

House divides on amendment

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

| | | | |
|-----------|---------|---------|-------------|
| Bidwell, | Clark, | Howard, | Randal, |
| Buell, | Cook, | Perry, | Shaver,—10. |
| Campbell, | Hornor, | | |

NAYS. Messieurs.

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|------------|------------------------|--------------|--------------|
| Berczy, | Jarvis, | McMartin, | Samson. |
| Burwell, | Lewis, | McNeilledge, | Vankoughnet, |
| Crooks, | Macdonald A. Morris, | Wilson, W.— | |
| Fraser, D. | McDonald, D. Robinson, | | 15. |

Amendment lost.

The question of amendment was decided in the negative by a majority of five.

Division on Question for passing address on subject of Lands to U. E.'s &c.

On the question for passing the address, the yeas and nays were taken as follows:

YEAS. Messieurs.

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|-----------|---------|--------------|--------------|
| Bidwell, | Cook, | McNeilledge, | Shade, |
| Buell, | Hornor, | Merritt, | Shaver, |
| Campbell, | Howard, | Perry, | Vankoughnet, |
| Clark, | Lewis, | Randal, | Wilson W.—16 |

NAYS.—Messieurs.

| | | | |
|----------|-----------------------|------------------------|---------|
| Berczy, | Fraser, D. | McDonald, D. Robinson, | |
| Boulton, | Jarvis, | McMartin, | Samson, |
| Burwell, | Macdonald, A. Morris, | Willson, J. | |
| Crooks, | | | 13. |

Address passed.

The question was carried in the affirmative by a majority of three, and the address was signed by the Speaker, and is as follows:

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN;

We, Your Majesty's faithful subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave humbly to represent to Your Majesty, that a vast number of the most faithful and loyal subjects of His Majesty King George the Third, Your Majesty's late father of glorious memory, residing in his Colonies, now the United States of America, at the commencement of the American Revolution, did unhesitatingly sacrifice, not only their possessions and worldly effects, but also the peace and comfort of themselves and their families, by voluntarily joining the Royal Standard of His Majesty, and on various occasions during the sanguinary struggle displayed the most uncompromising zeal and fidelity to His Majesty's Cause, Person, and Government, fought and bled, and many lost their lives, while almost all spent their best days of vigour and strength, suffered more or less fatigue, privations, and hardships, for which very conspicuous and meritorious conduct, His Majesty was most graciously pleased by His Proclamations and Instructions to signify His Royal will and pleasure, that the first loyalists who had thus distinguished themselves, and who should become resident in the Province, on or before the year seventeen hundred and ninety-eight, and their sons and daughters when of age or married, should receive a bounty of lands in any of the Townships which they might desire, in proportion to their several grades, viz. a Private, three hundred acres; a Captain three thousand acres, the son or daughter of a U. E. Loyalist two hundred acres; to be granted and obtained "free from any expense whatever," and upon no other condition than that the head of the family should cultivate or improve some part of his own grant, or possess and reside upon some other lands in the Province: and it was expressly declared as being intended in the first place as a recompense and reward for their valuable services, losses, and sufferings, and in the next place as a mark of His Majesty's Royal munificence and favor; and further it was ordered that "a course should be taken for preserving a registry of the names of all persons falling under the description aforementioned, to the end that their posterity might be discriminated from future settlers in the parish registers and rolls of the militia of their respective Districts, and other public remembrances of the Province, as proper objects by their persevering in the fidelity and conduct so honorable to their ancestors for distinguished benefits and privileges, in consequence of which they have been heretofore denominated and known by the title of the U. E. Loyalists; that these grants or rights of lands were always considered and understood in the shape of a debt due by the Government to the several individuals claiming, or in other words, as a reward for meritorious services performed, and for which they considered they held the pledge and faith of Government; that although an order in Council was made in this Province, in the year seventeen hundred and ninety-seven, that all claims by the above mentioned persons, for military lands must be made previous to the end of that year; yet the said orders were afterwards rescinded in the year eighteen hundred and six, and it was then ordered (of which public notice was given)

that military claimants themselves were again admitted to make application, and upon proving their claim to receive all their military land, as if they had applied previous to the said orders in Council in the year seventeen hundred and ninety-seven, after which time the said description of persons continued to receive grants of land according to the gracious intentions of His Majesty, free from any expense or charge whatever, and with very little interruption or impediment, until the twentieth of October, in the year one thousand eight hundred and eighteen, when the following order was made and acted upon by the Executive Government of this Province:—"It is ordered that no grant of land will issue in future to persons of any description, until a satisfactory certificate is filed in the Surveyor General's Office, that a habitable house is erected on some part of the land to be granted, and sufficient clearing thereon under fence, in the proportion of five acres for each hundred." We would here beg leave to remark, that neither your faithful Commons, nor the country at large, are informed whether these restrictions were imposed with the approbation or direction of His Majesty's Government, or whether the whole matter originated with the Executive Government of the Province, as the Lieutenant Governor in answer to an address of this House, of the sixteenth of January last, almost unanimously adopted, declined affording us that information until he received of Your Majesty's Government permission so to do. That from that time to the present, various restrictions and requirements have been imposed, and many obstacles thrown in the way of obtaining lands, by the Government varying, it is true, from time to time, but, in the opinion of your faithful Commons and the country, altogether unjust, objectionable and injudicious, and the present restrictions, obstacles, and impositions, the most so of any heretofore adopted by the Government, viz. two years actual residence on the grant in addition to the other duties; and furthermore, we feel it to be our duty to state to Your Majesty, that for the last four or five months scarcely any locations have been allowed to be made even on these conditions, and then not without extreme difficulty, inconvenience and delay. Although applications have been frequently made for permission to locate, during that time on the most unquestionable claims, yet when allowed they were not permitted to have lands in situations which were in anywise favorable, the Government by their late orders only allowing those grants to be made in a few of the Townships surveyed, most of which are unfavorably situated, the good lands being already taken up in other Townships, and the remainder of little or no value, and only to a certain extent even in those Townships; while they are excluded altogether from other surveyed Townships more favorably situated. We beg leave to submit that those restrictions and obstacles, and particularly the last mentioned, made by the Executive Government of this Province to the free grants of your royal father, are considered and viewed as a breach of faith and pledge on the part of the Government, and a violation of the just rights of the individuals concerned, and if persisted in when thus submitted and fully explained, cannot but have a tendency to shake the confidence of Your Majesty's subjects, in the justice and wisdom of Your Majesty's Councils and Government, and that in the opinion of your faithful Commons and subjects generally, these unjust restrictions, impositions, obstacles, and proceedings by the Government have tended, and in fact, are the sole causes of reducing the value of those grants in the hands of the original owners, very materially in as much as many of those entitled being desirous of settling themselves in the neighbourhood of their fathers and friends, and not being enabled to locate their rights in such neighbourhood, or adjacent thereto, have purchased or become possessed of other lands, on which they have settled and improved, and which they are not willing to leave to avail themselves of a location at a distance from their friends, and in back and refuse Townships; they consequently part with their rights in many cases for a trifle, and far below what they would be able to realize under similar circumstances, were all restrictions and obstacles removed at once, as they undoubtedly should be, and locations permitted to be made on the same terms as previous to the year one thousand, eight hundred and eighteen, in which case opportunity would not be afforded for persons having money, who desire to avail themselves of large quantities of those rights, being for sale at low prices, and who, to answer the letter of the various requirements by the orders in Council, procure the performance of the settlements and clearings as cheaply as possible; not with a view of making actual and permanent settlements, but merely to comply with those conditions, and afterwards hold them for high prices, a hindrance to the prosperity of the country. Whereas if these grants were permitted to be obtained with the same facility, and in the same way and manner as previous to the year one thousand, eight hundred and eighteen, the original holders would either locate themselves or demand a price corresponding with other lands in general, and if thus sold for valuable consideration, they would in general be bought for immediate cultivation and use, and consequently would be permanently improved, as there would be no inducement to speculators to purchase those lands in preference to any others, as they would bear a

Address to His Majesty on the subject of Lands to U. E. Loyalists, Militia Claimants &c.

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