

Petition of James Cummings and others referred.

Mr. Beardsley, seconded by Mr. McCall, moves that the petition of James Cummings and others, be referred to a select committee, to be composed of Messrs. W. Crooks, Attorney General, John Willson, and Brant.

Ordered.

Petition of W. Simpson and others referred.

Mr. Robinson, seconded by Mr. Burwell, moves that the petition of William Simpson, and others, of Penetanguishine, be referred to the standing committee on roads and bridges.

Ordered.

Petition of J. Christie and others referred.

Mr. Jessup, seconded by Mr. R. D. Fraser, moves that the petition of John Christie, and others, be referred to the committee on roads.

Ordered.

Notice.

Mr. Attorney General gives notice that he will move, on Monday next, that an humble address be presented to the Lieutenant Governor, praying that his Excellency will cause a return to be laid before this house of the number of suits commenced in the several courts of this province during the year ending the 31st day of December, 1830, and exhibiting in the King's Bench, the sum recovered, the costs incurred and payable to the attorney, the counsel, the clerk of the crown, the sheriff, clerk of Assize, witnesses and other persons.

In the District court, the sums recovered, and the costs incurred, and to whom payable, whether Judge, Attorney, Counsel, Clerk, Sheriff, or other officer or person.

In the court of requests, exhibiting the number of suits commenced in each division, the sums sought to be recovered, the sums recovered, the costs incurred and to whom payable, and the number of witnesses examined.

Notice.

Mr. Samson gives notice that he will, on to-morrow, move for leave to bring in a bill to prevent the examination of prisoners taken before a magistrate being given in evidence against the person accused on his trial.

Notice

Mr. Berezy gives notice that he will, to-morrow, move for the appointment of a select committee to take into consideration the settlement and improvement of the province.

An address to be sent to His Excellency for documents relating to School Townships.

Agreeably to notice, Mr. Morris, seconded by Mr. A. Fraser, moves that an address be presented to his Excellency the Lieutenant Governor, praying that his Excellency may be pleased to lay before this house copies of such documents as may at any time have been received from his Majesty's Government authorizing the survey, reservation, sale and appropriation of certain townships called school townships.

Ordered.

Committee to draft address.

Mr. Morris seconded by Mr. A. Fraser, moves that Messrs. McMartin and Clark be a committee to draft and report the said address.

Ordered.

Draft of address on school Townships adopted. 3rd reading to day.

Mr. McMartin from the committee appointed to draft an address to his Excellency the Lieutenant Governor, for documents relative to School reserve townships, reported a draft which was received and read twice, adopted and ordered to be engrossed and read a third time this day.

Journals relating to William Thompson and others read.

Agreeably to notice, Mr. John Willson, seconded by Mr. Berezy, moves that such part of the journals relating to the petition of William Thompson, and others, of the Home and Gore Districts, living on the lake road between York and Burlington bay, be now read.

Which was carried and that part of the journal of the last session relative to said petition was read.

And referred to select committee

Mr. John Willson, seconded by Mr. Berezy, moves that the consideration of so much of the journals as have been now read, relative to the petition of William Thompson, and others, of the Home and Gore Districts, living on the lake road, between York and Burlington bay, be referred to a select committee, consisting of Messrs. Clisholm and Ketchum, with power to send for persons and papers, and to report by bill or otherwise.

Ordered.

Journals relating to petition of Thomas Johnston and others read.

Agreeably to notice Mr. Beardsley, seconded by Mr. W. Crooks, moves that that part of the journals of the last session of the house of Assembly that relates to the petition of James Johnston and others, inhabitants of the township of Louth, Niagara District, may be read.

Which was carried and that part of the journals of the last session relative to said petition, was read.

Address for information relative to school lands.

Agreeably to the order of the day the address to his Excellency for information relative to lands reserved for school purposes, was read the third time, passed, and signed, and is as follows.

To His Excellency Sir John Colborne, Knight Commander of the most Honorable Military order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General Commanding his Majesty's forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

Address on school land.

We His majesty's dutiful and Loyal subjects the commons of Upper Canada, in provincial parliament assembled, most respectfully request that Your Excellency may be pleased to communicate to

this House copies of all such documents as Your Excellency may be possessed of, which authorize the survey reservation, sale or appropriation of certain lands in this Province, called school townships.

ARCHD. McLEAN,

Speaker.

Commons' House of Assembly, }
21st day of January, 1831. }

Mr. A. Frazer, seconded by Mr. Clark, moves that Messrs. Morris and McMartin, be a committee to wait on his Excellency the Lieutenant Governor, to know when we will be pleased to receive the address of this House, on the subject of school Townships; and to present the same.

Committee to present address.

Ordered.

Mr. Beardsley, seconded by Mr. W. Wilson moves that the fortieth rule of this House may be dispensed with, so far as it relates to the subject of the petition of James Johnston and others, inhabitants of Louth, Niagara District, and that that subject be referred to a select committee to be composed of Messrs. W. Crooks and the Attorney General.

Motion for referring petition of J. Johnston and others.

On which the House divided, and the yeas and nays were taken as follows.

House divides.

Messrs.

YEAS.

Yeas 7.

Beardsley,
Campbell,
Clark

W. Crooks,
D. McDonald,
Perry,

W. Wilson—7.

Messrs.

NAYS.

Nays 29.

Brant,
Buell,
Burwell,
Cook,
Duncombe
Elliott,
A. Fraser,
R. Fraser,
Howard,
Ingersoll,

Jessup,
Jones,
Ketchum,
Lewis,
Lyons,
McCall,
A. McDonald,
Mackenzie,
McMartin,
Maçon,

Morris,
Mount,
Robinson,
Roblin,
Shaver,
Solicitor General,
Van Koughnett,
Werden,
White—29.

The question was decided in the negative, by a majority of twenty-two.

Question lost.

Agreeably to notice, Mr. Attorney General, seconded by Mr. W. Wilson, moves for leave to bring in a bill to abolish all oaths, religious tests, and declarations, tending to the exclusion of individuals from any office, trust, or employment, on account of their religious sentiments or opinions.

Bill to abolish Religious Tests &c. read 1st time.

Which was granted, and the bill was read a first time, and ordered for a second reading to-morrow.

2nd reading to-morrow.

Agreeably to notice, Mr. Attorney General, seconded by Mr. White, moves for leave to bring in a bill for defining the power and duty of Justices of the Peace, and Coroners, upon commitment or bail of prisoners in criminal cases.

Bill to define the power of Justices &c. read a first time.

Which was granted, and the bill was read the first time, and ordered for a second reading to-morrow.

Second reading to-morrow.

Agreeably to notice, Mr. Attorney General, seconded by Mr. White, moves for leave to bring in a bill to prevent a failure of justice, by reason of variances in legal proceedings, in certain cases, and to require courts of justice to take judicial notice of all private acts without their being specially pleaded or given in evidence.

Bill to prevent the failure of Justice &c. read a first time.

Which was granted, and the bill was read the first time, and ordered for a second reading to-morrow.

Second reading to-morrow

Agreeably to notice, Mr. Jarvis, seconded by Mr. Robinson, moves for leave to bring in a bill altering and amending the law now in force, assigning limits to certain Gaols in this province.

Bill to amend the law relative to Jail limits read.

Which was granted, and the bill was read a first time, and ordered for a second reading to-morrow.

Second reading to-morrow.

Mr. Beardsley, seconded by Mr. Perry, moves that one hundred copies of the bill for the defining the power and duty of Justices of the peace, be printed for the use of members.

100 Copies of the bill defining the power of Justices to be printed.

Ordered.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Robinson, moves for leave to bring in a bill, compelling Plaintiffs in certain cases, to give security for costs.

Plaintiffs' security bill brought in and read.

Which was granted, and the bill was read a first time, and ordered for a second reading to-morrow.

Second reading to-morrow.

Agreeably to the order of the day, the Sheriffs' appointment bill was read the second time, and referred to a committee of the whole House.

Sheriffs' appointment bill committed.

Mr. Ingersoll was called to the chair.

The House resumed.

Mr. Ingersoll reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

Committee reports a resolution.