	Nature of Payment.	Report	Amount paid. Single Duty.
Huestis, B. A.	Excess on Lease in 1840,	251	£16 8 0
Montgomery, Hugh	" " 1840,	240	254 10 0
Crockett, Amos	" " 1836,	55	17 10 0
Ditto,	" " 1837,	96	14 0 0
Porter, George M.	" " 1836,	55	7 0 0
Ditto,	" " 1837,	96	21 0 0
Porter, J. & G.	" " 1837,	96	231 0 0
M'Lean, John	Excess on Licences in 1840,	251	6 12 0
M'Donald, John	" " 1840,	do	3 0 0
Tapley, Sherman	" " 1840,	do	2 10 0
Beckwith, J. & F.	" " 1840,	do	20 0 0
Tibbits, Benjamin	" " 1840,	do	91 6 0
Lent, Enoch	" " 1840,	do	15 16 0
Day, Henry	" " 1840,	do	1 4 6
Hallett, Oliver	Unlicenced in 1836,	97	10 0 0
Halstead, Matthew	" " 1838,	108	4 7 6
Sewell & Campbell,	" " 1840,	250	5 0 0
Foley, Michael	" " 1840,	do	16 10 0
Campbell, Alex.	" " 1840,	210	8 15 0
Bleakney, Isaac	" " 1840,	249	2 0 0
	Amount unsettled on 31st December, 1841,....		13,253 15 9
			<u>£14,002 4 9</u>

R. GOWAN, *Accountant,*
25th January, 1842

JOHN S. SAUNDERS.

Reports by the Deputies of Timber and Lumber cut in Excess and without Licence.—Continued.

Report	Deputy.	Name.	Description.	QUANTITIES.					Remarks.	Amount due.
				W. Pine. Tons.	Red Pine. Tons.	Birch, &c. Tons.	Lumber. M.			
261	Allen,	Price, Stephen F. Perry, William Smith, Warren Stickney, A. D. Turner, Geo. W. Tompkins, Delaney Irvine, Daniel Lant, Enoch Cunard, Joseph & Co. Jardine, John Cutler, James F.	<i>Brought forward,</i> Excess. Unlicenced. ... Excess. ... Unlicenced. Excess.	80 25 ... 50 120 15 123 124 ... 30 20	... ... ... ... ... ... ... ... ... ... ...	... ... ... ... ... ... ... ... ... ... ...	... ... 70 52 116 200 100	... 2s 4s 7s 2s 2s 4s 2s 2s & 3s 6d 3s 6d 2s, 1s 6d & 3s 6d 2s & 3s 6d	£274 8 0 8 0 0 5 0 0 21 10 0 5 0 0 12 0 0 3 0 0 12 18 0 21 10 0 72 16 0 41 0 0 19 10 0 £1,143 12 0	
260	Layton,									
TOTAL,									£1,613 4 0	

JOHN S. SAUNDERS.

R. GOWAN, *Accountant.*
26th January, 1842.

Summary of Accounts rendered from the Crown Land Office to the Provincial Legislature for the Year from 1st Jan. to 31st Dec. 1841, both inclusive.

TIMBER.

Petitions for Timber and Lumber entered at the Crown Lands Office from the 1st day of January to the 31st day of December, 1841, both days inclusive, £2 5s. deposited on each Petition, viz :

616	Balance of Tonnage paid and Licences issued.	
9	Licences issued, no balance being due for Tonnage.	
5	Licences issued for Excess on Bonds,—not yet paid.	
22	Rejected, and Deposits returned.	
1	Rejected, and Deposit credited as Tonnage on other Licences.	
114	Forfeited Deposits, the balances being unpaid in 60 days.	
75	Unsettled, the time for payment of Tonnage not yet expired.	
842	Petitions at 45s. each, - - - - -	£1894 10 0

Return of Licences for Timber and Lumber issued out of the Crown Lands Office from 1st January to 31st December, 1841, inclusive, on Petitions previously approved in Council, or purchased at Auction, 45s. Deposit paid on each, viz :

58,647 tons of White Pine,	}	- - - - -	£7,583 4 3
428 " Red Pine,			
7,305 " Birch,			
15,160½ M. Lumber,			
200 M. Cedar Shingles,			
4½ M. Scantling,			
7 M. Ash Staves,			
11½ M. Cedar Rails.			

Return of Sums paid the Receiver General from 1st January to 31st December, 1841, both inclusive, as Instalments on Leases to cut Timber and Lumber, and described as Five Year Licences, viz :

No. 29.	Porter, George M.	10	Instalments to end of 4th year,	£70 0 0
32.	Porter, John	10	" " 4th "	65 12 6
36.	Ditto,	10	" " 4th "	21 17 6
42.	Allanshaw, James	8	" " 4th "	245 0 0
44.	Porter, George M.	12	to Dec. of 5th "	18 7 6
47.	Bailey, John	2	to end of 5th "	7 0 0
54.	Gilmore, James	6	" " 5th "	18 0 0
62.	Foster, Albert G.	10	" " 3rd "	43 15 0
66.	Crockett, Amos	10	" " 3rd "	30 12 6
69.	Menzies, Archibald	4	" " 5th "	21 0 0
70.	Porter, George M.	12	to Dec. of 5th "	84 0 0
78.	Nason, Thomas	1	" " 5th "	3 10 0
76.	Johnston, James	4	to end of 4th "	20 0 0
81.	Gilman, Nehemiah	2	to Dec. of 5th "	9 0 0
82.	Porter, John	12	" " 5th "	94 10 0
91.	Rankin, Alexander	4	to end of 4th "	282 0 0
93.	Ditto,	4	" " 4th "	100 0 0
94.	Ditto,	4	" " 4th "	28 0 0
95.	Ditto,	4	" " 4th "	28 0 0
97.	Ritchie, Arthur	4	" " 5th "	18 0 0
98.	Ditto,	4	" " 5th "	35 0 0
99.	Ditto,	4	" " 5th "	12 0 0
100.	Ditto,	4	" " 5th "	48 0 0

Carried forward,..... £1130 5 0

		<i>Brought forward,</i>			£1103	5	0
No. 108.	Ritchie, Arthur	4	Instalments to end of 5th year,		7	0	0
109.	Ditto,	4	" "	5th "	24	0	0
110.	Ditto,	4	" "	5th "	20	0	0
111.	Ditto,	4	" "	5th "	12	0	0
112.	Ditto,	4	" "	5th "	50	0	0
113.	Ditto,	4	" "	5th "	50	0	0
114.	Ditto,	4	" "	5th "	25	0	0
115.	Ditto,	4	" "	5th "	18	0	0
116.	Ditto,	4	" "	5th "	36	0	0
117.	Ditto,	4	" "	5th "	12	0	0
118.	Ditto,	4	" "	5th "	12	0	0
119.	Ditto,	4	" "	5th "	12	0	0
120.	Ditto,	4	" "	5th "	60	0	0
137.	Allanshaw, James	8	" "	4th "	217	0	0
175.	Porter, John	14	"	to Dec. of 5th "	73	10	0
177.	M'Laggan, Alex.	4	"	to end of 4th "	10	10	0
184.	Rankin, Alexander	4	"	" 4th "	4	7	6
185.	Ditto,	4	"	" 4th "	28	0	0
188.	Allanshaw, James	7	"	to Mar. of 4th "	36	15	0
202.	Ferguson, Francis	4	"	to end of 5th "	48	0	0
203.	Ditto,	4	"	" 5th "	64	0	0
209.	M'Leod, Roderick	4	"	" 3rd "	24	0	0
212.	Seelye, Linus	4	"	" 4th "	7	0	0
214.	Rankin, Alexander	4	"	" 4th "	10	0	0
225.	Ditto,	4	"	" 3rd "	48	0	0
226.	Ditto,	4	"	" 3rd "	31	10	0
227.	Ditto,	4	"	" 3rd "	156	0	0
231.	M'Leod, Roderick	4	"	" 3rd "	5	0	0
					£2404	17	6

Return of Sums paid the Receiver General in the year 1841 for Duty on Timber and Lumber cut in Excess on Five Year Leases, viz:

Cut in the year ending May, 1836,	£24	10	0
Ditto ditto, 1837,	266	0	0
Ditto ditto, 1838,	81	7	6
Ditto ditto, 1839,	30	2	0
Ditto ditto, 1840,	347	11	0
Ditto ditto, 1841,	41	11	0
	£791	1	6

Return of Sums paid the Receiver General in 1841 for Timber and Lumber cut in Excess of One Year Licences, viz:

Cut in the year ending May, 1834,	£3	0	0
Ditto ditto, 1839,	35	0	0
Ditto ditto, 1840,	693	0	0
Ditto ditto, 1841,	1,810	5	6
	£2,541	5	6

I. RETURNS FROM CROWN LAND OFFICE. [APPENDIX.]

		<i>Brought forward,</i>	£181	4	10
Montgomery, Robert H.	No. 1623	Balance,	7	10	0
Montgomery, William	1624	Balance,	7	10	0
M'Bean, John	2244	Balance,	26	12	6
M'Carthy, Michael	1548	Balance,	4	2	6
M'Kinney, Michael	none	Balance,	18	8	9
O'Brien, Jerry	864	2d and 3d Instalments,	7	10	0
O'Neal, Daniel	2983	2d and 3d do.	7	10	0
Perrott, Nathaniel	1192	Balance,	7	10	0
Pitfield, Oliver A.	1271	Balance,	11	5	0
Pitt, Thomas	552	2d and 3d Instalments,	6	10	0
Porter, Andrew	445	Balance,	13	0	0
Richard, Placide	2444	Balance,	3	0	0
Rider, Henry,	3051	Balance,	7	10	0
Robicheaux, Charles, Jun.	2608	Balance,	32	8	0
Robinson, Andrew	1141	Balance,	7	10	0
Ross, James	2843	3d Instalment,	3	15	0
Scott, William	1330	Balance,	8	5	0
Strong, Alexander	699	Balance,	5	0	7
Tierney, Timothy	3013	Balance,	7	10	0
Veal, Solomon	996	Balance,	3	15	0
Walker, James	166	Balance,	12	10	0
Whalen, John	2940	Balance,	3	15	0
White, Robert	3180	3d Instalment,	3	15	0
Wright, Caleb	3109	2d do.	12	10	0
			<hr/>		
			£409	17	2
			<hr/>		

General Abstract of Receipts for the Casual Revenue on Tickets issued from the Crown Lands Office from 1st January to 31st December, 1841, both inclusive.

Timber,.....	£15,753	17	10	
Land,.....	3,007	8	1	
Contingencies,.....	318	7	6	—£19,079 13 5
Deduct sums to be paid back to the parties,.....		182	7	0
			<hr/>	
Net Receipts,.....	£18,897	6	5	

—*Viz*—

TIMBER.

Petitions for Licences,.....	£1,894	10	0	
Balance of Tonnage on Licences,.....	7,583	4	3	
Instalments on Leases,.....	2,404	17	6	
Tonnage for Excess on Leases,.....	791	1	6	
Ditto on Licences,.....	2,541	5	6	
Ditto Timber and Lumber without Licence,	538	19	1	
			<hr/>	
			15,753	17 10

LAND.

Purchase money on Land sold for prompt payment,.....	£2,433	10	11	
Deposit on 132 Petitions, balances being paid,	132	0	0	
Purchase money on Sales to Shannon and M'Gie, Sale cancelled,.....	£41	0	0	
Deposit on 1 Petition for same,.....	1	0	0	— 42 0 0
Instalments on former Sales,.....	409	17	2	
			<hr/>	
			3,007	8 1

Carried forward,..... £18,761 5 11

<i>Brought forward</i> ,.....		£18,761	5	11
CONTINGENCIES.				
Interest on Land and Timber Bonds,.....	£59	17	8	
Postages on allotments of Land,.....	26	15	0	
Warrant of Survey,.....	1	0	0	
Certified copy of Petition, 4 folios @ 1s.....	0	4	0	
Rent and proceeds of Wild Meadows,.....	30	4	1	
Survey of Land sold at Auction,.....	18	2	6	
Lease of Mines in Westmorland,.....	50	0	0	
Expenses of seizure of Timber,.....	4	13	9	
Forfeited Deposits (10 per cent.) on Land Sales,	27	13	6	
Forfeited Petitions on same,.....	9	0	0	
Sums deposited for Deputies and others, to be paid to them,.....	90	17	0	—
				318 7 6
				<u>£19,079 13 5</u>
Deduct Deposits on Timber Petitions rejected, to be returned to Petitioners, 22 @ 45s..	£49	10	0	
Deduct purchase money on Land Sales cancelled, to be returned to the parties,.....	42	0	0	
Deduct Deposits for sundries, to be paid them,	90	17	0	
				<u>182 7 0</u>
				<u>£18,897 6 5</u>

Return of Licences issued on Bonds (not paid at 31st December, 1841,) for Timber and Lumber cut in Excess on former Licences, viz :

Bond No. 639.	John S. Taylor, John T. Smith and F. W. Hatheway,....	£74	10	0
640.	Daniel Irvine, John S. Taylor and S. P. Estabrooks,.....	17	15	0
644.	Arch. M'Lean and John M'Lean,.....	61	10	0
653.	Arch. M'Lean and Thomas Stewart,.....	27	0	0
654.	William Todd, Jun. and N. S. Demill,.....	225	0	0
				<u>£405 15 0</u>

Return of allotments of Land in the year 1841, for which Grants have been ordered to issue without payment of purchase money, viz :

No. 3701.	Blakeley, Mary	200 acres, Fees paid to Captain Hurd.
3733.	Briggs, Ebenezer	130 " " " to Deputy John M'Donald.
3662.	Brine, Oliver	220 " " " to Captain Hurd.
3751.	Fitzgerald, Elizabeth	200 " Army Services of Ezekiel Fitzgerald.
3700.	Justices of Charlotte,	an Island. Site for an Emigrant Hospital.
3699.	Mason, William	100 acres, Julien of Record 3002, cancelled.
3633.	Murphy, John	100 " under Minute of Council in 1825.
3732.	M'Donald, James	100 " Fees paid in Sept. 1829, (old System.)
3743.	Scott, James	200 " Army Services of himself.

ACCOUNTS OF GEORGE BAILLIE, ESQUIRE, AGENT GENERAL FOR
CROWN COLONIES.

*The Government of New Brunswick in Account with GEORGE BAILLIE, Esquire, Agent
General for Crown Colonies, from 1st January to 31st December, 1840.*

1840.	RECEIPTS.			
	By received six months Dividend due 5th January 1840, on £5581 5s. 8d. 3 per cent. Consols,.....	£83	14	4
	By received proceeds of ditto ditto ditto, sold at 91½,.....	5,084	14	5
Feb. 14—	By received of the New Brunswick Land Company further to Account,...	4,000	0	0
July 17—	By ditto ditto ditto ditto,.....	4,000	0	0
Nov. 30—	By ditto ditto ditto ditto,.....	8,000	0	0
		£21,168	8	9

1840.	PAYMENTS.			
Jan'y 1—	Balance overpaid 31st December, 1839,.....	£4,202	7	11
Feb. 11—	To paid Stamp Receipt,.....	0	10	0
" 15—	To paid Sir John Harvey's Bill to B. Robinson, on the Treasury, dated 27th November, 1839,.....	3,498	5	8
June 30—	To paid Postage of Letters to 30th June, 1840,.....	2	3	4
July 17—	To paid Stamp Receipt,.....	0	10	9
" 28—	To paid for £6000 3 per cent. Consols, at 90½, £5452 10s. and Commission £7 10s.	5,460	0	0
Nov. 19—	To paid Sir John Harvey's Bills, dated 5th September, Nos. 122 to 131, ten of £100 each, £1000 0 0 " 132 to 137, six of £250 " 1500 0 0 " 138 to 141, four of £500 " 2000 0 0	4,500	0	0
" 26—	To paid for £3800 3 per cent. Consols at 90½, Commission, £3429 10 0 4 15 0	3,434	5	0
" 30—	To paid Stamp Receipt,.....	0	10	0
Dec. 31—	To paid Postage of Letters to 31st December, 1840,.....	1	11	5
		£21,100	3	4
	Balance carried to next Account,.....	68	5	5
		£21,168	8	9

(Signed)

G. BAILLIE.

*The Government of New Brunswick in Account with GEORGE BAILLIE, Esquire, Agent
General for Crown Colonies, from the 1st January to the 31st December, 1841.*

1841.	RECEIPTS.			
	Balance of Account ending 31st December, 1840,.....	£68	5	5
May 21—	By proceeds of £6,400, 3 per cent. Consols, sold at 89½,.....	5,742	18	6
June 16—	By received 6 months dividend due 5th Jan. 1841, on £9,800, 3 per cent. Consols,.....	147	0	0
Aug. 13—	By proceeds of £3,400, 3 per cent. Consols, sold at 89½,.....	3,033	8	6
23—	By received 6 months dividend due 5th July, 1841, on £3,100, 3 per cent. Consols,.....	51	0	0
Nov. 30—	By received of the New Brunswick Land Company pursuant to Mr. Hope's Letter of 25th November,.....	8,087	0	9
		£17,129	13	2

PAYMENTS.

1841.		PAYMENTS.		
June 5—To paid Sir J. Harvey's Bills, dated 10th April, No. 143,	£2000	0	0	
	144,	900	0	0
	145,	1100	0	0
	146,	1750	0	0
				<u>£5,750</u> 0 0
Oct. 8—To paid London Assurance Premium on £3,100 insured on British Copper Coin shipped per "Orbit,"	£69	15	0	
Deduct discount and allowance,	8	19	10	
				<u>60</u> 15 2
28—To paid Mr. Winkley Freight and Shipping expenses on 200 Cases of British Copper Coin, per "Orbit,"				48 13 0
Nov 30—To paid Stamp Receipt,				0 10 0
To paid for £9000, 3 per cent. Consols, at 89,	£8010	0	0	
Commission,	11	5	0	
				<u>8,021</u> 5 0
Dec 22—To paid the Master of the Mint for Copper Coin pursuant to Mr. Tre- velyan's Letter of 27th July,				3,000 0 0
To ditto for packing expenses of ditto,				145 16 8
31—To paid postage of Letters 12 months to 31st December, 1841,				0 16 9
				<u>£17,027</u> 16 7
Balance carried to next Account,				101 16 7
				<u>£17,129</u> 13 2

(Signed)

G. BAILLIE.

RETURNS FROM PARISH SCHOOLS, &c.

COUNTY OF SAINT JOHN.

PARISH.	How long in operation.	Average attendance.		Name and Salary of Teacher.		Scholars.	REMARKS.
		M	F	Prov'l.	Volun'y.		
Lancaster Parish. Musquash, No. 1 District,	1 month,	19	16	John Brown, £20	£50		1. Promises to be well conducted. Reading, Writing, Arithmetic, English Grammar and Geography taught.
District No. 2,	2 months,	13	6	George Eagden, £20	£30		2. Reading, Writing, Arithmetic, English Grammar. Teacher generally competent; each scholar brings his own book—no religious observance in school.
Manawagonish, No. 2 District,	several years,	25	15	William Craig, £20	£46		<i>Manawagonish</i> —Reading, Writing, Arithmetic and English Grammar, no religious observances.
Musquash, South side, No. 3,	several years,	7	7	£20	£22		<i>Musquash</i> , S. side, No. 3. Reading, Writing, Arithmetic, English Grammar and Navigation, no Catechism or Religious observances.
Dipper Harbour, No. 5,	few months,	8	11	James Muirhead, £20	£20		No. 5. Reading, Writing, Arithmetic, a little Grammar, no Catechism, no Religious observances, no uniformity in Books, &c.
Irish Settlement, Pisimco, No. 6,	5 years,	17	10	Thos. E. Carter, £20	£25		Teacher sober, moral and competent for tuition in the above, (this teacher teaches Sunday School.)
Spruce Lake, No. 7,	2—3 years,	15	23	Jas. Mulholland, £20	£20		No. 6. Reading, Writing, Arithmetic, English Grammar, Geography and Geometry, no uniform set of books. Teacher moral and competent, (teaches Sunday School.)
South Bay, No. 8.	No School for last few months.						

No. 7. Teaches same as above. Teacher sober, moral and competent, great want of books, no Catechism, no Religious Worship.

In almost all Reports of these Schools, the children are greatly in want of books. Except in the New Testament scarcely a class is formed, and for these they are indebted to the Bible Societies—general disinclination to purchase books—no objection raised to use of Testaments, either by Catholic teachers or scholars—but much to Catechisms; neither Presbyterians, Episcopalians, Catholics, or other sects, will admit the teaching of any but their own—and the teacher is generally compelled to omit them, and leave that instruction to the Parents. Except in the case of those in the immediate neighbourhood of the Trustees, these Schools have not generally been visited—the distance of the Schools at one extremity of the Parish to the other, is more than 30 miles, roads very bad, and the travelling dangerous. To visit all the Schools quarterly, would occupy each inspector 12 days. The attendance of the scholars is generally very irregular.

SAINT JOHN COUNTY—CONTINUED.

PARISH.	How long in operation.	Average attendance		Name and Salary of Teacher.		REMARKS.
		M	F	Provinc'l	Voluntary.	
Portman Parish, near Fort Howe. District No. 1. School No. 1.	Public.	120	77	John Miles, £20	£20	1. This School established under a provision that if it shall not be kept in operation 6 months in each year, the Land, School, &c. shall revert to the Rector, Vestry and Church Wardens.—Teacher of good character, and competent; School well conducted.—The Trustees give no favorable account of the other Schools in the Parish. Monitorial system of Instruction. No. 2. Teacher possesses tolerable qualifications, sober. No. 3. Inferior Teacher, sober. No. 4. Teacher possesses moderate qualifications. [House. No. 5. Teacher well qualified, poor School No. 8. Very good Teacher, useful School. No. 9. Inferior School, scarcely passable. There are three superior Schools, one kept by Messrs. C and A; one by Mr. Eugene Rougan; one by Mr. A. Smith. Private Schools, 3. No. Scholars, 68. Madras School in City, 25. Schools in higher Branches, 40. Sunday Schools, } Episcopal 310, very excellent. } Roman Catholic, 200. } Wesleyan Methodist, 230. } Baptist, 50.
2.		25	12	J. Shaw, £20	£20	
3.		25	17	H. Rigley, £20	£20	
4.		15	25	J. Gregory, £20	£20	
5.		27	13	£20	£20	
District No. 2.						
6.		23	14	H. Smilie, £20	£20	
7.		30	16	D. O. Gorman, £20	£20	
8.		10	1	Letitia Denvill, £20	£20	
9.		26	2	D. Sullivan, £20	£20	
		301	211	£180	£180	
				£360		
				*Madras £75		

* Paid by Madras Board.

Trustees Report—Parish of Simonds—No. Schools, 11.

Trustees visited Schools in pursuance of Lieutenant Governor's instructions. 11 Schools in Parish supported by voluntary and Provincial allowance. Having been recently appointed, can give no accurate information regarding Teachers, but from what they have been able to learn of them, they are men whose conduct and attention to the Schools is satisfactory. In some of the Districts, inhabitants being very poor, are unable to pay the attention to the tuition of their children which they feel disposed, and in these there is equal want of Books, Bibles and Catechisms. Trustees on their visit urged the importance of establishing Sunday Schools.

Trustees Report—Parish of Saint John.

Schools generally in an efficient state, and Teachers above the usual class, and well adapted to their spheres of labor. Trustees visited Schools regularly, and trust with benefit. Much regret that the want of a general system precludes many advantages which would result from Parochial Schools, even if that system were confined to the elementary branches of a religious and general education.

Trustees Report—Parish of Saint Martin's.

Trustees regret that the School buildings are in a very ruinous condition, not comfortable or convenient for teaching children; have been under the necessity of notifying to the proprietors, that unless the necessary repairs and erections were made, the Schools would not in future be entitled to Provincial aid. Instructions afforded, very limited, more owing to the Parents than the Teachers, who do not put a proper value on right system of Education. Trustees consider very few of the Teachers fully competent to conduct an English School, but the small remuneration leaves but little hope of any improvement in this respect. Trustees suggest a general County or Parish School Tax, in order that the School Houses may be impartially erected and supported. The distance between the Schools render the visiting of Trustees extremely laborious, and occupies at least two days in each quarter; the distance between some of the Schools being 20 miles. Trustees cannot say, if regular quarterly visitation has been made, having been only recently appointed.

CHARLOTTE COUNTY.

PARISH.	How long in operation.	Average attendance.		Name and Salary of Teacher.		Schools.	REMARKS.
		M	F	Prov'l.	Volunt'ry		
St. David's Parish.							
No. 1.		10	10	Thomas Haverly, £20	£25		1. Reading, Spelling, English Grammar, New Testament, Writing and Arithmetic, this Teacher engaged for only one year—Teacher qualified, has taught 6 years in the Parish.
2.		18	19	John Gillispie, £20	£18		2. Instruction as above—Teacher engaged only for 6 months, competent, aged 20 years, Catholic Catechism taught.
3.		13	7	Isabella Waldren, £10			3. Instruction same as above—Teacher engaged 6 months; 18 years old.
4.		15	17	Sarah Perkins, 5d. a week for each Pupil,			4. Same as above.
5.		11	15	John Mitchell, £14 for the half year,			5. As above, engaged for 6 months only. Those three Teachers have no Licence.
6.		8	18	Matilda Moore, 6d. per week per head.			6. Same as above—Teacher engaged for 6 months.
7.		14	11	Susan Rogers, £12 for 6 months,			7. Ditto ditto engaged for 6 months. Church Catechism taught.
8.		13	17	James Dervar, £10			8. Ditto ditto engaged for 6 months. Catechism taught.

Campo Bello. There is only one School in Campo Bello, which has been regularly visited and inspected, and a semi-annual report made to Sessions.

Deer Island. There is only one School in operation, under Mr. Burnside, engaged last June, who has from 40 to 50 Scholars.

REPORT.—Schools have not been generally inspected quarterly, but only half yearly; the system generally, the common Parish School system of England, varying in method under the different Teachers. The branches taught comprise Orthography, Reading, Geography, History, Writing, Arithmetic and English Grammar. Religious instruction extends to versions of New Testament, Lord's Prayer, Creed, 10 Commandments, with Catechism of Kirk and of Church of England. Generally ill supplied with Books. Education generally has been stationary for the last 10 years, very few amongst the adults who are unable to read and write.

CHARLOTTE COUNTY—CONTINUED.

PARISH.	How long in operation.	Average attendance.		Name and Salary of Teacher.		Schools.	REMARKS.
		M	F	Provin'l	Voluntary.		
Saint Andrews,	A general rep	y	mut.	no specific information		1.	<i>Saint Stephen, No. 1.</i> —No deficiency in Books. Catechisms of Established Church, Roman and Methodist. Teacher sober. Arithmetic and Geography taught, besides common Branches; much inconvenience from the variety of Books used generally.
Saint Stephens,							No. 2. Same studies, same remark regarding Books. New Testament the only Religious Book used.
1.	Pres. Teacher, 15 months.	11	7	Thomas Harety, 5s. per quarter, 12s. 6d. per quarter,			No. 3. Catechism taught as required by Parents, same remarks as to number and variety of Books, see addition to above studies, Algebra, Mensuration and Navigation, character good.
2.		12	13	Henry Coulter, £20 £30 and Board.			No. 4. Catechism as required by Parents, a deficiency in Books and too great variety in those used. Geography, Algebra, Mensuration, Navigation.
3.	has taught 3 years,	1	10	H. Webber, 12s. 6d. per quarter, 15s.		2	5. Deficiency in number of Books, Catechism as required by Parents, Lord's Prayer and a few other short prayers.
4.		20	8	James M'Bride, 12s. 6d. 15s.		3	6. Geography, Algebra, Mensuration and Navigation, character of Teacher good.
5.	School commenced in May 1841,	14	11	George M'Kenzie, £20 £20			7. School of superior class, History, Geography, Astronomy, Natural Philosophy taught, character of Teacher exemplary, no deficiency in number but too great a variety, maps much wanted.
6.		18	17	John Love, £20 £45			8. Deficiency in number and too great variety in Books used, Arithmetic and Geography in addition, New Testament lessons and Religious instruction.
7.		19	5	Thomas Beyer, £175			9. Respective Catechisms taught, no deficiency in Books, Geography, Astronomy, and the outline of Chemistry, character good.
8.		11	11	Lucy A. Burns, 7s. 6d. per quarter, 10s.			10. Catechisms taught as required, deficiency in number and too great variety of Books, Geography, plain and ornamental needle work.
9.	School commenced in May 1841,	6	16	Mary Rogers, 10s. per quarter,			11. French and Geography and Book Keeping, English History, outlines of Chemistry and Astronomy, Latin Grammar, Lord's Prayer and Ten Commandments; no deficiency in number, but great variety of Books.
10.		8	16	Margaret Grant, 7s. 6d. 10s.			12. Geography and Arithmetic, lessons in New Testament.
11.		4	15	Christiana D. Millikan aged 17, 7s. 6d.			13. Geography and History, ancient and modern, superior class School; lessons in New Testament; no deficiency in Books.
12.		7	12	Mary Allen, 7s. 6d.			
13.		6	30	Louisa Harbinson, 10s. per quarter,			
14.		8	7	John E. Moiers, £21 per annum, besides board,			
15.		19	14	John Hagerty, £26 per annum,			
16.		10	10	Lucretia M'Clinch, aged 20, 6s. 3d. per week, and board.			

- 14. Deficiency in Books; Arithmetic, Geography, lessons in New Testament.
- 15. Geography, Arithmetic, deficiency in Books. Lessons in New Testament, Arithmetic and Geography.
- 16. Catechism, lessons in New Testament, deficiency of Books.

REPORT.—Size of Parish requires division into three sections, each section visited by one of the Trustees, who consult together. Schools have generally been examined quarterly. In some instances, they have not known till three months after of a new Teacher having been licenced. The poorer classes frequently, from a feeling of false pride, and the notion that they become in a manner Parish paupers, by sending their children on the Provincial allowance, leave them to grow up in ignorance; the few of such class who attend have been sought out by the Trustees. In some cases the inability of parents to procure Books has prevented their application for admission for their children. Teachers generally not incompetent to instruct in the more common and usual branches, but want a knowledge of more approved system. Good order is not kept, the Teacher does not possess the moral influence over

over his pupils which is requisite. Too much stress laid on mere memory, while the other powers and faculties of mind are not called forth. The children too frequently taught by rote, not made to comprehend the full meaning and object of their studies, and the practical application to the business of after life. Teachers should be educated for the purpose, who have not only acquired knowledge but are well instructed in the art of teaching others; many Schools are greatly impeded by the want of Books, and in almost all, great inconvenience and loss of time arises from the too great variety in use. Teachers consequently cannot arrange their Pupils advantageously into classes nor devote the necessary time to each branch of study. A great want of good and cheap School Books. Most of those used are American, being procured so much more easily than others. No Religious instruction separate for general instruction in Reading and Writing, except where specified in Table. Teachers generally willing to teach such Catechism as parents choose. Roman Catholic and Methodist Catechisms as used in Schools taught by Episcopalians and in the only School in the Parish, taught by a Roman Catholic, the Episcopalian and Methodist Catechisms are used. Wherever a School has been continued as is frequently the case, for twelve months without intermission, or even for six months, both the Teacher and the Pupils are apt to become wearied, and the progress during the latter part of such terms is not so rapid as at first. Parents generally anxious for the improvement of their children, do not make sufficient allowance for the natural consequences of such incessant application, and are averse to their children losing time as they express it. We therefore suggest that the year should be divided into four quarters or terms of twelve weeks each, and that after each term, there should be a Vacation of one week.

QUEEN'S COUNTY.

PARISH.	How long in operation.	Average attendance.		Name and Salary of Teacher.		REMARKS.
		M	F	Provin'l	Voluntary.	
Waterborough, District No. 1, Jemseg.				David Bates,		1. English, Cyphering, Presbyterian chiefly; Teacher well qualified.
2 near Dykeman's.				H. A. Mount.		2. Teacher good; English Bible, Algebra, Baptist and Church Catechism taught.
3 Wiggins Cove,				Eather Camp,		3. Good character, tolerably qualified, Reading, Writing, Needlework, Church Catechism.
4 Cumberland Bay.				William Miroy,		4. Teacher good. Bible and Walkingham Baptist.
5 at Squire M'Lean's.				Vacant,		7. Teacher passable. Roman Catholic.
6 a mile above Cox's Point				Vacant,		8. Teacher good, and tolerably qualified. Bible, Cyphering, Church and Baptist Catechism.
7 Upper District, Cumberland Bay,				John M'Carthy,		10. Teacher good. Bible and Cyphering, Church and Baptist.
8 near G. Camp's, Jemseg				Maria Hanselpecker.		11. Teacher good. Baptist Catechism.
9 near Gideon Bowers.				Vacant,		<i>Report of Trustees.</i> Trustees not answerable for qualifications of Teachers who are appointed by Board of Education—School Master's living depends on his character. Trustees cannot know much of Teachers character, except from others. School seldom visited quarterly. The Trustees generally divide the duty. So long as Trustees receive neither emolument nor are allowed expenses, it can hardly be expected that they should leave their farms to go on a profitless and thankless errand to every School in such a Parish four times a year. The Law, in regard to Schoolmasters, is very inefficient, and until changed, we cannot look for good and sound learning.
10 Head of Young's Cove,				William M'Lintock,		
11 Upper Range, Robert Snell,				R. Snell,		
12 at Never's, Jemseg.				Vacant,		
13 old Mr. White's, or near there.				never begun, and no School House.		

REPORT.
Parish of Gagetown.—Parish Schools in general very badly supplied with the proper Books. Highly approve of the system of Training and Model Schools, and recommend that £20 be paid in money to the Teachers instead of Board, Washing and Lodging; also recommend small piece of Land, from 5 to 10 acres, attached to each School, and that the Inhabitants be called on to put up a proper building for the accommodation of Master at their own expense; but object

object to requiring the Boys to assist the Master in cultivating, for fear of abuse by requiring their services for his own benefit, and the Boys might thus be prevented assisting their Parents in improvement of their Farms.

Parish Johnston.—Schools regularly visited every 3 months, except when prevented by state of Roads, &c. Trustees can exercise no control over a Teacher. Many Schools very inefficient, not so much from incompetence of Teacher as want of Books. In many Schools no Books are found but a few Spelling Books and Testaments, of which Teachers greatly complain, it being impossible to arrange their classes properly. Children generally manifest much quickness, and attendance generally good, except in season of planting and harvest. No regular system pursued, each Teacher following his own. Occasionally persons of liberal education offer as Teachers, but the situation not being permanent and ill paid, they seldom hold them long. Hence most of the Schools are conducted by persons of inconsiderable attainments. The conduct of those under us is generally moral and their efforts zealous, no regular Religious instruction, for fear of exciting prejudices. Several of the Teachers conduct Sunday Schools. Instruction very limited, and great want of system, which offers serious impediment to advancement. Normal and Training Schools very desirable. Every person desirous of becoming a Teacher, should go through a certain period of Instructions and Probation, and attend Lectures on the nature of the mind, and so fitted by enlarged views and a systematic plan for the profession he is about to undertake.

COUNTY OF NORTHUMBERLAND.

PARISH.	How long in operation.	Average attendance		Name and Salary of Teacher.		REMARKS.
		M	F	Prov'l.	Volunt'y.	
Parish Alwick.						<i>County of Northumberland—Alwick Parish.</i> REPORT.—No School at present in operation in this Parish. Thomas Le Macquard being ill, has not made out his. Schools have been regularly examined. Trustees are satisfied with the moral department of Teachers and general progress of Schools.
No. 1.		12	12	Thos. Le Macquard,		
No. 2.		17	12	Geo. Anderson,		
Chatham.						1. Teacher of good character and sufficient qualifications. System of instruction same as in ordinary Schools in England. Reading, Writing and Arithmetic taught. 2. Same as No. 1. 3. Same as No. 1. 4. Superior School. Madras system, Reading, Writing, Arithmetic, History, Geography. 5. Mixed system, similar to English. same instruction as No. 4. 6. Excellent and competent manner. Reading, Writing, Arithmetic and Sewing. 7. As No. 6. 8. Superior Teacher, Reading, Writing, Arithmetic and Geography.
No. 1.		7	14	Jas. Henderson,		
No. 2.		14	11	Jos. Barinise,		
No. 3.		30	12	Patrick Hamicjan,		
No. 4.		54	17	John —,		
No. 5.		14	4	Gregory Layton,		
No. 6.		10	15	Catheru. Perceval,		
No. 7.		5	19	Elizabeth Williams,		
No. 8.		5	30	Isabella Taylor,		
No. 9.		30	20	Michael Meady,		
Glenslg.						9. Steady man, and sufficient for situation. Reading, Writing and Arithmetic.
No. 1.		30	24	Jas. Porteous,		
No. 2.		8	13	Sydney Gayle,		
No. 3.		15	18	Cath. M'Naughton,		
No. 4.		16	15	Donald Frazer,		
No. 5.		13	9	Peter Kelly,		
No. 6.		19	13	Andrew Reul,		
No. 7.		19	3	Jas. Dalgish,		
No. 8.		10	8	Thos. Brekley,		
No. 9.		18	12	Jas. M'Mahon,		
No. 10.		12	14	David P. Howe,		
Ludlow.						8. Superior Teacher, Reading, Writing, Arithmetic and Geography.
No. 1.		13	10	Chas. H. Hays,		
No. 2.		11	15	Maria C. O'Conner,		

REPORT.—The above Schools are examined every year by the Trustees as a body, and visited frequently individually. All are in an effective state. The numbers in some of them have increased considerably since the last general return was made. The principles of the Protestant faith are required and particularly taught in nearly three fourths of them.

Glenslg Parish Report.—Trustees have regularly visited Schools, and on all occasions have been satisfied with the proficiency of the Scholars and the attention and diligence of the different Teachers. The branches taught are Reading, Writing and Arithmetic, and in one School English Grammar and Geometry. Bible read in all, save in one Roman Catholic School. One Sabbath School in Parish where Religious instructions is imparted; and but for the population being so scattered, more would be in operation. But considering the infant state of the Settlement, every encouragement has been given to Religious and general education. The system of instruction in many Schools is similar to the Scotch, and in some the most recently improved systems are introduced.

Ludlow.—Trustees have no reason to be dissatisfied with the moral conduct of the Teachers, who are generally tolerably well qualified to impart instruction in Orthography, Reading, Writing and Mercantile Arithmetic, which branches are alone requisite in the present state of public feeling in the Parish. No disposition having been manifested to support a Teacher of superior qualifications, and much loss to enforce that regularity and punctuality of attendance in their children, which would render the services of such Teacher of any avail. System of teaching ordinary. Common School system rendered less beneficial by want of supply of suitable Books, and the variety of those in use.

Orthography,

Orthography, Writing, Reading and Arithmetic are taught. Religious instruction not being required by Law, is not stipulated for, and would be difficult to introduce from diversity of opinion prevailing both with Teacher and Scholars. Bible is constantly read in both Schools, and instruction given in the most prominent parts of the Church and Presbyterian Catechisms.

NORTHUMBERLAND COUNTY—CONTINUED.

PARISH.	How long in operation.	Average attendance.		Name and Salary of Teacher.		P. Schools.	REMARKS.
		M	F	Provin'l	Voluntary.		
Blackville.							<p>REPORT.—<i>Blackville</i>.—Seven Schools at present in operation in the Parish. Have been visited every quarter and Teachers appear to be doing their duty. The system of Education that in use in common Schools in Great Britain. In two of the Schools the Holy Scriptures are read and Catechisms taught. In the other Schools the majority of the children belong to the Church of Rome, and it is considered better to teach no Catechism than to allow the Protestants to be taught the Romish Catechism.</p> <p>REPORT.—<i>Blissfield</i>.—Schools regularly visited and occasionally submitted to a friendly inspection. The result of our observations is favourable to them although long subjected to great destitution and still labouring under incalculable disadvantages. Nevertheless they are in a tolerably efficient state. The Bible read in all daily, it being a settled conviction that the daily perusal ought to be imperative. Teachers bear a good moral character, and one exhibits a fair Religious character. <i>Their qualifications not the best</i>, their ability and competency limited yet generally adequate for teaching the elements of Education as required by the present state of society. Their duties are performed as well as can reasonably be expected. All excepting No. 3 have</p>
No. 1.		20	13	R. Arnold,			
No. 2.		26	5	Thos. Brown,			
No. 3.		16	15	M. McNamee,			
No. 4.		16	14	Wm. Hoggan,			
No. 5.		9	3	Jas. Donaldson,			
Blissfield.							
No. 1.		17	13	Ed. Lynch,			
No. 2.		11	11	J. McKillegan,			
No. 3.		19	17	Wm. Taylor,			
Nelson.							
No. 1.		20	20	John Jameson,			
No. 2.		15	6	John Simpson,			
No. 3.		8	13	Jas. Howe,			
No. 4.		8	5	Jane Davidson,			
No. 5.		4	12	D. Lynch,			
No. 6.		30	14	Will. Wilson,			
No. 7.		18	12	Jas. Denmen,			
No. 8.		22	30	J. McDonald,			
Newcastle.							
No. 1.		23	22	Alex. Mitchell,			
No. 2.		13	15	Margt. Mooney,			
No. 3.				Jno. Hinley,			
No. 4.				Jon. Bentic,			
No. 5.		41	34	Jno. Simpson,			
No. 6.				J. O'Leary,			
No. 7.		23	15	Jno. Hamilton,			
Northesk.							
No. 1.		20	17	Horatio G. Howard,			
No. 2.		27	20	Walter McAlister,			
No. 3.		29	24	Wm. McKenzie,			
No. 4.		23	21	Jas. Evens,			
No. 5.		10	15	Jno. O'Connor,			
No. 6.		11	13	Geo. Lawrence,			
No. 7.		12	13	Donald Bell,			
No. 8.		16	16	Jno. Gibbens,			

taught Catechisms based on the Bible, and embodying a summary of the Doctrines and duties of the Christian Religion, suited to the various capacities of the young and untutored. The one alluded to is Roman Catholic, and it is thought better in this case to leave the Religious instruction to the parents and guardians. The system generally used is the Parochial School system, with some of the latest improvements which have been made in the method of teaching in the Scottish Juvenile Schools. The extent of instruction is Reading, Writing, Arithmetic, is believed sufficient, no higher branches having been found requisite, there are some few exceptions of excellent Scholars. Religious instruction chiefly confined to Sunday School teaching, which is conducted in a very efficient manner, several leading heads of families lending their assistance and conducting classes zealously and efficiently, thereby laying the foundation of a solid Religious instruction.

REPORT.—*Nelson*.—No. 1. Teacher competent, good character, regular habits, Reading, Writing, Arithmetic.

No. 2. Teacher competent.

No. 3.

No. 4. Same as above, not so efficient as it should be.

No. 5.

In the above Schools some alterations are spoken of as having been made, but it is not mentioned of what they are.

No. 6. Same as No. 1. Book Keeping and Grammar taught in addition.

No. 7. Same as No. 1. No. 8. Same as No. 1.

REPORT.—*Newcastle*.—Several of the Schools have been visited regularly, but the great distance between them has rendered it impossible to do so to all. At the public and semi-annual examinations the Trustees have ascertained that the Teachers are doing their duty, and they take the opportunity afforded on these occasions of calling attention to any defects which appear to exist, or to point out any improvement. Teachers generally discharge their duties faithfully, and in some cases very successfully, and in all cases of failure on their part the Trustees have declined to countenance such Teacher. The system taught is that of common School system in Scotland, and books used chiefly those published by Society of Schoolmasters or Murray; in all the Schools Reading, Writing and Arithmetic

Arithmetic are taught, and in some English Grammar and Geography. In nearly all the Schools the Holy Scriptures are read at least once a day, and in all some one Catechism are taught. In two of the Schools and four very efficient Sabbath Schools have been conducted by the respective Teachers and other competent persons. All the Schools save No. 10, are attended by Protestant children. No. 10 by Roman Catholic.

KING'S COUNTY.

PARISH.	How long in operation.	Average attendance.		Name and Salary of Teacher.		REMARKS.
		M	F	Prov'l.	Volun'y.	
		23	13	Eben. M. Scribner.		<p><i>Report Trustees, (Greenwich.)</i></p> <p>When necessary Schools are visited oftener than four times a-year, none of the popular systems are adopted generally as we consider them better adapted to larger Schools, and where the attendance is more regular, English Grammar is taught in most, Geography with use of Maps in some; endeavour to impress the necessity of early piety. Protestant Catechism taught in all. Inhabitants of the Parish seem generally well satisfied with the improvement of their children. No land granted by Government for Schools in this Parish. 12 School Houses.</p> <p><i>Westfield.</i>—Schools visited regularly and more frequently than the act requires. Teachers well qualified. Out of 12 Schools, there are at present 7 Masters engaged, capable of instructing in the higher branches of education, one respectable female, three Masters calculated for the usual routine in County Schools, some Schools unoccupied. Reading, Writing and Arithmetic are taught, and English Grammar when the children are sufficiently advanced. Every child is taught the Creed, the Lord's Prayer and ten Commandments, with their duty towards God and their neighbour. The children belonging to the Church of England, learn the whole of the Church Catechism. The only land belonging to the Schools, with the exception of the site for each School House, are two acres given by the late Colonel Nase, on the Nerepis, and two acres on the South side of the River Saint John, also a donation for the same purpose, both in a state of wilderness.</p> <p><i>Studholm.</i>—Only two lots of land in Parish for use of Schools, both of which are granted to Madras Schools. Schools have been examined by us as Trusters, and we regret that the Teachers are not properly qualified.</p> <p><i>Upham.</i>—Schools visited by Trustees frequently, and have used our influence to have them well conducted, and have promptly investigated any alleged misconduct. Spelling, Reading, Writing and Arithmetic and Catechisms are taught, and in some instances scientific instruction is carried higher. Teachers generally, moral and good, particularly those licenced under the new system. Most of them keep Sunday Schools, which we would recommend all Teachers should be enjoined to do. <i>Their proficiency has not met altogether our approbation</i>, but much is to be attributed to the want of Books and the irregular attendance of the pupils.</p> <p><i>Hampton.</i>—Trustees completed in July a special examination of all the Schools in Parish.</p>
		5	9	Sophia Foster,		
		15	10	William Wear,		
		15	15	Joseph Dixon,		
		11	14	Charlotte Coxson,		
		23	13	Timothy Daly,		
		25	13	Ed. J. Whitman,		
		15	10	James Laird,		
		14	10	Charles Aram,		
		30	15	John McGraw,		
		15	15	Pat. McDonnauy,		
		16	16	Adam Dobbin,		
		14	11	George Coats,		
		17	16	Isaac Dudley,		
		9	6	Edward Murray,		
		21	15	Anna Whitman,		
		16	10	W. H. Darrah,		
		14	15	Ed. Queen,		
		26	8	Thos. Warrel,		
		12	8	John McCarthy,		
		9	9	Wm. Hay,		
		21	14	D. J. Casey,		
		13	9	Eliza Gamlin,		
		22	11	Jas. Vair,		
		21	20	Wm. Buchanan,		
		30	18	Nice Walsh,		
		14	12	Thos. Crawford,		
		21	12	Enoch C. Pitt,		
		11	8	Mary Fullerton,		
		11	10	Rebecca Guinn,		
		20	16	Jas. M'Annery,		
		14	9	Isabella M'Almon,		
		27	11	Patrick Bernnet,		
		5	5	John Reed,		
		18	14	Joseph Jenkinson,		
		15	12	John M'Court,		
		14	14	R. M'Cullough,		
		20	7	W. Tweedle,		
		16	11	John Keys,		
		27	8	Francis H. Person,		
		26	15	James Plume,		
		20	10	James Casack,		
		23	17	Johns Harwood,		
		33	16	G. W. Winniet,		
		23	7	Saml. Grimshaw,		
		23	9	Eliza Parlic,		
		23	14	Arch. M'Donald,		
		17	16	E. Marywell,		
		5	20	Eliza Wetherall,		
		6	8	Sarah M'Donald,		
		11	15	Edward Holmes,		
		14	14	George M'Connell,		
		15	10	James Davies,		
		5	10	Ann De Forrest,		
		24	12	Will Bell,		
		8	8	Thomas Boyd,		
		8	8	Jno. Somerville,		
		15	13	John A. Bayse,		
		7	21	Charlotte Holder,		
		12	22	Thos. Russell,		
		21	17	Robt. Nesbit,		
		9	11	Robt. Edgar,		
		10	14	Margt. Price,		
		5	7	Maria Haverland,		
		23	11	Jas. Stark,		
		29	10	Thos. O'Corcoran,		
		17	9	Geo. Powell,		
		6	14	Eliza Arnold, Mrs.		
		13	11	Pat. Casey,		
		21	18	W. Cunningham,		
		22	14	G. W. Nixon,		
		20	14	Will. Warrel,		
		24	7	Chas. C. Finnis,		
		17	17	Michael Paniston,		

Parish. Teachers have not afforded the fullest satisfaction, but being convinced that they are the best that can be obtained for the limited compensation, they have reported favorably of them. If they had looked for better, the Parish must have remained without Schools at all. Great want of proper Books.

No. 12. C. C. Finnis. Report favourable, progress of children creditable, Church Catechism taught. Teacher Licenced, July 4th, 1831.

TEACHERS LICENCED.

- No. 8. Edward Howard, fully competent, Church Catechism, July 29th, 1830.
 - No. 6. George W. Nixon, very satisfactory, Church Catechism, June 9th, 1818.
 - No. 4. Hugh Allen, very unsatisfactory, Licenced for Westmorland, August 10th, 1835. Edward Queen, not much better than preceding, no Licence to shew.
 - No. 3. Thomas Harewell, kept regularly, progress of children fair, February 18th, 1841.
 - No. 16. W. H. Darrah, Teacher well qualified, January 25th.
 - No. 1. Adam Dobbin, indifferent, Church Catechism taught and Scriptures read, June 11th, 1831.
 - No. 7. George Coats, tolerably conducted, Church Catechism, 1829.
 - No. 2. Will. Warrell, very well conducted, Church Catechism, 1833.
 - No. 14. Ann A. Whitman, indifferent, instruction as above.
 - No. 17. Isaac Dudley, indifferent, no School until last six months 1833.
 - No. 5. John W. Carthy, closed, the six months for which Teacher was engaged having expired.
- The dates indicate the time of Licence to Teacher.

Norton.—No. 1. Mary Fullerton, Reading, Writing and Arithmetic, Needlework, Church of England Catechism, if not objected to by Parents, School well conducted for small children.

No. 3. Rebecca Guinn, Reading, Writing, Arithmetic and Needlework, Religion same as above. Remarks same as above.

No. 4. Edward Roberts, Reading, Writing, Arithmetic, Geography and Grammar, not long in operation, well qualified.

No. 5. James W. Onery, Reading, Writing, Arithmetic, Episcopal and Presbyterian Catechisms, and Book Keeping.

No. 6. Isabella McAlmon, same as other Female Schools.

No. 7. Same as above, Globes and Book Keeping, well conducted.

No. 8. Eliza W. Gidney, as above, School well conducted.

No. 10. Isaac Campbell, Reading, Writing, Arithmetic, Episcopalian, Presbyterian and Catholic Catechisms, he has recently commenced School in good order.

The above Teachers all Moral and Religious characters to the best knowledge of Trustees. Schools visited as required by Act. Books are selected by Parents for their children. Trustees suggest that they be authorised to provide Books.

KING'S COUNTY—SUPPLEMENTARY.

PARISH.	How long in operation.	Average attendance.	Name and Salary of Teacher.		REMARKS.
			Prof.	Volunt.	
Kingston.					<i>Kingston Parish—Trustees Report.</i>
District, 1.					District No. 1. School in this District vacant since June 6.
2.		15	Sophia Foster,		No. 3. Reading, Writing and Arithmetic and Geography. Old and New Testament and Church Catechism.
3.		18	Will. Wier,		No. 4. Reading, Writing, Arithmetic, English Grammar and Geography. Classes in old and New Testament and Church Catechism.
4.		20	Rev. J. Cookson,		No. 5. Same instruction as above.
5.		16	Jos. Dickson,		No. 7. Same as above. Sewing.
6.		vacant.			No. 8. Same.
7.		12	Eliza Gamblin,		No. 9. Reading, Writing, Arithmetic, New Testament, Church Catechism.
8.		14	Chas. Cookson,		
9.		12	Timothy Daley,		
10.		16	Ed. Whitmore,		
11.		14	James Laird,		
12.		12	M. Cunningham,		
13.		vacant.			
14.			John McGraw,		
15.		18	P. McDonnahey,		
16.		vacant.			
17.			Miehl. Pennister,		

No. 10. Same and Geography.

No. 11. Same and Roman Catholic Catechism.

No. 12. Same and Roman Catholic Catechism.

No. 14. Reading, Writing and Arithmetic.

No. 15. Reading, Writing and Arithmetic. School Books used, Old and New Testament, and Roman Catholic Catechism.

No. 17. Reading and Writing, Spelling Book, New Testament and Roman Catholic Catechism.

Kingston Parish.

Trustees report that the Schools in Parish are generally as well conducted as can reasonably be expected under present system, although some of the Teachers not so well qualified as desirable.

Trustees

Trustees think it would be impossible to obtain Teachers of higher attainments for the remuneration received. In the remote Districts none but the young children are sent to School; Reading, Writing and Arithmetic, are all usually required to be taught; are of opinion, without some plan for increasing salaries of Teachers and raising them in the scale of society, the present difficulties and objections will continue. No man of education unless degraded, will take charge of a School in a remote Settlement, where the inhabitants are generally poor and illiterate, and amongst whom he must board and lodge alternately in part payment of his salary, with no other ultimate distinction than that of a "poor Country Schoolmaster."

Sussex Vale Parish.—Trustees Report.

Two lots of granted and one lot of reserved Land for Schools; the granted belongs to the Madras Board; one is situated near Jeffrey's Mill, containing 200 acres or more in the new line of road leading to Saint John's via Loch Lomond. Trustees anxious to give all the information in their power in regard to the state of Schools, and while they report that some are conducted to their satisfaction, they regret to be obliged to state that in other cases, there are Teachers who are very inefficient; two Schools of the six returned by Trustees are taught by Roman Catholics, though the inhabitants of the Districts are almost if not quite all Protestants. Trustees recommend that Roman Catholic Teachers should be confined to Districts where the Inhabitants are Roman Catholics. In other instances Trustees have cause to complain of neglect of Religious instruction, and have insisted where Church Catechism or some other summary of Christian faith and practice is not taught, that the Lord's Prayer and Ten Commandments should be taught. Trustees cannot help in conclusion, expressing their conviction that the Schools throughout the Country cannot be satisfactorily or advantageously conducted until a more respectable class of Teachers can be procured, and this they humbly conceive cannot be done without some Central Training School in which a better class of Teachers may be prepared and qualified for instructing the rising generation.

SUNBURY COUNTY.

PARISH.	How long in operation.	Average attendance.		Name and Salary of Teacher.		REMARKS.
		M	F	Provin'l	Voluntary.	
Bliswille. No. 1.				Mazran Hartt,		Bliswille.—No. 1. Infant School, Teacher sober and moral, conduct of School satisfactory. No. 2. Conduct of School satisfactory. 3. ditto, 4. ditto, REPORT.—Above Schools have been attended to and recently visited, and found in good order; Pupils making creditable progress in Writing, Reading, Arithmetic and English Grammar. Maugerville.—No. 1. Reading, Writing, Arithmetic, is taught five days in the week, Saturday devoted chiefly to Religious instruction, children all furnished with Books and paper by their Parents. No. 2. English Grammar, Reading, Writing, Spelling and Arithmetic, and Church Catechism on Saturday afternoon. Books used—Bible, Testament, English Reader, &c. &c. &c. furnished by Parents. Teacher has taught Singing, but not in this School. No. 3. Reading, Writing, Arithmetic, Spelling, Needlework. Same Books as above, and supplied as above. No. 4. Instruction and Books furnished as above. Schools visited regularly every quarter, but no Public Examination.
			Walter Paterson,			
			Phoebe A. Kelly,			
			Mary Daugherty,			
Maugerville. No. 1.		10	12	Neal Bradley,	£20 £11 and Board.	Members of the Society called Christians.
				R. Bartlett,	£20 £30	
				Jane M'Ewen,	£20 £15	
				Geo. Stewart,	£20 £10	
Sheffield. No. 1.		5	13	Isabella Ducher,	£20 7s. 6d. per qr. for each Scholar.	No. 3. Reading, Writing, Arithmetic, Spelling, Needlework. Same Books as above, and supplied as above. No. 4. Instruction and Books furnished as above.
				William Barker,	£20 £45	
				J. Denton,	£20 £25 and board & wash. all'd.	
Sunbury Grammar School.*		25	11	Jas. M'Clintock,	£20 £85	

Sheffield.—No. 1. Teacher, good moral character. Reading, Writing, Arithmetic, and English Grammar, Geography, and Needlework, Scriptures used, School regularly visited.

No. 2. Teacher, good character and well qualified, Reading, Writing, Arithmetic, Geography, English Grammar and History, Scriptures are read, and Religious instruction given, School visited quarterly.

No. 3. Teacher, and remarks as above. In the neighbourhood Sabbath Schools with suitable Libraries attached.

Nos. 4 and 5. Schools on French and Maquapit Lakes taught for two years by Messrs. Barnet and Steele, at present vacant.

No. 6. Observations as No. 3.

* Teaches as before. Reading, Writing, Arithmetic, English Grammar, History, Book Keeping, Geography, Euclid's Elements, and Latin and Greek Languages. The system of instruction is somewhat similar to the Collegiate Grammar School at Fredericton.

REPORT.—All the Teachers employed in these Schools in 1840, have given up their situations, having fulfilled their agreement with their employers.

COUNTY OF KENT.

PARISH.	How long in operation.	Average attendance		Name and Salary of Teacher.		REMARKS.
		M	F	Prov'l.	Volunt'y.	
<i>Richibucto.</i>						
No. 1.		5	15	15	Elisha Clarke, single.	<i>Richibucto.</i> —Semi-annual Examination held at all English Schools, and one of the Trustees examine Schools oftener. English Schools are taught by persons fully competent. Madras system partially in operation. Bible used in all Schools as a class book.
2.		9	15	15	Mary Seddal,	
3.		23	23	23	Thomas Powell,	
4.		12	11	11	Colin Spillan, native of Ireland & Catholic.	
5.		20	20	20	Henry T. Wleten,	
6. & 7.					J. Gregory and David Foster, discontinued.	
French Schools.	8.	12	10	10	Daniel Letterim,	
	9.	9	8	8	Felix Gallant,	
	10.	13	12	12	J. David,	
	11.	7	8	8	Peter S. Daight,	
<i>Carleton.</i>						
No. 1.		5	16	16	Nathaniel Layton, English.	
2.		25	12	12	Jacues W. Nutt, Nova Scotia.	
3.		29	12	12	William Paleys, Nova Scotia.	
4.		13	5	5	James S. Carmichael, Irish.	
5.		9	8	8	Edward Cayenn, Irish Catholic.	
6.		1	11	11	Lawrence Duple, native of County.	
7.		12	9	9	Alexander Gallant, native of County.	
<i>Weldford.</i>						
No. 1.		12	4	4	Elis. Campbell,	
2.		10	11	11	J. Hearn, native of Scotland.	
3.		17	15	15	Henry L. Dwyer, native of Ireland.	
4.		15	7	7	James R. Darney, native of Ireland.	
5.		11	1	1	Wm. Glenning,	
6.		15	9	9	Edmond Kelly, native of Ireland, Catholic.	
7.		17	8	8	William Graham, native of England.	
8.		12	10	10	Geo. P. Davis, native of England.	
<i>Wellington.</i>						
No. 1.		6	13	13	Cath. Haley, native of Ireland.	
English	2.	19	6	6	Pet. Mrs. Phelan,	
	3.	18	18	18	Amasa Weldon,	
	4.	12	11	11	Basil Noel, native of Canada.	
	French	5.	11	9	9	J. Bernard, native of Canada.
6.		9	11	11	Gabriel Herbert, native of Westmorland.	
<i>Dundas.</i>						
1.		7	8	8	Elis. Grinnel, native of Province.	
2.		3	12	12	Ellen Miller, native of England.	
English	3.	9	9	9	D. Miller, native of England.	
	4.	8	9	9	Wm. Bretton, native of County.	
	5.	13	12	12	H. Renouard, native of France.	
French	6.	11	12	12	Province, County.	
	7.	9	8	8	David Jolin, native of	

Doubts.—In all the English Schools in the County Kent, the Bible is used as a class book; in the French Schools the New Testament is used, great complaints of children being badly provided with suitable books, in many instances there are none to be procured, and in some the means are wanting, all the Teachers are believed to be steady, moral men, but generally badly paid, particularly in the remote Districts of the Parish, where the inhabitants are very poor.

WESTMORLAND COUNTY.

PARISH.	How long in operation.	Average attendance.		Name and Salary of Teacher.		REMARKS.
		M	F	Provin'	Voluntary.	
Harvey.						<i>Harvey.</i> —Trustees not able to make quarterly Reports owing to extent of Parish, Teachers all persons of good moral character, Schools Nos. 1, 3 and 7, in efficient state, Teachers well qualified and progress of Scholars highly satisfactory, Nos. 8, 9 and 10, qualified to teach Reading, Writing, Arithmetic; progress of Scholars very satisfactory, Nos. 11 and 12, Elementary Reading, Writing, Spelling and Arithmetic, and progress satisfactory, system Common Parish Schools, no Religious instruction during School hours as the children belong to different Sects.
No. 1.		18		J. Walker,		
2.		10		Maria Smith,		
3.		20		Will. Smyth,		
4, 5, 6.				vacant,		
7.		17		Luke Brewster,		
8.		20		J. Cairns,		
9.		14		Pat. Brown,		
10.		16		Jas. Seely,		
11.		15		Josias Wilson,		
12.				vacant,		
Hillsborough.						
No. 1.				N. M. Stephens,		
2.				G. W. Stephens,		
3.				G. W. Adams,		
5.				Wm. Duffy,		
7.				Giles Smith,		
Shediac.						<i>Shediac.</i> —Nos. 3 and 4, Teachers term of engagement expired. The two English Schools visited by Trustees, are in a high state of efficiency, both Male and Female fully competent, the other English Teachers whose terms have expired did not possess high qualifications, system the old School common to most parts of the Province, Reading, Writing, Arithmetic, Grammar, Geography, Needlework, Teachers exemplary. All teach in French, Teachers generally good, moral and sober, Scholars in general very young, few above 10 years, Reading, Writing, a few cyphering, seldom kept at School above one or two years, the Schoolmasters teach their own Catechism. <i>Dorchester.</i> —Number of Scholars generally from twelve to forty, Reading, Writing, Arithmetic, Teachers sober and moral, Children taught the Christian doctrine in their respective Religious Creeds, and are generally attentive in School hours, F. Guarreau. Six English Schools containing 164 Scholars. Writing, Reading, Cyphering, Catechisms taught according to views of Parents. R. Godfrey, W. Layton. <i>Hopewell.</i> —Schools inspected, but not regularly every quarter. 8 School Districts in Parish, and 7 Schools in operation. One School only taught by Female. Schools in Districts Nos. 2, 3, 4, are the largest, and the Teachers are competent to teach common Schools. All the Teachers are persons of good moral character. No Religious instruction afforded, Sabbath Schools are in operation, and it is intended to extend them to all convenient parts of the Parish. Arrangements are being made to procure such books as are required, Reading, Writing, Arithmetic, English Grammar. Scholars who have attended during the last 4 years are well advanced in Reading and Writing. Very few advanced to the age of 15 years who cannot write and read.
No. 1.		1	14	R. Douglas,		
English 1. } 2.		43		Mary Miles,		
2. } 3.				Margaret Henety,		
3. } 4.				Siwin Thebald,		
No. 2.		6				
3.		6				
6.		6		Jaques Grenot,		
7.		12		— de Varence,		
8.		6		Louis Richard,		
5.		6		— Legau,		
Dorchester.						<i>Dorchester.</i> —Number of Scholars generally from twelve to forty, Reading, Writing, Arithmetic, Teachers sober and moral, Children taught the Christian doctrine in their respective Religious Creeds, and are generally attentive in School hours, F. Guarreau. Six English Schools containing 164 Scholars. Writing, Reading, Cyphering, Catechisms taught according to views of Parents. R. Godfrey, W. Layton.
Schools, 6.		10				
Hopewell.						<i>Hopewell.</i> —Schools inspected, but not regularly every quarter. 8 School Districts in Parish, and 7 Schools in operation. One School only taught by Female. Schools in Districts Nos. 2, 3, 4, are the largest, and the Teachers are competent to teach common Schools. All the Teachers are persons of good moral character. No Religious instruction afforded, Sabbath Schools are in operation, and it is intended to extend them to all convenient parts of the Parish. Arrangements are being made to procure such books as are required, Reading, Writing, Arithmetic, English Grammar. Scholars who have attended during the last 4 years are well advanced in Reading and Writing. Very few advanced to the age of 15 years who cannot write and read.
7.						
Botsford.						
No. 1.				Alex. Ferguson,		
2.				Colin V. Burskirk,		
3.				Gilbert Wale,		
4.				Wm. Tarrace,		
Petitecodiac.						<i>Petitecodiac.</i> —Number of Scholars generally from twelve to forty, Reading, Writing, Arithmetic, Teachers sober and moral, Children taught the Christian doctrine in their respective Religious Creeds, and are generally attentive in School hours, F. Guarreau. Six English Schools containing 164 Scholars. Writing, Reading, Cyphering, Catechisms taught according to views of Parents. R. Godfrey, W. Layton.
No. 1.				Thomas Casey,		
Dist. No. 1. 2.				P. W. Sweeney,		
3.				Eliza Wilson,		
4.				Delilah Watson,		
3. 5.				Will. Constantice,		
3. 6.				David Horseman,		
4. 7.				Susan Lewis,		
Sackville.						<i>Sackville.</i> —Number of Scholars generally from twelve to forty, Reading, Writing, Arithmetic, Teachers sober and moral, Children taught the Christian doctrine in their respective Religious Creeds, and are generally attentive in School hours, F. Guarreau. Six English Schools containing 164 Scholars. Writing, Reading, Cyphering, Catechisms taught according to views of Parents. R. Godfrey, W. Layton.
12 Schools in operation.						
Westmorland.						
No. 1.		35				
2.		30				
3.		30				
4.		8				
5.		12				
6.		15				
7.						
8.		5				
Salisbury.						<i>Salisbury.</i> —Number of Scholars generally from twelve to forty, Reading, Writing, Arithmetic, Teachers sober and moral, Children taught the Christian doctrine in their respective Religious Creeds, and are generally attentive in School hours, F. Guarreau. Six English Schools containing 164 Scholars. Writing, Reading, Cyphering, Catechisms taught according to views of Parents. R. Godfrey, W. Layton.
No. 1.		19		Robert Hay,		
2.		15		James M'Queen,		
3.				Jas. W. Wood,		
4.		15		Seraphina C. Cole,		
5.		12		Mary Ann M'Menzie,		
6.		4		Margaret Smith,		
7.		12		M. M'Donald,		
8.		4		Cath. Constantice,		
9.		15		Matilda Miles,		
Coverdale.						<i>Coverdale.</i> —Number of Scholars generally from twelve to forty, Reading, Writing, Arithmetic, Teachers sober and moral, Children taught the Christian doctrine in their respective Religious Creeds, and are generally attentive in School hours, F. Guarreau. Six English Schools containing 164 Scholars. Writing, Reading, Cyphering, Catechisms taught according to views of Parents. R. Godfrey, W. Layton.
No. 1.				James Duffy,		
2.				Ann Stephens,		
3.				Owen Sullivan,		
4.				Elinor Russell,		
5.				John M'Kenzie,		

Rotsford.—No. 1. Satisfied with School. No. 2. In a pretty forward state. No. 3. Getting on well. No. 4. School just commenced, Teacher competent. Presbyterians, Church of England, Methodist, and Roman Catholic.

Petitcodiac.—Schools examined every quarter regularly.

No. 1. Class system, Elementary Branches of English Education, Methodist principles inculcated, Teacher moral and sober, and teaching satisfactory. No. 2. Same as above, Teacher of good reputation, is a Roman Catholic. No. 3. In addition to Common Branches, Ornamental Needlework and Painting, Teacher very efficient, Presbyterian. No. 4. Usual Branches, with Plain Sewing, Baptist. No. 5. Reading, Writing, Arithmetic, Grammar, Teacher capable and moral, Baptist. No. 6. Usual Branches, with Reading, Writing, Arithmetic and Grammar, Teacher competent and of good reputation, Baptist. No. 7. Same as above, Scholars make good progress, Baptist.

Sackville.—Schools not usually inspected every quarter, owing to the great distance they are apart, (20 miles) and the length of time, (3 days) at least in each quarter it would require. But half yearly Examinations have been generally made, (12 Schools in operation.) Teachers moral and qualified to teach Writing, Reading, Arithmetic. In one or two of the Schools, English Grammar, Mathematics, are taught. Religious instructions very limited, and but little attended to, Church of England, Methodist and Baptist Catechisms in use, a great deficiency of Bibles and Testaments, and other useful Books, for Moral and Religious Instruction.

Westmorland.—Trustees having been recently changed by Sessions, the present Officers unable to state whether the Schools have been regularly visited every quarter. A special visit gives the following result:—

No. 1. Inefficient, Teacher being so, Elementary Branches taught, Religion unattended to.

No. 2. Very flourishing, and every attention paid to good order: Latin, Euclid, Bonneycastle's Mensuration, Natural Philosophy, Geography, English Grammar.

No. 3. Geography, Grammar, Bookkeeping and Elementary principles, Children improving, Teacher qualified.

No. 4. Arithmetic, Writing, Reading, improving, Teacher attentive.

No. 5. Same as 4.

No. 6. Mathematics, English Grammar, Geography, Elementary Branches, Teacher well qualified.

No. 7. Teacher quite inefficient, but Trustees have no power to remove him, he having passed the Board of Education.

No. 8. Recently commenced under Female Teacher, who appears qualified.

Salisbury.—No. 1. Reading, Writing and Arithmetic, improving.

No. 2.

No. 3. Not teaching the day visited.

No. 4. Spelling, Alphabet, Reading, Writing, Arithmetic, only recently commenced, Church of England.

No. 5. Reading, Writing, Arithmetic, only recently commenced, Testament and Catechism.

No. 6. Reading, Writing, Arithmetic, and Sewing and Testament.

No. 7.

No. 8. Reading, Writing, Arithmetic.

No. 9. Reading, Writing, Arithmetic, the same system taught in all the Schools.

Coverdale.—No. 1. Teacher Protestant, sober, moral, and duly qualified, Reading, Writing, Arithmetic, Pupils advancing.

No. 2. Instruction same as above, Teacher good character, Methodist, Scholars improving, being very young, have not made very great progress.

No. 3. Teacher well qualified and exemplary, Church of England, some of the best Scholars in the Parish the fruits of his labour.

No. 4. Only recently commenced, Teacher competent, character unblemished, Reading, Writing, Arithmetic, Presbyterian, Scholars advancing.

No. 5. Recently commenced School, Teacher good character and well qualified, Protestant, Scholars young, and not far advanced, Trustees happy to report that ample and efficient means afforded them by Provincial Government for School department, which has been a means of raising a great excitement and desire for Education of Youth in all the back Settlements, and Schools have been brought into operation, and good effects resulting therefrom in places where, some years ago, whole families were growing up in ignorance.

CARLETON COUNTY.

PARISH.	How long in operation.	Average attendance.		Name and Salary of Teacher.		REMARKS.
		M	F	Provinc'l	Voluntary.	
Brighton. 5 Schools.		100		William Howard, £20 £30 boards himself.		<i>Brighton Parish.</i> —Trustees have made quarterly inspections of Schools in Parish. 5 Schools in operation. Moral character of Teachers unimpeached. All Licenced by Government, and all passed by Board of Education, though we believe all have not been examined by Board of this County. Acquirements are sufficient for the discharge of their duties in this Parish where children are seldom kept at School long enough to obtain the higher branches of Education. Common system of instruction pursued, Reading, Writing, Arithmetic. Scholars generally young, and few have been at School before this Season. Religious instruction not introduced, except in one instance where parts of the Scriptures are recited. No Lands granted for use of Schools. Last Census gave 631 children under 16, of these one half might attend School if opportunity were afforded. Some authoritative measure much wanted to procure and perpetuate a sufficient number of suitable School Houses located in proper situations, and on lands vested either in the Court of Sessions or in Trustees for that purpose, and solely under their management, thus preventing individual caprice from exercising an undue influence in the School, which has it is feared been sometimes the case, there are but three places purporting to
				William Stevens, £20 £25		
				W. H. Houston, £20 £40		
				John Palmer, £20 £20 boarded by Pop.		
				Isabel C. Persey, £20 £25		
Northampton. District No. 1.				John Somerville, Wm. Skinner, No School House, Daniel Palmer,		
2.						
3.						
4.						
5.						
Wicklow.						
Kent, 3 Schools.						
No. 1.	2 months.			R. W. Alimen, Ann Stickney, Patrick Finn.		
2.						
3.	2 months.					
Andover.						
Wakefield. 10 Schools.						

be School Houses, and one of these is in a very unfinished state, and the School at last visitation was suspended on account of the cold weather; the other two are but apologies for School Houses. The remaining School Rooms are in private houses and in private property. Trustees of opinion that the onerous nature of the Law, which imposes so heavy a task on Trustees, 8 days at £3 per annum, and few persons being found capable in remote situations of performing the duty, the same are frequently appointed for several successive years, and thus subjected to a heavy tax, from which their neighbours are exempted, while under the existing regulations their influence in the Schools produces but partial benefit. But a still greater impediment exists in the apathy of a majority of the inhabitants, of whom many are ignorant, and consequently not aware of the benefit of Education. If one person is willing to support a School, several others are not, if they subscribe, they pay for their subscriptions in such articles as they happen to have at their disposal. Trustees of opinion, until more adequate provision is made by the Legislature for procuring School Houses, for the management of Schools by disinterested and compensated Trustees, and for the direct compensation of competent Teachers, that little can be done in the way of improving the Schools, and Trustees of opinion, should be made, even if a tax on property were the consequence.

Northampton.—No. 1. School Room built, and in good condition, but no School taught. Property of George Traffen.

No. 2. No School House, a room used in Mr. James Rankin's house. Teacher every way capable, and School in excellent state.

No. 3. School erected by the inhabitants on property of Mr. George Gilbert. Teacher moral, and School doing well.

No. 5. School House erected on property of D. Shaw. Teacher moral and competent. School conducted satisfactorily. Reading, Writing, Arithmetic, Algebra, Geometry, French Grammar, and other French Books, New Testament and Bible. One acre of Land has recently been laid off in Northampton, in H. Cogle's lot.

Wicklow.—School has been visited, and Trustees are satisfied with capability of Teacher and progress of Children in Reading, Writing and Arithmetic, English Grammar and Geography. Teacher is sober and moral. No Lands in Parish granted for the benefit of Schools.

Kent.—3 Schools in operation.

No. 1. A stranger, not yet passed the Board of Education. Trustees have visited the School, and are satisfied. Teacher moral, and fully competent for the requirements of School.

No. 2. Teacher pious, and conducts her School in an exemplary manner, but not competent to teach a School of higher class than her present. Reading, Writing, Grammar and Arithmetic. When her term is expired, she intends taken instructions herself. Trustees recommend that she be retained as a Teacher.

No. 3. Teacher fully qualified for School. Trustees satisfied with his teaching, &c. Trustees have but little previous knowledge of him, can say nothing as to his morality, but have had no reason to find fault with him, is a Roman Catholic. There are 5 School Houses in the Parish, all standing within the limits of the Highway Road. No Land appropriated by Government for use of Schools.

Andover.—Schools regularly inspected. Teacher qualified and character good. Schools in an efficient state. Reading, Writing, Arithmetic, English Grammar and Geography taught, and elementary principles of religion. School Houses erected on Lands neither leased or rented.

Wakefield.—Schools specially visited by Trustees, but owing to Parish containing 10 Schools, and scattered over a surface of 20 miles long and 8 broad, Trustees have to travel 60 miles on each visit, and inspection would take a week each time; Trustees would, in the aggregate, have to travel over 260 miles, and lose 4 weeks in the year, besides travelling expenses, they have therefore only visited Schools semi-annually.

Schools, with few exceptions, in an efficient state, which we attribute principally to the following causes, viz:—Altho' Teachers are generally men of sober and moral habits, and in some cases of tolerable Education, yet in other cases, we do not think that they possess the qualifications necessary for so important and respectable a charge.

2d—There are but few Teachers who remain above six months in a year in one School at a time, and it is very common for the School to remain vacant for that period, which of itself precludes the possibility of pupils making any great proficiency in learning.

3d—The great deficiency of suitable Books in the Schools generally, each Teacher pursues his own system, the extent of general Education afforded is Reading, Writing, Arithmetic, and in a few, English Grammar and Geography are taught, all the religious instruction afforded consists in Reading the Scriptures, and in some few instances Catechisms are taught. No Land granted for use of Schools. The School Houses stand on private land by permission, except two, for which the land has been granted, one by deed, and one by lease for 21 years.

OBSERVATIONS

OF A. READE, ESQUIRE, ON THE REPORTS OF THE TRUSTEES OF PARISH SCHOOLS,

Dated Fredericton, January 18, 1842.

The foregoing Abstract from the Reports of the Trustees of Schools must be regarded as extremely imperfect, and as furnishing not even a proximate idea of the amount, extent or value of education afforded to the young in the Province. Not more than one half of the Parishes have made returns, and the number of Schools exhibited in this Table is barely one half of the whole number which by the returns in the Secretary's Office would appear to be in existence. Nor can the value or extent of the information afforded be accurately ascertained from the Trustees reports; nor in many cases the mode of instruction, or its efficiency—the remarks being of so general a nature as to render it impossible to arrive at any satisfactory conclusions on these points. But in looking to the different subjects on which their opinion and views have been expressed, a summary of them may not be altogether useless. And first, as regards Teachers, on whom must evidently depend the good conduct of the Schools and progressive improvement of the Scholars, their conduct generally is spoken of as moral, and in most cases they are considered sufficiently advanced for the state of society for whose benefit the School is established. But here one is alone led to enquire what are the acquirements which are requisite in Teachers for the proper training of even the most humble class of the inhabitants: Honesty, sobriety and morality are essentially so; but a certain amount of mental and intellectual power must be considered equally indispensable.

The object of education is to form the mind, not merely to teach a child certain stated lessons, but to lead it to think rightly on all subjects within its power and capabilities; hence much depends not only on the instruction given, but in the mode of giving it.

It would appear therefore extremely desirable to ascertain as far as practicable what is the best method of imparting instruction, and that being settled, to adhere to it. Now the only way by which any uniform system can be introduced, is clearly through the medium of Teachers trained under a particular system for the purpose of educating

educating others in the same; and for this an Institution for the training of Teachers, on the principle of a Normal School, seems absolutely indispensable. No examination of Teachers, as to their acquirements or fitness for the office they solicit, can ensure an efficient system which can stand in comparison with that which would result from their pursuing a course of training in a School where they would both learn the system and practically apply it at the same time, and be thus prepared to introduce it, wherever their services might be called for. But there is at present one formidable obstacle to any such plan, or indeed to any plan which has in view competency and respectability on the part of Teachers, viz: the insufficiency and uncertainty in the mode of remuneration. The surest way to lower the value in which education is held amongst the people, is to afford a pittance to its professor wholly inadequate to the wants and necessities of any respectable person; the effect of this, except in cases where it is known that other adequate provision is made, being to impress the minds of the mass with the idea that education is a thing of secondary importance, since it is worse paid than any other trade or occupation, producing the feeling that no person would occupy himself in this way who could make a livelihood in any other; a conviction which must at once lower his character in the eye of both scholar and parent, by whom he will naturally be looked upon in many instances as a needy adventurer.

Another evil is the mode of payment, which to every respectable person, raised above actual want, must be a source of much pain and discomfort. If the labour of the hands ever will exalt one man above his fellow, the labourer in this field ought to be in a position at least equal to those whose support depends on the labour of his hands. But considering their relative circumstances, it is hardly too much to say, that even looking to the present, he is scarcely so well remunerated, and in regard to the future, his prospects are worse than that of the man who possesses one hundred acres of land, to which the labour of his hands will add yearly increased value.— Another great drawback to any efficient and uniform system, is the variety and nature of books generally in use throughout the Province. Each School it appears has its own set of books, which at the change of each master are liable to be objected to, and others substituted, if the master has sufficient influence with the parents to effect this.

But what is still worse in many Schools, each Scholar brings his own books, which are selected by the parents, so that there is no possibility of forming classes; and but too frequently the books thus selected are either of an inferior character, or, as in some instances, of a nature for which, to say the least, better substitutes might be found. Another serious evil is the period for which a School is kept open: this seldom exceeds six months; and in many cases the masters or mistresses are only retained for this period.

It must be obvious that where this is the case, the greatest possible stimulus to the Teacher is at once lost, and the great secret of advance in the pupils partially if not wholly destroyed.

The great superiority of one Teacher over another, consists not merely in his intellectual qualifications, but essentially in the interest and affection he may be able to excite in those placed under his charge, and which, if reciprocated, and only as it is more or less reciprocated, can insure success in a School. Now it is quite clear that this must be wholly wanting where Schools are not only kept open for so short a period as six months, but where the Teachers' engagement is limited to that period. The two great incentives to exertion are thereby lost. The Teachers cannot be expected to enlist very deeply their own feelings on behalf of those who will be under them for so short a period, nor to feel any great interest in their progress and advancement, when they are liable to be removed just at the moment when the good effects of their teaching would be first appearing. Hence it would seem desirable that the period of any Teacher's engagement should never be less than twelve months. Such a regulation would not, of course, interfere to prevent the removal of any who might prove incompetent, or whose conduct might render their dismissal desirable. But if an efficient and uniform system be adopted, to which all Teachers are required to conform, and whose capabilities have been previously tested, there will be no great danger of the frequent recurrence of such cases.

Another point of importance is the locality and construction of the School Houses.

The importance of a central situation must be obvious to all, as both the regularity and attendance of the Scholars must mainly depend on it; and it would perhaps be desirable, with a view to this, to require a return of the number of families residing within given limits of each School House, their conditions, and the limits of the district in which the School is kept, and the number of families who may be supposed precluded from sending the children by reason of the distance of the School from their dwellings.

The construction of School Houses is also a very important feature in the due training of children. In a Province where the necessity and extent of education are not felt by the inhabitants generally to be of that supreme importance which would lead them to make any sacrifice for it, and where so great an inducement is held out to withdraw children from School for purposes of domestic employment, the evils arising from the ill construction or ill adaptation of these, for the purposes intended, are not perhaps so imminent or so great as under other circumstances; but still it must be considered of the utmost importance to imbue children with the principles of order, regularity, method and arrangement, so that they may become habitual to them. But the ill adaptation of a School Room may prove a serious barrier to any thing like proper classification, without which the efforts of the Teacher must be materially weakened. And looking to the daily increasing population of the Province, and anticipating a vast increase in the number of Scholars, as Schools become more efficient, and the advantages and necessity of a sound education more appreciated, it may be reasonably calculated that more than three fourths of all the children in the Province will be brought up in them, "will spend a considerable portion of the *most impressible* period of their lives there; and hence the condition of these buildings, and their influence on the young, is of great importance; the construction of the Schools connects itself closely with the love of study, with proficiency, health, anatomical formation, and length of life."

The mental and physical powers of a whole generation may depend on their early training, and the whole life improved or impaired by improving or impairing its beginning. In reference to the formation of Agricultural Schools, the opinion of Trustees and Board of Education are generally unfavorable; but they rest rather on the difficulty of carrying them into operation, than to any objections to them *per se*. These difficulties appear to exist chiefly in the following particulars, viz:—

1st.—The difficulty of obtaining Land for the purpose.

2d.—Of persuading parents to allow their children to devote their time to this purpose, which they would consider much better employed on their own Farms.

3rd.—Parents generally would not appreciate the value of such instruction in improved methods of farming and husbandry, which in a new Country do not appear so indispensable.

It is obvious that it must rest with the Legislature or private individuals to overcome, by a small appropriation of Land attached to a School, in each County or Parish, the first difficulty. The two other prejudices will be best overcome by the evidence of the good effects resulting from the establishment of any one such School, in a suitable locality. In an old and densely peopled Country, Farmers are driven to improved methods of tillage and agriculture from the necessities of the times—which oblige every man, as the value of his produce diminishes, to increase its quantity. But it is surely not less important in a new Country to adopt the most improved systems, instead of allowing a population to grow up under an inferior one, which must ultimately give way, as necessity compels the adoption of the former. The value of example is to shew us how to adopt the right and to avoid the wrong way, and it is the part of wisdom, in a young Colony, to benefit by the experience of those Countries which have gone through the stages of progress and difficulties, from which present knowledge and experience might have saved them.

It must be always important to raise Agriculture to its proper elevation; and this cannot be better effected than by connecting all the working of its practical details, with a knowledge of its principles. A School which should combine this with other instruction, would be a means of sending forth a valuable class of persons, who would at once enter on the business of the Agriculturist with a practical and theoretical knowledge, which must be of the greatest service in infusing a spirit of emulation for the development and improvement of the capabilities of the Province. As

As illustrative of the importance to the Farmer of uniting some theoretical knowledge of Agriculture with its practical details, thereby enabling him to employ his energies in the way most profitable to himself and most beneficial to his Country, it may not be altogether out of place to quote the remarks of one who has long devoted himself to the study and improvement of the Agriculture of his native Province; he remarks—"The substances about which Agriculture is employed are all compounds, that is, they consist of elements into which they are capable of being resolved. Of this no Farmer should be ignorant, and he ought to attain at least so much chemistry as to know the nature, the properties, and the combinations of those elements which are almost never at rest, but from the operation of heat and of attraction, are going one constant round of composition and decomposition. Water and air are themselves not simple, but made up of æriform fluids, according to fixed proportions, in the grand elaboratory of nature, and as they have no small share in the process of vegetation, their component parts should be familiar to him. In fact he cannot understand the nature and use of those vulgar operations, which his hands are perpetually performing, nor perform them aright, until his mind be illuminated by a few glimpses of this science. I impose on him no laborious study of deep chemical research, I only require that he be exalted above the brute which tugs in harness and assists him in his labour, by such an insight into the principles of his practice as will enable him to direct and preside over it with an eye of intellectual superiority."

There is one class of Schools of especial importance in a young Country, and where labour is expensive, viz: Infant Schools. Perhaps the whole moral condition of a Country at a future period might be predicted from the state and efficiency of its Institutions for the training and education of its infant population. It is there that the first seeds of good order, regularity and morality are sown, and when duly matured, they cannot fail to bring forth fruits in after years. "The child is father of the man." It should therefore be an especial object as early as practicable, to commence a system which, if well considered, will go far to assure us of the condition of those who come after us. What better legacy could a statesman leave to his Country, than a generation nurtured up in those principles of truth, justice, morality and religion, whose fruits will abide the test of time. In the Mother Country, Infant Schools took their rise from Dame Schools; these originated in a want widely felt by a large class of industrious persons, who, compelled to seek for work away from their houses, were at a loss how to give proper care to their younger children; hence generally some one of the oldest persons in the village or neighbourhood was selected to look after them, while their parents were engaged in their labour of the day. At first the duties of this person were confined to simply keeping them out of mischief, but in the course of time it occurred to thinking persons that it was a pity to keep together in idleness so many children, some having almost exceeded the year of infancy, and in forming them into a class, rather with a view to amusement than instruction; the foundation of the Infant School system was laid.

The capabilities of infants, not only individually, but when brought into relation with each other as a body, have been shown to be very great. So great, that in all ordinary cases, their own judgment has been found sufficient for the correction of the wrong actions of their Schoolmates; and thus for the keeping up the discipline of the School. But in their collective capacity it is found, that, under proper direction, their good dispositions are more alive and readily called forth, while their evil tendencies are suppressed; and in constantly viewing the reward of virtue and good conduct in the approbation of their teacher, and the estimation in which they are held by their Schoolmates, and the shame attaching to the opposite, they cannot fail on entering life to be better prepared, on all occasions, for its duties, and better fortified against its allurements, than can be the case with those on whom these early advantages have not been bestowed. There is one consideration which cannot fail to strike any one perusing the Abstracts from the Trustees' Reports, and which it would be hardly fair to omit all notice of, viz: the duties of the Trustees. On their effective supervision must mainly depend the efficiency of a School. The onerousness of their duties is generally complained of by them, and generally acknowledged by others. Exertions which are gratuitous are doubtless more effective, as they spring from a higher motive than those which are only yielded when paid for; but in a Country where the wages of labour are

are high, and it is difficult to find a substitute for the superintendence of concerns, which cannot be neglected without injury to their owners, it is a serious evil to be called on to leave one's home, incur the expense and inconvenience of a long journey, and to be detained for several days for the purpose of visiting, quarterly, the Schools in each Parish. Without exception, all the Trustees have expressed their willingness and desire to fulfil faithfully their duties, but lament, at the same time, in most cases, their utter inability to do so without the greatest sacrifice to themselves and families. Many of them are residing at distances varying from twelve, twenty five and thirty miles from the Schools they are required to visit; and state, that their quarterly visit for the mere purpose of inspection, occupies three whole days, making thus an average of twelve days in the year, occupied in visiting, probably, in many instances, half that number of Schools. It would hardly be deemed too much to allow the Trustees a certain sum for their travelling expenses, wherever the Schools are more than four or five miles from their residence.

Such an allowance would be the means of exciting a greater interest in the welfare of the Schools, and enabling those who feel such interest, to devote themselves to their duties, without the serious risk and sacrifice at present incurred.

The few brief remarks on the different points suggested in the foregoing paper, fall far short of what I should have desired to submit for your Excellency's consideration. Each of them would occupy many sheets, but having been called on to make the accompanying abstract, I could not feel satisfied in submitting it without a brief notice of some of the points to which my attention was more especially directed.

In any arrangement which may be made in reference to the Schools generally in the Province, I would suggest the propriety of some provision for regular returns of the Schools throughout the Province being sent in either quarterly or semi-annually, in a Tabular Form, by the proper authorities, without which it is impracticable to form any correct opinion of the state of education, or of the due fulfilment of the obligations of the Teachers. Some Forms of Returns are herewith appended, but which are susceptible, probably, of many additions and improvements.

In the preceding observations, I have I believe, touched on most of the points comprised in the Circular Instructions to the Boards of Education, to which I have thought it right to confine myself. But there is one subject to which the attention of the Boards of Education and the Trustees was especially called in one of these Circulars, which I cannot feel satisfied in altogether passing over, and which cannot fail to strike every one perusing the abstracts, viz: *the absence of all religious instruction in many of the Schools.* This has been the consequence of the difference of the religious belief of the Parents of the Scholars which has made it a matter of extreme difficulty, if not of impossibility, for the Teachers to introduce any regular religious instruction.

A serious and startling question is here presented to us, viz: Ought we to suffer the minds of children at a period when most easily impressed, to grow up without any serious impressions resulting from the inculcation of the great doctrines of religious belief? If we would instruct children in the duties they *now* owe as sons and daughters, as brothers and sisters, as schoolfellows and associates, and in the duties they *will soon* owe when emerging from parental restraint and called upon to perform and fulfil their obligations as citizens, where can we lay the foundation of such instruction save in the sure word of Almighty God? If the money of the State is devoted to the education of its people, it may fairly require that that education shall be conducted on principles which have a sure and sound basis, and a provision for the daily perusal of the Scriptures would perhaps be the means of inculcating its doctrines, not only in the children, but also in the old through the instrumentality of the young.

CIRCULAR INSTRUCTIONS TO BOARDS OF EDUCATION.

Secretary's Office, 1st June, 1841.

SIR,—Reports having been received by His Excellency the Lieutenant Governor that several of the Schools established in Parishes under the Provincial Act of 1837, are in an inefficient state, and that the persons entrusted with their management are unfit for so responsible a charge, I am directed by His Excellency to request that you will call on the Trustees in the several Parishes in your County, to report whether quarterly inspections, as required by the third Section of the Act, have been regularly made by them, and that they will specially visit and inspect them, making a Report as required of their efficiency, and of the character and qualifications of the Teachers, and the system and extent of instruction, religious and general, which is afforded. I am also directed to request that you will communicate with these Reports, the latest Returns received of the number of children in the several Schools, distinguishing Males and Females.

I have the honor, &c.

(Signed)

WM. F. ODELL.

To the Clerk of the Peace of —.

Secretary's Office, Fredericton, 19th August, 1841.

GENTLEMEN,—I have the honor to request, by direction of His Excellency the Lieutenant Governor, that in all cases of Petition for Licence to teach a Parish School, the Minister of the Congregation to which the applicant has belonged for the last twelve months, if not a Member of the Board, will certify to their religious and moral character; and that the applicants be directed to enumerate in their Petitions such of the following acquirements as they possess, and in which they are able to instruct the children, viz: Reading and Spelling, Writing and Arithmetic, Singing; and in cases of Female Teachers, Needlework; and to accompany their Petitions with a specimen of their Writing. You will also be pleased to state whether Bibles are provided for the Schools, and what other Books are used in the instruction of the children, as also whether they are subject to any and what examinations.

I have the honor, &c.

(Signed)

WM. F. ODELL.

To the Board of Education for the County of —.

Secretary's Office, Fredericton, 14th September, 1841.

GENTLEMEN,—His Excellency the Lieutenant Governor having it in contemplation to promote the formation of a Training and Model School at Fredericton, where Teachers of Parish Schools may be trained on an improved system, their qualifications tested and ascertained, and a material improvement be thus effected in the Parochial Schools throughout the Province, has directed me to call the attention of the Board of Education to the subject, with a view to ascertain if they can recommend any better mode of local remuneration to the Teachers than the existing one of board, lodging and washing.

If a habitation for the Master and a few acres of land could be attached to the School House, it would afford the means of introducing the system of the Agricultural Schools of England, in which the boys are instructed in improved Husbandry for a certain part of the day, and the ground is made to contribute to the maintenance of the Teacher of the School. The details of this plan can be furnished in case the land to the amount of about ten acres can be obtained, and a part of it cleared and well cultivated. Upon these points also I have to request that the Board will favour me with such information and suggestions as may be in their power, to be submitted for His Excellency's consideration.

I have the honor, &c.

(Signed)

WM. F. ODELL.

To the Board of Education for the County of —.

Secretary's Office, Fredericton, 5th October, 1841.

GENTLEMEN,—I am directed by His Excellency the Lieutenant Governor, with reference to the Circular of the 19th of August last, to intimate to you, that a practice having of late grown up in the Country Parishes of England, and which is rapidly extending, of employing females in the charge of Schools in which children of both sexes

sexes are instructed, His Excellency is desirous of forming a Training School at Fredericton, under competent direction, in which the Candidates for Licences might receive the necessary training to qualify them for taking charge of Parish Schools; and he therefore wishes to be informed if respectable women, married or unmarried, between the ages of twenty five and forty, could be found that would undertake the charge of Parish Schools, and who would come to Fredericton for the necessary training. The system of instruction would thus become efficient and uniform in the Parish Schools.

In the mean time, until answers are received from the Clerks of the Peace, from whom Returns have been called for, of the state of the Schools, His Excellency wishes to reserve the question of Licences to applicants for Parish Schools, and especially to men, excepting for such a time as would allow Candidates of the above description to be brought forward.

I have the honor, &c.

(Signed)

WM. F. ODELL.

To the Board of Education for the County of —.

Secretary's Office, 11th November, 1841.

GENTLEMEN,—I am directed to communicate to you that His Excellency the Lieutenant Governor has had under consideration the answers which have been received to the Circular Letter of the 14th September, and although answers have not been received from all the Counties, His Excellency does not wish to delay the expression of his thanks for the valuable information and suggestions which are contained in the Reports of some of the Boards, and in contemplation of measures for remedying the most prominent of the defects of the present Parish School system, His Excellency proposes at once to explain the views which a consideration of the whole subject has suggested to his mind.

His Excellency is deeply impressed with the necessity of early measures being introduced for the amelioration of the present defective system, and he is decidedly of opinion that the Public money cannot be better expended than in the formation and support of good Schools, nor be more completely thrown away than in the upholding of those which are conducted on a bad system or established on improper principles.

A well digested and uniform system of teaching, and a proper set of School Books, among which Bibles and Testaments are indispensable, appear to His Excellency to be the great desiderata; and when the large sum expended by the Legislature under the present Parish School Law is taken into consideration, the introduction of a system by which a much greater amount of good must result, appears to be loudly called for.

The difficulty of introducing any uniform or efficient system of teaching in common or Parochial Schools has been so fully experienced elsewhere, that it has necessarily led to the introduction of the Normal or Training School for Teachers. This system is in full operation in England, and has been most successfully introduced in the West Indies, where such Schools have been established with the most beneficial results, nor is it to be doubted that the same consequences would follow in this Province if the establishment were fostered by the Legislature with the same liberality it has hitherto shewn for all Seminaries for Education.

With this view His Excellency has proposed the establishment of a Central Training School, by getting well trained Teachers from England—a man and his wife—and forming such a School at Fredericton; and the only expense devolving on the Candidates would be their Board for the short period while under training, which might easily be defrayed for them. This School being once established and in full operation, an arrangement might then be made by which the whole of the Provincial Schools would in a comparatively short space of time be put on a uniform and efficient footing. This would be mainly effected by requiring the Training School Master to make circuits through the Province, in the exercise of his calling, and providing a defined set of School Books, and a Manual drawn up for the general guidance and use of the Teachers. His Excellency is aware that there are many Schools now in operation which are creditably conducted, notwithstanding all the defects of the present system, and would wish it to be understood that the change would be gradual,

and

and such as would prove favourable to those which at present meet with approbation. One important benefit that would flow from the introduction of the monitorial mode of teaching for the older children, and of the Infant School system for the younger, is that a greater number of children might be instructed by one person.

With respect to the Teachers, His Excellency is of opinion, that Schools for children of both sexes of from two to nine years of age, admitting older girls, would be most beneficially conducted by unmarried or married females, properly trained, and it is hoped a sufficient number of respectable Candidates would offer. For Schools in which boys above nine or ten years of age are instructed, male Teachers appear to be the best adapted; and when the advantage of having a Grammar School in each County, for instruction in the higher branches, is taken into consideration, it appears to His Excellency that the means of acquiring a good education would be as much within the reach of all classes of the people as the resources of the Province would admit or prudence dictate.

The difficulty of finding competent persons to conduct Agricultural Schools has been experienced in England, and hence the system has not been generally introduced; but His Excellency is of opinion, that by establishing a Central School on this principle, others might gradually be introduced where practicable, and a separate School for boys in each County might be formed, in connexion with the Agricultural Societies.

Meanwhile His Excellency remarks, that he considers the suggestion that Land should be attached to the Parish Schools and cultivated by the Parishioners for the use of the Teachers, an improvement on the present system, although the payment of a regular stipend and the additional accommodation of an apartment for the Teacher, adjoining the School Room, appears to be necessary to ensure the permanent services of competent and respectable Teachers. It is not improbable that eligible Candidates would offer, who have residences in the neighbourhood, in which cases the additional accommodation might be dispensed with.

His Excellency's attention has, however, been called to the Teachers as a body, and he invites the opinion of the Board of Education as to the best regulations that can be adopted for classifying the Teachers according to their respective abilities, and the readiest mode of supplying vacant Schools and suitable Teachers, whether as regards their qualifications or the remuneration which the persons interested in the Schools would afford. By the present system, under which the emoluments of the Teachers may be said to be uniformly the same, much praiseworthy ambition seems to be discouraged; whereas by adopting some other plan, the Teachers might be induced to turn their thoughts to self improvement, when there appeared a reasonable prospect of thereby bettering their circumstances. On these and such other points connected with this important subject as may suggest themselves, His Excellency invites the Board of Education to communicate their views, His Excellency being most anxious to co-operate with them in effecting such an improvement as will assure to the rising generation the benefits of a sound system of religious and general instruction, at once adapted to the circumstances of the Country, and acceptable to all denominations of Christians.

I have the honor, &c.

(Signed)

WM. F. ODELL.

To the Board of Education for the County of _____.

Secretary's Office, Fredericton, 11th April, 1842.

SIR,—His Excellency the Lieutenant Governor having had under his consideration the very defective and unsatisfactory system under which Licences for keeping Parish Schools have been granted, has directed me to desire you to draw the attention of the Trustees of Schools and Boards of Education in your County to the instructions herein inclosed, which His Excellency is desirous should be conformed to in all future cases, when application for such Licences may be made, in addition to the Regulations which have already been prescribed in regard thereto. I am further directed to call your attention to the seventh Section of the Act 7 W. 4, c. 8, which must be strictly observed; and you are to transmit regularly every six months to the Lieutenant Governor certified Copies of the Returns therein required, to be made by the Teachers of Schools.

You

You will also take care to call upon the Justices of the Peace of the County to make regularly the Returns required by the eighth Section of the same Act.

I have the honor, &c.

(Signed)

WM. F. ODELL.

To the Clerk of the Peace of —.

Secretary's Office, April 11, 1842.

The following Regulations, to be observed and strictly followed in all applications for Licences to keep Parish Schools, in addition to the Regulations which have already been prescribed in regard thereto, are published by Order of His Excellency the Lieutenant Governor:—

1st.—That every Candidate shall produce a recommendation from the Trustees of the School proposed to be established, who are also to state the situation of the School, and the number of the children of either sex attending or likely to attend it.

2d.—In addition to the Certificate of religious and moral character required from the Minister of the congregation to which the Candidate may have belonged, the Minister of the Communion to which the children, or a majority of them may belong, should be requested to certify either from his own knowledge, or from diligent enquiry, that the Candidate is a fit person to be entrusted with the charge of the School; and the resident Minister of any other Communion to which any of the children may belong, may also certify his opinion of the Candidate. In cases of male applicants, it should be specified whether they are married or single men.

3d.—The Boards of Education, on these Certificates being exhibited to them, are to proceed to examine the Candidate in regard to his or her literary qualifications, specifying in their report all the particulars before required to be set forth, and whether the Candidate may previously have taught in any School, licenced or unlicenced, in which case a Certificate from the Trustees of such School to be required, setting forth the cause of removal; and the original (or copies) of such Certificates so produced, to accompany the Report of the Board, which it is requested may in all cases be signed by the several members who have examined the Candidate, who will in no future case receive a Licence, or the renewal of one, without the information herein required, and no Warrant will hereafter be granted for the stipend of any Teacher who has not received a Licence for the School in which he is employed.

WM. F. ODELL.

RETURN OF SCHOOL AND CHURCH LANDS.

RETURNS OF SCHOOL LANDS IN THE SEVERAL PARISHES,

ALSO OF LANDS FORMERLY RESERVED FOR SCHOOLS, AND AFTERWARDS GRANTED FOR THE BENEFIT OF THE CHURCH,

Furnished under an Address of the 20th March, 1841.

LETTER FROM THE CLERK OF THE PEACE OF SAINT JOHN.

Saint John, 26th January, 1842.

SIR,—In obedience to your Circular relative to the Lands held by the Justices of the Peace of this County for the use of Schools, I have the honor to transmit you the accompanying Return, and to remark that it contains a statement of all the Lands of which conveyances have been received, and are on file in my Office. It however appears from a Report lately made by a Committee of the Sessions, to whom the matter was referred, that a Lot containing one quarter of an acre in the Hibernia Settlement, Parish of Simonds, has been conveyed to the Trustees of Schools of that Parish for the use of a School in that Settlement, and that two pieces of ground about thirty feet square, at Musquash, in the Parish of Lancaster, are stated to have been conveyed to the Justices, and the Deeds delivered to some of the former Trustees of Schools, but cannot at present be found. That there is also a Tract of Land in Simonds Parish, at the second Loch Lomond, containing one hundred acres, reserved for a School, but no grant thereof yet made; they Report that almost all the School Houses in the County have been erected on the Lands of private individuals, who they suppose would give conveyances of the pieces of ground occupied if applied for.

I have the honor to be,

Your obedient servant,

JAS. PETERS, JUNIOR,
Clerk of the Peace, Saint John.

The Honorable W. F. ODELL, Province Secretary, Fredericton.

Return specifying what Lots of Land formerly reserved for the use of Schools in this Province have been since Granted for the use of the Church of England.

County.	Situation.	Acres.	To whom Granted.	When.
Carleton,	Lot No. 26, Woodstock,	368½	Christ Church, Woodstock,	1831
	" 19, Kent,	60½	Chief Justice and others, in trust for Glebe,	1837
	" 59, 60, Andover,	110	Ditto,	...
	" D. Perth,	250	Ditto,	...
	" H. Perth,	200	Ditto,	...
York,	" 50, Perth, at Muinek River,	55	Ditto,	...
	" Wicklow, near lower Guisiquit,	27½	Ditto,	...
	Lot A. Dumfries, near Full Island,	300	Christ Church, Woodstock,	1831
	" No. 1, East side Bay des Vents River,	200	Saint John's Church,	1837
	" No. 2, North side Richibucto River,	200	Saint Mary's Church,	...
Westmorland,	" A. North side Petaudine,	239	Chief Justice and others, in trust for Glebe,	...
	" 7, Coverdale River,	240	Ditto,	...
	" 4, Hopewell,	275	Ditto,	...
	Part of Lot 12, Springfield,	100	Trinity Church,	1836
	Lot No. 20, Trout Creek,	260	Ditto,	1837
Sunbury,	" 19, Salmon River,	155	Church of England, Sussex,	1833
	Part of Reserve at Oromocto,	190	Saint John's Church,	1835
	Part of No. 3, South Branch Oromocto,	81	Ditto,	...
Charlotte,	Part of Reserve at L'Etang,	455	Saint George's Church,	1831
	Lot No. 8, Basswood Ridge,	180	Saint Thomas' Church,	1836
Total,.....		3,946½	Acres.	

NOTE.—No School Lands in this Province have been granted to any other than the Church of England.

JOHN S. SAUNDERS, S. G.

Crown Land Department, February, 1842.

REPORTS ON INDIAN SETTLEMENTS, &c.

EXTRACTS FROM MR. PERLEY'S FIRST REPORT RESPECTING THE INDIANS ON THE SAINT JOHN,

Dated 12th August, 1841.

Mr. Perley having been appointed to visit the Indian Settlements, arrived at their Village on the 5th of July, where he found a large number of the Melicete Tribe assembled in expectation of his visit, and a Council being formed, he delivered to them a Speech, explaining to them his object in coming among them, to which they returned the following answer:—

After considerable discussion, the Council agreed upon their answer, which was delivered by Noel Nicholas, a Senior of the Tribe. He said, that they thanked their Mother the Queen for her good wishes toward them, and also their Father the Governor for the interest he took in their behalf. That they rejoiced very much to hear that lands were to be secured to them, and they promised to live on them and cultivate them, if they were allowed to acquire some individual rights in the land, as well as to have a general interest in the residue.

That their children should attend the Schools, as they wished them to learn to read and write. That if more lands were acquired at the Village many families that were now wandering about would settle their and lead regular lives.

That their head Chief at Caughnawagh had sent them his words by a Wampum Belt, and told them never to part with one inch of their land, and by that they wished to abide.

That it was their wish that any lands set apart for them might be secured to them by Deed or Grant, and that some person should be appointed Agent to look after such lands and manage their affairs.

→ There is at the Village a Chapel in a very delapidated condition. It is 54 feet long and 34 feet wide. The Indians are preparing to erect a new one, also 54 feet long but 46 feet wide. The frame Timber for the new Chapel is all on the spot, (except the Sills) and they have fourteen thousand feet of boards, but no shingles or siding. The Treasurers of the Tribe have in hand £15 15s. collected by subscription, and they have been informed that it will take three hundred pounds, besides what money and materials they now have, to finish the intended Chapel. They begged me to solicit aid in their behalf toward the new building.

They stated that the Priest visited them occasionally, but since there has been two Priests in Fredericton they have been visited much oftener than before. They have not, nor ever had, a School among them, and none of the children can either read or write.

The Village Lot contains about 320 acres, which has been purchased for them, and they have several very respectable dwellings built upon it. The house of Louis Bear is 26 by 36 feet, two stories in height, with a stone basement. The house of Vassall LaCoute is 15 by 18 feet, a story and a half in height. There are seven other framed houses occupied, and one now building, with eleven large standing wigwams. The land is good for tillage, and most of the residents cultivate Indian Corn and Potatoes, for which purpose each family has a certain portion of ground set apart. There is considerable meadow, the grass on which they sell standing, and divide the proceeds among them. They own two horses, four hogs and about 150 fowls. The constant cropping of the land without compost, must in a few years render it almost valueless for Agricultural purposes, and unless a different system is adopted, their attempts at cultivation will, after a time, cease entirely.

I found the most intelligent of the Indians at the Village exceedingly desirous that their

their children should have the benefit of Education, as they said they felt the want of it daily and hourly themselves, in transactions with their white neighbours. Some of the Seniors stated that if a School were established they would go to it themselves, as they longed to know how to read and write.

It appeared to be the general wish that the Village Lot should be increased by the purchase of one or more of the adjoining farms. I ascertained that the farms by which the Village Lot is bounded are for sale, and that they have on them respectable dwellings and substantial barns and out buildings. The farm to the northward belongs to Mr. Close, and that to the southward to Mr. Murray; the asking price of each is one thousand pounds currency.

From the Village I proceeded up the River Saint John, accompanied by two Canoe-men and an Interpreter, and next visited a small Settlement at Meductic Point, about eight miles below Woodstock. I found here only twenty nine souls.*

The Point occupied by the Indians is very beautifully situated; the land is alluvial, of the finest and richest description, but shamefully neglected, and almost a public common. It was stated to me that they had at first 113 rods in front on the River, and that their land run back three miles continuing the same breadth. That they had a writing stating the boundaries, signed by Governor Carleton, which some years ago was left at the Crown Lands Office, and they have not seen it since. That latterly one Peter Watson has taken possession of a considerable portion of their land by virtue of a Grant or Licence as he alleges, and they have now scarcely a half of the Lot assigned them by Governor Carleton, the boundaries of which were set up and marked during his administration by Mr. Bedell a Crown Surveyor.

This Meductic Point is not mentioned among the lands reserved for the Indians in the return made by the Surveyor General to His Excellency, but I beg to state that both by history and tradition it would seem to be one of the most ancient Indian Settlements on the Saint John. While there the remains of an old Indian Fort were pointed out to me, within which the bones of several hundred men repose, apparently in one common grave. It is said that the Indians built here a very strong Fort of earth and timber, to repel the French; that several desperate battles were fought on this spot, as also on the opposite side of the River, where many skeletons have likewise been found, and that these are the bones of the slain. The grave at this Fort has several times been opened by the curious, and numerous ancient Indian Spears and implements of Stone have been carried off.

There is now in possession of His Honor the Chief Justice, the certified copy of a Grant of this very place from the Crown of France to René D'Amour, Sieur de Clignancourt, bearing date the 20th September, 1684. A Seigneurie to be called "Clignancourt," is described in this Grant, commencing at "Meductet" and extending down to the Meductic Falls, with a depth of two leagues on each side the River.

The Baron de la Hontan, in his letters from Canada (written in 1690) mentions the Sieurs d'Amour of Quebec, as having a great Trading Establishment on the Saint John at that time; and it is to be presumed that the battles with the Indians occurred prior to such establishment, as the slain are found with stone weapons only, those of metal not being discovered, and it is well known that such were introduced and became common immediately after the French Traders obtained a footing among the Indians.

These circumstances are mentioned to show the long continued possession of the Indians at this place—a possession—maintained by the blood of their Fathers, and of which it is hoped the Tribe will never be deprived.

From this place I next proceeded to the River Tobique, where the Indians have a reserve of 16,000 acres, extending eight miles in front on the River Saint John, and running back the same breadth four miles.

On the right bank of the Tobique, at its confluence with the Saint John, stands an Indian Village consisting of thirty families, comprising 123 souls.

There are here eleven framed houses and twelve large standing wigwams. They have some land under crop (chiefly potatoes) but much cleared land which appears to have been formerly cultivated has been neglected; bushes have grown up upon it, and it is fast relapsing into a state of wilderness.

Fronting on the Saint John, and the left bank of the Tobique, there is a very fine piece

* There is some doubt whether the Land at Meductic Point has not been Granted.

piece of alluvial land called the Tobique Flat, on which a considerable quantity of hay is cut annually. The grass this year has been sold for thirty pounds to a person in the neighbourhood, who agreed to pay in cash, but subsequently told the Indians that money was not to be had and they must take provisions. This it appeared was a customary mode of dealing with the Indians; first to bargain with them for cash at a very inadequate price, and then taking advantage of their necessities, to palm off inferior articles of provision at an exorbitant rate in payment. I endeavoured to prevent it in this instance, by sending a written notice to the purchaser, that he must pay in cash according to his agreement, and also giving the Captain at Tobique an order in writing not to deliver any portion of the grass or hay until he received payment in money, for which he would hereafter account.

They have no Chapel here but are exceedingly anxious to get one up, for which purpose they have collected nearly sufficient scantling, with about two thousand feet of boards and twenty three thousand shingles. The Treasurer has Ten pounds in hand collected by subscription for the Chapel. The Rev. Antoine Gosselin comes to this place twice in each year for a short time from Madawaska. He informed me subsequently that he would visit the Tobique much oftener and remain longer if there were a place built for Public Worship.

There has never been a School here or the slightest attempt made to educate the rising generation; they are growing up much as they might be supposed to do if there were no civilized people in this Province.

In passing up the River, I found the front of the Indian Reserve, for about three miles above the Tobique Rock, cleared and cultivated by squatters, who have built houses and barns, and appear to make themselves quite at ease. They pay no rent, acknowledge no title, and from long impunity have become very insolent and overbearing. Besides occupying the land, they openly plunder the forest in the vicinity of the most valuable Timber, and dispose of it in the face of the Indians, whom they will scarcely allow to set foot upon the land, and invariably hunt off like wild beasts, if they attempt to look after or prevent the trespasses which are constantly committed.

As soon as the purpose for which I came was known, they drew themselves up in hostile array, and would not communicate. One of the Squatters, in answer to an enquiry, told me that he had lived on the land twenty years; that he had been several times sued, sometimes taken to Fredricton and sometimes to Woodstock, but beyond that, nothing had ever come of the suits; and, he supposed, could not. That he would never take a lease of the land, or pay rent, and if driven off, he would burn the buildings and devastate the land.

He told me that he came on the land in May, 1840; this year he has put up a house, and got in a crop. He has taken possession of a clay bank, for the purpose of commencing the manufacture of brick, and also of a Mill Privilege, intending to set up a Mill forthwith. I gave him a notice to desist and quit the property, when he admitted that he came there without any authority, merely because he saw many others do so with impunity, and he thought he also might as well have some benefit from the Indian Land.

While ranging the front of the Reserve I discovered a quantity of Scantling, (in all twenty one pieces,) cut and hauled to the bank of the Saint John, ready to be taken away. This I seized, and directed the Indians to remove to the Village for security. I then went on to seize some Birch Timber, and while absent, the Indians proceeded to get away the Scantling. The trespasser who had cut it came with a party of men and attempted a rescue. I returned immediately with the party of Indians who accompanied me, when the other party withdrew, and the Scantling was brought off and deposited at the Village.

Mr. — admitted to me that he had cut the Scantling without leave; that a Crown Officer had seized it, but told him that he might take it away on settling with the Indians, which he had not done. Much angry feeling was displayed by Mr. — and his party on this occasion, and in mere wantonness they destroyed the canoe of a poor Indian who landed at a store on the opposite side of the River to purchase goods.

It was stated to me broadly by Mr. — that it had so long been the custom for every person to cut as they pleased on Indian land, that they considered it right and lawful

lawful to do so, and if any objection were made (that is, if detected in the act, or before the removal of the Timber,) the payment of Stumpage made all right.

I learned at the Tobique that a number of persons had cut Timber on the Reserve during the past winter, and that Mr. — had been sent up to seize it, with instructions to give it up to the several parties on their satisfying the Indians. Under this arrangement the Indians received the trifling sum of eight pounds four shillings and six pence, chiefly paid in provisions at enormous prices. — cut a quantity of Birch Timber, which was seized; he then promised to pay the Indians at the rate of half a dollar for each tree, but succeeded in getting it away before payment, and now refuses to pay, as do others under like circumstances.

I found seven pieces of large Birch Timber just hauled out, which I seized, and I desired him to let it remain there until further orders; he promised that it should not be removed. On my return from Madawaska, I found that it had been carried off.

From all these circumstances His Excellency will at once perceive the impropriety of allowing Timber wilfully cut on the Indian Reserve, to be given up upon any terms. The only mode of stopping these constant trespasses is to confiscate the Timber in all cases, and when it is found that this course is adopted and rigidly adhered to, the wholesale plunder now going on, will be brought to an end, and the morals of the neighbourhood greatly improved.

The Timber seized from — was placed by the Indians with the Scantling intended for their Chapel, and they beg to be allowed to use it in that building.

The Indians having stated to me that the Mill erected on the Tobique, at the mouth of the Little Pokiok, was within the rear line of their land, I went up to the line, and found the Mills half a mile within it, on the Reserve. On my return to Fredericton, I made a careful examination of the Plans in the Crown Lands Office, and found that half the grant (including a valuable Mill Privilege) is actually part of the Indian Land.

Within the last few years a grant has passed of 550 acres of land to the Parish Church for a Glebe. By the grant plan the land appears to be bounded on the one side by the lower line of the Reserve, and on the other by a lot granted to Henry Merritt. On examination of the land, I found that the lower line of the Reserve, and the line of Merritt's lot, were one and the same line, and consequently no vacancy between. On enquiry at the Crown Lands Office, I found that the mistake had arisen from a Plan in that Office, exhibiting a vacancy, and that such Plan was a *Compilation* made by the late Surveyor General Sproule.

A grant having passed the Great Seal, for Land which does not exist, the parties interested have seized upon the lower end of the Reserve, and claim to occupy it under their grant. As this may lead to serious difficulty, the matter should be enquired into and adjusted speedily, as an act of justice to all parties.

I was requested to ascertain the feelings of the Indians with respect to a lease of the Mill Privilege at the foot of the Tobique Narrows. These Narrows commence about half a mile from the mouth of the Tobique; they are about three fourths of a mile in length, the River for that distance being hemmed in between lofty and nearly perpendicular cliffs of very good roofing Slate. In times of flood these Narrows present a serious obstruction to the navigation of the River, a great volume of water being forced with much violence through a crooked and confined passage.

Mr. — proposes to erect a Dam at the foot of the Narrows, which will flow back the water for some distance, thus checking the violence of the stream and rendering it navigable with ease and safety at all times. He also offers to construct a Lock for the passage of boats, and keep open a fish-way, to allow the thousands of Salmon which annually frequent this, their favorite River, to pass up to the usual spawning ground.

I brought this matter before the Indians at Tobique, in full Council, and found their sole objection to the establishment of Saw Mills at the Narrows was this—that the Salmon Fishery, on which they now mainly depend for support during the summer season, would thereby, sooner or later, be altogether destroyed. The Indian method of taking the salmon is altogether by the spear and torch, and it struck me that they prized much more highly the dash and excitement of the sport in taking the fish, than the profit arising from the sale of them. During my stay at the Tobique,

the day was spent by the Indians in almost listless idleness; but so soon as night fell, the torch was lit, the spear lifted, the canoe launched, and all became life, bustle and activity. The sport was pursued the whole night, and daylight exhibited heaps of glittering Salmon on the bank, and the Indians languidly creeping off to sleep away another day of total idleness.

The destruction of the Salmon Fishery would perhaps induce the Indians to adopt more settled habits of industry, and pay more attention to the cultivation of the soil than they do at present. The greatest objection to the erection of Saw Mills in their vicinity appears to me to be, the demoralization of both sexes from their intercourse with the loose characters too often found about such establishments, particularly in a remote district.

If a lease of the Mill Privilege of the Narrows is granted to Mr. —, I beg to suggest the following terms:—

The payment of a fair and reasonable rent, and (on public grounds) an obligation to improve and facilitate the navigation of the River, and to maintain a sufficient Fishway. A small portion of land only should be leased with the Mill Privilege, and no right or title whatever given to the quarries of roofing Slate, which I conceive to be valuable, and should therefore be expressly excepted. The use of nets below the Dam, a very common and destructive practice, should be strictly prohibited, under penalties.

From the Tobique I proceeded to Madawaska, and visited the Indian Settlement at the mouth of the Madawaska River, where I found only twenty seven souls.

These Indians occupy an exceedingly beautiful and very fertile piece of ground, and their crop appeared in a promising state. They cultivate the land upon shares with one of their French neighbours; each party finds half the seed; the Frenchman sows, reaps and delivers them half the crop, as also half the grass from their meadow, which he also cuts and makes into hay. They sowed this year ninety bushels of Wheat and Oats, and thirty bushels of Potatoes, besides Peas, Beans and Flax. They have also fifty bushels of Potatoes planted by individuals on their sole account, and their farm has a very respectable appearance.

The Captain of the Madawaska Settlement is named Louis Bernard, a very respectable industrious man, to whose sole exertions the prosperous state of the farm is to be attributed. He told me that he was upwards of fifty years of age; that he was born on the land, and that his father and grandfather were also born, lived, died, and were buried on this spot. That when he was a boy, the Indians had a very considerable Village here, the wigwams standing in regular streets near the water side; he pointed out to me the former site of their Village, and also the boundaries that were assigned to the Tribe when he was a youth. Their land commenced on the bank of the Saint John, at a small brook half a mile above the mouth of the Madawaska River, and extended down the Saint John one mile and a half, to a point of rocks jutting into the Stream, which point is now the boundary between the Indian land and the property of Alexander Albert.

Within this tract a grant was made some years ago to — on the East side of the Madawaska, of 200 acres. — purchased from an Indian who then resided on the land, a piece containing nine acres, which was marked out by stakes. Under color of this purchase, he succeeded in obtaining from the Crown a grant of 200 acres. Recently the Government had occasion to take possession of a portion of this grant, 400 yards square, on which to place a Block House and other Public Works, when — demanded fifteen hundred pounds damages, but was eventually induced, or rather compelled to take three hundred pounds in satisfaction of his claim.

That part of the Indian Reserve on the West side of the Madawaska, is now in possession of —, under a Licence of occupation, at a nominal rent. — makes no use of this land, and appears to hold it with the hope of eventually obtaining title to it, and for that purpose only. Some years before — obtained a Licence to occupy this land, Pierre Denis, an Indian, had cleared and cultivated a portion of the front, on which he had built a small house, and was living very comfortably. Denis refused to give up possession, and finally an order was passed that — should pay to Denis a certain sum for his house, which was appraised at fifty dollars, and on the promise of that sum being paid, Denis quitted the land in 1837, and yielded up possession to —.

I saw Pierre Denis at the Tobique; he is an old man, childless, and in poor circumstances.

On behalf of the Indians, I claim the land now held by — under the licence of occupation, and pray that he may be compelled to pay Pierre Denis the sum due by appraisal for his improvements, or else allow him to re-occupy them.

The total number of Milicete Indians now in this Province is four hundred and forty two, and in conclusion, I have to submit a few remarks on the Settlements recently visited.

The Indians at the Village near Fredericton have of late years become rather industrious; the women work early and late at the manufacture of baskets, while the men provide the materials, and also till the soil with their own hands. They do not follow the chase so ardently, or for so great a part of the season as they used to do, and they lead much more settled lives than formerly. Hence it may be inferred that this would be the most eligible place for the establishment of a School, and for making the attempt to civilize them. The Village is in a respectable neighbourhood, near the Seat of Government, and could always be kept under effectual supervision, and the immediate eye of the Executive.

Of the small Settlement at the Meductic, I regret that I have to state, that (with one or two exceptions) the men are drunkards, and the women debauched, while the children are naked and starving. I respectfully recommend that the valuable land they occupy should be leased for the benefit of the Tribe, and the Settlement broken up.

The Indians at Tobique subsist in a great measure by the chase, by occasional employment in lumbering, and in piloting rafts down the Tobique and the Saint John. They seem by no means inclined to continue labour, or the cultivation of the soil—yet, from the advantages of their situation, and the value of the Salmon Fishery, they have rather comfortable dwellings, and appear in easy circumstances as compared with others of the Tribe.

They appeared very anxious to have a Chapel, but by no means so anxious for a School; it will be matter for consideration hereafter, whether it would not be advisable to induce the Indians to leave this place, and settle at the Village near Fredericton. The ground they occupy is much wanted as the site of a Town, and would lease for a very considerable sum.

With respect to the Madawaska Settlement, I have to state that Louis Bernard and his family are respectable, and well conducted; the other men there devote themselves almost entirely to the chase, and whenever they obtain money, spend it in drink. I think it would be advisable to let Bernard occupy a portion of this land during his life, and lease the rest for the benefit of the Tribe.

I conceive I have stated enough to show the manner in which the Indian Reserves are trespassed upon, and are gradually frittering away, from the absence of superintendence and the want of authority in some person or persons to watch over and protect the rights of the unlettered people, who from their situation and utter ignorance of business, are peculiarly open to the schemes of designing persons. I refrain from offering any observations as to the general management of the Indian Lands, until I shall have visited the Micmac Settlements, as whatever measures are adopted, should apply equally to all.

From the best information I could obtain, I came to the conclusion, that if the Indian Lands on the Saint John were judiciously leased, and their numerous resources developed and rendered available, a Revenue might be derived from them sufficient not only to educate all the children of the Tribe, but also to feed and clothe them during the period of such education.

GENERAL RETURN OF INDIANS OF THE MILICETE TRIBE ON THE RIVER SAINT JOHN, 12TH AUGUST, 1841.

SETTLEMENTS.	Men.	Women.	Boys.	Girls.	Total.
At Saint John,.....	22	27	31	25	105
At the Village,.....	46	42	36	34	158
At Meductic,.....	5	6	9	9	29
At Tobique Point,.....	33	31	25	34	123
At Madawaska,.....	5	7	6	9	27
TOTALS,.....	111	113	107	111	442

EXTRACTS FROM MR. PERLEY'S REPORT ON THE MICMACS,

Dated 11th December, 1841.

Of the Micmac Indians, Mr. Perley reports :—

I obtained the names and numbers of the Indians at this Settlement, (Renous) amounting to 101 souls.

The Micmacs of this Settlement stated to me that with a little assistance they could make a very comfortable subsistence by fishing and tilling the land. They have all taken the total abstinence pledge; and I may here state generally, that all the Micmacs of New Brunswick have taken the same pledge, with the exception of those at Bathurst. Formerly they were generally intemperate, and much less industrious and cleanly than at present. The great improvement which has taken place in their character, conduct and appearance, since their adoption of the pledge and firm adherence to it, is really wonderful. It furnishes a brilliant example to those of higher standing, possessing greater information, and conceiving themselves superior in every respect to the unlettered and neglected Indian, who yet continue to wallow in the mire of intemperance. They may derive a profitable lesson from the Micmacs.

This great moral reformation has been effected principally by the exertions of the Rev. Mr. Egan of Miramichi, and his coadjutor Mr. Vereker, the Rev. Hector Drolet of Caraquet, the Rev. Mr. Paquet of Richibucto, and the Rev. Ferdinand Gauvreau of Dorchester, to each and all of whom the greatest credit is due for their untiring perseverance and zeal in the good cause. To these Rev. Gentlemen much praise is also due for their unremitting attention as well to the spiritual welfare as to the temporal interests of the Indians under their pastoral charge, for all which as yet they have not received any pecuniary compensation.

On the 27th August I arrived at Newcastle, where I was met by all the Chiefs and a number of other Indians, who expressed the greatest joy at my coming. A meeting was arranged for the following day, when we proceeded to Oxford Brook, where we met with a very cordial and flattering reception from a large number of Indians assembled there, including most of the Chiefs from the other Settlements. I explained to the meeting the object of my mission, and stated the wish of the Executive to render the lands reserved for their use available for their benefit; and the desire to improve their condition, by forming them into Settlements, establishing Schools, teaching the children to farm, and instructing them in trades. The announcement that the Executive was about to take some interest in their affairs, created great satisfaction, and caused much rejoicing.

I ascertained the number of souls at this Settlement (which is called the Eel Ground) to amount to 108. There is but one framed house here, which belongs to Louis Julien; the others live in wigwams, much scattered about. They planted this year 53 barrels of potatoes, 2½ bushels of wheat, and 17 bushels of oats; their crop looked very well, and promised a good yield. The men here chiefly employ themselves in getting lathwood, bark for tanning, treenails, and timber. Some work as Coopers, and make very good articles. The women make a variety of baskets, brooms and boxes for sale, and they sew very neatly. Upon the whole, this may be considered an industrious Settlement. In the winter they obtain from the River (through the ice) many bass, and great quantities of fine eels, of which they are exceedingly fond; whence the Settlement has its name.

On the 30th we proceeded up the North West Miramichi to Red Bank, at the mouth of the Little South West. Some families are settled at Red Bank, and some on the Reserve upon the opposite side; they amount to 50 souls.

Barnaby Julien resides at Red Bank, where he has a tolerable house and barn. He succeeded his brother Andre Julien as Chief of the Micmac Nation, and he obtained a Commission in regular form, under the hand and seal of His Excellency Sir Archibald Campbell, countersigned by the Provincial Secretary, dated 20th September, 1836, appointing him Chief of the Micmac Indians of Miramichi and its dependencies, and requiring them to obey him as their Chief. Under this Commission Barnaby Julien assumed the right of selling and leasing the greater part of the Reserve of 10,000 acres on the Little South West, and I regret to state, that from the best information I could obtain, he has since then received nearly two thousand pounds in money

money and goods from various persons, as consideration for deeds and leases, and for rents. His rent roll this year amounts to a very considerable sum; yet I found him so embarrassed in his pecuniary affairs, that he dare not come into Newcastle, save on Sunday, for fear of being arrested by the Sheriff. His own family have alone benefitted by the money which came to his hands, none of the other Indians receiving the smallest portion. In consequence of this misconduct, the Micmacs, at their last annual meeting at Burnt Church Point, on Saint Anne's Day, (26th July) solemnly deposed Barnaby Julien from his situation as Head Chief, and declared that he had no further authority as such. Nicholas Julien, who was second in rank to his brother Barnaby, then became principal Chief of the Micmacs, but had been so short a time in authority before my visit, that he had not made any change in the management of affairs.

The Indians at this Settlement did not appear to be in a very flourishing condition, nor yet very industrious. Those on the North West were so crowded upon by Squatters, that they had only a few acres left for their own occupation. This, with the misconduct of Barnaby Julien, has rendered what ought to have been one of the best Settlements in the Province, one of the poorest.

Having examined the several Reserves on the North West and Little South West Miramichi, and visited all the Settlers upon them, as hereafter stated, we returned to Newcastle, and thence proceeded to Burnt Church Point, at the mouth of the Miramichi. Here I found 201 souls.

The Micmacs of Miramichi and its dependencies consider Burnt Church Point as their head quarters, and they assemble there annually on their Festival, Saint Anne's Day. Their Missionaries meet them at that time, and usually remain with them about a fortnight, when the members of the Tribe are examined in the articles of their faith, and those from remote places receive religious instruction. All disputes between individuals are settled, and all business of a public nature is transacted. Chiefs and Captains are elected or deposed, and all arrangements for the year are made before the meeting breaks up. At this period, also, marriages are usually solemnized, it being but seldom that weddings take place at any other season of the year. In general they marry at very early ages; males at 16 or 17, and females at 13 years of age. I saw several young Squaws, not fifteen years old, who had borne children.

The Reserve at Burnt Church Point contains 240 acres; the land is perfectly level, and is bounded to the Northward by a small River, on the North side of which there is another Reserve of 1400 acres, all in a state of wilderness. The small River furnishes Oysters, Lobsters, Sea Trout and Eels in abundance; in front of the Point large quantities of Salmon and Bass are caught annually, and there are plenty of water fowl.

On the Point formerly stood a French Village of considerable extent, and a large Chapel highly finished and ornamented, which is said to have cost five thousand louis d'ors. After the conquest of Quebec, a ship of war was despatched to England, bearing the Despatches, and the mortal remains of the gallant Wolfe. This ship, from stress of weather, put into Miramichi, and is said to have been the first British vessel which ever floated on its waters. Six men were sent on shore in a boat for water, all of whom were murdered by the Indians, immediately under the eye, as it was alleged, of some French soldiers stationed at French Fort Cove. In revenge for this outrage the Captain of the ship silenced the battery at French Fort Cove, destroyed a Settlement at Canadian Point, and on his way out burnt the Church at this place, whence it has since borne the name of Burnt Church Point. •

The Micmacs, assisted by two grants from the Legislature, have erected a neat Chapel here. It is 34 by 38 feet; the exterior is finished, the interior is plastered only, and without seats or gallery, which are much needed. There is a small new building attached to the Chapel, called a Presbytere, which was put up during the present season for the accommodation of the Missionaries. It is 22 by 25 feet, and contains two apartments, both finished with the exception of painting. All the work that has been done for the Chapel and Presbytere and the materials have been paid for by the Legislative grants and by subscription among the Indians, and their Treasurer has a balance of £7 17 7 in hand. They have prayers in the Chapel every morning and evening at 6 o'clock, at which there is always a full attendance. There

is a great deal of decorum at these meetings; the prayers are repeated by every person present, and the choir chaunt the morning and evening service in good style and very correctly; after which (in the evening) one of the Chiefs usually makes a short address or exhortation to the congregation.

There are at Burnt Church Point four framed houses and seventeen wigwams. The Indians there planted this season 56 barrels of Potatoes, with a few bushels of Oats and some Indian Corn. The crop looked well, but seemed likely to suffer from the drought. They have no cattle, but some of them keep pigs.

In the winter season this Settlement is entirely deserted, the inhabitants removing to the Tabusintac and other places, where they gain a subsistence by lumbering, and spearing Eels through the ice.

Several Councils were held at the Point, at which I endeavoured to ascertain the true sentiments of the Indians with respect to measures for ameliorating their condition. They appeared perfectly willing that their lands should be taken under the sole charge of the government, feeling quite certain that their great Mother the Queen would do what was right and just toward them. They appeared very desirous of having Schools established among them, and I observed among the men generally the greatest possible anxiety to learn reading and writing. Most of them know the Alphabet, can spell a little, and write their names.

It appeared to be a great object of ambition with every head of a family to possess a framed house, and advantage might be taken of this universal feeling to attract them to, and fix them at any particular spot, by merely lending them assistance to erect small dwellings. They seemed quite willing to become farmers, provided they had some person to superintend them and teach them in the first instance, and provided also they could raise enough from the land to support them. Of the latter, they always seemed to entertain great doubt, and not without some show of reason, for their misdirected efforts and hard labour in the cultivation of the soil have hitherto produced them but a very trifling return. If they were once convinced by actual experience that they could raise sufficient crop by tilling the land to support them throughout the year, they would immediately turn their attention to farming, and abandon their wandering habits. The proposition to teach them trades was received with the greatest satisfaction, both here and everywhere else, and from their great readiness in learning the use of tools, and well known aptness and skill, there is no doubt they would become excellent tradesmen.

Before we left Burnt Church Point, the Indians announced that they had in Council unanimously elected me their "Wunjeet Sagamow," or Head Chief, and also elected as Chiefs Captain O'Halloran and Lieutenant Rolland, second and third in rank.

The men of the Micmac nation almost invariably wear the English dress, without ornament, except on occasions of ceremony, when many of them appear in very showy garments of the fashion formerly peculiar to their people. The females, on the contrary, invariably wear the Indian dress, with a profusion of beads, ribbons, and silver or gilt ornaments, of which they are very fond.

From Burnt Church Point we proceeded up the coast in four canoes, and first visited the Tabusintac. No Indians reside near this River in the summer season, although there is a very large Reserve, of which I shall speak hereafter.

After examining this River and the Indian Land, we left for Pokemouche, where we arrived on the 10th September, and were received with much firing and great demonstrations of joy. Here we found 75 souls.

The piece of land heretofore granted for the use of the Pokemouche Indians, being occupied, under the circumstances mentioned in part second, the Indians received us on a piece of vacant Crown Land, hastily cleared of trees and underwood for the occasion. A large wigwam of birch bark had been erected for the exclusive use of my friends and myself, and we occupied it during our stay, finding it very convenient and comfortable.

The Micmacs here subsist during the summer season altogether by fishing and fowling; during the winter they obtain employment in the woods as lumbermen. They do not cultivate the soil, or live in houses, but wander about from place to place in pursuit of game, of which this part of the coast, being very thinly settled, affords great abundance and variety.

Some of the Micmacs here speak a little broken French, but very few of them speak any English, and from the want of intercourse with the white settlers they are but little acquainted with the manners and customs of civilized life. They adhere more closely to the ancient habits, forms and ceremonies of their forefathers, than any other of the Micmacs, and they gain their subsistence very nearly as their ancestors did before the settlement of the country.

Having examined this River, and made myself acquainted with all matters connected with the Indian Lands, we left for Shippegan, where we arrived on the 14th September. Captain O'Halloran being very unwell, proceeded from this place to Bathurst in a pilot boat, to obtain medical relief, and I did not again see him. Lieutenant Rolland and myself left on the morning of the 15th, in the canoes, to proceed up the Bay of Chaleur. In running through a small strait between Pocksoudie Island and the Main, called "*the Narrow Pass*," we observed a small Indian Settlement, and landed to examine it. We here found Pierre de Powmeville, (better known as Pierre Chiche, or little Peter.) The land they occupy belongs to the Crown. Pierre and his family settled on it about ten years since, and withdrawing almost entirely from intercourse with the rest of the tribe, they have, by steady industry, rendered themselves comparatively very comfortable.

They have about ten acres of land cleared, which is under good fence, and appears well cultivated. This season they cut about four tons of hay, which was neatly stacked; the potatoe field looked well, and the produce was estimated at 100 barrels. I noticed also, Indian Corn, with cabbages and other vegetables, more than sufficient for the use of the family. They own a cow, two heifers and some pigs, and have built a snug little house, to be occupied this winter. The exertions of this industrious family deserve particular notice, as affording an excellent example to the other Indians, and giving indication of what they might effect if aided by very moderate assistance and encouragement.

I learned subsequently that Pierre was very useful and very obliging as a ferryman, in passing travellers across Saint Simon's Inlet, a broad sheet of water which almost separates Shippegan from the main land. Pierre himself told me that he had not attended the annual meetings of the Micmacs for some years, being afraid to leave his place, even for a single day, as he was constantly threatened to be driven off by settlers in his vicinity, who coveted his improvements and sought every opportunity of dispossessing him. I promised to protect him, and also that I would intercede with His Excellency to grant him licence of occupation for a sufficient quantity of land to cover his improvements and enable him to extend them, which he appeared very anxious to do, and would have done before, but for the uncertainty attending his occupation. I most earnestly and respectfully request that His Excellency will be pleased to grant the required licence to Pierre de Powmeville and his family, to which they have strong claims from their industry and good conduct.

We proceeded along the coast to Caraquet, where we waited upon the Rev. Hector Drolet, who has pastoral charge of the Pokemouche Indians. We were most kindly and hospitably received by Monsieur Drolet, who gave us a variety of useful information, and appeared greatly pleased with the objects of the mission. From Caraquet we proceeded to Grand Aunce, and thence crossed the Bay of Chaleur to Paspebiac, in the District of Gaspé. Following the northern or Canada shore of the Bay, we arrived at Cascapédiac, where there is a Micmac Settlement, numbering 89 souls. They occupy a piece of land containing 416 acres, which was adjudicated to them by the Commissioners for settling titles to land in Gaspé. Very little of the land is cleared or cultivated, and the people appeared very poor. They bear the reputation of having been great drunkards and very debauched; but as most of them were this year induced to take the Pledge, it is to be hoped that their condition will improve.

The small number of children at this Settlement (only 28 to 61 adults) is very striking, and affords abundant proof of the irregular and dissipated life which these people have formerly led.

From Cascapédiac we proceeded to Tracadigash, where the Rev. Mr. Malloux resides. He has the Micmacs of Gaspé under his spiritual care, and he receives an annual allowance for his services from the Province of Canada.

We coasted the north shore of the Bay to Point Maguacha, which we rounded, and then

then entering the Restigouche, we ascended that River about twenty miles to Mission Point, on the Canada side, nearly opposite to Campbellton. This is a large Micmac Settlement, numbering 355 souls. These people have only 777 acres of land, with a reserve of 81 acres as a Chapel lot, on which there is a very ancient Chapel, and a tolerably comfortable house for the Missionary. A new Chapel of very large size is in progress, but will not be finished for some time, as the Indians are building it entirely by their own voluntary subscriptions. There are at the Mission thirty framed houses, and about the same number of wigwams.

My object in visiting the Indian Settlements in Gaspé was to ascertain how many of the Indians frequenting the New Brunswick side of the Bay of Chaleur belonged to Canada. It appeared to me, that by obtaining correct lists of the names of the several families, confusion would be avoided in the returns, and it would be easy to determine precisely how many Micmacs belong to this Province, for whom it would be necessary to make provision. In this I succeeded fully, though not without much trouble and great exercise of patience, but the information thus obtained will prevent difficulties hereafter.

D. C. Napier, Esquire, the Superintendent of Indian affairs, in answer to certain queries proposed by the Executive Council of Lower Canada, (dated 12th December, 1836,) stated that these Micmacs had not received any presents or other assistance from Government since Lord Alymer's visit to Gaspé in 1831, and that from their remote situation it was not practicable to ascertain with any degree of accuracy the value and extent of their improvements, or whether they derived their support wholly or in part from Agriculture. In a report made by a Committee of the same Executive Council to the Earl of Gosford, (dated 12th June, 1837,) it is stated that the Micmacs living at Restigouche and Gaspé amounted to 430 in number, and that they were among the most destitute Indians of Lower Canada. That considering the remoteness of their situation, and the consequent difficulty of exercising any superintendence or care over them, when so settled, the Committee recommended that, if practicable, they should be withdrawn altogether from that part of the country, and that lands should be allotted to them elsewhere, nearer to the capital.

Several of the Indians at this Settlement (Restigouche) cultivate the soil, but it is in a very rude and imperfect manner, and the produce they obtain is but trifling. They are generally able and active men, and principally depend for subsistence on the employment they obtain from persons getting Timber on the Restigouche; being excellent axemen and most useful men in the woods, they receive the highest rate of wages, and spend a large portion of the year in the forest. When the Timber is floated down the River in the Spring, they return to their homes for a time, accompanied by the white lumbermen with whom they have associated in the woods. The latter are in general a wild and lawless race, who, during their stay at the Settlements, and consequent relaxation from labour, very much resemble Sailors, allowed to go on shore for a short time after a long cruise, with abundance of prize money. At this period they receive the earnings of the preceding year, and they take up their quarters at the Indian Settlement, with their Micmac acquaintances and fellow lumbermen. The period which elapses ere they again return to their labours in the forest, is spent in drunkenness, riot and debauchery of every description. This annual saturnalia effectually prevents the improvement of the Settlement, and keeps the people in a vicious and degraded state. A considerable portion of the male Indians being absent much of the year, the women are left to follow their own devices, and to shift as they best can; consequently morality is at a low ebb among them.

The old people at the Mission struck me as possessing very little Indian blood, while the younger portion are so fair, as to raise a doubt whether they should be styled Indians at all,—rosy cheeks, blue and hazel eyes, and brown hair, are quite common among them, while each generation appears fairer than the preceding, so that in process of time, all the distinctive characteristics of the Indian race will be obliterated. At the present time, a large number of persons at this Settlement would readily pass as whites, they being only distinguished from their neighbours by the use of the Micmac language, and some peculiarity of dress. The Rev. Mr. Malloux came up to the Mission from his residence at Tracadigash during my stay, and being a person of superior learning and great intelligence, I obtained much valuable information from him. He spends
about

about one fourth of the year at the Mission, and exerts himself as much as possible to check the vices of the people; but the periodical visits of the lumbermen, and the outbreak which then takes place, in a great measure destroy his labours, and render his exertions fruitless. This year he has succeeded in inducing many of them to take the Total Abstinence Pledge, and I observed by his list that the number who had done so, amounted to 210. This is a very great point gained, and if all the people at the Mission, as well as at Cascapediac, can be induced to take the Pledge, then there may be some hope of bettering their morals and improving their condition.

The Micmac language, I was told by Mr. Malloux, is a dialect of the Huron. He says that the Micmac word "Sagamow," or Chief, is pure Japanese—the same word being now used to designate a Chief in Japan. Many other words in the language, he said, could be traced to the Chinese and Japanese languages; and he is fully impressed with the belief that the Indians of North America derive their origin from the Malays and other inhabitants of the coast and islands of the eastern part of Asia. He is confirmed in this belief from having heard in Canada well authenticated accounts of the remains of Chinese junks and other vessels similar to those in use on the Asiatic coast, having been found deeply imbedded in the sand, and on the banks of the rivers of the west coast of America, in northern latitudes, in a state of petrification; thus clearly demonstrating the means and the course by which the Malays and others first reached North America, and peopled it.

While at the Mission, the Chiefs requested me to meet them in Council, and I did so. They stated that the small quantity of land they held, subjected them to very great inconvenience, as they had not sufficient for cultivation, neither had they any firewood; that they had repeatedly applied for more land, without effect, and were now very desirous of being taken under the protection of the Province of New Brunswick, where they understood the Indians had plenty of land, and had their affairs better looked after than in Canada. I explained to them distinctly, that they could not be provided for in New Brunswick, that the lands in this Province had been expressly reserved for the Indians inhabiting it, and that it would be unfair, at this time, to introduce strangers to share with them. That they, at the Mission, had always adhered to the Government of Lower Canada, under whose laws they held their land, and from which they had at various times received presents and gratuities. That if they would give up their lands on the Restigouche, and remove nearer to Quebec, there was no doubt but they would receive more attention from the Government, and obtain some share of the sums annually voted by Parliament for the benefit of the Indians in Canada.

I recommended them to urge their claims upon the Canadian Government, and at their request, addressed a letter to the Superintendent of Indian affairs at Quebec, stating the object of my visit, communicating the numbers of the Indians, and on their behalf soliciting an answer to certain Petitions for land, which they had addressed to the Governor General.

Lieutenant Rolland's leave of absence having expired, he left me at the Mission, to return to his Regiment, and I proceeded alone down the River to Dalhousie, near which I met a number of Indians encamped on private property. I found that they all belonged either to Mission Point or Cascapediac, and that their residence near Dalhousie was only temporary, for greater advantages of fishing and shooting, obtaining a market for a few articles they manufacture, and establishing a claim upon that portion of the Provincial Grant for the relief of aged and indigent Indians, which is appropriated to the County of Restigouche. I cannot for a moment admit that they belong to this Province, as I learned from the Chiefs at the Mission, that their names had been furnished to the Superintendent at Quebec, and were borne upon his list, and that their great object in crossing the River, was to endeavour to obtain something from the Provincial Funds of New Brunswick, a claim they are not at all backward in urging.

There are three families who reside constantly on the Reserve at the mouth of Eel River, about five miles from Dalhousie, they number 12 souls. As they have for some time resided constantly within this Province, they may be considered as belonging to us, although they visit the Mission regularly, and are on the Quebec list as claimants for land in Canada. The Reserve at Eel River comprises 400 acres of land

land of no value for cultivation. The River affords abundance of the finest Eels, and at certain seasons it is the resort of great quantities of water fowl, particularly Wild Geese. There is a very valuable Salmon Fishery near the mouth of the River, and the Indians who reside there obtain a tolerable subsistence by fishing and fowling.

I next visited Bathurst, where I was led to believe the Indians were in considerable numbers, but on enumerating them I found only 27 souls. There are frequently a greater number of Indians at Bathurst, but these are generally visitors from Gaspé and the Restigouche, with some from Pokemouche. The list comprises all the regular residents on the Nepisiquit, and I regret to state that they have not yet taken the Pledge, and are a dirty, drunken, idle, worthless set, far more degraded in character, and more wretched in appearance than any of the Indians of New Brunswick. It was almost impossible to hold any communication with them, as they were generally in a state of intoxication, and very insolent and unreasonable. Only one of the Indians at this place, Prisque Wyoush, attempts the cultivation of the soil. He occupies a portion of the Reserve on the Nepisiquit, and this year cut a little Hay, but his Potatoes had failed entirely from the drought or want of care. The rest are outcasts and wanderers, who gain a miserable subsistence by fishing, and by any other employment they can obtain. I have communicated with the Rev. Mr. Egan of Miramichi, with respect to these people, they being within his district, although at a long distance from him. He informs me that it is his intention to send a delegation of the most prudent and sensible Indians of the River Miramichi, to invite the Indians at Bathurst to leave that place, and join the main body of the Micmacs at Miramichi. If the removal can be effected, he thinks that the force of example, as well as frequent admonitions, would induce them to relinquish their vicious habits, and lead a more moral life.

Unless the Indians at Bathurst can be induced to leave that place and join those at Miramichi, there will be little hope of their reformation, and it is an object of some importance to effect that removal as soon as possible.

From Bathurst I proceeded by land to Richibucto, and visited the Indian Reserve on that River, accompanied by the Rev. Joseph M. Paquet, the excellent Missionary of that district. I found, on enumerating the Indians frequenting the Richibucto, that they amounted to 188 souls, and it is highly gratifying to be able to report the steady industry and good conduct of these Micmacs, who are fast acquiring the orderly habits and stability of civilized life.

The Indian improvements on the Richibucto River are scattered along the front of the Reserve, from Big Cove up to the Molus River. Their clearings amount by estimation to 120 acres, on which they raised in the year 1840, 65 bushels of Wheat, 15 bushels of Barley, 2,350 barrels of Potatoes, and they cut 13 tons of Hay. Their crop this year will not fall short of that, although it suffered considerably from the drought. There are here five framed houses, the owners of which live very comfortably in the English style. The interior of the dwellings appeared very clean, and exhibited the usual furniture of a farm-house, while the cupboards made a very creditable display of delf, knives, forks, spoons and other articles appertaining to a well ordered household. The ceilings were garnished with ears of Indian Corn hung up to dry, and every thing about the houses, as well as in the wigwams, gave indication of a sufficiency of food, while the dresses of the people were of good quality, clean and comfortable.

A number of the Micmacs on this River have for some years past been employed as labourers by the merchants and others engaged in trade and lumbering, and particularly by John Jardine, Esquire, at whose deal wharves and ship yard they have hitherto had almost constant employment. Mr. Jardine informed me that he found them as useful and profitable men as any he could get; that they were very strong, as well as active, and would do far more work in a day than the ordinary run of labourers. The Indians so employed have acquired steady and regular habits of labour, from working regularly at fixed hours, and to the habits thus acquired, and the force of example upon the rest of their people, may be attributed their advances in civilization and the possession of superior comfort.

On the 7th October I met the Indians of this River in full Council, at which Noel John, the Chief at Buctouche, and several Indians from that River also attended. I explained to them the wishes of His Excellency with respect to the management of their

their lands, the establishment of Schools among them, and the improvement of their condition. The announcement was received with great satisfaction, and they professed their readiness to abide by the decision of the Government, *knowing that their great Mother the Queen would order what was right, and that their Father the Governor would see it faithfully executed.* They desired me to accept from them a confirmation of my election as Grand Chief at Burnt Church Point, and they presented a Commission and Wampum accordingly.

The Indians of Buctouche River amount in all to 93 souls. They have about 100 acres cleared; and last year they raised ten bushels of wheat, and 660 barrels of potatoes. There is only one house at their Settlement, that of Noel John, the Chief, who is a man of considerable intelligence and information, and owns some property. The Indians of this River attend more to fishing and fowling than their brethren of Richibucto, of whom they may be considered a part, as they attend annually with them at Richibucto Island on Saint Anne's Day, to celebrate the Micmac Festival, and regulate their affairs.

I presented to Noel John the Medal delivered to me for him by His Excellency.

I returned to Saint John by Buctouche, Shediac, the Bend, and Sussex Vale. On my way I met the Rev. Ferdinand Gauvreau, P. P. at Dorchester, who furnished me with a list of Indians under his pastoral charge at the Memramcook, amounting to 126 souls. The Reverend Gentleman stated to me that they occupied a piece of land containing 63 acres, purchased for them two years since with a sum of £30, granted for that purpose by the Provincial Legislature, which land had been conveyed to the Magistrates of the County of Westmorland, in trust. He also informed me that they had taken the pledge, and were consequently sober and industrious; that they did not cultivate the soil so much as they would do, if they had more land; that they owned boats, and fished in the Bay of Fundy, thereby making out a tolerable living; and that with a very little assistance they might be rendered quite independent in their circumstances.

I have since learned that there are a few Indians at the Aboushagan, a small River emptying into Shediac Harbour; and on enquiry I find that there is an Indian Reserve there, which was not mentioned in the Surveyor General's Return, and consequently did not come under my notice. Dr. Gesner, who recently visited the Aboushagan, states to me that he saw there three men, four women, two boys and three girls, in all 12 souls, whom I have included in the General Return. The Doctor also states that they do not cultivate the soil, but gain a livelihood by fishing and fowling.

The Return No. 2 hereunto annexed, furnishes a full statement of all the Micmacs of New Brunswick, amounting to 935 souls; to which if there be added the Milicetes, amounting by my Return of 12th August last to 442 souls, the whole Indian population of the Province will be found to amount to 1377 souls. The Micmacs frequenting Eel River and Dalhousie are not included in this grand total, they being enumerated among the Micmacs of Canada, whose numbers are given in the annexed Return, No. 3. The Return, No. 4, which follows, is a comparative statement of the number of adults and children at each Indian Settlement, from which it appears that the largest proportion of children exists at Memramcook, (Dorchester) where there are 75 children to 51 adults, from which a very favourable opinion of that Settlement may be drawn. The smallest number of children appears among the degraded Indians of Bathurst, where there are only 8 children among 19 adults. At Cascapediac, (in Gaspe) as I have before stated, there are only 28 children to 61 adults, a frightful decrease in numbers.

This is an appalling state of things, clearly demonstrating the rapid decrease of the Indian race among us, calling loudly for the interference of the Government in behalf of this unfortunate people, the survivors of the ancient possessors and lords of the country, who are fast yielding to the calamitous fate which so often befalls uncivilized man, when brought into contact with the natives of Europe or their descendants.

I learned on enquiry from many elderly people, who stated themselves to be childless, that they had had from 8 to 12 children each, who had died in infancy from measles, whooping cough, scarlet fever, croop, typhus, smallpox, and a variety of other diseases to which children are subject. The infants are much exposed by the wandering

wandering habits of their parents, who rely almost entirely upon their own modes of treatment with roots and herbs, which are quite useless and ineffective in the majority of cases. During my visit to the Miramichi, the children were suffering dreadfully from dysentery; and while at Burnt Church Point, a death occurred almost daily. Being provided with medicines, I ventured to administer them, and as they gave relief in the first few cases, the Indians were emboldened to use my prescriptions freely, and the further progress of the disease was somewhat checked. Had a medical man accompanied me, I feel confident that, under Providence, many children who this year died of dysentery, might have been saved, or at all events had a chance for their lives.

Having in this and my preceding Reports, furnished complete lists of all the Indians of New Brunswick, designated their several Localities, and described their several circumstances, I now beg leave to offer some general remarks with respect to the best means of ameliorating their condition, and elevating them in the scale of society and civilization, a subject of grave importance in itself, involving obligations of a deep and enduring character.

The Indians of this Province are at present in an anomalous condition; they are among us, yet not of us; and it seems neither wise nor just to allow in our midst another race, to remain permanently inferior, a burden and misery to themselves, and a barrier to the general progress of the whole community. A late writer in Canada has very justly remarked, "that no plan of general improvement can be complete, unless it includes the means of elevating the Aboriginal Tribes to an equality with their white brethren in condition and character. If the scattered remains of the once proud and mighty possessors of the whole land are allowed to continue in a state of degradation or ruinous decay, a mountain of reproach will rest on those who have supplanted them as lords of the soil, without imparting any equivalent therefor—supplanting only to destroy, instead of to civilize and to save."

From a careful perusal of the correspondence relative to the Indians, which has of late years passed between the several Secretaries of State for the Colonies, and the Governors of Upper and Lower Canada, (published by order of the House of Commons,) and upon a due consideration of the doctrines therein laid down, I assume it to be a fixed principle of the British Government, that in all arrangements respecting the Aborigines, their concerns should be under the exclusive care and superintendance of the Crown, to which, whether under French or English dominion, they have ever been taught to look for paternal protection. The Sovereigns of Britain have always been accustomed to call and to treat the Indians of North America as their children; and in this there has been manifest justice as well as advantage to the Indian. His situation has been precisely that of an infant requiring a guardian.

The Indians of New Brunswick were first converted to christianity, and taught the principles of the Catholic Faith, by the Jesuit Missionaries, a class of men of whom it must be admitted, that whatever may have been their faults in the old world, they have in the new been known chiefly as the protectors and civilizers of a race, forsaken or trampled upon by all beside. When they baptized their converts, they conferred upon them names selected from the Calendar of Saints, and those names are yet borne very extensively among the Micmacs. The Lord's Prayer, the Creed, and other parts of the service of the Mass were taught by means of the hieroglyphics in use among the Indians themselves, which the Jesuit Fathers added to and improved. Manuscript books of the chants and church service, in these very curious symbolical characters, are still in common use among the Micmacs, who prize them highly, and part with them very unwillingly.

Since the Crown of England succeeded to the Jesuits, no advance has been made in the education or instruction of the Indians; but on the contrary, ground has been lost. A long period of neglect has elapsed, during which they have been left principally to their own unassisted efforts; yet in spite of these disadvantages the Indians have not failed to afford sufficient evidence in various instances of their capacity for the ordinary pursuits and arts of life, and of their readiness to enter upon them whenever they had opportunity or encouragement. They are far from being a degraded race; they possess all the higher attributes; their minds are strong, their imaginative powers highly fertile, and their morals, in their natural state, pure.

The

The first step towards the real improvement of the Indians is to gain them over from a wandering to a settled life, and to form them into compact Settlements, with a due portion of land for their cultivation and support. They must be induced to remain stationary on the land during the principal part of the year, without which they cannot attend to Agriculture, have any of the comforts or good habits of domestic life, or cultivate religion or education. To effect this, would not, in my opinion, be very difficult. The Indians have already, by their own unaided exertions, and their constant intercourse with the whites, made very considerable advances in civilization. Many of them have adopted the habits and customs, as well as the dress of Europeans; they have abandoned the wigwam, and built small dwelling houses for themselves, which they have furnished to the best of their ability with household goods; while in other respects they have conformed to the manners of the neighbouring settlers and farmers. The superior degree of comfort enjoyed by those who have made this improvement, has greatly stimulated the other Indians to imitate their example, and attain the same desirable position; it being quite certain, that one example of industry and consequent increase of property in a member of their own tribe, affords a far more effectual lesson to an Indian than a score of similar instances among the white settlers. Their strong desire to possess comfortable dwellings, and a piece of ground over which they may exercise the rights of absolute ownership, could be gratified without any very considerable expense, and by these means they might be attracted to any favourable situation, where they would soon feel and fully appreciate the blessings of social improvement and the numberless comforts of civilized life.

The next great object to be attained would be the establishment of Schools, affording elementary instruction not only in the common branches of education but in the rudiments of Agriculture and Mechanics. Infant Schools, which have been so universally successful elsewhere, would here be found of the greatest advantage; and I should place great reliance on their beneficial effects. If attended with a reasonable degree of success, it may not be too much to anticipate that they would lead to the perfect civilization of the rising generation of Indians, who being regularly trained and instructed from the earliest possible period, and associated in the Schools with the children of the whites, would grow up with all the habits, thoughts and feelings of the other inhabitants of the Province. They would, as a matter of course, learn to speak the English language perfectly, and thus all distinctions between the different races would be at an end.

The difficulty of inducing the parents to send their children to the Infant Schools, will be started as an objection to them; but I conceive that this difficulty may be overcome more readily than is generally imagined. A cheap uniform dress for the children would gain the consent of the mothers, who upon finding themselves relieved from the trouble of looking after them for a considerable portion of each day, would insist upon the attendance of the children as a relief to themselves.

It should be a condition with all Indians who were assisted to build a house, or receive aid and encouragement, that they should send their children to the Schools, and if they neglected or refused to do so, they should receive no further assistance, and be debarred from participating in the advantages of the Settlement. This would be a most effectual method of securing attendance at the Schools.

With respect to the adults and those young persons who have grown up, and may be considered to have acquired, in a great measure, the ancient habits of their race, the best possible means of inducing them to change their mode of life and receive instruction, would be by the introduction of teachers of the most simple and useful arts and trades, which, as I have already stated, the Indians express the most anxious desire to learn. A recent writer on India maintains, that instruction in the arts is far more likely to effect the intellectual improvement of an uncivilized people, than scholastic education; and he says it is an aphorism: "that an improved plough is an excellent missionary, and a chest of Carpenter's tools worth a dozen School masters," because the value of education, whether secular or religious, cannot be appreciated by the uneducated, unless its connexion with material improvement be distinctly shewn. He says that a perception of the vast benefits of knowledge in a material point of view, as well as the improvements effected by its agency, would in the natural course of things, introduce a higher order of civilization, and promote the cultivation of knowledge for its own sake.

The

The New England Company have established a Mechanics' Institute at the Mohawk Village, on the Grand River, in Upper Canada; a proof that they fully understand and appreciate the principles laid down.*

The situations in which to form Settlements of the Indians ought to be carefully selected, as it has been found in Canada, that location is a matter of very considerable importance in effecting permanent improvement, for a variety of reasons. The Indian should not be placed in a situation where he could not follow the sports of the field, as he cannot be expected all at once to change the whole habits of his life, and on the instant, give up hunting, fishing and fowling, which he has always followed without restriction, and to which he is ardently attached. The excitement of the sport is to him fascinating, and the greatest pride of his life is to return to his Wigwam successful. To attain this success, he patiently bears cold, hunger and fatigue to an extent which a white man could scarcely endure. He must at first be allowed to pursue fishing and fowling during some part of the season, and be gradually induced to give less time to them, and a greater portion to more profitable employment.

Mr. Jardine, of Richibucto, stated to me that the Indians in his employ would quit work at certain seasons, when the shooting and fishing were good, and absent themselves for several days together on sporting expeditions. He found it useless to object, and allowed them to follow the bent of their inclinations. When the sport was at an end, or they were satisfied, they returned immediately to their employment, and resumed work with a very cheerful and contented manner.

Another consideration with respect to Indian Settlements, is to place them so as to bring them near the Settlements of the whites, so that the children of both races may, if practicable, be associated in the Schools, and particularly in the Infant Schools, while at the same time the Indians may be benefited by the practical experience and example of the white settlers, and be so far removed from towns, as to prevent their intercourse with the idle and depraved as much as possible. To prevent the frightful mortality among the children, it will be absolutely necessary to have a medical man at each Settlement, or within such reasonable distance, that he could visit them frequently, and be within reach, if required on any sudden emergency. A small sum paid annually to a respectable physician for medicines and attendance, might save a great number of the Indians who now perish from the want of proper relief.

As favourable situations for Settlements, I beg to recommend the Indian Village of Saint Anne, (near Fredericton,) for the Micicetes of the Saint John; Burnt Church Point and the Eel Ground for the Indians of the Miramichi; and Big Cove for the Indians of the Richibucto. These places would suffice for a beginning, and as they possess the requisite facilities and advantages for Settlements, they would have every reasonable prospect of success, under efficient management.

As a preliminary measure with respect to the Micicetes, it is of the utmost importance that they should be induced to follow the excellent and honorable example of the Micmacs, in taking the Total Abstinence Pledge, and faithfully adhering to it. I trust that the Missionaries to the Micicetes, who alone receive an annual allowance from the Province, will have their attention drawn to the subject, and exert their influence to effect so desirable an object. If this can be achieved, they will be raised to a level with the Micmacs, and the same measures may then be adopted and applied to both people.

The government of the Indians requires moral considerations and elastic adaptations, and regard must be had, in the outset, to their natural habits and feelings, and their modes of transacting business. They should at all times be treated as Wards of the Sovereign, who possess property as Orphans who have peculiar claims upon the care and constant attention of the Government.

Upon the principle I have already laid down, that the affairs of the Indians should be under the immediate superintendence of the Executive, I respectfully recommend that title to the valuable lands now reserved for their use, do remain in the Crown, and that the management of them be entrusted to one or more Superintendents, who should

* The New England Company were incorporated by Royal Charter 7th February, 4th Charles II. They state that they maintain Missionaries, Schoolmasters, and Teachers of the most useful arts and trades, at the Company's expense, for civilizing, educating and instructing Heathen Nations of America in the Christian Religion, and also in such kinds of learning, and of arts and trades, as are suited to their condition. They profess to act in the execution of certain Trusts. They had formerly an establishment at Sussex Vale in this Province, which being mismanaged, was broken up about 1825.

should act under the direction of a Board of Commissioners, or of the Honorable Executive Council. The chief Superintendent should have in charge, the social and religious improvement of the Indians, and give attention to the multifarious matters of detail, connected with gathering and locating them, inducing them to adopt agricultural pursuits, and to send their children to the Schools. In a Report recently made on Indian affairs in Upper Canada, it is stated that such arrangements have been made as enables the chief Superintendent in that Province to attend fully to the *Statesman's* duties of his office, the extensive nature of which, and their importance to the good government and progressive civilization of the Indians, are clearly shewn, instead of confining himself exclusively to those duties which may be equally well performed by a Clerk.

With regard to the Lands, I feel assured that the Indians would be much better pleased that their Great Mother the Queen should retain the Title in Trust, than that they should be granted to Trustees, of whom they would always be suspicious. They have the most perfect confidence in the Government, and would never rest satisfied if their lands were intrusted to private individuals, however strictly the trust might be guarded.

I will not swell this part of my Report by entering into matters of detail, but shall be ready to enter upon them at any time hereafter. In conclusion, I beg to express my firm belief, that with the exercise of a sound discretion and under proper and careful supervision, the Indians of New Brunswick may be gradually lead to adopt Agricultural pursuits and acquire habits of settled industry. That instructed by masters of competent knowledge, and of strictly moral and religious character, they would readily acquire every species of useful information, and that thus the remnant of an ill-fated race, daily and yearly fading before the progress of civilization, would be preserved from utter annihilation, and in process of time become useful and respectable members of society.

No. 2.

TOTAL NUMBER OF INDIANS OF THE MICMAC NATION WITHIN THE PROVINCE OF NEW BRUNSWICK 1ST OCTOBER, 1841.

Name of the Settlement.	Men.	Women.	Boys.	Girls.	Total.
Renous Settlement,.....	11	15	10	7	43
The Eel Ground,.....	28	32	20	28	108
Red Bank,.....	14	12	12	12	50
Burnt Church Point,.....	51	58	46	46	201
Pokemonche,.....	21	17	11	26	75
Pocksoudie,.....	2	3	1	6	12
Bathurst,.....	9	10	4	4	27
Richibucto,.....	48	53	46	41	188
Buctouche,.....	20	22	19	32	93
Dorchester,.....	22	29	44	31	126
Aboushagan,.....	3	4	2	3	12
TOTALS,.....	229	255	215	236	935

No. 3.

RETURN OF THAT PART OF THE MICMAC NATION RESIDENT IN CANADA, 1ST OCTOBER, 1841.

Name of the Settlement.	Men.	Women.	Boys.	Girls.	Total.
Cascapedia,.....	33	28	12	16	89
Mission Point,.....	107	114	75	59	355
TOTALS,.....	140	142	87	75	444

No. 4.

COMPARATIVE STATEMENT OF ADULTS AND CHILDREN IN THE MICMAC NATION, 1ST OCTOBER, 1841.

Settlement.	Adults.	Children.
Renous Settlement, - - - - -	26	17
The Eel Ground, - - - - -	60	48
Red Bank, - - - - -	26	24
Burnt Church Point, - - - - -	109	92
Pokemouche, - - - - -	38	37
Pocksoudie, - - - - -	5	7
Bathurst, - - - - -	19	8
Richibucto, - - - - -	101	87
Buctouche, - - - - -	42	51
Dorchester, - - - - -	51	75
Aboushagan, - - - - -	7	5
In New Brunswick, - - - - -	484	451
Cascapedia, Canada, - - - - -	61	28
Mission Point, ditto, - - - - -	221	134
TOTAL, - - - - -	766	613

EXTRACTS FROM THE SECOND PART OF THE REPORT OF MR PERLEY, COMMISSIONER FOR INDIAN AFFAIRS, UPON THE MICMACS AND THE LANDS RESERVED FOR THEIR USE.

Saint John, 18th December, 1841.

SIR,—I now have the honor of submitting for the information of His Excellency the Lieutenant Governor, the second part of my Report, which relates to the several Tracts of Land reserved for the use of the Micmac Indians, and the various trespassers thereon, with observations on the Petitions which have been specially referred to me.

The Eel Ground.

The first Tract which I visited was the Reserve on the North West Miramichi at Oxford's Brook, called by the Indians "the Eel Ground." This Tract is triangular in shape, with an extensive water front, and extends back Northerly, gradually diminishing to a point. It is generally a light soil based on the Sandstones of the Coal measures, and very level. It is estimated to contain 3033 acres, from which all the valuable timber has been stripped long since. Finding that there were a number of trespassers upon it, I visited their various houses and farms, accompanied by Captain O'Halloran and Lieutenant Rolland, and at each place gave notice to quit, at the same time leaving copies of His Excellency's Proclamations relative to trespassers on Indian Lands.

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The Reserve at Indian Point.

The next Reserve which I visited is on the North side of the North West Miramichi, at the head of the tide, about 13 miles from Newcastle. It is also triangular in shape, with a very long front on the River, and contains by estimation 750 acres; it is called Indian Point or Indian Town. The land is of very good quality, rising moderately and regularly from the water, and from its position at the head of the tide is of considerable value, and a very desirable situation for settlers. Possessing such advantages, it is not at all surprising that it has been pounced upon by Squatters, by whom it is almost exclusively occupied, the Indians having only three acres in front, which are under strong picket fence, to prevent further encroachment. The dwellings of these Squatters are in general of the humblest description, very dirty and with scarcely any furniture. The land appeared to be cultivated in a very slovenly and careless manner; the people had the bullying swagger and reckless air of persons who had obtained property illegally, and were committing daily violations of the law, not knowing at what moment they might be called to account for their misdeeds. The children appeared neglected in every respect; the doubtful and uncertain position of the squatter seeming to blunt his feelings, and render him regardless of the unchristian and immoral manner in which too many of the children are growing up.

This

This is a state of things which should not be suffered to exist in a civilized community; for the evil conduct and example of these people have a most pernicious effect on the families of the lawful settlers in their vicinity. The real Squatter never seems to prosper in his affairs; the knowledge that he is beyond the pale of the law, and the cloud of uncertainty which hangs over him, keep him always in a restless and feverish state, and paralyze his best efforts. From his position he is not entitled to nor can he obtain credit from the Merchant or his neighbours. Being thus without character or credit, he is always steeped to the lips in poverty, and wears out a miserable existence in unavailing struggles, till death relieves him from his misery, when his destitute family are cast upon the world by no means fitted to become good members of Society.

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Reserve on the Little South West Miramichi.

This tract contains by estimation 10,000 acres, the whole of which is good land and very favourably situated. It is unequally divided by the Little South West, the smaller portion being on the North side of that River, and the larger portion to the southward. The latter portion is again subdivided by the highway which leads from the North West Miramichi up to the head of the Little South West. From being thus divided into three parts, it possesses great facilities for laying out Farms with fronts on the Road and on the River, which will render them very easy of access. I examined the whole of this extensive Reserve, accompanied by Lieutenant Rolland, and we visited nearly every one of the numerous settlers upon it, delivering them copies of the Proclamation and examining their improvements, a work of no small labour and fatigue. We were mounted upon horses belonging to the Indians, two of whom accompanied us as guides. The horses being accustomed to the woods, carried us through the River repeatedly, as we had to cross it many times, and they also carried us over and through every sort of obstruction and difficulty without any accident.

This is the tract over which Barnaby Julien has for some years past exercised sole control, selling and leasing nearly the whole of it, and squandering the money, as stated in the first part of this Report. There are a great number of persons on this Reserve, under lease, and paying rent regularly, who have made extensive and valuable improvements. They have in general conceived that if theirs was not a legal title, yet still it gave them a good and equitable claim upon the Government, and that any improvements they might make would be secured to them. They are in general far above the squatters on the last mentioned Tract both in character and circumstances. It was not a little curious to contrast these persons, who supposed they had fair title, with those who had not a shadow of claim, and to mark the difference between the lawless squatter and the honest industrious settler. The superior air and manner of the latter, the greater degree of comfort in their houses, and the respectable appearance of their families, were evident proofs of the advantages of living in obedience to the Laws, and of the great moral and social superiority of those who did so, over those who were leading a lawless life.

Red Bank.

The Reserve commences at Red Bank, at the mouth of the Little South West. It is a high bank of red sand and loam, (whence its name) round which the Little South West sweeps into the North West Miramichi with considerable rapidity. The rise and fall of tide at "Red Bank" is from three to five feet, and the North West is navigable to the Point for vessels of considerable burthen. On gaining the top of the Bank we found a very pretty flat or *plateau*, on which stand the premises of Barnaby Julien, and a neat little Chapel, quite new, and almost completely finished. A part of the plateau was in grain and potatoes, belonging to Barnaby; the rest was a waste, on which were the wigwams of the few other Indian residents at this very pretty spot.

Barnaby expressed much anxiety to have this place secured to himself and his family, but it is by far too valuable for that. Its admirable position and manifest advantages point it out most clearly as a highly favourable situation for a Town or Village, which at the confluence of two extensive Rivers, and at the head of the tide, would seem to be clearly needed, and by all means advisable. All persons appeared

to agree in the opinion that no better spot could be selected, and I strongly recommend that "Red Bank" be reserved for a Village, and be laid out into suitable lots.

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The Settlers on the Little South West have in general a great deal too much land, and the quantity should be reduced. Several of them have from three to four hundred acres; yet not satisfied, they are grasping at more, and striving by every means in their power to extend their boundaries. A general survey of this Reserve will be required, and a proper division and allotment of the land must be made before many of the questions arising among the several Petitioners can be fairly determined.

Reserve on the North West Mirumichi.

From the Little South West, Lieutenant Rolland and myself proceeded up the North West to examine the extensive Reserve on the East side of that River. This tract commences a short distance above Wild Cat Brook, having a front on the River of about four and a half miles, and extending back from three to four miles. It contains by estimation eight thousand seven hundred acres. Much of this tract is "burnt land," it having been swept over by the Great Fire of October, 1825, which not only destroyed all the vegetable matter on the surface, but actually calcined the sand and gravel to such an extent as to leave the land almost incapable of bearing any thing but blueberries. The greater portion of the lower part of this Reserve presents a most barren and desolate appearance; on the upper part there is some growing timber, and there the soil is of very fair quality.

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The Scryggle Meadows.

Opposite the Reserve upon the North West, at the mouth of the Great Sevogle, there are two small Islands, and a tract of Meadow Land of about 60 acres. Some years since this Meadow and the Islands were allotted to a branch of the Julien Tribe, who were furnished with a plan of the same by the Commissioner of Crown Lands, on which such allotment was stated.

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Reserves at Burnt Church Point.

The two Reserves at Burnt Church Point have already been mentioned in the first part of this Report. The reserve at the Point, containing 240 acres, is in the exclusive occupation of the Indians. The other reserve on the North side of Burnt Church River, containing 1400 acres, is in a wilderness state; the growth appeared rather small, consisting chiefly of trees of the fir tribe. The cleared land adjoining the reserve looked very well and appeared to produce good crops. There are no trespassers on this reserve, but to prevent disputes the boundaries ought to be defined, for which purpose a survey is needed.

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Reserve on the Tabusintac River.

The great Reserve on this River commences about seven miles from the mouth of the Harbour and extends five miles up stream, on both sides, with a breadth of three miles, thus forming an oblong of five by three miles; it contains by estimation nine thousand acres. The greater portion of this reserve appears by the plan to be on the North side of the River. It is all very fine land; the soil is in general heavier than what is usually found on this coast, and is admirable for tillage. The tide flows for some distance above the upper line of the reserve, every part of which is therefore accessible from the sea for all fishing vessels and small craft, which can enter from the Gulf into the harbour of Tabusintac. It is much to be regretted that so fine a tract of land, stretching along the tideway, possessing two River fronts, should so long have been allowed to remain in a state of wilderness, forming a complete barrier to the Settlement of the Country about it. The Road from Miramichi to Bathurst crosses the Tabusintac by a Bridge about thirty five miles from the sea. Timber is said to have been procured thirty miles further up above the Bridge, and thence floated down to the harbour. The land on the Tabusintac is generally of very good quality, particularly from the Bridge down to the reserve, yet there is not a single settler upon it, although there are few Rivers in the Province which offer greater advantages or hold

out stronger inducements to Settlers. If this reserve were divided into small allotments and offered for settlement on liberal terms, it would at once lead to the settlement of the whole River, and in due course of the adjoining Country.

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Wishart's Point.

At this place, which was formerly called M'Gray's Point, there is a Reserve of ten acres. It is near the mouth of the River Tabusintac, and is now in possession of William Wishart, who has it all in good cultivation, and under fence. The Indians said Wishart's house stood on their land; this was denied, but can easily be determined by survey. Wishart expressed his readiness to give up this tract whenever it was called for, after he got off his crop. He has never paid rent.

Ferry Point.

At this Point, which is below Wishart's, and still nearer to the sea, there is a Reserve of twenty five acres now unoccupied. It is a capital place for shooting wild-fowl, and would make an excellent fishing station, as Cod and other fish abound at a short distance from it to seaward. Lobsters and Oysters are here abundant, and of very good quality. Haddock were so plentiful that the Indians speared them from the canoes in passing along the coast. We obtained Cod from a fishing boat, receiving two good fish for every fig of tobacco we could furnish.

Reserve on Pokemouche River.

This Reserve is on the South side of the River, and begins about seven miles from the sea, at the Wagan-chiche (Little Knife) Brook, and extends from thence up stream three miles, with a depth of about a mile and a half. It contains by estimation, two thousand six hundred acres, the whole of which appears to be of very fair quality, and fit for cultivation.

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Reserve on the River Nepisiguit.

This Reserve is to contain one thousand acres on both sides the Nepisiguit, between the Pabineau and "the Strong Waters." It was defined by a minute of Council in April last, and is under survey by Mr. M'Neil, Deputy Land Surveyor, who had not completed the work when I left Bathurst in October. The land was said to be of very inferior quality, and the only part of it fit for cultivation, was the piece occupied by Prisque Wyoush, who made some attempts at farming. I had not an opportunity of visiting this reserve, owing to the very boisterous weather and heavy rain during my stay at Bathurst. There are no trespassers upon it. I was told that the timber had been cut off long since.

Reserve at Eel River, Restigouche.

I have already mentioned this reserve in the first part of this Report, as being unfit for cultivation. It appeared very low land, covered with scrubby spruce and fir trees. It is estimated at 400 acres, and is only valuable as a station for fishing and fowling. It is altogether in a wilderness state.

Reserve on the Richibucto River.

This Reserve is on the North side of the Richibucto, along which it extends for several miles; it contains by estimation 4600 acres. Several grants have been made within the original boundaries of this reserve, which cut it up very much. It is all exceedingly good land, rising gradually from the water with easy swell, having a southern aspect. Being beautifully indented with coves and intersected by the Molus River and two Creeks, it offers every facility of access from the water. The River is wide in front of the reserve, and the tide flows eight or ten miles above it. The Indian clearings extend some distance along the front.

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Reserve on the Buctouche River.

This Reserve is on the North side of the Buctouche River, and contains by estimation 3500 acres. The land is considered of the very finest quality, in a very favorable situation.

* * * * * Reserve

Reserve at the Aboushagan.

This Reserve not being upon my list, I was not aware of it when in its vicinity, and did not visit it. So far as I have been able to ascertain, its chief value consists in the facilities it affords for fishing and fowling.

My Report upon the Indian Lands on the eastern coast, and the Squatters thereon, being brought to a close, I would briefly remark, that it is quite clear from all that has been stated that prompt and energetic measures are required to remedy the many evils which have already resulted from the unauthorized occupation of the Indian lands, and to prevent the further spread of the mischief. Surveys of the boundaries of the several tracts are much needed, when the land could, at the same time, be fairly and properly divided into lots for settlers, giving each a sufficient quantity of land, with a due allowance of water or other front.

It will also be clearly seen from this part of my Report, that the Indian reserves are capable of yielding and may be made to yield a very considerable revenue for the benefit and improvement of the Indians; and that the sooner they are placed under efficient superintendence and management, the better it will be for the interests of the Province.

LAST PART OF MR. PERLEY'S REPORT UPON THE MICMAC INDIANS.

Saint John, 20th January, 1842.

SIR,—I now have the honor of submitting for the information of His Excellency the Lieutenant Governor, the third and last part of my Report upon the Micmac Indians and their affairs, consisting of information relative to the country passed over on my recent mission to that people.

Commencing with the River Petitcodiac in the County of Westmorland, I have to state that there is a very fine tract of land, fit for settlement, between the Coverdale River (a branch of the Petitcodiac) and the Shepody Settlement, said to comprise about 30,000 acres, covered with hardwood timber, and well watered. It was represented to me that this tract offered very favorable prospects to settlers.

Between the "Bend of Petitcodiac" and the River Richibucto, a Road was laid out some years since by Captain Maclauchlan, and a large extent of country in the vicinity of it was surveyed into lots of 100 acres each. But a small number of these lots have as yet been taken up, and there is here an excellent opening for a large number of emigrants to settle in bodies, the land being laid off into Townships, and being very easy of access. Vessels of considerable burthen can proceed to "the Bend," where the Road commences; and the other end of the same Road is also accessible to vessels of equal size by the Richibucto. The head waters of the Cocagne, the Buctouche, and the Shediac, are within this line of country, and a large portion could be reached without any difficulty from the harbours at the mouth of those Rivers, which would also afford convenient outlets for agricultural produce. The land is stated to be of very good quality, thickly covered with a mixed growth of timber, among which Ash and large Birch predominate, and it certainly possesses many advantages with respect to situation.

I cannot pass over this part of the country without adverting to the proposed Canal for connecting the waters of the Bay of Fundy with those of the Gulf of Saint Lawrence, two routes for which have been proposed—the one from Cumberland Basin to the Bay Verte, and the other from Memramcook to Shediac Harbour. It is stated that the length of the Canal in either case would not exceed fifteen miles, through a very level country, offering no serious obstacles to the undertaking. With respect to the Bay Verte, it appears in evidence, that at low water it is nearly dry for about two miles, except in the channel, which has only four feet at the mouth of the River, and on the bar at low water, and that the rise and fall of tide is seven and a half feet. The Bay Verte, from the shallowness and crookedness of the channel, can only be approached by vessels of small size, and is difficult to get in or out of, with particular winds. Shediac Harbour on the contrary, is represented as easily accessible from the Gulf, with sufficient depth of water for vessels of large size, with good anchorage, and safe shelter. These statements are supported by recent surveys of the

the Harbour of Shediac, made by the Messieurs Milne, two very intelligent pilots residing there, who have taken the soundings with much care and precision.

It cannot for a moment be doubted that the completion of this Canal would be of the greatest possible importance to New Brunswick, by opening the extensive and valuable Fisheries of the Gulf and the Labrador Coast, by giving a ready means of communication between the whole Eastern coast of the Province and Saint John, without the tedious and dangerous voyage around Nova Scotia,—and by developing new branches of trade and business from the intercourse with Prince Edward Island, the Bay of Chaleur, the Gulf of Saint Lawrence, and Canada. Should large bodies of Emigrants arrive in New Brunswick, the Canal would furnish them with employment until they became acquainted with the country, and could make arrangements for settling upon the vast tracts of fertile land, yet unoccupied, upon the Eastern side of the Province;—thus internal improvement and the settlement of the country would go on simultaneously, with advantage to each other.

Passing along the eastern coast from Shediac northward, the next harbour is that of Cocagne, at the mouth of the River of that name. The entrance of this harbour is a mile in width; in ordinary tides, there is about nine feet on the bar at low water, and fourteen feet at high water—there is two or three feet more at spring tides. Within the harbour there is good anchorage in five fathoms water. I noticed a number of fishing vessels riding safely in a very violent gale. The Cocagne River is about thirty miles in length, and is but thinly settled, although the land on its borders is very good. Buctouche Harbour is at the mouth of the Great and Little Buctouche Rivers; the entrance to it, between two low sand beaches, is narrow. At low water there is nine feet on the bar, and at high water about fourteen feet. Within the bar there is a safe harbour with good anchorage in four fathoms water. Several square-rigged vessels load here annually for Britain with timber and deals; and the largest ship ever launched in New Brunswick, (about 1500 tons) was built on the Great Buctouche, up which the tide flows about thirteen miles. The land on this River is a deep rich loam, exceedingly fertile, and covered with large-sized and valuable timber. The Great Buctouche is about forty miles in length; the Little Buctouche about thirty five miles. On the latter River there is but little timber; the excellence of the soil is testified by several very fine farms. The Settlements on these Rivers extend only to the head of the tide; the inhabitants are principally French, who pursue agriculture almost exclusively, and appear in comfortable circumstances.

Twenty miles north of Buctouche is the Harbour of Richibucto, the entrance to which is rather narrow, between sand beaches. There is about twelve feet on the bar at low water, and seventeen feet at high water. The Harbour is safe and commodious; the River is navigable for vessels of large size upwards of 15 miles, the channel for that distance being from four to six fathoms in depth. At the head of navigation for large vessels, the Road to Petitcodiac commences. The tide flows up the River 25 miles; the banks on either side rise moderately from the water, presenting easy slopes. The soil is very fair, but not quite so good as that on the Buctouche, being more sandy. The River is but thinly settled as far as the head of the tide, above which the whole country is in a state of wilderness. A new Road was opened two years since from the Richibucto to the head of the Grand Lake, intersecting the Great Road recently opened from Fredericton to the Bend of Petitcodiac. By that route I passed over this line of country in 1837, and found the land very level, and well adapted for settlement. The line for a Rail Road from the head of navigation on the Grand Lake to the head of navigation on the Richibucto, was surveyed about six years since, and the plan of survey was lithographed at my expense; some copies of this plan are herewith sent for His Excellency's acceptance.

The Richibucto has five tributaries—the Saint Nicholas and the Mill Branch on the South side—and the Aldoine, the Molus and the Bass Rivers, on the North side, upon each of which there is much vacant land fit for settlement. The Molus River falls into the Richibucto near the centre of the Indian Reserve, and adds much to the value of that tract by the facility of access which it affords. The land on the Molus is particularly good, and is covered with beech, birch and maple of large size.

Next in order is the Kouchibouguacis, a small River said to have its rise in a Lake about fifty miles from its mouth. This River is broad but shallow, the banks are low and

and very level, the tide flows up about twelve miles, to which distance the Settlements extend. The soil is a dark rich loam well adapted for tillage, and produces good crops. The fishery at the mouth of this River is valuable; lobsters are so abundant, that they are used for manuring the land.

About six miles from the mouth of the Kouchibouguacis the Kouchibouguac enters the Gulf. The tide flows up this River seven miles to the bridge on the great North Road, close to which there is an extensive and valuable Mill Establishment. The Kouchibouguac is about fifty miles long; it is tolerably settled from the Gulf to the Bridge, above which there are but few inhabitants. Two miles below the Bridge is the extensive and very convenient Ship Yard of Messrs. J. Cunard and Company, where a number of large vessels have been built of late years. There were two Brigs on the stocks nearly ready for launching at the time of my visit in October last. The channel of the River sweeps in close to the Ship Yard, and is of sufficient depth for vessels of 500 tons. Square Timber and Logs have been "driven" down this River forty miles from its mouth. The Country on both sides the River is thickly covered with White and Red Pine, Cedar, Birch and Maple. That excellent and rapidly growing species of Timber the Larch (or Hacmatack) is found on this River in very extensive groves, and of large size. It has been much used in Ship building at this place, for which it is in great request, as vessels built with it bear a high character and bring a better price.

Salmon and Alewives are caught at the mouth of this River in considerable quantities, and close to the entrance of the Harbour there is an excellent Cod and Mackerel fishery.

The banks of the Kouchibouguac above the Mills are almost wholly ungranted; the soil is good, and from all I could learn, it appears that this River possesses several advantages for the formation of Settlements which would enjoy many privileges. There is now the beginning of a Village where the Great Road crosses this River; and were the Country in the rear settled, it would soon spring into a Town, receiving support from, and conferring benefits upon the Settlements in its vicinity. I would particularly recommend this River to His Excellency's notice.

The Road from Kouchibouguac to Chatham crosses three small Rivers—the Baie des Vents, Black River, and Napan River, on all which there is much good land yet in a wilderness state, where Settlements might be formed with advantage.

The Miramichi is too well known to require any particular notice at my hands, and I therefore pass it over. The coast to the northward is precisely similar to that to the southward of it, being generally low land, with long islets, or rather sand bars, in front, thrown up by storms, between which and the main land are a series of well sheltered lagoons, perfectly secure and admirably adapted for boat navigation at all times. Through these sand bars the Rivers force their way by narrow passages, which are commonly called "Gullies;" these frequently fill up and shift their position, from violent gales and heavy seas, as well as from great freshets in the Rivers themselves. Outside the sand bars there is good fishing every where, from Escuminac to Miscou, which might be carried on more extensively than at present, and would prove a source of wealth to the Province.

The Tabusintac is the principal River on this part of the coast; in the second part of this Report I have described the admirable quality of the land on its banks, which it is surprising should so long have been suffered to remain ungranted.

There is about eight feet water on the bar at the mouth of the Tabusintac at ordinary tides, and about three feet more at spring tides. Alewives are caught in the River every Spring in considerable numbers, and Salmon in August and September. Herrings are in some seasons caught in large quantities at an Island between the mouth of the Tabusintac and Neguac. There are said to be abundance of Fall Herring and Mackerel off this coast every season, but not many are caught, owing to the fishermen not being properly fitted out for taking them.

It was stated to me that there was an admirable line of Country for settlement, all ungranted land, from Burnt Church River to the Tabusintac, (in the rear of the Neguac Villages,) and thence northerly across the Great and Little Tracadu Rivers, the different Branches of the Pokemouche, to the Caraquet River on the Bay of Chaleur. This part of the Province is altogether in a wilderness state, without Roads

or Bridges, and at present is only accessible by the Coast and the Rivers which intersect it. A number of large Settlements might be formed within this extensive tract of Country, which would have peculiar advantages from their proximity to the Sea and River Fisheries and to the Coast. The only Road in this portion of New Brunswick is that by the coast from the Miramichi to Bathurst, very nearly 100 miles, which in many places is but a bridle path. It was a general subject of complaint with the inhabitants, that very little money had been granted by the Legislature for the improvement of this Road, and none for the opening of several new lines which are much needed by the present settlers, and which if laid out and worked, would lead to the settlement of the vacant land almost immediately. Many persons on the coast expressed to me their anxious desire to become settlers in the interior; but, said they, we are deterred from settling; there being no Road by which they could reach the land they wished to occupy, or by which they could communicate with the settlers on the coast. The formation of Settlements in this part of the Province would greatly encourage the Fisheries, and lead to their being more vigorously and extensively prosecuted, while the farmers would be benefited by having the fishermen as consumers; agriculture and the fisheries would thus assist and promote each other.

Between Fokemouche and Caraget, at the entrance into the Bay of Chaleur, is the spacious Port of Shippegan, which is formed by Shippegan and Pocksoudie Islands and the Main Land. It comprises three large and commodious harbours—first, the great inlet of Amacque, the depth of water into which is from five to six fathoms; second, the extensive and well sheltered sheet of water called “Saint Simon’s Inlet,”* the channel leading into which is one mile in width, with seven fathoms water from side to side; and third, the middle channel between Shippegan Island and the Main Land, which runs through from the Bay of Chaleur to the Gulf of Saint Lawrence. The entrance into this channel from the Gulf is by Shippegan Gully, which will not admit vessels drawing more than seven feet, that being the depth of water on the bar; but the principal entrance from the Bay has not less than five fathoms on the bar, inside which, within the Harbour, there is six and seven fathoms up to usual loading place, from whence to the Gully there is about three fathoms only. Vessels within the Harbour of Shippegan have good anchorage, are quite safe with every wind, and can load in the strongest gale—the rise and fall of tide is about seven feet.

The soil of Shippegan is well adapted for farming pursuits; where the land has been properly cultivated, the farmers have at all times had profitable returns. The inhabitants are chiefly French, who, of late years, have improved their farms very much. The settlement of Shippegan contains about seven hundred souls.

The Islands of Shippegan and Miscou are said to be of little value for settlement, being much cut up with lakes and barrens. But the shores of these Islands seem formed by nature for the prosecution of the fisheries, the numerous creeks and coves affording safe and convenient harbours for boats and schooners during the fishing season, as well as admirable positions for fishing establishments. As yet this branch of business may be considered in its infancy at this place, no attempts having hitherto been made to carry it on upon a large scale. The inexhaustible source of wealth which the bounty of Providence has provided upon this coast, will always furnish the means of obtaining a livelihood, and thousands of people may here with energy and industry secure to themselves comfort and independence. The fisheries will ever be productive of wealth, will furnish a most important article of commerce, and give constant employment to any extent of population. If properly protected and encouraged, they will eventually become one of the greatest and most lasting sources of Provincial prosperity.

The Caplin fishery at Point Miscou generally commences the first of June and ends the first of July. The average take of cod and other fish by the inhabitants of Caraget, Shippegan, and the fishermen who come over from Gaspe, during the season, is not less than from fifteen to twenty thousand quintals annually, exclusive of what may be taken by the numerous American fishing vessels on this part of the coast.

The

* This Inlet derives its name from a French Corvette, called the Saint Simon, which was sunk there after the conquest of Canada.

The exports of fish and lumber from Shippegan have quadrupled within the last four years. The export of fish during the past season of 1841 to Spain, and coastwise, for home consumption, amounted to ten thousand quintals, valued at £8,000 currency. The export of Timber, Deals, Lathwood, and hardwood for shipbuilding, during the same period, amounted to £7,000, making a total of exports from this out-port of £15,000 for the past year.

Messrs. Cunard and Company of Miramichi, have a trading and fishing establishment at Shippegan, but all the rest of the business is carried on by Merchants from the Islands of Jersey and Guernsey. At Caraquet, where the inhabitants all follow fishing more or less, the business is entirely in the hands of the Agents of Messieurs Robin and Company, and Le Boutillier Brothers, both Jersey houses, who have extensive fishing establishments in Gaspe. The house of Robin and Company is extremely wealthy; their riches have been amassed by a steady pursuit of the fisheries only. The late Charles Robin, the founder of the firm, commenced the business on the shores of Gaspe about 1780, since which it has been carried on by the house, with greater or less profit, up to the present time.

The settlers on the Pokemouche River are chiefly Irish, who do not engage in the fisheries, but follow lumbering and farming. The harbour of Pokemouche will not admit the entry of any craft larger than boats, owing to the shallowness of the water on the bar, but the River abounds with Bass, Trout and Eels at all times, and Salmon and Gaspereaux in their season. The farmers on the Pokemouche have every year a considerable surplus of produce for sale, but from the want of a Road to Shippegan, they are in a great measure cut off from market, being obliged to bring their produce round by the shores of the Gulf, with much risk and at great expense, which the articles will not bear. Were Roads opened and Settlements formed in this district, the Port of Shippegan would rise rapidly into importance; the fisheries would be prosecuted more vigorously, and a Town would spring up, in what is now a pathless wilderness. That splendid sheet of water Saint Simon's Inlet, wherein a Navy might find a safe and fitting haven, whose shores are yet wooded to the very beach, and whose waters are only disturbed by the Micmac Canoes and flocks of wild fowl, would then become the seat of business, and be animated by the spirit of enterprize and activity. Tall masted ships would displace the frail canoe, and fleets of fishing boats would float in numbers equal to the wild fowl, while hundreds of human beings would gain a comfortable subsistence on a spot which does not now support a single soul.

The settlement of Caraquet extends along the sea side for ten or twelve miles, and contains a population of about two thousand souls, nearly all French, who are settled closely together. The lands fronting on the water only, are granted; those in the rear are yet vacant, the French being always unwilling to quit the water side. The farms are in general small, owing to the frequent subdivision among families. The soil appears light, but it produces very good crops. Through this Settlement there is a good carriage Road, and about the centre of the Settlement there is a large stone Chapel well finished and handsomely decorated, built entirely by the voluntary subscriptions of the people; the view from it over the Bay and River of Caraquet is exceedingly fine. A number of vessels load every season in Caraquet Harbor with Oysters for the Quebec market; every Cove sends forth daily its fleet of fishing boats during the season, and I was told that it was not an uncommon sight to see one hundred boats starting together out of one Cove, of a morning, for the fishing ground. The Caraquet River is similar in character to the Tabusintac and Pokemouche Rivers, and possesses equal advantages for settlement. There is from four to five fathoms water in the channel which leads into Caraquet Harbour.

I did not visit the Settlements between Caraquet and Bathurst, which, although but recently formed, are already in a very flourishing condition. The Settlers are chiefly from Ireland, and they attend exclusively to agriculture; by unremitting industry and good management they have succeeded in raising themselves from poverty to a comfortable, and comparatively independent situation.

The New Bandon Settlement was formed by a party of Emigrants from Bandon, in the County of Cork, and the success which has attended their labours, is a convincing proof (if any were wanting) of the advantages which flow from the formation of compact Settlements, or little communities, where every man cheers, assists and encourages

encourages his neighbour—where combined efforts overcome with ease, obstacles and difficulties which are quite insurmountable to the solitary Settler, who is depressed and disheartened by his very loneliness.

The Bay of Chaleur may be considered an immense haven, with many excellent harbours; its length is said to be ninety miles,—in breadth it varies from fifteen to thirty miles, yet in all this great extent of length and breadth, *there is neither Rock, Reef or Shoal*, and no impediment whatever to navigation. The land on the South or New Brunswick side of the Bay, is low, and the rocks are altogether grey sandstone; the water deepens gradually from the shore, at a short distance from which the fishing is excellent. On the North shore or Gaspé side, the coast is bold and precipitous, rising into eminences which may almost claim to be called mountains. The scenery along the whole of the Gaspé shore is striking and picturesque in the highest degree. High cliffs of sand stone, almost blood-red in colour, border the sea in several places for miles together, intersected occasionally by deep and rugged ravines, through which the mountain torrents seem to force their way, and down which they come foaming and roaring until they finally leap into the tide.

On the summit of the cliffs there is a *pluteau* of good land, generally in cultivation, but beyond this narrow border, all is wilderness and desolation. The land rises at first gently, but afterwards abruptly into a long range of lofty hills, whose elevated summits are wooded to the very top. The outline of these hills, when seen from a distance, is peculiarly fine. When I saw them in September, owing to the long continued and excessive drought, the woods were on fire in all directions, and the "Gaspé mountains" at night presented a very singular spectacle. The fire at times appeared to climb up the steep hill sides, with slow and stealthy pace, licking up every combustible in its way—then it would rush up to the mountain's brow like a whirlwind, throwing up huge jets of glowing flame, and immense volumes of dense smoke, sparkling with thousands of burning brands, carried aloft and tossed wildly about by strong currents of air, created by the heat and rarefaction of the atmosphere. Coasting the shore at this time, on a dark, but calm night, the hills appeared to be active volcanoes, as grove after grove of lofty trees, burst into masses of flame, then gradually died away into darkness, and after smouldering for a time, again broke forth with renewed vigor, as the raging fire reached fresh materials for combustion.

In crossing the Bay from Grand Ance to Paspébiac, a distance of twenty one miles, I saw a great number of whales, many of them of large size. On reaching Paspébiac, we were told that a Schooner had been fitted out there for whaling, and had but recently returned after a short cruise, having taken eight of the black or right whale. At this place I visited the fishing establishments of Robin and Company, and Le Boutillier Brothers, which for extent, convenience, and perfect fitting up, are said to be unequalled. The water on the Gaspé shore being deep and the bottom rocky, the fishing is not good. The Gaspé boats therefore cross to the shore of this Province, near which the best fishing ground is found. Although our own people have the fishing thus at their very door, they do not prosecute it with the same vigor or assiduity as the Canadians, who no doubt are encouraged and stimulated by the extensive and well conducted establishments on their coast.

The Restigouche, which separates us from Canada, falls into the head of the Bay of Chaleur, and is one of the noblest Rivers in this part of America. At its entrance into the Bay at Dalhousie it is three miles in width, and from thence to Campbellton, a distance of twenty miles, it maintains a great breadth, and may be considered for the whole distance one magnificent harbour, fitted for ships of the largest class. I beg to refer to the plan of this River, copied from the best and only authentic survey, which I have already submitted to His Excellency.

Opposite Campbellton, the Metis or Kempt Road strikes off for Quebec by the Matapédiac and Metis Rivers. From Campbellton to Fredericton, by the present circuitous route, the distance is about 230 miles; while in a direct line across the country, the distance is little more than 100 miles. The necessity for a Great Road from Fredericton to the Restigouche is daily becoming more pressing. The advantages of such a Road would consist in the establishment of a direct and easy communication between the Seat of Government and a valuable portion of the Province rising rapidly into importance, from the excellence of its Harbours, the magnitude of

its Rivers, and the variety and extent of its resources—in opening for settlement a very large tract of country at present inaccessible for that or any other purpose—in forming a junction with the Great Metis Road to Quebec, an object of much importance in many points of view—and in placing Fredericton, and the upper part of the Saint John, in immediate connection with the Fisheries on the Northern and Eastern Coast.

If Bodies or Associations of Emigrants of a superior class, possessing some capital, could by any means be induced to settle on the Restigouche, they would find a profitable field for their labours, and they would greatly increase the prosperity of the Province by the development of the resources of that part of the country. The mineral wealth of the Restigouche is very great, but as that River will probably be visited next year by the Provincial Geologist, I but barely allude to the importance and value of its resources in that respect.

In concluding this Report, I beg leave respectfully to offer for His Excellency's consideration, some observations on the best means of advancing the real interests of New Brunswick, and promoting its prosperity.

Lord Durham has beautifully described the wild lands of the Colonies of Great Britain, as the natural heritage of her unemployed poor. He styles them the rightful patrimony of the English people, the ample appanage which God and Nature have set aside in the New World for those whose lot has assigned them but insufficient portions in the Old.

Steam Navigation has so far reduced the distance between England and this Colony, that it is almost as easily reached as the remoter parts of the United Kingdom, and it must soon attract a greater share of public attention on the other side of the Atlantic. We now only require *labour* and *capital* to open up our country, and bring forth its latent capabilities and hidden resources. A well regulated emigration of persons of all classes from the United Kingdom, where there is not only a superabundance of labouring population, but where each department of every trade and profession is overstocked, would give prosperity to England by converting thousands of the unemployed and destitute into the happy and independent cultivators of a fertile soil, who would become in this country the well paying customers for the manufactures of their native land.

A considerable immediate outlay is required for executing the greater and lesser works of communication and improvement throughout New Brunswick, in an effectual and permanent manner, after which they may be kept in repair at a comparatively trifling expense. A small portion of our annual revenue would suffice to maintain Roads when once well made, but the whole of our revenue for several years would be required for the original construction of such Roads. The construction of great public works, *by loan*, would materially accelerate the physical prosperity of the Province. The beneficial effect of the loan system would be two-fold—it would call into operation individual capital and enterprise, and it would give distant capitalists an immediate interest in the welfare of the country. By anticipating the revenue in this manner, an impetus would at once be given to the Colony, of which it is impossible to exaggerate the beneficial results. The *unemployed* capital of England would furnish work for her *unemployed* labourers on the *unemployed* lands of New Brunswick, for the purpose of giving a value to that, which without such combination, would continue valueless.

The observations of Lord Durham with respect to the capabilities and advantages of the North American Colonies generally, are specially applicable to New Brunswick. It possesses great natural resources for the maintenance of large and flourishing communities. An almost boundless range of the richest soil still remains unsettled, and may be rendered available for the purposes of agriculture. The wealth of vast forests of the best timber, and of extensive regions of the most valuable minerals, yet remain untouched. Along the whole line of sea-coast, around each Island, and in every River, are to be found the greatest and richest Fisheries in the world. The best fuel and the most abundant water power are available for the coarser manufactures, for which a market may always be found. Trade with other countries is favoured by the possession of a large number of safe and commodious Harbours; long, deep and numerous Rivers supply the means of easy intercourse; the structure of the country generally,

generally, affords the utmost facility for every species of communication by land. Unbounded materials of agricultural, commercial and manufacturing industry are present; and with wise and energetic measures, these elements of wealth and special advantages may at once be turned to profitable account. A long career of prosperity will open upon us; a large and flourishing population will fill the country; and a Province now viewed as a mere wilderness, will become one of the fairest and richest portions of British Colonial Empire.

(Signed)

M. H. PERLEY.

LETTERS FROM A. READE, ESQUIRE, TO MR. PERLEY.

Government House, Fredericton, 16th June, 1841.

SIR,—I am directed by the Lieutenant Governor to acknowledge the receipt of your letter of the 15th instant, and to convey to you His Excellency's thanks for your Report and suggestions for improving the condition of the Indians.

His Excellency desires me to state that he concurs with you in the objections entertained to the system of making presents to them, at least so far as the adults are concerned, and that he is convinced of the necessity of securing to them their lands, of preventing encroachments, and securing to them all the advantages to be derived from their permanent possession.

The Lieutenant Governor considers that it will be a primary object to provide for the education of the children, males and females, and more especially of the very young, so that settled habits of order, industry and morals may be early implanted, and that to effect this, nothing will be more conducive than the establishment of Infant Schools. As these Institutions have not been hitherto introduced, excepting at Saint John and Fredericton, the Lieutenant Governor thinks it would be advisable to form them in situations convenient for the Indians, but not to the exclusion of other children in the neighbourhood of their Settlements, as it is not desirable to bring up their children as an exclusive class or caste, but rather to blend them with others, who ought also to be taught to regard the Indians as their fellow christians and fellow subjects.

Teachers have been sent out to the West Indies, who have formed Training Schools in which the children of every Christian denomination are now receiving religious and general instruction; and His Excellency thinks that Schools on this plan may be formed, the introduction of which would have the immediate effect of arresting the mortality amongst the Indian children, by inducing the Indians to leave their children at the Settlements while they travel about the Province, or go on hunting expeditions, a proposal which some of them have already expressed their readiness to adopt.

His Excellency approves of the distribution of Seed Corn and Potatoes for planting, and will be prepared, to the extent of the grant, to reimburse any advances which as Commissioner you may have made on this account, and which may be required for the relief of the aged and infirm, but for this object it would be necessary to state to His Excellency the precise amount you may require.

The formation of a School of Industry, on the plan of the School now in operation at Norwood, for the London Parishes, would be very desirable, but its object should not be confined exclusively to the Indians.

Having understood, during his recent visit to Woodstock, that it would be inconvenient to the Indians at Tobique to come down to the Village near Fredericton to meet you as one of their Chiefs, His Excellency directs me to suggest that you should either meet them at Woodstock or visit the Settlements on the Saint John's in succession.

I have to add that the Lieutenant Governor will be glad to confer with you on these interesting subjects whenever you visit Fredericton.

I have, &c.

(Signed)

A. READE.

M. H. Perley, Esquire, &c. &c. &c.

Fredericton, N. B. 19th June, 1841.

SIR,—With reference to my letter of the 16th June, I am directed to request, that in stating to His Excellency the precise amount required for the Indians, and which you

you estimated at £15, you would accompany that statement with the particular return of the Indians in whose behalf the money is to be expended, shewing their number and location, and the general object to which the money is to be applied.

I have the honor to be, Sir,

Your most obedient Servant,

(Signed)

A. READE.

Moses H. Perley, Esq. Commissioner Indian Affairs.

Fredericton, N. B. 23d June, 1841.

SIR,—I am to acknowledge your letter of the 20th instant, and to state that His Excellency approves of the plan you have in contemplation of visiting the various Settlements of the Indians in succession, and is desirous that you should put yourself in communication with the other Commissioners for Indian Affairs in the different parts of the Province, and visit their outlying Settlements, and he will be prepared to recommend the reimbursement of any moderate charges incurred by you for travelling expenses.

The Lieutenant Governor thinks it may be desirable to point out to the Indians that it is in contemplation to open Schools in situations convenient to their Settlements, and to allot them Lands in those situations for their subsistence. Also to establish Loan Funds, whereby they and others will be enabled to obtain the means of providing themselves with root houses, and seeds and agricultural implements—which loans will be repaid by small instalments—that the object being to admit them to a participation in all the advantages conferred on their fellow subjects, the descendants of Englishmen, they will have the same opportunities of acquiring wealth, and their children the same means of acquiring the knowledge which will raise their condition.

I am directed further to inform you, that besides the allotment of lands for their individual occupation, it is contemplated to protect their interests in what are commonly called the 'Indian Reserves;' and as the product of those lands in Timber, &c. will be held for their benefit generally, it is not desirable that the Indians should enter into separate engagements with individuals for the right of occupancy or of lumbering—in which it is to be feared that advantages are not unfrequently taken of them by improper persons, to the serious prejudice of the whole; under this plan, each person or family having lands for themselves, will have the free disposal of their own allotment, and a general interest in the remainder, and the funds arising therefrom will be applied to objects for the benefit of themselves and their children.

A Plan of the Tobique Lands has been ordered, and will be transmitted to you as soon as prepared.

I have, &c. &c. &c.

(Signed)

A. READE.

M. H. Perley, Esquire, &c. &c. &c.

Fredericton, N. B. 8th September, 1841.

SIR,—I have the honor to acknowledge your letter of the 4th instant, with inclosures reporting for the information of the Lieutenant Governor, the proceedings of yourself, Messieurs O'Halloran and Rolland, in your visit to the Indian Tribes and their Reserves in the vicinity of Miramichi, and having laid the same before the Lieutenant Governor, I am directed to apprise you of the satisfaction His Excellency has derived from the effect of your exertions, and to express his acknowledgements for the co-operation rendered you by Captain O'Halloran and Lieutenant Rolland. The translation of the Lord's Prayer by the former officer, is very interesting, and the Lieutenant Governor is gratified to learn that it is his intention to make further translations from the Scriptures and especially from the Gospels, in the Micmac language; and if Captain O'Halloran would forward copies of these translations, the Lieutenant Governor will direct their publication for the use of the Indians.

I am directed further to signify to you His Excellency's approval of the manner in which the Timber seized by you has been disposed of, and to request that a detailed and separate Report may be made in regard to the Lands and Squatters on them.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

A. READE.

Moses H. Perley, Esquire, Commissioner of Indian Affairs, &c. &c. &c.

Fredericton, N. B. 22d December, 1841.

SIR,—I have the honor to acknowledge, by direction of the Lieutenant Governor, your letter of the 11th instant, containing a Report of the state of the Indians, their Lands, &c. founded on your observations, during your recent visit to their Settlements in this Province.

The Lieutenant Governor has perused with much interest the details therein communicated, and views them as an evidence of the zeal and intelligence which you have evinced for the preservation and progressive improvement of the remnant of this unfortunate race, the aborigines of the country, who possess qualities which cannot fail to second any well directed effort with a view to reclaim them; individual examples have already come under His Excellency's observation which confirm the hope of success he has been led to entertain.

Reserving the important matters which you propose to take up in your subsequent Report, His Excellency directs me to express to you his entire concurrence in the views you entertain, that while the extensive and valuable tracts of Land occupied by the Indians, continue to be held by the Crown in trust, for their benefit, and which might be more advantageously administered than at present; Village Settlements should be formed where the Indians may acquire allotments in their own right; where without any abrupt interference with their habits, they may be instructed in those arts by which they may acquire their subsistence and improve their condition.

Adverting to the mortality, especially amongst the children, by which their aggregate numbers have of late years been progressively reduced—a consequence of their unsettled habits, and their ignorance of the treatment of the disorders which so frequently prove fatal, it will be very desirable that provision should be made for the regular attendance of Medical Practitioners at their Settlements.

The formation of Infant Schools will be a means of rescuing the young from the habits of unsettled life, and as a means of practically reclaiming the Adults, their association in such Schools with the children of the white inhabitants would be very desirable, affording as it would an opportunity of imparting to them the habits congenial to an improved social condition; and His Excellency hopes that these objects may be accomplished through the influence of those who have acquired the confidence of the Indians.

Appreciating the importance of the recent adoption of the pledge of temperance amongst the Micmac Indians, the Lieutenant Governor would be glad to find that this salutary check to the destructive effects of inebriety had been introduced amongst the other Tribes in the Province.

As it is His Excellency's intention to recur to these topics, on receiving your further Reports, it only remains for me now to offer you his acknowledgments for the valuable information you have already communicated.

I have, &c. &c.

(Signed)

A. READE.

M. H. Perley, Esquire, Commissioner Indian Affairs.

Fredericton, N. B. December 31, 1841.

SIR,—I am directed to acknowledge your Report dated the 18th instant, with your subsequent letter of the 28th, on the Reserved Lands of the Micmac Indians, and the various petitions received from the persons, who under arrangements made with the Indians, or without their consent, have settled or encroached on them.

His Excellency directs me to assure you that he is strongly impressed with a sense of the zeal and intelligence with which you have discharged the arduous service you undertook, and which he regards as alike creditable to your humanity and public spirit.

Your Report, which contains details of great value, has been referred to the Surveyor General, and will be brought under the consideration of the Executive Council, at their meeting on the 5th January, with a view to the adoption of prompt measures for the settlement of the Reserves, when the claims of those persons whom you have recommended for the favourable consideration of the Government, will receive every attention consistent with the rights and interests of the Indians, for whom the lands have been specially reserved by the Crown.

His Excellency is gratified to learn, that you are directing your attention to the introduction of habits of temperance amongst the Milicete Indians, which have been so laudably adopted by the Micmacs.

The Lieutenant Governor thinks that the Indians may, with advantage, participate in the public employment upon the Roads.

I have, &c. &c. &c.

(Signed)

A. READE.

M. H. Perley, Esquire, &c. &c. &c.

EXTRACT OF A LETTER FROM CAPTAIN O'HALLORAN.

Burnt Church Point, 7th September, 1841.

Understanding from Mr. Perley that the introduction of the Scriptures amongst the Aborigines of New Brunswick was one of the objects connected with his present Mission, I have applied myself assiduously during our visit to the several Settlements, to the study of the Micmac language; with what success, Your Excellency may form some judgment from the translation of the "Lord's Prayer," which I forwarded some days since from Newcastle, and of which I now transmit to Your Excellency a corrected version, inscribed in the proper Micmac character. If Your Excellency thinks that my humble efforts are of any avail in the promotion of the object referred to, I beg to state that I am willing, on my return from the Restigouche, to revisit Burnt Church. The Indians are delighted and grateful for the instructions in reading and writing which I have already bestowed upon them; and as they are a very intelligent race, and most desirous to learn, I hope to realize my anticipations of being in some degree instrumental in the improvement of their moral condition.

My printed version of the "Lord's Prayer" has been put into the hands of about fifty Indians, some of whom can read it tolerably well.

EXTRACT FROM A REPORT FROM CAPTAIN O'HALLORAN.

Newcastle, Miramichi, 27th September, 1841.

From the enquiries I have made as to the source from whence the Micmac Indians derived their first knowledge of an alphabet, I am led to the opinion that they owe their instruction to the Jesuits, who came to this Province amongst the early French Settlers. I shall endeavour to embody in my Journal all that I can collect of a derivative, traditional or useful nature relative to the Micmac Indians. There is much in their cast of countenance, to wit, the broad high cheek bones, straight black hair, and almost total absence of beard, and also in their marked predilection for the sea coast, which would favor the opinion that they are of Malay origin; on the other hand, the Malays exhibit a striking contrast to the Aborigines of this coast, in the lowness of their stature, and especially in their disposition, which is notoriously treacherous and revengeful, whereas that of the Micmacs appears to be social, confiding and grateful; and these physical and moral discrepancies can only be accounted for by attributing them to the free admixture of late years of Micmac with European blood.

There are only a few Indians at Bathurst, and they are not in point of intelligence at all to be compared to those with whom I had previous intercourse. The only thing in the way of translation which I have lately achieved, has been Mr. Perley's Commission and my own and Mr. Rolland's, as Chiefs of the Micmac Nation. We were elected at a Grand Council of the Nation held at Burnt Church on the 7th instant, in token of the gratitude felt by these poor Aborigines for our exertions in their behalf.

EXTRACT OF A REPORT UPON THE STATE AND CONDITION OF THE INDIANS RESIDING AT AND FREQUENTING EEL RIVER AND OTHER PARTS OF THE COUNTY OF RESTIGOUCHE, BY MR. A. BARBERIE.

Dalhousie, October 8, 1841.

Having been appointed by Your Excellency's Predecessor a Commissioner to superintend the affairs of the Indians in the County of Gloucester, in conjunction with

Thomas

Thomas M. Deblois, Esquire, of Bathurst, previous to the division of Gloucester, the Act of Assembly constituting the County of Restigouche, became Law almost immediately after the above appointment. Mr. Deblois and myself however have continued to act under the appointment, each taking for his supervision the immediate County in which he resides, and dividing the annual grant equally between the two Counties, or according to circumstances and the more immediate wants of each. I have therefore deemed it most proper to report separately, and to furnish my Returns for Your Excellency's information accordingly.

In obedience to Your Excellency's desire, signified through a Circular received from the Honorable William F. Odell, I have obtained a return of the number of Indian Families comprised within the County of Restigouche, specifying the men and women, and the children of both sexes. The peculiar situation of this County, from its proximity to the Mission, as it is called, situate on the Canada side of the Restigouche River, about twenty miles from the Eel River Reserve, and where from three to four hundred Indians are located, the Chiefs of which Tribe exercise jurisdiction over the Indians of this County;—this circumstance, coupled with the wandering habits of the Indians themselves, renders it a most difficult matter for me to distinguish who are really inhabitants, or such as may be said permanently to reside in this County. In detecting many who have thus imposed upon our limited means, I have been greatly assisted by the activity and skill of M. H. Perley, Esquire, who recently visited this quarter by Your Excellency's directions.

There is a Reserve for the Indians situate at the mouth of Eel River, about three miles from Dalhousie, the Shire Town of this County, (originally, I believe, 400 acres,) of about from 150 to 200 acres, where some three or four families of the Indians constantly reside; and at the shooting and fishing seasons numbers resort thither from the Mission on the Canada side as before described. The land reserved at Eel River is of little or no use for cultivation, consisting almost entirely of a low morass or swampy nature, or what is commonly called Carriboo plains; the River itself is but a small stream, branching or forking about two or three miles from the mouth, the tide flowing perhaps two miles up the River, and forming near its confluence with the Bay de Chaleur, a wide basin of shallow water, covering a soft muddy bottom, affording the best ground for eel fishing in this part of the Province, and for the same space is probably not equalled in any part of the world; these fish furnish a most valuable and delicious article of food for the Indians, are taken at all seasons of the year, and in great abundance, and by the sale of what they do not require, often supplies them with other necessaries. It is also a resort of codfish in the Winter, the Indians killing these fish with spears through holes cut in the ice at or near the River mouth. Trout, smelt, and numerous flat fish are also taken in great abundance; few or no salmon are taken there, the mouth of the River being very much exposed to easterly winds, raises a sea too heavy to hold salmon nets, and the River too shallow for these fish to ascend any distance up. It is a great resort for wild geese, brant, and various water fowl in the Spring and Autumn. The land, as I have already described, is of no value for cultivation; the only valuable part, as formerly understood by the Indians as forming part of the Reserve, comprehends a large tract of Marsh Land, at the head of the tide, but which has been long since granted to private individuals. One Squatter having located himself upon their ground near the mouth of the River, was immediately warned off by me, and since his removal, I have not heard of any trespass whatever being committed on their Reserve. They complain indeed of some of the French population encroaching upon their eel ground, and fishing their fish, but the River being (as I humbly conceive) free to all Her Majesty's subjects, I informed them that I could not compel those people to desist from such practice, but that I would report the subject of their complaint to Your Excellency.

Several Indian children have attended Parish Schools in this County, and can read and write the English language, and we have one boy entered at the Grammar School at Dalhousie, (free.) His father, who appears to be of respectable standing amongst the Tribe, is most anxious that his son should receive a liberal education; the boy (about twelve years of age) manifests a great degree of cleverness, and is most anxious to learn; he can now read and write well, has made some proficiency in arithmetic, and is commencing with the Latin Grammar.

In appropriating the funds committed to my care for the relief and support of these people, I have been as frugal as possible, and have confined the distribution principally to such as were in actual want, visiting their camps personally, and attending in the first place to the wants of the sick, the aged, infirm and destitute, occasionally rewarding honesty, merit and industry with small donations. The balance in my hands of £13 7s. remaining of the grant of the current year, (£30) I shall be obliged to expend so soon as the cold weather sets in, as many are destitute of comfortable clothing, particularly some old people on my list, and several children. The almost general failure of the Potatoe crop in this part of the Province will cause the approaching Winter to be one of unusual want and distress with the Indians. All those I had supplied with seed potatoes last Spring have had their plantings destroyed by fires, and this calamity is not confined to the Indians alone, but very many of our settlers have had their Grain and Potatoe crops destroyed in like manner, as from the unprecedented dryness of the season the fires were burning in all parts of the Country.

As to the habits of the Indians they are generally speaking by no means active or industrious, and it has long been a matter of doubt with me, from my own observation, whether affording them support even to a limited extent does not rather tend to confirm those habits of idleness and indolence to which they are naturally predisposed. I find it the case as far as my own experience goes, that the more you give them the more they require and expect. They are never satisfied, and they imbibe the idea that Government will support them, consequently they are careless to hunt and provide for themselves. Having come to this conclusion, from the result of many years experience, I feel bound to offer the above remark in this my Report to Your Excellency, although I am aware that such is not the general received opinion as regards these people. As Your Excellency will no doubt receive a most full and particular Report from Mr. Perley, I shall not trouble Your Excellency at this time with any further remarks on the subject, feeling confident that the abilities and experience of that Gentleman, are much better adapted to do justice to the cause he has engaged in, than any thing I can possibly attempt to offer.

I have, &c.

(Signed)

A. BARBERIE,

Indian Commissioner, County Restigouche.

His Excellency Sir William Macbean George Colebrooke, Lieutenant Governor, &c. &c. &c.

REPORT OF SURVEYOR GENERAL ON INDIAN RESERVES.

Crown Land Office, 29th June, 1841.

SIR,—In obedience to your Excellency's commands, I have now the honor to transmit the following Report, Schedule, and Sketches, shewing the extent and situation of the Reserved Indian Lands in New Brunswick, stating also, at what dates, and for what particular Tribes of Indians, the said Reserves were respectively made.

Fourteen Tracts, containing sixty one thousand two hundred and seventy three acres, have been reserved in this Province for their benefit, but the title to these lands still remains in the Crown,—leave only "to occupy and possess during pleasure," having been given to the Indians, they cannot at present, of themselves, prevent the encroachments, which have now, to a considerable extent, been made by unauthorized persons, who have in most cases, against the will of the Indians, settled upon, and continue to retain forcible possession of many parts of the best of their lands, neither can they punish the trespassers, who continue year after year to plunder their Reserves of the most valuable Timber.

Indian Commissioners have been appointed by Government to expend the small sums of money which are annually granted by the Legislature for the relief of the Indians, but the law has not yet vested the Indian Commissioners with sufficient power to enable them to exercise authority over the Reserves.

With a few exceptions only, the Reserves have been established by Minutes of Council, but their boundaries have never been properly ascertained, and but few of the side or rear lines have yet been surveyed, their exact situation therefore, is imperfectly known, and they must continue liable to be interfered with, by those persons who obtain licence from this Office to cut Timber on the adjoining Crown Lands,

Lands, until their precise limits are defined by actual survey, and plans thereof filed in this Department.

For these reasons, the information contained in the annexed sketches, is rather scanty, nor indeed can they be relied upon as being even so far strictly correct.

I have the honor to be, Sir,
Your Excellency's most obedient and humble servant,
JOHN S. SAUNDERS,
Surveyor General.

To His Excellency the Lieutenant Governor, &c. &c. &c.

COUNTY OF NORTHUMBERLAND.

10,000 acres on both sides of the Little South West, at its confluence with the North West Miramichi—13th August, 1783.

3,033 acres on the North side of the North West Miramichi, commencing opposite the lower end of Beobear's Point, and running up—10th January, 1789—for John Julian and the Miramichi Tribe of Indians.

8,700 acres on the North East side of the North West Miramichi, opposite the Sevogle Streams; also

750 acres on the North side of the North West Miramichi, opposite the Little South West—5th March, 1805—for John Julian and the Micmac Tribe of Indians.

240 acres, Burnt Church Point, Miramichi Bay; also

1,400 acres on the North side Burnt Church, above Point Au Moreau, Miramichi Bay; also

9,035 acres on the Tabusintac River, from Cowaseget's Creek, up five miles, and back from each side one and a half miles, including 10 acres at M'Gray's Point, and 25 acres at Ferry Point—18th February, 1802—for Indian Natives inhabiting the Tabusintac District.

COUNTY OF KENT.

4,600 acres on the North side of the Richibucto River, from William Harley's grant to Bass River—9th September, 1805—modified the 25th February, 1824—for Richibucto Indians.

3,500 acres on the North side of the Shebuctouche River, from Dominic Robicheau's grant up to the upper line of lot No. 25, above Mill Creek—1st November, 1810—for Shebuctouche Indians.

COUNTY OF CARLETON.

16,000 acres on the East side of the River Saint John, from the Tobique Rocks to opposite the Mouth of the Arestook, and embracing both sides of the Tobique for about three miles up—4th September, 1801—for Neville Bernard and his Tribe of Milicete Indians.

COUNTY OF GLOUCESTER.

2,600 acres on the South side of the Pokemouche River, from Waganchitz Brook, up three miles, surveyed in August, 1811, under an Order in Council of May, 1804—for John B. Pomainville and 16 others, Indians of Pokemouche River.

1000 acres, being 500 on each side of the Nepisiquit River, between the Pabineau and the Strong Waters, occupied by the Nepisiquit Indians of the Micmac Tribe,—(date of Reserve cannot be ascertained.)

400 acres on the North side of Eel River, and South of the Grant to R. Ferguson, occupied by the Restigouche Indians, but no record appears.

COUNTY OF SAINT JOHN.

15 acres, the three Islands, called the "Brothers," near Sandy Point, Kennebec-casis Bay—19th September, 1838—for the Milicete Indians. Held under the Lieutenant Governor's Licence of Occupation.

Total,—61,273 Acres.

 RETURN OF THE NUMBER OF PERSONS WHO HAVE SETTLED UPON AND OCCUPY PORTIONS
 OF THE INDIAN RESERVES IN THE PROVINCE OF NEW BRUNSWICK, 1841.

COUNTY OF NORTHUMBERLAND.

Eel Ground at Oxford Brook,	13
Indian Point, 13 miles above Newcastle,	18
Little South West Reserve,	49
Reserve on the North West Miramichi, above Wild Cat Brook,	3
Reserve at Burnt Church River,	1
Tabusintac River,	3—87

GLOUCESTER.

Pokemouche Reserve,	1— 1
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KENT.

Richibucto River Reserve,	8
Buctouche River Reserve,	5—13

CARLETON.

Tobique Reserve,	16
Madawaska,	1—17

Total of Persons,	118
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RETURN OF INDIAN RESERVED LANDS IN THE PROVINCE OF NEW BRUNSWICK, APRIL 20. 1842.

Total extent in acres of Indian Reserved Lands,	62,223
Total number of persons who have settled on them, whose cases are reported on by Mr. Perley,	118
Total number of Indians in the Province, Male and Female.	1,377

REPORT
OF THE COMMISSIONERS OF JUDICIAL INQUIRY.
1842.

*To His Excellency Lieutenant Colonel Sir William Macbean George Colebrooke, K. H.,
Lieutenant Governor and Commander in Chief of the Province of New Brunswick,
&c. &c. &c.*

His Excellency Major General Sir John Harvey, the late Lieutenant Governor, having, during his Administration of the Government of this Province, been pleased, in pursuance of an Address of the House of Assembly, to appoint us Commissioners, "to revise, and if necessary, to make a new Ordinance of Fees in the Supreme Court; and also to take into consideration the propriety of introducing into the Supreme Court of this Province, the new Rules of Pleading in Civil Actions, at present in force in England, so far as the same may be applicable to this Country; and to report the result of our doings to His Excellency the Lieutenant Governor, for the purpose of being laid before the Legislative Council and Assembly at the next Session of the Legislature;"

We do hereby humbly certify to Your Excellency, that we have proceeded to the consideration of the subject matters of Inquiry, and to the discharge of the duty committed to us; though we deeply regret, that the distance of our respective places of residence from each other, and the full engagement we have met with in our ordinary duties, have prevented our devoting as much time and care to the investigation contemplated in the Address of the Assembly, as its importance demands.

In the prosecution of our Inquiry, we thought it right to request a return from the Clerk of the Pleas in the Supreme Court, of the number of Suits in that Court, and of emoluments of his Office, for the five years 1836 to 1840 inclusive, which request was promptly complied with, and we beg to annex the return to this our Report. We also by Circular Letters invited the attention of the Gentlemen of the Bar to the subject, and requested their remarks as well in regard to the general policy of the new Rules of Pleading, as to their application to the state of the Court and the Profession, and the existing circumstances of the Province; we further addressed Circular Letters to each of the Sheriffs, in respect of the fees of that Office, and suggested to them that it might be expedient to furnish us with a statement of the average amount of fees during their respective periods of Office, or for the last five years.

From several of the Sheriffs* answers have been received, and from these, as well as from conversations we have had with other Sheriffs on the subject, we can safely state that there is a general complaint of the inadequacy of the emoluments to the duties and responsibilities of that Office, especially with reference to the Sheriff's services in Criminal Cases, and in attendance on the Courts; they complain also of the difficulty of getting payment of their accounts, particularly if compelled to prove them in Court, and that no stated fees are provided for their services, in proceedings under the Absconding Debtors Act.

We have also been favored with useful communications from a few of the Gentlemen of the Bar resident in the Province,† for which we beg to express our acknowledgments. Our thanks are also particularly due to the Honorable Alexander Stewart, a Barrister of this Province, but resident at Halifax, in Nova Scotia, for his valuable suggestions.

In pursuing our Inquiry, we endeavoured to make it as comprehensive as the terms of the Resolution of the Assembly would admit, and divided the subject under the following six heads, which we think fully embrace all that was contemplated by that Resolution:—

* The Sheriffs of Saint John, Charlotte, King's, Queen's and Sunbury.

† The Gentlemen to whom our acknowledgements are due for their communications are the Honorable W. B. Kinnear, Peter Stubs and J. H. Hartt, Esquires.

1st.—Amended Forms of Declarations as appointed by the General Rule of all the Judges in England.—*Trin. Term, 1 Wm. 4.*

2nd.—As to the restrictions on the allowance of several Special Counts for the same Cause of Action.—*Eng. Gen. Rule, Hil. 4 Wm. 4.*

3rd.—Specification of Defence to be given in Evidence under the General Issue; substitution of Special Pleas, for the General Issue, in many Cases; improved form of Pleas, &c. See *Eng. Gen. Rule, 4 Wm. 4.* and *Gen. Rule Trin. 1st Vict.*

4th.—Dating of Pleadings on the day upon which they are delivered; delivery of Pleadings without filing, subsequent to Declarations. See *Rules as above.*

5th.—New forms of Issues, Nisi Prius Records, Posteas and Judgment Rolls. See *Rules as above.*

6th.—Fees of Judges, Council, Attornies, Clerk, Sheriff, Witnesses and Jurors.

We also deem it a proper matter for Inquiry whether any purposed alteration in the Practice of the Court would be best effected by direct Legislative Enactments or through the instrumentality of the Judges; which was the course adopted in England.

First Head.

Amended Forms of Declarations as appointed by the General Rule of all the Judges in England.—*Trin. 1 Wm. 4.*

As to the propriety of introducing the new Forms of Declaration, we believe there will be no difference of opinion when the Fee Table is remodelled, and an adequate Fee provided for this stage of the cause.

Under the present practice, in an ordinary Suit upon a Promissory Note, or for Goods sold and delivered, the Declaration generally consists of from eight to twelve folio of one hundred words each, varying at the will or discretion of each Attorney; and the charge therefor is One Shilling for drawing and Six Pence for copying each folio, which charges are repeated in the Judgment Roll, and also in the *Nisi Prius* Record, if the cause be defended and go to Trial, with an addition of Two Pence per folio for engrossing on Parchment; whereas the improved Form of Declaration in such a case, would consist of not more than four folios, would be in every respect as effective, and save a great deal of needless labour to the Attorney.

We propose in the New Table of Fees to provide a specific fee on the Declaration, where it does not exceed a certain length; where the prescribed length is exceeded, as must often unavoidably happen in Special Cases, we think the present charge should be continued.

Second Head.

As to the restriction on the allowance of several Special Counts for the same Cause of Action.

The reason assigned for introducing various counts or modes of setting out one specific cause of action, and the remedy for any abuse in the practice, are thus stated by Mr. Chitty, in his well known Work on Pleading—Vol. 1, page 390.

“ It is usual, particularly in Assumpsit, debt on simple contract, and actions on the
 “ case, to set forth the Plaintiff’s cause of action in various shapes, in different counts,
 “ so that if the Plaintiff fail in the proof of one count, he may succeed on another.
 “ The variations should be substantial, for if the different counts be so similar that the
 “ same evidence would support each, the Court would on application, refer it to the
 “ Master for examination, and to strike out the redundant counts, and in gross cases
 “ direct the costs to be paid by the Attorney: but under the restriction of avoiding as
 “ much as possible any unnecessary increase of the costs, it is advisable, when the
 “ case will admit, to state in various counts the facts in different ways, corresponding
 “ with the evidence which may probably be adduced, and such counts are in general
 “ progressively more brief and concise; and this is particularly necessary in Special
 “ Assumpsits,

“ Assumpsits, where there is a doubt either as to the consideration, or the terms of the contract, or the mode in which the Plaintiff performed his part, or the Defendant violated his. Thus, in a special action of Assumpsit for a breach of promise of Marriage, if the Defendant promised to marry upon a particular day, the first count is framed accordingly, but for fear the Plaintiff should not be able to prove such particular promise, it is usual, when the evidence may probably support the allegation, to add a count, to marry on request, and another, to marry generally. So in declaring on a Contract to deliver Goods, &c. sold, if the stipulation was to deliver within a specified time, and at a particular place, the first count is to be adapted to such facts, and the second to deliver on request, or generally, and the third, within a reasonable time; and it is frequently advisable to declare in different counts, the one on an executory, the other on an executed consideration; the first, to admit of evidence of the Defendant’s stipulation, at the time of the inception of the Contract; the other of subsequent admissions or promises. And we have seen that in an action at the Suit of an Executor or Administrator, it is frequently necessary to add a set of counts, on promises to the Plaintiff, in his representative capacity, in order to admit of evidence of a promise or acknowledgment to the Plaintiff to take the case out of the Statute of Limitations. It is proper also to add such *common* counts, as may be applicable to any part of the Plaintiff’s case.”

At the time of writing these remarks, the propriety of inserting several special counts, for one cause of action, was much more obvious than it is at present; there was no power then vested in the Judge to make any amendment in the Declaration, or other pleadings, at the trial, and the effect of a trifling variance, in the evidence of a Contract, and in the statement of it or the Declaration, was fatal to the Plaintiff’s cause; since then, two important Legislative provisions have been made for remedying this defect, viz: Acts 9 and 10 Geo. 4, c. 1,—7th Wm. 4, c. 14, s. 7 and 8: which have been taken from the English Statutes, 9 Geo. 4, c. 15, and 3 and 4 Wm. 4, c. 42, s. 23: the first of which applied to variances between matters in writing given in evidence, and the setting out of such on record; the latter enlarges the power of amendment in these, and extends it to several other cases. By these Acts, the Judge at the trial, is authorized to allow amendments, where the variance is not material to the merits of the case, subject to costs in certain cases, with power also to the Judge to reserve any question as to the propriety of allowing such amendments, for the consideration of the Court.

Notwithstanding these Legislative provisions, many cases must unavoidably occur, where it will be advisable for the Attorney to introduce several special counts for the same cause of action; he may not be able to examine the witnesses, or place full dependence on the correctness of their extra judicial statement, or they may be persons in the employment or interest of his adversary. But although the Attorney may be often justified in resorting to several counts, it by no means follows, that what he has so done out of regard to the interest of his client, should impose additional expense on the opposite party.

After fully considering the matter, we have great doubts whether it is expedient to make any express regulation on the subject. In the case of setting out the same cause of action in various ways, the Defendant’s Counsel has it always in his power to require at the trial that the Verdict should be confined to the count or counts of the Declaration which have been proved, and to that extent lessening the costs which the Plaintiff recovers from the Defendant. This observation applies more particularly to several special counts; but in *Assumpsit*, which is the most general form of action, it has been usual, as a prudent precaution, to add some of the common counts, most frequently the money counts, and account stated, and this is a practice likely to continue, but will not tend much to enhance the costs, when the new forms are introduced.

When cases occur where the Plaintiff fails in making out any cause of action on the common counts, the Judge at the trial will, as a matter of course, on the application of the Defendant’s Counsel, direct that the Verdict be not entered on those counts.

Third Head.

Specification of Defence to be given in Evidence under the General Issue;
Substitution

Substitution of Special Pleas for the General Issue, in many Cases; improved Forms, &c. Pleas, &c.

As an Introduction to the remarks on this, which may be considered the most important head of inquiry, we beg to state briefly the forms of Personal Action in general use; and of the general issue in such actions.

There are other forms of action, *Real* and *Mixed*; but of these, the action of Ejectment is the only one in general use, and the form and mode of pleading in Ejectment we do not perceive to have undergone any alteration under the new Rules. The same observations will apply to the actions of *Account*, *Annuity* and *Deceit*, which are all but obsolete.

The forms of Action which require our attention, are—

1. Assumpsit.
2. Covenant.
3. Debt.
4. Detinue.
5. Replevin.
6. Trespass.
7. Trespass on the Case.

1st.—*Assumpsit*, (or in other words, an action on the case upon promises,) may be considered applicable to all Contracts, common or special, express or implied, oral or written, (except in cases of writings under seal,) and in this, the form of the General Issue is, that the Defendant did not undertake or promise, in manner and form as the Plaintiff hath declared against him.

2nd.—*Covenant*, which is confined to breaches of Contract under sealed Instruments. The form of General Issue here is, *non infregit conventionem*, but this form of Pleading has long been exploded; and what is usually considered the General Issue, is *non est factum*, which in terms denies that the sealed Instrument on which the action is brought is the deed of the Defendant.

3rd.—*Debt*, which is principally of four sorts: 1st—On Bonds or other sealed Instruments: 2nd—For the recovery of Monies due on other written, or on verbal Contracts: 3rd—On Judgments: 4th—On Penal Statutes, or other Acts of the Legislature, where this action is expressly or impliedly given.

Nil debet, that the Defendant does not owe the debt sought to be recovered, is the form of the General Issue, but this is not applicable (with some few exceptions) to actions on sealed Instruments,—in such actions the General Issue is understood to be *non est factum*; nor to actions on Judgments where the Plea is *nul tiel record*, denying the existence of the Record of the Judgment set out in the Declaration. In actions on Penal Statutes, there are two forms of the General Issue: *nil debet*, which in terms denies that the Defendant has incurred the penalty or debt, and *not guilty*, which in terms denies the fact upon which the penalty or debt accrues.

4th.—*Detinue*, an action seldom resorted to, is founded on the unlawful detention of specific chattels, in which the General Issue is *non detinet*, denying the detention.

5th.—*Replevin*, which is in one sense a mixed action, the Plaintiff not merely proceeding for damages for the taking, but getting possession in the first instance of the property, which he alleges to have been taken, on giving security to prosecute the suit, to make a return of the goods, if a return be awarded, and to pay all such damages as may be awarded to the Defendant. The General Issue is *non cepit*, which admits the property of the Plaintiff, but denies the alleged taking.

6th.—*Trespass*. For injuries to the person; for taking away or injuring personal property; and for injury to real property in possession of the Plaintiff: and

7th.—*Trespass on the Case*, which includes Trover, (the most common form of action for trying the title to personal property); Actions against Sheriffs and other Officers, or Professional Men, for neglect or breach of duty; Slander; Nuisance; Criminal Conversation; Waste; Disturbance of Ways; for malicious Actions or Prosecutions; for consequential Damages; and for a variety of other injuries, which

we need not here specify. The General Issue, both in *Trespass* and *Trespass on the Case* is, that the Defendant is not guilty of the premises laid to his charge.

The object of all Pleading is to ascertain the subject for decision; so the main object of that system of Pleading, established in the Common Law of England, is to ascertain it by the production of an Issue, and the Pleadings are so conducted as always to involve some question either of fact or law, disputed between the parties, and mutually proposed and accepted by them, as the subject for decision; and the question so produced is called *The Issue*. (Steph. on Pleading, 135.)

An Issue is defined to be a single, certain and material point, issuing out of the allegations or pleadings of the Plaintiff and Defendant.

The intent is, that each party may know, before going to trial, what is the particular point in dispute, upon whom the proof of that point lies, and what counterproof will be received; so that the parties may come prepared with such evidence, and such evidence only, as the nature of the action and proceedings will admit.

But this being the object, it is obvious to any one, at all conversant with the proceedings in Courts of Law, that the generality of the Pleadings in some of the forms of Action, particularly that of Common Assumpsit, very imperfectly effects the purpose intended.

The evil arising from the generality in the Declaration, has been in a great measure obviated by the use of "Bills of Particulars;" and by analogy thereto, it has often been suggested, that a Defendant when pleading the General Issue, should accompany it by a notice specifying the particular defence on which he intends to rely; but the objection to this is, that the special ground of defence, does not appear on the Record, as part of the pleadings; and therefore does not qualify the Issue on the Record; and it may also be added, that the improved forms of Pleas are nearly as concise, as would be a notice giving the necessary information to the Plaintiff; and the danger to be apprehended from too great a facility in setting forth the defence in this way is, that a common form of notice would soon get into use, as has arisen in the case of set-off, which would accompany the Plea of the General Issue, in most cases whether necessary or not.

In order that the grounds may be seen, on which Special Pleas have been so generally introduced into the Practice of the English Courts, in lieu of the General Issue, we cannot do better than lay before Your Excellency, the following extract from the Second Report of the Commissioners appointed to inquire into the Practice and Proceedings of the Superior Courts of Common Law in England.*

"One of the most important questions which has presented itself in the course of our inquiries is, whether it is expedient to continue to any, and to what extent, the use of that kind of Plea denominated the *General Issue*? under this plea, which is in its shape a summary form of denial of the allegations in the Declaration, or some principal part of them, a Defendant is at present allowed in certain actions, to put the Plaintiff to the proof of every thing alleged in the Declaration; and in some, not only to do this, but at the same time to prove in his own defence almost any kind of matter in confession and avoidance, that is, matter which admitting the truth of the Plaintiff's allegations, tend to repel or obviate their effect. On the other hand, there are some kinds of action in which, if the defence consists of any matter in confession and avoidance, it must be specially pleaded, and cannot be admitted in proof under the General Issue; and there are others in which, properly speaking, there is no General Issue, and in which all the pleading may be considered as special.

"That the present state of the Practice on this subject requires alteration, seems to be universally felt; but with respect to the *kind* of alteration required, the views taken by different persons are suprisingly dissimilar: one set of opinions pointing to the restriction of the General Issue; and another, to its wider application, and to a correspondent extinguishment of Special Pleading. It will be found, however, on reference to the written communications addressed to us, that there is a decided preponderance of authority in favor of the former course; and we do not hesitate to declare our own strong conviction, that it is the right one, and that its adoption would be attended with highly beneficial results. " We

* The Commissioners were the present Mr. Justice Bosanquet, Mr. Baron Alderson, and Mr. Justice Patteson, and Henry John Stephen, Esquire, Sergeant at Law.

“ We conceive that considerable misapprehension popularly prevails upon the subject of *Special Pleading*. That system was characterized, no doubt, at former periods of our legal history, by a tendency to prolix and tautologous allegation, an excessive subtlety, and an overstrained observance of form; and notwithstanding material modern improvements, it still exhibits too much of the same qualities. These its disadvantages are prominent, and well understood; its recommendations are, perhaps, less obvious, but when explained, cannot fail to be recognized as of far superior weight.

“ *Special Pleading*, considered in its principle, is a valuable forensic invention, peculiar to the Common Law of England, by the effect of which, the precise point in controversy between the parties is developed, and presented in a shape fit for decision. If that point is found to consist of matter of fact, the parties are thus apprized of the exact nature of the question to be decided by the Jury, and are enabled to prepare their proofs with proportionate precision. If, on the other hand, it turns out to be matter of Law, they have the means of immediately obtaining the decision of the cause, without the expense and trouble of a Trial by Demurrer,—that is, by referring the legal question, so evolved, to the determination of the Judges. But where, instead of *Special Pleading*, the General Issue is used, and under it, the Defendant is allowed to bring forward matters in confession and avoidance, these benefits are lost. Consisting, as the Plea does, of a mere summary denial of the case stated by the Plaintiff, and giving no notice of any defensive allegation on which the Defendant means to rely, it sends the whole case, on either side, to trial, without distinguishing the Fact from the Law, and without defining the exact question or questions of fact to be tried. It not unfrequently therefore happens, that the parties are taken by surprise, and find themselves opposed by some unexpected matter of defence or reply, which from the want of timely notice, they are not in due condition to resist.

“ But an effect of more common, and indeed almost invariable occurrence, is the necessary accumulation of proof, and consequently of expense; for as nothing is admitted upon the Pleadings, each party is obliged to prepare himself, as far as it is practicable, with evidence upon all the different points which the nature of the action can by possibility make it incumbent upon him to establish, though many of them may turn out to be undisputed, and many of them may be such as his adversary, if compelled to plead specially, would have thought it undesirable to dispute.

“ With respect to matters of Law, the inconvenience experienced, though of a different kind, is not less remarkable; for when points of Law arise upon a General Issue, instead of being developed by way of Demurrer, for adjudication by the full Court in *banc*, they are of necessity left to the decision of the single Judge before whom the cause is tried; and the decision upon his sole authority, deprived as he generally is of the advantage of any previous intimation of the matter to be argued, and unable to refer to Books, is often found to be unsatisfactory and inconclusive. It may even happen (and that is not an unfrequent occurrence) that the controversy under this form of Plea turns *entirely* upon matter of Law, there being no fact really in dispute; and in that case, the mode of decision by Jury is not only defective, but misplaced, and the trial might have been spared altogether, if the parties had proceeded by the way of *Special Pleading*, and raised the question upon Demurrer.

“ Another ill consequence attendant upon the General Issue is, that as the true point of decision has not been evolved in the Pleading, it becomes the business of the Judge to extract it from the proofs and allegations before him, to sever correctly the Law from the fact of the case, and again, the facts admitted, from those in controversy, and to present the latter in a distinct shape to the Jury for their consideration; an analysis which the rapidity and tumult of a trial at *Nisi Prius* renders extremely difficult, and which is often defectively conducted.

“ Of the state of things here explained, it is the natural effect that when the General Issue is pleaded, the trial fails in numerous instances to accomplish the purposes of Justice, or ever to terminate the legal dispute, and is followed by the application of the defeated party to the full Court in *banc* for a new trial. This proceeding involves the necessity of recapitulating, for the information of that Court, the whole of what

“ passed

“ passed *viva voce* at *Nisi Prius*, of which there is no admissible Report, except that
 “ of the presiding Judge, upon whose alleged error in point of Law the application
 “ most commonly is founded. The motion for a new trial is for this reason beset
 “ with peculiar difficulties ; the effect of which is, that it ultimately fails in many cases
 “ (as there is reason to apprehend) where in Justice it ought to succeed, and suc-
 “ ceeds in many cases where there is in reality no sufficient ground for the application.
 “ It may be added, that even when successful, it gives no redress beyond that of
 “ awarding a new and expensive inquiry upon the matter of fact ; and that with
 “ respect to the matters of Law, of which it may involve the discussion, they are less
 “ distinctly and less satisfactorily decided, upon the motion for a new trial, than when
 “ raised by Special Pleading, and so brought before the Court, in the first instance,
 “ by way of Demurrer, for determination.

“ But these considerations give an inadequate idea of the extent of the inconve-
 “ nience now produced by the great and growing frequency of the motions in question.
 “ Indeed we know of no existing abuse of which the influence is so wide and the
 “ pressure so intolerable. They have in a considerable degree impaired the value of
 “ a verdict, which, according to the ancient and true principle of Law, was of a final
 “ and conclusive character, but is now in so many instances subjected to the revision
 “ of the Court in *banc*, and with so much facility set aside, that the party in whose
 “ favor the opinion of the Jury is declared, has comparatively little reason to rely on
 “ the permanency of the advantage he has obtained. He too often finds that it is but
 “ one successful struggle in an arduous and expensive contest, which is to end at last
 “ in defeat. But an effect still more serious is the enormous extent to which this
 “ branch of Practice has encroached upon the portions of the public time, properly
 “ destined to other employment. As an illustration of this, we may refer to returns
 “ received from the King’s Bench and Common Pleas, by which it appears, that in
 “ Michaelmas Term, 1829, ninety nine motions for new trials were made in the former
 “ Court, and forty nine in the latter ; that in the King’s Bench, Rules *Nisi* were
 “ granted upon fifty three of those applications, and not more than four Rules for new
 “ trials ultimately disposed of in the course of the Term ; and that in the Common
 “ Pleas there were thirty nine Rules *Nisi* granted, of which ten only were disposed
 “ of. To such accumulation, addition of course is made in each succeeding Term ;
 “ and were it not for the assistance obtained from the sitting of the three Judges out of
 “ Term, (a jurisdiction which in other respects has appeared to us objectionable, and
 “ to require abolition,) the result, as far as regards the Court of King’s Bench, would
 “ be a total obstruction of the current of ordinary business, by the growing masses of
 “ arrears upon motions for new trials.

“ The tendency of the general issue to give occasion for such applications, we have
 “ already attempted to explain, and we have no hesitation therefore in attributing to
 “ the use of that plea the far greater part of the evils to which we have thought it our
 “ duty to advert, as connected with motions of that description. We think too, that
 “ its disuse would supply the only practicable and effective remedy

“ Other inconveniences, though certainly of less moment, result from that method
 “ of pleading. It often happens that points of Law arising at the trial, receive no
 “ decision from the Judge, but are reserved by him for the opinion of the Court in
 “ *banc* ; or with a view to a more distinct and solemn argument before that Court,
 “ the facts proved, are thrown by consent of parties into the form of a special case.
 “ Neither of these methods is comparable in point of certainty, of despatch, or of cheap-
 “ ness, with that which is afforded by demurrer ; and their substitution for the latter
 “ operates like the motion for a new trial, though in a less degree to the prejudice of
 “ both the parties, and to the delay of public business.

“ In comparison with these disadvantages resulting from the General Issue, the
 “ inconveniences of special pleading are insignificant. It is found difficult no doubt
 “ to set forth the matter of defence or reply in a form which shall be at once sufficient
 “ in point of Law, and accurate in point of fact ; and the occasional consequence of
 “ this difficulty is the defeat of the party upon formal defects, not connected with the
 “ justice of the case ; but this evil is not like those arising from the General Issue,
 “ either of ordinary occurrence or inevitable in its nature ; it may in general be averted
 “ by the diligence and skill of the pleader, and is materially alleviated by the practice

“ of allowing amendments upon Demurrers. It is also true that special pleading tends to prolixity of statements on the Record, which is a source of expense to the suitor, but that expense bears no proportion to the vast increase of costs resulting from the adoption of the General Issue.

“ It seems to be commonly supposed, that it is in the length of the pleadings and the correspondent amount of office fees, or fees to pleaders or Counsel, payable upon them, that the expense of any action at Law chiefly consists; but this is a great mistake, and one that it is very important to correct,—by far the heaviest items in the Bill of Costs are those which relate to the proofs, and more particularly to the conveying of Witnesses to the Assizes and maintaining them there; and next to these, the most costly charges arise from the transaction of any kind of business in open Court, upon motion; the fees upon pleading being (comparatively speaking) upon a petty scale. In illustration of this, we may refer to the bills of costs contained in the Appendix to our First Report. It may easily be conceived therefore, that the General Issue, from its tendency to an unnecessary accumulation of Evidence, and to Motions for new trials, must often ultimately lead to a much greater expense than could have been produced by any probable prolixity in special pleading. The preference due to the latter method will become still more evident when it shall be cleared by such regulations as we have suggested in other parts of this Report, and hope hereafter to suggest, from some of its principal inconveniences and abuses, more particularly from those which relate to the variety and prolixity of counts and pleas and the doctrine of variance. On the whole therefore we entertain no doubt of the expediency of making such alterations in the existing practice as will introduce special pleas in almost every case, and in some actions abolish altogether the use of the General Issue.”

By way of illustration, we add a sketch of the matters which may be given in evidence under the General Issue in one form of action most frequently occurring.

In Assumpsit. Under this plea may be given in evidence every thing which disaffirms the Contract, not merely denying the existence of it in fact, but shewing its illegality and the inability of the party to contract, for instance, Coverture, Infancy, Gaming, Usury, also payment, accord with satisfaction, a discharge before breach, foreign attachment or a release *ex gra.* In actions on Bills of Exchange or Promissory Notes, it puts the Plaintiff to the proof of the Defendant's signature, and the presentment, dishonor, and notice of dishonor, when necessary, and enables the Defendant to disprove any such matters, or prove payment, satisfaction or discharge, &c.

From what we have already said, it will be perceived that the principal objections made to the use of the General Issue in England arise out of the enormous expense attending on trials, particularly in preparing Briefs for Counsel and the attendance of Witnesses; the vagueness of the Issue and difficulty of ascertaining on what precise point the verdict has turned; or of bringing the exact facts before the whole Court in *hanc*, and lastly the immense accumulation of business arising out of motions for new trials, which in one of the Courts (the King's Bench) had almost caused a denial of Justice.

Admitting the extent of the evil in England, and the necessity of applying some remedy to it there, before we proceed to make such considerable innovations on the legal practice and proceedings of this Province, while as yet there has not been an opportunity fully to test their utility in the Mother Country, it is important to consider whether in fact any great injustice has proceeded from the existing practice, to examine its advantages and the danger to be apprehended from any great and sudden change.

From what we can learn of the sentiments of the Profession, or the Public, or from what has come under our own notice, we are not able to state that the present system of pleading has given rise to much evil or complaint, though some inconvenience may have been felt, for which we shall propose a remedy by recommending special pleas in certain cases. We are by no means certain that as the business of the Country increases, with the increase of population and extension of Commerce, or in the introduction of Manufactures, the evils that have been felt in England, may not be more sensibly experienced here, and give reason for progressive improvements, until our practice becomes quite assimilated to that of the Courts in England. The

The greatest difficulty at present is we believe felt by the Judge and Jury at the trial of a cause in the variety of matter brought before them, in the extracting from the proofs and allegations the true point for decision, to sever the Law from the facts, and present the latter in a distinct shape; and in ascertaining upon what points the Jury have founded their verdict; but this we think is not easy to be remedied under existing circumstances.

It is one of the consequences necessarily incidental to trial by Jury, (whether an evil or a good is perhaps not settled), that much obscurity will exist as to the grounds of the decision of Jurors. They are not compelled to give their reasons, and are not often requested so to do, and perhaps though their verdict is unanimous, it would be frequently found that the reasons they would individually assign would differ materially from each other. For this, we can propose no remedy. The importance of the matter in dispute, the costs of suit, and consequent effects of success or defeat, on suitors on the one hand, and the proportionate number of causes on the other, in England and in this Province, admit of no comparison.

More causes will be tried in a County in this Province, with a population of less than 20,000, than in an English County containing nearly a million, while the costs of suit here will average between from about £30 to £50, when in England they often amount to several hundred pounds, sometimes thousands.

In England, Barristers and Attornies are quite distinct from each other, and perhaps special pleaders may be considered another distinct class in the Profession, while with us, these offices are united in the same person.

The differences in the circumstances of the people, in the facilities of communication, and in the Institutions of an old and densely populated and wealthy Country like England, and of a Province as yet in its infancy, must also be considered.

The consequences apprehended from introducing special pleading to any great extent, are principally an increase of expense in the early stages of a cause, from the necessity of employing Counsel to consider and prepare pleadings, the occasional exclusion of evidence material to the merits of the case, but not admissible under the special pleading, and the lengthened and often recurring discussions at *Nisi Prius*, or the tender and objection to evidence.

We are bound however to state, that the validity of these objections is much questioned, and that our own opinions do not altogether coincide as to the weight which should be given to them.

Originally, a Defendant was only allowed to plead one plea, to one matter of complaint; the inconvenience of this was found so great that Parliament stepped in, and by the Act 4 and 5 Ann, c. 16, s. 4, it was made lawful for a Defendant, with leave of the Court, to plead as many several matters as he should deem necessary to his defence.

This leave of the Court has been considered so much a matter of course, that it is never in fact applied for, but cases have occurred, (though very rarely) where, upon the application of the Plaintiff, the Court has restricted the privilege.

If the General Issue were abolished, and the Defendant suffered to plead several pleas with no greater restriction than exists in our present practice, it is to be feared that in many cases several pleas will be pleaded, and not merely to let in any real defence which the Defendant may have, but in order to obstruct the Plaintiff in the proof of his case, or to enable the Defendant to avail himself of any fortuitous circumstances which may arise in his favor in the progress of the cause; one check for this, however, will be found in subjecting the party to the costs of any issue on which he may fail, though he may be entitled to the general costs of the cause.

If leave is to be actually obtained for pleading double, it is evident such motions cannot generally be made in Term, but will be brought before the Judges at Chambers, where the business is now very considerable; but in addition to this, we apprehend that such motions will often lead to discussions, and the production of affidavits and counter-affidavits, in which the merits of the cause will be involved, and as each Judge sits apart and not in any open Court, it will be difficult to preserve uniformity of practice, and secure a satisfactory administration of Justice. It is a further objection, that all these interlocutory proceedings unavoidably enhance the costs of a cause.

By the new English Rules a sort of middle course has been adopted. Some general principles are laid down as to the use of one or more counts, pleas, avowries, or recognizances; particular examples are then given by way of illustration, and it is expressly provided that the examples are given, as some instances only of application of the Rules to which they relate; but the principles contained in the Rules are not to be considered as restricted by the examples specified.

Where more than one count, plea, &c. shall have been used in apparent violation of the Rule, the opposite party may apply to a Judge, who is to order all or any of the counts, pleas, &c. that have been objected to, to be struck out, unless he shall be satisfied on cause shewn, that some distinct matter of complaint or cause of action is *bona fide* intended to be established in respect of each of such counts, or some distinct ground of defence in respect to each of such pleas, &c. when he shall allow such, with respect to which, he is so satisfied to remain.

If upon the trial where there is more than count, plea, avowry or recognizance, and the party pleading fails to establish a distinct subject matter of complaint or ground of action in respect of each count, or some distinct ground of answer or defence in respect of each plea, &c. a Verdict or Judgment shall pass against him upon such count, plea, &c. and he shall be liable to the costs occasioned thereby, and even when a Judge has allowed several counts or pleas, the Court or Judge at the trial may certify, to deprive the party of costs upon any count or plea on which he may think no separate matter of complaint or defence was *bona fide* intended.

However excellent the above regulation may appear in theory, we much doubt whether it could be fully introduced into this Province, at present, with any great advantage. It will be difficult, for the reasons we have given, to restrict the general use of several counts, and in regard to several Pleas, there is a check as the Law now stands, which it is in the power of the Court to render effectual in practice, but for the objections to multiplying applications to Judges' Chambers.

Since the Judges in each of the Superior Courts in England have been increased from four to five, a separate Practice Court has been established, in which a single Judge sits; and in that Court many of the motions are now publicly made which in this Province necessarily have to be made either to the whole Court, or to a Judge in Chambers.

It may perhaps be asked, why, if the Defendant have one good answer or defence, need he rely on more? Why should he be allowed to plead a plea which will let in various defences, instead of specifically pleading the real matter on which he relies for his answer or defence? The answer to these questions must be found in the uncertainty and imperfection of human testimony, in the incorrect views which men often take of their own transactions, the difficulty of fully communicating with and properly explaining these cases to their legal adviser, the impossibility in many cases of ascertaining what evidence will be available at the trial, before the party is called on to plead, and occasionally it may be, in the want of sufficient learning, skill and experience in the Attorney who may be employed.

A plea which in nine cases perhaps out of ten, contains the real defence, would admit the Plaintiff's case and throw all the burthen of proof on the Defendant. The very Witnesses whom the Plaintiff would be bound to call, if his cause of action were denied, may prove also the defence of the opposite party; for instance, the sale of, and payment for Goods.

If the restriction in general pleading prevail to any very great extent, it is easy to be seen how the Judge will be pressed to admit in proper testimony, and what stress will be laid in addresses to the Jury upon the exclusion of evidence material to the merits, but not relevant to the pleadings; and that it may not unfrequently happen that Witnesses will be tendered to prove facts of which they are wholly ignorant, on the Client's assurance that they could do so, and their rejection will create an unfavorable impression on the minds of Jurors, who are very apt to look with jealousy on all objections of this sort.

To any one conversant with the proceedings of Courts of Justice in the Province, the remarks we have made will not appear extravagant.

In England, where the Barrister is distinct from the Attorney, and rarely comes in contact with the Client, when he has a Brief furnished him of the evidence proposed
to

to be adduced, and will bring forward or reject it as it may be pertinent or not to the Issues on the Record, and seldom is responsible for the selection of the pleas, and where indeed almost implicit obedience is paid to the direction or suggestions of the Judge, these difficulties are not so likely to occur.

The niceties of special pleading have also given rise in England to many applications for what is styled *Judgment non obstante veredicto*; the meaning of which is, that although the Jury may have found the Issues on the Record for one party, the Court may give Judgment for the other, on the ground that the Plea on which the Issue is joined is not a good answer to the action.

The other objections to the use of the General Issue, that the Plaintiff is not sufficiently informed of the nature of the defence, and that unnecessary witnesses are therefore often subpoenaed and kept in attendance, we do not think have been so generally felt as to justify the disuse of it to any great extent.

Giving however full weight to all these considerations, we feel ourselves safe in recommending the following alterations in the present system.

I. *Actions of Assumpsit.* In addition to any defence which is now required to be specially pleaded, we propose: 1st.—That any defence arising out of coverture, infancy, accord with satisfaction, discharge before breach, foreign attachment and release, illegality of consideration either by Statute or Common Law, drawing, endorsing, accepting, &c. Bills or Notes by way of accommodation, unseaworthiness, misrepresentation, concealment, deviation, should be specially pleaded.

In all actions upon Bills of Exchange or Promissory Notes, the want of due presentment or notice of dishonor, to be specially pleaded.

II. *In Covenant and Debt.* 1st.—In debt on specialty or covenant, the Plea, *non est factum*, shall operate as a denial of the execution of the Deed in point of fact only; and all other defences shall be specially pleaded, including matters which make the Deed absolutely void, as well as those which make it voidable.

2nd.—In actions of debt on simple contract, the same matters which are required to be pleaded specially in Assumpsit, shall be pleaded specially.

III. *Detinue.* The Plea of *non detinet* shall operate as a denial of the detention of the goods by the Defendant, but not of the Plaintiff's property therein, and no other defence than such denial shall be admissible under that Plea.

IV. *Case.* The only restriction we would propose in this form of action, is, that such matters as are required to be pleaded specially in Assumpsit, should be pleaded specially also in Case.

V. *Trespass.* In actions of Trespass, *quare clausum fregit*, the close or place in which, &c. to be designated in the Declaration by name or abuttals or other description; in failure whereof, the Defendant may demur specially.

After much consideration, we do not deem it advisable to recommend any new limitation to the use of the General Issue in Trespass, or to propose any alteration as to the Pleading in Replevin.

Fourth Head.

Dating of Pleadings on the day upon which they are delivered. Delivery of Pleadings subsequent to Declaration, without filing.

The new English Rules on this subject are as follow:—

“ Every Pleading, as well as the Declaration, shall be entitled of the day of the month and year when the same was Plead, and shall bear no other time or date; and every Declaration and other Pleading shall also be entered on the Record made up for trial, and on the Judgment Roll, under the date of the day of the month and year when the same respectively took place, and without reference to any other time or date, unless otherwise specially ordered by the Court or a Judge. No Demurrer nor any Pleading subsequent to the Declaration, shall in any case be filed with any Officer of the Court, but the same shall always be delivered between the parties.”

We have some doubts as to the propriety of requiring a date to Declarations; but with respect to subsequent Pleadings, we think it wholly unnecessary that they should be filed, and therefore a date may become necessary to ascertain the time at which they are pleaded. It has always been customary in this Province for the opposite Attornies to deliver copies of Pleadings to each other, and not to get them from the Clerk; and as the Pleadings are subsequently entered on Rolls, there is no reason for requiring them to be filed.

We have not made any distinct head as to the Forms of Pleas, &c., but the unnecessary prolixity of those now in use will be evident to any one who will compare them with those prescribed by the new Rules.

The following, which we have selected from the English Rules of Hilary Term, 4 Wm. 4, we recommend for adoption in the Supreme Court.

“ No entry of continuances by way of *Impar lance*, *Curia advisari vult*, *Vicecomes non misit breve*, or otherwise, shall be made upon any Record or Roll whatever, or in the Pleadings, except the *juratu ponitur in respectu*, which is to be retained.

“ Provided that such regulations shall not alter or affect any existing Rules of Practice as to the times of proceeding in the cause.

“ Provided also, that in all cases in which a *Plea Puis darrein continuance* is now by Law pleadable in *Banc* or at *Nisi Prius*, the same defence may be pleaded, with an allegation that the matter arose after the last pleading, or the issuing of the Jury process, as the case may be.

“ Provided also, that no such Plea shall be allowed, unless accompanied by an Affidavit that the matter thereof arose within eight days next before the pleading of such Pleas, or unless the Court or a Judge shall otherwise order.”

“ All Judgments, whether interlocutory or final, shall be entered of Record of the day of the month and year, whether in Term or Vacation, when signed, and shall not have relation to any other day.

“ Provided that it shall be competent for the Court or a Judge to order a Judgment to be entered *nunc pro tunc*.”

“ No entry shall be made on Record of any Warrants of Attorney to sue or defend.”

“ In a plea or subsequent pleading, intended to be pleaded in bar of the whole action generally, it shall not be necessary to use any allegation of *actio non*, or to the like effect, or any prayer of Judgment; nor shall it be necessary in any replication, or subsequent pleading intended to be pleaded in maintenance of the whole action, to use any allegation of *precludi non*, or to the like effect, or any prayer of Judgment; and all pleas, replications, and subsequent pleadings, pleaded without such formal parts as aforesaid, shall be taken, (unless otherwise expressed) as pleaded respectively in bar of the whole action, or in maintenance of the whole action; provided that nothing herein contained shall extend to cases where an Estoppel is pleaded.”

“ No formal defence shall be required in a plea, and it shall commence as follows:—
“ The said Defendant, by —, his Attorney, (or in person, &c.) says that —”

“ It shall not be necessary to state in a second or other plea or avowry, that it is pleaded by leave of the Court, or according to the form of the Statute, or to that effect.”

“ No protestation shall hereafter be made in any pleading, but either party shall be entitled to the same advantage in that or other actions, as if a protestation had been made.”

“ All special traverses, or traverses with an inducement of affirmative matter, shall conclude to the contrary.

“ Provided that this regulation shall not preclude the opposite party from pleading over to the inducement when the traverse is immaterial.”

“ The form of a Demurrer shall be as follows:—

“ The said Defendant, by —, his Attorney, (or in person, &c. or Plaintiff,) says that the Declaration (or Plea, &c.) is not sufficient in Law, shewing the special causes of Demurrer, if any.”

“ The

* The number of days can be altered so as to conform to the Practice of the Court.

“ The form of a Joinder in Demurrer, shall be as follows :—
 “ The said Plaintiff (or Defendant) says that the Declaration (or Plea, &c.) is sufficient in Law, &c.”

New forms of Issues, Nisi Prius Records, Posteas and Judgment Rolls.

These forms appear to contain every thing that is necessary, they are concise and perspicuous, and every objection to their being introduced (with some slight modifications) into our practice, will be removed when the Fee Table is so altered as to secure a proper remuneration to the practitioner, without making the fees at certain stages of the cause entirely dependent on the length of the proceedings.

We do not deem it necessary to set out here the forms, or the particular rules by which they are governed; we conceive it will follow as a matter of course, from even a partial adoption of our suggestions; that a small Manual of the new Rules and Forms will be published for the use of the Profession, the sale of which will we think, be adequate or nearly so, to defray the expense of publication.

Sixth Head.

Fees of Judges, Counsel, Attornies, Clerk, Sheriffs, Witnesses and Jurors.

Our duty under this head, which is the most delicate part of our Commission, is “ to revise, and if necessary, to make a new Ordinance of Fees in the Supreme Court.”

In the resolution of the Assembly under which the Commission of Judicial Inquiry was issued in the year 1832, it is stated “ that the Ordinance Fee Table by which the taxation of costs, and the fees of many Officers in the Civil Departments of the Province are regulated, is confused, uncertain and irregular in its allowances,” and the Commissioners then appointed in the prosecution of their duty prepared a new Table of Fees for the Inferior Courts of Common Pleas, which was afterwards adopted by the Legislature almost without alteration, and has been we believe generally approved of. It is to be regretted that at that time the Fees of the Supreme Court were not also revised, as the inconveniences which were then felt have continued to increase with the vast accession of business since that period.

It has been generally admitted that the emoluments of some of the Officers under the Ordinance were out of proportion to the labour and responsibility of the duties actually discharged. The Fees to the Clerk of the Supreme Court, and the Clerks of the Inferior Courts, seem to have been fixed more with a view to induce competent persons to accept those Offices in the early settlement of the Country when the practitioners were few, and the number of suits limited, than to provide merely an adequate and reasonable remuneration for each service.

By the Table adopted for the Inferior Courts, the Clerk's fees were much reduced, and since that time the emoluments of those Officers have been further diminished by the introduction of a summary practice into the Supreme Court, which has tended to increase the income of the Clerk of that Court.

It will be seen by the Bills of Costs which we have inserted in the Appendix, what portion is received by the Clerk in each Suit, and that the payment of the Clerks and Judges Fees weigh rather heavily on the Attorney who is bound to pay them, generally before, and sometimes without receiving them at all.

Fees also were provided to help out the incomes of the Judges at a time when the Provincial Revenue was inadequate to meet the charges of the Civil List, and the Judges and other Officers received their Salaries from England.

The Judges have for these few years past discontinued to receive the Fees provided by the Ordinance for Orders, &c. made at Chambers, except in cases of Bail.

They now receive the following Fees :—

On the entry of each Cause, not Summary,	£0 10 0
Each Summary Cause,	0 3 4
Taking and entering Special Bail,	0 3 6
Filing the Bail Piece when the Bail is entered before a Commissioner,	0 1 0
Justification or disallowance of Bail,	0 2 0
Admittance of each Attorney or Barrister,	1 0 0
The above are paid to the Clerk and divided among the Judges.	Besides

Besides these, a Judge on the Circuits receives for every Trial not Summary,	£0	6	8
For every Summary Trial,	0	3	4

As it appears to be the general opinion the Fees of the Judges should be commuted for a fixed addition to their salaries, and it has been the wish of many also that the same rule should be extended to the Clerk, we have made from the returns received by the former Commissioners, and those furnished to us, as accurately as was in our power, a Table shewing the average amount of the Judges and the Clerk's Fees during the five years from 1827 to 1831, inclusive, and for the five years from 1836 to 1840, inclusive; we have also prepared a comparative statement of the business on the Circuits, during those respective periods.

We believe the Judges are quite ready to accede to any reasonable plan for commutation, although it may somewhat diminish their present and prospective incomes; if the arrangement take place it must be a question for the Legislature whether the Fees should altogether cease, or be received and paid into the Treasury, or made to form a particular Fee Fund.

We much doubt the expediency of changing the mode of remunerating the Clerk, from Fees to a fixed salary; the collection of the Fees, if it is intended they shall still be received and paid over to the Treasury, will be difficult and irregular; if this plan, however, be adopted, the simpler the details are made the better, for instance, Fees on certain stages of the cause, viz: the Writ, the Entry, the Issue and the Judgment.

On the supposition that the Clerk is to continue to receive Fees, we have not thought either reason or justice require that the Fees should continue any longer on the present scale, the income derived therefrom being beyond what could have been contemplated or can be justified by any comparison of the Clerk's duties with those of the Judges or leading Members of the Profession. We think indeed that a less income than could now be proposed with due regard to the situation of the present holder of the Office, will be amply sufficient to command the services of a gentleman of the Profession in every respect qualified when a vacancy may take place.

It is not easy to foresee what will be the exact extent of business for the future; the number of Actions in the Courts has fluctuated much at different periods and in different Counties; we do not, however, apprehend any serious diminution, but as it may probably rather decrease than increase for a few years to come, regard must be had to this circumstance in altering the Fees of the Clerk, and some allowance made for the trouble and risk with which an income derived from Fees is attended.

The plan which might be adopted in regard to the present Officer, and which presents to our minds the fewest objections, would be, to fix the amount of his income at a certain sum, such as may appear to the Legislature proper, under the circumstances; to require from him annual returns on Oath, and that any surplus or deficiency should be paid to, or from the Revenue, as the case might be. A similar regulation might also be made for his Successor.

In these suggestions we have already perhaps exceeded the limits of our inquiry, and shall say no more; there are several Members in both Branches of the Legislature who are fully conversant with the subject.

We have prepared also a new Table of Fees for the Clerk of the Crown, and Clerk of the Circuits.

With respect to the Fees of Attornies, we think they cannot be considered very excessive in the aggregate, as they now stand, though they require to be better apportioned and more clearly defined. In the amended forms proposed for adoption, there will be a very considerable diminution in the labour of the Attorney's office, particularly in ordinary undefended Suits, and a small diminution can well be made from the present costs; there are some services not at all, and others very inadequately remunerated, for which we have made suitable provision.

The services of Counsel on Trial, appeared to us to require further provision in the taxable Fees; the amount in each case must necessarily be left a good deal to the discretion of the Judge, or that of the taxing Officer; the former is the present practice, and to that we adhere.

As the best mode of explaining our alterations, we propose adding in the Appendix several Bills of Costs drawn up according to the new Table of Fees, and contrasting them with the Costs under the present ordinance.

We propose that some addition should be made to the Fees of Sheriffs, for the particulars of which we beg to refer to the Table annexed. It has recently been decided, that the Sheriff is not entitled to Poundage upon an Execution against the body, though he has been in the habit of receiving it hitherto. In England the Sheriff, by Law, receives Poundage on a *Cu Su*, as well as on an Execution against Goods, but he is there subject to an Action of Debt for an escape of a party confined under Execution, under which he is liable for the whole amount of such Execution; here, he is only liable to damages, which may be measured out by the Jury according to the circumstances of each case. We think on the whole, that the Sheriff should only receive Poundage on sums actually levied and received, but that these should be paid him on an Execution as well against the person as against the property, and that he should also be entitled to the same for levying money under an attachment.

There are many public duties performed by Sheriffs for which the public ought to pay, and it does not appear right that compensation should be indirectly made them therefor by fees received from Suitors. We fear there will always be a difficulty in making these a charge on the County Rates. No other mode remains that we are aware of, but an occasional grant or stated provision from the Revenue; this, however, is beyond our province, and our only reason for suggesting it is, that we may not be understood to have provided suitable remuneration for all the duties of the Sheriff's office, in the additional Fees we propose.

It is important that Fees should be provided for proceedings under the Absconding Debtors Act, but as that Act evidently requires revision by the Legislature, we have not thought it expedient to enter upon the subject.

We leave the Witnesses Fees without alteration; and in regard to Jurors, we think it very desirable to make some addition to their Fees; we think if 20s. or 25s. were paid on the entry of each cause on the Trial Docket, to form a Jury Fund, which might be divided among the Jurors according to some scale to be prepared by the Judges, it would add considerably to what they now receive, and thus afford them some means of paying their expenses, without any serious tax on Suitors, or any charge on the County. If the Judges Fees on the Trial are commuted, it would be by no means disadvantageous that there should be this addition to the costs of entering a cause for trial. Where a particular Jury is summoned by the Coroner or by Elisors, they should be entitled to the Fee now paid to Jurors of Inquiry.

One observation we think it right to make in regard to Court Fees, that they furnish a check, by no means unnecessary, to excessive litigation. A denial of Justice, from the inability of any one to institute or defend an action, has not, we suspect, very often occurred in this Province; and we are not without apprehension, that the increased facilities which any great reduction in costs would occasion, might be productive of as much evil as good to the community.

As the Fees in Summary Cases have been recently fixed by the Legislature, we have not entered upon the consideration of them, although they may be susceptible of some improvement.

It remains only to consider the best mode of effecting the proposed amendments and alterations; and we are of opinion, that in regard to the Rules and Forms of Pleading and Practice, they will not be made as conveniently by direct Legislative enactment as by Rules prepared by the Judges; we therefore propose that an Act should pass, nearly similar to the Act of Parliament 3 and 4 Wm. 4, c. 42, authorizing the Judges to make Rules for amending the Pleading and Practice.

The Rules may be allowed to go in force with or without the express or implied sanction of the Legislature, as may be deemed best.

Should the alterations we have suggested, meet the approbation of Your Excellency and the Legislature, the whole, or such part of them as the Judges might adopt, could go into force at a time to be appointed by them. Should they propose any further Regulations, such might be suspended until the next Session of the Legislature.

In regard to the Fee Table, we think it better that this should emanate from the Legislature; if any material parts of it are made contingent on the adoption of the Rules we have suggested, a clause might easily be introduced into the Act establishing Fees, suspending its operation in whole or part, until a Proclamation were issued by Your Excellency, (on the application of the Judges,) for putting it in force.

We must in conclusion repeat our deep regret that the circumstances alluded to at the commencement of our Report, for which we trust due allowance will be made, have obliged us to present our views to Your Excellency in so imperfect a form, and at so late a period.

We humbly submit to Your Excellency this our Report, of which we pray that the Appendix hereunto annexed, may be taken as part.

Dated this twenty fifth day of February, in the Year of our Lord one thousand eight hundred and forty two.

R. PARKER.
J. A. STREET.
E. B. CHANDLER.

APPENDIX TO REPORT.

[No. 1.]

Fredericton, 19th August, 1841.

SIR,—It affords me much pleasure, in compliance with your request, contained in your Letter of the 20th July, which, however, did not reach me until the 2d August, to furnish you with the information required, and in doing so, I have to state that the amount of Fees received by me during the last five years, would average upwards of £1100 per year, exclusive of Office contingencies, which have varied from £130 to £160 annually.

It will be necessary in future, satisfactorily to carry on the duties of the Office, that I should employ an additional Clerk, should the present increased business of the Office continue.

I have the honor to be
Your most obedient humble servant,
(Signed) GEO. SHORE.

The Honorable Judge Parker, &c. &c. &c.

[No. 2.]

Gross amount of Clerks Fees from 1827 to 1831, inclusive, as appears by Report of Commissioners in 1832:—

1827,	-	-	-	-	£854	1	10
1828,	-	-	-	-	1,031	4	10
1829,	-	-	-	-	1,022	19	8
1830,	-	-	-	-	811	3	6
1831,	-	-	-	-	846	19	8

5) 4,566 9 6

Total average, £913 5 10

Fees from 1836 to 1840, inclusive, as above stated, say £1,100 0 0
Add for Clerk and Stationery, 145 0 0

£1,245 0 0

Average from 1827 to 1831,
Ditto from 1836 to 1840,

£913 5 10
1,245 0 0

2) 2,158 5 10

The average of 10 years,

£1,079 2 11

[No. 3.]

Number of Entries filed and of Record and Summary Judgments signed in the Supreme Court, during the last five years, from 1836 to 1840, inclusive.

TERMS.	Entries.					Record Judgments.					Summary Judgments.				
	1836	1837	1838	1839	1840	1836	1837	1838	1839	1840	1836	1837	1838	1839	1840
Hilary,	172	312	428	499	488	144	203	292	271	358	33	70	104	103	167
Trinity,	230	387	416	403	564	136	176	235	225	299	42	69	103	118	142
Michaelmas	313	402	476	471	621	117	235	285	237	288	27	87	126	128	154
Total,	715	1101	1320	1373	1673	397	614	812	733	945	102	226	333	349	463

(Signed)

GEO. SHORE.

Fredericton, 19th August, 1841.

[No. 4.]

CIRCUITS.

The number of Causes entered for Trial on the Circuits from 1827 to 1831, averaged 153 per annum; and the number of days sitting averaged 43 per annum.

From 1835 to 1841, inclusive, omitting 1836, in which the Circuits was suspended, Causes entered for Trial averaged —; and the number of days sitting, about 105.

Between the two periods, two new Counties have been erected, and an additional Circuit given to Charlotte County.

[No. 5.]

JUDGES FEES.

Average amount of Judges Fees, including Circuit Fees, but excluding Bail and other Chamber Fees, from 1827 to 1831, inclusive, as appears by Report of Commissioners of Judicial Inquiry, in 1832, per annum, £514 5 4; or £128 11 4 to each Judge.

With the addition of Bail and other Chamber Fees, the amount would probably not exceed £140 per annum.

Fees received by the Judges from 1836 to 1840, inclusive, excepting Circuit Fees, viz:—

1836,	-	-	-	-	£346	5	4
1837,	-	-	-	-	598	14	10
1838,	-	-	-	-	716	5	4
1839,	-	-	-	-	788	1	4
1840,	-	-	-	-	888	9	4
					5)	3,337	15 2
Yearly average,					4)	667	11 0
Yearly average to each Judge,						166	17 9
Probable average amount of Circuit Fees,						25	0 0
Average amount to each Judge from 1836 to 1840,					£191	17	9
Average from 1827 to 1831, say					140	0	0
					2)	331	17 9
Average of 10 years,					£165	18	10

[No. 6.]

SHERIFFS.

Statement of Sheriffs Fees as returned to the Commissioners, viz :—

Sheriff of Saint John, for 1840,	£400	0	0
Do. Charlotte, average below	250	0	0
Do. King's, not over	150	0	0
Do. Queen's, average 5 years, gross Fees about £100, net Fees received, about	40	0	0
Do. Carleton, average of 5 years, out of which two Deputies are paid,	500	0	0
Do. Sunbury, Fees payable on an average of 5 years, not over £100, actually collected, not over	65	0	0

[No. 7.]

PROPOSED NEW TABLE OF FEES IN THE SUPREME COURT.

ATTORNIES.

Instructions to sue or defend,	£0	11	8
Letter, (if sent,)	0	5	0
Every Process and engrossing, when not exceeding three folios.	0	5	0
All copies of Process, including any necessary notice attached thereto, not exceeding three folios, when required for service, copy Subpœna excepted,	0	2	6
Every Declaration not exceeding six folios, including the drafting and copy to file,	0	10	0
Copy of Declaration for the opposite Attorney, and for each additional folio beyond six in the Declaration, (when necessary) 1s for drafting and 6d for copying,	0	5	0
General Issue and copy for the opposite party,	0	5	0
For each Special Plea, Replication, Rejoinder, &c., Demurrer and Joinder in Demurrer, including the drafting and copy, or at the rate of 1s per folio for drawing, and 6d for copying, at the option of the party pleading, each copy for the opposite Attorney at the rate of 6d per folio,	0	5	0
Every Bond for security of costs, attending and certifying the execution thereof,	0	10	0
Every Nisi Prius Record and Judgment Roll, including the drafting and engrossing, or at the rate of 1s per folio for drawing and 8d per folio for engrossing, at the option of the party,	0	16	8
The amount of Postage of Letters or Papers actually paid, not exceed- ing in each cause	0	5	0
Drawing all Rules, Notices, Demands, Summons or Order, (over one folio) Process, (over three folio) Affidavits, Suggestions, Records, or other proceedings not otherwise provided for, each folio	0	1	0
Engrossing the same on Parchment, (where necessary) per folio,	0	0	8
Copies, (on paper) per folio,	0	0	6
Every Notice, Summons, Order, Demand, Rule or Subpœna Ticket, (under one folio) Search, Attendance, Service, Interlocutory Judg- ment, Docket, (whether Entry, Judgment or Roll) where not other- wise provided for, each	0	1	0
Every copy of such Rule, Notice, Summons or Demand, when required for service,	0	0	6
Term Fee, but no Term Fee to be allowed for any Term before the service and return of the Writ, or entry of the Cause,	0	5	0
Every Bail Piece, and engrossing,	0	3	4
Every Motion,	0	3	4
Brief for Trial or Argument before the Court,	0	10	0
Every attendance on striking or balloting a Jury, or on taxation of costs,	0	3	4
Attending a Trial or the execution of a Writ of Inquiry before a Jury,	0	10	0

Every attendance before a Judge at Chambers on return of Summons, (when the application is resisted,) or upon assessment of damages,	£0 6 8
Every other necessary attendance before a Judge in Chambers,	0 3 4

The Attorney General to receive the like Fees in Revenue or Exchequer proceedings as are above provided for Attornies in cases between party and party.

[No. 8.]

COUNSEL.

Perusing and signing Demurrer, Special Pleas, Replication, Rejoinder, &c. to which the signature of Counsel may be necessary,	£0 11 8
This fee to be allowed only for one signature when more than one special pleading in a cause are prepared and delivered at the same time. On every argument before the Court, and on every cause entered for trial, not less than "one Guinea," and not exceeding "ten Guineas," at the discretion of the Court or Judge.	
Signing and Sealing every Writ,	0 1 0

[No. 9.]

CLERK.

Entering every Cause, including the necessary Rules, and filing the Docket of Entry,	£0 2 0
Entry of appearance and filing the Bail Piece,	0 1 0
Entering admission of Guardian or "Prochein amy."	0 0 6
Every search made on the Files or Minutes of the Court,	0 1 0
Entry of every Interlocutory Judgment,	0 1 0
Every Certificate of Interlocutory Judgment,	0 0 6
Entry of every other Rule or Order, including the minuting the motion made therefor,	0 1 0
Copy of every Common Rule,	0 0 6
Entering every Retraxit or Confession,	0 1 0
Entering an assessment of Damages, including filing the Docket and assessment papers,	0 1 0
Entering every Cause for argument, or for Trial at Bar,	0 1 0
Minuting Motion for final Judgment, and filing the Judgment Docket,	0 1 0
Taxing a Bill of Costs,	0 2 6
Signing Judgment on the Roll,	0 1 0
Filing Judgment Roll,	0 1 0
Filing every Process, Pleading or other paper, (Dockets excepted) and marking the same when filed,	0 0 6
Copy or Transcript from Minutes or Records, entering Satisfaction or other matters on the Roll, per folio,	0 1 0
Every Certificate under the Seal of the Court, including the Seal,	0 2 0
Copies of all Records and Papers other than Common Rules, and collating the same, per folio,	0 0 9
On all monies paid into Court, to £100, per pound,	0 0 6
And all over 100, "	0 0 3
To be paid at the time of paying the money in addition thereto.	
Taking every Recognizance for each person, and entering the same,	0 1 6
Administering the Oath to a Barrister or Attorney, and Certificate of Admission under Seal,	0 11 8
Every Commission for taking Bail or Affidavits, including the Seal,	0 5 0
Taking every Affidavit, each Deponent,	0 1 0
On the naturalization of every Alien, including the preliminary Affidavit, entry in the Book and Swearing, preparing and retaining Judge's Certificate,	1 3 4

The Clerk in case of Trials at Bar, to have the like Fees as the Clerk at Nisi Prius.

[No. 10.]

CLERK OF THE CIRCUITS AND AT THE SITTINGS.

Entry of every Cause for Trial, and filing Nisi Prius Record,	£0	5	0
Minuting Motion for Trial, Non-suit, putting off Cause, withdrawing Record, or discharging a privileged party from arrest, each and every default,	0	1	0
Calling and Swearing Jury,	0	1	6
Swearing every Witness, Constable, and reading any Paper in evidence, each,	0	0	6
Taking and recording every Verdict,	0	1	6
Preparing and returning each Postea, not exceeding four folios,	0	6	8
And all above four folios, 1s per folio, for drawing, and 8d for engrossing.			
On the Naturalization of any Alien, including the preliminary Affidavit, entering in the Book and Swearing, preparing and returning Judge's Certificate,	1	3	4

[No. 11.]

CLERK OF THE CROWN AT THE SITTINGS AND ON THE CIRCUITS.

Drawing every Indictment and Engrossing, not exceeding six folio,	£0	10	0
And for every folio over six, 1s for Drawing, and 8d for Engrossing.			
Copies of all Indictments, Depositions and all other papers delivered upon the application of Defendants, or other (to be paid for by the applicant) and collating, per folio,	0	0	9
Calling and Swearing the Grand Jury and marking Defaulters,	0	10	0
Minuting Motions for Trial, Swearing Witnesses, &c., the like Fees as are received by the Clerk in Civil Cases.			
Taking, respiting or discharging every Recognizance, and discharging a Prisoner by Proclamation,	0	1	0
Preparing, Signing and Sealing each Subpœna or Bench Warrant,	0	3	0
Every Subpœna Ticket,	0	0	6
Every Certificate under Seal,	0	2	0
Arraigning every Defendant on Indictment,	0	2	6
Reading the Indictment on the Trial and stating the Issue,	0	2	6
Entering an appearance of Defendant upon Indictment or Information, Plea, relinquishment of Plea, Order or Rule of Court, or nolle prosequi,	0	1	0
Entering the Judgment of the Court, on each Defendant,	0	1	6
The Clerk of the Crown in Exchequer or Revenue proceedings, to have the same Fees as are received by the Clerk of the Pleas in like cases, between party and party.			
Service of every Process or Declaration in Ejectment on each person, and return thereof,	0	5	0

[No. 12.]

SHERIFF.

Affidavit of service, including the Fee for Swearing,	£0	2	6
Arrest of every person on Mesne Process and return thereof,	0	7	6
Preparing and taking Bail Bond,	0	5	0
Return of "Non Est" or "Nulla Bona,"	0	1	0
Serving every Execution or Return, (exclusive of poundage and mileage,)	0	5	0
Levy, receiving, and paying all monies on Executions or Attachment, to £100, per pound,	0	1	0
All above £100, per pound,	0	0	6
Every Cause entered for Trial,	0	2	6
Summoning a Jury of view,	0	10	0
Attendance with a Jury of view per day, exclusive of mileage,	0	10	0
Serving a Writ of Habere facias possessionem,	1	0	0

Every commitment to Gaol,	£0	2	6
Service of every Writ of "Habeas Corpus,"	0	6	8
Each attendance on a Judge thereupon,	0	3	4
Mileage, upon the service of every Writ, Process, Attachment or Declaration in Ejectment, per mile, going and returning, to be reckoned from Court House of County,	0	0	3
Summoning and Swearing a Jury of Inquiry, and attending the Inquisition,	0	10	0
Swearing each Witness and Constable, and reading every paper in evidence,	0	0	6
Preparing the Inquisition and attending the execution thereof,	0	10	0

NOTE.—The Coroner or Elisors to receive the like Fees for like services.

[No. 13.]

CRYER.

Calling a Jury,	£0	1	0
Every Verdict or Non-suit,	0	1	0
Calling each Defendant on Recognizance,	0	1	0
Swearing each Witness,	0	0	3
Every Discharge or Proclamation,	0	1	0
On the Entry of each Cause in the Supreme Court,	0	1	0

CONSTABLE.

Attending the Jury in each Cause,	0	2	6
Serving each Warrant, Subpcena or Notice,	0	1	0

WITNESS.

Attendance per day,	0	1	6
Travelling per mile, going and returning, besides Ferryage where paid,	0	0	3

[No. 14.]

JURORS.

To be paid on the entry of each Civil Cause to be tried on the general Venire, at the Sittings or on the Circuits, into a Jury Fund, to be divided among the Jurors in attendance, according to a scale to be prepared by the Judges,	£1	5	0
To each Juror serving upon a Jury of view, per day,	0	4	0
To each Juror sworn upon a Jury summoned by the Coroner, or by Elisors,	0	2	6
To each Talesman who may be sworn on a Jury, payable from the Jury Fund,	0	2	0

EXAMPLES OF TAXED COSTS BY THE OLD ORDINANCE.

SUPREME COURT.

John Doe, }
 vs. } Costs on Verdict and final Judgment for Plaintiff.
 Richard Roe. }

<i>Hil. vac.</i>	Retainer, 15s, Warrant Attorney, &c. 2s 3d,	£0	17	3
	Writ, 3s 4d, Copy, 2s, Precipe, 1s,	0	6	4
	Motion to Plead,	0	3	4
<i>Trinity.</i>	Declaration, 12s, Copy to file, 6s,	0	18	0
	Notice endorsed, 1s 6d, Copy Deft's. Attorney, and service, 7s,	0	8	6
	Search for appearance,	0	1	0
	Demand of plea and service,	0	2	0
	Similiter, 1s, Copy 6d, Copy Deft's. Attorney, and service, 1s 6d,	0	3	0
	Brief, 10s, Summons for particulars, (set off) 1s,	0	11	0

Carried forward,

£3 10 5

	<i>Brought forward,</i>		£3	10	5	
	Copy and Service, 1s 6d, Attendance, 1s,		0	2	6	
	Affidavit Service and engrossing,		0	2	6	
	Orders for particulars, Copy and Service,		0	2	6	
	Attendance before a Judge,		0	1	0	
	Particulars of Plaintiff's demand, two folios,		0	2	0	
	Copy and Service, 2s, Notice, Trial and Service, 2s,		0	4	0	
	Destringas, 3s 4d, Precipe, 1s,		0	4	4	
	Subpœna, 3s 4d, Precipe, 1s, six Tickets, @ 1s,		0	10	4	
	Service six Tickets, @ 1s,		0	6	0	
	Draft Nisi Prius Record, eighteen folio,		0	18	0	
	Engrossing, 12s, Motion for Trial, 3s 4d,		0	15	4	
	Attendance on Trial,		1	5	0	
<i>Mich's.</i>	Motion for Judgment on Postea,		0	3	4	
	Reading Postea, &c.		0	1	0	
	Entry of Warrant on the Roll,		0	3	0	
	Drawing and Entry of Judgment,		0	5	4	
	Draft Judgment Roll, 20 folio, 20s, Engrossing, 13s 4d,		1	13	4	
	Entry of three Continuances on Roll,		0	6	0	
	Draft Costs, four folio, 4s, Engrossing, 2s,		0	6	0	
	Copy for Defendant's Attorney, 2s 6d, Notice Taxing, 1s,		0	3	6	
	Service, 1s, Attending to tax Costs, 1s,		0	2	0	
	Execution and Precipe, 4s 4d, Postages, 5s,		0	9	4	
	Term Fees, 10s, Docket, 1s 6d,		0	11	6	
			£12	8	3	
COUNSEL.	Taxed,			5	16	8
JUDGE.	On entering Cause, 10s, On Trial, 6s 8d,			0	16	8
CLERK.	Entering Warrant Attorney, &c.	£0	1	0		
	Signing and Sealing Writ, and filing Precipe,	0	1	6		
	Filing Writ, 6d, Motion to Plead, 1s,	0	1	6		
	Motion to Declare, 1s, Filing Declaration, 6d,	0	1	6		
	Search for appearance, 1s, Filing Similiter, 6d,	0	1	6		
	Signing and Sealing Destringas, and filing Precipe,	0	1	6		
	Filing Destringas and Return,	0	1	0		
	Signing and Sealing Subpœna, and filing Precipe,	0	1	6		
	Signing and Sealing Nisi Prius Record,	0	1	6		
	Minuting Motion for Judgment on Postea,	0	1	0		
	Filing Postea, 6d, Three Continuances, 3s,	0	3	5		
	Taxing Costs, &c. 3s 6d, Filing Roll, 3s, Entering Judgment, 1s,	0	7	6		
	Signing Roll, 2s 6d, Signing and Sealing Execu- tion, and filing Precipe, 1s 6d,	0	4	0		
	Filing Execution and Return, 1s, On Docket, 1s 6d,	0	2	6		
					1 11 0	
CLK.CIRCUIT.	On entering Cause, 5s, Minuting Motion for Trial, 1s,	£06	0			
	Call Jury, &c. 1s 6d, Swearing four Witnesses and Constable, 2s 6d,	0	4	0		
	Reading two Papers, 1s, Taking Verdict, 1s 6d,	0	2	6		
	Postea,	0	10	0		
					1 2 6	
SHERIFF.	On Service Writ, 7s 6d, Destringas, 9d, Trial, 2s 6d,		0	10	9	
JURY.				0	12	0
CRYER.	On entering, 1s, Swearing Witnesses, 1s 3d, Verdict, 1s,		0	3	3	
CONSTABLE.	On Trial,			0	1	0
			£23	2	1	

SUPREME COURT.

John Doe,	}	Costs on Verdict for Defendant.				
vs. Richard Roe.						
		Retainer, 15s, Warrant Attorney, &c. 2s 3d,	£0	17	3	
		Com. Bail, 3s 4d, Notice, Appearance and Service, 2s,	0	5	4	
		Search for Declaration,	0	1	0	
		General Issue, 1s, Copy 6d,	0	1	6	
		Copy for Plaintiff's Attorney, and Service,	0	1	6	
		Notice of Set Off, 2s, Copy and Service, 2s,	0	4	0	
		Summons for partic. Plaintiff's demand,	0	1	0	
		Copy and Service, 1s 6d, Attending before Judge, 1s,	0	2	6	
		Order, 1s, Copy and Service, 1s 6d, Attendance, 1s,	0	3	6	
		Brief for Trial,	0	10	0	
		One Subpœna, 3s 4d, Precipe, 1s, Five Tickets, 1s,	0	9	4	
		Five Services, @ 1s,	0	5	0	
		CIRCUIT.				
		Attendance, &c. on Trial,	1	5	0	
		Motion for Judgment on Postea,	0	3	4	
		Reading Postea, &c. 1s, Entering Warrant on Roll, 3s,	0	4	0	
		Drawing and Entry of Judgment,	0	5	4	
		Draft Judgment Roll, 20 folios, 20s, Engrossing, 13s 4d,	1	13	4	
		Entry of three Continuances on Roll,	0	6	0	
		Drft. Costs, four folio, 4s, Engrossing, 2s,	0	6	0	
		Copy for Plaintiff's Attorney, 2s 6d, Notice Taxing, 1s,	0	3	6	
		Service, 1s, Attending Taxing of Costs, 1s,	0	2	0	
		Execution and Precipe, 4s 4d, Postages, 5s,	0	9	4	
		Term Fees, 10s, Docket, 1s 6d,	0	11	6	
			£8	11	3	
COUNSEL.	Taxed,			5	16	8
CLERK.	Entering Warr't Att'y, &c. 1s, Appearance, 1s,	£0	2	0		
	Filing Common Bail, 6d, Search, 1s,	0	1	6		
	Filing Plea, 6d, Signing, Sub. and Filing Precipe, 1s 6d,	0	2	0		
	Signing and Sealing Nisi Prius Record,	0	1	6		
	Minuting Motion for Judgment on Postea,	0	1	0		
	Filing Postea, 6d, three continuances, 3s,	0	3	6		
	Taxing Costs, &c. 3s 6d, Filing Roll, 3s,	0	6	6		
	Signing Roll, 2s 6d, Signing and Sealing Exon. and Filing Precipe, 1s 6d,	0	4	0		
	Filing Exon. and Return, 1s, on Docket, 1s 6d,	0	2	6		
				1	4	6
CLK.CIRCUIT.	Entering Cause for Trial,	£0	5	0		
	Minuting Motion for Trial,	0	1	0		
	Calling Jury,	0	1	6		
	Swearing Witnesses and Constable,	0	2	6		
	Reading two Papers,	0	1	0		
	Receiving Verdict,	0	1	6		
	Postea,	0	10	0		
				1	2	6
SHERIFF.	On Trial,			0	2	6
CRYER.	On Trial, &c.			0	2	3
CONSTABLE.	Ditto,			0	1	0
JURY.				0	12	0
				£16	12	8

EXAMPLE OF TAXABLE COSTS BY THE PROPOSED NEW TABLE OF FEES.

SUPREME COURT.

John Doe, }
 vs. } Costs on Verdict and Final Judgment for Plaintiff.
 Richard Roe. }

<i>Hil. vac.</i>	Instructions to sue,	£0 11 8
	Letter,	0 5 0
	Process, 5s, Copy, 2s 6d,	0 7 6
<i>Trinity.</i>	Entry Docket, 1s, Attending to file, 1s,	0 2 0
	Declaration,	0 10 0
	Motion to Plead, 3s 4d, Rule, 1s,	0 4 4
	Term Fee,	0 5 0
	Search for Appearance,	0 1 0
	Copy Declaration for Defendant's Attorney,	0 5 0
	Service,	0 1 0
	Demand of Plea, 1s, Copy and Service, 1s 6d,	0 2 6
	Similiter, 1s, Copy and Service, 1s 6d,	0 2 6
	Summons for partic. 1s, Copy and Service, 1s 6d,	0 2 6
	Attendance before Judge,	0 3 4
	Affidavit of Service, and engrossing,	0 1 6
	Order for partic. 1s, Copy and Service, 1s 6d,	0 2 6
	Attending Judge on order, (it being resisted),	0 6 8
	Particulars of Plaintiff's demand, two folio,	0 2 0
	Copy, 1s, Service, 1s,	0 2 0
	Notice of Trial, 1s, Copy and Service, 1s 6d,	0 2 6
	Subpœna, 5s, Six Tickets, @ 1s,	0 11 0
	Service of six Tickets, @ 1s,	0 6 0
	Nisi Prius Record,	0 16 8
	Brief for Trial,	0 10 0

CIRCUIT.

	Entry Docket for Trial,	0 1 0
	Motion for Trial,	0 3 4
	Attending Trial,	0 10 0
<i>Mich's.</i>	Term Fee, 5s, Motion for Judgment on Postea, 3s 4d,	0 8 4
	Rule for Judgment, 1s, Judgment Docket, 1s, Attending to file, 1s,	0 3 0
	Judgment Roll,	0 16 8
	Roll Docket, 1s, Attending to file, 1s,	0 2 0
	Drft. Costs, four folio, 4s, Engrossing, 2s,	0 6 0
	Copy to Defendant's Att'y, 2s, Notice of Taxation, 1s,	0 3 0
	Copy and Service, 1s 6d, Attending Taxation, 3s 4d,	0 4 10
	Execution, 5s, Postages, 5s,	0 10 0

£9 12 4

COUNSEL.	Taxed,	5 16 8
JUDGE,	(if continued,) Entry, 10s, Trial, 6s 8d,	0 16 8
CLERK.	Signing Writ, 1s, Entering Cause, 2s,	£0 3 0
	Filing Declaration, 6d, Rule to Plead, 1s,	0 1 6
	Search, 1s, Signing Subpœna, 1s,	0 2 0
	Filing Postea and Judgment Docket,	0 1 0
	Roll Docket, 1s, Taxing Costs, 2s 6d,	0 3 6
	Signing Roll, 1s, Filing Roll, 1s,	0 2 0
	Signing Execution,	0 1 0

0 14 0

Carried forward,

£16 19 8

		<i>Brought forward,</i>		£16 19 8
CLK.CIRCUIT.	Entering for Trial, 5s, Motion for Trial, 1s,	0	6	0
	Calling Jury,	0	1	6
	Swearing four Witnesses and Constable, @ 6d,	0	2	6
	Reading two Papers, @ 6d,	0	1	0
	Taking and Recording Verdict,	0	1	6
	Postea,	0	6	8
				<hr/>
SHERIFF.	Serving Process, 5s, On Trial, 2s 6d,			0 19 2
JURY.				0 7 6
				1 5 0
CRYER.	Entering, 1s, Call Jury, 1s, Verdict, 1s, Swearing Wit- nesses, 1s 9d,			0 4 9
CONSTABLE.	On Trial,			0 2 6
				<hr/>
				£19 18 7

SUPREME COURT.

John Doe, }
vs. } Costs for Defendant on Verdict.
Richard Roe, }

<i>Hilary.</i>	Instructions to defend,	£0	11	8
	Com. Bail, 3s 4d, Attending to file, 1s,	0	4	4
	Notice of appearance, 1s, Copy and Service, 1s 6d,	0	2	6
	Term Fee, 5s, General Issue and Copy, 5s,	0	10	0
	Notice of Set Off, two folio,	0	2	0
	Copy and Service,	0	2	0
	Sum. for partic. 1s, Copy and Service, 1s 6d,	0	2	6
	Attendance for same before Judge,	0	3	4
	Order, 1s, Copy and Service, 1s 6d,	0	2	6
	Attendance before Judge for Orders,	0	3	4
	Brief for Trial,	0	10	0
	One Subpœna, 5s, Five Tickets, @ 1s,	0	10	0
	Service of Tickets,	0	5	0

CIRCUIT.

<i>Trinity.</i>	Attending Trial,	0	10	0
	Term Fee, 5s, Motion for Judgment on Postea, 3s 4d,	0	8	4
	Rule for Judgment, 1s, Judgment Docket, 1s,	0	2	0
	Attending to file,	0	1	0
	Judgment Roll,	0	16	8
	Roll Docket, 1s, Attending to file, 1s,	0	2	0
	Drft. Costs, four folio, 4s, Engrossing, 2s,	0	6	0
	Copy for Plaintiff's Attorney,	0	2	0
	Notice of Taxation,	0	1	0
	Copy and Service,	0	1	6
	Attending Taxation,	0	3	4
	Execution, 5s, Postages, 5s,	0	10	0

 £6 13 0

COUNSEL.	Taxed,			5 16 8
CLERK.	Signing Subpœna,	£0	1	0
	Filing Postea and Judgment Docket,	0	1	0
	Roll Docket,	0	1	0
	Taxing Costs,	0	2	6
	Signing Roll,	0	1	0
	Filing Roll,	0	1	0
	Signing Execution	0	1	0

 0 8 6

Carried forward,

 £12 18 2

		<i>Brought forward,</i>		£12 18 2
CLK.CIRCUIT.	Entering Cause for Trial,	£0	5 0	
	Motion for Trial,		0 1 0	
	Calling Jury,		0 1 6	
	Swearing Witnesses and Constable,		0 2 6	
	Reading two papers,		0 1 0	
	Taking and Recording Verdict,		0 1 6	
	Postea,		0 6 8	
			<hr/>	0 19 2
SHERIFF.	On Trial,			0 2 6
CRYER.	On Trial, 1s, Calling a Jury, 1s, Recording Verdict, 1s, Swearing Witnesses, 9d,			0 3 9
CONSTABLE.	On Trial,			0 2 6
				<hr/>
				£14 6 1

SUPREME COURT.

John Doe, <i>vs.</i> Richard Roe,	} Costs on Judgment by Default,			
<i>Hil vac.</i>	Instructions to Sue,		£0 11 8	
	Letter,		0 5 0	
	Process, 5s, Copy, 2s 6d,		0 7 6	
<i>Trinity.</i>	Entry Docket, 1s, Attending to file, 1s,		0 2 0	
	Declaration,		0 10 0	
	Attendance to file,		0 1 0	
	Motion to Plead, 3s 4d, Rule, 1s,		0 4 4	
	Term Fee, 5s, Search for Appearance, 1s,		0 6 0	
	Common Bail, (See Stat.)		0 3 4	
	Interlocutory Judgment, 1s, Attending to file, 1s,		0 2 0	
	Attending for Certificate Interlocutory Judgment,		0 1 0	
	Attending Judge on assessing Damages,		0 6 8	
	Judgment Docket, 1s, Attending to file, 1s,		0 2 0	
	Roll, 16s 8d, Roll Docket, 1s, Attending file, 1s,		0 18 8	
	Draft Cost, 3s, Engrossing, 1s 6d, Attending taxation, 3s 4d,		0 7 10	
	Execution, 5s, Postages, 5s,		0 10 0	
			<hr/>	£4 19 0
CLERK.	Signing Writ, 1s, Entering Cause, 2s,	£0	3 0	
	Filing Declaration, 6d, Search, 1s,		0 1 6	
	Interlocutory Judgment, 1s, Certificate, 6d,		0 1 6	
	Rule to Plead, 1s, Entering Assessed Damages, 1s,		0 2 0	
	Filing Judgment Docket, 1s, Taxing Costs, 2s 6d,		0 3 6	
	Signing Roll, 1s, Filing Roll, 1s, Signing Execu- tion, 1s,		0 3 0	0 14 6
JUDGE.	(If continued,)			0 10 0
SHERIFF.	(Exclusive of Mileage,)			0 5 0
CRYER.	On entering Cause,			0 1 0
				<hr/>
				£6 9 6

NOTE.—The costs of Judgment by Default by the old Ordinance, average between £8 and £9.

SUPREME COURT.

John Doe, <i>vs.</i> Richard Roe,	} Costs of Suit settled after Entry and before Judgment.					
<i>Hil. vac.</i>		Instructions to Sue,	£0	11	8	
	Letter,		0	5	0	
	Process, 5s, Copy, 2s 6d,		0	7	6	
<i>Trinity.</i>	Entry Docket, 1s, Attending to file, 1s,		0	2	0	
	Declaration, 10s, Attending to file, 1s,		0	11	0	
	Motion to Plead, 3s 4d, Rule, 1s,		0	4	4	
	Term Fee,		0	5	0	
	Search for Appearance,		0	1	0	
	Common Bail, (see Stat.)		0	3	4	
	Interlocutory Judgment, 1s, Attending to file, 1s,		0	2	0	
	Motion to discontinue, 3s 4d, Rule, 1s,		0	4	4	
	Draft Costs and Copy,		0	3	0	
			<hr/>			
			£3	0	2	
CLERK.	Signing Writ,	£0	1	0		
	Entering Cause,		0	2	0	
	Filing Declaration,		0	0	6	
	Rule to Plead,		0	1	0	
	Search,		0	1	0	
	Interlocutory Judgment, 1s, Certificate, 6d,		0	1	6	
	Entering Rule to discontinue,		0	1	0	
			<hr/>			
				0	8	0
JUDGE.	(If continued.) Entry of Cause,			0	10	0
SHERIFF.	(Exclusive of Mileage,)			0	5	0
CRYER.	On Entering,			0	1	0
			<hr/>			
			£4	4	2	

The Fees by the old Ordinance, would have been about £4 17 6.

SUPREME COURT.

John Doe, <i>vs.</i> Richard Roe,	} Costs of Suit settled before Return of Writ, not Bailable.					
		Instructions,	£0	11	8	
	Letter,		0	5	0	
	Writ,		0	5	0	
	Copy,		0	2	6	
			<hr/>			
			£1	4	2	
CLERK.	Signing and Sealing Writ, 1s, Filing Writ, 6d,			0	1	6
			<hr/>			
			£1	5	8	
	Exclusive of Sheriff.					
	Cost of Process as now charged by the old Ordinance is .	£1	6	11		
	Clerk,		0	2	6	
			<hr/>			
			£1	9	5	
	Exclusive of Sheriff.					



SALARIES TO PUBLIC OFFICERS.

Returns relative to Salaries and Incomes to Public Officers, under Address of 27th January.

JUDGES.

Statement of the amount of Fees received by the Judges of the Supreme Court, from the 1st January, 1841, to the 1st January, 1842.

Fees received by the Clerk of the Pleas, and paid over to the Judges, including Fees for Entries, Admissions of Attornies and Barristers, and for taking and filing Special Bail,..... £966 2 10

These Fees are divided equally among the Judges who are in the Province during the Term at which the Fees became due.

Fees on Circuits received by the Judge holding the Circuit Court :—

Judge Botsford,.....	19 6 8
Judge Carter,.....	23 13 4
Judge Parker,.....	53 6 8

Fees on Review—

Judge Botsford, {	not				
Judge Carter, {	exceeding	}	.....	1	0 0
Judge Parker, {			.....	4	0 0
			.....	1	0 0

£1,068 9 6

WARD CHIPMAN,
W. BOTSFORD,
J. CARTER,
R. PARKER.

SECRETARY.

Amount of Fees received by the Secretary of the Province, made up for the Year ending on first day of January, 1842, from whatever source derived, £385 7 3

All expended in payment of Clerks' Wages and assistance in the Office.

WM. F. ODELL.

ATTORNEY GENERAL.

Return of the Attorney General's Official Income for the Year 1841.

Commutated allowance for Fees on Grants, £400 0 0

Salary as Attorney General,..... 150 0 0

£450 0 0 Stg. Currency, £500 0 0

The Assembly have for many years past granted to the Attorney General the sum of £100, which, if granted for the past year, must be an addition.

Allowance from Executive, Stationery,..... 10 0 0

Supposed amount of Costs to arise from the Suits instituted during the year, as contained in the Schedule annexed, say at the utmost,..... 300 0 0

Carried forward,..... £810 0 0

<i>Brought forward</i> ,.....		£810	0	0
To be deducted from the above—				
Paid a Clerk and Scrivener, Writing,.....	£60	0	0	
Office Rent, Fuel, and Attendance,.....	40	0	0	
Stationery,.....	20	0	0	
			120	0
			£690	0

CHARLES J. PETERS, *Att'y. Gen'l.*

SOLICITOR GENERAL.

Fredericton, 31st January, 1842.

SIR,—I have the honor to acknowledge the receipt of your letter of the 29th instant, calling on me for a return of the Fees received by me from whatever source derived, made up for the year ending the first day of January, instant.

In reply to which I have to state, that as Solicitor General, I have not received any Fees during the said year, and therefore have no account of such to render.

I have the honor to be, Sir,

Your most obedient servant,

GEO. FRED. STREET,
Solicitor General.

To the Honorable W. F. ODELL, Secretary of the Province.

CLERK OF THE CROWN.

The following is an Account of all the Fees and Emoluments receivable by the Clerk of the Crown in the Supreme Court for the year ending 1st January, 1842.

Amount of Fees Hilary Term and the Sittings after, 1841,.....	£12	1	6	
Amount of Fees Trinity Term and the Sittings after, 1841,....	16	18	6	
Amount of Fees Michaelmas Term and the Sittings after, 1841,	9	10	6	
Amount of the Attorney General's Account for Exchequer				
Fees from 1st January, 1841, to 1st January, 1842,.....	60	0	0	
Amount of Fees for Searchers, &c.....		1	10	0
			£100	0
				6
Less expenses, as follows—				
By Office Rent 1 year,.....	£20	0	0	
“ Fuel and attendance,.....	7	10	0	
“ Stationery and other incidental expenses,.....	7	10	0	
			35	0
			£65	0
				0

Of the foregoing amount only about one half has been received.

The Attorney General's account varies considerably from year to year, for some years it does not amount to over £20, and I have known it even less than that. On account of the great number of Bonds that have been put in suit the last two years, his account has been more than usual.

The foregoing Fees accruing at the different Terms, arise entirely from Civil causes tried at the Sittings after Term; but the Clerk of the Crown has to attend the Court during the whole of each Term previous to the Sittings, and also to prepare all Indictments, keep the Records and Minutes of the Court, and swear all Juries, Witnesses, &c. in Criminal cases at the said Sittings after Term, for which he receives no Fees whatever.

There being no office provided, the Clerk of the Crown has also to furnish himself with an office at his own expense, and provide Fuel, attendance, &c. &c. for which no provision is made.

J. F. BERTON, *Deputy Clerk Crown.*

CLERK OF THE PLEAS.

Fredericton, 14th February, 1842.

SIR,—In compliance with the requisition contained in your letter for a Return of the Fees received by me as Clerk of the Supreme Court for the Year ending the first day of January last, I have the honor to annex a Return of the amount of Fees of the said Office from the end of Michaelmas Term 1840, to the end of Michaelmas Term 1841, being unable, from the course of the Practice of the Court, to furnish an account to a later period. The above embraces one whole year's Fees; a great part of which, however, has not yet been received by me, and about one third of the whole amount has only become payable, under the Rules of Court, at this present Hilary Term, (1842.)

I have the honor to be

Your most obedient servant,

GEO. SHORE,

Clerk of the Pleas, Supreme Court, &c.

The Hon. W. F. Odell, Secretary, &c.

Return of the amount of Fees received by the Clerk of the Supreme Court from the end of Michaelmas Term, 1840, to the end of Michaelmas Term, 1841,—

	£1510 0 0	Currency.
Deduct Clerkship, Stationery, &c. &c.....	150 0 0	
Nett amount,.....	£1360 0 0	

GEO. SHORE.

CLERK OF CIRCUIT.

Return of all Fees receivable by the Clerk of the Circuits and Clerk of the Crown on the Circuits.

One Year ending 1st day of January, 1842,..... £253 0 0

31st January, 1842.

WILL. TYNG PETERS, Clerk.

Return from Clerk Peace, Saint John, of Suits brought in City Court, under Address of 25th January.

A Return of the number of Precepts, Summons, Attachments and Executions issued out of the City Court of Saint John for three months ending on the 31st day of December, A. D. 1841.

Days on which Court held. 1841.	No. of		Amount of Debts			Judgments.			No. of Executions.	Committed	
	Summons.	Attachments.	Under 20s.	From 20s. to 50s.	From 50s. to 100s.	Default.	Trial by Court.	Trial by Jury.		On Attachments.	On Executions.
14th October,	176	118	82	123	89	36	11	1	37	4	2
28th Do.	162	151	77	143	93	54	15	0	55	6	2
11th November,	174	152	90	131	102	43	16	0	47	3	2
25th Do.	116	100	64	79	73	49	4	0	42	0	4
9th December,	128	108	54	87	95	31	9	1	34	9	4
23rd Do.	163	93	86	85	85	30	10	0	28	0	0
Total,	919	722	453	651	537	243	65	2	243	*22	†17

† Of the 17 persons who were committed to Jail on Executions, 10 were allowed the Limits.

* Those committed on Attachments were for the following amounts :—

35s. 89s. 9d. 19s. 11d. 54s. 6d. 50s. 99s. 70s. 20s. 9d. 30s. 37s. 6d. 89s. 9d. 57s. 9d. 100s. 100s. 67s. 10d. 100s. 32s. 6d. 60s. 40s. 69s. 10d. 78s. 11d. 30s.

The greater number of these persons were admitted to Bail or settled with the Plaintiffs before the Courts sat.

JAS. PETERS, Jun. Com. Clerk, Saint John.

KING'S COLLEGE.

INCOME AND EXPENDITURE, 1841.

Dr.

To Crown Grant from the Casual Revenue,.....	£1,111	2	0
To Provincial Grant,.....	1,100	0	0
			£2,211 2 0
To amount of Rents received,.....		104	6 9
To Interest received of Monies out on real Securities,.....		90	0 0
To amount received on Barker's Bond, and Interest,.....		55	11 7
To amount received from Students for dilapidations,.....		4	4 4
To balance carried to new Account, (being the excess of Expenditure beyond Income at the close of 1841,).....		48	19 1
			£2,514 3 9

Cr.

By Balance from last account, at the close of 1840,.....		£293	11 11
By Salaries paid to the Professors, &c. &c. &c., viz :			
The Reverend E. Jacob, D. D., Vice President, &c. ..	£500	0	0
The same, as Professor of Divinity,.....	150	0	0
James Robb, Esquire, M. D., Chemistry, &c.....	300	0	0
W. B. Jack, Esquire, A. M., Mathematics,.....	300	0	0
E. H. Wilnot, Esquire, the balance due to him for 1840, during the vacancy of the Chair,.....	50	0	0
Honorable G. F. Street, Registrar,.....	100	0	0
George Roberts, Esquire, Master of Grammar School,.....	200	0	0
James Holbrook, Esquire, Assistant Master,.....	150	0	0
The same, allowance for House rent,.....	25	0	0
The Steward,.....	60	0	0
The Beadle,.....	40	0	0
The Gate Keeper,.....	10	0	0
The Forrester,.....	5	0	0
			1,890 0 0
By Scholarships, viz :			
F. G. Street,.....	£25	0	0
J. M. Wood,.....	25	0	0
			50 0 0
By Incidental Expenses, viz :			
Paid for Fuel,.....	£40	0	0
" Pew Rent in Christ Church,.....	10	5	0
" Carpenters' Bills,.....	163	11	9
" Glazier's Bill,.....	6	17	6
" Printing,.....	9	3	6
" Boundary Fences,.....	12	10	0
" Stationer's Bill,.....	1	5	0
" Suit of Livery for Beadle,.....	8	4	6
" Sundries in College School, belonging to Mr. Cowell,.....	6	17	6
" Dr. Robb, amount of his account for Chemical Class Room, Text Books, &c.....	21	17	1
			280 11 10
			£2,514 3 9

(E. E.)

GEO. FRED. STREET, *College Treasurer.*

PROFESSORS.

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

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

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

GEO. FRED. STREET, *Registrar.*

STUDENTS.**RESIDENTS.**

E. Jacob,
J. Jacob,
J. S. Millidge,
J. Hanford,
F. G. Street,
W. H. Deveber,
W. Duvernett,
N. Disbrow,
R. Currey,
G. F. Gilbert,
N. R. Merritt,
J. M. Wood,
H. Russell,
Drake Palmer.

NON RESIDENTS.

Chas. Coster,
H. B. Robinson,
G. J. Bliss,
C. Drury,
E. B. Chandler,
W. H. Robinson,
C. Bliss,
Chas. Lee,
Chas. Odell.

GEO. FRED. STREET, *Registrar.*

Record of Lunatics in the Temporary Asylum in the City of Saint John, from 1st January to 31st December, 1841.

No.	Name.	Place of Nativity.	Character of the Disease on Admission.	Date of admission.	Date of temporary discharge & re-admission.	Date and condition at final discharge or death.	Miscellaneous Remarks.
1	Mary Hooper,	29st County Goway,	Idiocy.	14th Nov. 1835,		Remain. unimproved,	Ireland, direct.
2	William Austin,	51 Cove Cook,	Fulcra;	16th Feb. 1836,		Remain. unimproved,	King's Ward, City.
3	Jane Thorne,	31 Saint John,	Idiocy.	1st Feb. "		Remain. unimproved,	Duke's Ward, City.
4	Thomas York,	29 Saint John,	Idiocy.	7th April, 1837,		Remain. unimproved,	Sidney Ward, City.
5	Ann Gorsh,	33 County Cunnought,	Ordinary Insanity,	31st May "		Remain. unimproved,	Charlotte County Gaol.
6	Peor Hopier,	41 Westmorland, N. B.	Ordinary Insanity,	20th Aug. "		Remain. unimproved,	Westmorland Co. Gaol.
7	Carry Mally,	85 Cucknowa,	Idiocy.	12th Sept. "		Item. very much improved	York County.
8	Mary Walsh,	29 Saint Andrews, N. B.	Delirium Tremens,	29th Jan. 1838,		Remain. unimproved,	St. John County Gaol.
9	Wm. M. Scoburet,	24 County King, N. B.	Fulcra;	20th June "		Remain. unimproved,	Kingston, King's Co.
10	James Wain,	41 Glasgow,	Idiocy.	5th Feb. 1839,		Remain. unimproved,	Scotland, direct.
11	Henrich Elliot,	37 County Kerry,	Idiocy.	12th Feb. "		Remain. unimproved,	Fredricton, Co. York.
12	Henrich Diacol,	38 County Cork,	Idiocy.	24th May "		Rem. much improved,	County Carleton.
13	Henricha Lathamy,	38 Somersetshire, Eng.	Idiocy.	24th Aug. "		Rem. very much improved,	County Carleton.
14	Marie Moore,	17 Ipsweli, Eng.	Ordinary Insanity,	28th Aug. "		Rem. unimproved,	Charlotte County Gaol.
15	Alice Mairer,	17 County Fermanah,	Idiocy.	13th Oct. "		Rem. unimproved,	Chromotou, Sunbury Co.
16	Ruthbeth Fernier,	34 County Kerry,	Idiocy.	14th Nov. "		Rem. unimproved,	P. Portland Alma Ho.
17	Arnhold Murdoch,	62 Scotlandshire, Scotland,	Idiocy.	1st Jan. 1840,		Rem. much improved,	Duke's Ward, City.
18	Patrick Elston,	31 Saint John,	Ordinary Insanity,	1st Jan. "		Remain. improved,	Parish Portland,
19	George Bird,	29 County Wexford,	Furiously Mad,	15th Jan. "		Remain. improved,	England, direct.
20	Thomas Lyford,	17 London,	Idiocy.	14th Feb. "		Remain. improved,	Duke's Ward, City.
21	James Mullen,	31 County Cork,	Furiously Mad,	10th Mar. "		Rem. much improved,	County Carleton.
22	John Clarke,	31 County Tyrone,	Ordinary Insanity,	28th Apr. "		Remain. improved,	County Carleton.
23	Edward Bradbury,	16 County Cork,	Furiously Mad,	15th May "		Remain. improved,	County Carleton.
24	Henry Brown,	33 County Queen's, N. B.	Ordinary Insanity,	13th June "		Remain. improved,	Richibucto, Co. Kent.
25	Mary Wellwood,	30 County Caran,	Furiously Mad,	26th "		Rem. very much improved,	County Chaglotte.
26	Sarah Henderson,	29 County Charlotte, N. B.	Ordinary Insanity,	28th July "		Remain. unimproved,	Quebec.
27	Sarah Bell,	21 Quebec,	Ordinary Insanity,	10th Aug. "		Remain. improved,	Westmorland County.
28	Rochard Gamble,	15 County Fermanah,	Delirium Tremens,	23d Aug. "		Remain. improved,	County York.
29	Noah Reasky,	29 C'y Westmorland, N. B.	Ordinary Insanity,	29th "		Rem. very much improved,	Ireland, direct.
30	Isaac Miller,	71 Cornwallia, N. S.	Ordinary Insanity,	18th Sept. "		Rem. much improved,	Halifax and U. States.
31	Jane McGuire,	31 County Tyrone,	Ordinary Insanity,	1st Oct. "		Remain. improved,	County Charlotte.
32	James Hall,	9 Halifax, N. S.	Embecility,	1st "		Remain. improved,	Miramichi.
33	Hannah McManaman,	56 County Donegal,	Ordinary Insanity,	11th "		Remain. improved,	Suvers, King's County.
34	Jane Hug,	46 County Queen's, Ire.	Ordinary Insanity,	23th "		Remain. improved,	Fredricton, York Co.
35	Patrick Whelan,	51 County Tyrone,	Ordinary Insanity,	25th "		Remain. improved,	Parish Portland,
36	Bridget Donnelly,	20 County Kilkenny,	Furiously Mad,	30th "		Remain. improved,	Fredricton, York Co.
37	Thomas Mulcahy,	24 County Galway,	Ordinary Insanity,	30th Nov. "		Remain. improved,	Ireland, direct.
38	Catherine Lollu,	29 County Tyrone,	Idiocy.	29th Dec. "		Rem. very much improved,	Queen's Ward, St. John
39	Patrick Quinn,	61 County Tyrone,	Idiocy.	31st "		Rem. very much improved,	Ireland, direct.
40	Harry Bryant,	30 Saint John,	Idiocy.	6th Jan. 1841,		Rem. very much improved,	Ireland, direct.
41	Catharine Dillon,	29 County Galway,	Ordinary Insanity,	11th Jan. "		Rem. very much improved,	Par. Hampton, K. Co.
42	Ann Cassidy,	30 County Armagh,	Ordinary Insanity,	20th "		Remain. unimproved,	King, direct; & Duke's W
43	Mary McFarian,	40 County Tyrone,	Ordinary Insanity,	30th "		Remain. unimproved,	Ireland, direct.
44	Thomas Ryan,	30 County Limerick,	Idiocy.	3d Feb. "		Remain. unimproved,	Ireland, direct.
45	Jane Riggs,	17 Foxtonuth, England,	Ordinary Insanity,	4th "		Remain. unimproved,	Ireland, direct.
46	Timothy Mulden,	25 County Roscommon,	Idiocy.	3d "		Remain. unimproved,	Ireland, direct.
47	Mary Corker,	31 County Carlow,	Delirium Tremens,	18th "		Remain. unimproved,	Queen's Ward, City.
48	Mathias Tule,	30 County Charlotte,	Delirium Tremens,	25th "		Remain. unimproved,	King's Ward, City.
49	Henry Alkin,	19 Glasgow,	Ordinary Insanity,	27th "		Remain. unimproved,	Scott's direct & Sid. W.
50	Hazen Dowling,	15 Westmorland, N. B.	Delirium Tremens,	2d March, "		Rem. very much improved,	Westmorland County.
51	James McFredrick,	15 County Donegal,	Delirium Tremens,	5th "		Rem. very much improved,	King's Ward, City.
52	Sarah Penrose,	30 Dublin,	Delirium Tremens,	12th "		Rem. much improved,	U. States & King's W.
53	Mary Martin,	28 County Donegal,	Delirium Tremens,	12th "		Remain. improved,	King's Ward - City.
54	Mary Bell,	16 County Antrim,	Furiously Mad,	13th "		Remain. improved,	Charlotte County.
55	James Draper,	50 Lancashire, England,	Ordinary Insanity,	23d "		Remain. improved,	Suvers, King's County.
56	Mary Whelan,	21 County Chry,	Extraordinary Insanity,	23th "		Improved and dis. 12th Nov. 1841,	Ire. direct & Q. Ward.

Admitted in 1841.

Record of Lunatics in the Temporary Asylum in the City of Saint John, 1841.---Continued.

No.	Name.	Place of Nativity,	Character of the Disease on admission.	Date of admission.	Date of temporary discharge & re-admission.	Date and condition at final discharge or death.	Remaining at 31st Dec. and in what condition.	Miscellaneous Remarks.
58	Charlotte F. Warner,	Providence, R. Island,	Ordinary Insanity,	1st April, 1841,		Improved on 1st day. 21st April, 1841,	Remain. very much improved	U. States & K. Simons
59	John Johnson,	Cumberland, England,	Ordinary Insanity,	7th "	Dis. 20th Nov. re-ad. 27th Nov. 1841,	Im, and abandoned 15th Dec. 1841,	Remain. improved,	Frederick, York Co.
60	Daniel Garvin,	County Donegal,	Imbecility,	17th "			Remain. improved,	Fre. direct & P. Simon's
61	Francis Lynn,	County Derry,	Ordinary Insanity,	23th "	Dis. 14th June, re-ad. 7th Oct. 1841,	Cured and dis. 31st October, 1841,	Remain. improved,	St. Andrews, Char. Co.
62	Elizabeth Gray,	London,	Ordinary Insanity,	1st May,		Improved and dis. 13th May, 1841,	Remain. improved,	Queen's Ward, City.
63	Catherine Coyne,	County Roscommon,	Del. Trem. & Fur. Mad	1st "		Cured and dis. 31st May, 1841,	Remain. improved,	U. States & Char. Co.
64	John Cloughier,	County Roscommon,	Imbecility,	1st "		Cured and dis. 17th June, 1841,	Remain. improved,	Queen's Ward, City.
65	Thomas Walker,	Sea-land,	Ordinary Insanity,	11th "		Cured and dis. 3d November, 1841,	Remain. improved,	P. Simon's & D. Ward.
66	Bernard McGormick,	County Derry,	Del. Trem. & Fur. Mad	11th "		Died 4th November, 1841,	Remain. improved,	Duke's Ward, City.
67	Eleanor Harris,	County Fermanagh,	Furiously Mad,	20th "		Cured and dis. 13th June, 1841,	Remain. improved,	U. States & Char. Co. G.
68	Patrick Flavin,	County Cork,	Various Mad,	21st "		Cured and dis. 15th June, 1841,	Remain. improved,	Ireland, direct.
69	Thomas Gill,	Yorkshire, England,	Ordinary Insanity,	23d "			Remain. improved,	U. States & Co. Char.
70	Roderic Finn,	County Kerry,	Furiously Mad,	25th "	Abandoned 21st June, re-ad. 22d June,		Remain. improved,	S. Frudence, P. Ford's
71	Peter Burke,	County Galway,	Ordinary Insanity,	25th "			Remain. improved,	Woodstock, Co. Caribon
72	Christopher Bridgeon,	County Louth,	Furiously Mad,	25th June,			Remain. improved,	N. Scotia & Co. Gael.
73	Ann Fernan,	County Derry,	Imbecility,	14th "			Remain. improved,	L'pool, Eng. & K. Wat.
74	Richard Cronin,	County Kerry,	Imbecility,	18th "			Remain. improved,	Co. York & King's W.
75	Richard Cronin,	County Kerry,	Imbecility,	18th "			Remain. improved,	County King's.
76	Henry Hasford,	County Tipperary,	Hypochondriacal,	24th "			Remain. improved,	Ononoco, Co. Sunbury.
77	John Haggerty,	Cape Briton,	Furiously Mad,	" "			Remain. improved,	Fre. direct & Par. Port.
78	Elizabeth Dunn,	County Cork,	Del. Trem. & Fur. Mad	1st July,	Abandoned 6th July, re ad. 27th Nov. 1841,		Remain. improved,	Queen's Ward, City.
79	Martin Ealy,	Saint John,	Del. Trem. & Fur. Mad	1st "			Remain. improved,	County Westmoreland.
80	Elizabeth Todd,	County Tyrone,	Idiosy.	18th "			Remain. improved,	Fre. & Q. Ward, City.
81	James Hays,	County Tyrone,	Ordinary Insanity,	19th "			Remain. improved,	P. Portland Alms Ho.
82	Ellen Hays,	County Tyrone,	Ordinary Insanity,	23d "			Remain. improved,	U. States & K. Ward.
83	Melinda Kiggett,	County Tyrone,	Del. Trem. & Fur. Mad	27th "			Remain. improved,	Carlston, St. John.
84	Mary Tolon,	King's County, N. B.	Ordinary Insanity,	29th "			Remain. improved,	Woodstock, Carlston Co.
85	Rosanna McGhie,	County Tyrone, N. B.	Religious Mania,	31st "			Remain. improved,	Mar. Hospital, St. John
86	Thomas Farry,	County Derry,	Ordinary Insanity,	2d Aug.			Remain. improved,	Zasporty, U. States.
87	Michael J. Lowery,	County Fermanagh,	Ordinary Insanity,	4th "			Remain. improved,	Charlotte Co. Enol.
88	John Mallen,	County Derry,	Del. Trem. & Fur. Mad	5th "			Remain. improved,	Ireland & King's Ward.
89	Catharine Finn,	County Down,	Delirium Tremens,	7th "			Remain. improved,	County Charlotte.
90	John Lerby,	Cape Breton,	Ordinary Insanity,	" "			Remain. improved,	Parish Simons.
91	John Mc'Dougald,	County Fermanagh,	Delirium Tremens,	13th "			Remain. improved,	Fre. & Q. Ward, City.
92	Ann Clark,	County Fermanagh,	Delirium Tremens,	" "			Remain. improved,	P. Portland Alms Ho.
93	James Carroll,	County Down,	Delirium Tremens,	15th "			Remain. improved,	U. States & K. Ward.
94	Thomas Clark,	County Donegal,	Furiously Mad,	16th "			Remain. improved,	Carlston, St. John.
95	Mary Ann McCarty,	County Donegal,	Ex. Insanity (from love)	23d "			Remain. improved,	Woodstock, Carlston Co.
96	Thomas Clark,	Dublin,	Delirium Tremens,	27th "			Remain. improved,	Mar. Hospital, St. John
97	Thomas Clark,	Kild., England,	Furiously Mad,	31st "			Remain. improved,	Zasporty, U. States.
98	Ann Cairnworth,	County Cork,	Ordinary Insanity,	1st Sept.			Remain. improved,	Charlotte Co. Enol.
99	Thomas Edmondstone,	County Cork,	Ex. Insanity, (Love)	23d "			Remain. improved,	Ireland & King's Ward.
100	Joseph Sampson,	County Cork,	Ordinary Insanity,	25th "			Remain. improved,	County Charlotte.
101	Mary Crowley,	County Cork,	Imbecility,	21st Oct.			Remain. improved,	Parish Simons.
102	John Carson,	County Cork,	Imbecility,	1st Nov.			Remain. improved,	P. Westfield, Co. King's.
103	Bridge Finn,	County Fermanagh,	Ordinary Insanity,	13th "			Remain. improved,	County Westmoreland.
104	Charles Threlk,	Old British Yorker,	Ordinary Insanity,	22d "			Remain. improved,	Parish, Portland.
105	Manfield Cornwall,	Old British Yorker,	Imbecility,	23d "			Remain. improved,	County King's.
106	Elizabeth Fletcher,	County Lestrain,	Ordinary Insanity,	27th "			Remain. improved,	Sidney & King's Ward.
107	Alex. Rhoonfield,	County Derry,	Furiously Mad,	11th Dec.			Remain. improved,	
108	Henry Bannion,	County Fermanagh,	Imbecility,	12th "			Remain. improved,	
			Ordinary Insanity,	31st "			Remain. improved,	

Admitted in 1841

GEO. MATTHEW, SUPERINTENDENT.

Saint John, 31st December, 1841.

MARINE HOSPITAL.

Report of the Commissioners of the Marine Hospital at Saint John.

To His Excellency Sir Wm. COLEBROOKE, Lieutenant Governor of the Province of New Brunswick, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The Subscribers, Commissioners of the Marine Hospital in this City, beg leave respectfully to hand a Report from the Medical Officer of the Institution, shewing the number of Patients received into and discharged from the Hospital during the year 1841.

The whole of the Buildings are in repair, and are kept insured to the extent of £800, in event of accidents from fire.

There is a balance of £881 4 10 now remaining in the hands of the Province Treasurer, even after the late reduction of 25 per cent. on the tax, and the balance would have been considerably greater, had the money collected by the Attorney General under the Act "to provide for a regular supply of Seamen for new Ships fitted out or loaded in this Province," been paid over as directed by the said Act, and regarding which money, that gentleman will no doubt report to Your Excellency.

The general Account Current is herewith sent, and the vouchers supporting the same will be forwarded in the usual manner.

The number of Patients as evinced by the Diets, has been greater in 1841 than 1840, but the total expenditure has been less, nor is it expected that the outlay of 1842 will surpass that of the year just ended.

All which is respectfully stated by

Your Excellency's obedient servants,

ROBERT W. CROOKSHANK, }
JOHN WARD, JUN. } *Commissioners*
DANIEL LEAVITT. }

L. DONALDSON, *Secretary and Treasurer.*

Saint John, 20th January, 1842.

Return of the number of Patients admitted into the Provincial Marine Hospital at Saint John, New Brunswick, between 1st January and 31st December, 1841.

Remaining in Hospital, 1st January, 1841,.....	21	
Admitted between 1st January and 31st December, 1841,.....	194	215
Discharged cured,.....	181	
" relieved,.....	2	
Deserted,.....	6	
Died,.....	7	
Remaining in Hospital,.....	19	215

J. BOYD, M. D.

Phys. and Surg. Proc. Mar. Hosp.

LIGHT HOUSES.

Report from L. Donaldson, Esquire, Surveyor of Bay of Fundy Light Houses. 1841.

To His Excellency Sir WILLIAM M. G. COLEBROOKE, K. H., Lieutenant Governor of the Province of New Brunswick, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

I respectfully beg leave to transmit a Report, detailing the condition of the various New Brunswick Light Houses on the shores of the Bay of Fundy, together with suggestions therewith connected, for the year ended at this date.

CAPE ENRAGE.

The high and very exposed situation of this Light will at all times render the repairs considerable, though the outlay for Oil, &c. is but small, this being only a plain, three-quarter Station; but, indeed, the sum required to pay the expenses of parties sent to repair Lamps, &c. &c., when the Station is so far removed from Saint John, is greater than the value of the work. This Light is well spoken of by the Coasting Craft, and also by Steamers and other Vessels trading between the City and Windsor. Considerable repairs were required last year, owing to the shrinking of the wood work, as alluded to in my previous Report, but those having been attended to, the Establishment promises to require no material outlay for years.

A Warrant for the sum granted during last meeting of the Legislature, for opening the Road from the Cape on which the Light House stands, to Mr. Tingley's Road, did not issue, but I hope it will pass early in 1842, such communication being much required, and the land offered gratis.

Found the Lamps, Reflectors and Light House clean, and in good order.

QUACO.

Found the machinery for this revolving Light in excellent condition. Owing to some very severe weather, and high seas from the south-east, part of the rock near to the foundation of the Light House had been carried away, and the Commissioners considered it necessary to order a breastwork of logs to be put up on the face of the rock, which will prevent the sea from doing further injury. The timber is procuring, and the work is to be finished in June.

PARTRIDGE ISLAND.

This Establishment is in good condition, and gives general satisfaction; its great elevation, and the number of burners used, making it a good leading Light. As the observations made last year, respecting double sashes at this Station, would have involved considerable outlay, it was concluded not to incur such at present; but this object, as well as an alteration respecting the Fog Bell, will not be lost sight of.

BEACON LIGHT.

Late gales of wind have done considerable injury here, by sweeping away the Steps, Rails, Boat Davits, and part of the Deck: those have since been repaired; and Mr. Olive has been employed to re-iron the outside Knees and Stringers, as it was found the old bolts had, to a considerable extent, perished, owing to the action of the salt water. The Light gives satisfaction, and when the above noted repairs are paid for, the expenses will probably be small for years.

POINT LEPREAU.

Found every thing connected with the Lanthorns, Reflectors and Burners in good order; and that no repairs were required, or were likely to be required, for some time, on the Light House or Keeper's Dwelling.

HEAD HARBOUR.

The Charlotte County Commissioners have, as recommended in my last Report, placed a new and much superior Lanthorn at this Station; and I feel satisfied the Trade, as well as the Keeper, will reap advantages from the change. Found every thing clean and in order, the Oil good, and no repairs required, either on the Light House or Keeper's Dwelling, nor on the Reflectors or Burners.

SAINT ANDREWS HARBOUR.

The old Head Harbour Lanthorn having been removed from that Station and placed here, the Keeper will now have a better opportunity of keeping his charge in order than heretofore, his Reflectors being of such a size as to enable him to clean the whole inside of the Lanthorn, which he could not easily do in the former one. The Buildings were in good order, and promising to require no extra outlay for some time.

While visiting this Station, it was in a state of confusion, as the mechanics were then changing the Lanthorns, but Colonel Wyer has since stated that a great improvement has been made.

MACHIAS SEAL ISLANDS.

From the small elevation of those Lights above the sea, and the consequent slight angle between their Reflectors and the decks of vessels passing, those Stations always show well, and are well spoken of—but, as leading Lights, they are perhaps too low. It afforded the Commissioners (Colonel Wyer, Mr. Woodward, and myself, together with Mr. Hill, M. P. P.) much pleasure to find every thing so clean and orderly, at a Station which so few visit, and the more so as the time of such visit was, as they necessarily must always be, to the Keeper of the Seal Islands, unknown.

GANNET ROCK.

Nothing could be more clean or respectable than every arrangement connected with this wild and desolate station, and I have reason to believe the Light gives universal satisfaction. The flash machinery works well, and the consumption of oil was, as on all former occasions, less than at any other station, as compared with the burners in use.

The gangway lately cut in the rock at so much expense, answers the purposes intended, and enables the Keeper and his Assistant at any time to launch and take up their large boat, in event of shipwrecks in their neighbourhood, (as last year,) or assistance in any way being required for mariners.

NOVA SCOTIA LIGHTS.

I did not visit the Cape Sable, Seal Island, or Briar Island Lights, in 1811, having been there in 1810, but from several quarters I have understood that they seemed well attended.

GENERAL OBSERVATIONS.

It affords me much pleasure to be able to state, that the whole Dwellings, Light Houses and Apparatus, at the various Stations, are in good order, and promise to require only small expenditure for years to come. In 1810, the amount received from the Treasury for all the Light Houses under charge of the Saint John Commissioners, and for the Nova Scotia Lights, was £2480 8 4: in 1811, the amount was only £2017 10 5; besides which, there was paid out of the last noted sum, the Salary to the Cape Enrage Keeper, not provided for by the Province, with additions (£85) to the Salaries at Quaco and Gannet Rock,—a sum of £24 17 6 for Oil consumed in the fire of November last, and a stock of Pork and Bread, provided, in event of accident to shipwrecked parties, at the Gannet Rock,—in all, about £685 difference.

It may be my duty to state to Your Excellency, that I see no probability of any very material reduction from the expenditure of this year, (1811,) and that though it will necessarily more or less vary each season, still it cannot be very much reduced from the scale exhibited by the Account forwarded. By such document it will be seen that the expense for Contingencies at the various Stations was... £385

For Oil, Wicks, and various Supplies,.....	498
For Keepers,.....	750
For Nova Scotia Light Houses,.....	230
For disbursing and superintending the whole,.....	250

£2113

For 1812, the sum will probably not exceed £2000.

The more frequently all the Stations are visited by Ships of War, (as in 1810,) and by parties of both Provinces, whose duty it may be to examine into the state and condition of those Lights, the less will be the expenditure, and the more efficient the lighting of the Bay. It yields me satisfaction thus to draw the attention of Your Excellency to an object which has so long been under my charge, and the more especially at a period when the whole coast is now so respectably lighted, and at so very small a cost to the country. No additional Light House is, or will be, at any time required on the New Brunswick shore of the Bay of Fundy. My own allowance (deducting a Servant for Office, Fuel, Stationery, Postages, &c.) may yield me £225 per annum, with which I am perfectly satisfied; I neither wish any increase, nor any compensation

compensation for years of labour, when the various Light Houses were being established, and the mere five per cent. commission on outlays of money, was my only compensation. I am proud in believing that my labors have given satisfaction, and that no work of like extent has been finished and supported by the Province, at so small a cost. I rejoice that I have lived to see a work, the commencement of which I so strenuously urged, complete—and, considering it to be so, embrace this opportunity of thanking my brother Commissioners for their disinterested conduct, in yielding me, on every occasion, their advice and their encouragement, while they received no emolument.

All which is respectfully stated by Your Excellency's most obedient servant,

L. DONALDSON,

Surveyor of Bay of Fundy Light Houses.

Saint John, 1st January, 1842.

Report from Commissioners of Bay of Fundy Light Houses, for 1841.

To His Excellency Sir Wm. COLEBROOKE, Lieutenant Governor of the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The Subscribers, Commissioners of the Bay of Fundy Light Houses, respectfully beg leave to furnish an account shewing the expenditure for those Establishments, during the year ending 31st December, 1841.

It affords the Commissioners much satisfaction to be able to state that the various Stations are in an excellent state of repair, and promise to require no material outlay beyond the accustomed supply of Oil, &c. &c. for 1842. That notwithstanding the expenses of supporting the lately erected Light on Cape Enrage, there is still a surplus fund of £543 17 3; and that the expenditure for the year just ended has been much less than during 1840, as will be perceived by a comparison of the two Accounts.

The Surveyor will report to Your Excellency on the condition of the various Establishments, and to his Report we crave reference.

Most respectfully, we remain your Excellency's obedient servants,

JOHN WARD,
ROBERT W. CROOKSHANK, } *Commissioners.*
JOHN WARD, JUN.
L. DONALDSON.

Saint John, 1st January, 1842.

Report of the Commissioners of Seal Island, Campo Bello, and Saint Andrews Light Houses for the year 1841.

To the Honorable House of Assembly for the Province of New Brunswick.

The Commissioners of Machias Seal Island, Campo Bello, and Saint Andrews Light Houses, beg leave to Report—

That the different Establishments under their care have been visited during the past year, and such repairs and alterations made as were found necessary and expedient for the preservation of the buildings and improvements of the Lights as follows, to which they beg reference :—

HEAD HARBOUR.

The Lantern at this Station, on being examined last year by the Commissioners, was considered too small, and ordered to be replaced by a larger one, which has been done; and we have received since many reports of the great improvement in the appearance of the light compared with what it was previous to the alteration. To

distinguish this Light House from others on this line of coast, a large red cross has been painted on its Eastern surface, which can be seen some miles distant when approaching the passage, and will be a useful guide to those not familiar with the navigation of this part of the Bay of Fundy.

Much inconvenience and even danger have hitherto existed for want of a suitable landing place in receiving Oil and Supplies for the Keeper, and by persons visiting and leaving the Island. We have at some expense removed rocks and made some progress towards so desirable an object, but from our own observation, and the evidence of those who reside in the vicinity, and frequently witness the heavy surf near the Light House, we are satisfied that a small Wharf must be built to act as a breakwater, before a safe and convenient landing can be permanently formed.

SAINT ANDREWS HARBOUR LIGHT HOUSE

Has undergone sundry improvements by the substitution of the Lantern from Campo Bello, instead of the very imperfect one previously in use, and other alterations in the burners, &c.; the change for the better in the appearance of the Light in consequence is very apparent and satisfactory. The Keeper's residence has also been painted and repaired, and the block on which the buildings stand made more secure, and filled with Stone ballast to prevent any damage in stormy weather from the surf at high water.

The Light Houses on Machias Seal Island, the most important station in the Bay of Fundy, are in good order, and every attention has been paid to make that Establishment as efficient as possible, by placing an alarm Gun to be fired in foggy weather, and depositing supplies of provisions in the charge of the Keeper for the use of shipwrecked Seamen and Emigrants; and we have much satisfaction in being able to state that we have been frequently informed of the usefulness of the alarm Gun in thick weather, in warning Seamen of their approach to the Island, which being situated in the centre of the channel; for when its position is ascertained, in such cases the navigation is rendered comparatively safe and easy; yet we are of opinion that the greatest protection to shipping at that point of the Bay of Fundy in Fogs, would be a Bell of large dimensions to be acted on by machinery of some sort to keep it in motion, and although its cost and erection would be considerable, still the saving of life and property must remove all scruples on that head.

We have only further to report the uniform good conduct and attention of the Keepers at their different stations.

All which is respectfully submitted.

THOS. WYER,
JOHN WILSON, } *Commissioners.*
J. ALLANSHAW, }

REPORTS FROM AGRICULTURAL SOCIETIES.

COUNTY OF CABLETON.

The Annual Meeting of this Society was held in Woodstock, according to notice, on Tuesday the 5th of October,—Richard Ketchum, Esquire, President, in the Chair.

W. T. Wilmot, Esquire, from the Committee appointed by the Board of Management, to audit the accounts for the past year, presented the Report of said Committee, which he read.

On motion—*Resolved*, That the Report be accepted.

The Recording Secretary read the Report of the Committee of Management.

On motion of the Rev. S. D. L. Street,
Resolved, That the Report be accepted, and that the same be published in the "Telegraph," and sixty copies printed for circulation.

On motion of Charles Connell, Esquire,
Resolved, That the Committee of Management for the ensuing year be authorized to expend the sum of Forty pounds in Premiums.

On motion of Charles Perley, Esquire,
Resolved, That the said Committee be instructed to prepare and publish a scale of such Premiums on or before the 1st March next.

On motion of R. English, Esquire,
Resolved, That the time of receiving Subscriptions for the ensuing year be limited to the 1st January next, and any extension of such time shall be discretionary with the Committee.

On motion of J. M. Connell, Esquire,
Resolved, That the sum of Five pounds be placed at the disposal of the Committee, for the purpose of procuring such publications on the subject of Agriculture as may be considered most useful.

Resolved, That the Committee of Management for the ensuing year be composed of the following persons, viz :—

PRESIDENT,—Richard Ketchum, Esquire.

VICE PRESIDENTS,—John Dibblee, J. M. Connell, E. A. Cunliffe, Asa Upton, James Ketchum, Esquires, and Mr. James Sharp.

Richard English, Esquire,	<i>Treasurer.</i>
Charles Perley, Esquire,	<i>Cor. Secretary.</i>
Geo. F. Williams, Esquire,	<i>Rec. Secretary.</i>

Resolved, That the associate Officers be as follows, viz :—

Mr. Geo. Clowes,	<i>Northampton.</i>
" S. Hayden,	<i>Brighton.</i>
" J. C. Squires,	<i>Kent.</i>
" William Hallet,	<i>Perth.</i>
" J. Hutchinson,	<i>Wicklow.</i>
" Charles Emery,	<i>Wakefield.</i>
Charles Hammond, Esquire,	<i>Andover.</i>

On motion of the Rev. S. D. Lee Street,
Resolved, That this meeting recognizing the establishment of Agricultural Societies to be a measure calculated to produce the most beneficial effects to the Country at large,

large, earnestly invites the Inhabitants of this section of the Province, to aid by their Subscriptions and support, this Institution, formed for the promotion of the Agricultural interests of this County.

On motion of the Rev. S. D. Lee Street,

Resolved, That the thanks of this meeting be given to Charles Perley, Esquire, Corresponding Secretary, and Geo. F. Williams, Esquire, Recording Secretary, for their able and zealous services.

On motion of John Dibblee, Esquire,

Resolved, That the thanks of this meeting be given to R. English, Esquire, Treasurer, for the valuable aid he has rendered this Society.

The President then left the Chair, and Charles Perley, Esquire, was called thereto.

On motion of R. English, Esquire,

Resolved, That the thanks of this meeting be presented to Richard Ketchum, Esquire, for his able and impartial conduct during the past year.

FIRST ANNUAL REPORT OF THE CARLETON AGRICULTURAL SOCIETY.

The formation of Societies for the accomplishment of any specific object, has ever been found the most advantageous method of effecting the desired end, inasmuch as combinations of individuals are enabled with greater ease to surmount difficulties than a lesser amount of enterprise brought to bear upon the same point. Upon this principle the Institution, with the management of whose affairs this Committee have been charged during the past year, was organized, the individuals thus combined believing that such an union of effort would be promotive of the general good. The details of their design may be found in the introduction of improved breeds of Stock, Seeds of new and choice kinds, farming Implements of all descriptions made upon improved principles, the obtaining these at such reduced prices as to render them attainable by persons of limited means, and the general diffusion of Agricultural information, thus affording a stimulus to increased exertion. That the accomplishment of so praiseworthy a purpose cannot fail of being in the highest degree beneficial, it is presumed, no doubt can possibly exist. The necessity for increased effort in the prosecution of Agricultural operations may be found in the fact too notorious to be questioned, that to a very great extent this Province is dependent upon a foreign nation for bread, an ample supply of which this Country, under judicious management, is capable of producing. It must be admitted that no Country can possibly increase or abound in wealth whilst a large portion of its means is withdrawn for the purchase of the necessaries of life. This difficulty under which our Province labors is not referable, at least in its extent, either to the soil or the climate. The best description of land for culture is found in abundance, and experience has demonstrated that though the vegetating season be short when compared with that of more Southerly climates, yet it is sufficiently long amply to reward the industrious farmer for his toil. The absence of action upon scientific principles in conducting farming operations, the want of a due regard to the peculiarities of the climate, the inferior character of the Stock, Implements of Husbandry, and qualities of Seed sown, together with the high rate of wages, seem to be the principal causes which impede the progress of this Country to the attainment of wealth.

To remove in some degree these existing defects, Agricultural Societies are well calculated, as by their means public attention is more frequently directed to a due consideration of those advantages which must of necessity result from an improved system of Agriculture. Your Committee in soliciting from the Public more active co-operation, in order to the attainment of the great object in view, advert with pleasure to the liberal disposition already manifested, and to the munificent grant of the Legislature, by which we became possessed of means available for the purpose contemplated. —The Legislative grant for the past year was £100; Subscriptions and donations paid your Treasurer, £86; amounting in the whole to £186. Your Committee purchased a large supply of Clover Seed, a small quantity of Wheat of several kinds and

of Grass Seeds, twenty of Howard's Patent improved Ploughs were procured, and a few superior Manure Forks. The principal part of these articles have been sold to Subscribers at cost and charges, to non-Subscribers at a moderate advance, and it is believed have given general satisfaction. By reference to the Report of the Committee appointed to audit the accounts which has just been read, it appears that the sum of £151 14 0½ is now in hand, which with the few articles yet unsold valued at £15, amount to £166 14 0½. Your Committee have not appropriated the sum voted at the general meeting in November last, for Premiums, a scale not being prepared in sufficient time, and it was not considered advisable at a late period to apply the monies to that use, lest the inhabitants of the distant parts of the County might be deprived of an opportunity of participating in the competition. It is however recommended that this meeting direct £40 to be expended for that purpose next year, and that a scale of Premiums be prepared and published with as little delay as possible. The payment of £50 for the ensuing year's subscriptions will enable us to obtain £100 more from the Province Treasury, thereby furnishing an available fund exceeding £300. It is therefore hoped that immediate attention will be paid to this particular. Your Committee recommend the purchase for the ensuing year of thirty Ploughs, of the most improved patterns, three Patent Fanning Machines, and such quantities of Hoes, Hay Forks, Manure Forks, Patent Scythe-sneaths, Potatoe Forks, Clover Seed, Timothy, Red-top, Wheat and Horse-mane Oats, as may be considered necessary. The introduction of Stock is likewise a matter worthy of consideration.

Your Committee feel that they should not have fully discharged their duty, were they to neglect at the present time enforcing upon you the necessity of acquiring from your own careful observation as well as from the experience of others, that information by which you may become enabled to prosecute your designs with greater profit and advantage.

The past season has been in some respects unfavorable, especially for the growth of Potatoes and of Buckwheat, yet of Wheat, Oats and Hay, there is more than an average crop, which will in some degree at least, compensate for those deficiencies. To the necessary preparations for the ensuing season, let us then direct our attention, and while exercising prudence and judgment, place our reliance upon an all-wise and bountiful Providence, without whose blessing all our labours will prove abortive.

GEO. F. WILLIAMS,
Recording Secretary.

COUNTY OF YORK.

REPORT OF THE YORK COUNTY AGRICULTURAL SOCIETY FOR 1811.

Mr. President and Gentlemen,

Were I to confine myself to a Report of the Society's operations since its recent organization, I should be limited to a few details, and those not of a very interesting character. But, with your permission, I will venture beyond these restrictions, and after having informed you of our proceedings, I will submit a few observations and suggestions, which I am induced to believe will not be deemed unworthy of notice, and which, I trust, will be received in the same kind feeling with which they are offered.

The total number of Subscribers is 184, including the Nova Scotia and New Brunswick Land Company. The amount of Donations is £9 10s., and this added to the Subscriptions, the Legislative Grant of £100, and the proceeds of Sales, make our gross receipts £201 12 6. The amount of expenditure, including the purchase of a Bill of Exchange for £60 sterling, is £205 0 7. Of this sum £50 have been paid in Premiums. The accompanying Account Current shews the particulars of income and expenditure, and exhibits a balance due the Treasurer of £3 8 1.

The seeds and implements on hand are equal, at cost prices, to £34 4 2, for which sum they can, no doubt, be disposed of during the ensuing spring, and these, with the amount remitted, constitute the available resources of the Society, equal to £106 currency.

The Society having appointed a Cattle Fair to be held at Nackawick on the first Tuesday in July last, I attended on that day with our Vice-President, James Taylor, Esquire, in order to promote the objects of the Society. The weather proving unfavorable, the quantity of Stock produced was small. There was a large attendance, however, of respectable Farmers, and several names were then added to our List of Subscribers; and I have good reason to believe that an interest was then awakened on behalf of the Society, which will be productive of good during the coming year.

Such a combination as this, being, in this County, novel in its character, and but ill understood in its object, we should for the present be content with partial success, and hope to occupy, ere long, a more enlarged sphere of beneficial action. This I am sure must be the case, if our affairs be well conducted, and if our Committees and Members, generally, exert their influence in their respective neighbourhoods.

The unusual drought of the last Summer threatened at one time to blast, in a great degree, the Farmer's hopes of Harvest; but although our grain and potatoe crops were thereby partially injured, yet under the beneficent superintendence of a Gracious Providence, the Summer was succeeded by one of the most mild and favorable Autumns ever known in the Province, and vegetation progressed unchecked by frost until the 23d September, so that upon the whole the crops throughout the County were quite equal to the ordinary average in quantity and quality.

On the 12th October the Society's Cattle Show was held in Fredericton, and was by no means so well attended as it might and should have been. Many Members were deterred from exhibiting Stock, supposing that others would have better on the ground; and some of those persons were deservedly chagrined upon discovering that premiums were borne off by Stock inferior to their own at home. The prospects, however, for the next Show are cheering, and I have good reason to expect that it will be highly creditable. But I would suggest that the restriction contained in our Rules, requiring Stock to be bred in the County, and by the person exhibiting, should be removed for a year or two, and that any Stock bred in the Province may be entered at the Show, providing the exhibitor has owned the same for the space of three months.

The Premiums awarded in October were as follow, viz:—

Moses Pickard, Junior,	Best 4 year old Colt.
Doctor Shelton,	Second best.
G. L. Hatheway,	Best 3 year old Colt.
John Burpe,	Second best.
Isaac Murray,	Best Bull.
John Brewer,	Best Calf.
Thomas Brown,	Second best.
Thomas Murray,	Best Cow.
Ditto,	Second best.
William Finnimore,	Best 2 year old Heiffer.
Alexander Ross,	Second best.
John Burpe,	Best Sow.
Henry Coperthwite,	Second best.
Isaac Lawrence,	Best Yoke of Oxen.
John Burpe,	Best Butter.
Thomas Jones,	Best Seed Wheat.
William Dayton,	Second best.
Calvin Goodspeed,	Best Seed Oats.
Charles Bartlett,	Best Homespun Cloth.
Allen M'Lean,	Second best.
Isaac Murray,	Best Socks.
Janes Ingledoc,	Best variety of Seed Potatoes.
William Davidson,	{ Greatest quantity Potatoes (300 bush.)
James Ingledoe,	{ on half an acre.
Ditto,	Ditto Carrots.
	Ditto Turnips.

There were four competitors "for the best conducted Farm," but no decision has yet

yet been given. Indeed I do not see how it is possible to decide upon the mere description of the parties, without the judges having first inspected the Farms, and I would therefore recommend that this Premium be discontinued for the future.

That the Agricultural character of the County is fast improving no one can deny, and in proof of this, I need only refer to the extensive Fall Ploughings we now see, as compared with late years, and to the general anxiety of our Farmers to obtain improved breeds of Stock of various kinds. But while these things speak well for the present, and augur favorably for the future, we are still as a Farming Community most lamentably deficient, both as regards the cultivation of the Soil and the breeding of Stock.

One great impediment to the advantageous diffusion of information respecting the improved systems of the present day, is the prejudice with which many adhere to their own modes of cultivation, which, perhaps, have descended unaltered through several generations, and are viewed with such filial regard as to be considered indispensable to a successful cultivation of the soil. Where these prejudices exist, modern improvements are treated with ridicule—the inlets to the understanding are closed—and “father did so,” will furnish a sufficient justification for the most absurd misapplication of labour, the most extravagant waste of time, and the most destructive abuse of the soil.

One great error among Farmers, generally, throughout the Province, is the working of too much land—by this I mean the attempt to cultivate more than can be well done. Both labour and manure are extended over too great a surface, and the result is too evident not to be seen in every direction—a scanty—sickly produce. A Farmer has a four acre field he wishes to break up and plant with potatoes; he ploughs the whole, and is determined to plant the whole; he is not particular first to ascertain whether he has enough manure for the extent of ground, but having ploughed, he thinly strews his compost to make it hold out, and as a sure reward he gets a short crop, with loss of seed, land, and labour. But I do not stop here—the following Spring he sows this field with wheat or oats, and at harvest time he is reminded of his ungenerous cultivation, by the short and puny stock and half filled ear; and if laid down to grass, as long as he keeps it under scythe he can see the ill effects of trying to do too much. Should our Farmer, in the case put, get one hundred and fifty bushels of potatoes from the acre he will be exceedingly fortunate, and yet he might with the same manure, half the seed, and half the labour, have grown as many on two acres as he has taken from the four. Mr. William Davidson, of Dumfries, grew this year 600 bushels from the acre. Now no person will say that there are not hundreds of acres in this County which may be made as productive as Mr. Davidson's, and yet no one has equalled him in produce. “*What is done should be well done*”—should be inscribed on every enclosure of every Farm, and engraved upon every door post of every Farm House.

The writer of this Report has seven and a half acres under cultivation, including a Garden, and the following is as near as he can estimate the produce of this year:—

Ten tons Hay; 76 bushels Oats; 280 bushels Potatoes; 3 tons Straw; 35 bushels Carrots; 20 bushels Turnips; 15 bushels Beets and Parsnips, besides an abundant crop of other Garden produce. And from the time that Clover was fit to cut for soiling, four cows were liberally fed every night during the season, and two horses occasionally in every week. Now, I have no doubt, that some may equal and even surpass this amount with the same extent of ground, but I also know that very many with four times the quantity of land, professedly under cultivation, do not grow half as much.

One capital principle in all Roman Agriculture was to “*sow less and plough better*,” since there was more gained by cultivating a small spot well than a larger one indifferently. This they illustrated by many short sayings and stories. Pliny mentions a freed man who made his vineyard produce crops so much larger than those of his neighbours that they accused him of Witchcraft, and accordingly brought him to trial. When he appeared in the Forum he produced a stout daughter and some excellent implements, such as iron spades, shears, &c., and presenting these together with his oxen to the Senate, said “these Romans are my charms.” He was acquitted with honor. The following fact was also frequently advanced in favor of the above maxim.

A vinedresser had two daughters and a vineyard. When his eldest daughter was married he gave her one third of his vineyard for a portion, notwithstanding which, he had the same quantity of fruit as formerly. When his younger daughter was married he gave her the half of what remained, and still the produce of his vineyard was not diminished.

I have been so much impressed with the evil effects which many are continually suffering from extending their labour over too great a surface, that I have felt it my duty to direct the particular attention of the Society to the subject.

The next point upon which I would offer a few remarks is, as to the cultivation of Wheat, a branch of Agriculture, in my estimation, far beyond all others in general importance, and which should receive the greatest attention and encouragement not only of the Legislature, but of all the Agricultural Societies in the Province, when we bear in mind that this Province has paid during the last ten years, at a low estimate, over £500,000 for foreign bread stuffs, the truth and force of my observations must be admitted by all.

The old cry, that "this is not a wheat growing Country," is practically contradicted every year by those of our farmers who pay due attention to the mode of cultivation. Those who fail invariably attribute their loss to the climate, while their want of success is generally chargeable to their bad husbandry; and it is to be regretted that this class so far outnumbered that of the attentive and successful cultivator, that the good reports and favorable opinions of the latter are drowned amidst the noisy condemnations of the former.

As to *Soil*, we have as good in this Province as can be found in any section of the North American Continent; and how can we justly attribute the partial failure of our wheat to climate, when every year some good crops are grown in every County of the Province.

The climate of this County is surely the same in every part, and yet during the last year, while some were charging their failures to climate, others were growing fine crops. At Stanley, for instance, wheat was produced weighing upwards of 70 lbs per bushel, and free from all defects; and finer wheat cannot be grown in any country than was this year exhibited at the Society's Show. And I may venture to assert that there can be found persons whose fields adjoined those of the successful cultivators who are attributing their want of success to climate, when it is imputable to their own neglect and ignorance.

While on this subject, I would urge upon the attention of the Society, the importance of introducing the cultivation of winter wheat and rye. These grains have lately yielded abundantly in some parts of the Province. A very fine crop of winter wheat has been harvested this year by Mr. Hansard, in the vicinity of Fredericton, and he has another crop now sown. I shall endeavour to procure from that Gentleman a particular account of the mode of cultivation, and amount of produce, and shall communicate the information to the Society.

In the whole range of Husbandry there is not a more important subject for the constant and unremitting attention of the Agriculturist than the collection and increase of manures. In vain the Ploughman "sidelong lays the glebe"—in vain

—"the Sower stalks
With measured step, and liberal throws the grain
Into the faithful bosom of the ground"—

in vain the fertilizing rains and dews of heaven descend upon the soil if it be not enriched with those valuable salts and gasses which constitute the principal food and nutriment of vegetable life, and which are chiefly produced by the decay of vegetable and animal substances.

In the course of my yearly and extensive tours through different parts of the Province, I am often amazed and grieved at the conduct of many farmers with regard to manure. Indeed, by some this indispensable article is viewed as an incumbrance, so much so that they have erected their barns by the River side, or near a brook, in order that the floods may cleanse their premises, and by others this source of wealth is collected into heaps and burned.

Doubtless you who hear these statements are partaking of my astonishment at such a prodigal

prodigal waste of manure as shewn in the instances just now mentioned, and at the same time some of you from year to year are "yarding" your cattle in the highways during the summer's nights, which is at once a loss to yourselves and a nuisance to travellers—and during the winter's days you allow your cattle to stand about the water holes and springs when they should be enclosed in the barn yard, or kept in the stable. You, therefore, who pursue such a neglectful course as this, are very little in advance of those who call to their aid the fire and flood to purify their premises.

Some there are, however, who pay a great deal of attention to this subject, and who often complain of a scarcity of manure, when they might add largely to their stock by availing themselves of the valuable vegetable deposits which are found in greater or less quantities on almost every farm in the County. The black rich mould of swamps is an excellent manure, and may be very much improved by an admixture of lime, or by being thrown into compost with the barn manure. I am aware that lime cannot be had in most parts of the County for such price as to justify its use as a manure, but wherever it can be had it will be found an excellent stimulant and decomposer, and will, in general, produce the most gratifying results, especially in the culture of wheat.

I would fain enter at some length upon the management of different kinds of Stock, but at the present I must confine myself to a few brief observations as to Sheep and Horses.

Many of our Farmers have been unpardonably neglectful in their management of sheep; and it is really surprising that a stock so valuable both for food and raiment, and which makes such quick and profitable returns for the capital invested upon it, should have been so generally and so long neglected. Some, I am happy to say, are now atoning for their past mismanagement by procuring improved breeds, and I would earnestly recommend those who still retain the old worn out stunted stock to supply their place as soon as practicable with a better and more profitable kind. This, I am in hopes, will soon be done by many, if I may judge from the numerous and anxious enquiries which have been made from time to time respecting the sheep ordered from England by the Society. I very much regret that those sheep will not arrive during the present season, as our Vice President, Colonel Hayne, finding that the autumn would be far advanced before they could be shipped, very prudently countermanded the order until the next spring, when I hope we shall receive in good order and condition eight Rams and four Ewes of the improved Dishly and Leicestershire breeds. But we need not wait until these arrive, as all cannot be supplied by our limited importation; those who wish to obtain a superior breed need only apply to some of our agricultural friends in the County of Carleton. The most unwearied pains have been bestowed, and great expense incurred by some gentlemen in that County, and especially by Charles Perley, Esquire, in procuring the most approved breeds of sheep and other stock. That gentleman and enterprising farmer, may be emphatically called a benefactor of the Country in this respect, and I am happy to hear that the admirable stock of his farm is fast finding its way along the shores of the Saint John. His flock of sheep, I am sure, cannot be equalled in the Province—I have seen none like them out of England.

It is a very mistaken opinion, which prevails to a considerable extent in the Country, that sheep will thrive as well exposed to all the storms and inclemency of the winter as if they were carefully housed. Too great pains cannot be taken after the cold weather sets in, and until the storms of April are over, to protect sheep from rain and snow, as by exposure to these the fleece becomes wet and frozen—the animal is rendered uncomfortable, and is thereby not only prevented from thriving, but is exposed to the ravages of disease.

Protection from the inclemency of the winter weather, however, is not of itself sufficient. *Feed well*, not wastefully, but judiciously, and let it be borne in mind that no improved breed can sustain its growth and character through our long winters without being fed occasionally (say once a week at least) on esculent roots, such as the potatoe, mangle-wurtzel and turnip—and of these the last is decidedly the most preferable. In England fields of turnips are sown expressly for the use of sheep, and during the winter they are turned in and allowed to eat them out of the ground, but in this Country we must supply our stock from the root house and cellar; and be

assured that he who attempts to keep up an improved breed of sheep, and allows them to run at large in all kinds of weather during the winter, and feeds them on nothing but dry hay, and that, perhaps, the refuse of the cow and horse stables, will very soon find himself sadly disappointed.

I would here respectfully recommend for the consideration of the Society, that in order the better to encourage the immediate improvement of this valuable stock, a premium of £10 be awarded for the best pen of five Ewes to be exhibited at the Society's Cattle Show in October next.

Having already extended my observations on other subjects to such a length, I shall shortly remark upon one or two points only with regard to the treatment of colts.

A very absurd notion universally obtains in this Country, that colts should not get any oats the first winter after weaning, as such feed would have the effect of foundering or otherwise injuring the animal. This is a radical error, and has, no doubt, had the effect of preventing our horses from being much better grown than they are.

In England the usual allowance of oats for a colt, during the first winter, is fifteen bushels or four quarts a day for four months. Such a course of feeding is also accompanied by bran mash—potatoes and carrots to prevent costiveness, and to keep the blood cool. In conversation with the celebrated Tattersall, in London, on this subject, he informed me that he allowed his choice thorough bred colts as much oats as they would eat the first winter, and that they were never injured by such feeding, but very little if any grain is given during the second winter. Since receiving this information I have put it in practice, and the result has been highly gratifying and successful.

I would be happy to proceed further on this interesting subject, but as I have trespassed so long upon your time and attention, I must now draw my observations to a close.

I would earnestly impress upon every Member of this Society the necessity of doing all in his power to promote the interests of agriculture throughout the County. Obtain all the valuable information you can on the subject, and freely circulate all you obtain. As Farmers you have great reason to be content with your lot. You have seen from time to time the depressions of trade. You have seen many of those engaged in Commerce, and whose once fortunate career you may have almost envied, brought low by reverses of fortune, and deprived of their property; but to such vicissitudes the faithful tiller of the earth is rarely, if ever, exposed in this Country. We are blessed with a fertile soil, and he who works his allotment with industry and a due regard to his means, will surely receive an ample reward for all his toil.

Doctor Johnson has beautifully observed "Though mines of gold and silver should be exhausted, and the species made of them lost; though diamonds and pearls should remain concealed in the bowels of the earth and the womb of the sea; though commerce with strangers be prohibited; though all the arts which have no other object than splendour and embellishment should be abolished; yet the fertility of the earth alone would afford an abundant supply for the occasions of an industrious people, by furnishing subsistence for them, and for such armies as should be mustered in their defence."

Let us one and all then do what we can for the advancement of Agriculture. It is an honest—an honorable—a noble Science, and from the earliest ages of the world has been the staff of Kingdoms and Empires.

" In ancient times the sacred *plough* employed
The kings and awful fathers of mankind;
And some, with whom compared your insect tribes
Are but the beings of a summer's day,
Have held the scale of Empire, ruled the storm
Of mighty War; then with unwearied hand,
Disdaining little delicacies, seized
The *Plough* and greatly independent lived."

All other professions and arts derive from Agriculture their means of subsistence. Our Navy may be manned—our Army may muster its hosts for war—our manufacturers and artizans may expend their labour and skill in cunning devices of handy work

work—and our merchants may extend their enterprise to every corner of the World in quest of gain;—but withdraw from these the support of Agriculture, and our Navy must lie in port—our Army be dissolved—our manufactories become silent—and our merchants defeated in every attempt at commerce.

L. A. WILMOT,
Secretary and Treasurer.

Frederickton, December 3, 1841.

COUNTY OF NORTHUMBERLAND.

At the Annual Meeting of the Northumberland Agricultural Society, held at Wetherell's Hotel, Newcastle, 31st March, 1841:

John Wright, Esquire, in the Chair.

Moved by William Carman, Esquire, and seconded by John A. Street, Esquire,
Resolved, That a Sub-Committee of three be appointed to audit the Treasurer's Accounts for the past year, and that William Abrams, Alexander Goodfellow, and William Carman, Esquires, be appointed such Committee.

Moved by John M. Johnson, Esquire, and seconded by Henry Cunard, Esquire,
Resolved, That the Treasurer's Accounts be accepted, and that the thanks of this Meeting are justly due to George Kerr, Esquire, for his very valuable services as Treasurer of the Society from its commencement.

On the Society's Report being read by the Rev. Mr. Souter—

Moved by John A. Street, Esquire, and seconded by John T. Williston, Esquire,
Resolved unanimously, That the Report of the proceedings of the Society for the past year be accepted, and that the same be published in the Gleaner newspaper, and that 100 copies thereof be struck off for circulation.

Resolved, That the thanks of this Meeting be given to the Rev. Mr. Souter, for his zeal and valuable services in promoting the interests of this Society, and for the Report just read.

Moved by John T. Williston, Esquire, and seconded by James Gilmour, Esquire,
Resolved, That this Society has had a beneficial effect on the Agriculture of this County, and is deserving of continued support.

Moved by John A. Street, Esquire, and seconded by the Rev. Mr. Souter,
Resolved unanimously, That practical farmers, who are particularly interested in the operations of this Society, are called upon to aid it by their contributions; to enable the County to reap the benefit of the Legislative grant of £100, which is given upon condition of the Society raising £50.

Moved by John A. Street, Esquire, and seconded by George Kerr, Esquire,
Whereas it is highly desirable that this Society should be furnished with all local information connected with the main objects for which it was founded; therefore

Resolved, That all information and facts, worthy of notice, connected with the soil and climate of the Country—the cultivation of the ground—the procuring and application of manures—and generally with the rural economy of the County, should in future be put in writing, and be furnished to the Secretary from time to time, by the members of the Society possessing such information, with a view of disseminating the same through the County, in that way which the Secretary may deem most efficient.

The following Gentlemen were appointed Office Bearers for 1841, viz:

John Wright, Esquire, President.

Henry Cunard and James Gilmour, Esquires, Vice-Presidents.

George Kerr, Esquire, Treasurer.

Rev. James Souter, Secretary.

Committee,

Committee—William Abrams, William Carman, Alexander Goodfellow, John Porter, Roderick M'Leod, and John T. Williston, Esquires, Messrs. B Williston, Robert Kaie, George Johnston, (Napan) William Fiddes, John Rust, D. Wetherell, and John Wyse.

JOHN WRIGHT, *President.*

The Chairman having left the Chair, and John T. Williston, Esquire, being called thereto; it was moved by Alexander Goodfellow, Esquire, and seconded by George Kerr, Esquire; and

Resolved, That the thanks of this Meeting be given to John Wright, Esquire, for his able and impartial conduct in the Chair.

JAMES SOUTER, *Secretary.*

THIRD ANNUAL REPORT OF THE NORTHUMBERLAND AGRICULTURAL SOCIETY.

That Agricultural Societies are highly useful and meritorious institutions, will not be denied. Their value has been fully shewn both in Britain and America, by the experience of many years, and by the extensive patronage they have received. They have been the means of spreading much useful information upon a subject of deep interest, of establishing a system of husbandry based on scientific principles, which has increased in a high degree the fertility of the soil, and the profits of its cultivation. They have been instrumental also in improving farm stock and implements of labour, and of diffusing amongst farmers a laudable desire to excel in their honorable vocation. And it is well known that whatever has a tendency to promote the Agricultural prosperity of a Country or community, tends proportionally to advance the cause of social order, virtue and happiness.

Three years have now elapsed, since the formation of a Society of this description in Miramichi, during which time it has laboured to advance the cause of Agriculture; nor have its labours been without success, or its example without influence in other parts of the Province.

In briefly noticing their transactions for the past year, the Committee have to state, that they held a *Ploughing Match* on the 24th September, on the farm of Mr. William Fiddes, Newcastle, which was well attended. The Judges on that occasion were Messrs. C. Nevin, D. Thomson, and J. Lawrie. Nine ploughs started upon the field, and the ploughmen performed their several allotments in a very creditable manner. And, after a careful inspection of the work, the Judges awarded the premiums as follows, viz:—

First Class of Old Country Ploughmen.

First Premium to William Mahoney, servant to John Porter, Esq., Douglastown.
Second ditto to David Creighton, servant to Mr. W. L. Scott.
Third ditto to John Renney, Farmer, Newcastle.

Second Class or Native Ploughmen.

First Premium to Edward M'Kay, son of Donald M'Kay, Esquire, Northesk.
Second ditto to Andrew Woodside, Douglastown.

These friendly competitions of skill are yearly exciting in the community an increasing interest, and have already had effect in improving the ploughing of the soil, upon which its successful cultivation so much depends; and it is earnestly hoped that our native youth will be more and more ambitious to earn for themselves distinction on such fields of honor.

Last Spring the Society imported three barrels of Rohan Potatoes, which were sold out to Members in small quantities, and the Committee have heard of several instances in which extraordinary returns were obtained. That of Charles J. Peters, Esquire, Chatham, was reported in the Gleaner of the 20th October, and is as follows:—

“ On Saturday last we had the satisfaction of witnessing on the premises of Charles J. Peters, Esquire, the produce of six pounds on a piece of land measuring 10 by 26 feet, namely, two barrels and a half, each barrel weighing one hundred and forty five pounds.”

The principal objection to this species of Potatoe appears to be its quality, which is only second or third rate. It is likely, however, to prove a valuable Potatoe for feeding Stock, and is therefore worthy the attention of Farmers. It is remarkably full of deep set eyes, each of which produces a vigorous stem; in using it therefore, a considerable saving of seed is effected.

Bone Dust enters extensively into British Husbandry, and is universally approved of; as by means of it turnips can be raised of a much larger size, and to a much greater extent, than with barnyard manure alone. In order to give it a fair trial in this quarter, the Committee have imported sixty bushels, in casks of four bushels each. The quantity used varies from eighteen to thirty bushels per acre, which is scattered into shallow drills, and slightly covered with mould. Before applying it to the soil, many persons prefer mixing it up with a proportion of ashes or fine compost, pouring a quantity of water on the heap, and allowing it to stand for eight or ten days to ferment; which hastens the decomposition of the particles of bone, and, it is said, gives a much better crop than when the dust alone is applied, especially if the season proves to be a dry one. It is hoped that some of our Agriculturists will give it a fair trial, and report the results to the public.

Last season a small quantity of Spring Tares or Vetches was sown by a member of Committee. The patch of ground selected for experiment was rather moist; upon it a light top dressing of compost was spread, and the tares, mixed with an equal quantity of oats, were sown and harrowed in, about the beginning of July. The crop proved a very luxuriant one, the tares averaging about three feet in length. Spring tares are used very generally in Britain, as green food for cattle, and cows fed on them are said to yield a large quantity of milk. Tares require a rich, friable mould, rather damp, and on such soil yield a most abundant crop; and when cut green, very slightly exhaust the soil, drawing, it is believed, the chief part of their nourishment from the atmosphere. A friend to Agriculture has ordered a quantity of the seed this Spring, so that a further opportunity will be afforded of testing the value of this crop in this climate. By sowing the seed at different times, say early in May, June, and July, a succession of crops may be obtained.

The Committee would call attention to the great return of Carrots raised by Henry Cunard, Esquire, the account of which we copy from the Gleaner of the 27th October:—

“On the Farm of that enterprising Agriculturist, Henry Cunard, Esquire, we last week had the gratification of witnessing that on a space of ground, not exceeding one third of an acre, there was dug such a crop of Carrots as speaks volumes in favor of the capabilities of our Miramichi soil. The quantity raised on the above space of ground was Eighty barrels! The greater number of the Carrots were of an extraordinary size, some of them being 26 inches in length, and 13½ in circumference. Several of these were found to weigh not less than from two and a half to three pounds. Such statements should certainly stimulate others to try the experiment so successfully made by Mr. Cunard. It is perhaps not generally known that Carrots are highly beneficial in the feeding of horses and other animals.”

This very valuable root might be introduced into our field culture with much advantage, our soil being generally well adapted to produce it; and, with due attention, would yield a much greater return than can be obtained either from potatoes or turnips. These are occasionally subject to partial failure; Carrots very rarely disappoint us, and on these accounts deserve increased attention. The fine breed of Cattle imported by the Society has stood our climate well. These animals are easily kept, and are greatly prized by their owner, Mr. Henry Cunard, and when they come to extend over the County, will prove, it is hoped, a valuable addition to our native Stock.

The Society has just received a supply of Fresh Garden Seeds, including Peas and Beans of different sorts. They imported last Fall about nine hundred weight of Red Clover Seed, and they expect a supply of Timothy Seed by the first arrival from Halifax, after the opening of the navigation.

It is desirable that the Society should make another importation of Stock of different descriptions. To enable the Society, however, to carry out fully their plans, it is necessary that arrears of subscriptions should be paid up, and new Members added,

that the Society may be enabled to draw the £100 granted by the Legislature. Farmers are called on to patronize the Society to a greater extent than heretofore. They, in the first instance, are to reap the chief benefits of its operations, and therefore ought to give it their countenance and support. The time is come when we must depend, to a much greater extent than ever, upon the products of Agriculture. Let all then prosecute or patronize it to the utmost of their ability. Our climate is healthy, our soil good, and capable of producing all sorts of grain usually raised in Britain, and the neighbouring Colonies; Grist and Oat Mills are now erected, or in course of erection, in different parts of the County, affording increased facilities for the manufacture of bread stuffs; our *intercales* are extensive, and our wild pastures very valuable, and capable of raising a large stock of animals, which, in the course of time, may supply our markets with beef, butter, and other articles of provision, which at present must be imported at a heavy expense.

With such advantages, we must be greatly to blame if we require to import for the future, the necessaries of life, to any thing like the same extent as heretofore. Let due encouragement be given to the introduction of capital among us, without which farming cannot any where be carried on to advantage; let our population be sober, industrious and prudent, let them strive as much as possible to save the sums yearly paid to others for articles which they may produce for themselves, and Miramichi, with the important advantages of an extensive trade, and ready market, cannot fail to advance in prosperity.

The following is a brief statement of the Society's Funds:—

Amount received for Seeds sold, and Subscriptions during the past year,	£41	10	2½
Balance in the hands of the Treasurer, per Account audited,	75	15	0½
Stock of Seeds, Bone Dust, &c. value about	100	0	0
	£217	5	3

JAMES SOUTER, *Secretary*.

Miramichi, 31st March, 1841.

On Saturday the 3d instant, the Board of the Northumberland Agricultural Society met in Wetherell's Hotel, Newcastle.

Present:—The President, the Treasurer, Messrs. J. Gilmour, William Abrams, J. T. Williston, Alexander Goodfellow, John Porter, John Wyse, William Fiddes, and the Secretary.—The Board resolved to appropriate the sum of £100 sterling, for the importation of Cattle, Sheep, and Pigs, from Britain, and that James Gilmour, John Wright, and John Porter, Esquires, be a Committee to attend to that business. The sum of £100 sterling, was also voted for the importation of Field and Garden Seeds, for the use of the Society; and the Secretary, Henry Cunard, George Kerr, William Carman, and John Porter, Esquires, were appointed a Committee to make such importations. It was further resolved to hold a Ploughing Match, as usual, and Messrs. John Porter, Robert Caie, and George Johnston, (Napan,) were appointed a Committee to draw up Regulations, and to make the necessary arrangements for carrying this Resolution into effect.

COUNTY OF CHARLOTTE.

To the Honorable House of Assembly of the Province of New Brunswick.

Saint Andrews, January 15, 1842.

The Annual Meeting of the Charlotte County Agricultural Society was held on Tuesday last, in Copeland's Hotel. The President, Doctor Frye, took the chair at 12 o'clock, and the Secretary then read the Report, which is as follows:—

TWENTY SECOND REPORT OF THE CHARLOTTE-COUNTY AGRICULTURAL SOCIETY.

The annual duty of reporting to the Society the proceedings of the last year, is embraced by the President and Directors on the present anniversary with more than ordinary

ordinary satisfaction. Not only have the efforts of the Society been sanctioned by the general approbation of the reasonable and better informed portion of Agricultural friends, but the influence they appear to be in progress of acquiring, must be gratifying to all who feel an interest in the prosperity of the Country, and cannot fail to impart a stimulus to improvement, and confidence in the promise of adequate returns for both labor and capital, when judiciously and efficiently applied to the cultivation of the soil; indeed it may be predicted that in a few years the face of the Country will exhibit a manifest improvement both of external appearance and of actual condition, from the change of public sentiment, in regard to rural prospects, and a commencement in a few instances of a more scientific and thorough mode of husbandry.

Already the advantages arising from draining lands begin to be developed and acknowledged, and it is to be hoped the system will soon be generally adopted, when the beneficial results of it must be apparent, and so decided as to constitute an actual revolution in the Agricultural capabilities of the soil. Although the severe and continued drought during the latter part of Summer and the first part of Autumn more or less affected all the crops, with the exception of Hay, the general yield may be estimated at nearly a fair average, and the Board have much pleasure in stating that in some instances the Wheat crops were good, and therefore augur favourably for its future cultivation, under skilful management, with the aid of experience, especially in regard to the selection of seed.

The Premiums offered for the application of Lime as a Manure, have induced several individuals to test its properties by experiment; but time and varied modes of application can alone determine its true value, to which end a continuance of the Premiums is recommended, under such regulations as will secure the information sought for.

The Grass Seeds imported from the State of Maine in the Spring, were of good quality, and have given the satisfaction which the Society's importations from that quarter have always afforded; and it is contemplated that a further supply will be required.

The importation of several varieties of Oats and Barley from Scotland, it is apprehended will prove highly beneficial, but owing to the lateness of the season when it arrived, a part of it remains on hand, as well as that of Wheat obtained from the Saint John River.

The increasing demand for Wilkie's Plough Mountings, induced the Board to order a larger supply than usual, and they have come to hand in good order, and in season for the wants of the Country. The Cattle Show in the Autumn was thought to have been well attended, and was of a character to enable the several Committees to award all the Prizes, except two, which were withheld on the ground that the Animals offered were not entitled to a Premium of any description.

The Premiums for Crops advertised for the ensuing year, with a view to excite a spirit of enterprise and competition, will, as the Board trust, have a tendency to promote that important object. The Agricultural publications which have been circulated at the expense of the Society, there is every reason to hope, will effect the object intended, by imparting information of the practical improvements of the day, and the rapid advancement of the science of Agriculture; and at the same time, diffuse a spirit of inquiry and enterprise, which cannot fail to hasten that new and happy change in rural economy, which will be certain to advance the prosperity of the Country, and secure the independence, comfort and respectability of the farmers.

The several grants of the Legislature have enabled the Society to extend its operations without exhausting its funds, and may probably authorize it to embrace further measures for the improvement of Stock, especially Sheep and Swine; and should the same fostering care be continued, importations of Live Stock to forward that important object may be anticipated. The Board are the more encouraged in entertaining this project from the increasing disposition among Agricultural followers to co-operate with the Society.

It is with much satisfaction that the Board have it in their power to advert to the recent formation of Agricultural Societies in several parts of the Province, and to perceive in their action, evidence of more devotion to the great and paramount interests of Agriculture than hitherto has been manifested, and which eventually must contribute to the permanent prosperity of the Country. In conclusion, it may not be

inappropriate

inappropriate to remark, that a review of the early and latter endeavours of the Society to promote the interests of Agriculture affords ample testimony to the usefulness of the institution; and an inducement not only to persevere in our efforts, but to redouble our zeal; to strive in every possible way to convince the incredulous of their errors; to stimulate the luke warm to action, to secure the co-operation of the willing, and to encourage all to put forth the strong arm of industry—guided by science, and sustained by the conviction, that the God of nature will never withhold his bounty, whilst his innumerable laws are duly obeyed.

Let us therefore not shrink from our labour of duty and benevolence, nor forget that Agriculture, aside from conventional distinctions, precedes all other avocations in dignity and purpose, but ever remember that it was the first and must continue to be the last occupation of fallen man.

(Signed)

SAMUEL FRYE, *President.*

D. D. MORRISON, *Secretary.*

On motion of Colin Campbell, Esquire, seconded by John Wilson, Esquire, *Resolved*, That the Report be accepted.

On motion of J. Brown, Junior, Esquire, seconded by John Wilson, Esquire, *Resolved*, That fifty copies of the Report be published, together with the proceedings of this day, and that one copy be forwarded to His Excellency the Lieutenant Governor, one copy to the Honorable the Legislative Council, also a copy to your Honorable House, and one copy to each Agricultural Society in this Province.

After the Report of the Committee on Accounts had been read and accepted, several other documents were read, and amongst them the correspondence between George R. Young, Esquire, and the Central Agricultural Society of Nova Scotia, respecting the importation of Live Stock from Great Britain. A lengthy discussion then took place respecting the best means to be used in procuring Stock, as well as the different varieties it would be most desirable to obtain, in which much information was elicited, which cannot fail to assist the Board in making their future selections.

The President having relinquished the Chair, John Wilson, Esquire, was called to the same.

The Society then proceeded to the choice of Officers for the ensuing year, when the following gentlemen were chosen, viz:—

Dr. Samuel Frye, President; the Honorable Harris Hatch and the Honorable Thomas Wyer, Vice-Presidents; Wellington Hatch, Esquire, Treasurer; Mr. D. D. Morrison, Secretary; Messrs. C. Campbell, Joseph Watson, John Lochary, John M'Curdy, Thomas Sime, Henry O'Neil, C. R. Hatheway, Samuel Getty, and Thomas Turner, Committee.

The President then resumed the chair, and the thanks of the meeting were given to John Wilson, Esquire, for his gentlemanly and impartial conduct in the chair.

On motion of the Honorable Harris Hatch, seconded by John Wilson, Esquire, *Resolved*, That the Secretary receive the sum of £7 10s. for his very efficient services, he refusing to receive any larger compensation.

The importations of the Society since its first formation, consisting principally of Seeds and Implements of husbandry, amount to upwards of £1500. The Premiums of various descriptions paid by the Society, including donations to new settlers in indigent circumstances, amount to about £400. The other expenditure of the Society, for printing, rent of rooms, and other contingencies, amount to about £140. The available funds of the Society are as follows:—

Cash in Treasurer's hands, and C. C. Bank, including the grant of £100 from the Legislature for 1841,.....	£180	19	1
Balance due from T. Turner for Seeds and Implements sold by him, and for which he is accountable,.....	58	3	7½
	£239	2	8½

In

In addition to the above, there is a small quantity of Seeds and a number of Plough Mountings in Mr. Turner's hands, not disposed of; there is likewise donations to the amount of £125 loaned, the interest only of which, by a condition of the doners, can be applied (except in cases of great emergency) for the general purposes of the Society.

The expenditures for the last year are as follows, viz:—

Premiums paid at Cattle Show,.....	£22	15	0
Agricultural Publications, £6 5s.; Printing Bill, £6 18 6,.....	13	3	6
Premiums on same, so far claimed, £3 15s.; Stationery, Postage and Contingencies, £3 15s.....	7	10	0
Loss on sale of Wheat and Oats, £11 5s.; Cash paid for Sow and Boar, £5 15s.; Voted Secretary, £7 10s.....	24	10	0
	<hr/>		
	£67	18	6

In addition to this, several small Premiums for the application of Lime as a Manure have not as yet been claimed.

The importations of the Society for the last fourteen months have been as follows:—

For Iron Ploughs from Scotland,.....	£37	10	0
Plough Mountings, two importations,.....	48	0	0
Grass Seeds from State of Maine,.....	56	0	0
Wheat from River Saint John,.....	15	0	0
Seed Oats and Barley from Scotland,.....	25	0	0
	<hr/>		
	£181	10	0

Premiums amounting to £28 10s. have been offered for the Grain and Root Crops of 1842, and the Premiums on Lime continued. The other arrangements of the Board for the ensuing year not being as yet completed, the Secretary is unable to make any further report at this time.

All which is respectfully submitted

By your Honors most humble and obedient servant,
D. D. MORRISON, *Secretary.*

COUNTY OF RESTIGOUCHE.

SECOND ANNUAL REPORT OF THE RESTIGOUCHE AGRICULTURAL SOCIETY.

January 4th, 1842.

ROBERT FERGUSON, Esquire, in the Chair.

In presenting their Second Annual Report, the Committee of "*The Restigouche Agricultural Society*" beg leave to take a review of the proceedings of the past year, being the first of experiment. Agreeably to a Resolution of the Society, of 14th April, 1840, Premiums were to be awarded on the second Tuesday in April last for the best samples of Grain and Hay Seed, at which time a Show took place, that exceeded the most sanguine expectations of your Committee, and would do credit to any Country. The Premiums were awarded as follows:—

For the best sample of Spring Wheat, to John Currie,.....	£1	0	0
For the second best ditto, to Jacob Caldwell,.....	0	15	0
For the third best ditto, to William Doyle,.....	0	10	0
For the best two rowed Barley, to John Currie,.....	1	0	0
For the best four rowed ditto, to Daniel M'Nish,.....	1	0	0
For the best black Oats, to John M'Nish,.....	1	0	0
For the second best ditto, to John Douglas,.....	0	15	0
For the best White ditto, to William Fleming,.....	1	0	0
For the best sample of Hay Seed, No. 2, to John Currie,.....	0	10	0
For ditto ditto, to Walter Blair,.....	0	10	0

The interest manifested by the Farmers generally in the exhibition held that day, encouraged the Society to renew and increase their exertions to further the advancement of Agriculture in the County; with this view it was then resolved that the like Premiums which were offered last year, should be given for the competition of Grain and Hay Seeds, the production of the present year, under the same rules and regulations; the Show to be held in the Court House, on the second Tuesday in April next; and also that a Cattle Show and Ploughing Match be held in Dalhousie, in October next. In conformity also with the recommendation of your Committee of last year, a portion of the funds of your Society were appropriated to the importation of such Grass and Grain Seeds as were not to be had in the country—and a few Sheep of the Leicester breed.

On the 5th of October the Cattle Show took place, when your Committee were gratified at the very respectable and numerous attendance, and also the appearance of the Cattle; at which time the following Premiums were awarded:—

For the best 2 year old Heifer, to Walter Blair,.....	£1	0	0
For the best 2 year old Bull, to Donald Fraser,.....	1	10	0
For the best 1 year old ditto, to James Duncan,.....	1	0	0
For the best year old Heifer, to Donald Fraser,.....	0	15	0
For the best Calf, to Peter Rigby,.....	0	10	0
For the best 3 year old Ram, to David Alexander,.....	1	0	0
For the best year old ditto, to Walter Blair,.....	0	10	0
For the best Lamb ditto, to William Craig,.....	0	10	0
For the best 3 year old Ewe, to Walter Blair,.....	1	0	0
For the best 2 year old ditto, to the same,.....	0	15	0
For the best year old ditto, to John Ferguson,.....	0	10	0
For the best Lamb ditto, to Walter Blair,.....	0	10	0
For the best Hogs, Boar and Sow, to Andrew Barberie, Esquire,.....	2	0	0
For the second best ditto ditto, to the same,.....	0	15	0

Immediately after this Exhibition, a Sale at Public Auction took place, agreeably to previous advertisement, of the Sheep and Fowls imported, and such quantity of the Grain and Grass Seeds as remained of the last Spring's importation; and although they did not realise their first cost, were very generally distributed through the County. In consequence of the unusual dryness of the season, the Ploughing Match was postponed until the following Tuesday, (the 12th,) when although the number of competitors was not so great as might have been wished, yet from the numerous attendance and interest evinced by the young men, who were spectators, much future benefit may reasonably be expected to result. The Premiums were awarded as follows:—

1st Prize to James Breckenridge, £2 10s.—2nd Prize to John Douglas, £2.—3rd Prize to Patrick Doyle, £1 10s.

After which, a Public Dinner was given at the Dalhousie Hotel, to the Ploughmen, Judges, and such of the Office Bearers of the Society as honored the Exhibition with their presence.

Your Committee are happy in having it in their power to congratulate the Members on the benefit resulting from the influence of the Society, inasmuch as they can state that Agriculturists have been induced to attempt an extended growth of Wheat, Barley, and Black Oats; and although having had to struggle with the difficulty of an unusually dry season, still remunerating crops have rewarded their endeavors, except in those places where the many fires have extended their destroying effects.

Your Committee, in compliance with the 13th Rule of the Constitution of this Society, have taken a view of and examined the state of the Stock of Seeds, (no Implements being yet purchased,) in the Society's Depository, and find them correspond with the invoices and account sales; independent of which, there are 14 bags, each 196 lbs. of Black Oats, ordered from Ireland, but being required to be of the growth of the year, did not reach Port Glasgow in time to be shipped this season; but may be expected by the first vessel in the Spring. The Secretary has also in hand, a quantity of Black Oats and Barley, the growth of the County.

Your Committee have audited the Accounts of the Secretary and Treasurer, and approve of them, shewing a balance of £143 13 5, which they recommend to be expended in a further importation of Seeds for the ensuing year, particularly a small quantity

quantity of Spring Wheat from the Continent of Europe, in order that it may be tested in comparison with the growth of this Continent and Great Britain; and a few more Sheep of the Leicester and Southdown breeds; and also for the introduction of some West Highland Cattle—your Committee being assured that the superiority of the purest Ayrshire Dairy Stock can be traced to the crossing of the West Highland with the Dutch breed at an early period.

Your Committee are happy to find that the Government had anticipated their suggestions of laying off the waste Crown Lands in a manner suited for Settlers and Emigrants; and that no sooner were 2000 acres surveyed in lots of 100 acres each, and advertised, when immediate applicants for the same were found; thus evincing the necessity of opening a communication to the interior, and demonstrating the correctness of your Committee's views thereon. In fact, the demand for land is far from being supplied; but until roads are opened to the interior, that vast portion of valuable land must continue in a wilderness state, and the difficulty of access thereto, for the present deter Emigrants from settling thereon. If Legislative means were furnished for laying off and making roads in the manner formerly pointed out, nothing then would be wanting to constitute the County of Restigouche inferior to no part of the Province of New Brunswick, as an agricultural district.

This being the first year of agricultural trial, it cannot be expected that any material alteration in the imports could have been effected, your Committee therefore deem it unnecessary to present (as in last year's Report) a statement of the imports into the County for the past year.

Your Committee would again call the attention of the Society to the samples of Marl and Gypsum found in the County; the former upon test, appears to be of superior quality, and abundant in quantity. Although no Premiums have been as yet offered, they are of opinion, inducement should be held out for the purpose of bringing them and composts into use as fertilizers of the soil.

In conclusion, your Committee feel a pleasure in acknowledging the very prompt and valuable services of your correspondent in Britain, Mr. Alexander M'Caw, Ardlochan, Ayrshire, in whose communications much practical information is conveyed, with an interest that proves a sincere desire to be useful; with best wishes for your success—that you may go on and prosper; and that when the ploughs of the British North American Colonies are fairly set in motion, they may be able to supply the Parent State with every thing required in the shape of agricultural produce, and supersede the necessity of applying to her continental neighbors, who do not wear her broad cloths in return.

Resolved, That this Report be received, and ordered to be printed.

Resolved, That Robert Ferguson, Esquire, be re-elected President; Andrew Barberie and Hugh Montgomery, Esquires, Vice Presidents; and Arthur Ritchie, John Montgomery, Robert Ritchie, Joseph Hunter, Esquires, and Mr. David M'Intosh, Committee.

DUGALD STEWART, *Secretary and Treasurer.*

COUNTY OF SUNBURY.

Maugerville, January 18, 1842.

SIR,—You will perceive by the Accounts herewith transmitted, that the funds of the Sunbury Agricultural Society are in a healthy state.

Owing to the lateness of the season when the Society got into operation, it was thought not advisable to import any Farm Stock that year. The Society procured a quantity of Clover and Timothy Seed, but at so late a period that many of the Members of the Society had provided Seeds elsewhere, leaving a part of ours on hand. The Society have imported a few Horse Rakes and Grain Cradles from Boston. The Rakes are considered as a great saving in labour, and are becoming much in use. The Society anxious to encourage the manufacture of all implements of Husbandry within our own County, have offered premiums on several articles, such as Ploughs,
Horse

Horse and Hand Hay Rakes, Hay and Manure Forks, &c. ; and the articles exhibited for competition were well made, and reflect much credit on our Mechanics. The Society also purchased a few of the Howard Ploughs from Boston, but they do not answer for our soil ; the Ploughs made by E. Barker, in this County, are considered far preferable.

At the Cattle Show held on the fifth of October last, there was a considerable number exhibited, and both quantity and quality far exceeded our most sanguine expectations ; and premiums were awarded on that day, (on Cattle,) to the amount of fourteen pounds. The domestic manufactures also done much credit to the spirited competitors, and premiums were also awarded on those articles. The Ploughing Match which took place the day after the Cattle Show, was well conducted, and premiums were awarded.

Our Hay and Potatoe crops were about average ones ; the Wheat on the upland, and early sown, was generally very good ; but on the intervale lands, being put in late, in consequence of the late freshet last Spring, in many instances suffered from rust.

The beneficial results of the Society are already very visible, and we doubt not that in a very few years (under the fostering care of a liberal Legislature) they will be much more apparent.

I have the honor to be your most-obedient humble servant,

R. MILNER, *Secretary and Treasurer.*

To the Hon. John M. Wilmot,
President of the Sunbury Agricultural Society.

The Sunbury Agricultural Society in Account Current with R. Milner, Treasurer.

1841.	DR.		
To Amount paid for Seeds and Implements imported,.....		£38	12 0
“ “ for Seeds the growth of the County,.....		9	18 9
“ “ for Implements made in the County,.....		11	2 0
“ “ for Premiums, Books, &c.....		37	10 6
“ “ for Salary of Secretary and Treasurer,.....		5	0 0
“ Balance in Treasurer’s hands,.....		61	17 9
			<hr/>
		£164	1 0
1841.	CR.		
By Subscriptions and Donations received,.....		£50	0 0
“ Amount received from Province Treasurer,.....		100	0 0
“ Amount received for articles sold,.....		14	1 0
			<hr/>
		£164	1 0

R. MILNER, *Secretary and Treasurer.*

Sunbury, January 18, 1842.

There remains on hand Seeds and Implements to the amount of.....	£21	15	9
And debts due to the Society for articles sold,.....	7	1	7 1/2
			<hr/>
	£23	17	4 1/2
Which with the balance in Treasurer’s hands, say.....	61	17	9
			<hr/>
Leaves the funds of the Society.....	£90	15	1 1/2

R. MILNER.

COUNTY OF WESTMORLAND.

I am unable to state all the proceedings of the Westmorland Agricultural and Emigrant Society for the past year, not having the Society’s Minutes before me ; I am however aware that Cattle Shows and Ploughing Matches were held, and Premiums awarded,—that Grass Seeds were furnished to Emigrants and poor persons at first cost,—that the Society have made arrangements for the importation of two or three Bulls and six Rams, which are expected out in the first Spring ships.

A. E. BOTSFORD.

COUNTY OF GLOUCESTER.

ANNUAL REPORT OF THE GLOUCESTER COUNTY AGRICULTURAL SOCIETY.

At the Annual Meeting of the Gloucester County Agricultural Society, held at the Court House, Bathurst, on Tuesday the 11th day of January, 1842; the Secretary presented the following Report for the past year, which was read and adopted:—

The cultivation of the soil is justly esteemed by all civilized people as essential to their comfort and prosperity. Improvements in the science of Agriculture have latterly engaged the attention of a large portion of the people of Europe and the United States; Associations have sprung up on both continents for mutual inquiry and information, and for the diffusion of Agricultural knowledge; the fruits of whose efforts are manifest in the increased returns which the earth yields to the labour of the husbandman, and the greater ease and convenience with which he can apply his labour through the means of skilfully invented implements for his use.

A too great disregard had been paid up to a very late period in our Province to this branch of industry, and it was not until the very precarious nature of that favorite pursuit, lumbering, had become too palpable, and a stimulant had been applied by the Legislature in the shape of a bounty for their encouragement, that County Agricultural Societies were formed throughout the Province, and effectual efforts made to draw the attention of the people to the necessity of remodelling their farming economy, to enable them to profit by the great advance which Agricultural science has been making abroad.

Although this Society was organized previous to the grant of public money being made, yet your Committee must acknowledge that their means were so straitened as to prevent their making much progress, until strengthened by the Legislative grant.

Your Committee early found that there were peculiar features belonging to this County, which must naturally prevent a Society of this nature making such marked and perceptible progress as sister institutions, situated in older settlements, and among people of another race. We have here to contend with a climate more uncongenial, perhaps, than is experienced in any other part of the Province; we have longer and more severe winters, and our season for vegetation is therefore proportionably brief. Another and very serious obstacle we found in the character and habits of our people. Three-fourths of the inhabitants of this County belong to that class termed Acadian French, a primitive people, who are characteristically attached to the opinions and habits of their progenitors. Shut out for years from the means of knowledge, they may be found at the present day for the most part, in domestic manners, in the same state as their forefathers were some three or four score years ago. With these people, the advantages to be derived from an association of this kind are ill understood, and up to the last season were perseveringly rejected, while the ranks of sister institutions throughout the Province were swelled by natives of the angle Saxon race, and Emigrants from the United Kingdom, whose early education and experience has taught them the value of Agricultural knowledge, and the importance of mutual inquiry and assistance in its successful pursuit. This Society, originally composed of a very small number, had for some time to contend with an inveterate apathy and prejudice, on the part of the great body of small farmers; and to these circumstances, rather than to any want of zeal or energy on the part of the Committee, should justly be attributed the little apparent good the Society accomplished during the first two years of its existence.

At the last Annual Meeting, the Committee reported that sufficient contributions had been received to enable the Society to apply for the Province grant, which has accordingly been done. They also recommended, that under present circumstances, the best purpose to which the principal part of the funds could be applied, was the importation of new Seeds of the various kinds used by our farmers, and suited to the climate. As to the baneful and ignorant practice prevailing, of continuing without change, the same seed for a long series of years, the Committee attributed, in a great measure, the many failures of the crops, in some of the oldest settlements, for many seasons in succession.

Accordingly, upwards of one hundred pounds worth of Spring Wheat, black and white

white Oats, Barley and Peas, were procured from Prince Edward's Island and Quebec; Garden and Grass Seeds from the United States; and likewise a small assortment of Garden Seeds—comprising some fine Seed of the root kind—from Scotland. These were sold in some cases, at less than cost and charges, a part was gratuitously bestowed on poor settlers, and the residue sold at Public Auction, in October last.

The recommendation of your Committee, at the last Annual Meeting, with respect to procuring Agricultural Journals and Magazines for distribution among the Members, has been adopted with much apparent benefit. These works have been sought and read with avidity, and they have been the means, in the opinion of your Committee, of introducing many profitable improvements in the barn-yard economy, and generally in the feeding of Cattle, and application of manures.

The Committee held a Ploughing Match on the 4th of October last, which, considering it was a novel occurrence in this County, proved highly satisfactory. The Committee are of opinion, that on a repetition of this match next season, the number of competitors, both native and Emigrant, will be found considerably increased. The Prizes were awarded as follows:—

First Class open to general competition.

First Prize to John Scott, Ploughman to Francis Ferguson; Second Prize to Robert Moody, a Farmer at New Dunlop; Third Prize to Richard Henderson, Farmer, Big River.

Second Class for Natives of the County.

First Prize to Alexis Petre, Acadian French Farmer; Second Prize to Robert Armstrong, son of Thomas Armstrong, Youghal; Third Prize to Peter Berton, Acadian French Farmer.

It afforded your Committee much satisfaction to observe so many of the Acadian French competing in a Ploughing Match. To few of those people were the use of the Plough known, some half dozen years since. The Committee therefore flatter themselves that the efforts of the Society have drawn their attention to the importance of this necessary implement.

The recent Cattle and Grain Show, held by your Committee, was also highly creditable to the County; several very fine Milch Cows were exhibited; indeed, the Sheep, Hogs, and Neat Cattle, were very superior specimens of their several kinds. The prize Cow was of a Durham breed, imported by Mr. Munro some years since. The best Heifer, from an Ayrshire breed, got out by a settler at New Dunlop. The samples of Grain, however, were the most gratifying; the Wheat was particularly fine and clean; the first prize was awarded to the Wheat of John Richey, Esquire, weighing 65lbs. to the bushel, raised on his farm at New Bandon. The second prize to the Wheat of Mr Alexander Anderson, weighing 66lbs. 6 oz. to the bushel, raised at Youghal, in this Parish. There was no sample of Wheat weighing less than 64lbs. to the bushel. The Oats were good, but not remarkably heavy; the best black weighed 40lbs. 4 oz., and the finest Wheat only weighed 38lbs. This exhibition of Grain was a satisfactory assurance of the capabilities of our soil, to produce as fine Wheat, at least, as can be raised in the Province.

The Committee are of opinion that the good results, produced by their efforts, in the first year, are sufficiently apparent to encourage the Society to further and more active exertions, in the cause of Agricultural improvement. Your Committee would forcibly impress upon the attention of farmers, the importance of Manures, and the facilities with which they can be obtained in this County. The shore of the upper part of the County is one bed of limestone; the sea beach along the coast is loaded with weed of an excellent description for manure. There is an immense body of superior marl at Beldoune, and a large quantity of the same, of inferior quality, at Salmon Beach. Your Committee recommend that some experiments may be made on these manures, under the direction of the Society, to test their applicability to the various soils in our neighborhood. This can be done at small expense, and may be attended with great advantage, as it would enable us to instruct the farmers in its proper and suitable use and application.

Your Committee also recommend that the funds of the Society, for the next year, be also laid out in new seed, grain and Potatoes, until the seed be changed from one end

end of the County to the other; and a portion of Winter Wheat and Rye be procured for the Settlers up the river, who suffer from early frost. They also recommend the procuring of Agricultural Journals from Canada, printed in the French language, for the use of the Acadian people. They recommend this application of the funds for the present, in preference to importing stock, as we have already in this County an excellent breed of Hogs, Sheep, and Neat Cattle. Several very fine hogs have been killed this year, of extraordinary weight for their ages. Two fed by Mr. Mulloy, of Saltash, weighed 1,110lbs. at 18 months old; these were from a breed imported by Mr. Rankin, of Miramichi.

Your Committee are of opinion that in a few years, by proper cultivation and attention, this County will be capable of raising all the bread stuff required by its inhabitants. Our short and warm Summers and rich soil, seem better adapted for the successful cultivation of Wheat, than many other crops; while mills are rapidly multiplying, throughout every Parish. And this desirable state, it is greatly in the power of this Society to accelerate.

HENRY W. BALDWIN, *Secretary.*

The following persons were then elected Office Bearers for the ensuing year, viz:—

John Fraser, Esquire, *President.*

William Stevens, and Joseph Read, Esquires, *Vice Presidents.*

Henry W. Baldwin, Esquire, *Secretary and Treasurer.*

COMMITTEE:

Francis Ferguson, Samuel L. Bishop, John Richey, James Blackall, and William Napier, Esquires; Messrs. John Chalmers, Alexander Anderson, Alexander Raitt, Wm. Mulloy, Richard Dawson, Samuel Brown, and Thos. Millar.

On motion—Resolved, That a Fair be held under the auspices of the Society, on the last Friday in September in every year, at the Market Place, in Bathurst, when the Society will hold the Annual Cattle Show.

On motion—Ordered, That one hundred Copies of the Report and proceedings of this day be printed for distribution.

HENRY W. BALDWIN, *Secretary.*

COUNTY OF KENT.

FIRST ANNUAL REPORT OF THE KENT AGRICULTURAL SOCIETY.

Presented January 13th, 1842.

OFFICE BEARERS:

George Pagan, Esquire, *President.*

Honorable J. W. Weldon, Rev. J. Hannay, Thomas Powell, William Hannington, William M'Leod, and A. B. Smith, Esquires, *Vice Presidents.*

David Wark, *Treasurer and Secretary.*

COMMITTEE:

James Long, Le Baron Drury, William J. Layton, and David M'Almon, Esquires, Messrs. John Clark, Thomas Johnston, James Hutchinson, William Doherty, Robert Dysart, and John Carruthers.

REPORT.

As the Society has existed only a few months, its operations have been too limited to afford materials for a lengthy Report.

On being appointed to office, your Committee immediately proceeded to consider how the funds placed at its disposal could be best appropriated in order to promote the interests of the Society. And as the amount appeared too limited to authorize the purchase of Farm Stock, it was thought advisable to expend the chief part in
 Premiums

Premiums and the purchase of Seeds. Accordingly the sum of £14 5s. was offered as Premiums for Farm Stock, and £14 15s. for Grain and Grass Seed. The whole of the Prizes offered were not however competed for.

At the Cattle Show on the 12th October last, Premiums were awarded as follows:—

To Fedal Casey, for the best 3 year old Colt,.....	£2	10	0
To John Wheten, Esquire, for the best 2 year old ditto.....	2	0	0
To David Gifford, for the best Milch Cow,.....	1	10	0
To David M'Almon, Esquire, for the second best ditto ditto.....	1	0	0
“ “ “ for the best 2 year old Heifer,.....	1	0	0
“ “ “ for the best Ewe,.....	0	10	0
To William J. Layton, Esquire, for the best Ram,.....	0	10	0
To John Carruthers, for the best Breeding Sow,.....	1	0	0

At the Exhibition of Grain which took place this day, the competition was very spirited. Premiums were awarded to the following persons:—

To William Graham, for the best Wheat,.....	£2	0	0
To James Clare, for the second best ditto.....	1	10	0
To William Brait, for the third best ditto.....	1	0	0
To Joseph Childs, for the best Black Oats,.....	2	0	0
To John Scott, for the second best ditto.....	1	10	0
To John Wheten, Esquire, for the third best ditto.....	1	0	0
To John Clark, for the best White ditto.....	2	0	0
To Fedal Casey, for the second best ditto.....	1	10	0
To John Clark, for the best Barley,.....	0	10	0
To John Carruthers, for the best Timothy Seed,.....	0	10	0

Most of the samples of Grain produced were of a very superior quality. The best White Oats weighed 48lb per bushel. The best Barley, 56lb, the best Wheat 68lb, and the second best 66½lb.

The Committee has provided 300lb Clover Seed, and 500lb Timothy Seed of an excellent quality, being the growth of our own County. By a Resolution passed at its last Meeting, these are to be sold to Members at cost, and on credit till the first of November, to such as may require it.

The expenditure for the past year was £37 12 6, and the income £83, leaving a balance in the hands of the Treasurer of £45 7 6, but as his account was made up before the Premiums for Grain (amounting to £13 10s.) were paid, the actual balance will be £31 17 6. This sum with a part of next years funds, your Committee would recommend to be expended in the purchase of an improved breed of Cattle and Sheep, which may be obtained from some of the neighboring Counties on more moderate terms than they could be imported.

In the past year the crops of Hay and Oats were about average ones. The Wheat in some instances suffered from rust; but the early sown, generally escaped uninjured. The Potatoe crop was the most abundant ever raised in the County.

Upon the whole, your Committee are of opinion, that the soil of Kent, when brought under a good system of cultivation, is not inferior to that of the most fertile parts of the Province.

DAVID WARK, *Secretary.*

REPORTS ON ROADS, BRIDGES, &c.

SUSPENSION BRIDGE AT THE GRAND FALLS.

Communications from T. Battersbee, Captain Royal Engineers, upon subject of contemplated Bridge over River Saint John at Grand Falls.

Saint John, 26th January, 1842.

DEAR SIR,—I have to thank Your Excellency for your kindness in sending me the memoranda relative to Dredge's Suspension Bridge, which I now return. It is on this principle that Mr. Smith's design for the proposed Bridge at the Grand Falls is founded. When first applied to on this subject, Mr. Smith wrote to Mr. Dredge, submitting his proposition to him, and by the last Packet he has received Mr. Dredge's answer, in which, although he much approved of the design generally, yet he submits an objection to one part of the proposed arrangement, which being considered of importance, Mr. Smith has been induced to revise his design; in consequence of which, new Drawings and Estimates have become necessary, but they will now be ready in three or four days. I am enabled however to state, that the cost of the Bridge, completed, will not exceed £1000 Sterling, and may probably be much under,—a sum considerably less than any Wooden Bridge, of a similar span, could possibly be built for.

From a Report which I have seen of Mr. M. Tierney Clark, the Engineer of the Hammersmith Suspension Bridge, it appears that having prepared a design for a Suspension Bridge of 600 feet span over the River Neva, at Saint Petersburg, he caused observations to be made upon the spot, as to the effect of the severity of the climate on Iron thus exposed; and that Captain Colquhoun, R. A., after a residence in Saint Petersburg during one severe winter, ascertained that no injurious effect was produced, or was to be expected; and that there are in existence in the same City two small Suspension Bridges which have stood the test of the climate for some years without any derangement of the structure.

Mr. Smith has nearly completed his Drawings, &c. with a Report upon the subject of Dry Docks at this place, and they will very shortly be forwarded to Your Excellency. The expense of construction will probably amount to between £9,000 and £10,000.

I have the honor to remain
Your Excellency's most obedient servant,

T. BATTERSBEE.

His Excellency Sir W. M. G. Colebrooke, K. H.

Saint John, 8th February, 1842.

SIR,—I have the honor to forward a Design for a Chain Suspension Bridge at the Grand Falls, prepared by Lieutenant C. Webber Smith, R. A., which I request you will submit to His Excellency the Lieutenant Governor for his consideration.

This Bridge is upon the principle of Dredge's Patent Taper Chains, which I understand has lately been tested in England with much success, and I consider better adapted to a situation such as that I understand the Grand Falls to be, with high and precipitous banks, than a Bridge upon any principle which may require support during its construction. The difficulty of raising scaffolding, or of forming any support for the erection of a wooden Bridge in such a situation, I am of opinion would be

attended with very great labour and expense, whilst the perishable nature of the material would render repairs frequently necessary. I consider therefore that a Chain Suspension Bridge could be erected at the Grand Falls at much less expense than any other; and in any attempt to interrupt the communication across the River by an enemy, a wooden Bridge could be much more easily destroyed than one of metal. The probable expense of the chains and other iron work, which is inserted in the accompanying estimate, has been derived from Mr. Dredge's public statements, as also from a private communication from that gentleman recently made to Lieutenant Smith; but this and other items in the estimate can only be considered as approximate, as correct calculations of the quantity of masonry required for the Piers or Abutments, the length and consequently exact weight of chain, and quantity of timber and labour necessary for forming the Roadway, cannot be made, (as stated in a former letter to you on this subject,) without being furnished with accurate information of the span and relative height of the opposite Banks of the River, together with a profile or section of the adjoining ground on each side. A statement also of the nature of the rock or soil of which the banks are composed is also required, as upon this will depend the means to be provided to secure the ends of the chains.

In the event of Lieutenant Smith's Design being favorably considered by His Excellency, and by those best acquainted with the nature and circumstances of the locality, I would beg to suggest that when Plans and Reports upon the subject first mentioned are received, that they, together with Lieutenant Smith's Design, should be forwarded to Mr. Dredge, who from his practical experience, would be enabled to correct any error in the proposed Plan and Estimate as regards the weight and cost of chains and labour of connecting and securing them.

This being once ascertained, and the amount now estimated being found adequate for the purpose, no material difference in the actual and estimated cost of erecting the Piers and constructing the Roadway need be apprehended, the estimate upon these items being founded upon Provincial data.

I consider Lieutenant Smith's proposition, to have a competent person sent from England to superintend the fixing of the Chains, highly desirable, as although some extra expense would apparently attend this measure, yet I am satisfied that a considerable saving both in time and labour, as also in money, and an increased confidence in the security of the Bridge, would be the result.

I have the honor to be, Sir,
Your most obedient servant,

T. BATTERSBEE,
Capt. R. Engineers.

A. Reade, Esquire, &c. &c.

SIR,—I have the honor to forward for Your Excellency's inspection a Plan for a Bridge over the River Saint John, at the Grand Falls; the span is 235 feet, width 24 feet; and it is capable of bearing 500 tons weight, being two thirds more than it can at any time be fairly loaded with. Cost under £2000 Sterling. Time necessary for its completion, 60 days.

The Plan is on Dredge's Principle, which has been proved to be the best and cheapest. In August last he built some suspension Bridges in Regent's Park for Government, which have been found to answer perfectly.

The roadway for this bridge being 24 feet wide, I have thought it necessary to have three chains instead of two, thereby making 2 roadways and entrances as seen in figure 3, of the accompanying Plan, as by reducing the transverse beams to one half of what they otherwise would be, I gain four times the power. The weight of each separate chain being reduced, the weight of the 3 and their cost is the same as if there were but 2. Mr. Dredge (the Patentee) has written to me, stating that he highly approves of this plan, and in future will propose its adoption in Bridges of this or greater width. These chains are passed over the abutments A and B, where they rest upon Cast Iron Rollers, (their own weight keeping them steady) and being carried on at the same angle at which they deflect from the abutments, are buried and secured in the rock. It is highly important that the angles formed on either side of the
abutments

abutments by the chains should be equal, as otherwise the pressure on the points A and B would not be vertical. Not knowing the ground, it is impossible for me to point out the best way of securing the chains, but from what I have heard of the rocky state of the proposed site, I should think it could be effected easily and at little expense. The undulating motion and lateral vibrations being most destructive to the suspension principle, I have thought it advisable to introduce the chains C C in figure 1 and 2, by which both are completely done away with. These chains are started at a distance below the roadway sufficient to allow them to assume nearly the same curve as the suspending chains, which they are made to do by rods connecting them to the roadway. They are made fast to and run along the longitudinal beam of the centre section of the Bridge (C D E F, figure 2,) at the opposite side of the roadway from their starting point. Thus crossing each other at about half way between the centre of the Bridge and the abutment. They are connected to, and their weight (only 16 cwt.) evenly distributed over the roadway, by iron rods crossing the lateral axis of the Bridge, and made fast to the transverse beams at equal distances from the centre of the Bridge. Thus it will be seen that no undulatory motion can arise, as the Bridge is held down at all points by these chains I E F K (figure 2) G C D H; no lateral motion can take place, as should the Bridge have a tendency to move or swing in the direction of C D, figure 2, it is withheld by the chain G C D H; towards E F, it is kept steady by the chain I E F K.

The damages sustained by the Menai Bridge in the year 1837-38, were hardly covered by £8000 Sterling. The whole said to be the effects of lateral vibrations.

The destruction of the third span of the Chain Pier at Brighton, was owing to undulations arising in the centre part of the span. I do not think that a Bridge built on Dredge's principle over the River Saint John at the Grand Falls, would be safe without these guys for this reason. The chief point in Dredge's principle, is extreme lightness in the centre of the bridge, from the great elevation above a running stream, and so close to Falls there must constantly be a small current of air playing under the roadway, which from its extreme lightness in the middle, would be constantly kept in a state of vibration; when that vibration is once started, it takes comparatively but a small force to increase it, and if half a gale of wind lasted for four or five hours, I think it would break up the Bridge.

I should likewise recommend iron longitudinal beams to be used; the transverse beams would require simply to be laid upon them, and when the timbers decayed, repairs might be effected without interfering with the frame. I should likewise recommend that the Bridge be put up at as near as possible a mean temperature, and that the iron work be rubbed over with a non-conductor of heat. There is no danger to be apprehended from the action of cold upon it, as there is an Iron Suspension Bridge at Saint Petersburg, which has been found to answer well; but I do not know how the sudden changes from heat to cold, and *vice versa*, that occur in this climate, might affect it. Working Plans of the Masonry and the way of carrying the chains over, should accompany this, but cannot be drawn without an *accurate* plan and section of the ground.

The following Estimate is as near as I can bring it without the Plans:—

Estimate in Sterling Money.

IRON WORK.

Iron Chains, 10 tons, at £25 per ton,	£250	0	0
Clamps, Bars, Rollers, &c. 5 tons, at £25 per ton,	125	0	0
Longitudinal Beams, 6 tons, at £25 per ton,	150	0	0
Freight from England to Saint John, at £1 per ton for 15 tons, the			
Longitudinal Beams being made in Saint John,	15	0	0
Transport from Saint John to Grand Falls, 21 tons, at £5 per ton,	105	0	0
Shipping and unshipping 15 tons,	5	0	0

Labour to put Chain over the River and moor it and Guy Chains, to blast for mooring, and put the Chains together, viz:—

10 men, at 8s. per day, for 30 days,	}	180	0	0		
10 do. at 4s. do. do. to help manning Capstans, and also						
to blast and bore,						
<i>Carried forward,</i>				£830	0	0

<i>Brought forward,</i>		£830 0 0
Superintendence—one man to come from England, who shall have seen the Iron Work tried and packed up, to be here when the Masonry is finished and the Iron Work ready to be put up. Expenses, &c. from Liverpool to Grand Falls, £100; £1 12 6 per day, for 30 days, whilst superintending, and £1 a day whilst travelling, say £30, and other expenses about £98 10s.	277 5 0	
Total cost of all Iron Work, including every thing,	£1,107 5 0	
MASONRY, INCLUDING LABOUR, &c.		
Two abutments of Stone Work with two arches in each, (figure 3,) containing 115 perches, at £1 per perch,	£230 0 0	
WOOD WORK.		
Transverse Beams,		
156 pieces Timber, 13 feet long, and 6 × 12,	12,167	
60 uprights, 5 feet, 6 × 4,	600	
471 do. 6 × 4,	942	
120 do. 7 feet long, 4 × 1½,	420	
235 feet by 24 feet 3 inches Plank for flooring,	16,920	
	30,449	
30,449 at £1 12s. per M.		£48 16 0
Labor for ditto,		50 0 0
Treenails,		10 0 0
Total cost of Wood Work,		£108 16 0
Tools, Powder for blasting, &c. &c.		£50 0 0
RECAPITULATION.		
Total for Iron, Labor for ditto, &c.		£1,107 5 0
Total for Masonry, with labor,		230 0 0
Total for Wood Work, with labor,		108 16 0
Tools, Powder for blasting, &c. &c.		50 0 0
Extra for contingencies,		200 0 0
		£1,696 1 0

I have the honor to be

Your Excellency's most obedient servant,

C. WEBBER SMITH,

L. R. A.

ROYAL ROAD.

Alexander Goodfellow's Report of Exploration of Royal Road.

To His Excellency Sir William Macbean George Colebrooke, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

Having attended to the duty for which I was appointed, I beg leave to present the following report of my proceedings, together with a Plan and Sections illustrative of the gradients of the Road as it has been laid out by former Commissioners, and of the alterations which I beg to recommend.

For

For the purpose of exhibiting more clearly at a view the nature of the obstacles which exist in the present line, and the advantages to be gained by unimportant deviations from it, I have placed in parallel columns a description of the Road according to its present state, and of the places where I have recommended an alteration.

Miles from Pickard's Mills.	Present Line.	Alterations recommended.
12 21	Commencing at Pickard's Mills on the Nashwaaksis 1½ miles distant from Fredericton, I found the Road turnpiked and in tolerably good condition for 12 miles. A further distance of 9 miles has also been recently trunpiked, of which I shall have occasion to speak in a subsequent part of this Report.	
	As the present Road has thus been finished for a distance of 21 miles, I thought it unnecessary to incur expense by a particular examination of the line.	
23½ 25½ 27 29 30½ 31	After leaving the turnpiked Road the land is pretty level for 2½ miles, when it descends 140 feet in a distance of 50 chains, to the valley of Grand John Brook; there is then an ascent of 200 feet in 1½ miles at nearly an uniform grade of 1-22, then it falls 500 feet in 1½ miles to the valley of Nashwaak Lake, the gradiens varying from 1-15 to 1-8. Passing this valley the line ascends 130 feet at a grade of one in six, to a flat which continues nearly even in the surface for 2 miles; it again ascends 300 feet in 1½ miles, and then descends 220 feet in a half mile to a small stream emptying into the Nashwaak.	Commencing at the 23rd mile on the present line, the rate of descent to Grand John Brook will be the same as at present, but the distance will be shortened. The deviation shewn on the plan will avoid nearly all the rise to the North of Grand John Brook—220 feet of the descent South of the valley of Nashwaak Lake—all the hills south of the 31 mile stream, and all the rising ground between that stream and Gilman's Brook. On the South of Nashwaak Lake Valley there will be an unavoidable gradient of one in sixteen and a half for three quarters of a mile, but every other part of the line South of the last named valley may be reduced to a maximum grade of one in twenty, the quarter part being nearly level and no alteration of distance by either line.
36½ 37½	5½ miles beyond this stream is Gilman's Brook, the intermediate ground for 4½ miles is very irregular, part of it being 330 feet higher than the 31 mile stream, the gradients either way being occasionally as great as one in nine. One and a quater miles beyond Gilman's Brook the Road passes over the inferior summit of a hill 120 feet high, ascending 1 in 11 and descending 1 in 7; it is pretty level for the next	Between the 31 mile stream and Gilman's Brook the ground is rocky and uneven. No slight deviation from the present line can avoid such ground. After a careful examination of the ground on both sides of the line, I consider that the shore of the Nashwaak Stream will be preferable to any route in the vicinity, as it will be more level than any other, and be no more rocky than else where.
38½ 42½	mile, until it reaches the Eastern brow of a mountainous ridge, the highest elevation of which is 700 feet above Gilman's Brook; on this ridge which continues about 4 miles, the Road ascends at various grades, the steepest being 1 in 12, and the grade of descent for a short distance being 1 in 8.	By a trifling alteration of the present line the hill beyond Gilman's Brook may be altogether avoided, and the Road made straighter. The grade of ascent to the mountain's ridge may be brought to an average rate of 1 in 44; passing the summit 100 feet lower than the present line; the descending grade by deep side cutting may be brought to
44½	The line has now reached (by a descent of 300 feet from the ridge,) a valley, the waters of which flow Eastward to the Nashwaak and Westward to the Saint John. In the next two miles the ground	1 in 20, but the valley cannot be passed

Miles from Pickard's Mills.	Present Line.	Alterations recommended.
	rises 220 feet, passing in that distance over two or three ridges by very abrupt gradients. Here for the last time the Road touches the Nashwaak Stream.	at a higher nor the hill at a lower level without a material increase of distance. The alterations shewn upon the plan will reduce the gradients to a maximum of 1 in 20.
45	From this point the Road ascends 80 feet in a half mile, and then descends	This valley cannot be wholly avoided, but the line shewn on the plan will
47½	370 feet in 2½ miles to the valley of the Miramichi; the gradients in this distance are very unequal, being in one place	cross it about 50 feet higher, and the hills on each side 70 feet lower than the present road; the rate of descent for a
48½	1 in 14 and in another 1 in 8. For 1½ miles further the ascent is 370 feet at	short distance will be 1 in 22, and the ascent on the North side will be generally 1 in 44, by increasing the distance
50	nearly an uniform grade of 1 in 10; then the Road gently descends to the Western brow of a hill, along the side of which for one mile it falls 180 feet	16 rods.
51	over very uneven surfaces to a valley 51 miles distant from Pickard's Mills. The waters of this valley, through the loftiest part of which the Road passes, fall into the Saint John through the Beckaguinec, and the ground continues low towards the Miramichi.	The whole of this portion of the present road must be altered to reduce it to moderate gradients.
52½	In the next 1½ miles the ground rises 170 feet by different grades, the steepest of which is 1 in 9, and then falls by a pretty uniform descent of	The line as proposed to be altered (see plan) will pass the first of these heights at a point 135 feet, and the second, 170 feet below the present level. It will also pass the Chictchawk about 36 feet higher than the present road, but the whole distance will be increased 56 chains, the steepest grades being not more than 1 in 25.
53½	1 in 12, 330 feet in one mile to a branch of the Miramichi. From this the ground is tolerably level for the quarter part of	
55	1½ miles, and then rises at the rate of	
55½	1-14 for a half mile, the whole ascent in 2½ miles being 280 feet.	
56½	After this there is a descent of 530 feet in 1½ miles to the Chictchawk River, a great portion of it being at a grade of 1 in 10.	
59	From the Chictchawk the land ascends 860 feet in 2½ miles, by gradients in some places as steep as 1 in 6 and 1 in 8. It then descends 200 feet at a grade	The line as altered, will pass the high land North of the Chictchawk on its lowest part, being 124 feet below the level of the present road, which, added to the elevation of 36 feet gained in crossing the Chictchawk, leaves a mean height of 700 feet to the summit of the highland; to reduce the grade of ascent in this place to a moderate amount, say 1 in 20, will increase the 2½ miles to a distance of 2½ miles.
59½	of 1 in 8½ to a pretty wide valley at one of the heads of the Chictchawk.	
60½	Passing Northward from this valley the land rises 200 feet and then descends 520 feet in about 1½ miles to a branch of the Munquat.	The line can be carried over this hill 70 feet lower than at present; and by increasing the length of the road, it can be made very crooked so as to reduce the grades to 1 in 20. If these alterations be made, the total increase of length from the Chictchawk will be 1½ miles.
62		
63½	For 1½ miles beyond the Munquat the Road ascends by steep grades 1-7 and 1-8, 430 feet, to the lofty banks of the stream, which rises to table land.	By increasing the length 64 rods, this grade may be reduced to 1 in 22.
67	The next 3½ miles are flat table land, which is pretty level and the Road tolerably straight. From this point the land begins to decline towards the	The first mile of these does not require any alteration, but the remainder may be improved by the deviation exhibited on the plan.

Miles from Pickard's Mills.	Present Line.	Alterations recommended.
67½	Tobique River. In the space of ¼ mile where the Road passes the valley of Trout Brook, there is a descent of 470 feet, the grade being for a half mile of that distance 1 in 7.	By some bending in the course, and heavy side cutting, the gradient can be reduced to 1 in 20, and a total increase of distance between Munquat and Trout Brook of not more than three quarters of a mile.
68½	Crossing Trout Brook the Road passes over the extremity of a mountain with a very steep cross Section, and rises by a gradient of one in ten for 200 rods to an elevation of 330 feet above the Brook, after which it descends	An alteration of this portion of road is absolutely necessary to render it in any degree serviceable; that shewn on the plan, I consider to be the best that can be made by a moderate departure from the present line; this alteration
70	by the same gradient 360 feet, the Road is very rough and uneven for a half	will carry the road along the valley of Trout Brook, which is pretty straight
70½	mile further, but without any particular declivity. From this to the second	from one crossing place to the other; the distance will be increased only about
72	crossing of Trout Brook, a distance of 1½ miles, the ground is pretty smooth and of good quality, but the descent is uniformly 1 in 16, and the line passes the Brook in a ravine 46 rods wide from bank to bank, and 50 feet deep.	90 rods in 4 miles and 16 chains, and the total descent being 520, an average grade of 1 in 40 may be obtained near the Brook, without much steep side cutting.
74	The distance from this point to the Tobique River is 2 miles and the descent 200 feet.	The levels may be improved as shewn in the plan without increasing the distance.
74½	Passing Northwardly from Tobique the first impediment is a ridge of ground running parallel to the River at the distance of a half mile. Its summit is 240 feet above the flat at its Southern base, and 130 feet above a Brook on its Northern side, the Road crossing it at right angles, ascending by a grade of 1 in 6½ and descending by 1 in 7½. As the Southern side of this hill is in some places a ledge of rock, it forms a serious	To reduce the gradients on either side of this hill to not more than 1 in 20, there will be required a good deal of quarrying, with three quarters of a mile of side cutting, and an increase of a half mile in length.
76	obstacle and must at any cost be avoided or its angles reduced.	
78	From hence to the Poquiok or Pokiok Stream, is 2 miles, the ground	A few slight alterations will make the present a very good road.
82	is tolerably level. For the next 4 miles there is no hill but may be reduced by slight excavations to a grade of one in thirty.	
85	Three miles more carries the Road over rough ground with moderate acclivities to the dividing ridge between the waters of Salmon River and Tobique, the summit being 700 feet above the level of the latter River.	The alterations shewn on the plan will reduce the steepest grades to 1 in 20, with an increased distance of 40 rods; the altered line passes the summit 35 feet beneath the elevation of the present road.
90	From this ridge to the Forks of Little Salmon River, a distance of five miles, the Road passes over very rough ground with several steep ascents, some of which as well as the descents are as great as one in eight, and a general descent from the summit of the ridge of 580 feet.	The line as proposed on the plan, passes down the Eastern branch of Little Salmon River, at grades of 1-30 to a level, the distance being also shortened 17 chains.

Miles from Pickard's Mills.	Present Line.	Alterations recommended.
92	To great Salmon River the distance is 2 miles, the ground rough, rising 140 feet, and then descending at the rate of one in ten, 200 feet, and from thence for	The alterations shewn on the plan will reduce the total ascent to 90 feet, and the descending gradient to 1 in 21, but increases the distance 24 roods.
93	1½ miles the land rises 320 feet without exceeding a grade of 1 in 20, except for 80 roods in which the grade is 1 in 14.	A more eligible line will pass up Salmon River nearly to the embouchure of Sutherland's Brook, thence following the valley of the Brook until it again meets the present line; by this means, all the ascent would be avoided except that of the stream which is but 120 feet in 2½ miles, and the distance will also be shortened 46 chains.
95	The present Road then passes for a considerable distance over pretty level ground to Sutherland's Brook, when it descends very abruptly 200 feet to the Brook by a grade of one in five. This Brook crosses the Road nearly at right angles, and discharges itself into the Salmon River about 2 miles Westward of the point of contact.	
97	The ground rises 280 feet in the next 2 miles by gentle gradients.	The level might however be improved in the first mile without any increase of distance.
99½	From this there are 2½ miles of very level Road, which is considerably longer than a straight line, but I found by inspection that the levels are better than upon a more direct line.	
100	The next half mile brings us to Fall River, which is the terminus of the present Road, near this River the grade of descent is one in eleven. From hence to the mouth of the stream at the Great Falls is a distance of about two miles, and a Road may be made from the terminus of the Royal Road by gentle gradients to meet the new Road to Canada which is now being made.	This grade may be reduced by curvature, and a trifling increase of distance to 1 in 20.

Distances from Fredericton by the present Road :

To Pickard's Mills,	1½ miles,	} 103½ miles.
Thence to Fall River,	100 "	
" Grand Falls,	2 "	
Distance by the proposed line,		106 176-320 miles.
Increase,		3 miles and 16 roods.

As I have recommended 67 miles of the 77 explored by me, to be abandoned, it is proper to state that there are many other parts of the present line which might be quite eligible for a Road, but they could not be brought into a general alignment with the altered portions, except by a very great increase of distance; I do not indeed conceive that any thing will be lost by totally abandoning the present line from the end of the turnpiking, as all the roots are still in the ground, the Road densely covered with young wood, and the entire alignment so irregular that much of the timber cut out of the Road and piled at its sides would require to be again removed. It is also my duty to state further, that the last 9 miles which have been turnpiked, are very imperfectly constructed, insomuch that a short time will utterly destroy it; and from a particular examination, induced at first by accident, I am certain that a Road could be made through the wilderness at less cost, rood for rood, than to put this last mentioned portion in sound and thorough repair.

By reference to the accompanying section, it will be seen that upon the present Road there are many long hills with gradients varying from one in six to one in ten; upon such a Road I believe it would be found impracticable to transport heavy loads,

or to travel with due celerity. The proposed Road, if properly constructed, will not have any gradient steeper than one in twenty, with the single exception of that South of the Nashwaak Lake Valley, (1-16 $\frac{1}{2}$), and by increasing the distance a half mile, this also can be reduced to one in twenty, or even lower. I am quite aware that the gradients which I have sought upon this Road are lower than is at present considered necessary; but where the distance of ascent is great, I conceive that the gradients ought not to be higher; and as the advantages of gently inclined planes upon our Roads shall become more obvious, I am persuaded that Explorers will endeavour to find levels even lower than those upon the line which I have now examined.

The only Streams upon this line that would require extensive Bridges are Grand John Brook, Chictchawk, Tobique and Salmon River, all others being of inconsiderable magnitude.

The Grand John Brook at its junction with the Road, is a pool 80 feet wide, and without any current, with soft muddy banks extending to a considerable distance on the northern side.

The Chictchawk, 40 feet wide, is a shallow rapid Stream, which is barely sufficient at its greatest elevation to float timber.

The Tobique is a rapid and shallow Stream, appearing by the Ice marks upon its banks to rise occasionally from 12 to 16 feet above its Summer level—the ground on each side is alluvial, and subject to great abrasion during the freshets—the Road now strikes it at the “Red Rapids,” where it is from 450 feet to 600 feet wide, passing swiftly over an uneven bed of red sand stone. The altered line will intersect the Stream at the narrowest place in the vicinity, the width being 450 feet. The greatest difficulty in erecting a Bridge on any part of this River will be the construction of centre piers, of which probably not more than two at most should be placed in the Stream.

Salmon River is 50 feet wide at the point of intersection, rapid current, rocky uneven bottom, and navigable even for Canoes and Timber only, when the water is high.

The quality of the Land in every part of this extensive line cannot well be described in the limits of an ordinary Report, its general character I have marked on the Plan.

From Cardigan to Nashwaak Lake Valley, the growth of Timber is principally Birch, Beech, Maple, and a considerable proportion of Spruce; the soil generally indifferent, with occasional fertile tracts. From hence to Gilman's Brook, the Land is closely covered with boulders of Granite, and though of tolerably good quality, is thus in a great measure useless for Agriculture; the ridges produce Hard Wood, and the flats Spruce. Thence 8 $\frac{1}{2}$ miles to the Nashwaak Waters, the stones are less numerous, but still form an impediment to cultivation; the soil is good, growing Hard Wood and Spruce. Between this point and the Tobique there is scarcely any bad or even indifferent Land; the chief growth of Timber is Yellow Birch and Rock Maple, with occasional intermixtures of Beech and small quantities of Cedar. That portion of Country which lies between the Miramichi and Chictchawk is superior to any Land that I have hitherto seen in the Province,—the entire section however is somewhat steep. For 6 miles North of Tobique the Land is but indifferent, and chiefly covered with Soft Wood. Thence to Salmon River the soil is good, but stony and uneven,—this character disappears in the section between Salmon and Fall Rivers—the soil here being of superior quality—the Timber, Beech, Birch and Maple; all that portion of this tract which lies between Saint John River and the Royal Road, appears to be of the same excellent description, and I believe that on the whole extent of this line of Road there is more good Land for actual settlement than upon any other line of equal length within the Province.

Keeping in view Your Excellency's commands, I have endeavoured to ascertain the probability of discovering a better general Line than the present, even after it shall have been altered by the recommendations in this Report, and upon this subject, beg leave to submit the following observations:—

The Land between the Saint John and that portion of the Road lying between Pickard's Mills and the point marked on the Plan “A,” is much superior in quality to that which lies Eastward; it also seems to decline towards the Keswick. The present Road between the foregoing points passes at its greatest deviation about 3 miles East of a straight line, and from the general appearance of the Country, I am of opinion that a better general Line could be found in this section to Westward of the present Line.

About 8 miles of turnpike would connect the point A with the present finished Road, and if this be finished, the Land will doubtless be soon occupied, and the newer and straighter Road westward could be made at a future period; the two Lines would be far enough asunder to accommodate each a separate settlement.

Between A and Gilman's Brook, a straight line passes also to West of the present Line, but after a careful exploration of the intermediate ground, I found so many obstructions as to satisfy me that no advantage could be gained by an alteration of the Line proposed by me on the Plan.

The Land between Gilman's Brook and the Northern waters of Nashwaak, is generally lofty to Westward of the present Line, and although a more level, but circuitous Line could be obtained to Eastward, by following the Nashwaak Valley, passing at the nearest point to the Miramichi, and following it downwards to Brown's Road, yet the advantage of this route is dubious, the Land being of poor quality, and less adapted for the construction of a Road. The deep and wide ravines which are formed by the tributary Streams of the Beckaguimec, will prevent a line passing to Westward of the present Road; but I conceive that a new Line might leave the Road at 51 miles—pass to Eastward of the hill at Brown's Road, as shewn by the dotted Line—ascend the high land North of the Miramichi, (which would probably be the most difficult matter to accomplish,) and continue on that ridge to the East Branch of Trout Brook. This Line would probably pass the heads of Chictchawk and Munquat, where there are no deep Valleys; but a careful examination of this Line would be necessary before any thing be determined. Descending from the high Lands by the Valley of Trout Brook, the Line would strike the Tobique at an excellent Bridging place.

Finding that the Road between Tobique and the Grand Falls, deviates far Eastward of a straight Line, and is 6 mile longer than such Line, I endeavoured to find a more direct route by exploring back from the Grand Falls, but I found the banks of Salmon River so abrupt, lofty, and the Valley so wide, as to shew the impossibility of carrying a Road across it by moderate gradients. I do not think that it can be conveniently crossed below the mouth of Little Salmon River; but from this point to the Grand Falls, I am persuaded that a Road may be carried, as shewn by the dotted Line, by which a saving in distance of 4 miles will be obtained.

I have further the honor to state, that there are not upon the ground any Lines marked to correspond with the alterations shewn by the Plan. Between the turnpiked and Brown's Roads I caused Surveys to be made, and levels taken, with sufficient accuracy to ascertain what kind of a Line could be found; from the latter Road onwards, the alterations had been already Surveyed and levelled by the party of Messrs. Hansard and Wightman, whose Surveyor also accompanied me on this service. I therefore thought it unnecessary to incur expense by a re-survey, as he could point out the ground, and exhibit to me all the results of their Survey.

I beg leave respectfully to state my opinion, that before any Line be definitively adopted on this route, it will be indispensibly necessary to employ a skilful person, thoroughly acquainted with levelling instruments, and accustomed to use them; who must carefully ascertain the levels, and mark out the Line—for although the present Line, on account of its irregular and precipitous character can never be made serviceable—yet any decided improvement can be attained only by a minute and patient investigation of the Country, through which the Road is to be carried.

All which is respectfully submitted by

Your Excellency's most obedient servant,

ALEX. GOODFELLOW, *Commissioner.*

Miramichi, 20th December, 1841.

II. J. Hansard's Observations upon subject of Royal Road.

Woodlands, January 4, 1842.

SIR,—Upon examination of Mr. Goodfellow's Report, I find it closely to correspond with one submitted by myself and Mr. Wightman, dated 1839; therefore it is superfluous to say that I fully concur with that gentleman in all that he has stated.

I cannot but feel gratified at finding Mr. Goodfellow acquiescing with me in the necessity of taking levels; and of Explorers confining themselves to a grade of one foot in twenty; as it is a principle for which I have been contending for years.

There is not a finer or wider field in the Province for settlement than is afforded upon the Royal Road. The following are the places best adapted for this purpose, and are shewn upon the Plan by the Mile marks; and were noted by me upon the spot, with that particular view, and can be depended upon.

From 41 to 43½—two miles and a half; good settlement land.

From 44½ to 47—two miles and a half; very good.

Opposite 46, on the West side, good land.

From 47, at the head of the Miramichi to the Munquat, 10 miles—nearly the whole of this land is very good. In this section, where Brown's Road intersects the Royal Road, advantages present themselves independent of the good land; there being a good Winter Road to the River Saint John, only ten miles in length—and the head waters of the Miramichi and large Lakes in the neighborhood afford excellent Fishing stations.

From 64 to 67—3 miles, the land is very good and level.

From Salmon River to the Grand Falls, the whole of the land is very good, lying between the Royal Road and the River Saint John. These front upon the Royal Road. There are other extensive tracts of fine land in its immediate vicinity.

I shall be happy to afford more particular information to Your Excellency, or to any person that may be referred to me, with views to settlement.

I have the honor to be, Sir,

Your Excellency's most obedient servant,

H. J. HANSARD.

To Sir William Colebrooke.

January 5, 1842.

SIR,—From the conversation I had with Your Excellency this morning, I am led to explain that I was not employed either to survey or lay out the Royal Road; but merely to Superintend such Contracts as the Government might enter into for the opening of a line already explored and surveyed; and although I made sundry alterations in the general line, to have followed my own views, would have required an elaborate survey which I could give no authority to make; nor could it take place after Contracts were made for completing the work. In a short Report to Sir A. Campbell, I fully explained the defective nature of Estey's line.

I have the honor to be, Sir,

Your obedient servant,

H. J. HANSARD.

ROADS BETWEEN MIRAMICHI, RESTIGOUCHE AND RICHIBUCTO.

Reports of David Crocker, the Supervisor of the Great Roads between Miramichi and Restigouche, and between Miramichi and Richibucto.

Miramichi, January, 1842.

MAY IT PLEASE YOUR EXCELLENCY,

My operations as Supervisor of the Great Road from Miramichi to Restigouche being now suspended for the year 1841, it becomes my duty to Report to Your Excellency, and I beg permission to submit the following:—

The sums appropriated at the last Session for this line were—eight hundred pounds from Newcastle, Miramichi, to Bathurst, one hundred of which to be expended between James Russell's and Moorfield's, about 1½ miles on the Miramichi River; and two thousand from Bathurst to Campbellton; in all two thousand eight hundred pounds.

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In the early part of May last, I left Miramichi, and proceeded through to Restigouche, to examine the general state of the Line of Road, and having made such slight repairs, as were required for temporary convenience, I returned to Miramichi, when my attention was turned to the expenditure of the £100 between Russell's and Moorfield's, which I found would do little or no good on the old line, as there are a number of heavy hills and expensive Bridges in so short a distance, all of which have been avoided by removing the line a short distance further back. This line was explored by the Newcastle Commissioners, and approved of by me, and with some assistance from Statute Labour, the whole new line was made passable before the close of the season. In consequence of this improvement, I have unavoidably exceeded the sum limited at the last Session by £145, as there was a Bridge required which cost £115, together with a small amount of damages for improved lands, &c. but the improvement will, I trust, be a sufficient justification for the expenditure, as it has become of great use to the inhabitants as well as to travellers.

In the month of June, I entered into contracts to the amount of the grant, (£700) for the repairs of Roads and Bridges between Miramichi River and Bathurst; these contracts with one small exception have all been completed; £153 was paid for Bridges, the remainder for repairs generally, which has placed the Road in a fair state for travelling; and if three hundred and fifty to four hundred pounds could be obtained at this Session, it would raise and cover a-new the Bridge across Tabusintack River, now nearly ruinous, and keep that portion of the line between Miramichi and Bathurst in serviceable order for all purposes.

In my annual Report which I had the honor to submit to His Excellency Sir John Harvey, in January last, (1841,) I stated that this important line from Bathurst to Dalhousie, (Restigouche,) had been established from Tettagouche, (Bathurst) to Grant's Brook, distance three miles; that this portion was completed during the Summer, and the line extended ten miles further toward Restigouche, and ready for workmen in the Spring; in that distance there were unavoidably five Bridges which would cost from five to six hundred pounds; that contracts had been entered into for three of the Bridges, and part of the materials for the remaining two, which could not be easily got in the Summer season.

On the 21st June last I proceeded to Grant's Brook, and entered into Contracts for between seven and eight miles of the same, or to where I struck the old and abandoned line forty chains on the Restigouche side of the Elm Tree. This portion was completed in a most substantial and satisfactory manner during the Summer, at an expense of thirteen hundred and eighty pounds, including £610 expended on the erection of the five Bridges, and cutting down of hills to a convenient inclination for carriages.

The remainder of the grant, or £580, was expended in the County Restigouche, viz: In building a Bridge across River Benjamin, and the approaches, repairing the Road in the neighbourhood of River Charlo, and finishing the same through Eel River Settlement, with the exception of £20 paid Michael Mandervill, balance due him on the Bridges at River Charlo, £17 10s. to Arthur Ritchie & Co., and £30 to Henry Hughes, for building a Bridge near Maple Green, between Dalhousie and Campbellton. The two latter sums are not charged in the account rendered, consequently they are due the Contractors.

I now beg permission to state for Your Excellency's information, that the advantage of any sum expended on that portion of the line between Grant's Brook and Elm Tree River, short of the amount requisite to open it through and build all the Bridges, would have been lost to the public for one year, as the Bridges would have been useless, because not accessible, but the importance of this Road being thrown open so early as October last, will, I trust, be a sufficient cause for so doing, more especially when it is seen that the Contracts were taken at very low rates.

I have since continued the work of exploration and staking to John Chalmer's, in the County of Gloucester, being that part unfinished as reported last year; the whole distance from the termination of the new Road to Chalmer's being 6½ miles, which line is well ascertained and ready for workmen in the Spring. I then proceeded to Armstrong Brook, in the County of Restigouche, and from there run and established a line to Jaquet River, 1½ miles, where a Bridge will be required 300 feet in length, and

and from 12 to 18 feet in height—from this to Nashe's Creek, about 2½ miles, the line passes through a large proportion of soft land, part of which will require brushing and gravelling. This is also staked to within half a mile of Nashe's Creek, or to a Bye Road leading in towards the Doyle Settlement in the rear, where a connection may be formed with the old Road, should there not be sufficient funds to carry it through in one season. Considering it of great importance that this part of the Road be opened as soon as possible, I entered into a Contract for the heavier part of the materials intended for the Bridge at Jaquet River, at a cost of £170, as they could not possibly be got in the Summer season. I earnestly recommend the immediate completion of this line to Chalmer's, and from Armstrong's Brook to Nashe's Creek. If this was carried in effect, it would place the Road, with the exception of three miles, in a fair state for travelling. The heavy North East gales late last Fall, have rendered many parts of the old Road which was established on the margin of the Bay, quite impassable. The present line of Road from Eel River Bridge to Dalhousie, is very crooked and hilly, to a degree almost impracticable, and that determining on the line eventually to be adopted, will yet be the work of much time and labour; in my opinion, any one mile of this Road would cost more than any three miles of any other part of the line, except the approaches to Jaquet River Bridge.

I subjoin an estimate of the probable expense of opening that part of the line which is stated as above shewn, and building the Bridges for the ensuing year, for Your Excellency's consideration:—

From the termination of the new Road to Forney's Brook, 3½ miles, @ £170,.....	£595	0	0
Bridge across Forney's Brook,.....	10	0	0
Forney's Brook to John Chalmer's, 3 miles,.....	390	0	0
From Armstrong's Brook to Jaquet River, 1½ miles, @ £80,.....	120	0	0
Jaquet River Bridge and the approaches,.....	500	0	0
From the Bridge to Nashe's Creek, 2½ miles, £175,.....	437	10	0
Bridge across M'Nair's Mill Brook,.....	40	0	0
Total,.....	£2,092	10	0

Also, a Schedule shewing the sums expended in the Counties of Gloucester and Restigouche for the last four years, on the line of Road from Bathurst to Campbellton, viz:—

Gloucester, for the year 1838,.....	£126	12	0	} Completed thirteen miles,
“ “ 1839,.....	45	0	0	
“ “ 1840,.....	510	0	0	
“ “ 1841,.....	1,380	0	0	
Total,.....	£2,061	12	0	
Restigouche, for the year 1838,.....	£570	17	0	} Completed twenty six miles,
“ “ 1839,.....	902	12	10	
“ “ 1840,.....	2,090	15	6	
“ “ 1841,.....	580	0	0	
Total,.....	£4,144	5	5	

Shewing a difference of £2,082 13 5 in favor of Restigouche County for four years, or since it came under my charge. I have the honor to be, Sir,

Your Excellency's most obedient servant,

DAVID CROCKER, *Supervisor.*

Miramichi, February, 1842.

SIR,—I beg leave to submit for the information of His Excellency the Lieutenant Governor, the following, my Report as Supervisor of the Road from Richibucto to Chatham.

The sum appropriated at the last Session for this line was five hundred pounds.

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As early as the opening of the Spring would permit, I proceeded through to Richibucto, to examine the general state of the line of Road, and having made such repairs as were required for temporary convenience, I returned to Miramichi and entered into contracts to the amount of the grant, (£500). These contracts, including the balance of £50 in the Treasury from the year previous, have all been completed. The contract for repairing the Bridge across Davidson's Creek, near the Town of Richibucto, as reported last year, I regret to say remains unfinished, but the public interest in this respect has not suffered, as the Bridge at little expense was made passable throughout the Season. As it was highly requisite the repairing of this Bridge to a certain extent should be done in the Winter season, I have again arranged with the former Contractor for its completion, which I have every reason to believe will be done satisfactory.

There are many parts of the Road so much cut up from the immense travelling, Fall and Spring, that nothing but hard stone and good gravel will answer, but this cannot in all places be had without hawling the materials some distance, which will greatly increase the expense of keeping this portion of the line in serviceable order.

I have the honor to be, Sir,

Your most obedient humble servant,

DAVID CROCKER, *Supervisor.*

The Honourable W. F. Odell, Provincial Secretary, &c. &c. &c.

ROAD FROM GRAND FALLS TO MADAWASKA.

Report from James A. Maclauchlan, Esquire, and the Honorable W. H. Robinson, Supervisors of that part of the Great Road to the Canada Line from the Grand Falls to the Little Falls of the Madawaska River.

The Report of James A. Maclauchlan, Esquire, and the Honorable William H. Robinson, Supervisors of that part of the Line of Communication to Canada lying between the Grand Falls, on the North Bank of the River Saint John, and the Little Falls of the Madawaska River.

MAY IT PLEASE YOUR EXCELLENCY,

With a view of bringing under Your Excellency's particular notice the present unfinished state of this Communication, as well as a general detail of work done during the past year, we have the honor to state, that as soon as the season would permit, our attention was directed to an exploration of the whole route—a distance of thirty seven miles—to determine upon the different sites for bridging the numerous tributaries, and for the purpose of laying out a corresponding line of Road, preparatory to a public sale of the work as required by Law.

This being effected, we were satisfied that the appropriation at our disposal was quite inadequate to open the whole line, and therefore came to the conclusion, in consequence of the serious difficulties and danger Her Majesty's Mail and the public generally were exposed to from not having a land route during the previous Winter and following Spring, to commence the expenditure by first bridging all the tributaries from the Little Falls down within seven miles of the Grand Falls, to where a track or path had been cut on the opposite Bank of the River to the Falls, and where no difficulty existed in the way of Streams.

Fourteen Bridges have been built as stated, of twenty feet in breadth, and varying from one hundred to nearly four hundred feet in length, and from twelve to twenty five feet in height.

Seven miles of Turnpike Road, of twenty four feet in width, with a skirting of twenty feet on each side, finished, and twelve miles grubbed, by uprooting the trees and bushes, as well as removing rocks, &c. for a space of twenty six feet, with a skirting of twenty feet on each side, preparatory for turnpiking.

The distance, as already stated, between the Grand and Little Falls, is thirty seven miles; seven of which is now turnpiked, and twelve miles grubbed, besides bridging all the Streams, with the exception of three adjacent to the Grand Falls. From this

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it would appear there is still eighteen miles yet to be grubbed, and thirty miles to turnpike, which in our opinion, will require an expenditure of four thousand pounds, with an additional sum of seven or eight hundred pounds to complete the bridging of ravines or hollows and remaining tributaries, including the Little River at the pitch of the Grand Falls.

With respect to the proposed Bridge at the Grand Falls, we have had the honor to lay before Your Excellency several Plans and Models received from Bridge Architects, which were advertised for. And we are of opinion that a solid and permanent wooden Bridge can be thrown over the Saint John at the Falls, for a sum not exceeding five thousand pounds, and which when completed would make the whole line perfect as respects Bridges between the City of Saint John and Point Levi opposite Quebec. As to the expediency of the work to connect this communication, we think no one will deny, but particularly those persons who have experienced the difficulty as well as danger in crossing the Saint John during the closing and opening of the navigation, when the River for days is filled with floating ice.

As it will no doubt be a satisfaction to Your Excellency and equally so to the Legislature, to receive information touching the progress made the past season by the Government of Canada, towards continuing this Line of Communication to the River Saint Lawrence, we beg to state, the route from the Little Falls to the Degel , the outlet of Lake Tamisquatel, a distance of twenty four miles, has been explored on the right bank of the Madawaska, and opened twenty four feet wide, and bridged, also skirted twenty feet on each side. Ten miles of this distance is turnpiked, and the remainder, with seven miles still unfinished round the Lake, is to be completed early next season, to enable wheel carriages to pass with Her Majesty's Mail between the Riviere du Loup on the Saint Lawrence and the Little Falls in September next. A contract has also been entered into at a cost of five hundred and fifty pounds for building the Bridge at the Little Falls. This work is now progressing rapidly and will be finished in April next.

In conclusion, we beg respectfully to recommend to Your Excellency, in the event of the Legislature taking into consideration the great importance of this Line of Communication to Canada, with a view of appropriating a sum sufficient for its completion, that contracts for Bridges may be entered into previous to the breaking up of the Winter Roads, as we experienced through the last season great difficulty and much delay from Contractors not being able to furnish or supply the required Timber at the different Bridges either from the want of water in the Streams or difficulty in hauling the Timber.

However, we consider there is probably a stronger reason for urging this measure upon Your Excellency, which is, the known certainty of having greater competition, which must tend to lessen the expense of the different works.

All which is respectfully submitted by

Your Excellency's very obedient humble servants,

J. A. MACLAUHLAN, }
W. H. ROBINSON, } *Supervisors.*

ROAD FROM WOODSTOCK TO GRAND FALLS.

Report from James Ketchum, Supervisor for the Great Road from Woodstock to the Grand Falls.

To His Excellency Sir William Macbean George-Colebrooke, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

In the appropriations made by the Legislature for the Great Road from Woodstock to the Grand Falls, £600 was to be expended between Woodstock and the Restook, and £700 to open a new line of Road from the Restook to the Grand Falls.

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After examining the Road and Bridge, I found the Bridge over the Presqu'ile River in a very dangerous state for travellers to pass over, particularly with heavy loaded teams. I immediately proceeded to post advertisements, and entered into contract for the erection of a new Bridge, and in order to avoid some of the worst hills in that part of the country called the Presqu'ile Hills and the Flanagan Hills, I thought proper to make a great alteration both in the site for the new Bridge, and in the approaches thereto, as I considered there was an absolute necessity for so doing, and as I had only £600 to expend, the greater part of which being necessarily required to pay for the erection of the new Bridge, I have only been able to make a small beginning on the approaches, taking care at the same time, to have a temporary Road to it during the ensuing Winter, and taking that part of the line of Road from Woodstock to Restook into consideration, there are some very necessary alterations and improvements to be made; there are also a number of small Bridges in a very decayed and dangerous state, and including the amount that will be required to complete the above mentioned alteration, it will take at least the sum of seven or eight hundred pounds, to keep that part in any thing like a passable condition.

The new line from the Restook to the Grand Falls, was explored and laid out in the Fall of 1840, by Messrs. Brown and Hayward, two gentlemen well qualified for that duty, and who, I think have made choice of the best ground for the locality; the line is considered to be indispensably necessary in order to avoid those high hills on the present Road; three miles of the Road on the new line runs through soft wood and swampy land, the whole of the remaining part is through fine hard wood land, the soil is of the best quality for settling, and about a convenient distance from the River Saint John, to form tiers of lots on each side of the Road.

This Summer 14½ miles of said Road have been grubbed 26 feet in width, 10 feet of the centre levelled, and 10 feet on each side skirted, at about the average price of £45 per mile. Having incurred an expense of fifty pounds in opening one mile more on said Road than I have means to pay for out of the present grant, it stands over to be paid out of the next.

I am well aware that any sum recommended for a Road under the superintendence of a Supervisor, is viewed with a degree of jealousy by the Legislature, yet notwithstanding, I feel it my duty to state, that I conceive it will be impossible for any person that Your Excellency may please to appoint as Supervisor, to make any material improvement with any less sum than £1000, currency, which sum I am well aware would be far too small to make a finished Road, but it would be sufficient to do the Bridging and make the Road through the swampy part, so as it would be passable for travelling.

In consequence of the delay of the completing of the Presqu'ile Bridge, I have not been prepared to send in my Account and Vouchers in proper time; the contractors have made every possible exertion that was in their power, and sustained a very heavy loss on account of the dryness of the season, having to drive their lumber for the decking and railing of the Bridge down the stream.

Before closing this Report, I beg leave again to bring under Your Excellency's notice the state of the old line between Woodstock and the Restook, a distance of about 57 miles, as I am fearful that unless an appropriation is made by the Legislature for the necessary repairs of the Road and Bridges, as well as the completing of the alterations already commenced at the Presqu'ile River, that Her Majesty's Mail may be seriously delayed on the route to Quebec.

All of which is respectfully submitted by Your Excellency's most obedient and humble servant,

JAMES KETCHUM, *Supervisor.*

Woodstock, 27th November, 1841.

ROAD FROM FREDERICTON TO NEWCASTLE.

Report from Alexander Goodfellow, Esquire, Supervisor of the Great Road from Fredericton to Newcastle.

Miramichi, 15th December, 1841.

SIR,—I herewith enclose for the information of His Excellency the Lieutenant Governor, an Account accompanied by the requisite Receipts, of the expenditure on the Great Road from Fredericton to Newcastle for the past Summer, showing a balance of eight hundred and seventy eight pounds sixteen shillings and ten pence, currency, in favor of the Province, which I hope will be found correct and meet His Excellency's approval.

The Contractor for the Bridge across the Renous River having been detained, in consequence of the dryness of the Summer, for some building materials, to a late period this Fall, it was thought advisable to defer some finishing connected with the Railing until next Spring, in consequence of which a Receipt could not be taken for the contract, which, with the exception of a few pounds, has been paid for, the amount of which, say eight hundred and forty five pounds, with damages for going through improved lands of Scofield's, and some extra charges connected with the Bridge, will exceed the above balance.

To particularize the different charges in the Account might be considered unnecessary; I will therefore merely remark that the charges are for repairs on the different sections of the Road and repairs on Bridges, excepting £422 19 6, currency, as contained in Receipts, Nos. 16 to 20, inclusive, which are for exploring and making a new Road from Young's to near the Nashwaak Bridge, and £260, currency, for building a Bridge at Boiestown, as contained in Receipt, No. 33. It will be perceived that a large deduction was made on M'Gowen's contracts, which was occasioned in consequence of his abandoning the work when in an unfinished state. A considerable sum will therefore be required next Summer to complete them.

It has been my study to make the repairs in a way that was likely to produce the most lasting benefit to the Road, and on these parts that appeared to be in most immediate want, and at the close of the Summer the entire line was in a very passable state, excepting from below the Renous to the Northwest Ferry, which, as I remarked in my last Report, is in a very imperfect state. I have been of opinion for some time past, that part, if not the whole of the line, should be altered, previous to any further expenditure taking place. The line as at present located passes in many places along the bank of the River, crossing numerous gullies and ravines, where they are broadest and deepest, over which expensive Bridges have been erected, most of which are in a decayed state and will require rebuilding in a short time, at a large expense to the Province. By carrying the line of Road a short distance back, many of the ravines would be entirely avoided, and others crossed at much less expensive places for bridging, and the soil for Road making much improved, and many steep hills avoided.

As respects the Road generally, prospectively it is my opinion that under the present system of repairing Roads, £10 currency, per mile, will be required annually to keep it in repair. If therefore any thing was to be done the ensuing Summer to the Road from the Renous to the Ferry, a distance of 16 miles, already referred to, a sum at least equal to the grant of the past year would be required, independently of the Bridge across the South West, which is particularly required, the probable cost of which, together with making from three to four miles of Road on the North side, will be about £2000 currency.

I have the honor to be, Sir,

Your most obedient servant,

ALEX. GOODFELLOW.

To the Hon. William F. Odell, &c. &c. &c., Fredericton.

ROAD FROM OAK BAY TO EEL RIVER.

Messrs. Rainsford and Brown's Report on Road from Oak Bay to Eel River.

To His Excellency Sir William Macbean George Colebrooke, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

Having been appointed Commissioners to expend the sum of £750 on the line of Road from Oak Bay, in the County of Charlotte, to Eel River Bridge, in the County of York, and having completed the service to which we were appointed, we now beg leave to submit the following Report:—

This line, which was intended to open a direct communication between the tide waters of the Bay of Fundy and the Settlements on the River Saint John, was projected during the administration of Sir Archibald Campbell, and under him an exploration was made by Jacob Allan, Esquire. A further exploration was made by John Wilkinson, Esquire,—who, in a voluminous Report, accompanied by a beautiful Map, represented the exploration as unfinished. George Wightman, Esquire, was afterwards appointed to finish the exploration, and in his Report proposed an alteration in Mr. Wilkinson's line, deeming it advisable, for reasons set forth in the Report, to bring it in below Eel River Bridge, which proposition was afterwards confirmed by the House of Assembly. The sum of £500 was then granted, and Mr. Rainsford appointed to open this line, and to expend the balance from Oak Bay onwards. The sum of £750 was afterwards granted, but a difference of opinion having arisen in the County of Charlotte, with regard to the Southern termination of the line, the Commissioner was directed to expend the money in the wilderness between the Baillie Settlement, in the County of Charlotte, and the Howard Settlement, in the County of York. He afterwards submitted this matter to a Joint Committee of the two branches of the Legislature and was directed to open the line from the Northern end of the Baillie Settlement to the Head of Oak Bay. The sum of £750 was granted at the last Session, and the Commissioners proceeded in strict accordance with the aforesaid directions, to open that part of the line between Anderson's, at the Northern end of the Baillie Settlement and Oak Bay. They also laid out a part of the grant in the Howard Settlement, and made an exploration and survey of the projected line from that Settlement to the mouth of Eel River, as directed by the House of Assembly, from Mr. Wightman's Report.

From the Head of Oak Bay towards Anderson's, there are 13 miles of the line turnpiked 20 feet wide, with all the necessary Bridges, Drains, and Water Courses. From the end of the Turnpike to the Little Digdeguash, 16 miles is grubbed 12 feet wide, and well levelled and prepared for winter travelling, and the whole of this 29 miles is perhaps, at this time, as much used as any Road of the kind in the Province. The Bridge over the Little Digdeguash is built, but the approaches are not yet finished, and the line is grubbed 12 feet wide, and prepared for winter travelling to the Howard Settlement, a distance of 19 miles, to which is added 4 miles of Turnpike and other clearing, making 52 miles in all.

We deem it unnecessary here to mention the character and quality of the land, or the advantages of the Road as a line of communication, these matters having been so fully set forth in the several Reports already on record; but we considered it our duty, at this time, briefly to recapitulate the previous proceedings connected with this Road, as well as to set forth its present condition.

We have the honor to be

Your Excellency's most obedient humble servants,

L. B. RAINSFORD, }
 JAMES BROWN, } *Commissioners.*

Fredericton, 8th February, 1842.

ROAD IN DOUGLAS AND QUEENSBURY.

James Brown, Esquire, acknowledging Report of Mr. Robinson respecting Road in Douglas and Queensbury.

Saint David, Charlotte, 18th October, 1841.

SIR,—I yesterday received through the Post Office, your letter of the 12th instant, with the copy of a Report from Colonel Robinson, on the subject of an exploration made by me, of a line of Road in the Parishes of Douglas and Queensbury, in the County of York.

I am highly gratified to find that the inhabitants of those Parishes, who have so long differed among themselves with regard to their main Road, approve so far of my recommendations; the only difference between them and me, being a slight alteration in the proposed sites of the Bridges at the Mactaquack and Estey's Creek.

I did not think proper to make an alteration at the Mactaquack, because from the end of the present Bridge, there is a side cut already made towards the corner of the burial ground; the material is firm and good, and the angle of elevation is by no means objectionable when compared with other unavoidable elevations on various parts of the line.

The proposed Bridge over Estey's Creek, two hundred feet long and thirty feet high, on the part of the line laid out by the Jury, may easily be avoided by crossing the Creek a little farther up stream, where only a very small Bridge would be required. This would save a large and repeated outlay of money, although it would somewhat increase the distance.

With regard to the requisition in your letter, desiring me to state what part of the work can now be executed, I beg to say, that the Timber for the Bridges should be collected and prepared during the ensuing Winter, no other part of the work can be done to advantage until after the opening of the Spring.

I have the honor to be, Sir,

Your most obedient servant,

JAMES BROWN.

Hon. Wm. F. Odell, Secretary, &c. &c. &c.

J. M. Robinson's, Esquire, Report on Road from Musserall's Ferry to Madam Keswick, Parishes Douglas and Queensbury.

Douglas, 6th October, 1841.

SIR,—In obedience to His Excellency's commands, communicated to me by the Clerk of the Peace for the County of York, I proceeded on the eighteenth instant, after due notices given to the Commissioners of the Highway Roads for the Parishes of Douglas and Queensbury, as well as any others who had any immediate interest in the alteration of the Road in the said Parishes, as explored by James Brown, Esquire, of a line of Road from the Madam Keswick River to Musserall's Ferry, in the Parish of Queensbury, on the River Saint John, to meet me on that day, for the purpose of ascertaining if the inhabitants approve of the alteration proposed, I have the honor to report, that the inhabitants assembled, highly approve of the following alterations, as proposed by James Brown, Esquire, commencing nearly a mile from the Keswick Bridge, as well as his third alteration near an old barn frame, to avoid a steep hill; and his fourth alteration, from the nine mile Stake, through a point of woods to strike the Coach Road at an angle beyond Macnalley's School House.

They also wish an alteration being made on the present old Road, at the Mactaquack Stream, by taking the same a few rods lower down on the bank of the stream, so that the hill could be much more gradually ascended, and being prolonged along the same, round a burial ground towards the stream, so as to meet the old Road close to a ledge of rocks standing on that side of the present Road, would improve the hill much, and is the only alteration that can be made at this place to any advantage. The new Bridge lately sold on this stream, to be built next Spring, embraces all the alterations proposed by James Brown, Esquire.

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But the alteration at Mr. Nehemiah Estey's Mill Stream, to avoid a dangerous ravine, is a subject of much litigation among the inhabitants, all those living above this almost impassable ravine (in the Spring,) in the Parish of Queensbury, are much in favour of an alteration, and all those who have not this formidable obstruction to pass in going to market, are much inclined to allow the Road to remain where it now is, that is, by building a new Bridge a little above the present one—thirty feet high, and from one hundred and eighty to two hundred feet long—the only objection to this is, that the hills on either side are of blue clay, and nothing could be built on them to withstand the frost and rain in the Spring of the year. The second alteration at this place, to meet the wishes of the people of Queensbury and the adjacent Country, has already been laid out by twelve Jurymen, called for that purpose last year, and the damages as assessed by the said Jury has been confirmed by the Justices of the Peace in General Sessions, and are now in the act of being collected, as can be seen by the Records of the said Court. This alteration commences at Mr. Garrett Curry's upper line, in the Parish of Douglas, running Northwardly until it strikes Mr. Nehemiah Estey's Mill Stream, about a quarter of a mile above the present old Road. At this place the banks of the stream are well adapted for building a Bridge, and do not appear to be of clay; which Bridge would require to be built thirty feet high and one hundred and eighty feet long; and from thence to follow the line as marked out by the Jury, to Mr. Nehemiah Estey's orchard; and from thence to follow the line as explored by James Brown, Esquire, to the old Road. This gentleman, in his explorations has generally followed the line of Road as laid out by the Jury, except in the spot selected for erecting the Bridge, there he has entirely left the line of Road, and not one of the assembled inhabitants but who condemned this deviation without exception.

I have the honor to be, Sir,

Your obedient humble servant,

JOHN ROBINSON,
Justice Peace, York County.

To the Hon. W. F. Odell, Provincial Secretary.

Report of an Exploration and survey of a Line of Road from Musserall's Ferry to the Keswick Bridge, in the County of York.

To His Excellency Sir William M. G. Colebrooke, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

Having been appointed to explore and lay out a line of Road from the Keswick River to Musserall's Ferry, in the Parishes of Douglas and Queensbury, I came to Fredericton, and John Allen, Esquire, one of the Representatives for the County of York, had the goodness to convey me to the district, and introduce me to the principal inhabitants. After calling upon Messrs. Jouett and Cliff, Commissioners of Highways, and obtaining from them and the other people such information as I could, I proceeded to the exploration of the district, a task by no means difficult, the greater part of it being clear land, and having traversed the same from one end to the other in various directions three several times, laid out and measured a line of Road from the Keswick River to Musserall's Ferry aforesaid, the same being more particularly described in the accompanying plan, the whole distance being nine miles and sixty eight rods.

The hills, gullies, creeks and ravines, which abound in this fertile district, are serious hindrances to making and maintaining a safe and easy public Road.

There is a very considerable portion of the present Road well located and in a good state; other parts of it are inconvenient and dangerous, and have from time to time been the cause of much uneasiness among the inhabitants.

The first alteration which I propose, is nearly a mile from the Keswick Bridge;—a contemplated alteration at the Mactaquack Stream I cannot recommend. The intended new Bridge at that place should be at least eight feet higher than the old one, twenty feet wide, raised on two shore abutments, with sheer wings on each side

to

to defend the Bridge from the ice, setting either inwards from the main River, or down with the stream; the open water way should be at least fifty feet wide. The second alteration is at a place called Estey's Creek, to avoid a dangerous ravine. In this place it has been proposed to follow a line in rear of the Settlement, called "Judge Saunders' line," but this, after examination, I could not recommend. The third alteration is near an old Barn frame to avoid a steep hill; and there is a fourth alteration from the nine mile stake through a point of Woods to strike the Coach Road at an angle beyond M'Nally's School House. This last alteration will improve the appearance of the Road very much, but the other alterations ought first to be completed. When this is done, the line of Road through this district will be as safe and easy, and as well adapted to the public accommodation, as the continuation of the same line on that side of the River Saint John, from Musserall's Ferry to Woodstock.

The probable expense will be for a Road twenty feet wide:

For 70 rods near Pickard's,	£15	0	0
" Bridge at the Mactaquack,	125	0	0
" Bridge at Estey's Creek,	30	0	0
" 294 rods at Estey's,	80	0	0
" 240 rods at the Barn frame,	60	0	0
	£310	0	0
" 80 rods beyond 9 mile stake,	25	0	0
	£335	0	0

I have the honor to be

Your Excellency's most obedient humble servant,

JAMES BROWN.

Fredericton, 21st June, 1841.

ROAD FROM PENNYACK TO MIRAMICHI PORTAGE.

Report of George Hayward and Allen M'Lean, Commissioners to explore a Line of Road North of the Pennyack towards the Miramichi Portage.

On examination we find the land for about four miles North of the Pennyack Creek unfit for settlement. We therefore recommend that a line of Road be opened from the Nashwaak, commencing at Samuel Estey's, and to extend about six and one half miles due East, as near as the land will admit,—then incline more South for about two miles, there being a fine tract of land through which the Road would pass, where a number of settlers may be accommodated. We further recommend that a Road be opened, commencing on the aforesaid East line about three miles and a quarter from the Nashwaak, and to extend due North as far as the land will admit towards the Miramichi Portage Road, there being some good land on that line where settlers may be accommodated, particularly below Column's Creek; the distance is about seven and a half miles. We therefore do not think it advisable to continue the Road above Column's Creek, as there can be a Bye Road made from the Nashwaak to the aforesaid Road.

All which is respectfully submitted,

GEORGE HAYWARD, }
ALLAN M'LEAN, } Commissioners.

Fredericton, January 29, 1842.

ROAD FROM MRS. KEDDLE'S TO UPSALQUITCH RIVER.

Report of a Line of Road explored by Joseph Hunter and Norman M'Leod.

In consequence of the mountainous and broken lands that extend along the South side of the Restigouche River, we were obliged to make several trials before we succeeded in getting the line, after going over the ground three times, taking the courses and distances of the Land by explorations. The whole distance of the line approved of is 6½ miles, which is cleared out, spotted and staked. There are only two hills on the line which are rather difficult to surmount, but from taking an advantage of their sloping declivities, we have been enabled to make out a fair line for Sleighs to pass on, but will not well suit wheel vehicles. It is an excellent line for people on horseback, as the land through which it passes is dry soil, with hard wood growth of Timber, and from its superior quality, will be settled when the Road becomes to be opened. There are four families at present settled, with considerable share of improvements, adjacent to the line.

It may be well to observe that men could not be had for less than five shillings per day; and it took three shillings and six pence to find them, at the cheapest rate provisions could be purchased at Campbellton. The £1 14s. paid R. Swcesey for bushing out a pathway, was for the accommodation of the Lumberers when passing up the River to the Rafting Ground at the mouth of the Upsalquitch, after leaving their Rafts at the tide-way. This will save them the trouble of polling up Canoes thirteen miles by the River to the Rafting Ground.

Mr. Barberie has been on the line in question since the exploration was executed, and has seen its advantages for facility of communication, as well as the settlement of the country. It may be well to observe that there is upwards of a mile and a half of the Road alluded to opened out and turnpiked, and a mile opened out, stumped and levelled. There has also been a Bridge erected thereon which cost £35; all the work of last Summer.

JOSEPH HUNTER, *Commissioner.*

Dalhousie, Restigouche, February 1, 1842.

BATHURST BRIDGE.

Report of the Commissioners for Bathurst Bridge.

To His Excellency Lieutenant Colonel Sir William Macbean George Colebrooke, K. H., Lieutenant Governor and Commander in Chief in and over the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The Undersigned, Commissioners for erecting Bathurst Bason Bridge, in the County of Gloucester, beg respectfully to report for the information of Your Excellency, that in accordance with the terms of the following Resolutions adopted by the House of Assembly at their last Session, viz:—

“*Resolved*, As the opinion of this Committee, That the Commissioners of Bathurst Bridge be authorized to release the Contractors from the Bonds entered into for the erection of the said Bridge, on receiving from the Contractors an acquittance of all further demands, by virtue of the same; and further

“*Resolved*, That in case such releases be given and accepted, the Commissioners be authorized to advertise for the substantial repair of the said Bridge, with a Warranty for three years, and that provision should be made for the same by the House, not amounting to more than one thousand pounds,”—

The Commissioners immediately proposed to the late Contractors to execute the
necessary

necessary Bonds on the terms therein stated, which proposition being promptly acceded to, the releases were exchanged on the tenth day of April, 1841.

The Commissioners thereupon, in further pursuance of the course authorized by the second Resolution, above recited, advertised in the *Miramichi* newspaper, as well as by public handbills, for Tenders from persons disposed to undertake the substantial repair of the said Bridge, with a Warranty for three years; but within the period limited for receiving proposals, *no Tender* was made to the Commissioners of the nature desired.

This was occasioned, as the Commissioners learned upon inquiry, by an opinion prevailing among Builders, that no partial repair of the old work could be made sufficiently secure to warrant them insuring the permanency of the whole structure for even one year; and that no Builder would be induced to undertake the work on the terms proposed, without an extravagant remuneration.

The Commissioners on finding that their best efforts to meet the views of the Assembly thus proved abortive, took into serious consideration a proposal made by Mr. Francis Elliot of *Miramichi*, (and the only one received,) of the following nature, viz: To erect a new Bridge close to the old one, in a situation equally convenient for the public, to use in its construction such portion of the old materials as he could make serviceable, to have it finished by the twentieth day of November then next succeeding, and to insure it to withstand the action of ice and water for the term of three years thereafter, for the sum of twenty one hundred and fifty pounds. With this proposal came the names of two unexceptionable Sureties, who were willing to become bound with the Contractor for the fulfilment of his engagement.

The Commissioners after carefully weighing the merits of this proposal, decided that it was such an eligible one, as it would not be prudent in them to reject, they accordingly entered into a contract with Mr. Elliot, slightly modifying his terms. The Bridge has been built, and in the opinion of the Commissioners and other competent persons, is a good substantial structure, and has been occupied as a public thoroughfare since the 20th of November last.

Mr. Elliot has not only thus fulfilled his Contract to the satisfaction of the Commissioners, but of his own accord he raised the blocks from twenty to twenty four inches higher than he was bound by the Specification; thus placing the covering beyond the remotest danger of being lifted by the ice; and also constructed the drawgates on a more convenient and durable principle than the Commissioners anticipated.

In entering into this agreement with Mr. Elliot, the Commissioners were not only impressed with the necessity of renewing as speedily as possible this important portion of the Great Road of Communication between the Northern and Southern parts of the Province, and connecting link between the several Mercantile Establishments and Public Offices in the Harbour of Bathurst; but they were also influenced by Mr. Elliot's high reputation as a Bridge Builder, and a desire to save the materials of the old Bridge, which otherwise would be carried away by the ice the ensuing Winter.

The Commissioners trust the measures they have taken will prove satisfactory to Your Excellency, and that the Legislature will deem it expedient to make early provision for the expense incurred.

Having the honor to be

Your Excellency's most obedient servants,

WILLIAM END,

WILLIAM NAPIER,

HENRY W. BALDWIN,

} Commissioners:

Bathurst, Gloucester, 30th Dec. 1841.

Papers accompanying this Report.

- No. 1. The late Contractor's Release.
- No. 2. Francis Elliot's proposal to build new Bridge.
- No. 3. Contract with Francis Elliot.
- No. 4. Bond for fulfilment of Contract.

ROAD FROM SAINT JOHN TO BELLISLE.

Report of John Jordan, upon the Road from Saint John to Head of Bellisle.

Extract from Account of John Jordan, Esquire, Supervisor of Great Road from Saint John to Head of Bellisle, Great Road Account, No. 22.

Balance on hand, - - - - - £48 12 6.

About this amount will be required to pay D. Hatfield, when his Contract shall be completed.

The Supervisor deems it requisite for further information, to forward the Contracts (see Account) of John Keleher, Isaac Parkins, and Philip Dann, the last one of which having been conveyed by the parties to Daniel Hatfield, as will appear accounted for in his name.

It will be observed that John Keleher's Contract is not yet fully completed, and the balance of twelve pounds ten shillings retained until the same shall be finished; but although these Contracts are not yet fully finished, and I had reserved on the same the power of completing them myself, if necessary, yet from the great exertions made by the Contractors to finish them, and they having rendered the same (although bad at the commencement) very passable for travelling, and also in consideration of their having taken the work at a very low rate, and that it would not be any inconvenience to the public, I allowed them the privilege of completing the same next Summer, which I trust will be satisfactory.

ROAD FROM SAINT JOHN TO SAINT ANDREWS.

Report of George Anderson, Esquire, Supervisor, on unfinished Contracts, Alterations, &c. upon the Great Road from St. John to St. Andrews.

The undersigned, Supervisor of the Great Road from Saint John to Saint Andrews, begs leave to submit the following Report, accompanying his Account with the Province, for expenditure of Money and improvements made on said Road during the course of the Season 1841, viz:—

There have been built on this line this season, two new Bridges. The Abercrombie Bridge, over the Eastern Musquash River, is built of square merchantable Pine Timber, of the following dimensions, viz: size of Posts, 16 inches; Caps from 18 to 20 inches, 31 feet long; Stringers, 16 inches, from 45 to 50 feet long; and four Stringers on each Bent; four Posts in each Bent, 20 feet from the centre of the Cap in one Bent, to the centre of the Cap in another Bent; two sets of Cross Belts in each Bent, with two Fender Guards on each Bent 10 inches in diameter at the small end, well drove, and hove over and bolted at the top. On both sides of the centre or channel of the River, there are double Bents to support the Draw, well drove, and the heads of the Posts hove together and well braced from top to bottom. The Draw is built so as to support itself without Chains, but cannot be raised without the approbation of the Legislature. The width of Bridge inside of the hand-railing is 25 feet. The Flooring is Spruce, 4 inches thick; the Hand-railing is of White Pine, 7 by 4 inches, Posts and Braces principally Pitch Pine, 5 inches square. The whole of the work well and thoroughly bolted, with a centre piece running the full length of the Bridge, to divide the travelling. The length of the southern hand-railing is 472 feet. This Bridge was contracted for by Mr. William Millar; and although he got the Timber a great deal below its value, still he must have lost a considerable sum by the Contract.

The Moore Bridge, across the Eastern Branch of New River, is 100 feet long, and built of merchantable square Pine Timber, of 14 inches. In the centre of the River there

there is a Heater Pier of square Pine Timber, dove-tailed and well bolted together, and properly filled with ballast. The Stringers (four in number, running from each shore to the Pier,) are of White Pine, 14 inches, resting on Posts and Caps of the same size. The flooring is chiefly Pine, 4 inches thick, with spring Stringers running the whole length of the Bridge over the flooring, and a Girth under each set of Stringers, thoroughly bolted and screwed. The Hand-railing is Pine, 4 by 7 inches; and the whole is allowed by judges to be done in a good and workmanlike manner, and at a great loss to the Contractor.

A Contract was taken by Patrick Rodgers of one mile of Road at six shillings per rod. This work is by no means finished; the width of the Road, when taken, did not exceed 18 feet, and the Contractor was to open and turnpike it in a proper manner, 2 rods or 33 feet wide, to be completed by the last of August; but the job was so much worse than he expected, that it was entirely out of his power to do so this season, owing to the enormous quantity of rocks, which cannot be removed without blasting. He has been paid £40, (as will appear by his receipt,) to help him to forward the work; he has had eight or ten men employed at the work for a long time, and after all that he has already done, it will take at least four shillings per rod to complete it; and when finished in a proper manner, he must lose a large sum for a poor man, which he is by no means able to bear.

All the rest of the Contracts entered into for gravelling, &c. on this Road, have been nearly completed according to agreement.

There are three alterations much wanted on this line: one in the Parish of Lancaster, shortening the distance $1\frac{1}{2}$ miles out of 4 miles, and avoiding several bad hills, and only one Bridge to be kept up instead of three as at present.

A new Bridge is much required over the Bocabec River, in the Parish of Saint Patrick, which ought to be placed further down the River; it would then bring the Road pretty much on a level, and avoid a number of bad hills on the present line, but would lengthen the distance 12 rods.

An alteration is much wanted from James Orr's to the rear of Doctor DeWolf's Barn.

There are 9 miles and 60 rods on the Eastern end of this line opened and turnpiked 33 feet wide, when P. Rodgers' Contract is completed, and four miles on the Western end of said line, near Saint Andrews.

All which is respectfully submitted.

G. ANDERSON, *Supervisor.*

Saint John, 29th November, 1841.

ROAD FROM FREDERICTON TO SAINT ANDREWS.

Report of Messrs. Hainsford and Brown, Supervisors, explaining the reasons why the sum of \$101 9 10 was over expended.

Fredericton, October 11, 1841.

SIR,— In submitting the accompanying Accounts and Vouchers, which we hope will be satisfactory, we beg through you to state for the information of His Excellency the Lieutenant Governor, that the Road from Fredericton to Saint Andrews via the Hanwell is now finished, the same being turnpiked and in every way prepared for the driving of Carriages.

Great anxiety was evinced to have the Road completed the present Fall; and in order to effect this we have been compelled to expend £101 9 10 more than was granted.

However we would observe that when the last grant of two thousand pounds was made, it was thought that an additional sum of £500 would be required to make the said Road passable, but in consequence of the low price for which the work has been done, this object has been effected for £101 9 10, (over excess.)

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Trusting

Trusting that our over expenditure will be excused, since it was impossible to make the Road passable without incurring it,

We have the honor to be, Sir,

Your most obedient servants,

L. B. RAINSFORD,
JAMES BROWN.

To the Hon. William F. Odell, Provincial Secretary, &c. &c. &c.

MILL BRIDGE, AND ROAD TO INDIAN TOWN.

Report of Messrs. Pollok and Woodward, Commissioners for widening Mill Bridge, and improving the Road to Indian Town.

Saint John, N. B. 29th October, 1841.

SIR,—We herewith enclose you an account of the expenditure of the appropriation “for widening the Mill Bridge and improving the Road to Indian Town;” balance due the Commissioners, forty nine pounds. After our appointment to expend this Special Grant, we made enquiry, and found the widening of the Mill Bridge completed, and on examination of the Indian Town Road, concluded, that the best mode of expending the appropriation would be, to improve that part of the Road leading from the River at Indian Town towards Saint John, in connection with the Public Landing at Indian Town, then in course of erection, that part of the said Road being very steep and in a very bad state of repair; we accordingly advertised for Tenders to reduce the Hill and make a good Road; we received Tenders from four parties, the lowest of which was £490, for improving the Road according to a Specification and Plan, as far as the top of the Hill at Snyder’s, which has been done by the Contractor, Michael M’Guirk, to the satisfaction of the Commissioners; the remainder of the line towards Saint John requires repairs, and the tops of the several hills taken off and the valleys filled up; it is an expensive line to work, being composed nearly all of rock, but of much importance, as the only route from Saint John to the River above the Falls, and consequently much carriage on it.

All which is respectfully submitted for the information of His Excellency the Lieutenant Governor,

By your obedient servants,

I. WOODWARD, }
JOHN POLLOK, } *Commissioners.*

To the Hon. Wm. F. ODELL, Provincial Secretary, Fredericton.

WHARF AT INDIAN TOWN.

Report and Account of Messrs. Woodward and Pollok. of erection of a Wharf at Indian Town.

Saint John, New Brunswick, 13th October, 1841.

SIR,—We herewith enclose account of the expenditure with Vouchers for the erection of a Public Landing at Indian Town, balance due the Supervisors, £283 4s., and have further to state for the information of His Excellency the Lieutenant Governor, that after our appointment we proceeded to make the improvements as recommended by the Report of the Commissioners of the 11th January, 1841, appointed to Report on the mode of improving the Public Landing at Indian Town, by making a specification for the building of a Wharf and Slip, to carry out the Landing to that point in the River

River recommended in the said Report, being a prolongation of the Road from Saint John to Indian Town, and advertising for tenders for the performance of the same. We received tenders for the said work ranging from £1,940 to £700, thirteen in number. We agreed with the lowest tender of John Clark, Jun. and entered into contract with him for the said lowest offer of £700, and have to state that the said work has been completed to the satisfaction of the subscribers.

This Wharf completes the Westwardly extension and leaves that part recommended by the Commissioners extending South Easterly along the Bank of the River, to be done when it may be deemed advisable. To carry that part into effect, extending as far Southwardly as M'Mackin's, at which point a slip is recommended to be left open, will require a Wharf about 420 feet long by 50 feet wide, which may be all done at one time or in sections of about 100 feet, S. 10° E. 160 feet, S. 6° E. and 160 feet South, one or all of those sections may be completed next year, the whole would probably cost from £1,500 to £2,000.

We have further to state that a Bridge Wharf has been erected in the Slip recommended by the Commissioners to be kept open at the North side of the Public Wharf by Samuel Reynolds, about 50 feet long by 40 feet wide, but in our opinion not materially interfering with the public accommodation. Erections have also been made on the South side of the said Public Wharf by Mr. Ross, but that will not interfere with the improvements recommended by the aforesaid Commissioners.

Respectfully your obedient servants,

I. WOODWARD, }
JOHN POLLOK, } *Supervisors.*

To Hon. Wm. F. Odell, Provincial Secretary, Fredericton.

REPORT

From J. S. Saunders, Esquire, with Plan of Survey of a Line dividing the County of Northumberland from the Counties of Queen's, Sunbury and York.

Crown Land Office, November 18, 1841.

SIR,—Herewith I have now the honor to submit for Your Excellency's inspection, the Return or Plan of the Survey lately made by Mr. Deputy Price, of the line dividing the County of Northumberland from the Counties of Queen's, Sunbury and York.

As the Country through which the line passes is altogether in a Wilderness condition, few connexions could be made with previous Surveys, but all that were necessary have been attended to.

I would respectfully beg leave to suggest that an application be next Session made to the Legislature for an Act to confirm the Survey of this County Line, and I do not entertain a doubt but this will easily be obtained.

I have the honor to be, Sir,
Your Excellency's most obedient humble servant,

JOHN S. SAUNDERS, S. G.

To His Excellency the Lieutenant Governor, &c. &c. &c.

Mr. Saunders's Report of the method in which Price's Survey was performed.

Crown Land Office, November 20, 1841.

SIR,—I have the honor to acknowledge the receipt of Mr. Odell's letter of yesterday, stating that Your Excellency had desired to be informed by what method Mr. Price's Survey had been executed, and whether any positions have been determined by observation, in order to correct the measurements.

In reference to these enquiries I crave Your Excellency's indulgence while I make the following remarks:—

The line dividing the County of Northumberland from the Counties of Queen's, Sunbury

Sunbury and York, is declared by law to be a line to run from the North West angle of Westmorland to a point upon the South bank of the South West Miramichi River, at the termination of the old Portage Road, and no mention whatever is made of either course or distance, because the boundary is not dependent upon either, but is to be a line run direct from the one fixed point to the other, at the end of the old Portage Road, without regard to its relative bearing or position with the true meridian, or the distance between its two extremities; and when this straight line is now run between the two fixed points above mentioned, the immediate object of the Survey, (so far at least as the mere establishing of the dividing line upon the ground is concerned,) is fully accomplished.

The present magnetic bearing of the line only has been now ascertained, and its distance has been carefully measured, but no observations have been yet made upon it.

It is certainly very desirable however, that in future Astronomical observations should be made, in order to determine the true Geographical position of all the County Lines in the Province, although such has not hitherto been the practice.

In this instance it appeared to me necessary to run and measure a trial line at first, in order to ascertain the relative magnetic bearing of the two points, as the distance was upwards of fifty miles through a dense wilderness, and then afterwards from the information thus obtained, to run a second line for the correct boundary, and that one of my Draftsmen from this Office should accompany Mr. Price, in order to assist him in taking the necessary observations to enable him to run the second line correctly, and establish it in the proper place. But when the trial line was surveyed, it was happily found to strike the South West Miramichi River so very near to the end of the old Portage Road, that I judged it to be quite unnecessary to alter it, as the line had been run with great care, and I accordingly directed Mr. Price to return upon it, and number the mile trees, blazing it out more distinctly at the same time.

As this has been now done, and Return made in the usual manner, I would therefore humbly suggest that Your Excellency do now issue your Warrant in Mr. Price's favor for the amount of his account.

I have the honor to be, Sir,
Your Excellency's most obedient humble servant,
JOHN S. SAUNDERS, S. G.

To His Excellency the Lieutenant Governor, &c. &c. &c.

GAGETOWN CANAL.

Report of the Commissioners of the Canal at Grimross Creek.

To His Excellency Sir William M. G. Colebrooke, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

We, the undersigned, having been appointed by Your Excellency Commissioners to construct and superintend the cutting and completing of a Canal to connect the Waters of the River Saint John with those of Grimross Creek in Queen's County, pursuant to the provisions of the Act of Assembly, beg leave to Report for the consideration of Your Excellency,—that we have made the requisite examinations and fixed on a site for the Canal and mode of work, and duly advertised for Tenders, as Your Excellency may have observed in the Public Newspapers of the Province; also have made an offer to the owner on whose land we have proposed to cut the Canal, the sum of fifty pounds per acre, which will amount to one hundred and seventy five pounds; but the said owner declines accepting the offer, and also refuses to have the damages appraised by arbitrators, as the Law points out: and we, the Commissioners, have received and opened various Tenders, as will appear by a list added to this Report: It will at once be apparent to Your Excellency that the lowest amount tendered is one thousand nine hundred and seventy five pounds, which is so far above the Provincial grant as
to

to make it impossible, for us the Commissioners, to go on with the Canal until the sum required is granted by the Legislature to enable the object to be effected.

Your Commissioners therefore have to Report to Your Excellency as before stated, and further that they will be ready to proceed with the work as soon as the necessary means are granted.

All which is most respectfully submitted to Your Excellency by

Your most obedient humble servants,

BRADFORD G. HEWLETT,
NATHL. HUBBARD,
ENOCH G. LUNT, } *Commissioners.*

A List of Persons and amounts of Tenders :

George Hayward, Esquire,.....	£2800
Isaac H. De Veber,.....	2800
Levi Tuck,.....	2650
Joseph Whittaker,.....	2500
Stephen P. Estabrooks,.....	2495
Joseph F. Estabrooks,.....	2340
Andrew M'Gowan,.....	2300
James M'Knight,.....	2250
William W. Estabrooks,.....	2150
Samuel Mays,.....	2145
Henry Fisher,.....	2100
William Mays,.....	1975
	12) 28,505
Average,.....	£2,375 8 4

Gagetown, 11th February, 1842.

DARK HARBOUR.

Captain Owens's Report of Survey of Dark Harbour, Grand Manan.

To His Excellency Sir William Macbean George Colebrooke, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

Campo Bello, 12th October, 1841.

SIR,—Finding myself nominated as a Commissioner to examine and report upon Dark Harbour, in the Island of Grand Manan, as to its capability of being made an available Port for Commercial purposes, I proceeded in a small vessel procured for the purpose on the 13th ult., to survey that spot, and have the honor to forward a rough draft of that survey, in which I have noted all the particulars that appeared to me essential.*

Its area is about twelve acres, and it appears to me, it might be made a very commodious Harbour and Wet Dock, at a very inconsiderable expense; and from its situation in the centre of the Island of Grand Manan and of a mine of Fisheries, now unavailable, would soon become an important and wealthy place, and would render the communication with Grand Manan at all times available, the distance from Campo Bello being only seven miles, and all the requisite materials of Timber and Stone are on the spot.

The delineation of proposed Jetties, Breakwater and Canal on the Plan, is on such a scale as would render it available for vessels from 300 tons and under.

I have the honor to remain your humble and faithful servant,

W. F. W. OWEN, *Captain R. N.*

*OBSERVATIONS NOTED ON DRAFT OF SURVEY.

The heaviest swell and sea is from the south west, with winds from North by the East to South. The sea is generally very smooth on the beach, composed of large loose stones—many of them Rotten Stone. At low water, the surface of the water in the basin is about 12 or 15 feet higher than the sea, by estimation.

The Breakwater, Jetties and Cut marked in this plan, are where it appears best calculated for such works. The Cut should be 35 or 40 feet wide and carried down to ten feet above low water mark on the sea side, and should have Waterborne Dock Gates. The Basin would then become a Wet Dock with from 6 to 10 feet more water in it, than noted in this plan; the Cut as herein proposed, is the narrowest part of the beach and where the deepest water is inside, it is also the most sheltered spot. The Breakwater should be the segment of a circle in form, and its sea face sloped in an angle of 40° with horizon. It might then maintain itself by accretions from the sea, besides opposing more effectual resistance. It should face the south west.

The water from the basin percolates through the beach whenever the surface of the sea is lower, but it does not appear to lose more water in this way than it receives from the rivulet. The sea coast here abounds with fish.

There is no anchorage any where on the western shore of Grand Manan more than 200 yards from the shore, which is everywhere very steep too. The general height of the hills above low water is about 350 feet.

Report of Messrs. Wyer and Hatch on Dark Harbour.

To His Excellency Sir William Macbean George Colebrooke, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, the undersigned, having been appointed with the Honorable Charles Simonds and Captain Owen, Commissioners to examine and report upon the practicability of making Dark Harbour available for commercial purposes, beg to state, that we proceeded to Dark Harbour, in the Island of Grand Manan, the last Summer, and examined the same at low tide, both inside and without the sea wall. That the area within is about thirteen acres, with a depth of water for vessels of upwards of three hundred tons.

That no obstacle presents itself to an opening through the sea wall at a comparatively small expense, on the southern end, which is least exposed to the action of the sea, for the admission of Coasters and Fishing Crafts, immediately where Fish is taken of every kind in great abundance, and where there is no place of safety along an iron bound Coast for nearly twenty miles; and further, it would greatly facilitate the communication with the main land by lessening the distance.

All which is respectfully submitted.

THOS. WYER,
H. HATCH.

SAINT ANDREWS HARBOUR.

Report of the Commissioner for Surveying the Harbour of Saint Andrews.

Portland, August 23, 1841.

MAY IT PLEASE YOUR EXCELLENCY,

Having been appointed, in pursuance of an Address of the House of Assembly of the 18th of March last, "to examine and survey the Harbour of Saint Andrews, with a view to clearing out and improving the same," I beg leave to Report to Your Excellency, for the information of the Legislature, that I proceeded to Saint Andrews on the 16th day of August instant, and immediately commenced a minute examination of the said Harbour. On sounding in every direction, I find that there has been no perceptible alteration in the depth of water for the last *forty years*. The bottom throughout is quite clear, free from all incumbrances, (with the exception of two or three sticks of birch timber, which might easily be removed);—the whole space is excellent holding ground, affording a most secure anchorage at all times, and is of sufficient capacity to accommodate all the Ships and other vessels that may ever be expected to resort to it.

In the Eastern Channel, outside the Harbour, and about one quarter of a mile below or Eastward of the Light House, there is a middle ground, upon which at low water, there is a depth of only *six feet*. This Shoal prevents the Steamers from entering the Harbour when they happen to arrive at low water at *spring tides*; but as this cannot happen very frequently, there is no very great inconvenience suffered by the public. To remedy this inconvenience, it has been proposed to erect a Wharf outside the Harbour, below this shoal ground, to accommodate Steamers and other vessels; and for this purpose a grant was made at the last Session of the Legislature, of a sum not exceeding two hundred pounds. I cannot but think that a Wharf in this situation would be a far greater injury to the navigation, than all the benefit that could possibly be derived from it. The sum which a Wharf would cost, might be much more beneficially expended in deepening this outer middle ground, which if effected to the depth of only *one foot*, would render a Wharf or Landing outside the Harbour unnecessary, as Steamers and small vessels could then enter the Harbour at all times.

The inner middle ground, which is on the South side of the Channel, within the entrance of the Harbour, is not so great an obstruction as to warrant any attempt to remove it. The expense would be very great, and if removed, the current inwards would be so altered as to make it very probable that a bank would gradually form on the North side of the Channel. I would not therefore recommend any attempt to remove this Shoal. If, however, at any future time, there should be a Dredging Machine at Saint Andrews, it would be desirable to remove a small portion of the north west end of this Shoal, which would make the channel into the Harbour more direct and rather less difficult.

The western entrance of the Harbour is at high water not less than three fourths of a mile wide; it was formerly much narrower, but the gradual disintegration of the sand stone rocks on the North side of the Harbour, as well as on Saint Andrew's Island, has, and will continue to enlarge it. Across this entrance there is a Bar of considerable width, not less than *four hundred feet* at the narrowest part; most of this Bar dries at *two thirds ebb*; a small space in the middle is lower, and at neap tides is nearly level with low water; but at spring tides, this part is dry for more than two hours. There was formerly a channel opened at this place, about *thirty feet* in width, which from neglect has been much filled up and obstructed by Muscle beds, and deposits of mud and sand. Without this Bar, towards the Saint Croix, flats extend to a considerable distance, probably one quarter of a mile; their general level is about *four feet* below the Bar. I would recommend that a passage be opened through, *forty feet* wide, and as deep as the flats without. This operation, under good management, would not cost over £250, and it would be a great improvement to the navigation of the Harbour in that direction.

Around

Around the shores of the Basin which forms the Harbour of Saint Andrews, which for beauty, safety and convenience, is hardly exceeded in America, there are several large *Rocks and Stones* of various sizes, from ten tons weight and under; these are all above low water mark, and are extremely dangerous to all descriptions of vessels; these dangers could all be removed at an expense of less than *ten pounds!!* They lay exactly in the same position which they occupied forty years ago!!! It is indeed much to be regretted that they should have been suffered to remain so long a public nuisance in this beautiful Harbour.

This Harbour is more liable to injury from Drains which lead into it from the Town than from any other cause; these carry down a quantity of soil and filth, which is chiefly deposited between high and low water mark; and this evil will increase with the increase of population. The remedy would not be difficult, as most of these Drains might be carried along the Streets which run parallel to the Harbor, and made to discharge below the Eastern entrance.

I have the honor to be

Your Excellency's obedient servant,

CHARLES SIMONDS.

To His Excellency Sir WILLIAM M. G. COLEBROOKE, K. H. &c. &c. &c.

PENALTIES UNDER SEAMEN'S ACT.

Letter from the Attorney General to His Excellency, respecting the Penalties incurred under the Act to provide for a regular supply of Seamen.

Fredericton, 5th February, 1842.

SIR,—I have the honor to enclose a statement of certain Prosecutions instituted by several different informers, for penalties incurred by the Defendants therein named, for the non-importation of Seamen, under the Provincial Act passed in the third year of Her Majesty's Reign, entitled "An Act to provide for a regular supply of Seamen for new ships fitted out or loaded in the Province," which Act was subsequently disallowed by Her Majesty; in consequence of which, all further proceedings ceased.

The account herewith rendered, states the amount which has been received by me on those prosecutions. The Act provided, that one half of all penalties should be paid to the person who sued and prosecuted for the same, and the other half into the Treasury of the Province, for the use and support of sick and disabled Seamen.

The moiety of those penalties which have been received were paid by me to the several prosecutors, shortly previous to the receipt of the Despatch announcing the Royal disallowance; and it will be now for the Executive to direct, whether the remainder shall be paid into the Treasury, or returned to the different persons from whom the same was received.

I have the honor to be,

Your most obedient servant,

CHARLES J. PETERS,
Attorney General.

The Honorable W. M. F. ODELL, &c. &c. &c.

The Attorney General's Statement, relating to the Prosecutions instituted against various Ship Owners, for non-importation of Seamen, under the Act of the Province, 4th Victoria, and which Act was subsequently disallowed by the Home Government.

No. One.

The Attorney General,
at the relation of
Beverley Robinson,
vs.
John Wishart.

Information for Penalties to the amount of £80.
New ship "Montrose," 699 tons. 7 men.

No. Two.

The same,
vs.
John Wishart.

Information for Penalties to the amount of £110.
New ship "Elizabeth," 950 tons. 10 men.

No. Three.

The same.
vs.
Jas. Adam, Wm. Davidson.

Information for Penalties to the amount of £90.
New ship "William Abrams," 706 tons. 8 men.

No. Four.

The same.
vs.
James Alexander,
John Alexander,
John H. Barry.

Information for Penalties to the amount of £100.
Ship "Satellite," 824 tons. 9 men.

- No. Five.
The Attorney General,
at the relation of
William J. Bixby,
vs.
John Porter, George M.
Porter, Joseph Porter,
James Porter. } Information for Penalties, £60.
Ship "Ianthe," 459 tons. 5 men.
- No. Six.
The Attorney General,
at the relation of
Robert Watson,
vs.
Henry Eastman. } Information for Penalties, £70.
Ship "Venelia," 581 tons. 6 men.
- No. Seven.
The same,
vs.
James Gillis,
John Grimmer. } Information for Penalties, £50.
Ship "Elizabeth Grimmer," 330 tons. 4 men.
- No. Eight.
The Attorney General,
at the relation of
Beverley Robinson,
vs.
George A. Munro,
John Wallace. } Information for Penalties, £50.
Ship "William A. Black," 310 tons. 4 men.
- No. Nine.
The same,
vs.
Nathaniel Milby,
James U. Thomas. } Information for Penalties, £80.
Ship "Abigail," 632 tons. 7 men.
- No. Ten.
The same,
vs.
John Pollock. } Information for Penalties, £80.
Ship "Calliope," 671 tons. 7 men.
- No. Eleven.
The Attorney General,
at the relation of
David W. Jack,
vs.
John Wilson. } Information for Penalties, £70.
Ship "Brittania," 541 tons. 6 men.
- No. Twelve.
The same,
vs.
John Wilson. } Information for Penalties, £70.
Ship "Pallas," 514 tons. 6 men.
- No. Thirteen.
The Attorney General,
at the relation of
John Marks,
vs.
Nehemiah Marks. } Information for Penalties, £110.
Ship "Birkenhead," 985 tons. 10 men.

No. Fourteen.

The Attorney General,
at the relation of
William Davidson,
vs.
Aaron Eaton,
John W. Burnham,
Gilbert T. Ray,

Information for Penalties, £80.
Ship "London," 648 tons. 7 men.

No. Fifteen.

The same,
vs.
The same.

Information for Penalties, £70.
Ship "Quebec Packet," 552 tons. 6 men.

No. Sixteen.

The Attorney General,
at the relation of
John H. Barry,
vs.
James Whitney,
Charles R. Gibbon.

Information for Penalties, £120.
Ship "Symmetry," 1009 tons. 11 men.

No. Seventeen.

The Attorney General,
at the relation of
David W. Jack,
vs.
John Wishart.

Information for Penalties, £80.
Ship "Lucy Wright," 636 tons. 7 men.

CHARLES J. PETERS, *Attorney General.*

5th February, 1842.

The Attorney General's Statement of Amounts received on Prosecutions for Penalties for not Importing Seamen under the Act of Assembly on that subject, which was disallowed by Her Majesty. 1840.

The Attorney General,
at the relation of
Beverley Robinson,
vs.
John Wishart.

Ship "Montrose."
See statement of Prosecutions, No. 1,
£80 0 0
Less by commission, 4 per cent. 3 4 0

£76 16 0
Costs of Suit,..... 10 19 9

£65 4 3

Moiety to Province,..... £32 12 1

The Like,
vs.
John Wishart.

Ship "Elizabeth."
See Prosecutions, No. 2,..... £110 0 0
Less by commission, 4 per
cent. 4 8 0

£105 12 0

Costs of Suit,..... 10 19 9

£94 12 9

Moiety to Province,..... 47 6 4½

Carried forward,..... £79 18 5½

	<i>Brought forward</i> ,.....	£79 18 5½	
	Ship "William Abrams."		
The Like, vs. Jas. Adam, Wm. Davidson.	} See statements of Prosecutions, No. 3, £90 0 0 Less by commission, 4 per cent. 4 12 0		
		£86 8 0	
	Costs of Suit,.....	10 19 5	
		£75 8 7	
	Moiety to Province,.....		37 8 5
The Attorney General, at the relation of Beverly Robinson, vs. James Alexander, John Alexander, John H. Barry,	} Ship "Satellite." See statements, &c. No. 4, Less by commission,.....	£100 0 0 4 0 0	
		£96 0 0	
	Costs of Suit,.....	10 19 9	
		£85 0 3	
	Moiety to Province,.....		42 10 1½
The same, vs. Nathaniel Milby, James U. Thomas.	} Ship "Abigail." See statements, &c. No. 9, Less by commission,.....	£80 0 0 3 4 0	
		£76 16 0	
	Costs of Suit,.....	10 19 9	
		£66 16 3	
	Moiety to Province,.....		38 8 3
The Attorney General, at the relation of William J. Bixby, vs. John Porter, George M. Porter, Joseph Porter, James Porter.	} Ship "Ianthc." See statements, &c. No. 5, Less by commission,.....	£60 0 0 2 4 0	
		£57 16 0	
	Costs of Suit,.....	10 19 9	
		£46 16 3	
	Moiety to Province,.....		23 8 1½
The Attorney General, at the relation of Robert Watson, vs. Jas. Gillis, John Grimmer.	} Ship "———." See statements, &c. No. 7, Less by commission,.....	£50 0 0 2 0 0	
		£48 0 0	
	Costs of Suit,.....	10 19 9	
		£37 0 3	
	Moiety to Province,.....		18 10 1½
The Attorney General, at the relation of John Marks, vs. Nehemiah Marks.	} Ship "Birkenhead." See statements, No. 13,..... Less by commission,.....	£110 0 0 4 8 0	
		£105 12 0	
	Costs of Suit,.....	10 19 9	
		£94 12 3	
	Moiety to Province,.....		47 6 4
	<i>Carried forward</i> ,.....	£282 9 11½	

<i>Brought forward</i> ,.....		£282 9 11½
<i>Amount of Costs due Attorney General on Prosecutions abated.</i>		
No. 6.....	£10 19 9	
" 8.....	10 19 9	
" 10.....	10 19 9	
" 11.....	10 19 9	
" 12.....	10 19 9	
" 14.....	10 19 9	
" 15.....	10 19 9	
" 16.....	10 19 9	
" 17.....	10 19 9	
	98 17 9	
Balance due from Attorney General,.....	£183 12 2½	

E. O. E.

CHARLES J. PETERS,
Attorney General.

5th February, 1842.

The moieties of the several sums above settled, due to the several prosecutors, were paid by me to them respectively, a short time previous to the receipt of Despatch announcing the disallowance of the Act of Assembly.

CHARLES J. PETERS,
Attorney General.

IN THE SUPREME COURT.

The Attorney General,
at the relation of
Robert Watson,
vs.
Jas. Gillis, John Grimmer.

Costs on information for not importing Seamen.
Ship "Elizabeth Grimmer."

Retaining Fee,.....	£0 15 0	
Drawing information and engrossing, fol. 11,.....	1 13 0	
Drawing and engrossing sub. fol. 3,.....	0 9 0	
Copy to serve,.....	0 4 6	
Seal, Præcipe, &c.....	0 3 9	
Filing information, 6d, Term Fee, 3s. 4d.....	0 3 10—	£3 9 1

2nd TERM.

Term Fee,.....	0 3 4	
Motion and Rule to return Writ,.....	0 6 0	
Process returned, served, filing,.....	0 0 6	
Motion and Rule to appear,.....	0 6 0	
Clerk, 3s, Judge, 10s, Crier, 1s,.....	0 14 0	
Sheriff's Fees,.....	1 13 6	
Postages,.....	0 5 0	
Copy information for Defendant's Attorney,.....	0 8 3	
Entering <i>Nol Prosequi</i> , 10s, Clerk, 5s,.....	0 15 0	
Costs and copy, 4s. 6d, Taxing and attendance, 4s. 6d,	0 9 0	
Fair copy of Taxed Bill,.....	0 2 6—	5 3 1

Taxed at..... £8 12 2

(Signed)

J. W. BERTON,
Deputy Clerk Crown.

14th April, 1841.

Amount of retaining Fee as Counsel on this Prosecution, it being a private action,..... 3 10 0

£12 2 2

<p>The Attorney General, at the relation of Beverley Robinson, vs. John Wishart.</p>	}	<p>On information for not importing Seamen. Ship</p>	
			The like in all,..... £8 12 0
			Less, by Sheriff's Fees,..... 1 2 3
			Taxed at..... £7 9 9
<p>(Signed) 14th April, 1841.</p>		<p>J. W. BERTON, Deputy Clerk Crown.</p>	
			Counsel Fee on this prosecution,..... 3 10 0
			£10 19 9
<i>Supreme Court.</i>			
<p>The same, vs. John Wishart.</p>	}	<p>On information, &c. Ship</p>	
			The like in all,..... £7 9 9
			Counsel Fee,..... 3 10 0
			£10 19 9
<i>Supreme Court.</i>			
<p>The same, vs. James Adam and William Davidson.</p>	}	<p>On information, &c. Ship</p>	
			The like in all,..... £10 19 9
<i>Supreme Court.</i>			
<p>The same, vs. James Alexander, John Alexander, John H. Barry.</p>	}	<p>On information, &c. Ship</p>	
			The like in all,..... £10 19 9
<i>Supreme Court.</i>			
<p>The same, vs. Nathaniel Milby, James U. Thomas.</p>	}	<p>On information, &c. Ship</p>	
			The like in all,..... £10 19 9
<i>Supreme Court.</i>			
<p>The Attorney General, at the relation of William I. Bixby, vs. John Porter, George M. Porter, Joseph Porter, James Porter.</p>	}	<p>On information, &c. Ship "Ianthé."</p>	
			The like in all,..... £10 19 9
<i>Supreme Court.</i>			
<p>The Attorney General, at the relation of Robert Watson, vs. Henry Eastman.</p>	}	<p>On information, &c. Ship "Elizabeth."</p>	
			The like in all,..... £10 19 9

Supreme Court.

The same,
vs.
James Gillis,
John Grimmer. } On information, &c.
Ship "Elizabeth Grimmer."
The like in all,..... £10 19 9

Supreme Court.

The Attorney General,
at the relation of
Beverley Robinson,
vs.
George A. Munro,
John Wallace. } On information, &c.
Ship "Wm. A. Black."
The like in all,..... £10 19 9

Supreme Court.

The same,
vs.
John Pollok. } On information, &c.
Ship "Calliope."
The like in all,..... £10 19 9

Supreme Court.

The Attorney General,
at the relation of
David W. Jack,
vs.
John Wilson. } On information, &c.
Ship "Brittania."
The like in all,..... £10 19 9

Supreme Court.

The same,
vs.
John Wilson. } On information, &c.
Ship "Pallas."
The like in all,..... £10 19 9

Supreme Court.

The Attorney General,
at the relation of
John Marks,
vs.
Nehemiah Marks. } On information, &c.
Ship "Birkenhead."
The like in all,..... £10 19 9

Supreme Court.

The Attorney General,
at the relation of
William Davidson,
vs.
Aaron Eaton,
John W. Burnham,
Gilbert T. Ray. } On information, &c.
Ship "London."
The like in all,..... £10 19 9

Supreme Court.

The Attorney General,
at the relation of
William Davidson,
vs.
Aaron Eaton,
John W. Burnham,
Gilbert T. Ray. } On information, &c.
Ship "Quebec Packet."
The like in all,..... £10 19 9

Supreme Court.

The Attorney General,
at the relation of
James U. Thomas,
vs.
Ezekiel Barlow and
Thomas Barlow.

On information, &c.
Ship "England."

The like in all,..... £10 19 9

Supreme Court.

The Attorney General,
at the relation of
John H. Barry,
vs.
James Whitney,
Charles R. Gibbon.

On information, &c.
Ship "Symmetry."

The like in all,..... £10 19 9

Supreme Court.

The Attorney General,
at the relation of
David W. Jack,
vs.
John Wishart.

On information, &c.
Ship "Lucy Wright."

The like in all,..... £10 19 9

CHARLES J. PETERS,
Attorney General.

5th February, 1842.

PROSECUTIONS FOR LIBEL ON LIEUTENANT GOVERNOR.

Report from Attorney General, with account of Expenses incurred in the Prosecutions.

Fredericton, 19th February, 1842.

MAY IT PLEASE YOUR EXCELLENCY,

I have the honor to report to Your Excellency, on the enclosed Petition of Messrs. Kinnear, Chandler, and Wilmot, Queen's Counsel, that the whole of the statements therein contained is correct, with the exception of the latter part—that no steps were taken by me on the subject of their claim for remuneration;—which arises from these Gentlemen not being in possession of the fact, that I did submit the case to the Legislature, as the enclosed copy of my Annual Account, rendered for the information of the House of Assembly, will shew.

But the Committee on Public Accounts, for what reason I know not, never have made, as far as I can learn, any Report on that Account; and shortly after the prorogation of the Assembly, I was given to understand that the same would be taken up at the present Session, and that provision would be made for the services of the Counsel employed on behalf of the Prosecution; and can hardly bring myself to believe, that those Gentlemen, as well as the Solicitor General and myself, will not receive reasonable Trial Fees, as Counsel on two such important Prosecutions, expressly ordered by the Executive, in consequence of the joint Resolutions of the Council and House of Assembly.

I would merely further suggest, that the Gentlemen who were employed as Counsel on the part of the Defendants, received, as I have understood, from thirty to fifty guineas each; and it would seem hard, that in Public Prosecutions, of the importance of those in question, the Attorney and Solicitor Generals, and other Queen's Counsel, should not be placed at least on an equal footing with those who were employed to defend the same.

With respect to the £100 referred to by Your Excellency, in a Note on the back of the Petition, I have to state, that the same was not paid to me on account of my services, but was merely a sum advanced at my request, with the approbation of the other Gentlemen Counsel, to enable me to pay the Crown Witnesses, who declined attending unless their expenses were advanced, and to defray other necessary advances, to be accounted for, by me, in the general settlement of expenses of the Prosecution.

I have the honor to be

Your most obedient servant,

CHARLES J. PETERS,
Attorney General.

To His Excellency Sir W. M. G. Colebrooke, K. H.
Lieutenant Governor, &c. &c. &c.

Petition from Messrs. Kinnear, Chandler, and Wilmot, Queen's Counsel, who assisted in conducting the Prosecutions.

Fredericton, 12th February, 1842.

MAY IT PLEASE YOUR EXCELLENCY,

In the Winter of 1840, Your Excellency's Predecessor in the Government of this Province, Sir John Harvey, was pleased to direct the Attorney General to institute proceedings against the Printer and Editor of a Newspaper called the Chronicle, containing a scandalous Libel on the public and private character of that Officer. Sir John Harvey was called upon to take this step by the joint Address of the Legislative Council and Assembly, then in Session; and application was immediately made by the Attorney General for the professional services, on behalf of the Crown, of two of the undersigned Queen's Counsel, by name, in addition to those of the Solicitor General, and thereupon His Excellency ordered the same, and subsequently required the assistance also of the last named Queen's Counsel.

These cases called for much time, attention, and investigation, and in the one that was tried we were occupied in Court the best part of three days.

Since the termination of the Causes in October of the same year, having understood from the Attorney General that he would present our claim for remuneration at the last Session of the Legislature, we made no direct application on the subject; but having since found that no steps have been taken, we now have the honor respectfully to request that Your Excellency will submit to the Legislature that provision should be made for these services.

We have the honor to be
Your Excellency's most obedient humble servants,

W. B. KINNEAR, Q. C.
ED. B. CHANDLER, Q. C.
L. A. WILMOT, Q. C.

Memo.—Note endorsed on this Petition, and referred to in the Attorney General's Report thereon:—"£100 charged by the Attorney General for his services in the same Prosecution." "W. M. G. C."

**The Attorney General's Statement of Expenses in the Libel Prosecutions.
December 1840.**

Statement of the Costs and Legal Expenses in the case of the proceedings instituted against the Publishers of the "Chronicle," for a false and scandalous Libel, in obedience to His Excellency's order, to carry into effect the Joint Resolution of the Council and Assembly.

The Queen,	}	Amount of Taxed Bill, herewith rendered,			
vs.					
Lewis W. Durant.			£48	8	0
The Queen,	}	The like,.....	45	14	9
vs.					
Anthony R. Truro.					£94 2 9

Amount paid Witnesses, viz.:

William Doak,.....	£5	0	0		
James Doak,.....	5	0	0		
Joseph R. Truro,.....	5	0	0		
Alfred Fairweather,.....	5	0	0		
				£20	0 0
— Durant,	£5	0	0		
John M. Robinson,.....	5	0	0		
George G. Gilbert,.....	5	0	0		
Edward B. Peters,.....	5	0	0		
James S. Beek,.....	0	6	0		
Seth Wood,.....	0	6	0		
Paid Messenger Express to Saint John,...	2	0	0		
Sheriff's Bill for serving Subpœnas, &c.....	2	6	6		
				24	18 6—
					44 18 6
					£139 1 3

The foregoing consists of the Taxable Costs and other actual expenses paid on account of the Prosecution, without reference to any Trial or Counsel Fees to the Queen's Counsel. It will be for the Committee to say, whether any allowance shall be made on that account. I believe the Gentlemen who were called in to assist the Attorney and Solicitor Generals on the Prosecution, to wit: Messrs. Kinnear, Chandler and Wilmot, think themselves entitled to some remuneration for their services.

Which is humbly submitted.

CHARLES J. PETERS,
Attorney General.

RETURNS FROM THE BLUE BOOK.

MILITARY EXPENDITURE.

**Account of Expenditure incurred by Great Britain for Military Protection,
and in aid of the Civil Establishment.**

COMMISSARIAT.

Pay of the Troops, Provisions, &c., from 1st October, 1840, to 30th September, 1841.

	Sterling.
Supplies, Provision and Forage,	£11,238 12 8
Fuel and Light,.....	2,956 6 5
Money Allowances to the Ordnance,.....	374 17 1
Ordnance Department,.....	6,061 19 3
Regimental and Staff Pay, Money Allowances, Contingencies, Half Pay, Widows Pensions and Chelsea Pensions,.....	20,451 5 0
Commissariat Expenses, viz: Pay and Half Pay of Officers, Clerks, &c., Money Allowances, Contingencies, Transport and Miscellaneous Purchases,.....	3,749 2 9
Naval Widows Pensions,.....	112 10 0
Extraordinary Expenses,.....	416 8 2
	£45,360 19 4

ORDNANCE.

Military Works, Stores, Barracks, &c., from 1st October, 1840, to 30th September, 1841.

	Sterling.
Pay and allowances, ..	{ Military Branch, { Royal Artillery,.....£2,508 11 8
	{ Royal Engineers,..... 860 17 4
	{ Engineer Department,..... 529 5 0
	{ Civil Branch,.... { Storekeeper's ditto,..... 590 0 0
	{ Barrack ditto,..... 434 5 0
	£4,922 19 0
Contingent Expenses,	{ Military Department,..... £42 16 9
	{ Engineer Department,..... 22 16 1
	{ Storekeeper's ditto,..... 626 13 10
	{ Barrack ditto,..... 589 12 11
	1,281 19 7
Stores purchased on the spot,.....	{ Ordnance Stores,..... £28 10 0
	{ Engineer ditto,..... 612 5 8
	{ Barrack Master's ditto,..... 65 11 8
	706 7 4
Disbursements for the construction and repairs of	{ Works of Defence,..... £108 10 7
	{ Barrack and Military Buildings,..... 1,279 4 2
	1,387 14 9
Total Expenditure,.....	£8,299 0 8

PUBLIC WORKS.

Return of Public Works, Civil Roads, Canals, Bridges, Buildings, &c. &c. not of a Military nature, which have been undertaken during the Year 1841.

GREAT ROADS.

Fredericton to Saint John, via Nerepis,.....	£1,900	0	0
Gagetown to Nerepis Road,.....	200	0	0
Saint John to Saint Andrews,.....	1,200	0	0
Fredericton to Saint Andrews,.....	2,000	0	0
Connick's at Waweig to the lower Bridge over the St. Croix,	310	0	0
Saint John to the Nova Scotia Line,.....	2,500	0	0
Bend of Petitcodiac to Shediac,.....	120	0	0
Dorchester to Chatham,.....	1,050	0	0
Hopewell to Salisbury,.....	600	0	0
Fredericton to the Finger Board,.....	500	0	0
Saint John to Head of Bellisle,.....	400	0	0
Fredericton to Newcastle, thence to Restigouche,.....	5,800	0	0
Fredericton to the Canada Line,.....	11,500	0	0
Woodstock to Houlton,.....	200	0	0
		£28,280	0 0

BYE ROADS.

In the County of York,.....	£1,480	0	0
" Carleton,.....	1,480	0	0
" Queen's,.....	1,380	0	0
" Gloucester,.....	1,050	0	0
" Westmorland,.....	1,680	0	0
" Charlotte,.....	1,630	0	0
" King's,.....	1,580	0	0
" Saint John,.....	1,180	0	0
" Kent,.....	1,010	0	0
" Sunbury,.....	825	0	0
" Northumberland,.....	1,555	0	0
" Restigouche,.....	825	0	0
		15,675	0 0
Special Grants for Roads,.....		8,204	0 0
Total,.....		£52,159	0 0

REMARKS.

There are no other Public Works of the nature here described, which can be inserted in this Return.

Annual appropriations made by the Assembly, to be expended upon the Roads and Bridges specified in the Acts granting the monies. These monies are expended by Supervisors and Commissioners appointed by the Executive Government, in opening, altering or repairing the Roads as may appear to be most advantageous at the time, and the aggregate amount would not shew, nor can it be now ascertained how much the several Roads have cost per mile. No estimates are made, but such sums are granted from time to time, as the Assembly may think proper. The routes of the Great Roads are described in the Act of Assembly, passed 1837, 7 W. 4, c. 6.

The Bye Roads which intersect the Province in all directions, are laid out under the authority of the Act of Assembly, 5 W. 4, c. 2, passed in 1835.

ECCLESIASTICAL RETURN.

Return of the number of Churches, Livings, &c. in connexion with the Church of England.

Church, where situated, and the number of Persons it will contain.	Number of Persons generally attending.	Name of Rector, and value of the Living.	Parsonage House.	Glebe.	Chapel, where situated, and the number of persons it will contain.
Frederickton, 1000	500	George Coster, and one Curate, £90	...	...	1 Chapel, N. Mary'd. [150
Kingsclear, 250	100		none.	none.	
Prince William, 300	30	Vacant.	...	none.	
Dumfries, 300	50		none.	...	
Queensbury, 200	out of repair.	Vacant.	none.	...	
Douglas, 2 Chs. 600	vacant.		nil.	none.	
Woodstock, 2 Chs. 1000	800 to 900	S. D. L. Street,	nil.	...	2 Chapels, 700
Maugerville, } 450	80	Raper Milner,	...	...
Burton, }	50	Vacant, one Curate,	nil.	...	1 Chapel, 150
Gagetown, 300	100 to 150		vacant.	none.	
Hampstead, 250	40 to 80	Abraham Wood,	none.	...	
Waterborough, 300	100 to 150		
Canning, 200	60 to 100	Christopher Milner,	...	...
Westfield, 200	300		
Greenwich, 350	200	W. E. Scovil,	nil.	none.	1 Chapel, 150
Kingston, 350	150 to 300		
Springfield, 300	80 to 150	W. W. Walker,	nil.	none.	
Hampton, 650	500 to 550		
Norton, 2 Chs. 429	100	Nelson Arnold,	nil.	...	
Sussex, 2 Chs. 350	100 to 140		
Saint Andrews, 400	300	Jerome Alley, £58 10s.	...	...
Saint Stephen, 1100	200 to 600	Skeff. Thompson, £100	...	...
Saint David, 400	30 to 150		none.	none.	...
Saint James, 300	220	Samuel Thompson,	none.	...	
Saint George, 250	160		
Pennfield, 350	220	John Dunn, £1 6 4	none.	none.	1 Chapel, 85
Grand Manan, 250	50	Alexander Somerville, nil.	...	...
Bathurst, 150	100	Samuel Bacon, £1 2 6	...	...	1 Chpl. at Dorchester.
Chatham, 900	500		
Glenelg, 100	70	John Black, £13 10s.	none.	...	
Sackville, 300	70 to 100		
Shediac, 300	60 to 100	George J. Jarvis, nil.	none.	...	
Westmorland, 250	100	George Townsend, nil.	none.	...	
Saint John, 2 Chs. 2000	1200 to 2000	I. W. D. Gray, and 2 Curates.	none.	...	2 Chapels.
Portland, 2 Chs. 1200	900	William Harrison, nil.	none.	none.	
Carleton, 500	400	Frederick Coster,	...	none.	
Lancaster, 150	50 to 100		...	none.		none.
Saint Mary's, 150	70 to 150	Served occasionally.	nil.	none.	
Richibucto, Weldford,		Vacant.	nil.	none.	

REMARKS.

In the Columns headed "Parsonage House" "Glebe" the mark ... denotes that there is a Parsonage House or Glebe, as the case may be.

The form in which this return is required does not admit of a complete return of the state of the Church. There are many congregations held in School Houses and other unconsecrated buildings at various and sometimes great distances from the Clergymen's residences, without which accommodation in the present state of the Province hardly any Country Parish could be effectually served. Of these congregations, a complete statement has not yet been obtained, but the return made for the year 1836 to the Archdeacon, specify 47 congregations besides those which meet in Churches and Chapels, and comprise from 3300 to 3800 persons.

In returning the value of the living the fixed income from Glebe is only given.

The income of the Clergyman is in all cases derived from the Society for the Propagation of the Gospel in Foreign Parts, and was formerly £200 sterling to each Rector, but this has lately been subjected to a reduction of £25 per cent. with regard to those who were in their service previously to 1833; and 50 per cent. to those of more recent appointment. The Curates receive from the Society £75 each.

In addition to the income derived from the Society, some Clergymen have received voluntary contributions from the Parishioners, but no complete return has been obtained.

ABSTRACT.—No. of Livings, 25; Rectors, 20; Curates, 4; Parsonage Houses, 13; Glebes, 29; Churches, 46; Chapels built or building, 9. The Churches will accommodate about 18,200; number of persons generally attending, from 8,040 to 10,850; to which may be added, for Congregations which meet in unconsecrated places, 3,300 to 3,800; making a total of attendance, as shewn by the Returns, from 11,340 to 13,950.

There are two Travelling Missionaries in connexion with the Church of England.

Return of the Churches in the Province of New Brunswick in connexion with the Church of Scotland.

1.—PRESBYTERY OF SAINT JOHN.

Where situated.	Capable of containing.	General attendance	Name of Minister.	Parsonages	No. of Schools.
Fredericton,	700	600	John Birkmyre, D. D.	1	1
Saint John,	1200	1000	Robert Wilson, A. M.	1	1
Do.	800				
Saint Andrews,	650	600	A. M'Lean,		1
Saint James,	400	400	John Reid,	1	1
Saint Patrick,	300	300	John Cassilis, A. M.		1
Saint George,	250		Vacant,		
Springfield,	300	300	Andrew Stevens,		1
South Stream,	250	250	Do.		1
Sussex Vale,	250		Vacant,		
Richmond,	200		Do.		
Woodstock,	400		Do.		

2.—PRESBYTERY OF MIRAMICHI.

Newcastle,	750	700	James Souter, A. M.	1	1
Northesk,	200	160	Do.		
Chatham,	750	700	R. Archibald,	1	1
Alnwick,	500	350	J. M'Bean,		1
Do.	250	200	Do.		1
Glenelg,	500	400	S. Fraser,	1	1
Carleton,	500	250	Do.		1
Richibucto,	650	600	J. Hannay,	1	1
Do.	300	250	Do.		
Buctouche,	200	180	Do.		
Bathurst,	600	550	G. M'Donnell,	1	1
Bandon,	200	150	Do.		
Beldoune,	200	150	Do.		
Blackville,	450	300	J. Turnbull,		1
Ludlow,	280	200	Do.		1
Blissfield,	200	150	Do.		1
Nelson,	230	200	Do.		1
Campbellton,	600	550	J. Steven,	1	1
Dalhousie,	400	320	Do.		1
N. Richmond,	600	580	J. M. Brooke,	1	1
Shediac, &c.			W. Henderson,		

REMARKS.

The Income of the Clergymen is chiefly derived from Pew Rents and Collections. The Colonial Society of Glasgow has in a few instances, when the case was urgent, made a grant of £50 sterling, for three years. The Scottish Establishment receives no pecuniary aid from Her Majesty's Government, with the exception of £50 from the Casual Revenue to one of the Ministers of Saint John. A small grant of Wilderness Land only has been made to each Church which was in existence previous to 1836, by the Government.

Return of Roman Catholic Churches in New Brunswick.

Where situated.	Capable of containing.	General attendance.	Clergymen's Names.	Parsonage Houses.	No. of Schools.
Madawaska, 3 Chs.	3000	3000	A. Langevin and A. [Gossilen,	2	
Woodstock,	500	700			
Indian Mission,	300	400	W. Dollard, V. G.	1	
Fredericton,	600	900	A. Barron, Curate,	1	
Gagetown,	200	100			
Saint Andrews,	500	700	James Quinn,		1
Magaguadavic,	400	200			
Saint Stephens,	500	600	J. Cummins,		
City of Saint John,	1500	6000	J. Dunphy,		1
Portland,	2000	3000	W. Moran, Curate,		
Quaco, 2 Chs.	1000	1300			
Norton,	500	150	M. Lafrance, Curate,		
Kennebecasis,	400	350			
Petitcodiac,	500	500	Fred. Gauvreau,		
Memraucook,	1500	2000		1	
Shepodie,	300	300			
Cape Tormentine,	500	500	Anthony Gagnon, V.G.		
Chemogue,	550	550		1	
Barachois,	1200	1200		1	
Shediac,	2600	1250		1	
Cocagne,	1500	800		1	
Buctouche,	1500	1000	Jos. Paquet,		
Richibucto,	1800	1500	M. Roux, Curate,	1	
Nicholas River,	1200	800			
Ardoune,	1300	900		1	
Kigiboguac,	1100	1000			
Kigiboguacis,	800	500			
Point au Sapin,	250	170			
Bay du Vin,	300	200		1	
Chatham,	1600	1700	R. Vereker, Curate,		
Forks,	300	400			
North West,	350	350			
Bartibog,	350	400		1	
Burnt Church,	450	450		1	
Negouac,	200	200			
Caraquet,	1800	1600	W. Drolet,	1	
Grand Anse,	300	300			
Shepigan,	250	200			
Pugmouche,	200	150			
Tracadie,	700	650		1	
Pugcha,	200	140			
Pitit Rocha,	500	400	Wm. Madran,	1	
Bathurst,	2000	900		1	
Bell Dune,	200	160			
Eel River,	200	150			
Nelson,	1600	1250	Michael Egan,	1	

REMARKS.

In general the Children of the Catholics are sent to the Parochial Schools. The support of the Clergymen is principally derived from annual subscriptions, Pew Rents, and from Tithes among the French Settlements.

No other Returns have been received.

IMPORTS AND EXPORTS
FROM 1st JANUARY TO 30th SEPTEMBER, 1841.

IMPORTS.

ARTICLES IMPORTED.		ESTIMATED VALUE IN STERLING.						Total.
		From G. Britain.	BRITISH COLONIES.			U. States of America.	Foreign States.	
DESCRIPTION AND QUANTITY.	West Indies		N. America.	Elsewhere				
Flour, Wheat,	25,483 brls	6	...	15,157	...	20,019	...	35,182
Do. Rye,	18,549 "	...	...	117	...	16,857	...	16,974
Bread,	5,574 cwt	304	...	1,604	...	3,683	...	5,627
Indian Meal,	19,044 brls	...	...	789	...	14,826	...	15,615
Barley,	4,773 bush 339 cwt	401	...	254	...	468	...	1,123
Indian Corn,	20,600 bush	...	...	8	...	3,118	...	3,126
Wheat,	130,939 "	...	...	3,383	...	26,570	...	29,953
Rye,	...	...	...	...	...	...	...	...
Oats,	41,379 "	9	...	3,555	...	42	...	3,606
Oatmeal,	4,807 cwt	248	...	2,988	...	...	...	3,272
Rice,	2,528 "	...	...	97	...	2,387	...	2,484
Beans,	1,728 bush	...	...	61	...	566	...	627
Peas,	1,096 "	87	...	202	...	11	...	300
Beef,	3,253 brls	719	...	4,207	...	2,193	...	7,119
Pork,	8,115 "	518	...	18,169	...	9,085	...	27,772
Meats, fresh,	475 cwt	...	...	60	...	520	...	580
Butter,	1,374 "	...	...	4,751	...	420	...	5,171
Cheese,	639 "	165	...	475	...	524	...	1,164
Coffee,	937 "	122	...	1,098	...	1,501	215	2,936
Potatoes, &c.	105,793 bush	10	...	6,622	...	169	...	6,801
Raisins,	...	...	...	...	...	...	...	...
Currants,	921 cwt	359	...	466	...	785	...	1,610
Figs,	...	...	...	...	...	...	...	...
Onions,	507 brls	...	...	8	...	267	...	275
Lard,	246 cwt	45	...	632	...	71	...	748
Mustard,	47 "	119	...	...	...	...	...	119
Tea,	190,673 lb	13,210	...	2,723	...	...	...	15,933
Sugar,	21,231 cwt	961	...	19,518	...	...	8,093	28,572
Do. refined,	2,258 "	5,168	...	45	...	...	...	5,213
Salt,	109,910 bush	4,684	...	96	...	...	...	4,780
Pimento,	5,873 lb	...	...	170	...	...	...	170
Fruit, green,	4,003 brls	...	7	453	...	2,285	...	2,745
Spices,	12,446 lb	342	29	80	30	146	...	627
Beef Cattle,	1,265 no	23	...	9,449	...	5,200	...	14,672
Sheep and Lambs,	3,620 "	5	...	2,933	...	30	...	2,968
Seeds,	426 cwt	303	...	56	...	803	...	1,162
Horses,	32 no	...	...	681	...	...	...	681
Fish,	Dried,	7,616 qts	...	4,302	...	...	...	4,302
	Salted,	3,930 brls	...	3,845	...	...	...	3,845
	Smoked,	2,956 bxs	...	521	...	...	...	521
	Oils,	13,535 gals	...	...	2,271	...	...	2,271
Tobacco, manufactured,	2,438 cwt	137	513	1,050	...	5,194	350	7,244
Do. leaf,	176 "	...	...	...	...	355	...	355
Hides,	6,680 no	...	...	2,773	150	2,158	...	5,081
Leather,	19,329 lb	804	...	728	...	26	...	1,558
Tallow,	434 cwt	...	...	7	...	1,106	...	1,113
Soap,	4,613 "	5,989	...	301	...	19	...	6,309
Candles,	1,753 "	3,473	...	509	...	31	...	4,063
Wine,	57,157 gals	7,442	...	1,506	...	101	...	9,049
Brandy,	52,694 "	10,348	...	95	...	...	...	10,443
Geneva,	31,901 "	5,463	...	76	...	...	...	5,545
Rum,	90,310 "	333	...	8,063	...	4,145	1,008	13,549
Whisky,	11,049 "	2,664	...	...	...	13	...	2,677
Ale and Porter,	31,870 "	2,369	...	733	...	...	...	3,102
Cider,	10,549 "	11	...	104	...	170	...	285
Lime Juice,	...	...	...	...	...	...	...	...
Molasses,	210,578 "	1,322	...	7,016	...	367	5,723	14,428
Vinegar,	13,896 "	266	...	61	...	302	...	629
Apothecary Wares,	837 cwt	3,903	...	128	6	1,152	...	5,189

IMPORTS—Continued.

ARTICLES IMPORTED.		ESTIMATED VALUE IN STERLING.							
		From G. Britain.	BRITISH COLONIES.				U. States of America.	Foreign States.	Total.
			West Indies	N. America.	Elsewhere				
Earthenware,	759 crts	5,628	...	56	...	...	...	5,684
Glass, Window,	4,603 bxs	12,095	3	481	...	...	...	12,579
Do. Flint,	2,516 cwt	3,988	...	30	...	494	...	4,512	
Oakum,	3,424 "	4,427	...	100	...	...	...	4,527
Cordage,	17,507 "	33,351	...	3,180	3	264	...	36,798	
Sail Cloth,	283,687 yds	16,063	...	20	...	...	...	16,083
Cotton Twist and Yarn,	54,050 lb	4,800	...	...	...	124	...	4,924
Timber,	7,105 tons	...	...	308	...	8,009	...	8,317
Boards,	402 m. ft	...	...	498	...	532	...	1,030
Deals,	984 "	...	...	1,867	...	...	...	1,867
Staves,	1,453 mds	...	...	3,350	...	2,966	...	6,316
Shingles,	888 "	...	...	211	...	366	...	577
Handspikes,	4,464 no	...	...	204	...	29	...	233
Oars,	1,590 "	...	...	65	...	...	...	65
Lathwood,	86 cord	...	...	78	...	24	...	102
Mahogany,	18,800 feet	...	...	162	...	163	...	325
Dye Woods,	1,071 cwt	...	...	256	...	144	...	400
Wooden Ware,	14,315 doz	...	...	204	...	5,328	...	5,532
Iron, unwrought,	1,004 tons	15,854	...	...	...	...	...	15,854
Do. wrought,	1,924 "	34,077	137	1,938	47	...	...	36,199
Do. cast,	3,317 cwt	3,553	...	...	...	164	...	3,717
Do. pig,	993 tons	7,100	...	...	...	...	...	7,100
Copper, unwrought,	2,404 cwt	11,234	...	...	...	77	...	11,311
Lead and Shot,	2,320 "	4,277	...	...	...	...	...	4,277
Steel,	489 "	1,454	...	...	...	...	...	1,454
Nails, Iron,	9,454 "	16,207	...	277	...	14	...	16,498	
Hardware,	10,281 "	37,052	...	212	...	1,019	...	38,283	
Gypsum,	{ 5,840 tons	{ ...	...	2,248	...	42	...	2,290
	{ 812 brls	{ ...	...	...	...	...	...	...
Naval Stores,	4,266 "	865	3	71	...	1,467	...	2,406	
Coals,	17,477 chal	14,403	...	2,084	...	...	...	16,487
Paint,	5,913 cwt	8,680	...	18	...	...	...	8,698
Paint Oil,	21,144 gals	3,232	...	25	...	3	...	3,260	
Gunpowder,	514 cwt	2,186	...	2	...	...	...	2,188
Starch,	281 "	539	...	2	...	29	...	570	
Indigo,	7,366 lb	1,065	...	129	...	...	...	1,194
Bricks,	1,119 M.	315	...	...	...	799	...	1,114
Cotton Wool,	12,219 lb	8	278	26	...	8	...	320	
Packages British and Foreign Merchandize,	11,727	282,189	370	9,576	...	7,285	2	299,422	
Total Imports at the Port of St. John and its Out-Ports,		597,010	1,340	162,710	236	157,091	15,391	933,778	
Total Imports at the Port of Saint Andrews and its Out-Ports,		13,056	704	8,384		38,587	7,549	6,828	
Total Imports from 1st January to 30th September, 1841,		610,066	2,044	171,094	236	195,678	22,940	1,002,058	

SHIPS INWARDS.

PORT.	Great Britain.		British Colonies		United States.		Foreign States.		TOTAL.		
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	Men.
St. John and its Out-Ports,	365	130,041	1,079	60,032	248	39,711	31	7,427	1723	237,211	11202
St. Andrews and Out-Ports,	16	6,758	178	21,861	150	7,148	11	3,225	355	38,992	
TOTAL,	381	136,799	1,257	81,893	398	46,859	42	10,652	2078	276,213	

EXPORTS.

ARTICLES EXPORTED.		ESTIMATED VALUE IN STERLING.						Total.	
		To G. Britain.	BRITISH COLONIES.			U. States of America.	Foreign States.		
			West Indies	N. America	Elsewhere				
DESCRIPTION AND QUANTITY.									
Flour, Wheat,	8,294 brls	5,143	1,690	4,112	...	...	...	10,945
Do. Rye,	3,174 "	...	...	3,300	...	...	...	3,300
Bread,	157 cwt	...	...	159	...	...	...	159
Indian Meal,	1,283 brls	...	90	960	...	...	...	1,050
Indian Corn,	818 bush	...	...	135	...	...	...	135
Oats,	282 "	...	19	13	...	...	...	32
Rice,	354 cwt	...	163	249	...	...	...	412
Beef and Pork,	1,918 brls	71	4,074	1,709	...	...	...	5,854
Rickers,	3,399 no.	179	17	6	...	...	...	202
Butter and Cheese,	119 cwt	50	275	67	...	...	...	392
Treenails,	63 M.	133	...	94	...	...	...	227
Coffee,	1 cwt	...	...	3	...	...	...	3
Potatoes, &c.	206 bush	...	32	2	...	...	...	34
Raisins,	} 2 cwt	...	...	6	...	...	...	6
Currants,									
Figs,									
Onions,	17 brls	...	11	1	...	...	...	12
Lard,	19 cwt	...	38	...	...	...	...	38
Tea,	7,778 lbs	...	7	1,136	...	...	...	1,143
Sugar, brown,	1,253 cwt	...	...	1,832	...	...	...	1,832
Do. refined,	262 lbs	...	...	9	...	...	...	9
Salt,	61,226 bush	...	...	3,987	...	...	...	3,987
Pimento,	" lbs	...	...	...	...	...	...	...
Fruit, fresh,	48 brls	...	...	40	...	...	...	40
Spices,	50 lbs	...	...	1	...	...	...	1
Lignumvite,	1,175 cwt	490	...	44	...	...	...	534
Horned Cattle,	" no.	...	...	...	...	...	...	...
Furs,	29 pkgs	1,962	...	18	...	...	...	1,980
Canewood,	" cwt	...	...	...	...	...	...	...
Fish,	Dried,	8,175 qts	...	1,982	412	6	...	1,500	3,930
	} Salted,	8,651 bls	} 153	1,337	7,351	26	3,876	...	12,743
		do.								4,652 kits
Oil,	Smoked,	12,161 bxs	497	658	1,068	10	721	...	2,954
	Whale,	102,549 gals	9,181	16	9,197
	Sperm,	15,409 "	5,299	...	35	5,334
Cod and Seal,	1,886 "	...	99	124	...	...	...	223
Whalebone,	352 cwt	1,820	...	...	...	...	...	1,820
Tobacco, manufactured,	286 "	...	...	1,083	...	...	...	1,083
Do. Leaf,	41 "	...	74	...	...	...	...	74
Hides and Skins,	1,415 no.	...	...	129	...	163	...	292
Leather,	5,485 lbs	...	...	545	...	...	...	545
Soap,	63 cwt	...	...	117	...	...	...	117
Candles,	15 "	...	...	62	...	...	...	62
Wine,	6,490 gals	...	31	1,149	...	...	...	1,180
Brandy,	614 "	...	...	153	...	18	...	171
Geneva,	228 "	...	...	28	...	...	...	28
Rum,	11,011 "	...	...	2,359	...	...	...	2,359
Whisky,	267 "	...	...	...	...	70	...	70
Bricks,	17 no.	...	...	44	...	...	...	44
Cider,	210 gals	1	4	...	...	...	...	5
Vinegar,	106 "	7	...	...	...	...	...	7
Molasses,	39,183 "	1,700	...	789	...	...	...	2,489
Apothecary Wares,	" cwt	...	...	...	...	...	...	...
Earthenware,	215 crts	...	...	1,582	...	...	...	1,582
Glass, Window,	900 bxs.	...	...	165	...	...	...	165
Oakum,	398 cwt	...	...	657	...	...	...	657
Cordage,	1,266 "	...	...	2,089	...	129	...	2,218
Sail Cloth,	11,317 yds	...	...	1,216	...	...	...	1,216
Cotton Twist and Yarn,	" lbs	...	...	...	...	...	...	...
Cotton Wool,	20,046 "	859	...	60	...	...	...	955
Timber,	163,750 tons	107,212	...	223	...	...	...	170,435
Boards,	2,549 M ft	7	2,880	3,258	32	...	320	6,497	
Deals,	57,658 "	118,402	...	1,405	...	...	...	119,807

EXPORTS—Continued.

ARTICLES EXPORTED.		ESTIMATED VALUE IN STERLING.						
		To G. Britain	British Colonies.			U. States of America.	Foreign States.	TOTAL.
DESCRIPTION AND QUANTITY.	West Indies.		North America.	Elsewhere.				
Staves.	1,296 M.	5,749	2	95	...	...	...	5,486
Shingles,	6,192 "	...	738	3,438	9	...	...	4,185
Handspikes,	6,600 no.	239	...	160	...	...	...	399
Oars,	10,149 "	622	...	...	...	...	...	622
Lathwood,	2,881 cord.	3,372	...	...	...	...	...	3,372
Laths, Sawu,	532 M.	39	...	31	...	...	...	70
Mahogany,	20,000 feet.	25	...	138	...	112	...	275
Dye Woods,	23 cwt.	...	...	8	...	...	...	8
Masts and Spars,	2,997 no.	1,998	14	157	...	332	...	2,501
Iron, unwrought, } and old, }	628 tons.	...	...	1,647	...	2,814	...	4,461
Ships Knees,	723 no.	122	...	125	...	...	...	247
Iron, wrought,	2,429 cwt.	...	...	1,642	...	380	...	2,022
Do. cast,	172 "	...	...	331	...	...	...	331
Copper,	227 "	130	...	1,004	...	167	...	1,301
Lead and Shot,	16 "	...	...	42	...	...	...	42
Steel,	25 "	...	...	46	...	...	...	46
Nails, Iron,	374 "	...	...	534	...	...	...	534
Gypsum,	5,892 tons.	...	...	104	...	1,542	...	1,664
Grindstones,	214 no.	...	40	799	...	920	...	1,759
Naval Stores,	526 bls.	...	84	307	...	...	...	391
Coals,	173 chal.	...	...	151	...	96	...	247
Paint,	228 cwt.	...	...	269	...	200	...	469
Paint Oil,	633 gals.	...	...	118	...	...	...	118
Indigo,	" lbs.	...	...	...	...	...	...	...
Lime,	609 hds.	...	...	327	...	...	...	327
Gunpowder,	842 lbs.	...	...	48	...	...	...	48
373 Packages British and Foreign Merchandize, consisting of Coltons, Linens, Haberdashery, Hats, &c.		1,101	58	12,993	...	335	...	14,487
Total Exports at the Port of Saint John and its Out-Ports,		329,615	14,433	69,253	83	11,875	1,820	427,079
Total Exports at the Port of St. Andrews and its Out-Ports,		14,060	43,477	7,670	...	2,112	1,231	68,550
Total Exports from 1st January to 30th September, 1841,		343,675	57,910	76,923	83	13,987	3,051	495,629

SHIPS OUTWARDS.

PORT.	Great Britain.		British Colonies.		United States.		Foreign States.		TOTAL.		
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	Men.
St. John and its Out-Ports,	496	186,338	1,129	52,227	184	19,750	2	352	1,811	258,667	
Saint Andrews and Out-Ports,	15	5,561	211	27,024	107	2,915	1	99	337	35,599	
TOTAL.	511	191,899	1,343	79,251	291	22,665	3	451	2,148	294,266	

Memo.—See Account of Staple Articles Exported from Saint John and its Out Stations for the Year ending 5th January, 1842, at the close of Custom House Returns for that Port.

C. P. W.

RETURN OF MANUFACTURES, MINES AND FISHERIES.

MANUFACTURES.	MINES AND QUARRIES.		
Number, Name, Situation, and Description of Manufactories, Mills, Works, &c. &c.	Number, Name, Situation, and Description of the Mines and Quarries.	Names of the Mineral Substance.	Quantity produced, and value in Sterling.
Charlotte County, 16 Grist Mills and 103 Saw Mills, 1½ miles Rail Road, 1½ miles Sluices for transportation of Lumber.	Charlotte County, 1 Quarry at L'Etang Island, 1 do. do. Harbour, Saint John County, 19 Quarries,	Limestone, do. do.	1000 hhds., £400 1000 hhds., £400 6000 hhds., £2400
Saint John County, 9 Grist Mills, 49 Saw Mills, 3 Iron Foundries, 1 Brass do., 3 Nail Manufactories, 6 Brick do., 1 Pottery.	Westmorland, 7 Quarries, 2 Quarries, 1 Mine, 2 Quarries, King's County, 1 Salt Manufactory, 1 Quarry, Flagging,	Grindstones Freestone, Coals, Gypsum, Salt, Freestone,	2000 stones, £350 1000 tons, £500 Just commenced. 500 tons, £125 500 bushels, £50 400 tons, £100
Westmorland County, 53 Grist Mills, 181 Saw Mills.	Queen's County, 2 Mines, Grand Lake, 4 Quarries, 1 Quarry,	Coal, Freestone, Granite,	500 chal., £500 1000 tons, £250 6000 tons, £4200
King's County, 43 Grist Mills, 68 Saw Mills.	Sunbury County, 2 Quarries,	Freestone,	100 tons, £25
Queen's County, 19 Grist Mills, 28 Saw Mills.	York County, 3 Quarries,	Freestone,	500 tons, £125
Sunbury County, 6 Grist Mills, 15 Saw Mills.	Carleton County, 2 Quarries, 1 Quarry,	Limestone, Freestone,	200 hhds., £100 50 tons, £12 10s.
York County, 22 Grist Mills, 31 Saw Mills.	Northumberland County, 4 Quarries, 2 Quarries,	Freestone, Grindstones	1000 tons, £250 100 stn., £12 10s.
Carleton County, 27 Grist Mills, 22 Saw Mills.	Gloucester County, 1 Mine, 1 Quarry,	Manganese, Slate, Freestone.	100 tons, £800 100 tons, £100 500 tons, £125
Northumberland, 18 Grist Mills, 33 Saw Mills, 1 Iron Foundry.	Kent County, 3 Quarries,	Freestone,	400 tons, £100
Gloucester County, 18 Grist Mills, 7 Saw Mills.			
Restigonche County, 3 Grist Mills, 6 Saw Mills.			
Kent County, 13 Grist Mills, 31 Saw Mills.			

Number of Ships built at Saint John and its Out-Ports, 75 ;—30,932 tons burthen.
Ditto, Saint Andrews, 10, 3,059 do.

Number of Ships employed in the Fisheries,—Saint John, 45 ; Saint Andrews, 6.

Description, quantity and value of Fish—Herrings, 2302 barels, £1500 ; Dry Cod, 158 quintals, £75 ; Black Oil, 74,000 gallons, £5,550 ; Sperm Oil, 7,300 gallons, £2,231 ; Whalebone, 21,000lbs. £1087.

GENERAL REMARKS.—In addition to the Quarries and Mines specified, there are Quarries of Granite, Marble, and Gypsum, and veins of Lead Ore, Copper Ore, Plumbago, Manganese, Red Ochre, and Iron, in various parts of the Province, none of which have yet been opened or worked.

GAOLS AND PRISONERS.

Return of the Gaols and Houses of Correction, and the number of Prisoners confined therein for the Year ending 30th September, 1841.

Names of the Prison, and where situated.	Number of Prisoners the Prison is capable of containing in separate Cells.	Number of Prisoners the Prison is capable of containing where more than one Prisoner sleeps in one Cell.	Criminals.		Debtors.		Total No.		Greatest Number of Prisoners in confinement at any one time in the year.	
			M.	F.	M.	F.	M.	F.	M.	F.
Saint John, County Gaol, City of Saint John,	No Cells exclusively appropriated for sleeping.	27	4	—	15	—	26	—	16	19
Charlotte County Gaol, Saint Andrews,	14	52	53	3	49	—	—	—	20	—
Gloucester County Gaol, Bathurst,	2	12	1	—	1	—	2	—	11	—
Queen's County Gaol, Gagetown,	2	12	3	1	—	—	7	1	7	1
Carleton County Gaol, Woodstock,	10	30	18	—	6	1	1	1	12	—
Westmorland Gaol, Dorchester,	—	—	—	—	4	—	4	—	13	—
King's County Gaol, Kingston,	6	18	1	—	4	—	5	—	7	—
Newcastle Gaol, Northumberland,	5	30	4	—	8	—	12	—	21	—
York County Gaol, Fredericton.	4	13	5	1	7	—	12	1	16	6
Sunbury, Kent, Restigouche, } Gaols, no Returns.										
House of Correction, no Return.										
TOTALS,			84	5	94	1	69	3	123	26

CUSTOM HOUSE ACCOUNTS.

PORT OF SAINT JOHN, NEW BRUNSWICK.

H. Bowyer Smith, Collector, in Account Current of Duties received at this Port and Out Stations under Acts of Imperial Parliament subsequent to 18 Geo. III. cap. 12, for the Year ended 5th January, 1842.

RECEIPTS.

		Sterling.	Total Amount.
Duties received under Acts subsequent to 18 Geo. III. cap. 12, at			
	Saint John,.....	£2,643 3 5	
Ditto	Woodstock,.....	69 6 11	
Total, Quarter ended 5th April, 1841.....			£2,712 10 4
Ditto	Saint John,.....	£8,070 6 0	
Ditto	Miramichi,.....	1,473 4 7	
Ditto	Dalhousie,.....	552 12 0	
Ditto	Bathurst and Caraquet,.....	142 18 3	
Ditto	Richibucto,.....	340 17 3	
Ditto	Dorchester,.....	37 9 7	
Ditto	Woodstock,.....	38 16 1	
Total, Quarter ended 5th July, 1841,.....			10,656 3 9
Ditto	Saint John,.....	£5,775 2 7	
Ditto	Miramichi,.....	769 16 7	
Ditto	Dalhousie,.....	163 18 8	
Ditto	Bathurst and Caraquet,.....	4 9 7	
Ditto	Richibucto,.....	29 14 7	
Ditto	Dorchester,.....	7 0 0	
Ditto	Woodstock,.....	54 18 4	
Total, Quarter ended 10th October, 1841,.....			6,805 0 4
Ditto	Saint John,.....	£4,417 8 0	
Ditto	Miramichi,.....	591 18 2	
Ditto	Dalhousie,.....	205 11 6	
Ditto	Bathurst and Caraquet,.....	33 9 4	
Ditto	Richibucto,.....	61 19 2	
Ditto	Dorchester,.....	0 0 0	
Ditto	Woodstock,.....	60 11 0	
Total, Quarter ended 5th January, 1842,.....			5,370 17 2
TOTAL,.....			£25,544 11 7

PAYMENTS.

		Sterling.	Total Amount.
1841	Proportion of Salaries paid by the Province,.....		£3,040 0 0
Jan'y 26.	Collector Her Majesty's Customs, Saint Andrews, to pay Salaries, Christmas Quarter, 1840,.....	£146 15 1	
Mar. 18.	R. Rankin & Co. return Duties, Board's Order, No. 40, 1841.....	8 12 10	
April 5.	Paid to Deputy Treasurer, Woodstock,.....	69 6 11	
	“ Provincial Treasurer, Saint John,.....	1,727 15 6	
Total, Lady Day Quarter,.....			1,952 10 4
<i>Carried forward,.....</i>			£4,992 10 4

		Sterling.	Total Amount.
1841	<i>Brought forward</i>		£4,992 10 4
April 12.	Collector Saint Andrews, to pay Salaries, Lady Day Quarter, 1841,.....	£191 4 8	
June 19.	A. C. O. Trentowsky, return Duties, Board's Order, No. 108, 1841,.....	14 17 11	
July 5.	Paid Deputy Treasurer, Miramichi,.....	1,473 4 7	
	“ “ “ Richibucto,.....	340 17 3	
	“ “ “ Bathurst,.....	142 18 3	
	“ “ “ Dalhousie,.....	552 12 0	
	“ “ “ Dorchester,.....	37 9 7	
	“ “ “ Woodstock,.....	38 16 1	
	“ Provincial “ Saint John,.....	7,104 3 5	
	Total, Midsummer Quarter,.....		9,896 3 9
Sept. 10.	Paid J. M. Hamilton, return Duties, Board's Order, No. 130, 1841,.....	£4 12 5	
25.	“ J. Taylor & Co. ditto. No. 133,.....	12 5 1	
Oct. 10.	“ Deputy Treasurer, Miramichi,.....	733 1 11	
	“ “ “ Richibucto,.....	29 14 7	
	“ “ “ Bathurst,.....	4 9 7	
	“ “ “ Dalhousie,.....	163 18 8	
	“ “ “ Woodstock,.....	54 18 4	
	“ Provincial “ Saint John,.....	5,041 19 9	
	Total, Michaelmas Quarter, 1841,.....		6,045 0 4
Dec. 28.	Return Duties, Adam & Davidson, Board's Order, No. —, 1841,.....	£2 12 10	
	Paid Deputy Treasurer, Miramichi,.....	591 16 9	
	“ “ “ Dalhousie,.....	205 11 6	
	“ “ “ Bathurst and Caraquet,.....	33 9 4	
	“ “ “ Richibucto,.....	61 19 2	
	“ “ “ Woodstock,.....	60 11 0	
	“ Provincial “ Saint John,.....	3,603 7 1	
	“ Collector Saint Andrews, to pay Salaries, Michaelmas Quarter,.....	51 9 6	
			4,610 17 2
	TOTAL,.....		£25,544 11 7

H. BOWYER SMITH, *Collector.*

Custom House, Saint John, N. B. 5th January, 1842.

Abstracts of Duties collected at Saint John and its Out Bays, under Acts of Parliament prior and subsequent to those of 18 Geo. III. cap. 12, for the Year ending 5th January, 1842.

PRIOR TO 18 GEO. III.

Saint John.

	Sterling.
January,.....	£10 0 11
February,.....	12 0 9
March, to 5th April,.....	52 18 8
	£75 0 4
April,.....	£28 5 11
May,.....	69 16 11
June, to 5th July,.....	64 1 11
	162 4 9
<i>Carried forward,.....</i>	£237 5 1

				Sterling.
<i>Brought forward</i> ,.....		£237	5 1	
July	.....	£79	4 7	
August	.....	20	3 6	
September, to 10th October	.....	92	4 2	
			191 12 3	
October	.....	£62	14 7	
November	.....	30	16 11	
December to 5th January	.....	18	16 4	
			112 7 10	
				£541 5 2
<i>Miramichi.</i>				
May and June, to quarter ending 5th July	.....	£124	2 9	
July, August and September, to quarter ending 10th October	.....	49	16 8	
October and November, to quarter ending 5th January	.....	69	12 9	
			243 12 2	
<i>Dalhousie.</i>				
May and June, to quarter ending 5th July	.....	£46	5 10	
July and September, to quarter ending 10th October	.....	16	12 3	
October, November and December, to quarter ending 5th January	.....	11	17 7	
			74 15 8	
<i>Bathurst.</i>				
May	.....	£28	14 7	
July	.....	0	19 2	
October	.....	7	16 10	
			£37 10 7	
<i>Caraquet.</i>				
May and June	.....	£3	5 8	
October and November	.....	2	13 9	
			5 19 5	
			43 10 0	
<i>Richibucto.</i>				
May and June, quarter ending 5th July	.....	£37	8 5	
July, August, September and October, quarter ending 10th October	.....	3	18 2	
October and November, quarter ending 5th January	.....	14	9 0	
			55 15 7	
Total under Acts prior				£958 18 7

SUBSEQUENT TO 18 GEO. III. AS PER GENERAL ACCOUNT.

Saint John	.....	£20,906	0 0
Miramichi	.....	2,834	19 4
Dalhousie	.....	922	2 2
Bathurst	.....	£178	17 2
Caraquet	.....	2	0 0
			180 17 2
Richibucto	.....	432	11 0
Dorchester	.....	44	9 7
Woodstock	.....	223	12 4
Total under Acts subsequent			£25,544 11 7

NOTE.—In the Monthly Returns from the Customs, the following appears as the Receipts under Acts subsequent, viz :—

January	.....	£622	1 5
February	.....	549	12 2—£1,171 13 7

M†

Carried forward,

<i>Carried forward</i> ,.....	£1,171 13 7
By the General Abstract for the Quarter ending 5th April, they are thus entered :—	
January,.....	£621 16 7
February,.....	550 8 8—
	1,172 5 3
There would appear an over credit of this amount,.....	£0 11 8

ABSTRACT.

Amounts collected under Acts subsequent to 18 Geo. III.	£25,544 11 7
Do. do. prior to do.	958 18 7
Total at Saint John and its Out Stations,.....	£26,503 10 2

SAINT ANDREWS.

Abstracts of Duties collected at this Port under Acts of Parliament subsequent and prior to those of 18 Geo. III. cap. 12, for the year ending 5th January 1842.

SUBSEQUENT TO 18 GEO. III.

		Sterling.
January,.....	£37 17 0	
February,.....	19 4 11	
March, to 5th April,.....	29 2 4	
		£86 4 3
April,.....	£40 18 1	
May,.....	156 13 5	
June, to 5th July,.....	36 6 9	
		233 18 3
July,.....	£46 2 9	
August,.....	53 17 7	
September, to 10th October,.....	53 9 5	
		153 9 9
October,.....	£48 5 9	
November,.....	94 4 7	
December, to 5th January,.....	78 2 7	
		220 12 11
		£694 5 2
Surcharges during the year—		
Duty on 19,000 Brick, landed at Campo Bello from Jersey,	£2 2 9	
Short charge on 3 bushels Bran at Saint Stephen, in April,	0 1 2	
		2 3 11
		£696 9 1
Less,		
Amount of Duty returned to John Hutton, by order of the Honorable Board, on articles imported in May,.....		7 7 9
Total under Acts subsequent,.....		£689 1 4

PRIOR TO 18 GEO. III.

January,.....	£35 3 2
February,.....	65 9 1
March, to 5th April,.....	22 0 1
<i>Carried forward</i> ,	£122 12 4

		Sterling.
<i>Brought forward</i> ,.....		£122 12 4
April,.....	£5 19 1	
May,.....	187 6 9	
June, to 5th July,.....	9 18 7	
	<hr/>	203 4 5
July,.....	£5 0 8	
August,.....	10 10 6	
September, to 10th October,.....	14 17 5	
	<hr/>	30 8 7
November,.....	£1 2 4	
December,.....	0 14 5	
	<hr/>	1 16 9
Total under Acts prior ,.....		<u>£358 2 1</u>

ABSTRACT.

Amount collected under Acts subsequent to 18 Geo. III.	£689 1 4
Do. do. prior to do.	358 2 1
	<hr/>
Total at Saint Andrews ,.....	<u>£1,047 3 5</u>

SAINT STEPHENS.

Abstracts of Duties collected at this Port under Acts of Parliament subsequent and prior to those of 18 Geo. III. cap. 12, for the year ending 5th January 1842.

SUBSEQUENT TO 18 GEO. III.

		Sterling.
January,.....	£1 6 0	
February,.....	6 9 2	
March, to 5th April,.....	2 17 9	
	<hr/>	£10 12 11
April,.....	£6 1 7	
May,.....	38 4 9	
June, to 5th July,.....	68 2 1	
	<hr/>	112 8 5
July,.....	£42 7 5	
August,.....	7 9 0	
September, to 10th October,.....	29 5 11	
	<hr/>	79 2 4
October,.....	£12 12 6	
November,.....	24 14 9	
December, to 5th January,.....	31 15 11	
	<hr/>	69 3 2
		<hr/>
		£271 6 10
Add—this sum, error in carrying out entries on the 3d June, making an over credit of.....		0 4 0
		<hr/>
		£271 10 10
Less—this sum, which would appear over credit on Duties collected under Acts prior,—the error arising in the addition,.....		0 0 2
		<hr/>
Total under Acts subsequent, as appears by the Custom House Returns ,.....		<u>£271 10 8</u>
		<u>PRIOR</u>

PRIOR TO 18 GEO. III.		Sterling.
January,.....	£0 17 0	
February,.....	2 5 8	
March, to 5th April,.....	1 14 2	
	-----	£4 16 10
April,.....	£0 10 6	
May,.....	2 4 6	
June, to 5th July,.....	1 14 11	
	-----	4 9 11
July,.....	£0 16 9	
August,.....	0 1 4	
September, to 10th October,.....	1 9 7	
	-----	2 7 8
October,.....	£0 0 0	
November,.....	1 13 4	
December, to 5th January,.....	5 5 7	
	-----	6 18 11

		£18 13 4
Add—this sum, which would appear an error in the addition of the accounts in July,.....		0 0 2

Total under Acts prior, as appears by the Custom House Returns,		£18 13 6

ABSTRACT.

Amount collected under Acts subsequent to 18 Geo. III.	£271 10 8
Do. do. prior to do.	18 13 6

Total at Saint Andrews, as shewn by the Returns from the Custom House,.....	£290 4 2

MEMO.—The corrected amounts would stand thus :—

Collected under Acts subsequent,.....	£271 6 10
Do. do. prior,.....	18 13 4

	£290 0 2

MAGAGUADAVIC.

Abstracts of Duties collected at this Port under Acts of Parliament subsequent and prior to those of 18 Geo. III. cap. 12, for the year ending 5th January, 1842.

SUBSEQUENT TO 18 GEO. III.

		Sterling.
January,.....	£7 5 4	
February,.....	2 14 1	
March, to 5th April,.....	1 13 0	
	-----	£11 12 5
April,.....	£4 19 0	
May,.....	5 14 11	
June, to 5th July,.....	5 6 11	
	-----	16 0 10
July,.....	£8 13 9	
August,.....	2 19 4	
September, to 10th October.....	3 19 9	
	-----	15 12 10

Carried forward,.....		£43 6 1

		Sterling.
<i>Brought forward</i> ,.....		£43 6 1
October,.....	£4 4 3	
November,.....	26 15 1	
December, to 5th January,	24 15 3	
		55 14 7
Total under Acts subsequent,.....		£99 0 8

PRIOR TO 18 GEO. III.

January,.....	£3 3 7	
February,.....	0 0 10	
March,.....	2 6 7	
April,.....	1 1 11	
May,.....	0 3 3	
June,.....	0 2 7	
July,.....	0 15 5	
August,.....	0 4 8	
October,.....	0 19 2	
November,.....	1 10 3	
		£10 8 3
Total at Magaguadavic,.....		£109 8 11

WELCHPOOL.

Abstracts of Duties collected at this Port under Acts of Parliament subsequent and prior to those of 18 Geo. III. cap. 12, for the year ending 5th January, 1842.

SUBSEQUENT TO 18 GEO. III.

		Sterling.
January,.....	£1 13 8	
February,.....	0 9 1	
March,.....	0 13 0	
April,.....	6 12 7	
May,.....	1 9 9	
June,.....	15 9 10	
August,.....	8 10 1	
September,.....	1 12 8	
October,.....	4 7 1	
November,.....	1 6 3	
December,.....	2 1 0	
		£44 5 0
Total under Acts subsequent,.....		£44 5 0

PRIOR TO 18 GEO. III.

April,.....	£2 7 2	
May,.....	0 3 6	
June,.....	0 12 4	
July,.....	1 3 7	
		£4 6 7
Total under Acts prior,.....		£4 6 7
Total at Welchpool,.....		£48 11 7

GENERAL ABSTRACT,

Shewing Duties collected at the several Ports under Acts of the Imperial Parliament prior and subsequent to those of 18 Geo. III. cap. 12, in the Year ending 3th January, 1842.

	PRIOR.			SUBSEQUENT.		
Saint John,.....	£541	5	2	£20,906	0	0
Miramichi,.....	243	12	2	2,834	19	4
Dalhousie,.....	74	15	8	922	2	2
Bathurst,.....	37	10	7	178	17	2
Caraquet,.....	5	19	5	2	0	0
Richibucto,.....	55	15	7	432	11	0
Dorchester,.....	0	0	0	44	9	7
Woodstock,.....	0	0	0	223	12	4
Saint Andrews,.....	358	2	1	689	1	4
Saint Stephens,.....	18	13	4	271	6	10
Magaguadavic,.....	10	8	3	99	0	8
Welchpool,.....	4	6	7	44	5	0
	£1,350	8	10	£26,648	5	5
				1,350	8	10
Total amount collected, Sterling,				£27,998	14	3

RETURNS OF IMPORTS AND EXPORTS.

PORT OF SAINT JOHN, NEW BRUNSWICK.

An Account of Staple Articles Exported from Saint John and its Out Stations during the Year 1841.

Port.	Quantity Exported.		Description of Articles.	Port.	Quantity Exported.	Description of Articles.
Saint John,	85,864		TIMBER.	Saint John,	46,300	STAVES.
Miramichi,	68,348			Richibucto,	800	
Dalhousie,	35,869			Miramichi,	31,640	
Bathurst,	9,101			Dorchester,	19,300	
Richibucto,	13,935			Dalhousie,	30,000	
Dorchester,	3,949			<i>Total,...</i>	128,040 Mds.	
Caraquet,	3,624					
<i>Total,...</i>	220,690	Tons.				
	Deals.	Boards.	DEALS and BOARDS.	Saint John,	2,117	MASTS & SPARS.
Saint John,	41,324	2,513		Richibucto,	89	
Miramichi,	30,802	343		Bathurst,	130	
Dalhousie,	1,534	205		Miramichi,	184	
Bathurst,	725½			Dorchester,	58	
Richibucto,	3,962½	460		Dalhousie,	450	
Dorchester,	603		<i>Total,...</i>	3,328		
Caraquet,	30½					
<i>Total,...</i>	79,981½	3,511	M. Feet.			
			SHINGLES.	Saint John,	3,807	SMALL POLES.
Saint John,	1,526			Miramichi,	408	
Richibucto,	256			Dorchester,	50	
Bathurst,	1,669			Dalhousie,	...	
Miramichi,	3,399			<i>Total,...</i>	4,265	
Dalhousie,	1,323					
<i>Total,...</i>	8,173	Mds.				
			TREENAILS.	Saint John,	11	TREENAILS.
				Miramichi,	37	
				Dalhousie,	61	
				<i>Total,...</i>	109 Mds.	

Staple Articles Exported from St. John and Out Stations—Continued.

Port.	Quantity Exported.	Description of Articles.	Port.	Quantity Exported.	Description of Articles.
Saint John, Richibucto, Bathurst, Miramichi, Dalhousie,	2,084 400 60 768 89	HANDSPIKES.	Saint John, Caraquet, Miramichi,	30 362 33	CODFISH. Pickled.
<i>Total,...</i>	3,401		<i>Total,...</i>	425 Barrels.	
			St. John,	14 Kitts.	Tongues, Sounds
Saint John, Richibucto, Bathurst, Miramichi, Dalhousie,	9,607 84 72 1,178 518	OARS.	St. John, Miramichi, Dalhousie, Caraquet,	1671 Brls. 656 Kitts. 140 " 13 " 26 "	HERRINGS. Salted.
<i>Total,...</i>	11,459		<i>Total,...</i>	1850 Brls. 656 Kitts.	
Saint John, Miramichi, Dalhousie, Bathurst, Richibucto, Dorchester, Caraquet,	1,157 Cords, 342 1,921 " 724 " 157 " 353 " 88 " 99 "	Mds. Laths. LATHWOOD.	St. John,	19,534 Boxes.	Herrings, Smok'd
<i>Total,...</i>	1,499½ Cords, 347	Md.	St. John, Dorchester,	2,952 1,289	POTATOES.
Saint John, Richibucto, Bathurst, Caraquet, Miramichi, Dorchester, Dalhousie,	8½ Brls. 2,653 20 " 32 " 11 " 1,614 " 2 " 138 "	Kitts. SALMON. Pickled.	<i>Total,...</i>	4,241 Bushels.	
<i>Total,...</i>	1,825½ Brls. 2,653	Kitts.	St. John, Miramichi,	1,009 Hhds. 24 6	LIME. FURS.
Saint John, Dorchester,	4,793 60	SALMON. Smoked.	<i>Total,...</i>	30 Packages.	
<i>Total,...</i>	4,853		Caraquet,	5,000 Barrels.	OYSTERS.
Saint John,	27 Brls. 3,000 Kitts.	MACKAREL.	St. John, Caraquet,	138 585	SHIPS' KNEES.
Saint John, Dalhousie, Caraquet,	5,797 " 7,770	DRIED FISH.	<i>Total,...</i>	723	
<i>Total,...</i>	13,567 Quintals.			St. John,	102,549 Gallons.	OIL, Bl. Whale.
Saint John, Bathurst, Miramichi,	6,805 3 313	ALEWIVES. Salted.	St. John,	15,249 Gallons.	OIL, SPERM.
<i>Total,...</i>	7,121 Barrels.		St. John, Richibucto,	310 260	OIL, SEAL.
Saint John, Miramichi, Dorchester,	10½ Brls. 135 Kitts. 7 " 2 "	SHAD. Salted.	<i>Total,...</i>	570 Gallons.	
<i>Total,...</i>	19½ Brls. 135 Kitts			St. John, Caraquet,	530 1,038	OIL, COD.
			<i>Total,...</i>	1,568 Gallons.	
			St. John,	268 Cwts.	WHALE BONE.
			St. John, Caraquet,	4,891 2,210	GRINDSTONES.
			<i>Total,...</i>	7,101 Pieces.	
			Bathurst,	65½ Tons.	MANGANESE.
			Miramichi,	26 Barrels.	BASS, Salted.

H. BOWYER SMITH, Collector.

Custom House, Saint John, N. B. 5th January, 1842.

Memo.—Accounts of Imports and Exports to and from Saint John and its Out Bays, made up to 30th September, 1841,—see with Documents printed from Blue Book.—No further Returns were laid before the House of Assembly.

C. P. WETMORE, Clerk Assembly.

PORT OF SAINT ANDREWS, NEW BRUNSWICK.

An Account of the value of all Goods Imported into and Exported from this Port, in the year ended 5th January, 1842.

WHENCE.	INWARDS.	OUTWARDS.
United Kingdom.....	£142 18 2	£11,537 13 11
British North American Colonies.....	5,166 4 5	2,755 19 9
British West Indies.....	1,854 1 0	41,775 1 5
Foreign West Indies.....	6,189 2 11	1,230 2 8
Foreign Europe.....	794 5 0	0 0 0
United States.....	21,898 1 6	633 16 2
Total.....	£39,011 13 0	£63,932 13 11

ALEXANDER GRANT, Collector.

Custom House, 28th January, 1842.

Registered Tonnage of Vessels belonging to the Port of Saint Andrews 31st Dec. 1841,....20,995 Tons.

PORT OF SAINT STEPHEN, NEW BRUNSWICK.

Imports from the 5th January, 1841, to 5th January, 1842.

DESCRIPTION AND QUANTITY.	ESTIMATED VALUE IN STERLING.				
	From the United Kingdom.	From the British W. Indies.	From the British N. A Colonies.	From the United States	Total.
Ale, 2 brls.	£1 13 0				1 13 0
Arrow Root, 1 box			1 10 0		1 10 0
Apples, 340 bush.			30 10 0	10 3 10	40 13 10
Books & Pamphlets, 394 no.				30 8 1	30 8 1
Bread, 225 cwt. 1qr. 19lbs.				225 10 0	225 10 0
Beef and Pork, 710 brls.				3054 16 0	3054 16 0
Butter and Cheese, 2101 lbs.			89 4 9	4 5 6	93 10 3
Botts, 3 no.			5 0 0	5 19 10	10 19 10
Brandy, 640 gals.	190 10 0		19 15 0		210 5 0
British Merchandize, 47 pks.	1239 0 0		663 0 0	50 0 0	1952 0 0
Bricks, 2400 no.				3 3 8	3 3 8
Blocks, 2 brls.			4 10 0		4 10 0
Clover & Grass Seed, { 100 lb. } { 14 bus. }				10 11 6	10 11 6
Cigars, 33,000 no.				30 14 6	30 14 6
Coals, 312 tons, & 150 chul.	163 0 0		152 0 0	3 6 8	318 6 8
Cider, 12 brls.			9 0 0		9 0 0
Capstans, 1 no.			10 0 0		10 0 0
Coal, 567 lbs.			13 10 0	2 17 5	16 7 5
Charcoal, 150 bush.				3 4 5	3 4 5
Cordage, 70 cwt. 1qr. 19lbs.			131 9 0	293 2 6	424 11 6
Cage with Wild Birds, 8 no.				36 0 0	36 0 0
Cranberries, 6 brls.				4 10 0	4 10 0
Copper, 10 cwt. 1qr. 27lbs.	190 0 0				190 0 0
Earthenware, 5 hampers	2 4 0				2 4 0
Eggs, 60 doz.			1 10 0		1 10 0
Fire Wood, 86 cords		19 0 0	30 10 0		48 10 0
Fish, { 3228 qtl. dry, 640 lbs. } { and 11 brls. Oil }			2239 15 0		2239 15 0
Flour Wheat and Rye, { 2750 brls. }				2996 10 0	2996 10 0
Glass, 8 0 0			8 0 0		8 0 0
Grain unground and Meal				3314 1 6	3314 1 6
Hides, 775 0 0			775 0 0	807 0 0	1582 0 0
Iron Nails and Hardware, 650 0 0			130 0 0	18 12 11	798 12 11
Lime, 20 9 9				20 9 9	20 9 9
Lumber, { Four's, 1000 feet, } { clap-homes, 1000 no } { Ours, 560 ft. Staves } { 5000 no. Shingles } { 3,328,000 no. }				1343 5 6	1343 5 6
Carried forward.....	£2346 7 0	£18 0 0	£1314 3 9	£12,310 3 2	£18,067 4 10

Imports from the 5th January, 1841, to 5th January, 1842.—Continued.

DESCRIPTION AND QUANTITY.	ESTIMATED VALUE IN STERLING.				
	From the United Kingdom.	From the British W. Indies.	From the British N. A. Colonies.	From the United States	Total.
<i>Brought forward</i> ,.....	£2316 7 0	£18 0 0	£4314 3 9	£12,310 3 2	£18,967 4 10
Live Stock, { 49 Horses, 86 } { Oxen, 17 Cows, }				1940 0 0	1940 0 0
Molasses,		360 15 0		229 17 0	590 12 0
Medicine,			1 10 0		1 10 0
Nutts and Raisins,			1 10 0	5 9 3	6 19 3
Oakum,	60 0 0		17 0 0	263 0 0	340 0 0
Printing Presses,				63 1 4	63 1 4
Pitch and Tar,	8 19 10			64 1 4	73 1 2
Paint,			32 5 6		32 5 6
Powder,			1 10 0		1 10 0
Prints,				2 15 4	2 15 4
Rum,			8 14 0		83 14 0
Rice,				94 8 5	94 8 5
Sugar,	30 0 0		571 8 9	2 1 4	613 10 7
Salt,	25 0 0			17 1 5	42 1 5
Sheathing Paper,				13 2 10	13 2 10
Soap and Candles,			17 0 0	2 2 11	19 11 6
Tents,				52 3 0	52 3 0
Vinegar,				4 4 6	4 4 6
Articles for Domes- } tic and Agricul- } 968 ps.			125 11 9	547 16 0	673 7 9
Total ,.....	£2470 6 10	£378 15 0	£5165 13 9	£15,610 7 10	£23,625 3 5

THOS. ARMSTRONG, *Sub-Collector.*

Custom House, Saint Stephen, January 5, 1842.

PORT OF SAINT STEPHEN, NEW BRUNSWICK.

Exports from 5th January, 1841, to 5th January, 1842.

ARTICLES AND QUANTITY.	ESTIMATED VALUE IN STERLING.				
	To the United Kingdom.	To the British W. Indies.	To the British N. A. Colonies.	To the U. States.	TOTAL.
Beef, 5 kids		£1 10 0			£1 10 0
Butter and Cheese, { 20 firkins } { & 1150lb. }		59 15 0	£10 0 0		69 15 0
Bricks, 6500 no.			10 5 0		10 5 0
Boats, 1 no.		7 10 0			7 10 0
Coals, 2 chal.			3 0 0		3 0 0
Flour—Wheat, 5 brls.			8 10 0		8 10 0
Fish, { 163 qtls. dry, 278 brls. } { pickled, and 1555 boxes } { smoked, }		313 7 0	227 10 0		540 17 0
LUMBER, { Boards, 15,085,195 feet, { Blinds' Stuff, 14,000 ps. { Clapboards, 132,000 no. { Deals, 945 ps. cont. 54,540 { feet, Handspikes, 141 no. { Laths, 296,000 no. Oars & { Sweeps, 14,292 ft. Shingles { 39,438,000 no. Spars, 121 { no. Timber, 2,271 tons, }	1999 12 6	55,398 9 8	5092 10 6		62,490 12 8
Molasses, 176 gals.			8 16 0		8 16 0
Potatoes, 34 brls.		10 4 0			10 4 0
Total ,.....	£1999 12 6	£55,790 15 8	£5360 11 6		£63,150 19 8

THOS. ARMSTRONG, *Sub-Collector.*

Custom House, Saint Stephen, January 5, 1842.

PORT OF SAINT STEPHEN, NEW BRUNSWICK.

An Account of the value of Imports and Exports at this Port, from the 5th Jan. 1841. to the 5th Jan. 1842, as compared with the preceding year.

COUNTRY.	Year ending 5th January 1841.		Year ending 5th January 1842.	
	IMPORTS.	EXPORTS.	IMPORTS.	EXPORTS.
United Kingdom,.....	£0 0 0	£1,159 0 0	£2,170 6 10	£1,999 12 6
British West Indies,.....	29 19 0	41,428 3 6	378 15 0	55,790 15 8
British North American Colonies,...	5,278 12 1	8,020 3 6	5,165 13 9	5,360 11 6
United States,.....	17,463 3 11	0 0 0	15,610 7 10	0 0 0
Total, Sterling,.....	£22,771 15 0	£50,607 7 0	£23,825 3 5	£63,150 19 8

THOS. ARMSTRONG, *Sub-Collector.*

Custom House, Saint Stephen, January 5, 1842.

PORT OF MAGAGUADAVIC, NEW BRUNSWICK.

An Account of the value of all Goods Imported into and Exported from this Port for the year ended 5th Jan. 1842, as compared with the preceding year.

COUNTRY.	Year ending 5th January 1841.		Year ending 5th January 1842.	
	INWARDS.	OUTWARDS.	INWARDS.	OUTWARDS.
Great Britain,.....	£0 0 0	£2328 11 3	£0 0 0	£2226 6 3
Ireland,.....	0 0 0	928 17 0	0 0 0	696 15 0
British North American Colonies,...	93 6 0	841 17 6	261 4 4	1870 7 6
British West Indies,.....	0 0 0	5062 10 0	0 0 0	3507 11 5
United States,.....	2305 3 5	1198 16 6	4190 14 7	2676 5 0
Total,.....	£2,398 9 5	£10,360 12 3	£4,451 18 11	£10,977 5 2

A. J. WETMORE, *Sub-Collector.*

Custom House, Magaguadavic, N. B. 5th January, 1842.

PORT OF WELCHPOOL, NEW BRUNSWICK.

An Account and Value of Goods Imported into and Exported from this Port, ended 5th Jan. 1842, compared with the year ended 5th Jan. 1841.

COUNTRY.	Year ended 5th January, 1841.		Year ended 5th January, 1842.	
	INWARDS.	OUTWARDS.	INWARDS.	OUTWARDS.
Great Britain,.....	£0 0 0	£1942 0 0	£0 0 0	£503 0 0
British North American Colonies,...	591 0 0	796 5 0	1067 0 0	951 10 0
British West Indies,.....	1312 5 0	5070 5 0	0 0 0	4906 10 0
British Fisheries,.....	15 0 0	152 8 0	0 0 0	0 0 0
United States,.....	4783 7 11	236 0 0	5922 13 9	208 5 0
Total,.....	£6,734 12 11	£8,196 18 0	£6,989 13 9	£6,569 5 0

D. BENNETT, *Sub-Collector.*

Custom House, Welchpool, 5th January, 1842.

RETURNS OF SHIPPING.

PORT OF SAINT JOHN, NEW BRUNSWICK.

An Account of the Number of Vessels belonging to this Port on the 31st Dec. 1841, which have been Registered in pursuance of Acts of Parliament, passed in the 4th and 6th Years of King George the Fourth, and 3rd and 4th Years of His present Majesty; with their Owners Names and Tonnage, and the Number of Men and Boys by whom they are usually Navigated.

Year and No. of the Certificate of Registry.	Names of the Vessels.	Owners at the time this Account was made up.	TONNAGE.		Men and Boys.
			Under Act 3 & 4 W. 4.	Under Act 5 & 6 W. 4.	
1825. No. 38	Crown,	J. Bradshaw, W. Vail,	37		3
	71 Rainbow,	Solomon Hoare, &c.,	61		4
	154 Salmon River,	Duncan Weir, T. Elder,	67		3
	162 Farmer's Industry,	G. M'Lean and J. Ferris,	106		3
1826.	38 Nelson,	William Dixon,	70		3
1827.	38 Ploughboy,	John Wilson,	100		3
	87 Brant,	Amos and Wm. Fowler,	19		3
	95 Will Watch,	F. and J. Leavitt,	27		4
	108 Hope,	Jas. and Geo. Spence,	46		3
1828.	24 Dove,	Matthew Jackson,	38		3
	35 Farmer's Industry,	Jas. and George Prince,	59		3
	37 Ruth,	John Best, J. Easterbrooks,	59		3
1829.	42 Lord Nelson,	John Mott,	81		3
	45 Hope,	J. W. Ruggles,	33		3
	61 Hope,	Edward Dixon,	31		3
1830.	9 Martin,	Wm. Pitt Scott,	33		3
	36 George,	Geo. Smith, R. Stillwell,	117		3
	56 Frederick,	S. Wiggins, and F. Wiggins,	468		16
1831.	3 Helen,	Laurence Halcrow,	49		2
	28 Charlotte Harriett,	W. Simpson and P. Rubies,	45		2
	69 Mary Ann,	James E. Wells,	50		2
1832.	21 Comet,	James Kirk,	223		9
	22 Zealous,	William M'Auley,	20		3
	56 Martha Grace,	J. Calhoon, M. Cole, &c.,	95		3
	63 Mary,	Joseph Steves,	44		3
	72 Margaret Rait,	Charles C. Stewart,	308		30
	79 Industry,	James Stockford,	57		3
	88 Wakefield,	John Hammond,	608		25
1833.	15 Messenger,	Thomas H. Black,	38		3
	32 Lady of the Lake,	William Clark,	23		2
	43 James Stewart,	Charles C. Stewart,	386		32
	59 Sarah,	William Rasey,	44		2
	60 Conqueror,	David Williams,	80		3
	65 Mary Ann,	Thos. Whittington,	150		7
	68 Five Sisters,	Jacob Haviland,	67		3
	76 Rob Roy,	John Robertson,	125		7
	81 Liverpool,	E. Barlow and Sons,	514		18
1834.	2 Swan,	William Dunham,	31		3
	3 Two Sons,	John S. Miller,	51		2
	7 Trial,	William Mackay,	53		3
	11 Samuel,	S. Wiggins and F. Wiggins,	559		21
	15 Norna,	Thomas Moses,	25		2
	48 Perseverance,	Hiram Betts, J. Adams,	16		2
	71 Albion,	S. and J. Nichols,	71		4
	91 Elizabeth Bentley,	Nathan S. Demill,	543		19
	95 Albion,	John Hammond,	687		27
<i>Carried forward</i>			6,414		311

An Account of the existing Shipping, &c.—Continued.

Year and No. of the Certificate of Registry.	Names of the Vessels.	Owners at the time this Account was made up	TONNAGE.		Men and Boys.
			Under Acts 3 & 4 W. 4.	Under Acts 5 & 6 W. 4.	
		<i>Brought forward</i> ,.....	6,414		311
1835. No. 18	Mary Ann,	J. Stephens and W. P. Kay,	75		3
22	Margaret,	James and Daniel Campbell,	47		3
36	St. Andrew,	John Wishart,	554		20
37	Evergreen,	John Hammond,	574		20
39	Charlotte,	James Kirk,	603		22
52	Fly,	James Moran,	53		2
64	Shamrock,	John Woodley, J. Thomas, &c.	17		2
65	Eunice,	Geo. Smith and J. Hughes,	109		3
66	John L. Blake,	Joseph Blake, G. Morrow,	102		3
76	Royal George,	James Whelpley,	74		3
77	Industry,	John Gilland,	56		3
81	Boyne,	John Wilson, R. Speer,	28		2
87	Challenger.	Isaac Worden, S. Huestis,	70		3
95	Favorite,	Jas. Patterson, C. Dingec,	31		2
96	Shelmclere,	Nicholas Sinnott,	253		12
97	Pearl,	S. Wiggins and Son,	399		18
111	Eliza,	James Ellis,	15		2
1836. 1	Edwin Botsford,	J. Beatty, J. Lewis,	70		3
6	Glasgow,	Owens and Duncan,	611		20
16	Diligence,	E. D. W. Ratchford, J. Hamm,	62		3
39	Mechanic,	Mechanics' W. F. Company,	399		20
42	William Boothby,	Smith and Cochran,	133		6
43	Mary,	Boultenhouse and Lyons.	96		3
59	Hero,	J. Bulyea, J. French,	77		3
		<i>Total Old</i> ,.....	10,922	10,922	494
61	Salisbury,	R. Russell and A. Wright,	40	28	2
67	Calcutta,	James Kirk,	616	733	23
70	Wickham,	A. Bulyea, and J. Read,	35	35	3
76	Charles C. Stewart,	J. Reed, W. Seely, &c.,	14	14	2
78	True Blue,	George Hewitt,	8	8	2
87	Mink,	R. Trafton,	27	21	2
97	Norval,	James M'Lean,	34	26	3
99	Frances,	S. Wiggins and Son,	683	775	24
107	Triumph,	E. Waters and John Erb,	83	83	3
111	Britannia,	John Wishart,	769	769	22
112	Ann Hall,	James Kirk,	774	774	20
113	Atlantic,	Owens and Duncan,	678	785	24
116	Betsey,	William Lee,	47	47	2
119	Friends,	J. Smith, L. Seely,	73	73	3
1837. 2	Caroline,	Jonathan Anderson,	60	47	3
12	Mary Caroline,	William Jarvis,	684	736	23
20	James Clark,	John Beck,	56	43	3
23	Hannah,	Henry P. Whitney,	25	25	2
25	Palendar,	S. Kierstead, E. Flaglor,	88	37	3
26	Antelope,	J. & T. Robinson, W. Hawks,	64	34	3
36	Vineyard,	Wm. Wright, Crane & M'Grath,	124	56	3
38	Prospect,	J. Laughton, W. Patchell,	27	19	2
40	Pacific,	Mechanics' W. F. Company,	348	347	32
41	Hebe,	E. Barlow and Sons,	465	451	18
44	Catherine,	John Kerr,	100	67	5
48	Union,	G. Price and J. O. Dunham,	37	37	3
57	Clyde,	James Kirk,	651	711	24
		<i>Carried forward</i> ,.....	17,554	17,603	753

An Account of the existing Shipping, &c.—Continued.

Year and No. of the Certificate of Registry.	Names of the Vessels.	Owners at the time this Account was made up.	TONNAGE.		Men and Boys.
			Under Act 3 & 4 W. 4.	Under Act 5 & 6 W. 4.	
		<i>Brought forward</i> ,.....	17,554	17,603	753
1837. No. 61	Rebecca,	Nehemiah Merritt,	257	251	12
71	Ray,	John Anderson,	98	74	5
79	William,	Boultenhouse and Barnes,	131	97	5
81	Lark,	B. Godsoe, W. Cartwright,	13	13	2
84	Rosalie,	Henry Nice,	30	30	2
90	Lark,	David Stiles, J. Rogers,	61	35	3
92	William Henry,	Elias Scribner,	48	32	2
97	Eagle,	Owens and Duncan,	696	743	24
105	Sunbury,	A. P. Bulyea, &c.,	116	50	2
117	John Bentley,	Nathan S. Demill,	743	784	24
124	Lady of the Lake,	Peters Yeamans,	151	62	2
126	Edyth Ann,	J. Reed, J. Anthony, &c.	17	17	2
128	Allegro,	E. D. W. Ratchford,	226	160	7
136	Nova Scotia,	{ Annapolis Steamboat Company, } { E. Barlow and Sons, }	165	84	10
141	Flight,	Wm. L. and J. Colwell,	28	19	2
143	Defiance,	Henry Evans,	58	32	2
1838. 5	Enterprise,	John Edgett,	61	61	3
8	Abeona,	Nehemiah Merritt,	411	448	13
11	John and Mary,	Jacob and Charles Kay,	37	37	3
13	Chance,	Joseph Coram,	22	22	3
14	British Queen,	William Hammond,	570	534	18
16	Lord Byron,	H. Evans, J. Brundage,	121	48	3
21	Hope,	C. Adam, W. Galley, &c.	14	14	2
24	Lord John Russell,	John Hammond,	325	325	12
29	Mary Catherine,	Joseph O. Dunham,	32	32	3
34	Enterprise,	John Hammond,	632	673	20
36	St. Martins,	David Vaughan, &c.,	541	573	18
38	Pique,	Charles Saunders, &c.,	63	41	3
42	Margaret,	David and Peter Hatfield,	67	67	3
45	Pearl,	Boultenhouse, Barnes, &c.,	46	30	3
46	Lucy Ann,	William Mills,	27	21	3
51	Dove,	Barker and Babbett, &c.,	70	70	4
57	Dolphin,	E. and J. Brundage,	111	47	3
58	Sophia,	John Robertson,	625	622	21
60	Peruvian,	C. Crawford, E. Goram,	94	49	4
68	Coronation,	John Robertson,	697	740	25
73	Thetis,	John Hammond,	836	804	25
74	Louisa,	David Currier, &c.	111	53	3
77	Alex. Edmond,	John Wishart,	693	717	25
78	Monarch,	H. and R. Seely,	88	41	3
81	William,	N. Smith and J. Cochran,	49	49	3
85	Boxer,	Thomas Mason,	82	39	3
86	Argyle,	Archibald M'Lean,	112	52	3
88	Dove,	W. N. and J. Bennett,	34	28	3
93	Rising Sun,	Ebenezer Anderson,	44	31	3
97	Delight,	D. Mason and J. Gilland,	78	33	3
100	Robert Ellis,	Wm. and Nicholas Spence,	60	39	3
101	Robin,	Stephen Foster,	16	9	2
115	Isabella,	Robert Appleby,	117	50	3
117	Timandra,	T. L. Nicholson, S. J. Samuel,	202	202	10
120	William the Fourth,	Robert Douglas,	121	59	3
121	Clarence,	John Ward and Sons,	272	237	12
		<i>Carried forward</i> ,.....	27,871	27,083	1133

An Account of the existing Shipping, &c.—Continued.

Year and No. of the Certificate of Registry.	Names of the Vessels.	Owners at the time this Account was made up.	TONNAGE.		Men and Boys.
			Under Act 1 & 4 W. 4.	Under Act 5 & 6 W. 4.	
		<i>Brought forward,.....</i>	27,871	27,083	1133
1838 No 134	Chieftain,	C. Brown, A. Bulyea,	85	41	3
138	Regulator,	E. Reece and E. Burpe,	128	71	4
142	Sarah Ann,	Richard Wilson,	88	60	4
143	Orbit,	James Kirk,	680	750	25
148	Earl Grey,	M. Taylor and S. Waters,	72	72	3
160	Dolphin,	Jonathan Anderson,	50	50	3
1839. 8	Sally Walker,	William Weldon,	82	38	3
9	William Henry,	A. Becket and T. Richards,	36	16	3
13	Edward,	Philip Chapman,	113	88	4
16	Emerald,	S. Wiggins and Son,	643	731	21
21	Hero,	William Cox,	21	21	3
22	William M.	O. and Daniel Copp,	76	32	3
29	Union,	Jacob Haviland,	114	57	3
30	Saucy Jack,	William Hughson,	77	77	4
32	Thomas Lowden,	E. Dolby and J. M'Carron,	68	47	3
39	Grace,	George Parker,	48	34	3
42	Eliza,	Rufus Reed and J. E. Wells,	53	33	3
44	Odessa,	David and Simon Vaughan,	316	324	10
47	Flora,	John W. Smith,	609	643	18
55	Brothers,	David and Simon Vaughan,	70	51	3
58	Elizabeth,	Alexander Yeats,	730	828	16
59	Woodstock,	James Kirk,	499	521	12
61	P. I. Nevius,	Solomon Hersey,	134	123	5
62	Augusta,	Andrew Newcombe,	15	12	3
63	Petrel,	J. H. N. and E. Brown,	35	21	3
71	Morning Star,	John Marshall,	7	6	2
76	Independence,	Charles M'Lean,	99	99	1
77	Morning Star,	George Elkin,	124	54	3
78	Primrose,	Aaron Delong,	42	27	3
80	Duncan,	Robert Robertson,	446	443	12
87	Thomas,	Francis Wilson,	84	84	4
91	Rose,	J. Christopher, &c.,	17	10	2
92	Seaflower,	Andrew and Jas. Stewart,	116	50	3
95	William Sprague,	C. Boultenhouse, &c.,	110	73	4
99	Relief,	Daniel Brundage,	11	10	2
111	Glengarry,	Alexander Yeats,	938	1054	25
117	Good Intent,	E. Briggs, J. Gerow,	64	64	3
119	British America,	Eaton, Burnham & Co.	581	663	18
110	Lady Campbell,	Ezekiel Barlow,	57	33	3
121	Banner,	J. and T. Robinson,	86	63	4
124	Ruby,	Alexander Wright, &c.,	68	68	3
127	York,	James Lockwood,	902	1016	25
131	Mary,	James Lloyd,	15	10	2
133	Java,	Machanics' W. F. Company,	421	419	12
134	New Brunswick,	Frederickton Steamboat Company,	279	146	8
140	Harp,	J. and T. Robinson, &c. &c.,	182	132	6
146	Napoleon,	Robert Caleff,	133	84	3
147	Wave,	R. Chesnut, J. A. Munro,	128	61	4
149	Resolute,	C. A. Belyea, G. Taylor,	108	50	3
152	Rose,	George and John Cameron,	42	42	3
155	Planet,	William M'Cannon,	170	131	5
156	General Wolfe,	Jas. Foster and Jas. Peck,	37	37	3
159	Favorite,	William and Jas. Fanjoy,	114	52	4
		<i>Carried forward,.....</i>	38,107	36,805	1471

An Account of the existing shipping, &c.—Continued.

Year and No. of the Certificate of Registry.	Names of the Vessels.	Owners at the time this Account was made up.	TONNAGE.		Men and Boys.
			Under Act 3 & 4 W. 4.	Under Act 5 & 6 W. 4.	
		<i>Brought forward</i> ,.....	38,107	36,805	1471
1839 No 166	Gen. John Coffin,	J. Black and J. Ackerley,	68	68	4
169	Margaret,	William Hughson,	64	30	3
171	Emcline,	William Doherty,	79	66	4
173	Pilgrim,	M. Delesdernier, &c.,	16	16	3
174	Victory,	J. White and W. Weldon,	73	73	4
175	Eugenia,	A. B. Thorne,	218	193	7
1840. 4	Sir John Harvey,	J. Brown, T. E. Millidge,	50	38	3
6	Brothers,	Hugh and Edwd. M'Kenzie,	131	122	4
10	Rainbow,	Hugh M'Kay,	139	60	4
11	Enterprise,	Samuel Scovil,	91	38	3
18	Mountaineer,	James Kirk,	814	870	25
22	Three Brothers,	Robert Speer,	59	59	4
23	Norna,	William Clements,	33	33	3
25	Collector,	Isaac Anderson and W. Bacon,	68	54	4
30	Highland Mary,	John T. Lyon,	98	51	4
31	Perseverance,	Jas. Clark, T. Stopford,	82	82	5
36	Loveina,	Rufus and W. Dixon,	17	14	2
37	Addington,	James R. Crane,	160	160	6
38	Thistle,	Andrew C. Otty,	49	22	3
40	Trial,	P. Comerford,	36	19	3
41	Blanch,	George Miller, J. Giggey,	86	38	3
47	Two Sons,	N. Whelpley and Mayes Case,	75	75	4
51	Rio Janciro,	Edward Carvell, S. White,	84	34	3
52	Fleurs,	Smith and Irvine,	189	175	8
55	Kathleen,	William M'Canon,	198	176	7
58	Primrose,	Simeon and Benj. Bunnell,	92	42	3
59	Martin,	James Drake,	30	30	3
63	Milford,	William Russell,	25	25	3
67	Novelty,	J. Kirk, J. Wishart, &c.,	187	187	8
68	John Ward,	J. Kirk, F. A. Wiggins, &c.,	144	144	7
69	Water Witch,	J. Kirk, F. A. Wiggins, &c.,	87	87	4
73	Ocean Queen,	Simeon Lee Lugin,	512	569	16
80	Sisters,	George W. Marsters,	91	64	4
81	Coburg,	Willard Buchanan & Co.,	442	498	14
84	Portland,	William Leavitt,	665	722	21
85	Actress,	Knowles and Thorne,	101	74	4
86	Nimble,	Mary Shannon,	28	28	3
90	Victory,	John Beaumont,	49	49	3
91	St. Mary,	J. Hammond, B. Bingay,	152	128	6
94	Aurora,	James Fitzgerald,	101	51	4
99	Chronicle,	James E. Chipman,	192	138	5
100	Belmount,	Stephen Wiggins and Son,	964	938	27
102	Royal Albert,	William Hughson,	107	47	4
103	Loyal,	Robert and Jas. Moran,	165	146	6
104	Queen of the Ocean,	Alexander Yeats,	1064	1196	25
109	Mayflower,	Bernard Gallagher,	14	9	2
110	Duke of Wellington	Nehemiah Merritt,	364	388	12
112	Robert,	John Smith,	42	25	3
116	Prince William,	Benj. and Chas. Bulyea,	78	34	3
121	Andover,	James Lockwood,	316	292	9
123	Margaret,	James Rogers,	46	33	3
125	Maria,	Geo. King and F. Wane,	80	44	3
126	Wasp,	Geo. L. Lovett, F. Leavitt,	118	94	5
		<i>Carried forward</i> ,.....	47,529	45,555	1811

An Account of the existing Shipping, &c.—Continued.

Year and No. of the Certificate of Registry.	Names of the Vessels.	Owners at the time this Account was made up	TONNAGE.		Men and Boys.
			Under Act 1 & 1 W. 3.	Under Act 5 & 6 W. 3.	
		<i>Brought forward</i> ,.....	47,529	45,555	1811
1840 No 127	Margaret,	John Kinney,	26	20	3
128	Pilgrim,	James Lane and W. Purdy,	21	21	3
129	Superior,	J. Yandall, D. Hatfield,	36	36	3
130	Conqueror,	Barlows and Ketchum, &c.,	127	58	4
132	Mary Catherine,	John Clements,	11	8	2
133	Montrose,	John Wishart,	642	699	21
135	Defiance,	J. Wordan, S. Wheaton,	110	52	4
136	William & Ellen,	Gideon Woodworth,	19	14	2
137	William Wallace,	Thomas Bisset,	56	56	3
141	Eleanor Jane,	R. D. Wilmot, G. Moffat,	91	53	3
144	Hilsborough,	Henry Steves,	76	64	4
145	Oromocto,	John Robertson,	569	510	18
146	Quebec Packet,	James Carson,	513	552	16
149	Brothers,	Ebenezer Anderson,	37	26	3
152	Hornet,	James Theall,	80	80	4
153	Gannet,	William Simpson,	67	51	3
156	Norna,	Adam and Davidson,	221	202	7
158	Acadian,	William Vaughan,	66	46	3
159	Speed,	Stephen Wiggins and Son,	975	1010	26
161	Leading Star,	Joseph Wasson, T. Floues,	113	58	4
163	Elizabeth,	Benjamin Wilbur,	54	35	3
166	British Queen,	Samuel Holder,	98	98	4
167	Dolphin,	John Scott, W. Speers,	17	10	2
168	Mary Ann,	David W. Craft,	44	44	3
169	Perthshire,	John Robertson,	805	846	24
170	Britannia,	J. Montgoinery, &c.,	89	45	3
171	Dove,	William Davidson,	168	149	6
172	England,	Thos. Barlow, E. Barlow,	780	894	24
173	Shamrock,	George Maclean,	129	59	4
174	Abigail,	Nehemiah Merritt,	554	632	18
176	Superior,	J. Langley, E. Briggs,	145	59	4
177	Barbara Ann,	Joseph Atkinson,	151	137	6
180	Avon,	John Ward and Sons,	882	1013	24
181	Mary Caroline,	Samuel Watts,	44	23	3
182	Peru,	Robert D. Wilmot,	302	285	9
184	Jane Augusta,	Edward L. Thorne,	848	948	24
185	Harmony,	S. Wiggins and Jas. Jameson,	871	832	20
187	Caroline,	William Hughson,	66	66	4
188	Margaret,	John Napier,	86	42	3
189	Calliope,	John Pollok,	627	671	18
190	Maria Brannan,	Nicholas Sinnott,	198	207	8
191	William A. Black,	G. A. Munro, J. Wallace,	313	319	9
192	Falcon,	William Davidson,	125	99	5
193	Shamrock,	John Wishart,	136	92	5
194	Morning Star,	William Smith,	17	9	2
195	Ophir,	John Calhoon, Senr.,	61	34	3
197	La Bonne Mere,	John Hammond,	672	748	20
198	Enterprise,	G. A. Munro, G. Goram,	134	56	3
199	Union,	J. Brundage, W. Waters,	34	34	3
200	Trader,	James Giggrey,	84	34	3
202	Edinburgh,	James Kirk,	832	942	26
1841.	1 Mary Stewart,	John Pollok,	282	217	8
	3 Lotus,	John Pollok,	778	872	24
		<i>Carried forward</i> ,.....	61,811	59,822	2272

An Account of the existing Shipping, &c.—Continued.

Year and No. of the Certificate of Registry.	Names of the Vessels.	Owners at the time this Account was made up.	TONNAGE.		Men and Boys.
			Under Acts 3 & 4 W. 4.	Under Acts 5 & 6 W. 4.	
		<i>Brought forward</i> ,.....	61,811	59,822	2272
1841. No. 4	Royal William,	William M'Cannon,	277	277	9
9	Mary Eliza,	J. Waters and J. Kennedy,	59	26	3
11	Victoria,	Abraham Holder,	78	34	3
13	Teazer,	Patrick Comerford,	41	41	4
14	Palace,	Moses O'Brien,	24	24	4
18	Princess Royal,	Alexander Rankin,	1024	1109	30
19	Victoria,	Walter Ponsford,	50	34	3
20	Mercy Jane,	J. & R. Reed,	86	69	5
21	Fredericton,	J. J. Akerley, J. Merritt, &c.,	134	134	8
23	Lady Washington,	Wm. Mackenzie,	34	34	3
24	Nelson,	J. Stackhouse, H. Trott,	71	33	3
25	Albinia,	J. and H. Kinnear,	169	126	5
26	Woodlands,	Lawrence Johnston,	100	57	3
28	Jane,	James Isaac Evans,	51	30	3
30	Prince Albert,	Nathaniel Whelpley,	119	53	3
31	Nightingale,	James E. Wells,	55	37	3
35	Lavinia,	Joseph and Wm. Calhoon,	68	46	3
36	Sarah,	Henry Hood,	496	496	12
40	Mary Eliza,	Howard and Grier,	62	47	3
41	Norval,	John Pollok and H. Britney,	124	42	3
42	Temperance,	William Edgett,	15	15	3
43	Lady Douglas,	Thomas Bissett,	84	40	3
47	Charles,	J. Gerow and J. Clarke,	47	47	3
48	Victoria,	E. Barlow and Sons,	60	43	3
50	James Hay,	Francis Leavitt,	153	121	4
51	Peru,	H. Carleton, Estey and Read,	138	103	4
53	North America,	James Whitney,	295	208	7
54	Primrose,	James Kirk,	477	533	15
56	St. Patrick,	William Hughson,	753	830	20
57	Maid of the Mist,	James Whitney,	100	100	6
58	Meteor,	James Whitney,	96	59	4
59	Princess,	David and Simon Vaughan,	479	507	15
60	Westmorland,	Michael G. Walker,	279	279	9
61	Victory,	John Evans,	121	53	4
62	Scotland,	Adam & Davidson,	476	562	12
63	Eglinton,	Munro & Wallace,	869	945	20
64	Coquette,	C. Simonds, Bold & Starkey,	273	282	9
65	Themis,	{ John Hammond, } Wm. and J. Olive, C. Brown,	998	1004	25
66	Mary Ann,	Thomas Miller,	159	141	5
68	Mary Ann,	Patrick Mallowney,	30	25	3
73	Hampton,	J. and H. Kinnear,	173	136	5
74	Margaret Trynor,	R. Jardine, R. Martin,	81	51	3
75	Mayflower,	J. Puddington, W. Warren,	85	43	3
77	Canada,	John Pollok,	744	809	20
78	Victory,	John Tiner, B. Dean,	71	71	4
79	Caledonia,	John Wishart,	698	789	20
80	Coverdale,	Willard, Buchanan & Co.	299	312	10
83	Bona Dea,	John Hammond,	582	625	16
84	Deborah,	Charles T. Vail,	83	39	3
85	James & Mary } Sinnott, }	John Pollok,	483	534	15
87	Samuel,	Joseph Wasson,	114	53	4
		<i>Carried forward</i> ,.....	74,239	71,930	2662

An Account of the existing shipping, &c.—Continued.

Year and No. of the Certificate of Registry.	Names of the Vessels.	Owners at the time this Account was made up.	Tonnage.		Men and Boys.
			Under Act 1 & 2 W. 4.	Under Act 5 & 6 W. 4.	
<i>Brought forward,</i>			71,239	71,930	2662
1841. No. 88	Levant,	Adam & Davidson,	359	397	10
89	Aylesford,	J. & H. Kinnear,	228	223	8
90	Hound,	George Thomas,	29	11	2
91	Cashmere,	Adam & Davidson,	347	370	12
92	Norman,	James Alexander,	14	14	2
93	Ida,	George A. Munro.	167	150	4
96	Miracle,	John Pollok,	567	627	18
97	Sylvia,	John Pollok,	197	198	6
98	Sylph,	John Galt Smith.	182	155	5
99	Saxe Gotha,	James Whitney,	131	90	4
100	Anna,	Knowles & Thorne,	184	154	6
101	Racer,	Adam & Davidson,	250	257	8
102	Hypewell,	J. & H. Kinnear,	367	392	10
103	Mary,	William Doherty, Junr.	137	113	4
104	Dove,	Ezekiel M'Leod,	16	11	2
106	Lampport.	Eaton, Burnham & Co.	632	743	20
107	South Esk,	John Wishart,	245	246	8
108	Robert Burns,	John Wishart,	110	94	4
109	Only Daughter,	Peter M'Nichol,	36	36	3
110	Ellerslie	John Pollok,	665	731	18
111	Lady Colebrooke,	Edward L. Jarvis,	297	297	9
112	William Carson,	Edward L. Thorne.	246	216	8
113	Sisters.	Crookshank & Walker,	745	851	24
114	Theseus,	Adam & Davidson,	507	652	18
116	Lark,	Michael Dealy, &c.	19	15	3
117	Scotin,	Thomas P. Crane.	66	66	3
118	Sepoy,	Adam & Davidson,	636	769	21
119	Mechanic,	William Potts,	33	33	3
120	Union,	James Gunning,	55	37	3
121	Duke of York,	James Whelpley,	90	38	3
122	Maratham,	Stephen Wiggins & Son,	447	453	12
123	Chieftain,	James Kirk,	705	795	21
125	Teazer.	John Mullin,	75	75	3
126	Belle of Maitland,	James and Thomas Robinson,	159	121	4
127	Ida,	Charles Ward,	158	120	5
128	Peruvian,	Mechanics W. F. Co.	374	374	10
129	British Tar,	A. Cain and James Peck,	88	88	3
130	Intrepid,	Simeon Lee Lugin,	50	31	3
131	Mary B.	Obadiah Copp,	25	18	2
132	Peru,	James and John Calhoon,	88	63	3
133	Rising Sun,	William Hughson,	123	57	3
134	Brunswick Lyon,	Joseph A. Lyon,	112	52	3
135	Isle de St.	James Robson,	34	22	2
137	Clampion,	J. Lawson and T. Broad,	72	72	3
139	Lord Wellington,	J. & H. Kinnear.	702	732	21
140	Lark,	W. S. Scrafton, J. Law,	12	7	2
141	Glenlyon,	Stephen Wiggins & Son,	821	909	24
142	Crown,	Edward L. Thorne,	307	350	10
144	Ploughboy,	J. Cameron, J. Gaunce,	70	30	3
145	Flora,	Samuel and Abraham Holder,	112	63	3
146	Tripoli,	G. W. & David Oliver,	63	44	2
147	John Robert,	Joseph and Benjamin Bulvea,	80	80	3
148	Aloa,	T. E. Millidge, W. Davidson,	381	459	12
<i>Carried forward,</i>			87,008	84,928	3068

An Account of the existing Shipping, &c.—Continued.

Year and No. of the Certificate of Registry.	Names of the Vessels.	Owners at the time this Account was made up.	TONNAGE.		Men and Boys.
			Under Act-3 & 4 W. 1.	Under Act-5 & 6 W. 1.	
		<i>Brought forward</i> ,.....	87,008	84,928	3068
1841 No 149	Henry Hood,	John Pollok,	298	310	10
150	Marq. of Abercorn,	Robert D. Wilmot,	334	342	10
151	Linnæus,	W. M'Intosh, J. Smith,	27	19	2
152	Albion,	Henry Blakslee,	26	22	2
153	British Union,	Joseph and Archibald Reece,	125	55	3
154	Sussex,	John E. Goram, W. Lyons,	81	42	2
155	Borneo,	John Ward & Sons,	707	758	20
156	Royal Tar,	Malcolm M'Kenzie,	78	34	2
157	George Gordon,	James Smith,	18	18	2
158	Augusta,	Robert D. Wilmot,	512	599	16
159	Hector,	Archibald Watson,	64	29	2
160	James and Thomas,	Benjamin Fanjoy,	66	66	3
TOTAL.....		426 Vessels,	89,244	87,222	3142

H. BOWYER SMITH, Collector.

Custom House, Saint John, N. B. 31st December, 1841.

PORT OF MIRAMICHI, NEW BRUNSWICK.

An Account of the number of Vessels belonging to this Port on 31st Dec. 1841.

Year and No. of the Certificate of Registry.	Names of the Vessels.	TONNAGE.		Men and Boys.	
		3 & 4 W. 1.	5 & 6 W. 1.		
1828.	No. 2	Trial,	14	14	3
	7	Industry,	18	18	3
1829.	1	Esperance,	26	26	3
	3	Brothers,	17	17	2
	4	Perseverance,	13	13	2
	13	Mary,	37	37	4
	18	Odd,	35	35	3
	19	Jane,	91	91	4
1830.	6	Margaret,	15	15	2
	7	Margaret,	12	12	2
1831.	4	Comet,	32	32	3
	7	Isabella,	24	24	2
	8	Musca,	21	21	4
	9	Musquito,	52	52	6
1832.	2	Perseverance,	38	38	3
1833.	1	Good Intent,	27	27	3
	4	Venus,	36	36	3
	11	Beaver,	17	17	2
1834.	12	Trial,	36	36	4
	16	Surprise,	20	20	3
1835.	1	Rebecca,	34	34	3
	6	Annabella,	42	42	3
	9	Cousins,	22	22	3
	11	Elizabeth,	89	89	5
	13	Superb,	25	25	3
	14	Hulda,	19	19	2
	15	Victoria,	21	21	3
	17	Triumph,	45	45	3
1836.	6	Henriette,	22	22	3
<i>Carried forward</i> ,.....			800	800	89

An Account of the existing Shipping, &c.—Continued.

Year and No. of the Certificate of Registry.		Names of the Vessels.	TONNAGE.		Men and Boys.
			3 & 4 W. 4.	5 & 6 W. 4.	
		<i>Brought forward</i> ,.....	800	800	39
1836.	No. 7	Creole,	20	20	2
	9	Temperance,	44	44	3
1837.	2	Rose,	23	15	2
	3	Marinc,	29	22	4
	16	Margaret,	33	27	3
	20	Angelique,	33	23	3
	24	Mary,	48	40	3
	26	Tiger,	114	103	6
	29	Providence,	29	22	3
1838.	1	Saint Patrick,	23	14	3
	2	Charlotte,	20	15	3
	3	Eliza Ann,	73	62	6
	5	Echo,	100	80	6
	6	Pacific,	26	15	3
	7	Sovereign,	14	9	2
	12	Cape Breton,	124	124	11
	18	Rambler,	77	50	6
	19	Jane,	33	22	4
	20	Industry,	38	21	4
1839.	2	Grey Hound,	34	18	3
	14	Seaflower,	56	48	2
	16	Harper,	321	345	15
	18	Jane,	27	20	3
	22	Sylph,	140	123	9
	27	Esperance,	16	10	3
	31	Susan,	299	340	12
1840.	3	Dolphin,	33	22	3
	4	General Wolfe,	28	16	3
	6	Voluna, (<i>de nova</i> ,)			
	7	Relief,	39	22	3
	11	Importer,	697	734	30
	12	Miscou,	57	40	3
	13	Messenger,	598	586	18
	19	Lord Seaton,	380	440	17
	20	Margaret,	17	13	2
	22	Ringdove,	210	176	9
	23	Mary,	18	15	2
	24	Henry Duncan,	484	562	17
	26	Margaret,	156	127	6
1841.	2	Victoria,	18	11	2
	3	Lady Colebrooke,	342	385	16
	4	Elizabeth,	36	28	3
	6	Morning Star,	507	619	20
	9	Sir Charles Napier,	566	638	25
	12	Hannibal,	479	583	19
	13	Three Brothers,	33	33	3
	14	Evening Star,	521	642	19
	15	Peel's One,	518	627	21
	16	Laurel,	726	779	30
	17	Jane Lowden,	500	581	19
	18	Wilhelmina,	389	430	17
	19	Medina,	352	378	16
	20	Luna,	201	203	12
<i>Carried forward</i> ,.....			10,599	11,222	548

An Account of the existing Shipping, &c.—Continued.

Year and No. of the Certificate of Registry.	Names of the Vessels.	TONNAGE.		Men and Boys.
		3 & 4 W. 4.	5 & 6 W. 4.	
	<i>Brought forward</i> ,.....	10,599	11,222	548
1841. No. 21	Wallace,	719	810	30
22	British Princess,	406	462	18
23	Acapulco,	301	332	14
24	California,	570	629	21
25	Mecca,	251	257	14
26	Durango,	301	340	15
27	J. T. Haviland,	204	192	9
28	Sympathy,	67	59	3
29	Victoria,	132	119	7
30	Ockbrook,	445	530	17
31	Gloucester,	317	528	19
32	Bathurst,	472	531	19
33	Echo,	376	422	13
34	Kent,	403	480	18
35	Pan,	202	205	13
36	Larch,	187	184	9
TOTAL, 97 Vessels,		15,952	17,302	787

H. BOWYER SMITH, Collector.

Custom House, Saint John, N. B. 31st December, 1841.

PORT OF SAINT JOHN, NEW BRUNSWICK.

An Account of the number of New Vessels Registered at this Port and Miramichi, and also the number of New Vessels for which Certificates have been granted for Owners in the United Kingdom, during the Year ended 31st December, 1841.

Vessels Names.	Rig.	Where Built.	TONNAGE.	
			5 & 6 W. 4 c. 35.	3 & 4 W. 4 c. 35.
			New.	Old.
Mary Stewart,	Brig,	N. B.	217	282
Stillman,	"	N. S.	190	212
Lotus,	Ship,	N. B.	872	778
George,	Brig,	N. S.	200	183
Minerva,	"	N. B.	253	264
Harvest Home,	Barque,	....	459	404
Sterling,	Brig,	N. S.	204	209
Spitfire,	Schooner,	N. B.	84	107
Princess Royal,	Ship,	....	1109	1024
Albina,	Brigantine,	....	126	169
Prince Albert,	Schooner,	....	53	119
Beryl,	Brigantine,	....	108	129
Norval,	Schooner,	....	42	124
Australia,	Ship,	....	893	815
Salisbury,	"	....	587	525
Ella,	Brig,	N. S.	130	157
Peru,	"	....	103	138
Robert Burns,	Brigantine,	N. B.	94	110
Primrose,	Barque,	....	533	475
St. Patrick,	"	....	830	753
Princess,	"	....	507	479
Scotland,	"	....	562	476
<i>Carried forward</i> ,.....			8156	7932

An Account of New Vessels Registered in 1841.---Continued.

Vessels Names.	Rig.	Where Built.	TONNAGE.	
			5 & 6 W. 4	3 & 4 W. 4
			c. 56.	c. 55.
<i>Brought forward</i> ,.....			8156	7932
Eglinton,	Ship,	N. B.	945	869
Coquette,	Barque,	....	282	273
Themis,	Ship,	....	1004	998
Mary Ann,	Brig,	....	141	159
New Zealand,	Barque,	....	593	535
Mary Ann,	Schooner,	....	25	30
Sackville,	Brigantine,	....	147	157
Sylph,	Brig,	....	155	182
Miracle,	Barque,	....	627	567
Sylvia,	Brig,	....	198	197
Hampton,	Brig,	....	136	173
Canada,	Ship,	....	809	744
Caledonia,	"	....	790	698
Coverdale,	Barque,	N. S.	312	299
Bona Dea,	"	....	625	582
James and Mary Sinnott,	"	....	534	483
Wm. Carson,	"	....	210	246
Samuel,	Schooner,	N. B.	53	114
Levant,	Barque,	N. S.	397	359
Aylesford,	Brig,	....	223	228
Cashmere,	Barque,	....	370	347
Ida,	Brig,	....	150	167
Glenlyon,	Ship,	N. B.	909	821
Saxe Gothia,	Steamer,	....	90	131
Anna,	Brig,	N. S.	154	184
Racer,	"	....	257	250
Hopewell,	Barque,	N. B.	392	367
Ellerslie,	"	....	734	665
Lamport,	Ship,	N. S.	743	632
South Esk,	Brig,	N. B.	246	245
Lady Colebrooke,	Barque,	....	297	297
Sisters,	Ship,	....	851	745
Theseus,	Barque,	N. S.	652	561
Lord Stanley,	"	N. B.	666	518
Sepoy,	Ship,	N. S.	769	636
Union,	Schooner,	N. B.	37	55
Duke of York,	"	....	38	90
Maranham,	Ship,	N. S.	453	447
Chieftain,	"	N. B.	795	706
Ida,	Brigantine,	N. S.	120	158
Peruvian,	Ship,	N. B.	374	374
Mary B.	Schooner,	N. B.	18	25
Peru,	"	....	63	88
Rising Sun,	"	....	58	123
Brunswick Lyon,	"	....	52	112
Lord Wellington,	Barque,	....	732	702
Alva,	"	....	459	381
Crown,	"	N. S.	350	307
Flora,	Schooner,	N. B.	63	112
British Union,	"	....	55	125
Borneo,	Ship,	N. S.	758	707
Augusta,	Barque,	N. B.	599	512
Total ,.....		74 Vessels,	28,666	27,415.

An Account of New Vessels Registered in 1841.—Continued.

Vessels Names.	Rig.	Where Built.	TONNAGE.	
			5 & 6 W. 4 c. 56.	3 & 4 W. 4 c. 55.
			New.	Old.
Under Certificate for Owners in the United Kingdom.				
Symetry,	Ship,	N. S.	1009	908
Meniphia,	Barque,	N. B.	289	289
Jessie M'Clue,	Schooner,	....	79	102
Dromahair,	Barque,	....	376	353
<i>Total,..... 4 Vessels,</i>			1,753	1,652
MIRAMICHI.				
Victoria,	Schooner,	N. B.	12	18
Lady Colebrooke,	Barque,	....	385	342
Aldebaran,	"	....	610	504
Morning Star,	"	....	620	507
May Flower,	Brig,	....	280	248
Sir Charles Napier,	Ship,	....	639	567
Sir Charles Napier,	Barque,	....	590	531
Hannibal,	Ship,	....	584	480
Peel's One,	"	....	627	518
California,	Barque,	....	629	570
Mecca,	Brig,	....	257	251
Acapulco,	Barque,	....	333	302
British Princess,	"	....	462	406
Sympathy,	Schooner,	....	60	67
Luna,	Brig,	....	204	202
Wilhelmina,	Barque,	....	431	389
Jane Lowden,	"	....	581	500
Durango,	"	....	340	302
Laurel,	Ship,	....	780	726
Medina,	Barque,	....	379	352
Evening Star,	"	....	642	522
Wallace,	Ship,	....	811	720
Victoria,	Schooner,	....	120	132
Ockbrook,	Barque,	....	530	445
Gloucester,	"	....	529	318
Bathurst,	"	....	531	472
Echo,	"	....	423	377
Kent,	"	....	480	404
Peru,	Brig,	....	205	203
Larch,	"	....	184	187
<i>Total,..... 30 Vessels,</i>			13,258	11,562
Under Certificate for Owners in the United Kingdom.				
Cybelle,	Barque,	N. B.	374	334

RECAPITULATION.

	Ships	Barques.	Brigantines.	Brigs.	Schooners.	Steamers.	Total Vessels.	Tonnage.	
								New.	Old.
Saint John,....	17	25	5	16	14	1	78	30,449	29,067
Miramichi,....	5	18	0	5	3	0	31	13,632	11,896
Total,.....	22	43	5	21	17	1	109	44,051	40,963

H. BOWYER SMITH, *Collector.*

Custom House, Saint John, N. B. 31st December, 1841.

PORT OF SAINT JOHN, NEW BRUNSWICK.

An Account of Vessels Entered Inward and Cleared Outward at the Port of Saint John and its Out Stations, during the Year 1841.

Place from whence Entered, or to whence Cleared.	Port at which Entered or Cleared.	ENTERED INWARD.			CLEARED OUTWARD.		
		No.	Tons.	Men.	No.	Tons.	Men.
United Kingdom,	St. John,	183	78,175	2922	277	123,116	4303
	Miramichi,	130	42,361	1697	182	58,996	2333
	Dalhousie,	76	21,761	1050	89	29,915	1210
	Bathurst,	15	3628	166	29	7523	312
	Richibucto,	23	7900	291	40	15,163	498
	Dorchester,	3	1143	41	12	3567	140
	Caraquet,	6	1405	71	8	2606	96
	<i>Total.....</i>	436	159,377	6241	637	240,886	8892
Guernsey and Jersey,	Caraquet,	1	73	9	1	73	8
British West Indies,	Saint John,	7	1028	54	24	4073	203
	Dorchester,	0	0	0	1	162	4
	<i>Total.....</i>	7	1028	54	25	4235	207
British N. A. Colonies, (British Ships.)	St. John,	1055	50,175	3467	1114	49,509	3858
	Miramichi,	223	12,749	815	187	7394	583
	Dalhousie,	73	5863	314	60	2788	187
	Bathurst,	23	1607	107	35	1493	104
	Richibucto,	47	3537	199	35	2024	138
	Dorchester,	8	608	31	8	533	29
	Caraquet,	23	1566	105	24	1095	107
	<i>Total.....</i>	1452	76,105	5041	1463	64,836	5006
(Foreign Ships.)	Miramichi,	0	0	0	6	664	31
Foreign Europe,	Dalhousie,	6	1595	54	0	0	0
	Richibucto,	1	226	8	0	0	0
	Bathurst,	5	1393	50	0	0	0
	Caraquet,	3	775	29	1	112	8
	Miramichi,	14	3770	132	0	0	0
	Dorchester,	1	162	9	0	0	0
	<i>Total.....</i>	30	7832	282	1	112	8
United States, (British Ships.)	St. John,	224	35,400	1824	151	14,266	962
	Miramichi,	8	1493	66	2	74	9
	Dalhousie,	0	0	0	0	0	0
	Dorchester,	11	1033	56	0	0	0
	<i>Total.....</i>	243	37,926	1946	153	14,340	971
(Foreign Ships.)	St. John,	79	9671	393	79	10,565	413
Miramichi,	6	661	27	0	0	0	
	<i>Total.....</i>	85	10,335	420	79	10,565	413
British Poss. in Africa,	St. John,	0	0	0	2	214	15
	Montevideo,	0	0	0	1	240	12
Cuba,	St. John,	6	973	49	0	0	0
Porto Rico,	St. John,	1	123	7	0	0	0
St. Thomas,	St. John,	3	584	29	0	0	0

RECAPITULATION.

St. John,	1558	176,129	8715	1648	201,983	9766
Miramichi,	381	61,037	2737	377	67,128	2956
Dalhousie,	155	32,222	1418	149	32,703	1397
Bathurst and Caraquet,	76	10,359	537	98	12,902	635
Dorchester,	23	2946	143	21	4262	173
Richibucto,	71	11,663	498	75	17,187	636
<i>Total.....</i>	2264	294,356	14,078	2368	336,165	15,563

PORT OF SAINT JOHN, NEW BRUNSWICK.

An Account of the Vessels Cleared Outwards at this Port in the Year ending the 5th January, 1842, for the Fisheries.

Vessels.	Tons.	Men.
92 Small Vessels,.....	2013	311
3 Vessels for South Sea Fisheries,	1105	94
95 Total,.....	3118	405

H. BOWYER SMITH, Collector.

Custom House, Saint John, N. B. 5th January, 1842.

PORT OF SAINT ANDREWS, NEW BRUNSWICK.

An Account of all Vessels Entered Inwards and Outwards at this Port in the Year ended 5th January, 1842, as compared with the preceding Year.

COUNTRIES.	Year ended 5th January, 1841.				Year ended 5th January, 1842.			
	INWARDS.		OUTWARDS.		INWARDS.		OUTWARDS.	
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.
United Kingdom,.....	23	6773	22	7362	15	5895	20	7606
British North American Colonies,....	61	4733	28	1357	67	4713	46	1998
British West Indies,.....	38	6651	53	9952	41	8132	68	13668
Foreign West Indies,.....	6	763	...	...	7	1668	1	99
Fishing Voyage,.....	...	...	1	36	...	...	...	...
Foreign Europe,.....	1	185	2	334	3	1333	...	...
Africa,.....	...	...	...	...	1	238	...	...
United States,.....	259	5164	239	4835	198	8940	155	4652
Total,.....	388	24,269	345	23,876	332	30,919	290	28,043

Custom House, 28th January, 1842.

ALEX. GRANT, Collector.

PORT OF SAINT STEPHEN, NEW BRUNSWICK.

An Account of Vessels Entered Inwards and Cleared Outwards from the 5th Jan. 1841, to the 5th Jan. 1842, as compared with the preceding Year.

COUNTRIES.	In the Year ending 5th January, 1841.						In the Year ending 5th January, 1842.					
	INWARDS.			OUTWARDS.			INWARDS.			OUTWARDS.		
	No.	Tons.	Men	No.	Tons.	Men	No.	Tons.	Men	No.	Tons.	Men
United Kingdom,.....	0	0	0	1	459	15	4	1,538	53	2	1,196	41
British West Indies,.....	74	11,383	658	122	20,523	960	72	13,265	568	116	22,173	922
British N. A. Colonies, ..	101	9,070	461	93	4,468	30	79	4,826	286	64	2,553	190
United States,.....	0	0	0	0	0	0	0	0	0	1	331	13
Total,.....	175	20,453	1119	215	25,450	1261	155	19,629	907	183	26,253	1166

Custom House, Saint Stephen, January 5, 1842.

THOS. ARMSTRONG, Sub-Collector.

PORT OF MAGAGUADAVIC, NEW BRUNSWICK.

An Account of the Number and Tonnage of Vessels Entered and Cleared at this Port in the Year ended the 5th January, 1842, as compared with the preceding Year.

COUNTRIES.	Year ending 5th January, 1841.				Year ending 5th January, 1842.			
	INWARDS.		OUTWARDS.		INWARDS.		OUTWARDS.	
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.
Great Britain,.....	1	449	9	2253	0	0	6	1702
British Colonies,.....	19	1540	30	2479	19	767	35	2312
United States,.....	12	1327	19	702	24	1858	23	1379
Total,.....	32	3316	58	5434	43	2625	64	5393

Custom House, Magaguadavic, N. B. 5th January, 1842.

A. J. WETMORE, Sub-Collector.

PORT OF WELCHPOOL, NEW BRUNSWICK.

Account of the Number and Tonnage of Vessels Entered Inwards and Cleared Outwards at this Port the Year ended 5th January, 1842, compared with the preceding Year.

COUNTRIES.	Year ended 5th January, 1841.				Year ended 5th January, 1842.			
	INWARDS.		OUTWARDS.		INWARDS.		OUTWARDS.	
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.
Great Britain.....	2	617	4	1287	1	329	1	324
British North American Colonies.....	11	378	13	420	17	672	18	369
British West Indies.....	10	2172	12	2372	8	1852	11	2479
Fishing Voyages.....	7	131	6	126	...	...	...	...
United States,	48	8137	45	7161	38	6457	39	6409
Total,	78	11,435	80	11,366	64	9310	69	9581

D. BENNETT, *Sub-Collector.*

Custom House, Welchpool, 5th January, 1842.

Comparative Statement of Revenue collected at Saint John, in the Years 1840 and 1841.

Articles on which Revenue has been collected.	REVENUE 1840.		REVENUE 1841.		INCREASE.		DECREASE.	
	Quantity.	Amount.	Quantity.	Amount.	Quantity.	Amount.	Quantity.	Amount.
On British Manufactures at 2½ per cent.....		£7,006 1 1		£7,140 13 6		£131 12 3		
“ Silks, &c. “ 5 “		183 8 3		1,001 16 6		813 8 3		£35 8 6
“ Foreign ditto. “ 10 “		1,861 10 0		1,826 1 6				
“ Ditto. “ 25 “		203 17 6		274 15 10		65 18 4		
“ Rum and Spirits.....		3,849 0 8		9,250 2 8		401 2 0		
“ Wine.....		3,980 8 9		3,771 16 2		0 0 0		203 12 7
“ Brandy.....		5,701 15 9		5,953 10 0		251 14 3		
“ Gin and Cordials.....		1,398 7 6		1,848 4 6		449 17 0		
“ Whiskey.....		1,677 18 0		1,144 12 0		0 0 0		5,333
“ Lime Juice.....		0 0 0		0 7 6		0 7 6		
“ Molasses.....		7 12 1 7		1,038 1 2		315 19 7		35,918
“ Brown Sugar.....		2,133 5 0		4,036 5 0		1,903 0 0		
“ Dried Fruit.....		261 16 3		290 6 3		28 10 0		
“ Refined Sugar.....		737 8 10		1,268 19 8		511 10 10		
“ Coffee.....		403 13 10		519 3 6		110 9 8		
“ Tobacco.....		394 9 3		727 16 9		333 7 6		
“ Horses.....		15 0 0		15 0 0		0 0 0		
“ Oxen.....		12 0 0		43 15 0		31 15 0		
		£35,597 2 3		£40,471 7 6		£5,651 12 4		£777 7 1

B. ROBINSON, Province Treasurer.

Treasurer, Saint John, 1st January, 1842.

Abstract of the Revenue and State of the Finances of the Province of New Brunswick, 1st January, 1842.

Where Collected.	Ordinary Revenue.	Casual and Territorial Revenue.	Received from Officers of H. Majesty's Customs.	Proceeds of Bills on George Baillie, Esquire.	Duties on Auction Sales.	Received for Licences to Pedlars.	Passenger and Emigrant Duties.	Light House Duties.	Sick and Disabled Seamen's Duties.	TOTALS.
Saint John,.....	40,471 7 6	15,074 12 0	20,669 12 1	6,900 0 0	609 5 0	16 10 0	1,537 10 10	2,252 7 8	795 14 6	6188,356 19 7
Miramichi,.....	5,814 13 4	...	2,994 13 1	...	16 0 7	...	143 5 0	287 16 2	450 14 4	9,707 2 6
Dalhousie,.....	3,029 15 9	...	886 9 7	...	4 12 2	5 0 0	25 15 0	127 5 11	123 17 5	4,202 15 10
Bathurst,.....	450 8 9	...	209 18 10	...	...	2 10 0	6 16 8	24 2 5	24 2 5	717 19 1
Richibucto,.....	931 18 0	...	663 8 5	...	...	...	5 16 8	47 0 9	43 1 9	1,691 5 7
Shediac,.....	146 18 3	...	...	...	...	...	...	...	2 11 1	149 9 4
Bay Verte,.....	0 15 0	...	...	...	...	...	...	...	...	18 12 6
Woodstock,.....	398 0 10	...	241 17 3	...	10 5 10	...	...	...	...	650 3 11
Fredericton,.....	...	...	...	...	32 14 3	...	...	...	...	35 4 3
Saint Andrews,...	2,441 6 3	...	...	...	24 17 11	2 10 0	...	455 9 0	...	3,279 9 9
Saint Stephens,...	1,389 10 7	...	98 19 5	...	14 3 2	5 0 0	42 16 8	331 13 4	153 8 10	1,888 15 11
Saint George's,...	66 11 8	...	...	...	...	2 10 0	...	32 9 8	13 5 10	114 17 2
West Isles,.....	61 8 10	...	...	...	...	...	...	57 19 6	18 14 2	141 2 6
Grand Manan,....	...	...	...	...	...	...	...	29 12 10	...	29 12 10
Totals,.....	55,205 14 9	15,074 12 0	25,764 18 8	6,900 0 0	711 18 11	51 17 6	1,762 0 10	3,675 17 3	1,836 10 10	110,983 10 9

COMPARATIVE STATEMENT.

	1840.	1841.	Increase.	Decrease.	DR.	CR.
Ordinary Revenue,	48,981 6	55,205 14	6224 8 6	...	Unpaid Appropriations,	48,137 5 2
Casual and Ter. Revenue,	18,899 15	15,074 12 0	...	3925 3 4	Debentures issued for Loans	16,300 0 0
Rec. from H. M. Customs,	27,994 13 5	25,764 18 8	...	2229 14 9	under Act 3 Vict. cap. 3,	9,337 16 2
Proceeds of Bills of Exchange,	5,400 0 0	6,900 0 0	1500 0 0	...	Savings Bank,	...
Auction Duties,	1,414 5 6	711 18 11	...	702 6 7	Bank of New Brunswick,	...
Licences to Pedlars,	49 17 6	51 17 6	2 0 0	...	viz: Credit Account @	19,425 5 11
Passenger and Em. Duties,	1,967 10 8	1,762 0 10	...	205 9 10	4 ¢ cent.	...
Light House Duties,	3,271 17 3	3,675 17 3	404 0 0	...	Advance on Bye Roads	15,477 0 2
S. and D. Seamen's Duties,	1,963 11 8	1,836 10 10	...	127 0 10	@ 6 ¢ cent.	...
Totals,.....	109,942 17	110,983 10	930 8	67089 15 4		108,677 7 6

B. ROBINSON, Province Treasurer.

Treasury, Saint John, 1st January, 1842.

REPORT ON THE TREASURER'S ACCOUNTS.

MR. PARTELOW, from the Committee appointed to examine the Treasurer's Accounts for the Year ending 31st December, 1841, submits the following Report:—

No. 1. Is an account of specific and ad-valorem Duties collected or secured on Merchandise imported into Saint John, between the 1st January and 31st December, 1841, amounting to.....£40,471 7 6

No. 2. Is an account of Auction Duties paid at the Treasury, Saint John, during the same period, amounting to..... 609 5 0

No. 3. Is an account of Monies received by the Treasurer, at Saint John, in 1841, from the Officers of Her Majesty's Customs, on account of Duties collected by them under Acts of the Imperial Parliament, amounting to..... 20,669 12 1

No. 4. Is an account of Duties collected at Saint John, in 1841, for Licences issued to Pedlars, amounting to..... 16 10 0

Total gross Revenue at Saint John, in 1841,.....£61,766 14 7

From which are to be deducted the following:—

No. 5. An account of Drawbacks paid at Saint John, in 1841, on articles imported into that place and exported, amounting to.....£2,841 18 6

Less this amount taken from the Revenue the year previous, on account of the requisite Certificates not having been then lodged,..... 502 0 0

Nett,.....£2,339 18 6

No. 6. An account of sums paid by the Treasurer, in 1841, for discounts on prompt payments of Duties, amounting to..... 35 18 8

No. 7. An Abstract of Entries made at the Treasurer's Office, Saint John, for Drawbacks on Goods exported, the proper Certificates to obtain which not having been lodged on the 31st December, 1841, amounting to..... 160 18 5

2,536 15 7

Nett Revenue at Saint John, in 1841,.....£59,229 19 0

No. 8. Is an account of specific and ad-valorem Duties collected or secured on Merchandise at Saint Andrews, in the year 1841, by the Deputy Treasurer there, amounting to.....£2,441 6 3

No. 9. Is an account of Auction Duties collected during the same period, amounting to..... 24 17 11

No. 10. Is an account of sums received by the Deputy Treasurer, in 1841, for Licences issued to Pedlars, amounting to..... 5 0 0

No. 11. Is an account of Monies paid over to the Deputy Treasurer, in 1841, by the Collector of Her Majesty's Customs, on account of Imperial Duties, amounting to..... 98 19 5

Gross Revenue at Saint Andrews, in 1841,.....£2,570 3 7 £59,229 19 0

Carried forward,

<i>Brought forward</i>	£2,570 3 7	£59,229 19 0
From which are to be deducted:—		
No. 12. An account of Drawbacks paid at Saint Andrews by the Deputy Treasurer, in 1841, amounting to.....	£18 15 5	
No. 13. An amount of Discount allowed for prompt payment of Duties, amounting to	0 7 10—	19 3 3
Nett Revenue at Saint Andrews for 1841,		<u>2,551 0 4</u>
No. 14. Is an account of specific and ad-valorem Duties collected or secured by the Deputy Treasurer, Saint Stephen, in 1841, on Merchandise, Foreign Oxen and Horses, amounting to.....	£1,389 10 7	
No. 15. Is an account of Auction Duties collected during the same period, amounting to.....	14 3 2	
Gross Revenue at Saint Stephen, in 1841,.....	£1,403 13 9	
From which is to be deducted:—		
No. 16. An account of Discounts allowed for prompt payment of Duties in 1841, amounting to.....	7 10 9	
Nett Revenue at Saint Stephen, in 1841,		<u>1,396 3 0</u>
No. 17. Is an account of ad-valorem Duties collected in 1841, by the Deputy Treasurer, Saint George, amounting to.....	£66 11 8	
No. 18. Is an account of a sum received by the same, for a Pedlar's Licence,.....	2 10 0	
Total Revenue at Saint George, for 1841,		<u>69 1 8</u>
No. 19. Is an account of Ordinary and ad-valorem Duties collected or secured in 1841, by the Deputy Treasurer at Miramichi, amounting to.....	£5,814 13 4	
No. 20. Is an account of Auction Duties paid to the Deputy Treasurer, during the same period, amounting to.....	16 0 7	
No. 21. Is an account of sums received by the Deputy Treasurer, in 1841, from the Officers of Her Majesty's Customs, on account of Duties collected under Acts of the Imperial Parliament, amounting to.....	2,994 19 1	
Gross Revenue at Miramichi, for 1841,	£8,825 13 0	
From which are to be deducted:—		
No. 22. A statement of various sums paid by the Deputy Treasurer, in 1841, for Drawbacks on Goods exported, amounting to.....	£98 2 3	
Less this sum taken from the Revenue, in 1840, the Certificates to obtain the Drawbacks not then being lodged,.....	82 19 4	
Nett,.....	£15 2 11	
No. 23. A statement of sums allowed and paid by the Deputy Treasurer for Discounts or prompt payment of Duties, amounting to	30 8 11	
No. 24. A statement of Entries for Drawbacks on Goods exported, the Certificates to obtain which not having been received, amounting to.....	115 12 4—	161 4 2
Net Revenue at Miramichi, for 1841,		<u>8,664 8 10</u>
<i>Carried forward</i>		<u>£71,910 12 10</u>

<i>Brought forward</i> ,.....				£71,910	12	10
No. 25. Is an account of Ordinary and ad-valorem Duties collected by the Deputy Treasurer, Richibucto, in 1841, amounting to £931 18 0						
No. 26. Is a statement of Monies received in 1841, by the Deputy Treasurer, from the Sub-Collector of Her Majesty's Customs, on account of Parliamentary Duties, amounting to.....	663	8	5			
Total Revenue at Richibucto, for 1841,				1,595	6	5
No. 27. Is an account of Ordinary Duties collected or secured in 1841, on Merchandise, by the Deputy Treasurer, Dalhousie, amounting to £2,615 13 10						
No. 28. Is an account of ad-valorem Duties collected during the same period, amounting to.....	414	1	11			
No. 29. Is an account of sums received for Pedlars' Licences, amounting to.....	5	0	0			
No. 30. Is an account of Auction Duties collected, amounting to.....	4	12	2			
No. 31. Is an account of sums received from Officers of Her Majesty's Customs, on account of Imperial Duties, amounting to.....	886	9	7			
Total Revenue at Dalhousie, in 1841,.....	£3,925	17	6			
From which are to be deducted :—						
No. 32. A statement of sums paid for Drawback on Goods exported, amounting to.....	£3	19	1			
No. 33. An account of sums allowed and paid for prompt payment of Duties, amounting to.....	47	19	7—	51	18	8
Nett Revenue at Dalhousie, for 1841,				3,873	18	10
No. 34. Is an account of Ordinary Duties collected on Merchandise, by the Deputy Treasurer, Bathurst, in 1841, amounting to £373 15 5						
No. 35. Is an account of ad-valorem Duties collected in 1841, amounting to.....	76	13	4			
No. 36. Is a statement of a sum received for a Licence issued to a Pedlar,.....	2	10	0			
No. 37. Is a statement of sums paid over by the Sub-Collector of Her Majesty's Customs, in 1841, amounting to.....	209	18	10			
Gross Revenue at Bathurst, in 1841,.....	£662	17	7			
From which are to be deducted :—						
No. 38. An account of Drawbacks paid on articles exported, amounting to.....	£5	8	0			
No. 39. An account of sums collected and paid for prompt payment of Duties, amounting to.....	7	6	7—	12	14	7
Nett Revenue at Bathurst, for 1841,				650	3	0
No. 40. Is an account of Ordinary and ad-valorem Duties collected in 1841, by the Deputy Treasurer at Shediac, amounting to.....				146	18	3
<i>Carried forward</i> ,.....				£78,176	19	4

<i>Brought forward</i> ,.....	£78,196	19	4
No. 41. Is an account of Ordinary Duties collected by the Deputy Treasurer at Bay Verte, in 1841, amounting to.....	£0	15	0
No. 42. Is an account of sums received by the same, for Pedlars' Licences, amounting to.....	17	17	6
<hr/>			
Total Revenue at Bay Verte, in 1841,.....	18	12	6
No. 43. Is an account of Auction Duties, collected by the Deputy Treasurer, Fredericton, in 1841, amounting to.....	£32	14	3
No. 44. Is an account of a sum received for a Pedlar's Licence,.....	2	10	0
<hr/>			
Total Revenue at Fredericton, for 1841,.....	35	4	3
No. 45. Is an account of Duties collected in 1841, by the Deputy Treasurer at Woodstock, on Horses and Oxen, amounting to.....	£266	10	0
No. 46. Is an account of ad-valorem Duties, collected in 1841, amounting to.....	131	10	10
No. 47. Is an account of Auction Duties collected in 1841, amounting to.....	10	5	10
No. 48. Is an account of Monies paid over by the Sub-Collector of Her Majesty's Customs in 1841, amounting to.....	241	17	3—
<hr/>	650	3	11
Total nett Revenue of the Province for 1841, exclusively of Light House, Emigrant and Hospital Duties; as also Duties collected on sales of Timber, Logs and Lands, and Monies paid over on account of arrearages of former sales,.....	£78,881	0	0
<hr/>			
There are no returns from West Isles or Sackville.			
No. 49. Is an account of sums received for Bills of Exchange, by the Province Treasurer, at Saint John, drawn on Account of Monies paid over by the Nova Scotia and New Brunswick Land Company, amounting to.....	£6,900	0	0
No. 50. Is an account of sums paid over by the Receiver General, in 1841, to the Province Treasurer, on account of receipts for Lands, Licences, &c. amounting to.....	15,074	12	0
<hr/>			
Total Receipts from this Fund in 1841,.....	£21,974	12	0
<hr/>			
No. 51. Is an account of sums refunded, received by the Treasurer at Saint John, in 1841, amounting to.....	£86	16	1
No. 52. Is an account of sums paid over by Her Majesty's Attorney General, to the Treasurer, in 1841, on account of Bonds and Suits, amounting to....	£428	14	6
No. 53. Is an account of Bonds sent to the Attorney General for collection, in 1841, by the Province Treasurer, amounting to.....	£8,135	17	10
No. 54. Is an account of Duties received by the Province Treasurer, on sales of Seizures by the Officers of Her Majesty's Customs in 1841, as follow :—			
Saint John,.....	£663	0	3
Woodstock,.....	21	15	8—
	£684	15	11
No. 55. Is an account of payments made to Officers of Her Majesty's Customs, for Bounties on Seizures in 1841, amounting to the same, as Receipt per No. 54,.....	£684	15	11
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No. 56. Is an account of Light House Duties collected by the Treasurer at Saint John in 1841, for support of Light Houses in the Bay of Fundy, amounting to
£2,282 7 8

No. 57. Is an account of Light House Duties collected in 1841, by the Deputy Treasurer, Saint Andrews, amounting to..... 455 9 0

No. 58. Is an account of collections for the same purpose in 1841, by the Deputy Treasurer, Saint Stephens, amounting to..... 331 13 4

No. 59. Is an account from the Deputy Treasurer, Saint George, shewing collections in 1841, amounting to..... 32 9 8

No. 60. Is an account of Light House Duties collected in 1840 and 1841, by the Deputy Treasurer, Grand Manan, amounting to..... 29 12 10

Total amount of Light House Duties,..... £3,131 12 6

There is no return from the Deputy Treasurer, West Isles.

No. 61. Is an account of Light House Duties collected by the Deputy Treasurer, Miramichi, towards the support of Light Houses in the Gulf of Saint Lawrence in the year 1841, amounting to..... £287 16 2

No. 62. Is an account of collections made by the Deputy Treasurer, Richibucto, in 1841, towards the same object, amounting to..... 47 0 9

No. 63. Is an account from the Deputy Treasurer at Dalhousie, shewing collections in 1841, for the same object, amounting to..... 127 5 11

No. 64. Is an account shewing collections by the Deputy Treasurer, Bathurst, towards the same object, amounting to..... 24 2 5

Total collected towards the support of Light Houses in the Gulf of Saint Lawrence, £486 5 3

There appear to have been no collections made at Shediac.

No. 65. Is an account of collections made by the Province Treasurer of Saint John in 1841, under the Act for the support of sick and disabled Seamen, amounting to
£795 14 6

No. 66. Is an account of collections in 1841, by the Deputy Treasurer, Saint Andrews, towards the same object, amounting to..... 211 0 6

No. 67. Is an account of similar Duties collected in 1841, by the Deputy Treasurer, Saint Stephens, amounting to..... 153 8 10

No. 68. Is a similar account from the Deputy Treasurer, Saint George, shewing collections in 1841, amounting to..... 13 5 10

No. 69. Is a statement from the Deputy Treasurer, Miramichi, particularizing collections in 1841, on same account, amounting to..... 450 14 4

No. 70. Is an account from the Deputy Treasurer, Richibucto, of collections in 1841, towards the same object, amounting to..... 43 1 9

No. 71. Is an account for the same service from the Deputy Treasurer, Dalhousie, in 1841, shewing collections, amounting to..... 123 17 5

No. 72. Is an account for the same service, shewing collections in 1841, by the Deputy Treasurer, Bathurst, amounting to.... 24 2 5

No. 73. Is an account of collections made by the Deputy Treasurer, Shediac, in 1841, towards the same object, amounting to..... 2 11 11

Total amount collected in 1841, for the relief of sick and disabled Seamen,..... £1,817 17 6

No. 74. Is an account of Duties collected in 1841, by the Province Treasurer at Saint John under the "Act to regulate Vessels arriving from the United Kingdom, with Passengers and Emigrants," amounting to.....	£1,537 10 10
No. 75. Is an account of Duties collected by the Deputy Treasurer, Saint Andrews, in 1841, under the same Act, amounting to.....	42 16 8
No. 76. Is an account of similar Duties collected by the Deputy Treasurer, Miramichi, in 1841, under the same Act, amounting to.....	143 5 0
No. 77. Is an account of Duties collected by the Deputy Treasurer, Dalhousie, in 1841, under the same Act, amounting to.....	25 15 0
No. 78. Is an account of Duties collected by the Deputy Treasurer, Richibucto, in 1841, on the same account, amounting to.....	5 16 8
No. 79. Is an account of Duties collected in 1841, by the Deputy Treasurer, Bathurst, same account, amounting to.....	6 16 8
Total received in 1841, under this Act,.....	<u>£1,762 0 10</u>

No. 80. Is an account current, Bay of Fundy Light Houses, with Beverley Robinson, Esquire, Province Treasurer, for the year 1841, made up as follows:—

Paid Commissioners towards support of Nova Scotia Light Houses for 1840,.....	£230 0 5
Warrant favoring John Snell for Bridge on Road to Head Harbour Light House,.....	50 0 0
Warrant in favour of Commissioners, Bay of Fundy Light Houses, for salaries of Keepers and contingent expenses of sundry Light Houses in the year 1841,.....	1,415 0 0
Warrant in favour of Commissioners of Machias Seal Island, Campo Bello, and Saint Andrews Harbor Lights, for Salaries of Keepers and contingent expenses for 1841,.....	840 0 0
Warrant in favour of Commissioners of Light Houses in the Bay of Fundy, for additional Salaries of certain Keepers,.....	85 0 0
Warrant in favour of L. Donaldson, Esquire, for balance of Salary allowed as Superintendent of Light Houses,.....	168 18 7
Amount paid Commissioners of Bay of Fundy Lights excess of expenditure, per receipts,.....	287 10 0
Amount paid to Commissioners at Saint Andrews, per receipts,.....	86 5 6
	<u>£3,162 14 6</u>

He credits,

Balance in favour of the Fund, 31st December, 1840,	£659 17 10
Collections in Saint John in 1841, per Report, No. 56,.....	2,282 7 8
Ditto in Saint Andrews in 1841, per No. 57, £455 9 0	
Less Deputy Treasurer's Commission, 10 per cent.....	45 10 11— 409 18 1
Ditto in Saint Stephens in 1841, per No. 58,.....	331 13 4
Less Deputy Treasurer's Commission, Ditto in Saint George's in 1841, per No. 59,.....	33 3 4— 298 10 0
Less Deputy Treasurer's Commission, Ditto in Grand Manan, 1840 and 1841, per No. 60,.....	32 9 8
Less Deputy Treasurer's Commission, 29 12 10	
Less Deputy Treasurer's Commission, 2 19 4—	26 13 6— 3,706 11 9
Balance in favor of the Fund, 31st December, 1841,.....	<u>£543 17 3</u>

No. 81. Is an account of the Marine Hospital, Saint John, or Fund for sick and disabled Seamen, with the Province Treasurer for 1841, made up as follows:—

Balance in favour of the Fund, 31st December, 1840,.....	£816	9	1
Duties collected in Saint John, per Report 65,.....	795	14	6
Received from D. Hanington, 12th January, 1841, nett proceeds of his collections at Shediac in 1840,.....	2	1	3
	<hr/>		
	£1,614	4	10
He charges,			
Cash paid Commissioners at sundry times in 1841,.....	730	0	0
	<hr/>		
Balance in favour of the Fund, 31st December, 1841,.....	£884	4	10

No. 82. Is an account current "Gulf Lights," with B. Robinson, Province Treasurer, for the year 1841, as follows:—

Paid in 1840 to the Treasurer of Nova Scotia, then charged; by the present year transferred to this Fund, and credited in the Treasurer's General Account Current,.....	£250	0	0
Paid in 1841 to the Treasury of Nova Scotia,.....	250	0	0
Amount of collections in the hands of the following Deputy Treasurers, for which they are accountable:—			
D. Stewart, Dalhousie,.....	£127	5	11
John Miller, Bathurst,.....	21	14	2
J. W. Weldon, Richibucto,.....	104	16	11
	<hr/>		
	253	17	0
	<hr/>		
	£753	17	0

He charges,

Amount collected by T. H. Peters, Deputy Treasurer, Miramichi, 1841, per Report, No. 61,.....	£287	16	2
Less his Commission, 10 percent,.....	28	15	7
Collections by Deputy Treasurer, Dalhousie, 1841, per No. 63,.....	127	5	11
Collections by Deputy Treasurer, Bathurst, No. 64,.....	£24	2	5
Less his Commission,.....	2	8	3
Collections by Deputy Treasurer, Richibucto, No. 62,.....	47	0	9
Less his Commission,.....	4	14	1
Nett amount of collections made by the same Deputy Treasurer in 1840,.....	62	10	3
	<hr/>		
Balance in favour of the Treasury on this Account,.....	£240	19	5

No. 83. Is an account current, Marine Hospital, Saint Andrews, or "Fund for sick and disabled Seamen," with D. W. Jack, Deputy Treasurer, as follows:—

Balance in favor of the Fund, 31st December, 1840,.....	£55	17	6
Duties collected at Saint Andrews, per No. 66,.....	£211	0	6
Less balance of Deputy Treasurer's Commission,....	3	1	0
Collections by Deputy Treasurer, Saint Stephen, No. 67,.....	153	8	10
Less his Commission,.....	15	6	10
Remitted by Deputy Treasurer, West Isles, (no particulars),.....	28	9	11
	<hr/>		
	£430	8	11

He charges,

Paid Commissioners, per receipt,.....	353	9	7
	<hr/>		
Balance in favour of the Fund, 31st December, 1841,.....	£76	19	4

No. 84. Is an account current, A. J. Wetmore, Deputy Treasurer, Saint George, with the same Fund, for 1841, as follows:—

Collections per Report, No. 68,.....	£13 5 10
Deduct his Commission, 10 per cent.....	1 6 6
	<hr/>
Balance in hand, 31st December, 1841,.....	£11 19 4

On reference to the Report of last year on this Officer's account with this Fund, your Committee find there was then in hands the sum of £11 12 3, which he does not this year bring forward,—The balance therefore for which he will have to account will be £23 11 7.

No. 85. Is an account current, T. H. Peters, Deputy Treasurer, Miramichi, with the same Fund, for 1841, as follows:—

Balance in hand, 31st December, 1840,.....	£473 10 1
Collections in 1841, per Report, No. 69,.....	450 14 4
	<hr/>
	£924 4 5

He charges,

10 per cent. on collections,.....	£45 1 5	
Paid Commissioners in 1841,.....	324 17 0—	369 18 5
		<hr/>
Balance in favor of the Fund, 31st December, 1841,.....		£554 6 0

No. 86. Is an account current, J. W. Weldon, Deputy Treasurer, Richibucto, with the same Fund in 1841, as follows:—

Balance in hand, 31st December, 1840,.....	£30 12 4
Collections in 1841, per Report, No. 70,.....	43 1 9
	<hr/>
	£73 14 1

He charges,

10 per cent. on collections,.....	£4 6 2	
Paid a Warrant on this Fund,.....	57 0 2—	61 6 4
		<hr/>
Balance in hand, 31st December, 1841,.....		£12 7 9

No. 87. Is an account current, Dugald Stewart, Deputy Treasurer, Dalhousie, with the same Fund in 1841, as follows:—

Balance in hand, 31st December, 1840,.....	£291 10 0
Collections in 1841, per Report, No. 71,.....	123 17 5
	<hr/>
	£415 7 5

He charges,

10 per cent. commission on Collections,.....	£12 7 9	
Paid Warrant to Commissioners,.....	60 13 0—	73 0 9
		<hr/>
Balance in favor of the Fund, 31st December, 1841,.....		£342 6 8

No. 88. Is an account current, John Miller, Deputy Treasurer, Bathurst, with the same Fund for 1841, as follows:—

Balance in favor of the Fund, 31st December, 1840,.....	£19 18 9
Collections in 1841, No. 72,.....	24 2 5
	<hr/>
	£44 1 2

He charges,

10 per cent. Commission on collections,.....	£2 8 3	
Paid Commissioners, in 1841,.....	22 13 11—	25 2 2
		<hr/>
Balance in hand, 31st December, 1841,.....		£18 19 0

No. 89. Is an account current, D. Hanington, Deputy Treasurer, Shediac, with the same Fund for 1841, as follows:—

Collections in 1841, per Report, No. 73,.....	£2 11 11
Less, his Commission,.....	0 5 2

Balance in hand, 31st December, 1841,.....	£2 6 9
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No. 90. Is an account current, Passenger and Emigrant Fund with Beverley Robinson, Esquire, Province Treasurer, for the year 1841, as follows:—

Collections at Saint John, in 1841, per Report, No. 74,.....	£1,537 10 10
Ditto in Saint Andrews, per No. 75,.....	£42 16 8
Less, Deputy Treasurer's Commission,.....	4 5 8— 38 11 0
Ditto in Miramichi, per No. 76,.....	143 5 0
Less, Deputy Treasurer's Commission,.....	14 6 6— 128 18 6
Ditto at Richibucto, per No. 78,.....	5 16 8
Less, Deputy Treasurer's Commission,.....	0 11 8— 5 5 0
Remittance from Deputy Treasurer, Dalhousie,.....	44 17 6
Ditto Ditto Bathurst,.....	9 6 0

£1,764 8 10

He charges,

Balance due by the Fund, 31st December, 1840,.....	£1,020 16 2
Sundry Warrants for Return Duties,.....	235 9 8
Sundry Warrants for relief of indigent and distressed Emigrants,.....	2,567 15 11—3,824 1 9

Balance against the Fund, 31st December, 1841,.....	£2,059 12 11
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No. 91. Is an account current, Passenger and Emigrant Fund with Dugald Stewart, Deputy Treasurer, Dalhousie, as follows:—

Balance in hand, 31st December, 1840,.....	£19 2 6
Collections in 1841, per Report, No. 77,.....	25 15 0

£44 17 6

He charges,

Remitted Province Treasurer, credited in account, No. 90,.....	£44 17 6
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No. 92. Is an account current, John Miller, Deputy Treasurer, Bathurst, with the same Fund, as follows:—

Balance in hand, 31st December, 1840,.....	£3 3 0
Collections in 1841, per Report, No. 79,.....	6 16 8

£9 19 8

He charges,

10 per cent. Commission on Collections,.....	£0 13 8
Remitted Province Treasurer, credited in No. 90,.....	9 6 0— £9 19 8

No. 93. Is the general account current of Beverley Robinson, Esquire, Province Treasurer, with the Province, for the year 1841, made up as follows:—

Receipts from Her Majesty's Attorney General, on account of Bonds in Suit, per Report, No. 52,.....	£428 14 6
Sums refunded the Treasury, per No. 51,.....	86 16 1
Payments made by Receiver General, No. 50,.....	15,074 12 0
Proceeds of Bills drawn on England, No. 49,.....	6,900 0 0
Receipts from Collector of H. M. Customs, No. 3,.....	20,669 12 1
Ordinary Revenues collected at Saint John, No. 1,.....	40,471 7 6
Auction Duties collected at Do. No. 2,.....	609 5 0
Pedlars Licences, Do. Do. No. 4,.....	16 10 0

Carried forward,.....£84,256 17 2

<i>Brought forward</i> ,.....	£84,256	17	2
Duties on Sales of Seizures by H. M. Customs at Saint John, per Report, No. 54,.....	663	0	3
Paid to the Treasurer of Nova Scotia in 1840, per Warrant No. 458, and now charged to the account of Light Houses in the Gulf of Saint Lawrence, per Report, No. 82,.....	250	0	0
Remittances from Deputy Treasurers in 1841, as follows:—			
Miramichi, T. H. Peters,.....	£10,352	12	2
Dalhousie, D. Stewart,.....	3,270	9	0
Bathurst, John Miller,.....	778	9	8
Richibucto, J. W. Weldon,.....	1,713	15	0
Shediac, D. Haughton,.....	84	8	3
Woodstock, H. E. Dibblee,.....	627	12	9
Saint Andrews, D. W. Jack,.....	1,911	16	8
Saint Stephen, R. Watson,.....	869	1	2
Saint George, A. J. Wetmore,.....	62	0	4
	19,670	5	0

Total,..... £104,840 2 5

Against which he makes the following charges:—

Balance due Treasurer, 31st December, 1840,.....	£2,118	17	5
Warrants, series of 1840 and prior, paid in 1841,.....	23,936	3	8
Warrants of 1841, paid in that year,.....	68,454	6	1
Interest on Warrants paid in 1841,.....	2,255	4	11
Drawbacks paid, per Report, No. 5,.....	2,841	18	6
Discounts for prompt payment, No. 6,.....	35	18	8
Bounties to Seizing Officers of H. M. Customs, (Duties on Seizures,) per No. 55,.....	684	15	11
Bonds sent to Attorney General for collection, No. 53,.....	8,135	17	10
Balance of amount paid Saving's Bank,.....	1,241	19	5
	109,705	2	5

Balance due the Province Treasurer, per his Account,..... £4,865 0 0

No. 94. Is an account of Beverley Robinson, Esquire, Province Treasurer, for amounts expended in 1841, for the Protection of the Revenue, as follows:—

Sundry payments for Tide Waiters at Saint John, in 1841,.....	£765	1	10
Purchase in fitting up and expenses of Schooner, &c. for protection of the Revenue,.....	127	3	5
Cost of establishment at Saint Andrews,.....	239	17	3
Two Tide Waiters at Saint Stephens,.....	182	10	0
One Do. at Saint George's,.....	91	5	0
Two Tide Waiters at West Isles, including purchase and expense of Boat,.....	137	13	3
Tide Waiter at Woodstock,.....	38	0	0
Services of Officers at Cape Tormentine, Saint George's and Shediac,.....	75	0	0
	£1,656	10	9

He credits,

Warrant for Grant on account of this Service,.....	£750	0	0
Receipts in part on the second Grant,.....	906	10	9
	1,656	10	9

No. 95. Is an account current, the Saint John Saving's Bank with the Province, for the year 1841, as follows:—

Balance in favor of the Bank, 31st December, 1840,.....	£10,000	0	0
Cash received at sundry times in 1841,.....	900	0	0
Interest paid on sundry Debentures,.....	579	15	7

Total,..... £11,479 15 7

Carried forward,

No. 105. Is the "Balance Sheet" of B. Robinson, Esquire, Province Treasurer, in account for all Public Balances due from or to him, on the 1st January, 1842, as follows:—

Balance due Bay of Fundy Lights, per No. 80,	£543	17	3
Do. of Seamen's Fund, per No. 81,	884	4	10
Do. of Debenture and Loan Account, per 103,	16,067	7	2
Amount received for pay of Tide Waiters and Boat, expenses at West Isles not credited to T. Moses, Deputy Treasurer, his Accounts not having been received,	122	13	3
Amount due to the Bank of New Brunswick—			
On Credit Account at 4 per cent. Interest,	£19,425	5	11
Advance on Bye Roads at 6 per cent.	15,477	0	2
Amount of outstanding Checks,	34,902	6	1
	215	0	0
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	£52,735	8	7

He charges,

Balance due Treasurer per his Account, No. 93,	£4,865	0	0
Balance of Passenger and Emigrant Account, No. 90,	2,059	12	11
Do Light Houses, Gulf of Saint Lawrence, No. 82,	240	19	5
Amount of Ordinary Bonds in Office,	24,183	1	1
Bonds for Loans under Act, 3d Vic. Cap. 3, per No. 102,	14,950	0	0
Bond of Saint John Water Company,	5,000	0	0
Cash in the Office,	196	7	5
Amount of the following sums advanced, viz.—			
Pay of Treasury Department,	£1,050	0	0
Office Rent, Fuel, Postage, &c.	190	7	9
	1,240	7	9
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	£52,735	8	7

All these Accounts of the Province Treasurer are clearly and methodically stated, are supported by the requisite Vouchers, and give your Committee much satisfaction.

No. 106. Is a list of Bonds remaining in the Office of the Province Treasurer at Saint John, on the 31st December, 1841, agreeing with charge in preceding Account, amounting to..... £24,183 1 1

No. 107. Is an account of Contingencies at the Treasurer's Office, Saint John, for 1841, amounting to..... £190 7 10

No. 108. Is the account current, D. W. Jack, Deputy Treasurer, Saint Andrews, with the Province, for the year 1841, as follows:—

Balance in favor of the Province, 31st December, 1840,	£975	14	1
Duties collected in 1841, per Reports, Nos. 8 to 11, inclusive,	2,570	3	7
Receipts for Duties on Articles sold at Custom House,	28	11	7
	<hr/>		
	£3,574	9	3

He charges,

Remittance to Province Treasurer, credited in No. 93,	£1,911	16	8
Paid Seizing Officers at Customs, duties on goods sold at Auction,	28	11	7
Drawbacks and Discounts, per Nos. 12 and 13,	19	3	3
10 per cent. on Collections,	£2471	4	2
	247	2	5
	<hr/>		
	2,206	13	11
Balance in favor of the Province,	£1,367	15	4
Of which there are in Bonds,	£1,220	1	0
And in Cash,	147	14	4
	<hr/>		
	£1,367	15	4

No. 109. Is a list of Bonds remaining in the Office of the Deputy Treasurer, Saint Andrews, on the 31st December last, agreeing with preceding Account and amounting to..... £1,220 1 0

No. 110. Is an account of D. W. Jack, for Guaging and Weighing Dutiable Articles at Saint Andrews, in 1841, amounting to..... £29 19 6

No. 111.

No. 111. Is the account current, Robert Watson, Deputy Treasurer, Saint Stephen, with the Province, for the year 1841, as follows:—

Balance in hand, 31st December, 1840,	£103	11	3
Collections in 1841, per Reports, Nos. 14 and 15,	1,403	13	9
Total,	£1,507	5	0

He charges,

10 per cent. Commission on Collections,	£140	7	4
Discounts for prompt payment, per Report, No. 16,	7	10	9
Remittances to Province Treasurer,	929	1	2—1,076
			19 3

Balance in favor of the Province,	£430	5	9
Of which there are in Bonds,	£268	18	0
And in Cash,	161	7	9—430
			5 9

On reference to the Province Treasurer's Account, No. 93, it will appear that £869 1 2 are credited as receipts from the Deputy Treasurer. He therefore stands chargeable with £490 5 9 instead of £430 5 9.

No. 112. Is a list of Bonds in the Office of the Deputy Treasurer, Saint Stephens, on the 31st December, 1841, agreeing with No. 111, and amounting to £268 18 0

No. 113. Is an account of R. Watson for Guaging and Weighing, amounting to..... £3 7 6

No. 114. Is the account current, A. J. Wetmore, Deputy Treasurer, Saint George, with the Province, for the year 1841, as follows:—

Balance in hand, 31st December, 1840,	£14	8	7
Collections in 1841, per Reports, Nos. 17 and 18,	69	1	8
			£83 10 3

He charges,

10 per cent. Commission on collecting,	£6	18	2
Office Rent and Stationary,	3	8	3
Guaging 43 Casks Molasses,	1	1	6
Remitted Treasurer, credited in No. 93,	62	0	4—73
			8 3

Balance in favor of the Province,	£10	2	0
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The charge of £3 8 3 for Office Rent, &c. is submitted to the House.

No. 115. Is the general account current, Thomas H. Peters, Deputy Treasurer, Miramichi, with the Province, for the year 1841, as follows:—

Balance in favor of the Province, 31st December, 1840,	£5,383	14	3
Duties, &c. collected in 1841, per Nos. 19, 20 and 21,	8,825	13	0
Total,	£14,209	7	3

He charges,

Drawbacks paid per Report, No. 22,	£98	2	3
Discounts for prompt payment, No. 23,	30	8	11
Bond sent to Attorney General for collection,	75	18	6
Deputy Treasurer's Commission,	300	0	0
Remitted Province Treasurer, credited in No. 93,	10,352	12	2—10,857
			1 10

Balance in favor of the Province, 31st December, 1841,	£3,352	5	5
Of which, there are in Bonds,	£3,312	9	9
And in Cash,	39	15	8—3,352
			5 5

No. 116. Is a list of Bonds remaining in the Office of the Deputy Treasurer, Miramichi, on the 31st December, 1841, agreeing with preceding account, and amounting to..... £3,312 8 9

No. 117.

No. 117. Is an account of William Joplin, for Gauging Dutiable Articles at Miramichi, in 1841, amounting to..... £8 15 0

No. 118. Is the General Account Current, J. W. Weldon, Deputy Treasurer, Richibucto, with the Province, for the year 1841, as follows:—

Balance in favor of the Province, 31st December, 1840,..... £855 19 6
Receipts in 1841, per Reports, Nos. 25 and 26,..... 1,595 6 5

£2,451 5 11

He charges,

10 per cent. Commission on Collections,..... £93 3 10
Remitted Province Treasurer, credited in No. 93,..... 1,713 15 0— 1,806 18 10

Balance in favor of the Province,..... £644 7 1

Of which, there are in Bonds,..... £486 14 4

And in Cash,..... 157 12 9 644 7 1

No. 119. Is a list of Bonds remaining in the Office of the Deputy Treasurer, Richibucto, as per preceding Account, amounting to..... £486 14 4

No. 120. Is the General Account Current, Dugald Stewart, Deputy Treasurer, Dalhousie, with the Province for the year 1841, as follows:—

Balance in favor of the Province, 31st December, 1840,..... £1,225 9 4
Duties collected per Reports, Nos. 27 to 31, inclusive,..... 3,925 17 6

Total,..... £5,151 6 10

He charges,

Drawbacks paid and Discounts for prompt payment, per Reports, Nos. 32 and 33,..... £51 18 8
Deputy Treasurer's Commission,..... 300 0 0
Remitted Province Treasurer, credited in No. 93,..... 3,270 9 0— 3,622 7 8

Balance in favor of the Province,..... £1,528 19 2

Of which there are in Bonds,..... £1,391 15 9

And in Cash,..... 137 3 5— £1,528 19 2

No. 121. Is a list of Bonds remaining in the Office of the Deputy Treasurer, Dalhousie, on the 31st December, 1841, agreeing with No. 120, and amounting to..... £1,391 15 9

No. 122. Is the General Account Current, John Miller, Deputy Treasurer, Bathurst, with the Province for the year 1841, as follows:—

Balance in favor of the Province, 31st December, 1840,..... £319 10 2
Collections in 1841, per Reports, Nos. 34 to 37, inclusive,..... 662 17 7

£982 7 9

He charges,

Drawbacks and Discounts for prompt payment, per Reports, Nos. 38 and 39,..... £12 14 7
Office Rent and Contingencies,..... 5 0 0
10 per cent. Commission on Duties, (Ordinary, &c.) . 45 5 10
Remitted Province Treasurer, credited in No. 93,.... 778 9 8— 841 10 1

Balance in favor of the Province,..... £140 17 8

Of which there are in Bonds,..... £65 10 10

And in Cash,..... 75 6 10— £140 17 8

The charge for Office Rent and Contingencies is submitted to the House.

No. 123. Is a list of Bonds remaining in the hands of the Deputy Treasurer, Bathurst, on the 31st December, 1841, as stated in preceding account, and amounting to..... £65 10 10

No. 124.

No. 124. Is an account of Samuel H. Napier, for Gauging and Weighing Dutiable Articles at Bathurst in 1841, amounting to..... £9 1 0

No. 125. Is the General Account Current, Daniel Hanington, Deputy Treasurer, Shediac, with the Province for 1841, as follows:—

Balance due 31st December, 1840,..... £81 18 11
Collections in 1841, per Report, No. 40,..... 146 18 3

Total,..... £228 17 2

He charges,

10 per cent. Commission on Collections,..... £14 13 10
Remitted Province Treasurer, credited in No. 93,.... 84 8 3— 99 2 1

Balance in favor of the Province, 31st December, 1841, £129 15 1

Of which there are in Bonds,..... £53 5 0

And in Cash,..... 76 10 1— £129 15 1

No. 126. Is a list of Bonds remaining in the hands of the Deputy Treasurer, Shediac, on the 31st December, 1841, agreeing with preceding Account, and amounting to..... £53 5 0

No. 127. Is the General Account Current, Bill Chappell, Deputy Treasurer, Bay Verte, with the Province for the year 1841, as follows:—

Collections in 1841, per Reports, Nos. 41 and 42,..... £18 12 6
Less his Commission, 10 per cent,..... 1 17 3

Balance in favor of the Province,..... £16 15 3
which he states he has remitted to the Treasurer, but no credit appears therefor in the Province Treasurer's Accounts.

No. 128. Is the General Account Current, Joseph Beek, Deputy Treasurer, Fredericton, with the Province for the year 1841, as follows:—

Duties collected, per Reports, Nos. 43 and 44,..... £35 4 3
Two thirds nett proceeds of Seizures,..... 16 7 0

Total,..... £51 11 3

He charges,

10 per cent. Commission on £35 4 3,..... 3 10 5

Balance in favor of the Province,..... £48 0 10
which amount he charges as having remitted, but no credit appears for the same in the Treasurer's Accounts.

No. 129. Is the General Account Current, H. E. Dibblee, Deputy Treasurer, Woodstock, with the Province for the year 1841, as follows:—

Balance in favor of the Province, 31st December, 1840,..... £23 17 5
Collections in 1841, per Reports, Nos. 45 to 48 inclusive,..... 650 3 11

Total,..... £674 1 4

He charges,

10 per cent. on Collections,..... £40 16 8
Remitted Province Treasurer, credited in No. 93,.... 627 12 9— 668 9 5

Balance in favor of the Province,..... £5 11 11

Besides the Accounts reported upon, the following have been received, shewing Monies collected and disposed of under the Buoy and Beacon Acts:—

T. H. Peters—Old Balance, £57 19 9; Collections in 1841, £121 2 7—in all, £179 2 4.—Payments, including Commissions on Collections, £132 2 3. Balance in hand 31st December, 1841, £47 0 1.

Dugald

Dugald Stewart, Dalhousie—Collections in 1841, £63 13s.—which amount he has paid over to the Commissioners.

Your Committee having finished the Report upon the several Accounts and Documents submitted to them, have now to recapitulate the Balances which may appear to be due the Province, and to particularize the Officers who held the Money and Bonds on the 31st December, 1841. They are as follow:—

Beverley Robinson, Esquire, Province Treasurer. See his Balance Sheet, Report, No. 105.

James Campbell, late Deputy Treasurer, Saint Andrews, (in suit)	£2203	13	5	
D. W. Jack, Deputy Treasurer, Saint Andrews,				
Balance of Account, No. 108,.....	£1,367	15	4	
Balance of Seamen's Fund, No. 83,		76	19	4
				<hr/>
				1,444 14 8
R. Watson, Deputy Treasurer, Saint Stephen, Balance of Account,				
No. 111,.....		430	5	9
T. Moses, Deputy Treasurer, West Isles, balance in 1840,.....			2	12 8
A. J. Wetmore, Deputy Treasurer, Saint George,				
Balance of Account, No. 114,.....	£10	2	0	
Balance of Seamen's Fund, No. 84,.....		23	11	7
				<hr/>
				33 13 7
T. H. Peters, Deputy Treasurer, Miramichi,				
Balance of Account, No. 115,.....	£3,352	5	5	
Balance of Seamen's Funds, No. 85,.....		554	6	0
				<hr/>
				3,906 11 5
J. W. Weldon, Deputy Treasurer, Richibucto,				
Balance of Account, No. 118,.....	£644	7	1	
Balance of Seamen's Fund, No. 86,.....		12	7	9
				<hr/>
				656 14 10
D. Stewart, Deputy Treasurer, Dalhousie,				
Balance of Account, No. 120,.....	£1,528	19	2	
Balance of Seamen's Fund, No. 87,.....		342	6	8
				<hr/>
				1,871 5 10
John Miller, Deputy Treasurer, Bathurst,				
Balance of Account, No. 122,.....	£140	17	8	
Balance of Seamen's Fund, No. 88,.....		18	19	0
				<hr/>
				159 16 8
D. Hanington, Deputy Treasurer, Shediac,				
Balance of Account, No. 125,.....	£129	15	1	
Balance of Seamen's Fund, No. 89,.....		2	6	9
				<hr/>
				132 1 10
Bill Chappell, Deputy Treasurer, Bay Verte, Balance, No. 127,.....		16	15	3
Joseph Beek, Deputy Treasurer, Fredericton, Balance, No. 128,.....		48	0	10
H. E. Dibblee, Deputy Treasurer, Woodstock, No. 129,.....		5	11	11
				<hr/>
Total in the hands of the Deputy Treasurers in this Province on the				
31st December last,	£10,911	18	8	

The Balance Sheet referred to, No. 105, of the Province Treasurer's, explains fully his Balances. In addition thereto, there is a very large sum in the hands of the Attorney General for collection, which will be brought up in another Report.

The Balance due on Sales of Land and Timber, and for Licences and Leases, are, of course, not included in these Returns.

Of the Warrants £100,837 13 11, paid by the Province Treasurer in 1841, the objects may be classed under the following heads:—

Civil List and Master of the Rolls,.....	£15,631	3	0
Pay, &c. Legislature,.....	6,954	0	9
Collection and Protection of the Revenue,.....	4,079	15	2
Judicial Establishments,.....	545	0	0

Carried forward,.....£27,209 18 11

<i>Brought forward</i> ,.....	£27,209	18	11
Provincial Contingencies,.....	1,000	0	0
Contingencies of Secretary's Office,.....	105	0	0
Printing Laws, Journals, &c....	1,882	12	6
College and Grammar Schools,.....	1,950	0	0
Parish Schools,.....	11,385	3	0
Packets and Couriers,.....	2,530	0	0
Lunatic Asylum,.....	1,486	3	1
Board of Health,.....	496	6	0
Bounties for the destruction of Bears,.....	276	5	0
Do. for erection of Oat Mills,.....	275	0	0
Agriculture and Immigration,.....	896	10	0
Relief of Emigrants and Charitable purposes,.....	4,543	3	10
Indians,.....	497	10	0
Drawbacks and Return Duties,.....	1,276	12	9
Provincial Agent,.....	242	4	5
Militia,.....	1,269	3	9
Apprehension of Deserters,.....	80	0	0
Miscellaneous Services,.....	4,070	18	2
Light Houses,.....	2,808	18	7
Great Roads,.....	9,355	14	0
Bye Roads and Bridges,.....	17,117	11	3
Navigation of Rivers,.....	682	2	3
Wharves and Landings,.....	495	3	6
Public Buildings,.....	6,070	12	11
Interest on Warrants to Savings' Bank, &c.....	2,835	0	0
	<u>£100,837</u>	<u>13</u>	<u>11</u>

Treasury, Saint John, 1st January, 1842.

The following articles have produced some of the Ordinary Duties, and the Ports are distinguished, at which they have been collected or secured.

RUM, GIN AND WHISKEY,

At Saint John,	120,205 Gallons.
Off, exported,	11,843—108,362
Saint Andrews,	6,878
Off, exported,	113— 6,765
Miramichi,	21,994
Off, exported,	422— 21,572
Richibucto,	5,148
Saint Stephen,	561
Dalhousie,	19,854
Bathurst,	2,893
Shediac,	645

165,800 Gallons, (average) at 2s.

£16,580 0 0

BRANDY.

At Saint John,	52,920 Gallons.
Off, exported,	682—52,238
Saint Andrews,	1,723
Miramichi,	4,668
Off, exported,	122—4,546
Richibucto,	1,062
Dalhousie,	2,860
Bathurst,	40
Saint Stephen,	460
Shediac,	187

63,116 Gallons, (average) at 2s. 3d.

£7,100 11 0

WINE.

At Saint John,	43,299 Gallons,	
Off, exported,	7,910—	35,389
Saint Andrews,		3,434
Miramichi,	3,104	
Off, exported,	106—	2,998
Richibucto,		577
Dalhousie,		2,324
Bathurst,		176
Saint Stephen,		160
	<u>45,058</u>	Gallons, (average) at 1s. 8d.
		<u>£3,754 16 8</u>

MOLASSES.

At Saint John,	142,151 Gallons,	
Off, exported,	24,893—	117,258
Saint Andrews,		69,631
Miramichi,	61,686	
Off, exported,	530—	61,156
Richibucto,		9,818
Saint Stephen,		3,008
Dalhousie,		18,677
Bathurst,		9,765
Shediac,		2,115
	<u>291,428</u>	Gallons, at 1½d.
		<u>£2,276 15 7</u>

BROWN SUGAR.

At Saint John,	21,935 Cwts.	
Off, exported,	1,283—	21,652
Saint Andrews,	2,154	
Off, exported,	47—	2,107
Miramichi,	2,227	
Off, exported,	21—	2,206
Richibucto,		298
Siant Stephen,		343
Dalhousie,		466
Bathurst,		124
Shediac,		37
	<u>27,233</u>	Cwts. (average) 3s. 6d.
		<u>£4,765 15 6</u>

Respectfully submitted.

J. R. PARTELOW, *Chairman.*
 I. WOODWARD,
 ALEX. RANKIN,
 PETER STEWART,
 HENRY T. PARTELOW,
 JAMES BOYD,
 JAMES TAYLOR.

Committee Room, 17th February, 1842.

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78. The like. For relief afforded to Emigrants—Supply, 60; Grant passed, 222, 286.
79. Corporation, St. John. For Act to authorize the transfer of Water Works to—on Table, 60. See Bills No 28.
80. Caie, Hugh A. and others. For Grant to complete Road from Pokemouche to Shippegan—Internal Communication, 60; not recommended, 168.
81. Justices of St. John. To be reimbursed expenses incurred in support of Indigent Emigrants in Portland—Supply, 60; Grant passed, 222.
82. Adam and Davidson. To be refunded penalties paid under Seamen's Act—To Committee, 60; See No 3. recommended, 221.
83. Corporation of St. John. For alterations in the Wharfage Law—on Table, 60. See Bills No 47.
84. The like. For Legislative aid in consideration of the distress in the City occasioned by the late Fires, &c.—Referred to a Committee, 60; Member added, 93; Report, and division for accepting, 98, 99; referred to Supply, 103; Grant passed, 104. See No 175, 176.
85. Deacon, William and Sutherland, Samuel For return Duty on Flour imported from Halifax—Trade, 61.
86. Vail, Solomon For aid towards an establishment for Travellers on Great Road from Fredericton to Saint Andrews—Supply, 61; Grant passed, 222.
87. Graham, Thomas To be remunerated for Medical Attendance on Transient Poor, &c., in Portland—Supply, 61; Grant rejected, 222.
88. Tupper, James R. For aid to run a Stage between Woodstock and Fredericton—Internal See No 66. Communication, 62; recommended, 168; Grant passed, 190.
89. Frink, Schuyler P. To receive consideration as an equivalent for Land surrendered to Crown—Negatived on division, 62.
90. Folyard, William School allowance, 62; recommended by Committee, 113; Grant passed, 187.
91. Stevens, William and others. For Grant to procure Library, &c. for Wesleyan Academy at Sackville—Supply, 62; Grant towards, 176.
92. Montgomery, John and others. For increased Representation, Restigouche—on Table, 63. See Bills No 8.
93. Wilson, John To receive consideration as an equivalent for Land surrendered to the Crown—Negatived on division, 64.
94. McAvity, Thomas and Company. To be reimbursed Duties on Goods destroyed by Fire—Committee, 64; recommended and referred to Supply, 145, 146; Grant passed, 188.
95. Jarvis, Charles R. To be reimbursed Duties on Goods destroyed by Fire—Committee, 68; recommended and referred to Supply, 145, 146; Grant passed, 188.
96. Berry, Thomas To be compensated loss in the erection of Gaol in Charlotte—Negatived on division, 68.
97. Read, Joseph and others. To extend period allowed under Lease to William Stevens, for exploring of Mines and Minerals in Gloucester—on Table, 68. See Bills No 33.
98. Street, William H. For return Duties on Geneva destroyed by Fire—Committee, 68; recommended and referred to Supply, 145, 146; Grant passed, 188.
99. Justices of Charlotte. For aid towards New Gaol, and a further Assessment therefor—Supply, 68. See Bills No 48. Grant rejected, 259.
100. Corporation of Saint John. For amendments in the Acts for widening Saint John or Water Street—on Table, and then referred to a Committee, 68, 69. See Bills No 3, 34; Report, 217.
101. Rankin, Robert and Company. For return of Head Money on Passengers—Supply, 69; Grant passed, 222.
102. Daniel, Rev. Henry and others. For aid towards Wesleyan Academy at Sackville—Supply, 69; Grant towards, 102.
103. Grimmer, John To be reimbursed Penalties under Seamen's Act—Committee, 69; See No 3. recommended, 221.

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104. Crookshank & Walker. For return Duties on Pimento—Supply, 69; Grant passed, 222.
105. Ranney, William P. For return Duties on Wines—Supply, 69; Grant passed, 222.
106. Frye, Samuel and others. For aid towards Saint Andrews Geological and Philosophical Society—Education Committee, 69; Grant passed, 285.
107. Crookshank & Walker. For return Duties on Goods destroyed by Fire—Committee, 69; recommended and referred to Supply, 145, 146; Grant passed, 188.
108. Easton, Catherine. School allowance, 70; rejected by Committee, 112; Grant passed, 188.
109. Street William H. For return Duties on Rum and Brandy—Supply 70; Grant passed, 223.
110. Corporation, Saint John. See No 159, 171. For Act for improving the Police in the City—on Table, 70. See Bills No 45. Referred to a Committee, 88. Report, 153.
111. Ketchum, Richard and others. For division of the Parish of Wakefield—on Table, 70. See Bills No 46.
112. Porter, John and others. To be refunded Penalties under Seamen's Act—Committee, 70; recommended, 221. See No 3.
113. Street William H. and others. See No 124. For Act to regulate Dockage and Wharfage in Saint John and Portland—on Table, 71. See Bills No 47.
114. Todd, William. For relief in consequence of loss sustained in the Purchase of Crown Land—Negatived on division, 72.
115. DeBourke, James. School allowance, 73; recommended by Committee, 113; Grant passed, 187.
116. Campbell, John and others. To be reimbursed expense in support of a Transient Pauper at Durham, in Restigouche—Supply, 73; Grant rejected, 223.
117. Deblois, Thomas M. and others. To be reimbursed advances made as Commissioners of Buoys and Beacons for Bathurst—Supply, 73; Grant rejected, 223.
118. Fraser, John & others. For Grant to pass in aid of Steamer on line between Miramichi, Prince Edward Island and Pictou—Supply, 73; Grant passed, 223.
119. Leavitt, Daniel. For Return Duties on Sugar destroyed by Fire—Committee, 73; recommended and referred to Supply, 145, 146; Grant passed, 188.
120. Millidge, Thomas E. The like on Goods—Committee, 73; recommended and referred to Supply, 145, 146; Grant passed, 188.
120. Eaton, Burnham and Company. For return of Head Money on Passengers—Supply, 73; Grant passed, 223.
121. M'Nutt, Rev. Arthur and others. For aid towards Wesleyan Academy in Sackville—Supply, 73; Grant towards, 176.
122. Crookshank, Robt. W. See No 60. To be relieved from Bond for the erection of Fire Proof Buildings—on Table, 74; referred to a Committee, 105; Report, 217.
123. Ward, Edmund. Complaining of certain Post Office charges on Newspapers—on Table, 75.—Post Office Committee Report, 274.
124. Leavitt, Daniel and others. See No 113. Against the passing of Bill imposing of Top Wharfage—on Table, 76. See Bills No 47.
125. Dibblee, John & others. For increase of Representation in Carleton—on Table, 76. See Bills No 51.
126. Miller, Rev. George and others. For aid towards Wesleyan Academy at Sackville—Supply, 76; Grant towards, 176.
127. Crane and M'Grath. For return of Head Money—Supply, 76; Grant passed, 223.
128. Davidson, Asa & others. See No 158. For a better site to be ascertained for the Bridge on new Road between Bellisle and Kingston—on Table, 77; referred to Road Committee, 85.
129. Ketchum, Thomas and others. See No 158. That no alteration be made in the site for the Bridge—on Table, 77; referred to Road Committee, 85.
130. Gesner, Abraham. For return Duties on Philosophical Apparatus—Supply, 77; Grant passed, 223.

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131. The like. For aid towards establishing a Museum at Saint John—on Table, 77 ; motion to refer to a Committee, negatived on division, 77.
132. Murdoch, John School allowance, 79 ; rejected by Committee, 112 ; Grant passed, 188.
133. Norcross, Elijah L. To be compensated for the loss of a Horse, &c. seized for breach of the Revenue Law—referred to a Committee, 79 ; Report recommending, 213 ; Grant passed, 284 ; rejected by Council, 294.
134. Demill, N. S. For return Duties on Goods destroyed by Fire—Committee, 80 ; recommended and referred to Supply, 145, 146 ; Grant passed, 188.
135. Simpson, William For continuation of Grant for keeping Ferry at Waweig—Internal Communication, 80 ; not recommended, 168.
136. White, William The like—Internal Communication, 80 ; not recommended, 168.
137. Johnston, Rev. George and others. For aid to Wesleyan Academy at Sackville—Supply, 80 ; Grant towards, 176.
138. Shepherd, Reverend Richard and others. The like, 80.
139. Maxwell, A. M., Lt. Col. 36th Regt. For return Duties on Wine—Supply, 80 ; Grant passed, 223.
140. Kilpatrick, William To be remunerated for loss occasioned by pulling down his House in Portland to prevent the spreading of Fire—on Table, 81. See Bills No 81.
141. Allan, Colin, M. D. and others. For Act to pass limiting the duration of the Assembly, and for shortening the time for polling—on Table, 81. See Bills No 5.
142. Smith, William C. and others. For continuation of Grant for Packet between Shediac and Bedeque—Internal Communication, 81 ; recommended, 169 ; Grant passed, 190.
143. Swim, Henry For Ferrying Mails over the South West Miramichi—Negatived on division, 81.
144. Marks, Nehemiah See No. 3. For return of Penalties paid under Seamen's Act—Committee, 81 ; recommended, 221.
145. Morehouse, Frederick and others. That Members of Fire Engine Company at Woodstock be exempt from Parochial Duties—on Table, 81, 82. See Bills No 58.
146. Holmes, James For compensation for clearing obstructions out of Little South West Branch of River Miramichi—Internal Communication, 82 ; not recommended, 169.
147. Thurgar, John V. For return Duties on Goods destroyed by Fire—Committee, 82 ; recommended and referred to Supply, 145, 146 ; Grant passed, 188.
148. Thibedeau, Charles For compensation for loss in consequence of Prosecution against him as Commissioner for Bye Roads—referred to a Committee, 82 ; Report recommending, 239 ; Grant passed, 284.
149. Raymond, George L. For like compensation for loss—referred to same Committee, 82 ; Report recommending, 239 ; Grant passed, 284.
150. Cother, James For like compensation for loss, as also to be reimbursed over expenditure on a Bridge—referred to same Committee, 82 ; copy of Petition to be furnished John Barnes, 82 ; Report not recommending, 239, 240.
151. Etter, Peter and others. For Grant to pass to reimburse sum expended on Aboideau over the Au Lac River—Road Committee, 82 ; Grant passed, 279.
152. Dougherty, Robert For additional Grant as Mail Carrier between Saint Andrews and Saint Stephens—Internal Communication, 82, 83 ; recommended, 169 ; Grant passed, 190.
153. Vail, John C. For aid to enable to continue the Victoria Stage Line—Internal Communication, 83 ; recommended, 169 ; Grant passed, 190.
154. Montgomery, Hugh and others. For Special Grant to open Road from Eel River Bridge to Dalhousie—on Table, 83.
155. Gill, Sarah School allowance, 83 ; rejected by Committee, 112 ; Grant passed, 188.
156. Wallace, Thomas For return of Head Money—Supply, 84 ; Grant passed, 233.

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157. Hammond, William For return of Duties on Goods destroyed by Fire—Committee, 84 ; recommended and referred to Supply, 145, 146 ; Grant passed, 188.
158. Davidson, Asa and others.
See No 128, 129. That a Grant pass to be expended on certain part of Road from Hennigar's to Bellisle—Road Committee, 85.
159. Gilbert, Henry and others.
See No 110, 171. That Act for establishing a Police at Saint John, be not extended to Portland—on Table, 85. See Bills No 45. Referred to a Committee, 88 ; Report, 153.
160. Willard, Buchanan and Company.
See No 3. For return of Penalties paid under Seamen's Act—Committee, 85 ; recommended, 221.
161. Donaldson, Lauchlan (Chamber of Commerce.) For alteration in Revenue Laws—Trade, 85 ; Report, 114.
162. Murray, Nicholas and others. For further aid towards Chatholic Chapel in Fredericton—Supply, 85 ; Grant passed, 233 ; rejected by Council, 283.
163. Temple, Rev. William and others, Trustees, &c. For aid towards Wesleyan Academy at Sackville—Supply, 85 ; Grant towards, 176.
164. Murray, Isaac and Thomas For reconsideration of claim against Duncan Barber—referred to a Committee, 85 ; Report, 219 ; Resolution that no action be had until the opinion of Lords of Treasury be known, 292. See opinion of Crown Officers to cancel claims, 125.
165. Barber, Duncan To be remunerated for loss in consequence of certain Crown Prosecutions against him—to same Committee on division, 85, 86 ; Report, 219.
166. Barlow, Ezekiel and Sons. For return Duties on Whiskey exported—Supply, 86 ; Grant passed, 233.
167. Donaldson, Lauchlan (Chamber of Commerce.) For measures to be adopted for the encouragement of the Fisheries—Committee, 86 ; Report, 165.
168. Whitney, James For aid to keep up a Weekly Steam Communication to Boston—Supply 86 ; Grant passed, 233 ; rejected by Council, 283.
169. Fairweather, Edwin To be remunerated for services in examining Hammond River Bridge—Supply, 86 ; Grant for, 276.
170. Allen, Rev. William and others. For aid towards Wesleyan Academy at Sackville—Supply, 88 ; Grant towards, 176.
171. Ward, John and others.
See No 110, 159. For measure to provide for a Day and Night Police in Saint John, and a Grant in aid thereof—on Table, 88. See Bills No 63. Referred to a Committee, 88 ; Report, 153.
172. Morris, Thomas School allowance, 89 ; referred to consideration of House, 112 ; Grant passed, 188.
173. Monins, Eaton Lt. Col. 69th Regiment. For return Duties on Wine, &c. for Mess—Supply, 89 ; Grant passed, 233.
174. Allanshaw, Honorable James
See No 3. To be reimbursed Penalties paid under Seamen's Act—Committee, 90 ; recommended, 221.
175. Pollok, John and others.
See No 84. For aid to employ Labouring Poor in improving Streets in Portland—Committee, 90 ; Report, and division on accepting, 98, 99 ; referred to Supply, 103 ; Grant passed, 104.
176. Corporation of St. John
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177. Justices of St. John. To reimburse expenses in support of Black Refugees in Simonds—Supply, 91 ; Grant passed, 233.
178. Shook, Henry S. For remission of Duties on Furniture—Supply, 91 ; Grant rejected, 233.
179. Rennie, John To be remunerated for Ferrying Mails—Internal Communication, 91 ; not recommended, 168.
180. Justices of King's County. For aid towards Debt for building Gaol, and to authorize a Loan for payment of balance—on Table, 91. See Bills No 68. Referred to Supply, 249 ; Grant for, 259.

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181. Jones, William For compensation for loss as a Contractor for building Bridge—Negatived, 91.
182. Babcock, William and others. For Act to Incorporate Saint Andrews Marine Assurance Company—on Table, 91. See Bills No 89.
183. Dougan, William and Copeland, Lucien L. For aid to run a Stage on Road from Saint John to Saint Andrews—Internal Communication, 91; recommended, 169; Grant passed, 190.
184. Kerr, James School allowance, 91; rejected by Committee, 112; Grant passed, 223.
185. Babcock, William and others. For amendments to Tavern Acts—on Table, 91. See Bills No 14.
186. Smallwood, Reverend Frederick and others. For aid towards Wesleyan Academy at Sackville—Supply, 91, 92; Grant towards, 176.
187. Adam and Davidson. To be reimbursed Penalties paid under Seamen's Act—Committee, 92; recommended, 221.
See No 3.
188. Tisdale, Walker and Son. For return Duties on Goods destroyed by Fire—Committee, 92; recommended and referred to Supply, 145, 146; Grant passed, 188.
189. Bradley, James and Green, James For aid to run a Stage on the Nerepis Road—Internal Communication, 92; recommended, 169; Grant passed, 190.
190. Ballard, Simon For continuation of the Grant for Ferry at the Arestook—Negatived, 92; Grant moved and rejected, 191.
191. Gilmour, James and others. For continuation of Grant in aid of the Grammar School at Newcastle—Supply, 92; Grant towards, 176.
192. McLeod, William and Wark, David For Grant towards support of Transient Poor in Richibucto—Supply, 92; Grant passed, 233.
193. Jewett, Daniel To be compensated for repairs on Bridge at Mactaquack—Committee, 92; not recommended, 170.
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194. McDonald, John and others. That Road from Chatham to Escuminac be established a Great Road—on Table, 92.
195. Eaton, James School allowance, 93; recommended by Committee, 113; Grant passed, 187.
196. Wilson, John For Grant towards running Team Ferry Boat over the Miramichi River—Internal Communication, 93; not recommended, 168; Grant rejected, 200.
197. Williston, Phinehas and Brothers. For Drawback on a puncheon of Rum—Supply, 93; Grant passed, 233.
198. Sleep, Reverend Peter and others. For aid towards Wesleyan Academy at Sackville—Supply, 93; Grant towards, 176.
199. Kelly, James M. For aid towards running a Stage between Fredericton and Miramichi—Internal Communication, 93; recommended, 169; Grant passed, 190.
200. Curtain, James To be reimbursed for Ferrying Mails at Joe's Point—Internal Communication, 94; not recommended, 168.
201. O'Hanlon, Patrick School allowance, 94; rejected by Committee, 112; Grant passed, 188.
202. Cunard, Hon. Jos. and others. To authorize Board of Health for Northumberland to sell Sheldrake Island, &c., and aid to build a Lazeretto—on Table, 24. See Bills No 72.
203. Allanshaw, Hon. James For investigation of Accounts with Crown Land Department—Referred to a Committee, 94; Member added, 166; Report, 286; House in Committee on, and Report not sustained, 292.
204. Brockway, Daniel For compensation for extra work on Bridge at Renous River—Referred to a Committee, 94; Report, 156.
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205. Pendleton, William C. For like compensation for work on Bridges in King's County—to same Committee, 95; Report, 156.
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206. Gault, John School allowance, 95; rejected by Committee, 112.
207. Reed, James Junr. School allowance, 95; rejected by Committee, 112.
208. Justices of York County. For further aid towards New Gaol—Supply, 95. See Bills No 22. Grant towards, 233.

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209. Jouett, Isabel F. School allowance, 95 ; rejected by Committee, 112 ; Grant passed, 188.
210. Miller, Edward W. and others. For repeal of Parliamentary Duty on Flour—Trade, 95 ; Report, 113, 114 ; House in Committee on, 127, 128.
211. White, Philip For Ferrying Mails at Washademoac—Internal Communication, 96 ; not recommended, 168.
212. Nicholson, James E. and others. Against passing Bill to Incorporate Grand Falls Company—on Table, 96. See Bills No 74. Referred to Committee, 140 ; Report, 162.
213. Raymond, Thomas For return of Duties on Goods destroyed by Fire—Committee, 96 ; recommended and referred to Supply, 145, 146 ; Grant passed, 188.
214. Leavitt, Daniel and others. That Bread from Foreign Countries be imported free of Duty—Trade, 96 ; Report, 113.
215. Hewett, James and Winters, John For aid in running a Daily Stage between Fredericton and Saint John—Internal Communication, 96 ; recommended, 169 ; Grant passed, 190.
216. Vail, Solomon For aid to run a Stage between Fredericton and Saint Andrews—Internal Communication, 96 ; recommended, 169 ; Grant passed, 190.
217. Alms House Commissioners, York. To be reimbursed expenses in support of Emigrant Poor—Supply, 96, 97 ; Grant passed, 233 ; rejected by Council, 283 ; again granted, 284.
218. Wilson, J. and others. See No 19. For the erection of a Bridge over Waweig—Road Committee, 97 ; Resolution expressive of opinion of House as to site, lost on previous question, 251 ; Grant passed on division, 260.
219. Smith, Giles V. School allowance, 97 ; rejected by Council, 112.
220. Coy, Asa and Gabel, Zebedee G. For return Duty on Organ for Baptist Meeting House—Supply, 97 ; Grant passed on division, 233, 234 ; rejected by Council, 283.
221. Beaumont, John For compensation for loss on purchase of Land from the Crown—Supply, 97 ; Grant rejected, 234.
222. Peters, Geo. P., M. D. To be remunerated for Medical attendance on Emigrants—Supply, 97 ; Grant passed, 142.
223. Hayward, Humphry and Graves, John To be compensated for work on Great Road between Saint John and Nova Scotia Line—Road Committee, 97.
224. Brockway, Artemas For aid to keep a House for the accommodation of Travellers—Internal Communication, 97 ; not recommended, 169.
225. Hammond William and others. To be relieved from Prosecution against them as obligors on the Bonds for Loan to the Saint John Bridge Company—Negatived on division, 99.
226. Montgomery, Robt. H. and Ritchie, Robert To be reimbursed expenses in support of Emigrant Poor in Addington—Supply, 99 ; Grant passed, 220.
227. Bedell, George A. and Beardsley, John D. The like in Woodstock—Supply, 99 ; Grant passed, 234 ; rejected by Council, 283 ; again passed, 285 ; rejected by Council, 294.
228. Nixon, James To improve the Ferry Landing opposite Fredericton—Internal Communication, 100 ; not recommended, 169.
229. Lee, Thomas and Agnew, John To be remunerated for Ferrying Mails—Internal Communication, 100 ; not recommended, 168.
230. Hay, John and others. For aid to rebuild a School House in Woodstock—Negatived on division, 100.
231. Corrigan, Thomas For aid towards running a Stage between Fredericton and Woodstock—Internal Communication, 100 ; not recommended, 169.
232. Ketchum, Richard and others. See No 73. Against the Bill for dividing the Parish of Woodstock—on Table, 100 ; See Bills No 35.
233. Ratchford & Brothers. For return Duties on Goods destroyed by Fire—Committee, 100 ; recommended and referred to Supply, 145, 146 ; Grant passed, 188.
234. Henderson, Thomas For pecuniary aid in consequence of an injury received when transporting Militia Arms—Supply, 100 ; Grant passed, 234.
235. Wetmore, David B. and others. For amendment in Statute Labour Law—on Table, 100. See Bills No 67.

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236. Dickson, Henry
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237. Disbrow, Noah and others. For repeal of Duty on Flour—Trade, 101; Report, 113, 114; House in Committee on, 127, 128.
238. Merritt, Nehemiah and others. For an inquiry into the Practice of the City Court in Saint John—on Table, 101.
239. Haverty, John School allowance, 101; rejected by Council, 112.
240. Busby, Reverend Sampson and others. For aid towards Wesleyan Academy in Sackville—Supply, 101; Grant towards, 176.
241. Harley, Michael To be remunerated for extra expenses as Road Commissioner—on Table, 101; referred to Supply, 240; Grant rejected, 285.
242. Beck, Henry S. For Grant in aid of publishing a Map of the Province—on Table, 101; referred to a Committee, 218; Report, 289; Grant passed, 285; rejected by Council, 294.
243. Justices of St. John. For aid towards building an Alms House in Simonds—Supply, 101; Grant passed, 231.
244. Hauey, Reverend James and others. To authorize Trustees of Saint Andrews Church, Richibucto, to sell Land, &c.—on Table, 101. See Bills No 79.
245. Pagan, George E. and others. The like—on Table, 101. See Bills No 79.
246. Allingham, John To be reimbursed for the loss of a House pulled down to prevent the spread of Fire in Portland—on Table, 102.
247. Brown, John For pecuniary relief in consideration of his long services as Mail Carrier—Negatived on division, 102.
248. Moore, Josephus To be remunerated for loss on Crown Land purchase—Negatived on division, 102.
249. West, Sarah For pecuniary aid as a Soldier's Widow—Supply, 102; Grant passed, 234.
250. Phelon, John School allowance, 102; rejected by Committee, 112.
251. Earls, Frances
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252. Watson, Geo. Bolton
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253. Burgoyne, Joseph To be remunerated for Ferrying Mails—Internal Communication, 103; not recommended, 168.
254. Payne, Robert & others. For Act further to protect the Salmon Fisheries—Committee, 103; Report, 166.
255. Groce, Isaac & others. To be refunded expense for the support of a Transient Pauper in Hillsborough—Supply, 103; Grant rejected, 234.
256. Colter, Julia Ann For Act to prevent the selling of Ardent Spirits at Militia Trainings—on Table, 103.
257. Botsford, Bliss & other. To be reimbursed expenses for support of an Emigrant Pauper in Moncton—Supply, 103; Grant negatived, 234.
258. Moses, Thomas For increased allowance as Deputy Treasurer at West Isles—Supply, 103; Grant passed, 241.
259. Mackintosh, Donald and others. For aid towards erecting an Oat Mill at Hanwell—Agriculture, 103.
260. Justices of Saint John. To be reimbursed expenses for the support of House of Correction—Supply, 104; Grant passed on division, 241.
261. The like. To be reimbursed advances made for support of indigent Emigrants—Supply, 104; Grant passed on division, 258, 259.
262. McLean, John & others. For reduction of Duties at Crown Land Office on Timber and Logs—on Table, 104. See Bills No 20, 92, 103.
263. Shepherd, Michael and others. To prevent the importation of Intoxicating Liquors—on Table, 105.

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264. Justices of Saint John. To be reimbursed expenses for support of Lunatic Asylum—Supply, 105, 106 ; Grant passed, 277.
265. Coy, Asa and others. For Act to Incorporate the City of Fredericton—on Table, 106. See Bills No 73.
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266. Chappell, Bill and others. For Light House to be erected on Journeyman Island—Light Houses, 106 ; not recommended, 147.
267. M'Gowan Andrew. For relief in consideration of work performed under a Road Contract—Committee, 106 ; Report, 156.
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268. Wedderburn, Alex. To be reimbursed for extra services as Emigrant Agent—Supply, 106 ; Grant rejected, 241.
269. Samuel, Michael In favor of Bill for the erection of Lock-up House in Chatham—Negatived, 108. See Bills No 90.
270. M'Laggan, Alex. and others. (4 Petitions.) Against passing Bill for Lock-up House in Chatham—Negatived, 108. See Bills No 90.
271. Nesmith, John and others. (5 Petitions.) The like—Negatived, 108. See Bills No 90.
272. Woods, George Relative to difficulty with Land Company as to a grant of Land—on Table, 144 ; referred to a Committee, 187 ; Report, 287.
273. Dibblee, Frederick B. For relief in consequence of loss in discharge of his duty as a Road Commissioner—Committee on Thibideau's Petition, 162 ; Report recommending, 239 ; Grant passed, 284.
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274. Wetmore, Justus and Messinett, John E. To be reimbursed expenses in support of transient Poor at Saint George—Supply, 165 ; Grant passed, 278.
275. Ring, Jarvis & others. Against Bill for Incorporating Fredericton—on Table, 178. See Bills No 73.
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276. Drake, Jeremiah and others, Commissioners of Sewers. For aid towards Aboideau near Saint John—Sent down by His Excellency, 232 ; Grant moved in Supply and negatived, 284.
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- Pollok, John and others. For aid to employ Labouring Poor in Portland. See Petitions No 175.
- Pond, Abel and others. Lock-up House in Chatham. See Petitions No 271. Bills No 90.
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