

The bill sent down by the honourable the Legislative Council entitled "An Act to authorize the Court of Queen's Bench to admit John Ford Maddock to practise as an attorney in that Court," was read the first time. Bill read.

Ordered—That the bill be read a second time to-morrow. 2d reading to-morrow.

Pursuant to the order of the day, the address to Her Majesty on the importation of tea from the United States, was read the second time. Address on importation of tea read second time.

The House was put into a committee of the whole on the same. Committed.

Mr. Richardson in the chair.

The House resumed.

The chairman reported that the committee had agreed to the address without amendment, and submitted it for the adoption of the House. Address reported.

The report was received.

Ordered—That the address be engrossed and read a third time to-morrow. 3d reading to-morrow.

Mr. Secretary Murdoch brought down from His Excellency, the Governor General, a message, and retired. Message from Governor General.

The Message was read by the Speaker, as follows:—

CHARLES POULETT THOMSON:

In answer to the address from the House of Assembly of the 13th instant, respecting the bill passed during the last Session of the Legislature, but reserved for the signification of Her Majesty's pleasure, entitled, "An Act to dispose of the lands commonly called Clergy Reserves, and for other purposes therein mentioned," the Governor General has to inform the House, that, by an accidental delay in the transmission of the address from the Legislative Council and House of Assembly, required by the 42d clause of the Act, 31, Geo. III., Ch. 31, it became impossible, during the last Session of the Imperial Legislature, to comply with that provision of the statute, which requires that a bill of this description should be laid before Parliament for thirty days before decision of the crown upon it is pronounced. Message on Clergy Reserve bill of last Session.

But had this difficulty not arisen, there were other considerations, which would, in the opinion of the Secretary of State, have prevented the acceptance of the measure by Her Majesty.

Parliament delegated to the local Legislature the right of appropriating the Clergy Reserves, and the effect of the Bill was to transfer that duty from the local Legislature to Parliament, with a particular restriction. Her Majesty's Government were advised by the law officers of the Crown, that such a proceeding is unconstitutional; and it appeared to them to be evidently liable to inconvenience. Her Majesty could not assume that Parliament would accept this delegated office; and if it should not be so accepted, the confirmation of the bill would have been productive of serious prejudice, and of no substantial advantage.

It would have postponed indefinitely the settlement of a question which it much concerns the welfare of this Province to bring to a close.

The objection of form thereof was insuperable; nor could it be assumed by Her Majesty's Government that there exist in England greater facilities than in Upper Canada for the adjustment of this controversy. On the contrary, in their opinion, the Provincial Legislature bring to the decision of it an extent of accurate information as to the wants and general opinions of society in this country, in which the Imperial Parliament is unavoidably deficient.

Under these circumstances, Her Majesty's ministers felt themselves compelled to advise Her Majesty not to give her assent to this bill. They adopted that course with regret, but they trust that the failure of the attempt thus made to effect the settlement of so important a matter will be but temporary, and that the opportunity will, at no distant period, be found for arriving at a satisfactory adjustment of it.

The Governor General will probably feel it to be his duty shortly to call the attention of the House of Assembly specifically to this subject.

Toronto,
23d December, 1839. }

Pursuant to the order of the day, the bill to levy an additional assessment on the district of Dalhousie, was read the second time.

Bill to levy additional assessment in district of Dalhousie read 2d time

The House was put into a committee of the whole on the bill.

Committed.

Captain Dunlop in the chair.