cither decision, but it is a fact, that whatever may appear to be anomalous or unusual in the position or application of the Petitioner, is due to our Colonial dependence upon the Imperial Crown of *Great Britain* and *Ireland*. Your Committee do not intend to expatiate upon those grounds of public policy and of strict justice, for the encouragement of industrious settlers in a new Colony, which are embodied in the Statute—for they are supported by the highest authority. That authority, too, is not merely Colonial; and the Petitioner has not failed to insist on the provisions of the Imperial Act 10 and 11 *Vic.* c. 83. This is a Statute confirmatory of several Colonial Statutes, and one of the most important of its provisions, as establishing a fact involving the decision of this case, is the declaration, "that all Colonial natu- "ralization Acts (including of course the 1 *Will.* 4, "c. 53,) shall be taken to been valid from the time "of their enactment."

Referring to dates then, Your Committee would remind Your Honorable House, that the Bill in question was presented for the Royal Assent on the 31st March, 1831. Had it not been reserved, it would have passed into law some three months before the first Judgment rendered against the Petitioner; it would have changed the law, and that Judgment would consequently have been rendered not against him, but in his favor. But the reserve of Bills passed by the two branches of the Legislature is a proceeding purely depending on the Colonial system, a peculiarity to which, as well as to the delays incident to it, the Petitioner justly ascribes the grievances under which he labors. Now, as he could not have been so aggrieved in any independent country, as that grievance could only have happened in a state of Colonial dependence such as ours, Your Committee are of opinion that it is incumbent on a Colonial Legislature to grant him relief. The right to that relief seems to flow naturally, as a corollary, from the Act 1 *Will.* 4, c. 53.

The Provincial Legislature certainly intended that Act to take immediate effect, but being suspended by causes beyond its control, the Statute was temporarily inoperative. Now, such mischief as the Act was intended to prevent, and which occurred in consequence of that suspension, it would seem to be clearly within the appropriate province of the Legislature to remedy. If the Courts of Law, as at present constituted, could afford a remedy, the Petitioner might be referred to them for relief, by a fresh series of legal proceedings, at any cost however enormous. But, as the law stands, the Petitioner might be despoiled of his property before the next Session of Parliament, and Your Honorable House be thereby prevented from interposing with effect.

On that branch of the subject, Your Committee have to observe that redress by *auditâ querelâ*, to which the Vice-Chancellor, in delivering the Judgment in the Cock-pit alluded to, does not obtain in *Lower Canada*. In default of that remedy the Petitioner appears to have resorted to a process for a *restitutio in integrum* in the nature of an *auditâ querelâ*, but that mode of relief was not found to apply to his case.

The Petitioner thus failed again, and the attempt only proved that the Courts of Justice were not open to him. The decision of the Courts against the Petitioner was in strict conformity, it is true, to the law as it was believed to stand before the passing of the Act 1 *Will.* 4, c. 53. But by virtue of that Statute, passed before the rendering of the first Judgment, and by a process perfectly constitutional and legitimate, which took place two years after in *England*, the law upon which that Judgment was founded was abrogated, and new dispositions favorable to the Petitioner were actually in force. The Judgment then is now known to have been at the time when it was rendered, contrary to law; but the law was changed by a statutory enactment of a restrospective character, of which the Judges could not be aware, and there is no mode by which that knowledge can be now conveyed to them, or acted upon if it were, nor can any appellate tribunal interpose, nor is it in that capacity that the intervention of Your Honorable House is sought. In *England* and in *Upper Canada* redress could be obtained by *auditâ querelâ*, and Your Committee are unanimously of opinion that by the introduction of that mode of proceeding, or by some other analogous course, the Petitioner should be enabled to plead the Act 1 *Will.* 4, c. 53. It is thus that the conviction has forced itself upon the minds of Your Committee, that a case for the intervention of the Legislature has been made out. Should Your Honorable House decline to interpose, it is manifest that the Petitioner will be ejected from an estate acquired in great part by his own industry, and possessed and occupied by him for fifty-eight years, down to the present day. To that estate he has a vested right under the law of the land, and all that is required is a mode of enabling the tribunals of the country to enforce that law.

Ordered, That the said Report be printed for the use of the Members of this House.

Ordered, That the Petition of the Mayor, Aldermen and Commonalty of the City of *Toronto*, (Municipal Council Bill,) be printed for the use of the Members of this House. — Petition of the City of Toronto.

Ordered, That the Petition of *B. Marquette* and others, the President, Officers, and Members of the Association of Teachers of the District of *Quebec*, (Education Law,) be printed for the use of the Members of this House. — Petition of B. Marquette and others.

Ordered, That five hundred additional copies of the Report of the Superintendent of Schools of *Upper Canada* for the year 1847, be printed for the use of the Members of this House. — Schools (U.C.)

The Honorable Mr. *Price*, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,—Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 26th ultimo, praying His Excellency to be pleased to cause the proper officer to lay before the House, a Return of all Village Lots sold in *Rawdon*, County of *Lincoln*, the number of each Lot, to whom sold, date of sale, and how and when paid; also, the names of persons claiming pre-emption, the number of Lots so claimed, and a list of what Lots are not yet sold. — Village Lots in Rawdon.

For the said Return, see Appendix (D.D.D.) — Appendix (D.D.D.)

Ordered, That Mr. *Fergusson* have leave to bring in a Bill to amend the *Dundas* and *Waterloo* Macadamized Road Act. — Dundas and Waterloo Road Bill.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Thursday next.

Ordered, That Mr. *Flint* have leave to bring in a Bill to enable the Trustees of Churches and Parsonages, and other Trusts, belonging to the Wesleyan Methodist Church in *Canada*, more conveniently to manage and dispose of their Estates, and for other purposes therein mentioned. — Wesleyan Methodist Church Bill.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Thursday next.

On motion of Mr. *Christie*, seconded by Mr. *DeWitt*, *Ordered*, That it be an Instruction to the Standing — Offices of the House.