In conclusion, Gentlemen of the Grand Jury, I think I may venture to congratulate you upon the fair prospects of our goodly city. We have not, it is true, escaped the depressing influence of the commercial disasters which have lately afflicted the whole British Empire; but, I think, we have suffered from these disasters in a less degree than most other communities of similar extent and importance in the kingdom: while our prospects for the future justify the cheering anticipation that the City of Toronto is destined, as heretofore, to "go on and prosper."

On the last day of the Court, the Grand Jury made several Presentments, relative to the Jail and other subjects of importance to the City. And at the close of their business the Foreman read the following

Address to His Worship the Mayor.

To His Worship, George Gurnett, Esquire, *Mayor of the City of Toronto, &c. &c. &c.*

May it please Your Worship,

We, the Grand Jurors of the first Mayor's Court assembled during your Mayoralty, beg most sincerely and respectfully to offer you our congratulations upon your appointment to the office of Chief Magistrate of this City, and to express our pleasure that the choice of the Common Council has fallen upon a gentleman in every way so well qualified as yourself to fulfil the duties of Mayor. At the same time we beg to express our sense of the fidelity and zeal with which you have at all times discharged the duties of a City Magistrate; but more particularly of the untiring diligence which you manifested, during the distressing scenes of the past summer, in repressing the contagious pestilence which threatened the citizens at large, and at the same time in alleviating the miseries of those wretched objects who were recklessly flung upon our shores, without money, clothed in rags, and bearing in them the taint of virulent disease.

To the labours of your Worship, as the Chairman of the Board of Health, and to the zealous co-operation of your subordinates, we are indebted, under the blessing of the Almighty, for the comparatively small number of victims who have been carried off from amongst our resident population; and we believe firmly, that had not the stringent precautionary measures of last spring been adopted, death and sorrow would have entered into many a family which is now in the enjoyment of health and happiness.

And whilst we would thankfully acknowledge the goodness of Almighty God in so signally blessing the means which were used to preserve the health of the city, we would humbly submit ourselves to the chastisement which He laid upon us, in removing from amongst us several of our most estimable and distinguished citizens.

We feel confident that during the approaching season of immigration, you will not relax your efforts for the good of the City, and the promotion of the interests of those of our fellow subjects who may come amongst us, in the hope of bettering their condition; and we beg to assure you, sir, that no pains shall be spared on our part to co-operate with you, and the City Council, in carrying out all such measures as may be deemed necessary to secure the health of the City and the happiness and welfare of our fellow subjects.

(Signed) Thomas Champion, *Foreman.*

John Doel, Charles March, John Carr, Thos. G. Wailis, J. Tolfree, William Harris, John Chapman, John Ritchey, Joseph Bates, James Leask, Saml. Rogers, S. F. Urquhart, Joseph Wilson, John Tyner.

Grand Jury Room, City of Toronto,
13th March, 1848.

His Worship then replied extempore, in nearly the following terms:—

Gentlemen of the Grand Jury:

I feel it to be quite impossible to reply—in terms at all adequate to my sentiments—to an Address at once so gratifying to my feelings, and so entirely unexpected, as that which you have just now been pleased to offer me.

But I may assure you, Gentlemen, that in rendering for many years past those humble services to my fellow-citizens which you have been pleased so favourably to notice, the highest reward I ever aspired to was the approbation and confidence of the respectable, intelligent, and most worthy of my fellow-citizens. And I assure you, Gentlemen, with equal sincerity, that the strongest incentive to a continuance of those services will be found in the anxious hope that I may be able to preserve that confidence and good opinion which, on behalf of yourselves and your fellow-citizens you have so kindly expressed in this Address.

TORONTO BUILDING SOCIETY.

At the Annual Meeting of this Society, held on Monday evening last, the following gentlemen were chosen Directors for the current year, viz.:—Charles Berczy, Thomas W. Birchall, S. B. Harrison, E. F. Whittemore, Lewis Moffatt, Thomas D. Harris, John Ewart.

This being the Eighteenth Loan Meeting, a sale of funds took place, which realized as follows, viz.:—

No. 1 of £100 declared to No. 260	.....	40¾	
100	.....	16	41¾
100	.....	66	43
100	.....	16	43
100	.....	260	43½
100	.....	260	43½
100	.....	16	43
100	.....	260	43 1/16
100	.....	16	42½
100	.....	260	43½
£1000			£426 6s. 3d.

Average..... 42⅝

Premium declared, from this date, at £7 per share.

On Thursday, the 9th instant, the new Board of Directors met, and appointed

Charles Berczy, Esq., *President,*
Thos. W. Birchall, *Vice President.*
Hon. S. B. Harrison, *Solicitor.*

REPORT OF THE DIRECTORS OF THE TORONTO BUILDING SOCIETY.

The Directors beg leave to present to the Shareholders their second Report, being for the year ending 31st January, 1848, together with the Annual Statement of the affairs of the Society, made up to that date, and duly audited, as the statute requires.

The above Statement being so complete in itself, and the last Report of the Directors having gone so fully into the proceedings of the Society, and the reasons for the course of management, the Directors have not felt it to be necessary to go into such minute detail on the present occasion, as they otherwise would. They have, however, felt it to be their duty to remark that, with respect to the item of contingent expenses, they have not been enabled to realize the expectations held out in the first Report. This has been occasioned by the large outlay incurred in the beginning of the year, by advertising in all the city papers. Finding the great expense which such a course involved, they have greatly limited the advertising, and now the notices of the Society are only advertised in two papers at a time, by rotation. By this means, the Directors hope, the item of contingent expenses will hereafter be much reduced below what appears in the statement for the present year. *The Directors* have also to mention that they have endeavoured to lessen the expense attending the inspection of country property; and they believe that, as at present regulated, as much has been done in that respect, as can be done, with a due regard to the efficiency of the performance of the duty of inspection. *The Directors* have only been called upon to proceed to a sale of property, mortgaged to the Society, in one single instance; and even in that case, no actual sale took place, the arrears and all costs and charges having been paid before any sale took place. There are no other cases in which parties are in arrear, beyond the time limited by the rule of the Society. *The Directors* have to regret the loss of their Solicitor, by death, during the last year. The vacancy has been filled up by the appointment of the late President. Altogether, the Directors feel the continued success of the Society to be gratifying, and join with the members at large in looking forward to the winding-up of the Society at a much earlier period than was at first contemplated.

Chas. Berczy, *President.*

Toronto, 6th March, 1848.

SECOND ANNUAL STATEMENT

Of the Funds and Effects of the Toronto Building Society, at the close of the Accounts for the month of January, 1848.

[We have been compelled to condense.]

Funds realized	£ 9.910	10	0
Nett profits	7.131	6	7
	£17,041	16	7
Eighteen instalments fully paid on 1114 shares, would be	£10.026	0	0

£7131 6s. 7d. nett profits, divided among 1116 shares, is equal to a premium of £6 7s. 9½d. per share, on £9 per share paid up.

W. Scott Burn, Robert M'Clure, } *Auditors.*

W. C. Ross, *Secretary and Treasurer.*

Toronto, March 2, 1848.

FARMERS AND MECHANICS' BUILDING SOCIETY, TORONTO.

Statement *of the Funds and Effects of the Farmers and Mechanics' Building Society, at* 31st *January.* 1848.

Funds realized	£1355	0	0
Nett profits	1020	8	6
	£2375	8	6

Application of Funds.

Cash in Bank of British North America and Treasurer's hands	£175	8	6
Invested on Mortgages on 22 shares sold	2200	0	0
	£2375	8	6

W. Scott Burn, T. S. Shortt, } *Auditors.*

A. B. Townley, *Secretary and Treasurer.*

REPORT OF THE GENERAL COMMITTEE OF THE IRISH RELIEF FUND.

The General Committee, entrusted in the month of February last with the collection and transmission of donations for the relief of destitution in Ireland, in now tendering an account of the trust reposed in them, beg to submit the following Report:

The Committee commenced by opening communication with the clergy of all denominations, as also with all magistrates, public functionaries, and other parties who from influence, station or property, would be likely to advance their object.

Aware, that however familiar residents in cities may be with the daily accounts of increasing misery in Ireland, yet, that our rural population were, generally speaking, not conscious of the extent of the calamity, the Committee considered it their duty to give the widest circulation to those harrowing statements which reached them from the most authentic sources by every succeeding mail, each exceeding the former in its horrifying details, till humanity shrunk appalled from the contemplation of an extent of human suffering, which till then never shrouded the page of history. The Committee necessarily incurred some expense by this wide-spread correspondence, as well as from the printing and distribution of several thousand copies of extracts from English and Irish journals—expenses which, however, were amply repaid by the sympathies they awakened.

That the amount of subscriptions was large, beyond the most sanguine expectation of the Committee, is not surprising, when we contemplate how deep, how heartfelt, and how universal the sympathies of all classes in the sufferings of the Irish people—sympathies which as freely poured forth their contributions from the limited means of the labouring classes as from the abundance of those whom Providence had more largely blessed; and as generously from those not allied to the sufferers, either in country or creed, as from those whose fondest recollections and most cherished hopes were linked in the fate of that unhappy land.

The Treasurer's Accounts shew the amount of the individual subscriptions, and the nature and extent of the contributions; it also shews the amount received from each Treasurer and Committee in other parts of Western Canada, as considered this a central depot for their contributions or subscriptions; all these details will be found under their several heads, amounting in Cash, exclusive of Provisions, &c., to the princely sum of £4514 15s. 4d. It also shews the manner in which the Committee applied the means intrusted to them in the purchase and transmission of food to Ireland, and the amount of a balance which accidental and unavoidable circumstances have caused to remain at your disposal, with reference to which, the Committee now recommend that it be placed at the disposal of the Managing Committee of the Widows and Orphans' Society, established in this city, for the express purpose of mitigating the misery and distress of Emigrants—that misery and distress being chiefly confined to Irish peasantry removed from their native country to this Province.

In making this recommendation, the Committee purposely abstain from entering into any discussion as to how this misery has been brought about, or in what manner this mass of wretchedness has been removed to this country—strong expressions have been used, and strong feelings are entertained on the subject—but the Committee feel it their duty to confine themselves to the one fact, that a portion of that misery, for the relief of which these most bountiful contributions have been made, has been transferred to this country, and it is on this ground that the Committee now recommend this appropriation of the funds in hand.

The Committee also feel themselves fully justified in making this recommendation from the fact that this city has been the depot of much of the wretchedness of the western part of the country—besides the numbers of helpless and wretched creatures notoriously sent up from the lower ports to this city as the last point in the navigation of our waters which they could reach; many, since the setting in of winter, have been returned from other places—many from the surrounding townships, and many others from Niagara, Hamilton, &c., from which places Widows and Orphans have been sent, and are at this moment supported in this Asylum, instead of being a burden on those towns. It must also be borne in mind that the funds now thus proposed to be appropriated, are but a small proportion of the whole contributions, and of which this city alone, which now has to bear the burden of this accumulated distress, contributed the large sum of £1879 5s. 5d.

The Committee, in closing their Report, beg to refer to that part of the Auditor's Report which bears testimony to the valuable aid rendered in this charitable work by Messrs. Howard and Browne, of this city; Mr. Codd, of Buffalo; and Mr. Barclay, the British Consul at New York, and beg to add their cordial concurrence in the sentiments therein expressed.

Toronto, 26th January, 1848.

AUDITORS' REPORT.

The undersigned have been appointed to audit and report on the accounts connected with the "Irish Relief Fund," beg leave to state as follows:—

	£	s.	d.
The total receipts by the Treasurer, amounts, up to the 1st September last, to	4514	15	4½
The payments made for flour, viz. 2.414 barrels purchased in Canada, and 630 purchased in Buffalo, 3044 barrels, with the expenses attending thereon, amounts to £4378 14 1			
Incidental expense 32 10 1½	4411	4	2½
Which deducted from the receipts, leaves a balance in the hands of the Treasurer, at the above date, of	103	11	2

The "Provision account" is as follows:—

	Barrels	
Flour purchased in Canada and Buffalo	3044	
Flour contributed from various Townships and benevolent individuals	349	
Do. do. Meal and Peas	8	
	Bushels.	
Wheat	132	
Total	132	3401
Disposed of as below:—	Barrels.	
Shipped via Montreal for Dublin, per *Georgiana,* Flour,	2623	
Do. do. Peas and Meal	8	
Shipped by New York for Dublin	50	
Damaged in its transit between Buffalo and New York	580	3261
		140

Which deducted from the flour received, leaves on hand 140 barrels of flour, together with 132 bushels of wheat.

The damaged flour was sold in New York, "for the benefit of whom it concerned," and produced the net sum of £410 18s. 2d.

	£	s.	d.
The Treasurer has received, as appears by his supplementary statement made up to this date, on account of the said damaged flour the sum of	350	0	0
He has also received a further sum, being the balance of an amount deposited with the British Consul in New York, to pay the charges on the said flour from Buffalo, which charges were deducted by the consignees, from the proceeds of the sale of the flour	181	17	1
To these amounts may be added the balance in hands on the 1st September,	103	11	2
Also interests on Bank deposits ... £21 17 0			
And a subscription of 0 5 0	22	2	0
Showing the balance in the Treasurer's hands, at this date, to be	657	10	3

The accounts we have carefully examined, and the balance of the "Provision account," consisting of 140 barrels of flour and 132 bushels of wheat, are in the custody of James Browne, Esq., who had charge of the "Provision depot."

The balance of the proceeds of the damaged flour, amounting to £60 18s. 2d., remains in the hands of Mr. Codd, of Buffalo, for the purpose of paying the expenses contingent on a suit of law which the Committee have been advised to institute against the carriers of the flour, for the loss sustained, and which there is good reason to hope will have a successful termination.

It is not altogether within the province of Auditors to go further than a mere examination of accounts; they trust, however, that they will be pardoned in expressing their approbation of the clear and correct manner in which the Treasurer has kept his accounts, and discharged the onerous and responsible trust committed to him.

To James Browne, Esq., who has had a great deal of labour and trouble in connexion with the "Provision depot," the subscribers to the fund, and all interested, are much indebted.

Robert Codd, Esq., of Buffalo, and A. Barclay, Esq., the British Consul at New York, have both been indefatigable in their exertions in assisting to carry out the benevolent intentions of the contributors of this noble offering from a portion of the people of Upper Canada.

A. T. McCord, James John Hayes, Andrew Hamilton, } *Auditors.*

Toronto, January 13th, 1848.

We give publication to the following details, in the hope that by our so doing, enquiry may be induced, and the property mentioned, restored to the friends or relatives of the deceased, should they be traced out.

Some time in August last, an English emigrant reached West Williamsburg, having made his way thither from East Williamsburg, where he had been left by the Steamer. He was found lying on the ground, in a very feeble state, in front of the house of Mr. J. Holden, and evidently suffering from fever.—That gentleman kindly procured him shelter for the night, and the attendance of a nurse. The following day the sick man sent for Mr. Holden, and placed in his hands for safe keeping his watch and four sovereigns. He soon afterwards became delerious, in which state he continued until he expired; his name was not obtained; he appeared to be from 25 to 30 years of age. The watch and money remain in the hands of Mr. Holden, who is anxious to give them up to the friends of the deceased.

It is to be regretted that care was not taken to obtain his name, as without that there is little to afford any clue to his relatives, or distinguish him amongst the thousands who came to Canada to die.—*Montreal Gazette.*

Provincial Parliament.

HOUSE OF ASSEMBLY.

Monday, March 6.

Mr. Cuthbert took his seat for Bonaventure.

The house was occupied for a length of time with the presentation of petitions, and other routine business.

Mr. Baldwin moved, seconded by *Mr. Lafontaine,* that the amendment to the Address be read a second time.

Mr. Myers (Northumberland) opposed the second reading of the amendment, as, having been absent when it passed, he was not able to give his vote, as he intended, against it.

The motion was then put and carried. Ayes 53, Nays 22.

Hon. *Mr. Baldwin,* seconded by Hon. *Mr. Lafontaine,* moved that the Members of the Executive Council do wait on his Excellency, and ascertain when his Excellency will be pleased to receive the answer to the Address.

Hon. *Mr. Cayley* said he had been desired by his Excellency to say his Excellency would receive the Address at the hour of twelve, to morrow, (Tuesday), and he would also state that in consequence of the vote on the amendment to the Address, on Friday last, the Administration had already waited on his Excellency, and tendered their resignation to his Excellency on Saturday. He was aware that it was customary for Ministers not to resign till the answer to the Address had been presented; but they had thought it advisable to tender their resignation beforehand, on account of the time between the passing of the amendment and the presentation of the answer.

Hon. *Mr. Cayley,* seconded by Hon. *Mr. MacDonald,* then moved the adjournment of the house, as on account of the position in which they stood, it was advisable to defer business till to-morrow.

Hon. *Mr. Aylwin* objected to the adjournment before bringing to the bar of this house the Returning Officer for Beauharnois, as he had been cited to appear, and was now in the house.

Cols Gugy and *Prince* thought it but just in this house, not to detain this Officer any longer.

A motion for postponement of the orders of the day was then put and carried, and afterwards for the adjournment of the house till half-past eleven o'clock, to-morrow.

Tuesday, March 7.

Mr. Aylwin was authorised to inform the house that his hon. friends the members for the Fourth Riding of York and for Montreal and Terrebonne, had been sent for by his Excellency the Governor General. He then moved the order of the day that Mr. Norval, the Returning Officer at the late election for the County of Beauharnois, be ordered to appear at the bar: who appeared accordingly. A long discussion ensued on the right of the house to put questions which might criminate the parties answering; however, it was ultimately decided they possessed the right by a vote of 44 to 17.

Mr. Aylwin and *Mr. H. J. Boulton* then proposed certain questions, which, being satisfactorily answered by Mr. Norval, *Mr Aylwin* moved that Mr. Norval be discharged by the Speaker, from the bar of the house, in the most courteous manner in which the house could do it.

Col. Prince asked *Mr. Aylwin,* who, he presumed, was in the secrets of Ministers, what their intention was as to carrying on the business of the country, and would the house be prorogued or not?

Mr. Aylwin would have been happy to give his hon. friend any information in his power, but he knew nothing about it.

On the motion of *Mr. Aylwin,* the house adjourned until Thursday.

At 12 o'clock the house waited on his Excellency, with the Address in answer to the Speech from the Throne, and being returned, Mr. Speaker reported that his Excellency was pleased to make the following reply:—

Gentlemen,—I receive with satisfaction the assurance of your desire to promote the interests of the Province by wise and practical legislation.

Being always anxious to listen to the advice of Parliament, I shall take measures without delay for forming a new Executive Council.

The following petition was referred:—Of the Rector and Churchwardens of St. Paul's Church, London.

The Address.—The following is the division on Mr. Baldwin's "amendment" to the Address, expressing "want of confidence," viz.:—

Yeas—Armstrong, Aylwin, Baldwin, Beaubien, Bell, Boulton (Norfolk), Bourillier, Burritt, Cameron (Kent), Cauchon, Chabot, Chauveau, Davignon, Drummond, Duchesnay, Dumas, DeWitt, Egan, Flint, Fortier, Fournier, Fourquin, Gugy, Guillet, Hall, Holmes, Hincks, Jobin, Johnson, Lafontaine, Laterriere, Laurin, Lemieux, Leslie, Lyon, Macdonald (Glengarry), Marquis, McFarland, Merritt, Mongenais, Morrison, Nelson, Notman, Papineau, Price, Richards, Sauvageau, Scott (Bytown), Smith (Durham), Smith (Wentworth), Tache, Thompson, Watts, Wetenhall—54.

Nays—Badgley, Brooks, Cayley, Christie, Chrysler, Daly, Macdonald (Kingston), Macnab, Malloch, McConnell, McLean, Prince, Robinson, Seymour, Sherwood (Brockville), Sherwood (Toronto), Smith (Frontenac), Stevenson, Webster, Wilson—20.

On the Amendment side two votes, viz., Messrs. Scott (Two Mountains) and Blake (Second Riding York), were absent—On the Ministerial side five votes, viz. Messrs. Cameron (Cornwall), Boulton (Toronto), Dickson (Niagara), Cuthbert (Bonaventure) and Myers (Northumberland), were absent. These with the Speaker, Terrebonne (Lafontaine, double return), and Three Rivers (no return), make up the full complement of 84 members, the number established by the Act of Union.—*Herald.*

[The folowing is from the *Globe's* Telegraphic Report.]

Monday Evenin, March 13th, 1848.

On Saturday, on the motion of Mr. Holmes, the officers connected with the several chartered Banks and Insurance Companies were directed to lay before the House a statement of their affairs.

On the motion of Mr. Drummond, the time for receiving private petitions was extended to the 20th instant.

The House then was occupied in routine business, and the orders of the day had not been proceeded with at a quarter past seven, when our reporter left.

The petition of P. C. Planeuf and others, against the election of Mr. Bouthillier, for St. Hyacinthe, was rejected. The certificate of qualification of the Petitioners not being annexed to the petition, as required by law.

Montreal, March 14. 1848.

The House last evening was entirely occupied with routine business, the presentation of and reading petitions being the only business transacted. The members of the new Administration were not in their places, though some of them were snugly seated behind the Speaker's Chair.

New Writs were ordered for the election of one member for the City of Quebec, one for the City of Montreal, for Terrebonne, and for the Fourth and First Ridings of York.

The House to-day was occupied in routine business.

An Address to his Excellency the Governor General, praying that his Excellency will be pleased to direct to be laid before the House copies of all correspondence between the Executive Government and the President and Directors of the Great Western Railway was agreed to.

Mr. McDonald presented a Bill to Incorporate the City of Kingston Gas Company. Second Reading on Thursday.

Mr. Holmes brought in a Bill for Regulating the Packing and Inspection of Butter at the Ports of Quebec and Montreal. On the first reading of the Bill a division took place—yeas 55, nays 9.

The House, on the motion of Mr. Holmes, subsequently resolved itself into a Committee of the whole, to amend the Act Regulating the Inspection of Flour and Meal.

The Canada Customs Act.—In the House of Assembly, on the 3d instant, the following conversation is reported to have taken place:—

"*Mr. Morrison* inquired of the Ministers whether the Customs Act of the last Session had received the Royal Assent, and if not assented to, whether they were in possession of the reasons why the Imperial Government had refused such assent?

"Attorney-General *Sherwood,* in reply, said, that as far as they had been apprised, the Act had not been assented to nor had they been informed of any reasons why it was delayed, though they had represented to the Imperial Government the importance of the Act being assented to immediately. He had no reason to believe that assent would not, but he rather supposed it would, be given by the Home Government. (Hear, hear)."

The following letter, on the same subject, from Mr. Hawes, Under Secretary of State for the Colonies, which we copy from papers received by the *Britannia,* throws some further light on the subject:—

"Downing-street Feb 3, 1848.

"Gentlemen—With reference to my letter of the 28th ultimo, I am directed by Earl Grey to acquaint you that his Lordship has reason to believe that the Canadian Act, 10 and 11 Victoria, cap. 31, will receive the assent of the Queen in Council upon the first opportunity.

"I have the honour to be, Gentlemen,
"Your most obedient humble servant,
"B. Hawes.

"Messrs. Hodgston & Co.,
"4, Tokenhouse Yard."

The Oxford Election.—We were in error in stating that, since the memorable vote of the British House of Commons, in the case of Wilkes, there was no precedent or parallel for the summary expulsion of Mr. Carroll from his seat for Oxford by vote of the House, without the intervention of a Committee, without anything like judicial examination. We find, from the interesting and valuable history of Lower Canada, just published by Mr. Christie, that there is a precedent, and in Lower Canada too—nowhere else, we suspect. In the year 1810, the Assembly of this Province, being very justly dissatisfied with the presence of judges as members, came to a resolution that Mr DeBonne could not sit and vote, though he sat by virtue of the Imperial Act which constituted the House itself.

Modes of procedure of this kind are unknown to a people who possess and understand constitutional privileges; or, at least, if they commit one error they do not repeat it. It serves for a warning instead of an example. For no temporary convenience, however great, can compensate for the violation of a fundamental principle. In fact it is the regard for those principles which distinguishes a people or party capable of exercising constitutional rights, from one incapable.

The *Pilot,* as in duty bound, has made a very elaborate defence of the House. It says Mr. Carroll's rights are reserved, and he may petition. True, but after such a high handed and arbitrary act, who can expect Mr. Carroll to appeal again to such a tribunal? In fact, the House has set the precedent, that a majority may vote anything they please, without troubling themselves about the forms of law. This is, strictly, a legal question, and ought to have been tried on Mr. Hincks's petition, not on Mr Carroll's return; and the responsibility of the decision should have been referred to a committee sitting judicially.

If the words of the Statute are to have any weight, it appears to us the Returning Officer acted perfectly right. The proof of the qualification is here, not as in England, to be precedent to the election, and, without it, the candidate is not "capable of being elected." It is to be made before the Returning Officer, and, consequently, his act is not a mere ministerial one, but he is the judge of the capacity or incapacity. If the declaration on the face of it be bad, it is the same as if there was no declaration at all. Nor does the allowing the nomination at all cure any defect, for it is to be previous to the election, which, of course, is the summing up the poll, on which the return is founded.

Mr. Vansittart had put into his hands a declaration which, though no doubt *bona fide,* every person with the slightest tincture of English, or any other law, must know to be bad on the face of it; for it was four months old, made during the sitting of another Parliament, and though, if fraudulent, the party making it might have been prosecuted, under the Statute, for perjury, it was no proof to him that he possessed the proper qualification at the time of issuing the writ, or subsequently.—He consequently deemed Mr. Hincks, not "capable of being elected," and the votes given to him thrown away, and returned the person who had given him legal proof of his qualification. In this he might be wrong; we do not think he was; but if the House chose to decide that a declaration four months old, or four years, or forty years, for there is no end of the absurdity if you once pass beyond the date of the writ, was sufficient they should have done so on petition against the motion, preferred and tried in the ordinary way. There is not a member of the House whom some pretext might not be found for voting out on the principle *sic volo, sic jubeo.* A heavy blow has been struck at the constitutional liberties of Canada, and seed sown yet, we fear, to bear evil fruit.—*Montreal Gazette.*

Court of Queen's Bench.—On Tuesday, the 29th Feb., being the second Tuesday after Hilary Term, the Court sat to deliver judgments.

Beard v. Ketchum.—An action of assumpsit, tried before Mr. Justice Draper, at Toronto. The plaintiff sued as administrator *de bonis non,* with will annexed; the letters of administration having been granted in January, 1847. The Testator had died, some fifty years since, in the United States, and his estate in that country had been administered; the present letter having been taken out for the purpose of recovering assets in this province. The cause of action consisted of judgments recovered in 1796-7, and some promissory notes bearing date nearly as far back. The declaration alleged promises to pay the plaintiff, as administrator, &c., and the main questions for decision were—1st. As to the sufficiency of the promise. 2ndly. Whether, being made before the letter of administration issued, it was, if otherwise good, sufficient to sustain the action. The verdict was for the plaintiff (£407 10s.), with leave to move for a nonsuit, or to enter a verdict for the defendant on the evidence. *Mr. Bell* for the plaintiff. The *Solicitor General* for the defendant.

It appeared, in evidence, that a person acting apparently for the plaintiff had come to Canada in 1842, again in 1844, and in 1846, and had seen the defendant on the subject of the claim. There were four notes. At the first interview, three were produced; and the defendant said they were all right and if the other was produced he would pay them. The second time the fourth was produced; and the defendant said it would be necessary to see a third party on the subject, before he would agree to pay. This was done, but the result does not seem to have been satisfactory, and, on the third occasion, the defendant refused to pay, and this action was brought in consequence. The evidence was that of the party who had these interviews with the defendant, no letters of administration being out at the time.

Chief Justice.—In general the administration relates back to the time of the decease; and the promise is held to be to the administrator, though at the time no letters were out.—3 Barn. & Ald. 141; 10 Bing. 480; which latter case occurred since Lord Tenderden's Act, requiring the promise to be made in writing. The language required, as sufficient to take a case out of the statute of limitations (and this was to revive an old claim), must be distinct and unqualified.—14 M. & W. 741. Here the language was addressed to a third party, and was not satisfactory. First, there was the fourth note to be produced; then, a third party to be spoken to. The promise for some purposes is retrospection, but not in order to revive an outlawed debt, as in this case. Fifty years had elapsed, and the case should be perfectly clear on the law and evidence.—12 M & W. 226; 6 Taunt. 240; Williams Ex'ors, 396-7-8. The evidence of the promise is not sufficiently clear under the circumstances.

Macaulay, J.—There could be no action until there was some one capable of suing. Now, if these notes were due, as they appear to have been, at the time of the Testator's death, they were outlawed; and the promise could not revive a right of action in the representation, for he never had a right. The doctrine of relation will not apply. I can find no authority for holding a promise to pay such a debt binding.—1 B & C 250; 7 T R. 182; 10 Bing. 480; 5 M & Gr. 760; 6 Taunt. 210; 5 B & Al. 213-744; 10 Vesey.

Jones, J.—The statute of limitations is not pleaded, and therefore that is out of the question. The notes were by the defendant admitted to be correct; and he promised to pay them on the fourth being produced, which was done. This was a sufficient promise, although made to a third party, and the administration related back to the decease. Of opinion that the postea should be to the plaintiff.

McLean, J., concurred with the Chief Justice and J. Macaulay.—There should be an express promise, which here there was not, nor was there any one to whom it could be properly made.

New trial on payment of costs by the plaintiff, or judgment of nonsuit to be entered.—*British Canadian.*

WEST INDIES.

BARBADOS HOUSE OF ASSEMBLY.

Priority to Labourers' Wages.—Mr. Bascom said, it had been his intention to draw the attention of the House to the consideration of the state of the country, but as the hon. member for the city had given notice of his intention to move for the appointment of a committee for that purpose, it was now more discreet for him to leave that question; but had it been otherwise, he had come prepared to exhibit evidence before the public, which had satisfied him that despite appearances, we were on the road to permanent prosperity. He regretted exceedingly that the Island was not fully represented, to have enabled him to discharge what he considered an act of justice to both the proprietors and the labouring population of the country. He was desirous to satisfy the latter class that the Legislature was anxious in the present state of affairs to do them justice. The conduct of that body, said the hon. member,—the special evidence he had had of their patient, and orderly conduct during the present depression and distress was the soundest proof that could be furnished of their fitness to be a class of free men. He did not think that he would be doing justice to this class did he not take the first opportunity of publicly making special mention of their conduct at a trying period of our history. It had been his intention, if the country had been fully represented, to have asked the House to permit him to mark the progress of a bill for giving priority to the claims of agricultural labourers and domestics, for a limited period.—He meant not to say that he entertained a shadow of doubt of the employers entertaining high respect for the claims of these classes of labourers; but he thought the House would agree with him, that it was possible that the properties of many might be wrested from them before they had the means of paying these claimants; and it would be a most flagrant act of injustice if they were not paid. (Hear, from Mr. Prescod.) It might be argued that some party might hold a prior lien; but the practical effect of the question which he, Dr. Bascom, had raised was this—If the labourers had refused to work during the month that the proprietors had been without the means of paying them, what would have been the condition of the country? fields beautiful as a garden would have been covered with grass. If the crop of next year was not speedily planted, there would have been no crop for the year after. This was matter for the grave consideration of the House, and would not be undeserving of the consideration of any future owner—if such should be—of a property. He was deeply sensible of the great claim which the labouring population had upon us, and if the House immediately guaranteed them against loss, in any future difficulty they would be our friends; but if they were made the victims of a different policy, the result would be essentially different. (Hear.) The hon. member concluded by giving notice of a bill for giving priority to the claims of agricultural labourers and domestics; also, of a bill for assimilating the currency of this Island to the sterling of Great Britain.

The House soon after adjourned to the 25th proximo.—*Globe, December* 30th, 1847.

Commercial Distress.—It was almost inevitable that the monetary pressure which has lately paralysed commerce in Great Britain, should not have extended to this colony. At present we are in the midst, at all events at the beginning of a severe money crisis. Our two local banks, the British Guiana and Colonial, perceiving the signs of the times, have restricted their discounts within the last fortnight to an extent which, while absolutely necessary for their own security, cannot fail to be exceedingly embarrassing, not only, to the Planters, but to almost every individual engaged in trade. Soon after the arrival of the news of the failure of the West India Bank in Barbadoes, a run took place on both Banks for silver. Fortunately their coffers were well garnished with that valuable commodity. All demands were promptly met, and the run has consequently subsided.

How the next year's cultivation of the estates is to be carried on is one of those knotty and embarrassing problems, to which, if any one would be kind enough to give a solution, he would confer an inestimable benefit on the community. With the Christmas holidays work, of course, will be suspended; whether it will afterwards be resumed on any, and, if so, on what terms, is a doubt more easily started than settled. But as this is one of those matters which can be only answered by time, we lay it aside till the departure of some subsequent packet.—*Demerara Royal Gazette, Dec.* 18.

Secretary's Office,
Montreal, 4th March, 1848.

His Excellency the Governor General has been pleased to make the following appointments, viz:—

Joseph Wilson, Esq., to be Collector of Customs at the Sault St. Marys, in place of George Wilson, Esq., resigned.

Frederick Hilton Haycock, Esq., to be Collector of Customs at Port Dover, in place of John Haycock, Esq., deceased.

EXCHANGE.

On England—Bank	16			per cent.
Private	12½	@	14½	"
On New York—Bank	3½	@	4	"
Private	2½	@	3	"
On Montreal—Bank	¼			"

NOTICE.

The Annual Meeting of the London and Huron District Branch of The Church Society of the Diocese of Toronto, will (God willing) take place in the Town of London, on Thursday, the 23d instant, at One o'clock. The Secretaries of the Parochial Associations are requested to transmit, at their earliest convenience, their Reports to the Secretary, the Rev. B. Cronyn.

London, 9th March, 1848.

WANTED,

AS AN ASSISTANT in a School of the highest respectability, a Lady, competent to give instruction in the usual branches of an English Education. A knowledge of Music will be requisite.

Address—Post Office, Box No. 88, Belleville.
March 16, 1848. 71-556-tf

TO TEACHERS.

WANTED, for the GRAMMAR SCHOOL of the City of Hamilton, a Principal or First Master, competent to teach the *Classical Department* of the said School.

The day for the Examination of Candidates will be subsequently announced; meantime, Candidates may apply, and forward certificates of character and qualifications, to the Rev. J. G. Geddes, Chairman of the Trustees, or to

W. CRAIGIE, *Secretary.*
Hamilton, 10th March, 1848. 70-556-4

GOVERNESS.

A LADY accustomed to Tuition, is desirous of an engagement in a Private Family.

Address—A. H., *Post Office,* Toronto.
March 15th, 1848. 74-556-4

NOTICE OF COPARTNERSHIP.

Drs. KING & HALLOWELL,
27, Richmond Street East,
And 38, Queen St. East—2 Doors from Church St
☞ SURGERY, 27, Richmond Street. [75-556-4

NOTICE

IS HEREBY GIVEN by the Subscriber, that the connexion heretofore existing between himself and William Myers, his Grandson, is dissolved, and that consequently the Subscriber is no longer responsible for any Debts which the said William Myers may contract.

JOHN HOPPER.
Scarboro', 10th March, 1848. 73-556-3

ONE MILLION FIVE HUNDRED THOUSAND
ACRES OF LAND,
FOR SALE IN CANADA WEST.

THE CANADA COMPANY have for disposal about 1,500,000 Acres of Land, in blocks varying from 1000 to 10,000 Acres, dispersed throughout most of the Townships in Upper Canada. Nearly 500,000 Acres are situated in the Huron Tract, well known as one of the most fertile parts of the Province; it has trebled its population in five years, and now contains upwards of 20,000 inhabitants.

The Lands are offered by way of LEASE for TEN YEARS; or for SALE, CASH DOWN—*the plan of one-fifth Cash and Balance in Instalments being done away with.*

The Rents, payable 1st February each year, are about the Interest, at 6 per cent., upon the cash price of the Land. Upon most of the Lots, when Leased, *NO MONEY IS REQUIRED DOWN;* whilst upon the others, *according to locality, one, two, or three years'* Rent must be paid in *advance,* but these payments will FREE the Settler from Further calls until the second, third or fourth year of his term of Lease.

The Settler has secured to him the *right* of converting his *Lease* into a *Freehold,* and of course *stopping payment* of further Rents, before the expiration of the term, upon paying the Purchase Money specified in the Lease.

The Lessee has thus *guaranteed to him the entire benefit of his improvements and increased value of the Land* he occupies, should he wish to purchase. But he may, if he pleases, refuse to call for the Freehold: *the option being completely with the Settler.*

A discount, after the rate of *two per cent.,* will be allowed for anticipated payment of the Purchase Money, for every unexpired year of Lease before entering the tenth year.

Settlers' or Savings Bank Account.

In order to afford every assistance to industrious and provident Settlers, the *CANADA COMPANY* will receive any sum, no matter how small the amount may be, for which their Lessee Settlers may not have immediate want, *ON DEPOSIT,* and allow interest at the rate of *Six per cent.* per annum for the same; but it is clearly understood, that the full amount, with interest accrued, shall at all times be at the disposal of the Settler, without notice. For this purpose the Company have opened an Account, which is termed "Settlers' Provident or Savings Bank Account,"—thus affording to the prudent Settler every facility for accumulating sufficient money to purchase the Freehold of the Land which he *Leases,* whenever he chooses to do so, within the term of Ten Years; but should bad harv