

*To the Honorable the House of Assembly of the Province of Upper Canada in Provincial Parliament Assembled.*

The Petition of the undersigned Freeholders of the Incorporated Counties of Lenox and Addington,

*Humbly Sheweth,*

That by virtue of a Writ of Election issued in the usual form, and directed to John McLean, Esq. as Returning Officer, the Freeholders of these Counties were required to elect a Person to serve in the present House of Assembly as a Representative of the said Counties, and the Election was appointed to be held at Adolphustown, on Monday the eleventh day of February, in the Year of our Lord one thousand eight hundred and twenty-two; when and where the said Returning Officer, having read the said Writ of Election, called upon the electors to nominate their Candidates.

Whereupon Marshall Spring Bidwell, Esquire, was nominated by one of the Electors; and his nomination was seconded by another of the Electors, and taken down by the Poll Clerk, by direction of the said Returning Officer, who declared to the Electors that the said Marshall S. Bidwell was nominated as a Candidate, and requested them to nominate any other Candidates, if they pleased.—Matthew Clark, Esquire, and Thomas Williams, Esquire, were then respectively nominated.

The said Thomas Williams objected to the said Marshall S. Bidwell's being a Candidate, upon the ground of his having been born in the United States, and therefore being ineligible, as well as incapable of holding the necessary freehold property. In reply it was stated to the Returning Officer, that although the said Marshall S. Bidwell was born in the United States; yet he was

in truth and in fact, within the provisions of the Naturalization Acts of the British Parliament, by which, in the language of Sir William Blackstone, "All children born out of the King's allegiance, whose fathers, (or grandfathers by the father's side) were natural born subjects, are now deemed to be natural born subjects themselves to all intents and purposes; unless their said Ancestors were attainted or banished beyond sea for high treason, or were, at the birth of such children, in the service of a Prince at enmity with Great Britain;" that, at the birth of the said Marshall S. Bidwell, his father, who was born a British subject, was not, nor had he ever been in the Service of a Prince at enmity with Great Britain; nor had he taken any oath of foreign allegiance containing words of abjuration to the British Allegiance; and that the said Marshall S. Bidwell was therefore a natural born subject himself, within the express terms of these Acts of Naturalization; that such had been the practical construction put upon the law in this Province, in regard to the eligibility of persons born in the United States of America, of British born parents, and that it was a fact well known, that there were in the present House of Assembly, as there have been in former Houses, Members who were thus born in the said United States; that if freeholders were, on that ground, ineligible, after seven years' residence here, they were also incapable of voting at elections, the qualifications of Members and Electors, in this respect, being defined by the same Statute and in the