

where to work, and praying that the House would make some order thereon, so that they might be permitted in future to perform their statute labour on that road which is so essential to their convenience.

This was opposed by Mr. Pope and Mr. Brennan, on the ground that it was an indirect charge on the Commissioner, and that by the High Road Laws, that officer was allowed to order and direct the Statute Labor wherever he saw it most advantageous to the public, and that until the House had a complaint against the commissioner, the present petition could not be entertained. After a few more remarks wherein was stated the propriety of sending the petition to the commissioner. Mr. Owen said he would do so and withdrew it. At about half past four p. m. the House adjourned to 11 o'clock the next day.

SATURDAY, FEB. 9.—Mr. Speaker arrived at 12 o'clock, shortly after the Parson read Prayers. Mr. Binns moved that the House go into Committee on the Trespas Bill. Mr. Brennan remarked previous to the Speaker leaving the chair the necessity there was of having a full House, as it was a Bill of very great importance, and as there were several of the members absent he hoped Mr. Speaker would send for them, the Messenger was then ordered to go and bring Messrs. Compton, Cody, and Willock. At about 3 o'clock the chairman reported progress and obtained leave to sit again. Mr. Willock moved an adjournment, as he said he wanted to go home. Mr. Nelson seconded the motion. On the question being put thereon, it passed in the negative. Mr. Owen said there was a Bill sent down by the Council to regulate a Court of General Sessions of the Peace in the several Counties within this island, and that although from what he had heard from honorable Members, he did not think it would go down well, yet he considered it as emanating from the Council it should be treated with courtesy; he therefore moved (seconded by Mr. Brecken) that the Bill be read a second time on Tuesday next. Mr. Pope said he did not like to see so many entries on the Journals respecting it. It was before the House, and if the honorable Member would not withdraw his motion he would move that the Bill be read a second time that day three months. Mr. John Small McDonald thought that the establishment of five Courts in this year, which was effected by the Circuit Court Bill passed this Session, ought to be sufficient, in addition to those already in existence. Mr. Hugh McDonald and Mr. Compton spoke to the same purport. Mr. Brennan said he was desirous of paying due deference to the Council as any man that House, but he did not think he should do justice to his constituents if he did not oppose the Bill. It should be

in the recollection of his Majesty's Council that a similar Bill was introduced into this House last session by his honorable colleague (Mr. Owen) and which Bill he (Mr. B.) opposed on the ground that it was not calculated to answer instead of a Circuit or Supreme Court in the different Counties, and now that the said Bill had passed establishing the said Supreme Court in the said Counties, that he thought it ought to get a trial before they would heap on the people an additional Court of General Sessions. He (Mr. B.) was the first that gave notice of hostility to that Bill the moment he heard it announced. Since then he had read it over carefully with the determination of being able to give it his full opposition, but as he saw so many opposed to the bill he thought it unnecessary to go into detail on it and would vote for the amendment, because he was anxious to have it disposed of while there was a full House, and he very much suspected his honorable colleague (Mr. Owen) would not be here on Tuesday next, if the bill was postponed 'till then.

Mr. Brecken said, he voted for a similar Bill last year, although it did not pass, and although he voted against the Circuit Court Bill this year, yet as the latter Bill did pass, he would now vote against this as he thought there were Courts enough already established. The question on the amendment was then put and passed nem con, Mr. Owen himself voting against his own motion.

Mr. Pope moved for leave to present a petition from Peter Stewart, Malpeque, Master Mariner, complaining of his wife who left his bed and board, while he was on the high seas, and praying the House to grant him relief. Mr. Brennan wanted to know before the petition would be received, what the man wanted, or whether he was now in possession of the premises or whether he wanted this House to put him in possession thereof. Mr. Pope said the petition stated fully that the wife absconded and now lived with another man in Nova Scotia. He [Mr. Pope] thought it was a matter well worthy the consideration of the House—he observed that in the neighbouring Colonies they had Laws relating to Divorce, and for his own part he did not wish to enact any particular Law than a declaratory one, to enable the Law of England to be put in force here, by the Governor and Council. Mr. Brennan said there was no specific law in England on the subject of divorce, that whenever the like was done it was by a private bill being passed for the particular individual who sent for it. In Scotland it was different, as the Constitutional Courts was allowed to take cognizance of it. Mr. Binns said that the Law in England, invested the Ecclesiastical Court with power to grant a Divorce, so far as regarded the separation

of man and wife. But when the parties wanted to marry again, it was always done by Special Acts of Parliament.

The petition was then read and referred to Messrs. Pope, Binns, and Dalrymple to report thereon by Bill or otherwise, with power to send for persons and papers, &c. the House adjourned at half past three, until 12 o'clock on Monday. VIVAT REX.

Monday, Feb. 11th. At about one o'clock, Prayers were read; and in an hour afterwards, two Bills were read a third time: viz. a Bill, relating to the standard of weights and measures; and to compel masters of vessels loading with agricultural produce, to keep a proper Stamped measure on board.—And a Bill for the protection of the Herring and Gaspareaux Fishers, passed and sent to the Council. The House then went into Committee on the Trespas Bill, Mr. Binns in the chair. This Bill having been so often under consideration; before it elicited no discussion. At about 4 o'clock Mr. R. Mc. Neill arrived. The Chairman reported the Bill: agreed to; and it was ordered to be engrossed. Several notices of petitions were given, and at half past 4 o'clock the House adjourned until 11 o'clock on Tuesday.

Tuesday, 12th Feb. Prayers read about half past 12. This day was principally occupied in conferences with the Council as to the debating petitions.—Mr. Willock presented a petition from certain inhabitants of Gallos Point; requesting money in aid of Roads. Mr. Brennan asked for information, if that was the road where the honorable member [Mr. Willock] promised to expend his last year's pay in the House of Assembly. Mr. Willock begged leave to correct the statement of his honorable friend, Mr. B. It was not last Session's pay that he promised to lay out; but the year before. He, Mr. W. could say that he did expend a considerable share of his own money on roads; but to tell the truth, they were roads for his own convenience. The petition was read and laid on the table. Mr. Dalrymple presented a petition from Mr. Peter Kelly, praying for a remuneration for additional expence in erecting the outer block to the King's Wharf, which he claimed in consequence of some difference of opinion which existed between himself and the Commissioners. The petition was strongly opposed by Messrs. Brecken, Pope and Cody, on the ground that there existed a special contract between Mr. Kelly and the Commissioners; and that if Mr. Kelly made a bad bargain of it, the House could not help it: and that if the House were to entertain a petition of such a nature, there is no public Contractor in the country that would not claim a similar advantage, that until Mr. Kelly obtained a certificate from the Commissioners that he did more than