

Members of this House as are of the Honorable the Executive Council of this Province.

On motion of the Honorable Mr. *Sherwood*, seconded by Mr. *Smith*, of *Frontenac*,

*Resolved*, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause the proper Officer to lay before this House, a Return of the amount collected for Harbour Dues at the Port of *Toronto*, for the year 1848,—and also, a detailed Statement shewing the balance, if any, still due to the Government on account of sums advanced, upon the authority of certain Acts of Parliament of *Upper Canada*, for constructing and repairing the Queen's Wharf at the entrance of the said Harbour.

*Ordered*, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honorable the Executive Council of this Province.

According to Order, *Pierre Joseph Olivier Chauveau*, Esquire, Member for the County of *Quebec*, who was absent, on Friday, Saturday, Monday, Tuesday, and Wednesday last, from the Select Committee appointed to try the merits of the Petition complaining of an undue Election and Return for the Town of *Cornwall*, attended in his place; and having given satisfactory reasons for his not being present at the meetings of the Committee on those days; and having verified the same upon oath;

*Ordered*, That Mr. *Chauveau* be excused for not attending the Committee, on Friday, Saturday, Monday, Tuesday, and Wednesday last.

According to Order, *Norbert Dumas*, Esquire, Member for the County of *Leinster*, who was absent, on Saturday last, from the Select Committee appointed to try the merits of the Petition complaining of an undue Election and Return for the Town of *Cornwall*, attended in his place; and having given satisfactory reasons for his not being present at the meeting of the Committee on that day; and having verified the same upon oath;

*Ordered*, That Mr. *Dumas*, and the other Members who were reported as not having been present at the meetings of the Committee, be excused for such non-attendance.

On motion of the Honorable Mr. Attorney General *Baldwin*, seconded by the Honorable Mr. *Sherwood*,

*Ordered*, That the Order of the day for taking into consideration the Report of the Select Committee appointed to prepare and report Lists of Members to compose the eight Standing Committees ordered by the House, be now read.

And the same being read;

*Resolved*, That this House doth concur with the Committee in the said Report.

On motion of Sir *Allan N. MacNab*, seconded by the Honorable Mr. *Robinson*,

*Ordered*, That the Order of the day for the attendance at the Bar of this House, of *John George Vansittart*, Esquire, Returning Officer at the last General Election for the County of *Oxford*, to produce evidence in relation to his conduct at the said Election, be now read.

And the same being read;

And the House being informed that Mr. *Vansittart* attended at the door; he was called in; and, at the Bar, addressed the House.

And the House being also informed that Mr. *George Washington Whitehead*, a witness on the part

of Mr. *Vansittart*, attended at the door; he was called in; and, at the Bar, examined, as followeth:—

By Sir *Allan N. MacNab*.

1. Is your name *George Washington Whitehead*, and are you a resident of *Woodstock* in the *Brock* District?—Yes.

2. Were you present at the nomination of the *Oxford* Election on the 28th of December, 1847?—I was.

3. Were you a Deputy Returning Officer for the said Election?—I was.

4. Were you on or near the hustings when the qualifications of the candidates were demanded?—I was on the hustings.

5. Were you near the Returning Officer on that occasion; if so, at what distance were you from him?—A great part of the time I was immediately behind his chair; and afterwards on his left.

6. Did Mr. *Brown* appear there as the representative of the Honorable *Francis Hincks*?—He did.

7. At what distance was he from the Returning Officer?—I think that the greater part of the day he sat within one of the Returning Officer, that is to say, Mr. *Carroll* was a part of the day next to Mr. *Vansittart*, and for a portion of the day Mr. *Campbell*, who was also a candidate, took Mr. *Carroll's* place at the time when he went to draw up his qualification oath,—and on Mr. *Carroll's* return, Mr. *Campbell* left for the Clerk of the Peace's Office, to draw up his qualification. During Mr. *Campbell's* absence, Mr. *Brown* for a short time took his seat near Mr. *Vansittart*, and was in conversation with him on the subject of Mr. *Hincks's* qualification.

8. Did you remain on the hustings during the proceedings of that day; and were you in a position to hear what was said by the Returning Officer?—Yes; I was upon the hustings from the time of the reading of the Commission, until the close of the day's proceedings, and I was in a position to hear what was said by the Returning Officer and the candidates, and took notes of some part of the proceedings.

9. Did you make any note or memorandum, in writing, of the occurrences which took place; if so, when were they made, and have they been preserved?—Yes; I took notes in pencil, a part of which have been preserved. They were taken on the hustings at the time.

10. By whom was the qualification of the Honorable *Francis Hincks* submitted to the Returning Officer?—By Mr. *George Brown*, who appeared as Mr. *Hincks's* Agent.

11. Did the Returning Officer on that occasion, in reply to an observation made by Mr. *Brown*, make use of the following words: "At any rate I have decided it in your favor. I shall hold Mr. *Hincks's* qualification to be good for the present," and add, "that he would leave the other parties to have a decision elsewhere," or words to that effect?—In answer to that question, I will give my answer from my notes as I took them down:—Mr. *Hincks's* qualification was disputed on the ground of its having been made some months previous to the day of Election, and Mr. *Hincks* then being in the country, was bound to be present. The Returning Officer said he would receive and file the affidavit, reserving to himself the right to consider the validity of the same, and that he would give his answer on the Return day. Those, I believe, were the words of the Returning Officer.

12. What were the expressions or words made use of by the Returning Officer on that occasion relative to the said qualification?—The Returning Officer was of opinion that the qualification was not good, and I think he said that he would take counsel on the matter. There was a good deal of conversation passed between the Returning Officer and some of

Toronto Harbour Dues and Queen's Wharf.

Cornwall Election.

Standing Committees.

Oxford Election.