

Champlain, having previously taken the oath according to law and subscribed before the Commissioners, the roll containing the same, took their seats in the House.

Mr. Speaker also acquainted the House that the Clerk of this House had received from the Clerk of the Crown in Chancery the following Return of a Member for the County of *Russell*, for which he Mr. Speaker had issued no Warrant.

Province of Canada.

Office of the Clerk of the Crown in Chancery,
Kingston, 25th September, 1843.

This is to certify that in virtue of a Writ of Election, dated the fourteenth day of August last past, issued by His Excellency the Governor in Chief, and directed to the Returning Officer for the County of *Russell* (*Edward Malloch*, Esquire,) for the Election of one Member for the said County of *Russell*, in the room of *William Henry Draper*, Esquire, whose seat had become vacant, by his acceptance of a seat in the Legislative Council, *William Stewart*, of *Bytown*, in the District of *Dalhousie*, Esquire, has been returned as duly elected accordingly, as appears by the Return of the said Writ, dated the fourteenth day of September, in the year of our Lord one thousand eight hundred and forty-three, which is lodged of record in my office.

Felix Fortier,
Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire, }
Clerk of the Legislative Assembly. }

Mr. Speaker communicated to the House a notice by him received, and signed by *Louis Michel Viger*, Esquire, Member for the County of *Nicolet*, and *Joseph G. Barthe*, Esquire, Member for the County of *Yamaska*, on the subject of the Seat of *Alexander Maurice Delisle*, Esquire, Member representing the County of *Montreal*.

(For the said notice see Appendix B.)

Mr. Speaker also acquainted the House that he had issued his Warrant to the Clerk of the Crown in Chancery, to make out a new Writ for the election of one Member to serve in the present Provincial Parliament for the County of *Hastings*, and that the Clerk of this House had received from the said Clerk of the Crown in Chancery the following Certificate of the Special Return of a Member for the said County of *Hastings* :—

Province of Canada.

Office of the Clerk of the Crown in Chancery,
Kingston, 17th October, 1842.

This is to certify that the following special Return, has been made to the Writ of Election dated the seventeenth day of September last past, issued by His Excellency the Governor in Chief, and directed to the Returning Officer for the County of *Hastings*, (*J. W. Dunbar Moodie*, Esquire,) for the election of one Member for the said County of *Hastings*, in the room of *Robert Baldwin*, Esquire, whose seat had become vacant by his acceptance of the office of Her Majesty's Attorney General for that part of the Province heretofore called *Upper Canada*, to wit :—"By virtue of the annexed Writ to me directed, after having given due notice I proceeded to hold the Election for the within named County of *Hastings*, on Monday the third day of

October instant, at the hour of ten o'clock, A. M. ; but in consequence of the time occupied by the addresses of the two Candidates, several hours were lost before I could begin to take the votes of the Freeholders. About half an hour before the time fixed for opening the Poll on Tuesday, a collision took place between the two parties, which, in consequence of the time occupied in swearing special Constables, delayed the opening of the Poll until nearly twelve o'clock. On Wednesday at three o'clock a general riot took place, which prevented further polling on that day, and I was under the necessity of adjourning the Poll until nine o'clock on Thursday morning. During this riot deadly weapons were used, endangering the lives of the freeholders, and towards the evening I felt it my duty to send a requisition for two Companies of Her Majesty's Regular Troops, which requisition was concurred in by all the Magistrates present, and in the mean time it was found necessary to call out a company of Militia, with such arms as they could obtain, to protect the property of the Inhabitants.

"On Thursday, from the excited state of public feeling, it was obvious to all that it would be unsafe to proceed with the polling until the arrival of the Regular Troops, and at nine o'clock I adjourned the Poll until one o'clock, P. M., and at that hour, the troops not having arrived as expected, I again adjourned the Poll until four o'clock, P. M., at which hour the Troops arrived at the wharf, but it was nearly five o'clock before they could be brought on the ground. When preparing to proceed with the Poll, it was discovered that one of the parties had taken possession of the ground around the Hustings and its entrances, when for the sake of preserving the peace I made a proposal that each party should occupy half of the ground and of the enclosure in front of the Hustings, to which proposal the party in possession would not consent. So much time was occupied in endeavouring to effect some arrangement which would be fair to both parties, that it became too late to proceed with the Poll, which I accordingly adjourned to six o'clock on Friday morning, at which time the Poll was opened, and continued without adjournment until six o'clock, P. M., when there were evident symptoms of a riot, and I adjourned the Poll to six o'clock on Saturday morning.

"At the hour of three o'clock, P. M., a memorandum was drawn up by the two Candidates, which was shown to me, distinctly admitting on both sides, that it had become wholly impossible to poll all the votes of the County within the time prescribed by law, and that therefore it was agreed between the parties that I should close the Poll at three o'clock, P. M., which was accordingly done. At the said hour of three o'clock, P. M., 915 votes only had been polled ; while I have every reason to suppose that the whole number of votes, had there been sufficient time left for polling them, would have exceeded 1400 votes. From the above causes I have not been able to execute the annexed Writ as I am commanded ; because I cannot consider the Candidate who had the greater number of votes at the said hour of three o'clock, as *freely and indifferently chosen*, according to the terms of the said Writ, and because the votes then taken were not sufficiently numerous, adequately to express the sense of the freeholders of the County."

"At the time of closing the Poll, the numbers for each of the candidates stood as follows :

"For *Edmund Murney*, Esq. 482
"For the Honorable *Robert Baldwin* 433

("Signed,)

"J. W. DUNBAR, MOODIE,
"Returning Officer.

Return from
County of Rus-
sell.

Seat of A. M.
Delisle, Coun-
ty of Montreal.

Writ for Coun-
ty of Hastings.

Special Return
from Hastings.