

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 Tuesday next.

District Court Bill, (U. C.)

Mr. Boulton from the Committee of the whole House, on the propriety of amending the Schedule of the Act passed last Session, intituled, "An Act to amend, consolidate, and reduce into one Act the several Laws now in force, establishing or regulating the Practice of District Courts in the several Districts of that part of this Province, formerly *Upper Canada*," reported according to Order, the Resolution of the said Committee, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolved, That it is expedient to amend the Act passed in the last Session of Parliament, intituled, "An Act to amend, consolidate, and reduce into one Act, the several Laws now in force, establishing or regulating the practice of District Courts in the several Districts of that part of the Province, formerly *Upper Canada*," in so far as the same relates to the amount of Fees which are made payable to the Fee Fund for certain services to be performed by the Clerks of the Law Districts, under the authority of the said Act.

Ordered, That the Honourable Mr. Attorney General Draper have leave to bring in a Bill to amend an Act passed during the last Session of this Parliament, intituled, "An Act to amend, consolidate, and reduce into one Act, the several Laws now in force, establishing or regulating the practice of District Courts in the several Districts of that part of this Province formerly *Upper Canada*."

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 Tuesday next.

A Member called and does not appear.

Mr. Bertrand, Member for the County of *Rimouski*, having been called, according to order, did not appear.

Notarial Titles Bill, (L. C.)

The Order of the Day for the second reading of the Bill to remove all doubts as to the validity of certain deeds, instruments, and documents, executed before Notaries in *Lower Canada*, and to secure the Rights, Titles, and Interests of all persons concerned therein, being read,

The said Bill was accordingly read and referred to a Select Committee, composed of Mr. Solicitor General Taschereau, the Honourable Mr. Attorney General Smith, the Honourable Mr. Morin, Mr. Chabot, and Mr. Laurin, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Real Property Conveyance Bill, (U. C.)

The Order of the Day for the second reading of the Bill to facilitate the conveyance of Real Property in *Upper Canada*, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Duggan took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. Duggan reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Message from the Administrator.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker a

Message from His Excellency, the Administrator of the Government, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:—

CATHCART.

The Administrator of the Government informs the Legislative Assembly in reply to their Address of the 26th instant, that he does not conceive himself to be at liberty to communicate any Despatches or parts thereof, from Her Majesty's Secretary of State, relating to reserved Bills of last Session, which are still under the consideration of Her Majesty's Government.

The Administrator of the Government transmits Official copies of two Despatches from Her Majesty's Secretary of State, explaining the reasons which induced the Ministers of the Crown to advise Her Majesty to disallow the Bill authorizing the attachment of official salaries.

GOVERNMENT HOUSE,
Montreal, 30th March, 1846.

(Copy.)

No. 399.

DOWNING STREET,
1st July, 1845.

MY LORD,

I have received your Lordship's Despatches dated the 12th and the 20th of May, 1845, and numbered respectively 273 and 278, accompanied by the official transcripts of seven Bills passed by the Council and Assembly of *Canada* but reserved by yourself for the signification of Her Majesty's pleasure thereon.

The Bill No. 315, authorizing the creditor of a public officer, to attach a certain proportion of that officer's salary in satisfaction of a judgment obtained against him, appears to be regarded by Your Lordship as defensible, only on the assumption that some similar Law is in force in this Country. The Law of *England* however has not hitherto established any such rule.

When a Public Officer in this Kingdom becomes insolvent it is entirely at the discretion of his Superior Officer to determine at the instance of his Creditors, what proportion, if any of the Debtor's salary shall be appropriated to the discharge of his debts. I am not aware that any injustice has resulted, or has been alleged to result from this practice. To establish by a positive Law, the rule contemplated in this Bill, would, as it should seem, be to give to a man's Creditors, such a vested right in his future official earnings, as would afford an obstacle almost insuperable to the removal of such a person from office, even in the case of his incompetency being clearly established.

Another effect of the Rule would be to compel the Government to retain the services of a man whose official income when so reduced might become insufficient for his decent maintenance, and therefore an insufficient guarantee for his fidelity, especially if employed in any office of pecuniary trust,—on the other hand the withholding from creditors prospectively the proposed power of attachment could hardly be productive of much inconvenience, because the effect would apparently be only to diminish in an equal extent the power of public officers to obtain money or goods on credit.

These considerations compel me to pause in advising Her Majesty to assent to this Bill, but I may of course be misled by some false analogy between the circumstances and wants of this Kingdom and of *Canada*, in this respect. I have therefore to desire that Your Lordship would lay this Despatch before