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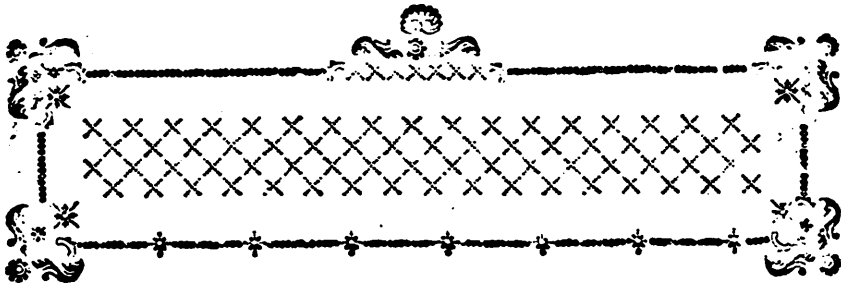
JOURNAL  
OF THE  
VOTES and PROCEEDINGS  
OF THE  
HOUSE OF ASSEMBLY  
OF THE  
PROVINCE of NEW-BRUNSWICK:

From TUESDAY the 3d of FEBRUARY, to THURSDAY the  
5th of MARCH, 1795.



FREDERICTON:  
Printed by CHRISTOPHER SOWER, Printer to the  
KING'S MOST EXCELLENT MAJESTY. 1795.





# Journal and Votes

OF THE

## *House of Assembly,*

Of the PROVINCE of

### NEW-BRUNSWICK.

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#### HOUSE OF ASSEMBLY,

FREDERICTON, *Tuesday 3d February, 1795.*

**T**HE GENERAL ASSEMBLY having been pro-  
rogued to this day—The House met accordingly. House met

*James Glenie*, Esquire, one of the members returned for the county of *Sunbury* at the last General Election, appeared in the House—

Ordered, That *Mr. Peters* and *Mr. Robert Pagan* attend to see him qualified before the Commissioner appointed for that purpose. Member sworn in.

A.

Mr.

Mr. *Peters* and Mr. *Robert Pagan* returned and reported that they had attended accordingly and that the said member had taken the usual oaths.

*Thereupon Ordered*, That he take his seat.

Message to His  
Excellency.

*Ordered*, That Mr. *William Pagan* and Captain *Agnew* wait upon HIS EXCELLENCY the Lieutenant Governor and acquaint him that the House has met, and is ready to receive his commands.

Message from  
His Excellency.

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

House attend.

The House attended accordingly—and, being returned, the *Speaker* reported, that HIS EXCELLENCY had been pleased to make the following speech to both Houses—to wit—

His Excellency's  
speech to both  
Houses.

“ *Gentlemen of the Council*,

“ *And Gentlemen of the Assembly*,

“ **T**HE business which I have at this time to recommend  
“ to your consideration after what concerns the Pro-  
“ vincial Revenue, is chiefly the revival of such temporary  
“ laws as may be near expiring, in order to the continuance  
“ of those which may still be found requisite and with such  
“ amendments in their respective provisions as experience may  
“ have suggested.

“ *Gentlemen of the Assembly*,

“ I forbear at present to renew my recommendation of  
“ measures formerly proposed and not yet provided for; be-  
“ cause the provisions hitherto made, for raising a Provincial  
“ Revenue, have been less productive than had been expected  
“ and your ability consequently the less adequate to the pub-  
“ lic exigencies, without such anticipations of future means  
“ as would be altogether unadvisable. I, therefore recom-  
“ mend to your consideration, the making of some preparati-  
“ on for the foundations of such an Income as may in time  
“ enable us to make effectual provision for objects so impor-  
“ tant to the welfare and reputation of the Province.

“ The Treasurer's accounts, and such other papers as may  
“ be necessary for your information, shall be laid before  
“ you.

“ *Gentlemen*

“ Gentlemen of the Council,

“ And Gentlemen of the Assembly,

“ I take this opportunity, with peculiar satisfaction, to inform you, that the provisions made in your last session, for the better regulation of our militia, as also the zeal for the public defence, manifested by the voluntary exertions of such of the Inhabitants as had been called upon by occasions of alarm, have been honored with His MAJESTY’S gracious approbation. I am also happy in a confidence that, whatever expectations may have been entertained, by our enemies in Europe, of seizing some favorable moment to bring the war into this country, they have been disappointed by the brilliant successes which have attended His MAJESTY’S arms in the WEST INDIES, and by the victory, equally glorious and important, which has added the first of June to the number of days rendered memorable by TRIUMPHS of the BRITISH NAVY.”

Read the first time a bill to amend an act intituled “ An Act for taking Depositions DE BENE ESSE of Witnesses aged, infirm and otherwise unable to travel, and of Witnesses departing from the Province.”

On motion made and seconded—

Resolved, That an address be presented to His EXCELLENCY the Lieutenant Governor in answer to the foregoing speech.

Resolve respecting an Address

Ordered, That Mr. Peters, Doctor Agnew, Mr. William Pagan, Mr. M<sup>r</sup> Master and Captain M<sup>r</sup> Lean, be a committee to prepare the said address agreeable to the foregoing resolution.

Committee order’d to prepare an Address.

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

House adjourns

W E D N E S D A Y, 4th February, 1795.

The order of the day being read—

Ordered, That the Treasurer of the Province be directed to attend, and lay his accounts before the House.

Order for the Treasurers accounts.

On motion made and seconded—

Ordered,

House in committee.

*Ordered*, That HIS EXCELLENCY'S speech be taken into consideration in a committee of the whole House.

The *Speaker* left the chair—

Mr. *Robert Pagan* was appointed chairman.

The *Speaker* having resumed the chair—

Report of the chairman.

The chairman *Reported*,—That the committee had gone into the consideration of HIS EXCELLENCY'S speech and that they were of opinion that a committee should be appointed to examine and report such laws as have expired or are near expiring—

And requested leave for the committee to sit again.

Report accepted

*Ordered*, That the said report be accepted—and that Mr. *Chandler*, Mr. *Robert Pagan* and Mr. *Gilbert* be a committee to examine and report such laws as have expired or are near expiring.

H. E. speech postponed.

*Ordered*, That the further consideration of HIS EXCELLENCY'S speech be postponed until to-morrow.

House adjourns.

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

## T H U R S D A Y, 5th February, 1795.

The order of the day being read—

Bill read and

A bill in addition to an act intituled “ *An Act for admitting Depositions DE BENE ESSE of Witnesses aged, infirm and otherwise unable to travel, and of Witnesses departing from the Province*”—was read the second time.

committed.

*Ordered*, That the said bill be committed.

A letter to P. Watson, Esqr. communicated, also his answer.

The *Speaker* communicated to the House a letter written by him to *Brook Watson*, Esquire, late Agent of the Province—as also Mr *Watson's* answer thereto—

Correspondence with W. Knox, Esqr. read.

And the correspondence between the committee appointed for that purpose and *William Knox*, Esquire, Agent of the Province—was read—

*Ordered*, That the same lie on the table.

The House resolved itself into a committee of the whole upon

House in committee.

upon the bill in addition to an act intituled " *An Act for admitting Depositions DE BENE ESSE of Witnesses aged, infirm and otherwise unable to travel, and of Witnesses departing from the Province.*"

Major *Murray* in the chair—

The *Speaker* resumed the chair—

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

And requested leave to sit again.

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

The further consideration of HIS EXCELLENCY'S speech is postponed until to-morrow. H. E. speech postponed.

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

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F R I D A Y, 6th February, 1795.

The order of the day being read—

The committee appointed to prepare an Address in answer to HIS EXCELLENCY'S speech reported a draught thereof—which, being read, was ordered to be taken into consideration in a committee of the whole House. House in committee.

The *Speaker* left the chair—

And Captain *Clinch* was appointed chairman.

The *Speaker* resumed the chair—

The chairman *Reported*, That the committee had taken into consideration the Address in answer to HIS EXCELLENCY'S speech as reported by the committee appointed for that purpose—and had agreed to the same. Report of the chairman.

Which report was accepted. Report accepted

And the said Address, being read, was agreed to by the House—and is as follows, to wit: Address read and agreed to.



Address of the  
Assembly.

“ *To His Excellency THOMAS CARLETON, Esquire,*  
“ *Lieutenant Governor and Commander in Chief of the Pro-*  
“ *vince of New-Brunswick, &c. &c. &c.*

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

*May it please Your Excellency !*

“ **T**O ACCEPT our sincere thanks for Your speech at  
“ the opening of this session of the General Assem-  
“ bly.

“ We will, agreeable to Your EXCELLENCY’S recommen-  
“ dation, attend to the revival of such temporary laws as may  
“ be near expiring in order to the continuance of those which  
“ may still be found requisite and with such amendments as ex-  
“ perience may have suggested.

“ Your EXCELLENCY’S forbearing to renew Your recom-  
“ mendation of measures formerly proposed, and not yet pro-  
“ vided for, because the provisions hitherto made, for raising a  
“ Provincial Revenue, have been less productive than was ex-  
“ pected, and our ability consequently less adequate to the pub-  
“ lic exigencies without such anticipation as would be alto-  
“ gether unadvisable, deserves our warmest acknowledgments:  
“ And we shall with due attention take into our serious con-  
“ sideration Your EXCELLENCY’S recommendation of making  
“ some preparation for the foundation of such an income as may  
“ in time, enable us to make effectual provision for objects so  
“ important to the welfare and reputation of the province, so  
“ soon as our abilities may admit and their respective impor-  
“ tance require.

“ The accounts and papers which Your EXCELLENCY is  
“ pleased to say shall be laid before us as necessary for our in-  
“ formation we will pay particular attention to.

“ Your EXCELLENCY will be pleased to accept our grate-  
“ ful acknowledgments for communicating HIS MAJESTY’S  
“ gracious approbation of our conduct in the provisions made  
“ in our last session for the better regulation of the Militia of  
“ this Province, and of the zeal for the Public Defence mani-  
“ fested by the voluntary exertions of such of the Inhabitants as  
“ were called upon by occasions of alarm: And we trust that  
“ upon all occasions the Inhabitants of this province will con-  
“ tinue to merit the approbation they have been so highly  
“ honored with.

“ We

“ We are equally happy with Your EXCELLENCY that the  
“ expectations of our Enemies, of seizing some favorable  
“ moment to introduce the horrors of war into this country  
“ have been disappointed by the brilliant successes which have  
“ attended HIS MAJESTY’S arms in the *West Indies*, and by  
“ the Victory, equally glorious and important, which has rend-  
“ ered the *first* of *June* one of the days memorable by *Triumphs*  
“ of the *British Navy*.”

*Resolved*, That the foregoing Address be presented to HIS EXCELLENCY the Lieutenant Governor, by the whole House. Resolve.

*Ordered*, That Mr. *Peters* and Mr. *William Pagan*, wait upon HIS EXCELLENCY to know when he will be pleased to receive this House with their said Address in answer to HIS EXCELLENCY’S speech. Message to His Excellency.

The further consideration of HIS EXCELLENCY’S speech is postponed until to-morrow. H.E. speech postponed.

The House adjourned until to-morrow morning at ten o’clock. House adjourn.

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S A T U R D A Y, 7th February, 1795.

The order of the day being read—

The committee appointed to wait upon HIS EXCELLENCY the Lieutenant Governor to know when he will be pleased to receive this House with their address in answer to HIS EXCELLENCY’S speech *Reported*, That they had waited upon HIS EXCELLENCY accordingly—and that he was pleased to say he would receive the House with the same on *Monday* next at *twelve* o’clock. Report of a committee.

Mr. *William Pagan* presented an account of expences incurred in the importation of sundry books for the use of the General Assembly amounting to *twenty one pounds and fifteen shillings Sterling*—which was read. Account of expences for books presented.

*Ordered*, That the same be referred to the committee of supply. Referred to the Committee of Supply.

A petition of the Inhabitants of the Town of *Saint Andrews*—and a petition of the Inhabitants of the parish of *Saint Davids* in the county of *Charlotte*—were severally presented to the House and read—setting forth that for several years  
past

past the act "For laying out repairing and amending High-ways, Roads and Streets, and for appointing Commissioners and Surveyors of High-ways within the several Towns or Parishes in this Province," has been complained of on account of the labor not being proportioned to the abilities of the Inhabitants—and praying that this House will be pleased to make such alterations in the said act as that the labor to be performed on the high-ways may be more equitably proportioned.

Motion for leave to bring in bills.

And on motion of Mr. Robert Pagan, Ordered, That he have leave to bring in a bill for that purpose agreeable to the prayer of the said petitioners.

Mr. Robert Pagan moved for leave to bring in a bill to authorise the extending of the limits of the Common Gaols in the different counties in this Province—and a bill for better securing the navigation of *Scint Andrew's Bay* and for the conveniency of *Saint Andrew's Harbour*.—

Leave was granted accordingly.

H. E. speech postponed.

Ordered, That the further consideration of HIS EXCELLENCY'S speech be postponed until Monday next.

House adjourn.

The House adjourned until Monday next at ten o'clock.

M O N D A Y, 9<sup>th</sup> February, 1795.

The order of the day being read—

*Daniel Lyman*, Esquire, one of the members returned for the county of *York* at the last General Election appeared in the House—

Ordered, That Colonel *Coffin* and Major *Murray* attend to see him qualified before the Commissioner appointed for that purpose.

The House attend His Excellency with the address.

The House then attended HIS EXCELLENCY *the Lieutenant Governor* with their Address in answer to HIS EXCELLENCY'S speech—

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

“ Gentlemen

“ *Gentlemen,*

His Excellency's  
answer.

“ I THANK you for this Address, and look forward  
“ with satisfaction to the future prosperity of the pro-  
“ vince, which I hope may, in a short time, be seen to rise  
“ on the foundations you are about to prepare.”

The members appointed to attend *Daniel Lyman*, Esquire,  
to see him qualified—*Reported*, That they had attended ac-  
cordingly and that he had taken the usual oaths before the  
Commissioner appointed for that purpose.

Member sworn  
in.

*Thereupon Ordered*, That he take his seat.

A motion was made, that a committee be appointed to in-  
quire whether *Daniel Lyman*, Esquire, be an Inhabitant of  
this province.

Motion respect-  
ing D. Lyman,  
Esq.

Upon which the said *Daniel Lyman*, Esquire, in his place  
stated to the House that he had been an Inhabitant of this  
province since the year 1783, that shortly before the last Ge-  
neral Election he went to Europe upon his private business  
expecting to return in a short time, that a war, unexpectedly  
taking place, prevented his earlier return to the province; that  
his family is resident here and that he considers and means to  
make this province the place of his permanent residence—

*Whereupon* the said motion was withdrawn.

Motion with-  
drawn.

The House resolved itself into a committee of the whole to  
take into consideration the several acts now in force for regul-  
ating Highways—

House in com-  
mittee.

Mr. *Chipman*, in the chair.

The *Speaker* resumed the chair—

The chairman *Reported*,—That the committee had taken  
into consideration the several acts for regulating Highways—  
and had come to the following *Resolution*, viz.

Report of the  
chairman.

“ *Resolved*, That it is the opinion of this committee that a  
“ bill be brought in to regulate the work to be done upon  
“ the Highways by an assessment upon the poll, to be increas-  
“ ed by a regard to the property or income of the Inhabitants  
“ so as that the number of days work to be performed by any  
“ one Inhabitant shall not be more than      days, nor less  
“ than      days.”

C.

*Ordered*,

Report accepted *Ordered*, That the said report be accepted—and that a committee be appointed to bring in a bill agreeable to the foregoing resolution—

Committee appointed. And a committee was accordingly appointed of Mr. *Chipman*, Captain *Clinch*, Mr. *Robert Pagan*, Mr. *Glenie* and Captain *M'Lean*.

Bill read the first time. Colonel *Coffin*, by leave, brought in a bill in addition to an act intituled “*An Act for the better Ascertaining and Confirming the Boundaries of the several Counties within this Province and for subdividing them into Towns or Parishes.*”—

Which bill was read the first time.

H. E. speech postponed. *Ordered*, That the further consideration of HIS EXCELLENCY'S speech be postponed until Thursday.

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

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T U E S D A Y, 10th February, 1795.

The order of the day being read—

Petitions presented and read. A petition of the Inhabitants of *York* county was presented to the House and read—setting forth that the Courts of Justice and the Public Offices of this Province demand and take fees from the petitioners without the consent of the Legislature of the province, that the petitioners regard a continuation of such practices as an infringement of the liberty of the subject and an alarming grievance—and therefore praying that this House will grant them such constitutional relief therefrom as they in their wisdom shall think proper—

And a petition of fundry Inhabitants of the county of *Sunbury* was presented to the House and read—setting forth that the petitioners are not conscious of having ever given their assent, through their Representatives or otherwise, to the formation or operation of the table that regulates the exaction of fees at present in the Courts of Justice in this province which they find to be heavy and as they think a public grievance—and praying that this House will grant them such relief from the said grievance as to the House shall appear most fit and proper.

*Ordered*, That the said petitions lie on the table.

*Ordered.*

*Ordered*, That Captain *Agnew*, Mr. *Glenie*, Mr. *Robert Pagan*, Mr. *Mackay*, and Captain *M<sup>c</sup>Lean*, be a committee to bring in a bill declaratory of what acts of parliament are binding in this province. Committee appointed.

The House again resolved itself into a committee on the consideration of the bill to amend an act intituled “ *An Act for taking Depositions DE BENE ESSE of Witnesses aged, infirm and otherwise unable to travel, and of Witnesses departing from the Province* ”— House in committee.

Major *Murray* in the chair.

The *Speaker* resumed the chair—and

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

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

The committee appointed to bring in a bill for regulating highways, *Reported*, the draught of “ *A bill for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province, and for repealing all the Laws now in force relating to the same.* ”— Report of a committee.

And the said bill, being read the first and second time, was ordered to be committed. Bill read twice, and committed.

A motion was made and seconded that it be *Resolved*, That there is no *Serjeant at Arms* attending this House. Motion for a resolve that there is no Serjeant at Arms.

Upon which the previous question was moved—and carried.

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

W E D N E S D A Y, 11th February, 1795.

The order of the day being read—

The bill in addition to an act intituled “ *An Act for admitting Depositions DE BENE ESSE of Witnesses aged, infirm and otherwise unable to travel, and of Witnesses departing from the Province* ” was read the third time as engrossed. Bill read as engrossed.

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

Bill read second time

Read the second time—a bill in addition to an act intituled  
 “ *An Act for the better ascertaining and confirming the Boundaries*  
 “ *of the several Counties within this Province and for subdividing*  
 “ *them into Towns or Parishes.*”

and committed.

*Ordered*, That the said bill be committed.

House in committee.

The House then resolved itself into a committee on the consideration of the bill “ *For regulating, laying out and repairing*  
 “ *Highways and Roads, and for appointing Commissioners and*  
 “ *Surveyors of Highways within the several Towns or Parishes*  
 “ *in this Province, and for repealing all the Laws now in force*  
 “ *relating to the same.*”—

Mr. Chipman in the chair.

The Speaker resumed the chair—

Report of the chairman.

The chairman *Reported*,—That the committee had taken the said bill into consideration and had agreed to the same with amendments.

Consideration of report postponed.

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

Report of a committee.

The committee appointed to examine and report such laws as have expired, or are near expiring, *Reported*,—

“ That an act made and passed in the *twenty sixth* year of  
 “ HIS MAJESTY’S reign, intituled ‘ *An Act for relief against*  
 “ *absconding Debtors*’—also an act made and passed in the  
 “ *twenty eighth* year of HIS MAJESTY’S reign, intituled ‘ *An*  
 “ *Act in addition to an Act intituled an Act for relief against*  
 “ *absconding Debtors*’—An Act made and passed in the *twenty*  
 “ *seventh* year of HIS MAJESTY’S reign intituled ‘ *An Act to*  
 “ *authorize the respective Proprietors of certain Islands in the*  
 “ *River Saint John and other Rivers in this Province to make*  
 “ *Rules and Regulations for their better Improvement and*  
 “ *Cultivation*’—An act made and passed in the *twenty seventh*  
 “ *year* of HIS MAJESTY’S reign intituled ‘ *An Act in addition*  
 “ *to an Act intituled an Act for laying out, repairing, and a-*  
 “ *mending Highways, Roads and Streets and for appointing*  
 “ *Commissioners and Surveyors of Highways within the several*  
 “ *Towns or Parishes in this Province.*’ An act made and passed  
 “ in the *twenty seventh* year of HIS MAJESTY’S reign intituled  
 “ ‘ *An Act to enable the Justices of the Peace in the several*

Counties in this Province, wherein no sufficient Gaols are erected, to send persons charged with Grand Larceny and other Offences of a higher nature to the Gaol of the City and County of *Saint John*—“ An act made and passed in the *twenty eighth* year of HIS MAJESTY’S reign intituled ‘ An Act to regulate the Sale of Goods sold at Public Auction or Out-cry.’—“ And an act made and passed in the *twenty sixth* year of HIS MAJESTY’S reign intituled ‘ An Act to prevent frauds in the Sale of Damaged Goods imported into this Province’—“ will expire on the first day of *March* One Thousand Seven Hundred and Ninety Five.

“ That an act made and passed in the *twenty eighth* year of HIS MAJESTY’S reign intituled, ‘ An Act to empower the Justices of the Sessions in several Counties in this Province to make such Regulations respecting Markets and Ferries within such Counties as may be found necessary.’—“ And an act made and passed in the *thirty first* year of HIS MAJESTY’S reign, intituled ‘ An Act for the Recovery of small Debts.’—“ will expire at the end of the present session.

“ And that an act made and passed in the *thirty fourth* year of HIS MAJESTY’S reign, intituled ‘ An Act for raising a Revenue in this Province.’—“ will expire on the *first* day of *April*, One Thousand Seven Hundred and Ninety Five.”

The Treasurer of the Province attended according to order, and laid his accounts before the House. Treasurer attends.

Ordered, That the same be referred to a Select committee to examine and report thereon.

Mr. *John Black*, Mr. *Gilbert*, and Mr. *William Black* are appointed for that purpose. Committee appointed.

A bill “ *For better securing the Navigation of Saint Andrews Bay and for the Conveniency of Saint Andrews Harbour.*” being brought in by leave, was read the first time. Bill brought in and read the first time.

The House adjourned until to-morrow morning at ten o’clock. House adjourns.

T H U R S D A Y, 12th February, 1795.

The order of the day being read—

D,

The



House in committee.

The House resolved itself into a committee on the consideration of a bill in addition to an act intituled "*An Act for the better Ascertaining and Confirming the Boundaries of the several Counties within this Province and for subdividing them into Towns or Parishes.*"—

Mr. Hardy in the chair.

The Speaker resumed the chair—

Report of the chairman.

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

And requested leave to sit again.

Report accepted

Ordered, That the said report be accepted.

Bill read

A bill "*For better securing the Navigation of Saint Andrews Bay and for the Conveniency of Saint Andrews Harbour.*" was read the second time.—

and committed.

Ordered, That the said bill be committed.

Ordered, That a committee be appointed to bring in a bill to continue such laws as are near expiring.

Committee appointed.

Mr. Chipman and Mr. Thomson, are appointed for that purpose.

Petition by F. Blackburn.

A petition of Francis Blackburn was presented to the House and read—setting forth: That he is a Clothier by trade and capable of carrying on that business in all it's various branches—that the petitioner's circumstances not being adequate to erect a mill for that purpose, he preferred a petition to this House at the last session which was not considered on account of Solomon Dingee's having made preparations for erecting a Fulling Mill; but as the said Solomon Dingee had never undertaken any part thereof, the petitioner proceeded in building and completing a Fulling Mill near Jemseg, in Queen's county—and praying that this House will grant him a bounty for the same.

Ordered, That the said petition lie on the table.

Bill brought in and read the first time.

A Bill "*For fixing the Times and Places of Holding and Sitting of the Supreme Court in this Province.*" being brought in by the committee appointed for that purpose at the last session, was read the first time.

The

The bill “ For regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province and for repealing all the Laws now in force relating to the same”—being read as reported by the committee of the whole House yesterday.—

Bill read as reported.

A motion was made and seconded to expunge the *sixth section* of the said bill and to insert the following words in lieu thereof—“ And be it further enacted, that the Highways, Roads and Bridges within each county shall be cleared maintained and repaired by the Inhabitants thereof and that every Male Inhabitant of the Age of *sixteen* Years and upwards (except as herein after mentioned) shall either in Person or by an able sufficient Man in his room, in each and every Year provided with such necessary Implements as shall be directed by the said Surveyors, work *four* days, allowing *eight* Hours to each days work, on the said Highways, Roads and Bridges within the Town or Parish where they respectively dwell—PROVIDED ALWAYS, that Inhabitants between *sixteen* and *twenty one* Years of Age, Apprentices and hired Servants, shall be obliged to work *three* days and no more—PROVIDED ALSO, that upon application to two of HIS MAJESTY’S Justices of the Peace in the County, the said Justices shall and may in their discretion lessen the number of Days labor to be performed by any aged or indigent Persons.”

Motion made to expunge a section.

Which was agreed to by the House.

A motion was made and seconded---that the blank in the said clause be filled up with the word “*four*.”

Motion made to fill up a blank.

And the question being put the House divided as follows:—

Y E A S.

N A Y S.

Mr. John Black,  
 Captain Clinch,  
 Mr. R. Pagan,  
 Mr. M’Master,  
 Mr. Mackay,  
 Mr. Glenie,  
 Mr. Youngbusband,  
 Mr. Gilbert,  
 Mr. Chandler,  
 Dr. Agnew, and  
 Mr. W. Pagan.

Colonel Coffin,  
 Mr. Chipman,  
 Major Murray,  
 Captain Lyman,  
 Mr. Thomson,  
 Major Dixson,  
 Mr. W. Black,  
 Captain M’Lean,  
 Mr. Peters,  
 Mr. Yeamans, and  
 Captain Agnew.

Division of the House.

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

A motion was made and seconded, that the said blank be filled up with the word "*five*"—and the question being put, it passed in the negative.

## Y E A S.

Division of the House.

Mr. *John Black*,  
 Captain *Clinch*,  
 Mr. *R. Pagan*,  
 Mr. *M' Master*,  
 Mr. *Mackay*,

Mr. *Glenie*,  
 Mr. *Younghusband*,  
 Mr. *Chandler*,  
 Doctor *Agnew*, and  
 Mr. *W. Pagan*.

## N A Y S.

Colonel *Coffin*,  
 Mr. *Chipman*,  
 Major *Murray*,  
 Captain *Lyman*,  
 Mr. *Thomson*,  
 Major *Dixson*,

Mr. *W. Black*,  
 Captain *M'Lean*,  
 Mr. *Peters*,  
 Mr. *Yeamans*,  
 Captain *Agnew*, and  
 Mr. *Gilbert*.

And then a motion was made and seconded that the said blank be filled up with the word "*fix*" and the question being put, it passed in the affirmative.

*Thereupon Ordered*, That the said bill be engrossed.

Resolve for going into a committee of Supply

*Resolved*, That this House will to-morrow, resolve itself into a committee of the whole, to take into consideration the Supplies that may be necessary to be granted for the current year.

H. Excellency's speech referred.

*Ordered*, That the further consideration of HIS EXCELLENCY'S speech be referred to the said committee.

Bill brought in and read.

A bill to continue sundry acts that are near expiring, was brought in by the committee appointed for that purpose—and read the first time.

House adjourn.

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

FRIDAY, 13th February, 1795.

The order of the day being read—

A bill "*For fixing the Times and Places of Holding and Sitting of the Supreme Court in this Province.*"—and a bill "*To continue sundry Acts that are near expiring.*"—were read the second time. Bills read second time

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

The House then resolved itself into a committee on the consideration of the bill "*For fixing the Times and Places of Holding and Sitting of the Supreme Court in this Province.*"— House in committee.

Mr. *Chipman* in the chair.

The *Speaker* resumed the chair—

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

And requested leave to sit again.

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

House in committee—

Mr. *Peters* in the chair.

Took into consideration a bill in addition to an act intituled "*An Act for the better Ascertaining and Confirming the Boundaries of the several Counties within this Province and for subdividing them into Towns or Parishes.*" House in committee.

The *Speaker* resumed the chair—

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

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

House in committee—

Captain *Lyman* in the chair.

Took into consideration a bill "*To continue sundry Acts that are near expiring.*" House in committee.

The *Speaker* resumed the chair—

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

E.

*Ordered,*

Report accepted.

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

Petitions presented and read.

A petition of the congregation attending divine worship with the Methodists preachers in *Sheffield, Magerville, Fredericton* and *Nasbwaack*—and a petition of the Methodist society in the City of *Saint John*, were presented to the House and read, setting forth, that the preachers of that society are prohibited from marrying which creates inconveniencies and uneasiness amongst the petitioners; and praying that provision may be made that the Methodist Ministers, regularly ordained according to their form of discipline, and duly elected and approved according to the Laws of this province, may be allowed to perform the ceremony of marriage in this province.

Motion for leave to bring in a bill.

And on the motion of Mr. *William Black*, *Ordered*, That he have leave to bring in a bill agreeable to the prayer of the said petition.

Authority to call for a copy of the Record of the Chief Justices commission.

*Ordered*, That the committee appointed to prepare a bill declaratory of what acts of Parliament are binding in this province, have authority, by order of the House, to call for a copy of the record of the Chief Justices Commission, which they think necessary for their information.

Order of the day read and postponed.

The order of the day, for the House resolving itself into a committee of Supply, being read—*Ordered*, That the same be postponed until to-morrow.

House in committee—

Mr. *Hardy* in the chair.

House in committee.

Took into consideration a bill “*For better securing the Navigation of Saint Andrews Bay, and for the Conveniency of Saint Andrews Harbour.*”

The *Speaker* resumed the chair—

Report of the chairman.

The chairman *Reported*, That the committee had taken the said bill into consideration, and had agreed to the same with amendments by the title of a bill “*For better Securing the Navigation of Passamaquoddy Bay and building a Slip in the Harbour of Saint Andrews.*”

Report accepted

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

House adjourn.

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

SATURDAY,

S A T U R D A Y, 14th February, 1795.

The order of the day being read—

The House again resolved itself into a committee on the bill House in committee.  
“ For fixing the Times and Places of Holding and Sitting of the  
“ Supreme Court in this Province.”—

Mr. Chipman in the chair.

The Speaker resumed the chair—

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

And the question being put whether the said report be accepted, the House divided—

Y E A S.

Doctor Agnew,  
Mr. Thomson,  
Mr. Sands,  
Captain Agnew,  
Mr. Glenie,  
Mr. Yeamans,  
Mr. Peters,  
Mr. Younghusband,  
Captain Clinch,  
Mr. W. Pagan,

Mr. Mackay,  
Mr. R. Pagan,  
Mr. M'Master,  
Mr. W. Black,  
Major Dixson,  
Colonel Fanning,  
Mr. J. Black,  
Mr. Gilbert and  
Mr. Chandler.

Division of the House.

N A Y S.

Mr. Chipman,  
Colonel Coffin,  
Captain Lyman,

Major Murray and  
Mr. Hardy,

Thereupon Ordered, That the said bill be engrossed.

Bill engrossed.

The committee appointed to examine the Treasurer's accounts made the following report, viz.

“ WE the Committee appointed to examine the Treasurer's accounts, beg leave to report :

Report of the committee on the Treasurer's accounts.

“ That we have examined the accounts furnished by Abraham De Peyster, Esquire, Province Treasurer, and find them correct, and accurately stated agreeable to the respective vouchers.

“ Paper No. 1. contains a particular account of Merchandize imported

“ imported into the port of *Saint John* from the *5th February*  
 “ *1794* to the *31st January 1795* the duties whereon amount  
 “ to £962 15 0.

“ No. 2. is a General account of Merchandize imported and  
 “ of Duties collected in the province from the *5th February*  
 “ *1794* to the *31st January 1795* inclusive, the net amount  
 “ of which is, viz.

“ County of <i>Saint John</i> , - - -	£929
“ <i>Charlotte</i> , - - -	126 8 6 <sup>3</sup> / <sub>4</sub>
“ <i>Northumberland</i> , - - -	30 6 2 <sup>3</sup> / <sub>4</sub>
“ <i>York</i> . - - - - -	1 3 0 <sup>1</sup> / <sub>4</sub>
	£1086 17 9 <sup>1</sup> / <sub>4</sub>

“ There is no return from any of the other counties.

“ No. 3. is a General Account Current with the province, by  
 “ which it appears there remained in the hands of the Treasur-  
 “ er the *31st January* last £359 10 9 also sundry bonds a-  
 “ mounting to £229 1 5 and a *Note of Hand* for £15.

“ No. 4. is an account of monies collected on the tonnage of  
 “ vessels passing the Light House into the harbour of *Saint*  
 “ *John* from the *5th February 1794* to the *31st January 1795*  
 “ amounting to £88 15.

“ No. 5. is an account of disbursements for the Light House  
 “ on *Partridge Island*, amounting to £147 2 10 which in-  
 “ cludes a Commission of 5 per cent charged by the Treasur-  
 “ er.

“ No. 6. is an account of warrants issued by HIS EXCEL-  
 “ LENCY the *Lieutenant Governor* and paid by the Treasurer  
 “ from *28th February 1794* to *31st January 1795* amounting to  
 “ £2639 17.

“ For further particulars the committee beg leave to refer to  
 “ the papers themselves.

“ *John Black*,

“ *14th February, 1795.*

“ *Bradford Gilbert*,

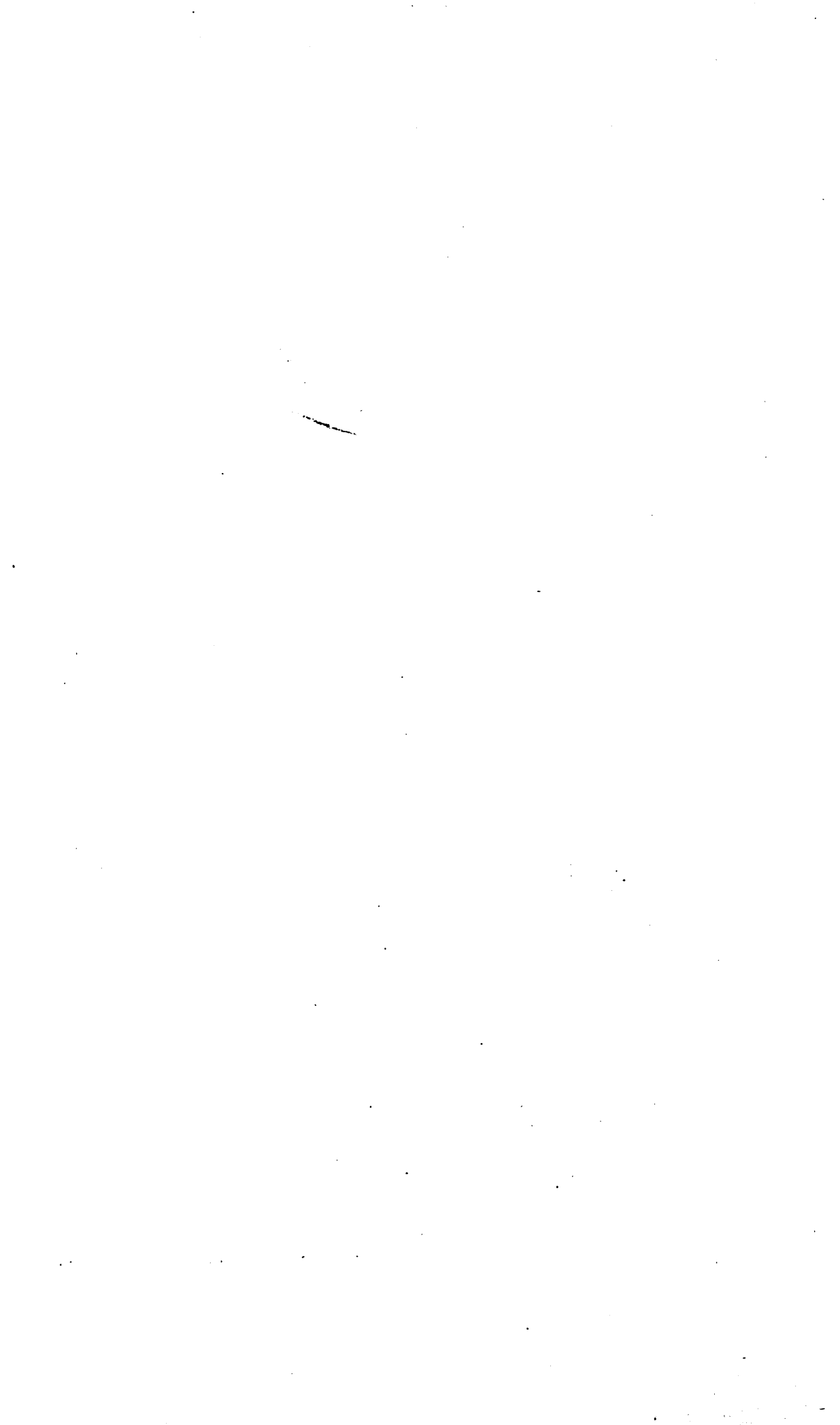
“ *William Black.*”

† ( No. 1. )

( No. 2. )







( No. 2. )

A GENERAL ACCOUNT of Merchandize imported into the Province of *New-Brunswick*, from the 5th February 1794 to the 31st January 1795 inclusive.

CITY and COUNTY of ST. JOHN.

Goods sold at auction 759l. 12/9d. at 2½ pr. Ct.	£	18	19	10
Amot. transient tax acct. 490l. 9/4½ at 5 pr. Ct.		24	10	5½
Provisions &c. subject to 10 pr. Ct. duty 10s.		0	1	0
555 Punch. 3 Hhds. & 2 Bbls. Rum, containing 61,017 Gallons at 2d.		508	9	6
29 Pipes and Butts, & 4 small Casks and bottled Wine 3841 Gallons at 3d.		48	0	3
56 Hhds. 18 Tierces & 35 Bbls. Sugar, 639 Cwts. 2qrs. 21lb. at 2/pr. Cwt.		63	19	4½
9 Bbls. & 9 Bags Coffee 2563lb at 1d.		10	13	7
2880½ Barrels Flour at 2s.		288	1	0
		<hr/>		
		962	15	0
Deduct Drawback on 54 Puncheons Rum exported, containing 6075 Gallons.		33	15	0
		<hr/>		
Total amount for City and County of SAINT JOHN	£	929	0	0

COUNTY of CHARLOTTE.

Amount transient tax acct. 384l. 9/6 at 5 pr. Ct.	£	19	4	5½
88 Punch. Rum containg. 9847 Galls. at 2d.		82	1	2
2 Pipes of Wine - - 214 ditto at 3d.		2	13	6
18 Hhds. & 10 Bbls. Sugar 177 Cwt 1qr. 23lb. at 2s pr. Cwt.		17	14	11
20 Hhds. & Bags Coffee contain. 3818lb. at 1d		15	18	2
210 Bbls. Flour at 2s.		21	0	0
		<hr/>		
		158	12	2½

DEDUCT.

Drawback on 15 Punch. Rum containing 1678 Gallons.	£	9	6	5½
Commission at 10 pr. Ct. for collecting.		15	17	2½
For Gauging &c. pr. account.		7	0	0
		<hr/>		
		32	3	8
		<hr/>		
Total amount for Charlotte County		126	8	6½
F.	Carried forward	£1055	8	6½

Brought forward £1055 8 6½

COUNTY of NORTHUMBERLAND.

Amount transient tax acct. £262 10 at 5pr. Ct.	£	13	2	6
15 Punch. 1 Hhd. and 2 Bbls. Rum, 1795 } Galls. at 2d.		14	19	2
1 Hhd. & 1 Keg of Wine, 52 do. at 3d.		13	0	
55 Bbls. Flour - - - - - at 2s.		5	10	0

34 4 8

DEDUCT,

Commission at 10pr. Ct. for collect.	£	3	8	5½
for Gauging 20 casks at 6d. - - -		-	-	10

3 18 5½

Total amount for Northumberland County. 30 6 2½

COUNTY of YORK, for the Year 1793.

Goods sold at auction £51 3 3. at 2½ per Ct.	£	1	5	7
Deduct commission for collecting at 10 per Ct.		2	6	½

Total amount for York County, 1 3 0½

£1086 17 9½

ST. JOHN, *New-Brunswick*, 31st January, 1795.

A. DE PEYSTER,

*P. Treasurer.*

(No. 3.)

**Dr.** The Province of New-Brunswick in account current with *Abraham De Peyster*. **Cr.**

To Cash paid sundry Warrants of His EXCELLENCY THOMAS CARLE- TON, Esquire, &c.	£2639 17 0	By Ballance due as per Account rendered the House of Assembly last Session.	£1590 10 3
To amount of sundry Bonds remaining in the Hands of the Treasurer as ap- pears before the Committee	229 1 5	By amount of sundry Bonds remaining in the Hands of the Treasurer last Session.	369 14 1 $\frac{1}{2}$
Ballance due the Province.	359 10 9	By amount of Cash received from <i>Robert Pagan</i> , Esquire, being Money not laid out by him on the Road from <i>Charlotte</i> County towards <i>Frederickton</i> .	92 12 0
		By amount of Light Money collected on the Tonnage of Vessels.	88 15 0
		By amount of Duties raised in the Pro- vince as per Account No. 2. rendered of this Date.	1086 17 9 $\frac{1}{2}$
	£3228 9 2		£3228 9 2

**N. B.** Besides the above Bonds the Treasurer holds a Note of Hand of Arthur Nicholson, Esquire, dated 13th March 1793. for Fifteen Pounds, in favour of I. M. C. Delesdernier, late Treasurer of Northumberland, on account of Duties formerly collected by him in that County, which, when paid, will be placed to the Credit of the Province.

ST. JOHN, New-Brunswick, 31st January, 1795.

A. DE PEYSTER, P. Treasurer.

Report &c.  
referred to the  
Committee of  
Supply.

*Ordered*, That the foregoing report, together with the papers therein mentioned, be referred to the Committee of Supply.

House in com-  
mittee.

Agreeable to the order of the day, the House resolved itself into a committee to take into consideration the Supplies that may be necessary to be granted for the Public Service the current year—

Mr. *Hardy* in the chair.

The *Speaker* resumed the chair—

Report of the  
chairman.

The chairman *Reported*, That the committee had made a progress in the business to them referred.—

And requested leave to sit again.

Report accept-  
ed.

*Ordered*, That the said report be accepted.

Bill read the  
first time.

A bill “*For the more easy and speedy Recovery of Small Debts*”—being brought in by the committee appointed for that purpose at the last session, was read the first time.

*Ordered*, That a committee be appointed to examine the accounts of the several persons who have heretofore been intrusted with the expenditure of any Public Money.

Committee ap-  
pointed.

Mr. *Chipman*, Mr. *Peters*, Mr. *Sands*, Captain *Agnew*, and Major *Dixson* are appointed for that purpose.

House adjourn.

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

. M O N D A Y, 16th February, 1795.

The order of the day being read—

Bills read the 3d  
time as engrossed

The bill “*For regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province, and for repealing all the Laws now in force relating to the same*”—the bill “*For better securing the Navigation of Passamaquoddy Bay and building a Slip in the Harbour of Saint Andrews*”—the bill “*For fixing the Times and Places of Holding and Sitting of the Supreme Court in this Province.*” and the Bill “*To continue sundry Acts that are near expiring.*” were read the third time as engrossed.

*Ordered*,

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

Read the second time—A bill “*For the more easy and speedy Recovery of Small Debts.*” Bill read second time

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

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

*New-Brunswick, &c.*

Message from His Excellency.

M E S S A G E to the House of Assembly,

16th February, 1795.

THOS. CARLETON.

“ HIS EXCELLENCY having found it expedient to direct “ some preparations to be made for the defence of “ *Saint Andrews*, informs the House that the expence thereby “ incurred appears by the accounts which have been rendered, “ and which are now laid before the House to amount in the “ whole to the sum of £74 17 7; and HIS EXCELLENCY “ recommends it to the House to make provision for payment “ of the same.

“ HIS EXCELLENCY also informs the House that an expence, amounting to the sum of *fifty pounds*, has been incurred in the purchase of a lot of ground on which a Battery has been built in the City of *Saint John*, and that the sum of £17 13 1 appears to have been expended by the Mayor, Aldermen and Commonalty of the said city in the purchase of necessaries to maintain and secure divers prisoners apprehended in the United States, charged with Piracy committed in this Province; and in defraying the expences of two Guard Houses in the said city. Accounts of these expences are now laid before the House, amounting in the whole to the sum of £67 13 1; and HIS EXCELLENCY recommends it to the House to make provision for payment of the same.

“ HIS EXCELLENCY further recommends it to the House, in addition to such provision as may be requisite for the necessary expences of the Session, to provide for payment of the Adjutants of the Militia for the current year.

“ By HIS EXCELLENCY’s Command,

“ JON N. ODELL.”

G.

Ordered,

Message &c. referred to the committee of Supply.

*Ordered,* That the said message, and papers accompanying the same, be referred to the committee of Supply.

House in committee.

The House again resolved itself into a committee on the consideration of the Supplies that may be necessary to be granted for the Public Service the current year—

Mr. *Hardy* in the chair.

The *Speaker* resumed the chair—

Report of the chairman.

The chairman *Reported,*—That the committee had made a further progress in the business to them referred—

And requested leave to sit again.

Report accepted.

*Ordered,* That the said report be accepted.

House adjourn.

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

---

T U E S D A Y, 17th February, 1795.

The order of the day being read—

Bill read as engrossed.

The bill “ *In addition to an Act intituled ‘ An Act for the better Ascertaining and Confirming the Boundaries of the several Counties within this Province and for subdividing them into Towns or Parishes—’*” was read the third time as engrossed.

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

Petition presented and read.

A petition of the Inhabitants of the parish of Lincoln in the county of *Sunbury* that occupy interval lands in the said parish fronting on the river *Saint John*, was presented to the House and read, setting forth: That the pasturing of Neat-cattle Horses Sheep and Hogs in front of the said lands tends to prevent the growth of bushes, and will if not put a stop to, subject the bank of the said river in front of that parish to the same waste or washing away as the bank in front of the parishes of *Magerville, Sheffield and Waterborough*—and praying that leave may be given to bring in a bill to oblige those who pasture the said lands or any part of them fronting on the said river to keep up fences along their own fronts respectively.—

And

And on motion of Mr. *Glenie*, *Ordered*, That he have leave to bring in a bill agreeable to the prayer of the said petition. Leave to bring in a bill.

The House again resolved itself into a committee on the consideration of the Supplies that may be necessary to be granted for the Public Service the current year— House in committee.

Mr. *Hardy* in the chair.

The *Speaker* resumed the chair—and

The chairman *Reported*—That the committee had made a further progress in the business to them referred. Report of the chairman.

And requested leave to sit again.

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

*Ordered*, That a committee be appointed to prepare an address to HIS EXCELLENCY *the Lieutenant Governor* to request that he will be pleased to order such of HIS MAJESTY'S instructions to be laid before this House as may tend to the information of the same.

Captain *Agnew* and Mr. *Glenie*, are appointed for that purpose. Committee appointed.

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

---

W E D N E S D A Y 18th February, 1795.

The order of the day being read—

A petition of the Clergy of the province was presented to the House and read, setting forth: That they feel themselves aggrieved by a clause of the Militia act which subjects them to Military requisitions and obliges them under a penalty to appear at musters; and by another clause which provides, that when any part of the Militia shall be called into actual service all those exempted from being inrolled (one ferryman to a ferry only excepted) if they were not before, should, upon such occasion, be formed into a company and subject to military command, and as the petitioners are among the exempts so to be embodied they find themselves equally exposed to Military draughts, as liable to be called into actual service, and as much obliged to bear arms as any one of the Militia, and praying that this House will grant them relief either by re-pealing Petition of the Clergy presented and read.



pealing such parts of the said act as affect them, or otherwise as in their discretion they shall think meet.

*Ordered*, That the said petition lie on the table.

Report of a committee.

The committee appointed to prepare an address to HIS EXCELLENCY *the Lieutenant Governor*, to request that he will be pleased to direct such of HIS MAJESTY'S instructions to be laid before this House as may tend to their information—*Reported*, a draught of the same—

Which being twice read, was agreed to by the House, and is as follows, to wit:

Address to His EXCELLENCY.

“ TO HIS EXCELLENCY THOMAS CARLETON,  
“ *Esquire, Lieutenant Governor and Commander in Chief of*  
“ *the Province of New-Brunswick, &c. &c. &c.*

“ The Humble ADDRESS of the House of Assembly.

“ *May it please Your EXCELLENCY!*

“ THE House of Assembly finding inconveniencies to  
“ have arisen in discharging the important duties of leg-  
“ gislation from the want of a proper knowledge of HIS  
“ MAJESTY'S Royal instructions, to prevent their interfe-  
“ ring in any measure beyond the line of their duty, and to  
“ enable them fully to discharge the same—HUMBLY  
“ REQUEST, that Your EXCELLENCY would be pleas-  
“ ed to order such of HIS MAJESTY'S instructions to be laid  
“ before this House as may tend to the information of the  
“ same”.

Committee appointed.

*Ordered*, That Captain *Agnew*, and Captain *Clinch*, be a committee to present the said address to HIS EXCELLENCY.

Report of the committee.

The said committee *Reported*,—That they had presented the foregoing address to HIS EXCELLENCY *the Lieutenant Governor*; and that HIS EXCELLENCY was pleased to say, that such parts of the KING'S instructions should be laid before this House as might tend to their information.

House in committee.

The House resolved itself again into a committee on the consideration of the Supplies that may be necessary to be granted for the Public Service the current year—

Mr. *Hardy* in the chair.

The *Speaker* resumed the chair—

The

The chairman *Reported*,—That the committee had voted the following sums, to wit :

“ To the *Speaker* of the House of Assembly for his services during the present session the sum of *fifty pounds* and the further sum of *ten shillings per diem* for travelling charges reckoning *twenty miles* to each days travel.

“ To the other members of the House of Assembly for defraying their expences of attendance during the session and travelling charges reckoning *twenty miles* to each days travel, to be certified by the *Speaker*, the sum of *ten shillings per diem*.

“ To the Chaplain of the House of Assembly the sum of *ten shillings per diem* during the session.

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

“ To the Serjeant at Arms attending the Council in General Assembly.

“ To the Serjeant at Arms attending the Assembly.

“ To the Door-keeper of the Council *five shillings per diem* during the session.

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

“ To the Messenger during the session *three shillings per diem*.

“ For House rent for the accommodation of the General Assembly and Courts of Justice for one year ending the first day of *February* which will be in the year 1796 the sum of *forty pounds*.

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

“ To the Treasurer of the Province *one hundred and fifty pounds* for his services for *one year* ending the *first day* of *March*, 1795.

“ To the Tide Surveyor in the city of *Saint John* *forty pounds* for his services to the *first day* of *March*, 1795.

“ To *William Pagan*, Esquire, for books imported by him  
 “ for the use of the House of Assembly pursuant to their request  
 “ last session *twenty four pounds, three shillings and four*  
 “ *pence.*

“ To HIS EXCELLENCY *the Lieutenant Governor*, for the  
 “ payment of the Adjutants of the several regiments of Militia  
 “ in the province for the current year a sum not exceeding *one*  
 “ *hundred and sixty pounds.*

“ To HIS EXCELLENCY *the Lieutenant Governor*, for de-  
 “ fraying an expence incurred by the Mayor, Aldermen and  
 “ Commonalty of the city of *Saint John* in maintaining and  
 “ securing divers prisoners apprehended in the *United States*  
 “ and conveyed to the gaol of *Saint John* charged with having  
 “ committed piracy in this province *twelve pounds six shillings*  
 “ *and seven pence.*

“ To the Colonel of *Queen's* county Militia the sum of  
 “ to re-imburse him for the purchase of drums for the use of the  
 “ regiment.

“ To the Clerk of the Council in General Assembly for his  
 “ services during the session and also for his trouble in issuing  
 “ Warrants for the sums granted by the Assembly *forty*  
 “ *pounds.*

“ To the Honble. *George Leonard*, Esquire, *Joshua Gidney*,  
 “ and *James Hughson* for completing the road from the *Ken-*  
 “ *nebeckacis* to *Jimség* in order to establish a communication be-  
 “ tween *Fredericton* and *Saint John* the sum of *fifty pounds.*

“ To HIS EXCELLENCY *the Lieutenant Governor* for de-  
 “ fraying the expences of re-printing the laws of the province the  
 “ sum of *one hundred pounds.*

“ To the Sheriff of *Saint John* for his extra trouble in keep-  
 “ ing the Prisoners committed to the gaol of *Saint John* from  
 “ the other parts of the province the sum of *twenty pounds.*

“ To HIS EXCELLENCY *the Lieutenant Governor* for defray-  
 “ ing contingent expences of the current year a sum not exceed-  
 “ ing *one hundred pounds.*

“ And that the committee had come to the following reso-  
 “ lution, to wit: *Resolved*, That it be reported to the House as  
 “ the sense of this committee that an address be presented to

“ HIS

“ HIS EXCELLENCY *the Lieutenant Governor* on the subject  
“ of the sums, recommended to the House to be provided for,  
“ and not voted by this committee.”

*Ordered*, That the said report be accepted and that Mr. *Hardy*, Mr. *Thomson*, Mr. *Chandler*, and Colonel *Fanning* be a committee to prepare a bill for appropriating and disposing of the Public Monies. Report accepted  
Committee appointed.

A bill “ *Declaratory of what Acts of Parliament are binding in this Province,*” being brought in by the committee appointed for that purpose, was read the first time. Bill brought in  
and read the first  
time.

A petition of the inhabitants on the river *Nashwaack* was presented to the House and read, praying that this House would abolish the privilege of setting a cross-net at the head of the navigation on the south-west branch of the river *Miramichi*, as by that practice the settlers on the upper part of the river *Nashwaack* are prevented from furnishing themselves with a sufficiency of Salmon for the use of their families, and representing that many of the Indians in that vicinity would perish for want, if not supported by the inhabitants, and the reason assigned by them for the scarcity of provisions is that the run of fish is obstructed by the said cross-net which operates upon the petitioners as a very grievous tax. Petition presented and read.

*Ordered*, That the said petition lie on the table.

The House resolved itself into a committee on the consideration of the correspondance between the committee, appointed for that purpose, and *William Knox*, Esquire, the Agent of the Province— House in committee.

Major *Murray* in the chair.

The *Speaker* resumed the chair—

The chairman *Reported*, That the committee had made a progress in the business to them referred— Report of the  
chairman.

And requested leave to sit again.

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

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

THURSDAY.

T H U R S D A Y, 19<sup>th</sup> February, 1795.

The order of the day being read—

Bill brought in  
and read the first  
time.

A bill “*In Amendment of an Act intituled ‘An Act for regulating Marriage and Divorce and for preventing and punishing ‘Incest, Adultery and Fornication’*”—being brought in by leave, was read the first time.

Committee ap-  
pointed.

Ordered, That Mr. Robert Pagan, Mr. Gilbert, Major Murray, and Mr. Mackay, be a committee to prepare an address to HIS EXCELLENCY the Lieutenant Governor on the subject of the sums, recommended to the House to be provided for, and not voted by the committee of Supply.

Petition present-  
ed and read.

A petition of the inhabitants of the parish of *Lincoln* in the county of *Sunbury*, was presented to the House and read, setting forth : That the limits of the said parish are very circumscribed being in front on the river *Saint John* little more than *five miles*, that there are several large grants of land in the said parish having few or no settlers on the same, that there are not more than *twelve* freeholders residing on their lands in the whole extent of the said parish, that of course there are not freeholders sufficient for parish officers annually to be appointed by the General Sessions of the Peace, that the adjoining parish of *Burton* in the said county is very extensive and numerously inhabited; and therefore praying that the boundary line between the said parishes may be altered and the limits of the said parish of *Lincoln* extended down the river *Saint John* to the southerly line of lot number *seven* in the said parish of *Burton* on the westerly side of the Public Ground called *Green Hill*, from thence running the same course with the line of the said lot as far as the same extends, from thence South *thirty* degrees west or so as to take in the Settlements on the South branch of the *Oromocto* and thence South *fifty* degrees West to the Easterly line of *Charlotte* county..

Order respecting  
said Petition.

Thereupon Ordered, That a copy of the said petition be lodged with the Town Clerk of *Burton* and also with the Clerk of the Peace for the county of *Sunbury*—and that the same be publicly read at the next Court of General Sessions of the Peace for the said county, to the intent that all persons interested may shew cause at the next session of the General Assembly why the prayer of the said petition should not be granted.

Ordered,

Ordered, That a message be sent to the Council to put them in mind of the bill “*For fixing the Times and Places of Holding and Sitting of the Supreme Court,*” which tends so much to promote the happiness and convenience of HIS MAJESTY’S subjects in this province.

Ordered, That Mr. Glenie, and Mr. Robert Pagan be a committee to carry the said message to HIS MAJESTY’S Council. Message to the Council.

Read the second time—a bill “*Declaratory of what Acts of Parliament are binding in this Province.*” Bill read second time.

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

House in committee—

Captain Clinch in the chair.

Took into consideration, a bill “*For the more easy and speedy Recovery of Small Debts.*” House in committee.

The Speaker resumed the chair—

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

And requested leave to sit again.

Ordered, That the said report be accepted. Report accepted

An extract from HIS MAJESTY’S Instructions to the Governor of *New-Brunswick*—was laid before the House by order of HIS EXCELLENCY the Lieutenant Governor. Extract from his Majesty’s Instructions laid before the House

The House adjourned until to-morrow morning at ten o’clock. House adjourn.

F R I D A Y, 20th February, 1795.

The order of the day being read—

A bill “*In amendment of an Act intituled ‘An Act for regulating Marriage and Divorce and for preventing and punishing Incest, Adultery and Fornication.’*”—was read the second time. Bill read the second time,

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

The House again resolved itself into a committee on the consideration of the bill “*For the more easy and speedy Recovery of Small Debts.*” House in committee.

I.

Captain

Captain *Clinck* in the chair.

The *Speaker* resumed the chair—and

Report of the  
chairman.

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

And requested leave to sit again.

Report accept-  
ed.

*Ordered*, That the said report be accepted.

Petition present-  
ed and read ;

A petition of the Inhabitants of *Hampstead* in *Queen's* county was presented to the House and read—setting forth : That they find it impossible to make any fences on their interval lands and Islands sufficient to stand in the time of freshes, which occasions very heavy losses to the petitioners and praying that a law may be passed to declare the navigable waters surrounding the Islands a lawful fence, &c.

Order thereupon

*Thereupon Ordered*, That a copy of the said petition be lodged with the Clerk of the said parish of *Hampstead* and also with the Clerk of the Peace in *Queen's* county—and that the same be publicly read at the next Court of General Sessions of the Peace for the said county, to the intent that all persons interested may shew cause at the next session of the General Assembly why the prayer of the said petition should not be granted.

Bill brought in  
and read the  
first time.

A bill “ *To alter and amend an Act intituled ‘ An Act for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province so far as the same respects the Fisheries in the County of Northumberland—being brought in by leave, was read the first time.*”

House in committee—

Mr. *Peters* in the chair.

House in com-  
mittee.

Took into consideration a bill in amendment of an act intituled “ *An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery and Fornication.*”

The *Speaker* resumed the chair—and

Report of the  
chairman.

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

And

And the question being put whether the said report be accepted—it passed in the negative—

Y. E. A. S.

Captain *Agnew*,  
Mr. *R. Pagan*,  
Mr. *Glenie*,  
Mr. *M'Master*,  
Mr. *Sands*,  
Mr. *Gbandler*,

Major *Dixson*,  
Captain *Clinch*,  
Mr. *Mackay*,  
Mr. *W. Pagan* and  
Mr. *W. Black*.

Division of the  
House.

N. A. Y. S.

Mr. *Yeamans*,  
Colonel *Coffin*,  
Mr. *Youngbusband*,  
Captain *M'Lean*,  
Colonel *Fanning*,  
Major *Murray*,  
Mr. *J. Black*,

Mr. *Chipman*,  
Captain *Lyman*,  
Mr. *Peters*,  
Doctor *Agnew*,  
Mr. *W. Thomson*,  
Mr. *Hardy* and  
Mr. *Gilbert*.

A message from the Council informing the House that the Council do not concur in passing the bill referred to in the message of yesterday "For fixing the Times and Places of Holding, and Sitting of the Supreme Court in this Province."

Message from  
the Council.

Thereupon Ordered, That a committee be appointed to search for precedents for desiring a conference with the Council on the subject of the said message.

And a committee was accordingly appointed of Mr. *Glenie* Mr. *Robert Pagan* and Captain *Agnew*.

Committee appointed.

A message from the Council informing the House that the Council have concurred in passing the bill "For regulating, laying out and repairing Highways and Roads and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province and for repealing all the Laws now in force relating to the same," with amendments.

Message from  
the Council.

The amendments to the said bill being read, the House concurred therein excepting the amendment of the XXVth or last section; and the question being put whether the House do concur therein, it passed in the negative.

Resolved, That this House will desire a conference with the Council on the subject of the said amendment.

Resolved to desire  
a conference.

Ordered, That Mr. *Hardy* and Major *Murray* acquaint the Council with the foregoing resolution.



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

S A T U R D A Y, 21<sup>st</sup> February, 1795.

The order of the day being read—

Report of a committee.

Mr. *Glenie*, from the committee appointed to search for precedents for desiring a conference with the Council upon the subject of their message of yesterday informing this House that they did not concur in passing the bill “*For fixing the Times and Places of Holding and Sitting of the Supreme Court*”—Reported, “That the committee find that both Houses of Parliament have frequently desired conferences on messages relating to various matters; but do not find one precedent for desiring a conference on a message communicating non-concurrence in passing a bill.”

Bill brought in and read the first time.

A bill “*For preserving the Bank of the River Saint John in front of the Parish of Lincoln in the County of Sunbury.*” being brought in by leave was read the first time.

House in committee.

The House again resolved itself into a committee on the consideration of the bill “*For the more easy and speedy Recovery of Small Debts.*”—

Captain *Clinch*, in the chair.

The *Speaker* having resumed the chair—

Report of the chairman.

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

Report accepted

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

*Ordered*, That a committee be appointed to bring in a bill “*For establishing the Due and Equal Administration of Justice throughout this Province.*”

Committee appointed.

Mr. *Robert Pagan*, Mr. *Glenie*, Captain *Agnew*, and Mr. *John Black* are appointed for that purpose.

Committee appointed.

*Ordered*, That Mr. *Gilbert*, Mr. *Peters*, Mr. *Robert Pagan*, Mr. *Glenie*, and Captain *Agnew* be a committee to bring in a bill “*To regulate the Practice of the Courts of Law in this Province.*”

“*vince.*”

“*vince*”—and a bill “*For regulating and establishing a Table of Fees*”—and that the several petitions on the subject of fees be referred to the said committee.

*Resolved*, That this House will, on Monday next, go into a committee on the consideration of WAYS and MEANS. Resolve to go into a committee on Ways and Means.

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

M O N D A Y, 23d February, 1795.

The order of the day being read—

A bill “*For preserving the Bank of the River Saint John in front of the Parish of Lincoln in the County of Sunbury*”—was read the second time. Bill read the second time

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

A bill “*For appropriating and disposing of the Public Monies*”—being brought in by the committee appointed for that purpose—was read the first time. Bill brought in and read the first time.

*Read*, The third time as engrossed—the bill “*For the more easy and speedy Recovery of Small Debts.*” Bill read the 3d time as engrossed

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

A bill “*For altering the Sittings of the Supreme Court within this Province*”—being brought in by the committee appointed for that purpose—was read the first and second time—and Bill read twice,

*Ordered*, To be committed. and committed.

A bill “*To amend an Act intituled ‘An Act for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province’ so far as the same respects the Fisheries in that part of the County of Northumberland which are within the Bay and River Miramichi, and it’s Branches*”—being brought in by leave, was read the first and second time—and Bill brought in read twice and

*Ordered*, To be committed. committed.

House in committee—

Mr. Mackay in the chair.

K.

Took

House in committee.

Took into consideration a bill “ *For altering the Sittings of the Supreme Court within this Province.*”

The *Speaker* resumed the chair.

Report of the chairman.

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

Report accepted

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

House in committee.

Agreeable to the order of the day, the House resolved itself into a committee on the consideration of W A Y S and M E A N S—

Captain *Clinch* in the chair.

The *Speaker* resumed the chair—

Report of the chairman.

The chairman *Reported*, That the committee had come to the following resolution, to-wit :

*Resolved*, That it is the opinion of this committee that the present act “ *For raising a Revenue*” be continued for one year.

Report accepted

*Ordered*, That the said report be accepted—and that Mr. *Hardy*, Colonel *Fanning* and Mr. *M<sup>c</sup>Master*, be a committee to prepare a bill to continue “ *An Act intitled ‘ An Act for raising a Revenue in this Province.’*”

Message from the Council.

A message from the Council informing the House that they have concurred in passing the bill “ *In addition to a : Act intitled ‘ An Act for the better Ascertaining and Confirming the Boundaries of the several Counties within this Province and for subdividing them into Towns or Parishes’—and also the bill ‘ To continue several Acts that are near expiring.*”

Bill read as engrossed.

*Read*, the third time as engrossed—a bill “ *For altering the Sittings of the Supreme Court within this Province.*”

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

Order to desire a conference.

*Ordered also*, That the members who carry up the said bill do desire a conference with the Council on the subject matter thereof.

Bills brought in and read the first time.

A bill “ *For regulating the Sittings of the Courts of Common Pleas in the several Counties in this Province and for the Summary*”

“ *many Trials of Actions*”—and a bill “ *For the Establishment of Fees*”—being brought in by the committee appointed for that purpose, were read the first time.

House in committee—

Major *Murray* in the chair—

Took into consideration a bill “ *To amend an Act intituled An Act for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province, so far as the same respects the Fisheries in that Part of the County of Northumberland which are within the Bay and River Miramichi and its Branches.*” House in committee.

The *Speaker* resumed the chair—

And the chairman *Reported*, That the committee had directed him to report it as their opinion that the consideration of the bill be postponed to the next session of the General Assembly and that the Justices of the Peace for the county of *Northumberland* cause a copy of the bill, and of the regulations referred to therein, to be publicly read at the next Court of General Sessions of the Peace in the said county; and also that a copy of the bill be lodged with the Clerk of the Peace in the said county in order that cause may be shewn, at the next session of the General Assembly, why the same should not pass into a law. Report of the chairman.

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

A bill “ *For directing, the Proceedings against Forcible Entry or Detainer*”—being brought in by leave, was read the first time. Bill read the first time.

A message from the Council informing the House that the Council do agree to the conference desired by this House on the subject of an amendment to the bill “ *For regulating, laying out and repairing Highways, and Roads and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province, and for repealing all the Laws now in force relating to the same*”—and for that purpose have appointed a committee to meet at twelve o'clock to-morrow. Message from the Council.

*Ordered*, That Mr. *Hardy*, Captain *Agnew*, and Captain *M'Lean* be a committee to manage the said conference. Committee appointed.

House in committee—

Captain *Agnew* in the chair—

Took

House in committee.

Took into consideration a bill “*For preserving the Bank of the River Saint John in front of the Parish of Lincoln in the County of Sunbury.*”

The Speaker resumed the chair—

Report of the chairman.

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

Report accepted.

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

Bill brought in and read the first time.

A bill “*To provide for the Support of Beacons and building a Slip in the County of Charlotte.*”—being brought in by leave, was read the first time.

House adjourn.

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

## T U E S D A Y, 24th February, 1795.

The order of the day being read—

Bill brought in and read the first time.

A bill “*Further to continue an Act intituled ‘An Act for raising a Revenue in this Province.’*”—being brought in by the committee appointed for that purpose was read the first time.

Bill read 2d time

Read, the second time—a bill “*For appropriating and disposing of the Public Monies.*”

and committed.

Ordered, That the said bill be committed.

Bill read as engrossed.

The bill “*For preserving the Bank of the River Saint John in front of the Parish of Lincoln in the County of Sunbury.*”—was read the third time as engrossed.

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

Petition presented and read.

A petition of *Samuel Denny Street*, Esquire, on behalf of himself and other inhabitants of the parish of *Burton* in the county of *Sunbury* occupying interval lands fronting on the river *Saint John*—was presented to the House and read, setting forth: That the pasturing of Cattle, Horses, Sheep and Hogs, in front of the said lands tends to destroy and prevent the growth of bushes, and will, if not put a stop to, subject the bank of the river in the said parish to the same waste as the bank in *Magerville*, *Sheffield*, and *Waterborough*—and praying that leave may be gi-

ven to bring in a bill to oblige those, who pasture the said lands, to keep up fences along their own fronts, and to prevent cattle being pastured in front of such inclosures.

And on motion of Mr. *Hardy*—*Ordered*, That he have leave to bring in a bill agreeable to the prayer of the said petition. Leave to bring in a bill.

A petition of sundry inhabitants of the parish of *Waterborough* in *Queen's* county, was presented to the House and read, setting forth: That there are several Islands in that county situated so near the main land that the owners thereof experience great inconvenience from the cattle of the proprietors of the main land swimming across to such Islands; and that in consequence of the freshes the keeping up fences on those Islands is attended with considerable expence; that they also find it very expensive and disadvantageous to fence respectively in front of their farms on the main land; and praying, that an act may be passed to declare that the waters surrounding those Islands may be deemed a lawful fence, and also that fences extending a certain length into the river on their lines may be judged legal against trespasses of cattle. Petition presented and read.

*Thereupon Ordered*, That a copy of the said petition be lodged with the *Clerk* of the said parish of *Waterborough* and also with the *Clerk* of the *Peace* in *Queen's* county, and that the same be publicly read at the next Court of General Sessions of the *Peace* for the said county, to the intent that all persons interested may shew cause at the next session of the General Assembly why the prayer of the said petition should not be granted. Order thereupon

A message from the Council informing the House that the Council agree to the conference desired yesterday on the subject matter of a bill "*For altering the Sittings of the Supreme Court within this Province*"; and for that purpose have appointed a committee to meet immediately. Message from the Council.

*Ordered*, That Mr. *Robert Pagan* Mr. *Peters* and Captain *Agnew* be a committee to attend and manage the said conference. Committee appointed.

The House then resolved itself into a committee on the consideration of a bill "*Declaratory of what Acts of Parliament are binding in this Province.*" House in committee.

Mr. *Candler* in the chair.

The *Speaker* having resumed the chair—

L,

The

Report of the  
chairman.

The chairman *Reported*, That the committee had taken the said bill into consideration, and had agreed to the same with amendments.

Consideration  
of report post-  
poned.

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

The committee appointed to manage the conference with the Council on the subject matter of the bill "*For altering the Sittings of the Supreme Court within this Province.*"

Report of a  
committee.

"*Reported*—" That they had attended accordingly, and that the said conference was managed on the part of the Council by the Honorable Judge *Allen* and the Honorable Judge *Saunders*, who said that the Council were of opinion that to renew the matter of any bill under another title during the same session, which had been negatived by the Council was unparliamentary; and that to accompany a bill with such a message, as accompanied the bill in question, was also unparliamentary.

"And that the committee had desired that the said conference might not be closed until they should make their report to the House and be further instructed concerning the same."

House adjourn.

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

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W E D N E S D A Y, 25th February, 1795.

The order of the day being read—

Bills read

A bill "*To provide for the Support of Beacons and building a Slip in the County of Charlotte*"—and a bill "*Further to continue an Act intituled 'An Act for raising a Revenue in this Province'*"—were read the second time.

and committed.

*Ordered*, That the said bills be committed.

Report of a  
committee.

Mr. *Hardy* reported, that the managers had been at the conference with the Council on the subject of the amendment of the XXVth section of the bill "*For regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns*"

“ *Towns or Parishes in this Province and for repealing all the Laws now in force relating to the same*”—and stated the substance of the said conference to the House.

The said report being taken into consideration—and the question put whether the House do concur in the said amendment—

It passed in the negative.

The bill “ *Declaratory of what Acts of Parliament are binding in this Province*” being read as reported by the committee of the whole House yesterday—Ordered, That the same be re-committed. Bill read as reported,  
and committed.

The House then resolved itself into a committee on the re-consideration of the said bill. House in committee.

Mr. *Chandler* in the chair.

The *Speaker* resumed the chair—

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

Whereupon a motion was made—that the consideration of the said report be postponed for *three months*—upon which the House divided—

Y E A S.

Mr. *Chipman*,  
Captain *Lyman*,  
Colonel *Coffin*,  
Captain *Clinch*,  
Major *Murray*,

Mr. *Chandler*,  
Mr. *J. Black*,  
Mr. *W. Pagan*,  
Mr. *Hardy*, and  
Mr. *Yeamans*.

Division of the House.

N A Y S.

Mr. *Thomson*,  
Mr. *Sands*,  
Captain *Agnew*,  
Mr. *R. Pagan*,  
Doctor *Agnew*,  
Mr. *M. Master*,  
Mr. *Gilbert*,  
Mr. *Peters*,

Captain *M. Lean*,  
Colonel *Fanning*,  
Mr. *Mackay*,  
Mr. *W. Black*,  
Mr. *Glenie*,  
Major *Dixson*,  
Mr. *Youngbusband*.

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

House



House in committee—

Major Murray in the chair.

House in committee.

Took into consideration, a bill “*To provide for the Support of Beacons and building a Slip in the County of Charlotte.*”

The Speaker resumed the chair—

Report of the chairman.

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

Report accepted

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

Bill brought in and read the first time.

“ A bill “*For preserving the Bank of the River Saint John in front of the Parish of Burton in the County of Sunbury*” — being brought in by leave, was read the first time.

Bill read the second time

Read, the second time—a bill “*To alter and regulate the Terms of the Sittings of the Inferior Courts of Common Pleas in this Province, and to enlarge the Jurisdiction of the same; and for the summary Trials of certain Actions to be brought therein where the Sum or Thing in demand does not exceed the Value of ten pounds and for other Things in the same contained.*”

and committed.

Ordered, That the said bill be committed.

Order respecting a bill.

Ordered, That a copy of the bill brought in by Captain McLean, at the last Session of the General Assembly, to alter and amend “*An Act intituled ‘ An Act for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province’*” as far as the same respects the fisheries in the county of Northumberland, already forwarded to the Clerk of the Peace in the said county be read by him at the next Court of General Sessions of the Peace; in order that all persons interested may shew cause, at the next session of the General Assembly, why the same should not pass into a law.

Address read

An address to HIS EXCELLENCY the Lieutenant Governor, on the subject of the sums, recommended to the House to be provided for, and not voted by the committee of Supply was reported by the committee appointed for that purpose—

and agreed to.

Which, being twice read, was agreed to by the House—and is as follows, to-wit:

“ To HIS EXCELLENCY THOMAS CARLETON, Address to His  
EXCELLENCY.  
“ Esquire, 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!

“ T H E House of Assembly having taken into confide-  
“ ration the recommendations contained in Your Ex-  
“ CELENCY'S message to them of the *sixteenth* instant, beg  
“ leave humbly to represent that they conceive the sums of  
“ *seventy four pounds, seventeen shillings and seven pence* expend-  
“ ed in preparations made for the defence of *Saint Andrews*;  
“ the expence amounting to the sum of *fifty pounds*, incurred  
“ in the purchase of a lot of ground on which a Battery has  
“ been built in the City of *Saint John*, and the further sum  
“ of *five pounds six shillings and six pence* expended in defraying  
“ the expences of two Guard-Houses in the same City, to be  
“ expenditures for the general defence: And although they can  
“ confidently assure YOUR EXCELLENCY of the ready personal  
“ co-operation of all HIS MAJESTY'S subjects in this province  
“ on every occasion in the general defence, yet they conceive  
“ their situation incompatible with the erection of or defraying  
“ the expence attending works of defence.”

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

T H U R S D A Y, 26th February, 1795.

The order of the day being read—

A bill “ *Directing, the Proceedings against forcible Entry or* Bill read the  
“ *Detainer*”—was read the second time. second time

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

A bill “ *Authorising an Extension of the Limits of the Gaol* Bill read twice,  
“ *in the County of Charlotte*”—being brought in by leave— and committed.  
was read the first and second time—and Ordered, To be com-  
mitted.

Read, The third time as engrossed—A bill “ *To provide for* Bill read as en-  
“ *the Support of Beacons and building a Slip in the County of* grossed.  
“ *Charlotte*.”

M,

Ordered,

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

House in committee—

Mr. *John Black* in the chair.

House in committee.

“ Took into consideration a bill “ *For appropriating and disposing of the Public Monies.*”

The *Speaker* having resumed the chair—

Report of the chairman.

The chairman *Reported*, That the committee had taken the said bill into consideration and had agreed to the same with amendments.

Report accepted

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

Bill read the 3d time as engrossed

The bill “ *Declaratory of what Acts of Parliament are binding in this Province*” —was read the third time as engrossed.

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

House in committee—

Mr. *Glenie* in the chair.

House in committee.

Took into consideration a bill “ *Directing the Proceedings against Forcible Entry or Detainer.*”

The *Speaker* resumed the chair—

Report of the chairman.

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

And requested leave to sit again.

Report accepted

*Ordered*, That the said report be accepted.

House in committee—

Captain *Clinch* in the chair.

House in committee.

Took into consideration a bill “ *Further to continue an Act intituled ‘An Act for raising a Revenue in this Province.’*”

The *Speaker* resumed the chair.

Report of the chairman.

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

*Ordered*;

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

Read, the second time a bill “*For preserving the Bank of the River Saint John in front of the Parish of Burton in the County of Sunbury.*”— Bill read the second time.

Thereupon Ordered, That the consideration of the said bill be postponed to the next session of the General Assembly—and that a copy thereof be publicly read at the next Court of General Sessions of the Peace in the county of Sunbury—and also that a copy of the bill be lodged with the Clerk of the said Parish of Burton and with the Clerk of the Peace in the said county; in order that all persons interested may shew cause at the next session of the General Assembly why the same should not be passed into a law. Consideration of the bill postponed.

House in committee.

Captain Agnew in the chair—

Took into consideration a bill “*To alter and regulate the Terms of the Sittings of the Inferior Courts of Common Pleas in this Province and to enlarge the Jurisdiction of the same and for the summary Trials of certain Actions to be brought therein where the Sum or Thing in demand does not exceed the Value of Ten Pounds and for other Things in the same contained.*” House in committee.

The Speaker resumed the chair—

The chairman Reported, That the committee had taken the said bill into consideration and had agreed to the same with amendments, by the title of a bill “*To regulate the Terms of the Sittings of the Inferior Courts of Common Pleas in this Province, and to enlarge the Jurisdiction of the same and for the summary Trials of certain Actions.*” Report of the chairman.

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

A bill “*For the Establishment of Fees*” was read the second time. Bill read the 2d. time.

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

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

F R I D A Y, 27<sup>th</sup> February, 1795.

The order of the day being read—

Bill read as engrossed.

*Read, The third time as engrossed—the bill “To regulate the Terms of the Sittings of the Inferior Courts of Common Pleas in this Province and to enlarge the Jurisdiction of the same and for the summary Trials of certain Actions.”*

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

House in committee—

Captain Agnew in the chair.

House in committee.

*Took into consideration a bill “For the Establishment of Fees.”*

The Speaker resumed the chair—

Report of the chairman.

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

And requested leave to sit again.

Further consideration of a bill postponed.

*Thereupon, on motion made and seconded,—Ordered, That the further consideration of the said bill be postponed to the next session of the General Assembly—and that an address be presented to HIS EXCELLENCY the Lieutenant Governor, to request that the Judges may be directed to give their opinions respecting the fees to be taken by the Civil Officers of Government as well as all other fees to be taken in this province and that those opinions may be laid before this House at the next session of the General Assembly.*

Committee appointed.

*Ordered, That Mr. Hardy and Mr. Peters be a committee to prepare the said address.*

Further consideration of a bill postponed.

*On motion made and seconded—Ordered, That the further consideration of the bill “For directing the Proceedings against Forcible Entry or Detainer”—be postponed for three months.*

Committee appointed.

*Ordered, That Major Murray, Mr. William Pagan, and Mr. M'Maker, be a committee to present the address to HIS EXCELLENCY the Lieutenant Governor, on the subject of the sums, recommended to this House by HIS EXCELLENCY to be provided for, and not voted by the committee of Supply.*

A message from the Council informing the House that the Council have concurred in passing the bill "*For preserving the Bank of the River Saint John in Front of the Parish of Lincoln in the County of Sunbury.*"

Message from the Council.

And also informing the House that the Council have concurred in passing the bill "*For the more easy and speedy Recovery of Small Debts,*" with amendments.

The amendments to the said bill being read—and the question put—the House concurred therein.

Amendments concurred in.

*Thereupon Ordered,* That the said bill be returned to the Council.

*Ordered,* That a message be sent to the Council to request that the bill "*To provide for the Support of Beacons and building a Slip in the County of Charlotte,*" be returned to this House in order that a mistake therein may be rectified.

Message to the Council.

*Ordered,* That Mr. Robert Pagan and Mr. Mackay do carry up the said Message.

The committee appointed to present the address to HIS EXCELLENCY the Lieutenant Governor, on the subject of the sums recommended by HIS EXCELLENCY to be provided for and not voted by the committee of Supply—*Reported,* That they had waited upon HIS EXCELLENCY with the same, and that he was pleased to say he would return an answer thereto with all convenient dispatch.

Committee appointed.

*Read,* The third time as engrossed—the bill "*Further to continue an Act intituled 'An Act for raising a Revenue in this Province.'*"

Bill read as engrossed.

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

House in committee—

Mr. Mackay in the chair.

Took into consideration a bill "*Authorizing an Extension of the Limits of the Gaol in the County of Charlotte.*"

House in committee.

The Speaker resumed the chair—

The chairman *Reported,* That the committee had taken the said bill into consideration—and had directed him to report it as their opinion that the consideration thereof be postponed to the next session of the General Assembly.

Report of the chairman.

N.-

*Ordered,*

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

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

H. Excellency's answer to an address. “ *New-Brunswick, &c.*

“ *27th February, 1795.*

“ ANSWER of HIS EXCELLENCY *the Lieutenant Governor* to the Address of the Assembly this day presented,

“ THOS. CARLETON.

“ *Gentlemen,*

“ I HAVE the satisfaction to feel, with you, a just confidence in the ready personal co-operation of all HIS MAJESTY’s subjects in this province on every occasion for the general defence; and I hope that, on a further consideration of this important subject, you will be convinced of the indispensable duty incumbent on us all, not only by every personal exertion, but by every other necessary means in our power, to provide for the safety and defence of the province.

“ If any emergency should arise, requiring efforts or provisions clearly beyond our ability, we can have no doubt of the necessary aid and protection of the Parent State. But until the evident existence of such a situation, I should consider any application made in that view on my part as injurious to the reputation of the province.

“ *By HIS EXCELLENCY’s Command,*

“ JONN. ODELL.”

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

S A T U R D A Y, *28th February, 1795.*

The order of the day being read—

Bill read as engrossed. The bill “ *For appropriating and disposing of the Public Monies*”—was read the third time as engrossed.

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

*Resolved*, That previous to voting any money to any Colonel or Commanding Officer of Militia to reimburse him for the expence of Drums and Fifes provided under the *eighth section* of the act "For the better regulating the Militia in this Province," there be produced to this House a certificate from the Captains or Commanding Officers of Companies (counterfigned by the Colonel or Commanding Officer of the Regiment) stating the several fines that have been imposed or collected by them from each delinquent by virtue of the said act; and also that no delinquent has been excused from paying his fine.

Resolversepecting the Payment of Drums and Fifes.

The committee appointed to manage the conference with the Council on the subject matter of the bill "*For altering the Sittings of the Supreme Court*" further Reported, "That they had again attended the said conference, and that the Managers on the part of the Council said the Council abide by both of their former allegations, and they observed, that the conference ought to be desired by that House where the bill remains, and that they conceive the object of a conference is to give reasons and not to inquire."

Report of a committee.

A message from the Council informing the House that the Council request a conference on the subject matter of the bill now before the Council "*For appropriating and disposing of the Public Money*"—and for that purpose have appointed a committee to meet a committee of the Assembly on Monday next.

Message from the Council.

*Resolved*,—That this House do agree to the said conference as desired by the Council.

*Ordered*, That Major Murray, Mr. Peters, and Mr. William Pagan be a committee to attend and manage the said conference.

Committee appointed.

*Ordered*, That Mr. Glenie, Captain Agnew, and Major Murray, be added to the committee appointed at the last session, to correspond with the Agent of the Province during the recess of the General Assembly.

Members added to a committee.

The House adjourned until Monday next at ten o'clock.

House adjourns.

M O N D A Y, 2d March, 1795.

The order of the day being read—

The



Report of a  
committee,

The committee appointed to manage the conference requested by the Council on the subject matter of the bill "*For appropriating and disposing of the Public Money*"—Reported, "That they had been at the said conference which was managed on the part of the Council by the Honorable Mr. *Winslow*, and the Honorable Mr. *Leonard* who stated the following objections to the said bill, viz..

I. That this bill provides for services not recommended which the Council conceive to be unparliamentary.

II. That some of the services, specially recommended by HIS EXCELLENCY in this session, remain unprovided for, although those services are acknowledged to be for the general defence, and ought therefore to have been among the first objects of provision, while, on the contrary, greater sums are appropriated for other objects.

III. That the appropriating of sums of money, as in this bill, to the several Members for their attendance in General Assembly, does not accord with parliamentary usage.

Referred to a  
select committee

*Tereupon Ordered*, That the same be referred to a Select Committee to draw up reasons to be offered at the said conference in answer to the foregoing objections.

And the same are referred to Mr. *Hardy*, Captain *Clinch*, Captain *Agnew*, Mr. *Glenie*, and Mr. *Robert Pagan*.

Message from  
the Council.

A message from the Council informing the House that the Council have concurred in passing (after the mistakes therein corrected by this House) the bill "*To provide for the Support of Beacons to be erected for better securing the Navigation of Passamaquoddy Bay and building a Slip in the Harbour of Saint Andrews.*"

Report of a  
committee.

Mr. *Hardy*, from the committee appointed to draw up reasons to be offered at the conference with the Council on the subject matter of the bill "*For appropriating and disposing of the Public Money,*" in answer to the objections stated by the Council—Reported, a draught of the same, which he read in his place and then delivered in at the Clerks' table—and the same being again read, were agreed to, and are as follows,—to-wit:

"To the first objection offered by the Council, the House of Assembly reply in the words made use of by the committee of Council who managed a conference with a committee of this House on the ninth day of March 1793—That it is the  
"sole

“ sole and undoubted right of the House of Assembly to originate a money bill, and to include therein not only what may be recommended from the Executive Chair but also such other sums as they think necessary for the public good.

“ To the second objection the House of Assembly observe that it is their inherent right to consider and determine upon the expediency of all Public Services recommended to them to be provided for; that the services in question are Military Expenditures, and that all expenditures on Military Works in *Canada, Nova-Scotia, and Newfoundland* for the purposes of public defence have invariably been included in the extraordinaries of the army, and annually presented to the House of Commons by the Secretary at War in the Estimates for army extraordinaries.

“ To the third objection the House of Assembly observe that the payment of Members serving in Parliament is constitutional and agreeable to the ancient usage and custom of Parliament; that the circumstances and situation of this province render any other mode of payment than that hitherto invariably adopted by the Legislature inexpedient; that the same is conformable to precedents in our own acts of Assembly (from which the House will not depart without good cause) and hath also in Estimates of Expences, laid before the House by order of HIS EXCELLENCY *the Lieutenant Governor*, been recommended to be provided for as a public service.

“ The House of Assembly have also further given it to us in charge to declare that they consider the words ‘*and ought therefore to have been among the first objects of provision, while, on the contrary, greater sums are appropriated for other objects,*’ as a reflection upon their proceedings and an infringement of the Privileges of the House of Assembly.

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

---

T U E S D A Y, 3<sup>d</sup> March, 1795.

The order of the day being read—

Mr. *Hardy*, from the committee appointed for that purpose, reported the draught of an Address to HIS EXCELLENCY

Report of a committee.

O.

*the*

*the Lieutenant Governor*; which he read in his place and afterwards delivered in at the Clerk's table—and the same being again read, was agreed to by the House and is as follows, viz.

Address to His  
EXCELLENCY.

“ TO HIS EXCELLENCY THOMAS CARLETON,  
“ *Esquire, Lieutenant Governor and Commander in Chief of*  
“ *the Province of New-Brunswick, &c. &c. &c.*

The Humble ADDRESS of the House of Assembly,

*May it please Your EXCELLENCY!*

“ THE House of Assembly, having under their con-  
“ sideration the Fees taken in this province, hum-  
“ bly request Your EXCELLENCY to be pleased to order that  
“ the Honorable the Judges do deliver their opinions in writ-  
“ ing respecting the Fees to be taken by the Civil Officers of  
“ Government as well as all other Fees to be taken in this  
“ province: And that those opinions may be laid before this  
“ House at the next session of the General Assembly of this  
“ province.”

Order for print-  
ing Acts and  
Journals.  
Committee ap-  
pointed.

*Ordered,* That *three hundred* copies of the Acts passed in the present session, and *two hundred* copies of the Journal of the Votes and Proceedings of this House, be printed: And that the members for the city and county of *Saint John*, together with the members for the county of *Northumberland*, be a committee to contract for and superintend the printing of the same.

Order for distri-  
bution.

*Ordered also,* That the copies of the Acts be distributed in the following manner, to-wit: To HIS EXCELLENCY *the Lieutenant Governor*, *six* copies, Members of the Legislature, Secretary of the Province, Treasurer of the Province, Justices of the Peace, Clerks of each Parish, County Treasurers, Commonalty of the City of *Saint John*, each County, Court of Chancery, Clerks of the Peace, Sheriffs and Coroners, *one* copy each—and the Supreme Court and the General Assembly, *two* copies each—And that the Clerk of this House see the same distributed agreeable to their intentions.

Resolve for pay-  
ing the expence  
of printing.

*Resolved,* That the *Lieutenant Governor or Commander in Chief* for the time being, with the advice and consent of HIS MAJESTY'S Council, be requested to issue a warrant on the Treasurer for the payment of the charges to be incurred by printing the acts of the General Assembly and the Journal of the Votes and Proceedings of this House in the present session.

And

And that this House will make provision, in the next session, for supplying such money out of the public revenue.

Mr. *Robert Pagan* moved for an address to HIS EXCELLENCY *the Lieutenant Governor*, which he read in his place and then delivered in at the Clerk's table—and the same being again read, was agreed to by the House—and is as follows, viz.

Motion for an Address.

“ TO HIS EXCELLENCY THOMAS CARLETON, Esquire, Lieutenant Governor and Commander in Chief of the Province of New-Brunswick, &c. &c. &c.

Address to His EXCELLENCY.

“ The Humble ADDRESS of the House of Assembly.

*May it please Your EXCELLENCY!*

“ THE House of Assembly beg leave to represent that the city of *Saint John*, the Town of *Saint Andrews*, and the adjacent coasts of this province are exposed to predatory attacks from Armed Vessels of the enemy, which, if the war should continue, may prove very distressing to the inhabitants by the loss of their trade and the destruction of their habitations and property, which may be effected before sufficient assistance can be sent to them as there are no Ships of War belonging to HIS MAJESTY cruising in the Bay of Fundy or stationed as Guard Ships in any of its ports, neither are there any Regular Troops at *Saint Andrews* or any part of the county of *Charlotte* the most exposed part of this province.

“ The House of Assembly, having the fullest confidence in Your EXCELLENCY's attention at all times to whatever may promote the general safety and prosperity of the province, humbly hope Your EXCELLENCY will cause proper representations to be made to the Officer commanding HIS MAJESTY's Ships of War on the North American Station respecting a Naval Defence, which will also give security to that valuable part of the province of *Nova-Scotia* bordering on the Bay of Fundy; and that such measures may be taken for the protection of the inhabitants on the frontiers of the province at large, and the further security of the city of *Saint John* as Your EXCELLENCY may in your wisdom think meet.”

The committee appointed to examine the accounts of the several persons who have been intrusted with the expenditure of the public monies—made a report—which was read—and Ordered, To lie on the table.

Report of a committee.

Resolved.

*Resolved*, That the sum of five pounds and three pence, reported by the said committee to have been expended by *Daniel Lyman*, Esquire, on the road from *Fredericton* to *Miramichi* through the settlements on the river *Nashwaak* over and above the sums granted by law for that purpose, ought to be refunded to him from the Treasury of the province.

House in committee.

The House then resolved itself into a committee on the consideration of Instructions to be given to the committee appointed to correspond with the Agent of the province during the recess of the General Assembly.

Major *Murray* in the chair.

The *Speaker* having resumed the chair—

Report of the chairman.

The chairman *Reported*, That the committee had taken into consideration the business to them referred, and had agreed to several Instructions to be given to the committee appointed to correspond with the Agent of the province.

Report accepted

*Ordered*, That the said report be accepted—and that the Instructions be referred to the said committee.

*Resolved*, That the Honorable *John Saunders*, Esquire, be ordered to lay or cause to be laid, to-morrow, before the committee appointed to examine the accounts of the several persons who have been entrusted with the expenditure of the public money, a statement of the present condition of the boards and plank purchased by him with money received under a clause in the appropriation bill in 1792, and in whose hands the said boards and plank now are.

Message from the Council.

A message from the Council informing the House that the Council desire a free conference on the subject of the bill now before the Council “*For appropriating and disposing of the Public Money.*”

*Resolved*, That this House do agree to the said free conference desired by the Council.

*Ordered*, That Mr. *Peters* and Captain *Lyman* acquaint the Council with the foregoing resolution.

Committee appointed.

*Ordered*, That Mr. *Hardy*, Captain *Clinch*, Captain *Agnew*, Mr. *Glenie* and Mr. *Robert Pagan* be a committee to attend and manage the said conference.

House adjourn.

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

W E D N E S D A Y, 4th March, 1795.

The order of the day being read—

Ordered, That Doctor Agnew, Mr. Gilbert, and Mr. Mc-Master be a committee to wait upon HIS EXCELLENCY the Lieutenant Governor with the address of this House on the subject of the Fees to be taken in this province. Committee appointed.

Ordered also, That Mr. Williams Pagan, Mr. John Black, and Mr. Chandler be a committee to wait upon HIS EXCELLENCY the Lieutenant Governor with the Address of this House on the subject of the defenceless state of the frontier parts of the province.

The committee appointed to examine the accounts of the several persons who have been intrusted with the expenditure of the public money—Reported, That the Honorable John Saunders, Esquire, in obedience to the resolution of yesterday had stated to the committee— Report of a committee.

“ That from the representations of Carpenters that the boards, purchased by him for the purpose of erecting a building for the accommodation of the General Assembly and Courts of Justice, had already sustained damage and were continually growing worse—and as many of them were of an indifferent quality when purchased (although they were the best that could be procured at the time) he therefore judged it would be for the interest of the province to lend certain quantities of them to a number of Gentlemen who are to replace the same next Summer—that he holds himself accountable to the province to see them re-placed as aforesaid—and that the sum of twenty six pounds twelve shillings and four pence still remain in his hands unappropriated.”

The committee appointed for that purpose Reported, That they had presented to HIS EXCELLENCY the Lieutenant Governor the address of this House on the subject of the Fees to be taken in this province and that HIS EXCELLENCY was pleased to return the following answer there-to, viz. Report of a committee.

“ Gentlemen,

“ THE Judges have, at my desire, already had the subject of Fees under their consideration, and I shall further direct them to lay their opinions thereon before the House of Assembly at the next session.” His Excellency's answer to an address.

Report of a  
committee,

The committee appointed to present the address to His EXCELLENCY the *Lieutenant Governor* on the subject of the defenceless state of the frontier parts of the province—*Reported*, That they had waited upon His EXCELLENCY accordingly, and that he was pleased to make the following answer to the same, viz.

His Excellency's  
answer to an ad-  
dress.

“Gentlemen,

“THE Troops in this province are stationed in conformity to orders of the Commander in Chief of HIS MAJESTY'S Forces in *North-America*, who had been fully informed of the situation of the county of *Charlotte*.

“On the subject of a naval defence, I have already made suitable representations to the Admiral now commanding HIS MAJESTY'S Ships of War on this Station, and I trust that such arrangements as HIS MAJESTY'S service in that department may admit, will at all times be made for protecting the coast against any attacks of the enemy.”

Message from  
the Council.

A message from the Council informing the House that the Council have concurred in passing with an amendment, the bill “*To regulate the Terms of the Sittings of the Inferior Courts of Common Pleas in this Province and to enlarge the Jurisdiction of the same, and for the summary Trials of certain Actions*”—and also have concurred in passing the bill “*Further to continue an Act intituled ‘An Act for raising a Revenue in this Province.’*”

Report of a  
committee.

The committee appointed to manage the free conference desired by the Council on the subject of the bill “*For appropriating and disposing of the Public Money*”—made the following Report, to-wit:

“That your committee met the committee of Council appointed to confer with them on Tuesday the *third* instant, when the conference was managed on the part of the Council by the Honorable Judge *Allen*, the Honorable Mr. *Winslow*, and the Honorable Mr. *Leonard*—that the said conference was opened by the Honorable Judge *Allen*, who said in effect that the Council had authorized him to declare that if in their objections to the appropriation bill any word or expression had been made use of that could be considered as a reflection on the proceedings of this House or an infringement of its privileges, the Council utterly disavowed any such meaning or intention—that in the course of the conference the committee

'mittee of Council produced a report made in Council and a  
 'resolution thereon of which the following is a copy, viz.  
 "The Council resolve, that as the House of Assembly have in  
 "this session insisted on a strict conformity with parliamentary  
 "usage, to which the Council on their part readily assent, in-  
 "stances of deviation from that rule, which, on some occasions  
 "have occurred by mutual consent of both Houses in former sessions,  
 "in order to the more easy and speedy dispatch of business, can-  
 "not now be cited as precedents against allegations respecting the  
 "known and established rules of parliamentary proceeding."—  
 'That your committee did not admit that the House of Af-  
 'sembly had in this session insisted on a strict conformity with  
 'parliamentary usage; your committee urged also that whilst  
 'the said resolve remained in the nature of an instruction to  
 'the committee of Council in the conference, and from which  
 'they were not at liberty to depart, it precluded in the opinion  
 'of your committee the going into a full investigation of the  
 'first and third objections of the Council to the appropriation  
 'bill—that the committee of Council were pleased to admit the  
 'truth of the premises stated in the answer of this House  
 'to the second of the objections urged by the Council against  
 'the bill—that the hour growing late the two committees par-  
 'ted and renewed their conference this day, when the above  
 'recited resolve of Council was again produced with some al-  
 'terations—viz—the words "*as the House of Assembly have in*  
 "*this session insisted on a strict conformity with parliamentary*  
 "*usage, to which the Council on their part readily assent*" were  
 'struck out as were also the words "*that rule*" and instead of  
 'the words "*that rule*" were inserted the words "*parliamentary*  
 "*usage*"—that this alteration in the words of the resolve did  
 'not obviate the difficulties of your committee and the com-  
 'mittee of Council declared the resolution of the Council to  
 'adhere to their said resolve. Your committee do further Report,  
 'That, in reply to the citation from the report of the com-  
 'mittee of conference on the ninth day of March 1793, which  
 'constitutes the answer of this House to the Council's first ob-  
 'jection, the committee of Council declared they were in-  
 'structed on the part of the Council to disavow the words  
 "but also such other sums as they think necessary for the public  
 "good"—that two of the members of this House who were on  
 'the committee of conference on the part of this House on  
 'the said ninth day of March, 1793, viz. Mr. Robert Pa-  
 'gan and Captain Clinch being members of this committee,  
 'and one of the members of Council (the Honorable Judge  
 'Allen) who was one of the managers of the said conference in



‘ 1793; on the part of the Council, being also a manager on the  
 ‘ part of the Council of the conference now reporting, a con-  
 ‘ versation ensued between them in which Mr. *Pagan* and  
 ‘ Captain *Clinch* insisted that the report of the said conference  
 ‘ in 1793, as it stands on the Journals of this House was draught-  
 ‘ ed in writing before the conference ended, and, that there  
 ‘ might be no doubt of the correctness of such draught, it was  
 ‘ shown to the committee who managed for the Council, who  
 ‘ were pleased to correct the said draught before the conference  
 ‘ broke up, and that the entry on the Journals of the House  
 ‘ was taken *verbatim* from the Minute, Draught or Paper so  
 ‘ made and corrected—which was not denied by Judge *Al-*  
 ‘ *len*.

‘ That in consequence of the declaration of the committee of  
 ‘ Council that the Council would adhere to their said resolve,  
 ‘ and their disavowal of part of the said report of the committee  
 ‘ of this House in 1793, your committee thought it their duty  
 ‘ to discontinue the conference, and return to this House to  
 ‘ make the present report and receive further instructi-  
 ‘ ons.

Amendment  
 concurred in,

The amendment made by the Council to the bill “ *To regu-*  
 “ *late the Terms of the Sittings of the Inferior Courts of Com-*  
 “ *mon Pleas in this Province and to enlarge the Jurisdiction of*  
 “ *the same; and for the summary Trials of certain Actions*”—  
 being read and the question put—the House concurred  
 therein.

*Thereupon Ordered*, That the said bill be returned to the  
 Council.

House adjourn.

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

T H U R S D A Y, 5<sup>th</sup> March, 1795.

The order of the day being read—

The House taken into consideration the report of the com-  
 mittee appointed to manage the free conference desired by the  
 Council on the subject of the bill “ *For appropriating and*  
 “ *disposing of the Public Monies*”—*Resolve*, That the said  
 committee be instructed to propose to the committee of Coun-  
 cil on the said conference a mutual oblivion of all proceedings  
 on

Resolves of the  
 House.

on the subject of the said conference—and to add that if the said proposal be rejected then the said conference is at an end.

*Resolved, nemine contradicente,* That this House after a minute investigation of the circumstances attending the report of their committee of conference on the *ninth* day of *March* 1793, are fully satisfied of the honor and integrity of that committee, and that, the report as it stands on the Journals of this House of that date, was the answer *verbatim* given to the said committee by the committee of Council on that conference, after being committed to writing and perused and corrected by the said committee of Council.

*Resolved, nemine contradicente,* That the disavowal on the part of the Council of the words “*but also such other sums as they think necessary for the public good*” which stands on the printed Journals of this House in the report of their committee of conference on the *ninth* day of *March* 1793, is unprecedented, tends to impeach the veracity of the Journals of this House, to interrupt the harmony and good understanding so desirable between the two Houses, and to impair their mutual confidence.

*Resolved, nemine contradicente,* That the second objection made by the Council to the passing of the appropriation bill—viz.—“*That some of the services specially recommended by His Excellency in this session remain unprovided for, although those services are acknowledged to be for the general defence, and ought therefore to have been among the first objects of provision, while, on the contrary, greater sums are appropriated for other objects,*” is in it's nature an unconstitutional interference with the known rights and privileges of this House respecting money bills, and tends to controul the freedom of their deliberations on such bills, and to stipulate on the part of the Council conditions for passing such bills.

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

Message from His Excellency

The House attended accordingly when HIS EXCELLENCY was pleased to give his assent to the following bills, viz.

House attend

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

Bills assented unto.

An Act to regulate the Terms of the Sittings of the Inferior Courts of Common Pleas in this Province and to enlarge the Jurisdiction

Jurisdiction of the same and for the summary Trials of certain Actions.

An Act in addition to an Act intituled "An Act for the better Ascertaining and Confirming the Boundaries of the several Counties within this Province and for subdividing them into Towns or Parishes?"

An Act for preserving the Bank of the River *Saint-John* in front of the Parish of *Lincoln* in the County of *Sunbury*.

An Act to continue several Acts that are near expiring.

An Act to provide for the Support of Beacons to be erected for better securing the Navigation of *Passamaquoddy Bay* and building a Slip in the Harbour of *Saint Andrews*.—and—

An Act further to continue an Act intituled "An Act for raising a Revenue in this Province."

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

His Excellency's  
speech.

"Gentlemen of the Council, and

"Gentlemen of the Assembly,

"I HOPE the bills now enacted may answer the beneficial purposes for which they have been prepared and presented; and as this session has already continued to a time beyond which it may be inconvenient for you to be longer absent from your respective counties, I shall now dismiss you from further attendance at present in General Assembly."

General Assembly  
prorogued.

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