

Oxford Election.

of a Member or Members to represent any Constituency in that part of the Province formerly called *Upper Canada*, is under the provisions of the Act of the Legislature of *Upper Canada*, 4 Geo. 4, c. 4, regulating the trial of Controverted Elections in *Upper Canada*.

The House divided; and it passed in the Negative.

The Question being then put on the main Motion, the House again divided; and the names being called for, they were taken down; as follow:—

YEAS.

Messieurs *Armstrong, Aylwin, Beaubien, Bell, Boutillier, Burritt, Cauchon, Chabot, Chauveau, De Witt, Davignon, Drummond, Duchesnay, Fortier, Fournier, Fourquin, Guillet, Hall, Holmes, Jobin, LaFontaine, Laurin, Lemieux, Leslie, Macdonald of GLENGARY, Marquis, McFarland, Mongenais, Morrison, Nelson, Notman, Papineau, Price, Richards, Sauvageau, Scott of BYTOWN, Smith of DURHAM, Taché, Thompson, and Wetenhall.*—(40.)

NAYS.

Messieurs Attorney General *Badgley, Baldwin, Boulton of NORFOLK, Boulton of TORONTO, Solicitor General Cameron, Cayley, Christie, Johnson, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, and Sherwood of BROCKVILLE.*—(12.)

So it was carried in the Affirmative.

Resolved, That in obedience to a Writ of Election duly issued, and returnable on the twenty-fourth day of January, in the present year, an Election was held for the County of *Oxford* on the twenty-eighth day of December, 1847.

On motion of Mr. *Notman*, seconded by Mr. *Smith of Durham*,

Resolved, That *Francis Hincks*, Esquire, and *Peter Carroll*, Esquire, were proposed and seconded, and were candidates at the said Election.

On motion of Mr. *Notman*, seconded by Mr. *Scott of Bytown*,

Resolved, That a Poll was demanded and allowed by the Returning Officer according to Law, and that the said Poll was taken in the several Townships comprised within the said County.

On motion of Mr. *Notman*, seconded by Mr. *Morrison*,

Resolved, That by the said Poll Books returned to the Clerk of the Crown in Chancery, with the said Writ of Election, it appears that 813 votes were taken for the said *Francis Hincks*, and 478 votes for the said *Peter Carroll*; and that, therefore, so far as the facts appear from the said Poll Books, the said *Francis Hincks* should have been returned duly elected.

On motion of Mr. *Notman*, seconded by Mr. *Thompson*,

Resolved, That notwithstanding the said majority of votes appearing in favor of the said *Francis Hincks*, the Returning Officer who held the said Election returned the said *Peter Carroll* duly elected; and the said *Peter Carroll* has taken a seat in this House in pursuance of such Return.

Mr. *Notman* moved to resolve, seconded by Mr. *Holmes*, and the Question being put, That a due regard for the rights of Electors, and for the privileges of this House, requires that the said Return should be amended according to the facts apparent upon the said Poll Books.

The House divided; and the names being called for, they were taken down; as follow:—

YEAS.

Messieurs *Armstrong, Aylwin, Beaubien, Bell, Boutillier, Burritt, Cauchon, Chabot, Chauveau, De Witt, Davignon, Drummond, Duchesnay, Fortier,*

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Fournier, Fourquin, Guillet, Hall, Holmes, Jobin, LaFontaine, Laurin, Lemieux, Leslie, Macdonald of GLENGARY, Marquis, McFarland, Mongenais, Morrison, Nelson, Notman, Papineau, Price, Richards, Sauvageau, Scott of BYTOWN, Smith of DURHAM, Taché, Thompson, and Wetenhall.—(40.)

NAYS.

Messieurs Attorney General *Badgley, Baldwin, Boulton of NORFOLK, Boulton of TORONTO, Solicitor General Cameron, Cayley, Christie, Johnson, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, and Sherwood of BROCKVILLE.*—(12.)

So it was carried in the Affirmative.

Resolved, That a due regard for the rights of Electors, and for the privileges of this House, requires that the said Return should be amended according to the facts apparent upon the said Poll Books.

Mr. *Notman* moved to resolve, seconded by the Honorable Mr. *Papineau*, and the Question being put, That the Clerk of the Crown in Chancery do attend this House forthwith, and amend the Return for the said County of *Oxford*, by erasing the name of *Peter Carroll*, and inserting therein the name of the said *Francis Hincks*, and that the said *Francis Hincks* do take his seat in this House forthwith, in place of the said *Peter Carroll*; reserving to the said *Peter Carroll*, and to all others whom it may concern, all rights of Petition and other proceedings for controverting and obtaining a final decision on the legality of the said Election and Return.

The House divided; and the names being called for, they were taken down, as in the last preceding division.

So it was carried in the Affirmative.

Resolved, That the Clerk of the Crown in Chancery do attend this House forthwith, and amend the Return for the said County of *Oxford*, by erasing the name of *Peter Carroll*, and inserting therein the name of the said *Francis Hincks*, and that the said *Francis Hincks* do take his seat in the House forthwith, in place of the said *Peter Carroll*; reserving to the said *Peter Carroll*, and to all others whom it may concern, all rights of Petition and other proceedings for controverting and obtaining a final decision on the legality of the said Election and Return.

The Clerk of the Crown in Chancery attended according to Order, and amended the Return for the County of *Oxford*.

The Honorable *Francis Hincks*, Member for the County of *Oxford*, having previously taken the oath according to law, and subscribed before the Commissioners the Roll containing the same, took his seat in the House.

Mr. Hincks takes his seat.

On motion of Mr. *Notman*, seconded by Mr. *Macdonald of Glengary*,

Ordered, That Mr. Speaker do issue his Warrant, summoning *John George Vansittart*, Esquire, the Returning Officer at the late Election for the County of *Oxford*, to the Bar of this House, on Tuesday the 21st day of March instant, to answer for his Return to the Writ of Election for the said County.

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Then, on motion of Mr. *Macdonald of Glengary*, seconded by Mr. *Laurin*,

The House adjourned.