

Innishannon, next adjoining the last mentioned Lot, granted by the Crown to the said Henry Smith, containing three hundred acres, more or less: Also, all other the Real Estate of the said Henry Smith, situate within my bailiwick: the same having been seized and taken by me to satisfy an Execution issued out of the Supreme Court of this Province, at the suit of John Pollok and others against the said Henry Smith.

Bathurst, 3d May, 1845.

HENRY W. BALDWIN, SHERIFF.

The Sale of the above property is postponed until Monday the second day of March next, (1846,) then to take place at the Court House in Bathurst, between the hours of twelve and five o'clock in the afternoon.

HENRY W. BALDWIN, SHERIFF.

Bathurst, 29th October, 1845.

### County of Westmorland.

To be sold at Public Auction, on Saturday the first day of August next, at the Court House in Dorchester, in the County of Westmorland, between the hours of twelve and five o'clock in the afternoon:

ALL the right, title, interest, property, claim and demand, whether at Law or in Equity, of James Smith, to a certain Lot of Land situate in the Parish of Botsford, in said County, granted by the Crown to the said James Smith, bounded Southerly by a Lot granted to one Thomas Oulton; Northerly in part by Land granted to Joseph Simpson; the said Lot of Land so granted to said James Smith, containing three hundred acres, more or less: The same having been taken and to be sold as aforesaid by virtue of an Execution issued out of the Supreme Court, at the suit of James Ayer against the said James Smith.

Dorchester, January 10, 1846.

W. P. SAYRE, SHERIFF.

## Provincial Legislature.

### LEGISLATIVE COUNCIL CHAMBER.

FREDERICTON, Thursday, January 29, 1846.

This being the day appointed by Proclamation for the Meeting of the Legislature, at Two o'clock His Excellency the Lieutenant Governor came in the usual state to the Council Chamber, and being seated on the Throne, commanded the attendance of the House of Assembly, who being come, His Excellency was pleased to open the Session with the following

#### SPEECH:

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

"I calling you together at the usual period of the year, it has been gratifying to me to find that, however important are the interests depending on your deliberations, the situation of the Province has not required that I should subject you to the inconvenience of meeting earlier in Session.

"From the reports which I have received in regard to the failure of the Potato crop in the last year, and which will be laid before you, I apprehend that in some districts the scarcity will be severely felt; but the harvest being otherwise favourable, I indulge a hope that, with due precautions, and the prospect of continued employment for the people, the distress apprehended in the ensuing season may, in a great measure, be averted.

"The Fisheries may henceforth be expected to constitute a valuable resource to the Province, under the encouragement you have given to them; and I have the satisfaction to inform you, that on the representations made to Her Majesty's Government, the further extension of the privileges sought by the American Government will not be conceded.

"From recent occurrences some defects in the Criminal Laws have been made apparent, which I recommend to your attention.

"Some further revision of the Election Laws will also be required.

"The Act of 1844, for the settlement of the Indian Reserves, has been found to be defective, without amendment, for the attainment of the objects contemplated.

"The views of Her Majesty's Government in regard to the Act of the last Session for the regulation of King's College, will be communicated to you, and I hope will meet with your concurrence and support.

"Abstracts of the Reports of the Inspectors of the Parochial and other Schools having been printed for greater facility of reference, I rely on your adoption of effectual measures to remedy their acknowledged defects.

"Various Reports relative to the erection of a Provincial Lunatic Asylum, will be laid before you, and which, from the condition of that afflicted class of persons in the present defective establishment, will claim your early consideration.

"Some improvements will be required in the Provincial Penitentiary for the better security and accommodation of its inmates.

"The Survey undertaken by Her Majesty's Government, with a view to the opening of a Military Road through these Provinces, having been ably executed by the Officers employed upon it, a proposal has for some time been under consideration for the construction of a Railway, for which the country has been found to present great facilities. The intercourse arising from the completion of such a work, and the vast impulse it would give to the settlement of the Province, and the development of its resources, entitle it to all the encouragement you may be prepared to afford to the undertaking.

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

"As the Revenue of the last year has considerably exceeded an average amount, giving proof of the growing prosperity of the Province, I hope that it will be found practicable to effect such a reduction of the Import Duties as will tend further to extend its Commerce, and lead to the liberation of the intercolonial Trade in particular from the injurious restrictions imposed on it.

The Provincial Accounts made up for the past year, and duly audited, will be laid before you, with the estimates for the current year.

"Some Reports which I have obtained from the Supervisors and Commissioners of Roads, will be communicated to you, and will suggest the advantage of acquiring accurate information as a guide in making appropriations for such works.

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

"The Commissioners appointed to carry into effect the Fourth Article of the Treaty of Washington, and who have prosecuted their labours with great assiduity, have made several Reports to me for the information of Her Majesty's Government, copies of which will be laid before you.

"I regret that it has not been found practicable to effect a satisfactory arrangement with the Government of Canada, for defining the Boundary between the two Provinces. The negotiation having been finally closed by the Governor General, after a protracted correspondence, the question has been again referred to Her Majesty's Government, by whom the claims of New Brunswick will, I doubt not, be duly considered. Meanwhile, the jurisdiction of this Province, which has been heretofore exercised over the Territory in dispute, has continued to be maintained.

"In the present aspect of affairs, and from the many and urgent claims upon your attention, I rely on your application to the business of the Session with that cordial unanimity which will evince at once your public spirit, and your regard for the welfare of a people so distinguished for loyalty to their Sovereign and attachment to the Institutions of their Country, and who, I earnestly hope, under Providence, may be secured in the peaceful possession of the blessings, which as British subjects they have so long cherished and so justly appreciated."

#### ADDRESS

OF HER MAJESTY'S LEGISLATIVE COUNCIL, IN ANSWER TO HIS EXCELLENCY THE LIEUTENANT GOVERNOR'S SPEECH.

To His Excellency Lieutenant Colonel Sir WILLIAM MACBEAN GEORGE COLEBROOKE, Knight of the Hanoverian Guelphic Order, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

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

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Legislative Council in General Assembly, beg to express our thanks for Your Excellency's Speech at the opening of the present Session; gratified as we are to find that the favorable situation of the affairs of the Province is such as not to have required a meeting of the Legislature at an earlier period than usual.

The failure of the Potato Crop last year must, in many districts, be severely felt by all, especially the poorer classes: and we participate with Your Excellency in the hope that by due precautions, and the continued employment of the people, the distress which is apprehended in the ensuing season may in a great measure be alleviated.

Sensible of the paramount importance which attaches to the valuable Fisheries of our Coast, and of the necessity of maintaining unimpaired those rights which we have hitherto enjoyed, it affords us great satisfaction, in being informed by Your Excellency, that Her Majesty's Government have declined to accede to the proposition of the American Government for a further extension of the privilege to fish in our waters.

We shall readily give our attention to such amendments as will remedy any existing defects in the Criminal Laws.

The revision of the Election Laws shall receive our best consideration.

We shall willingly give our assent to any amendment to the Act for the settlement of the Indian Reserves, that will secure the objects contemplated.

We look forward with interest to the communication announced by Your Excellency of the views of Her Majesty's Government in regard to the Act of the last Session for the regulation of King's College; and we will devote that profound attention to their consideration which the source from which they emanate, and the vital importance of the subject demand; in the earnest hope that they will be found such as will add to the usefulness of that Institution.

Fully aware of the momentous interests involved in the establishment of Parochial and other Schools, and of the propriety of affording Legislative support, and agreeing with Your Excellency, that the existing Laws for their encouragement are defective; we shall cordially aid in the adoption of such measures as will tend to place them in a more efficient state.

Any suggestions for the improvement of the condition of the afflicted class of persons confined in the Lunatic Asylum, shall receive our early and favourable consideration. We thank Your Excellency for the assurance that the various Reports relative to the erection of a Provincial Lunatic Asylum shall be laid before us.