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# JOURNALS

OF THE

# LEGISLATIVE ASSEMBLY.

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VOL 3.



# JOURNALS

OF THE

# LEGISLATIVE ASSEMBLY

OF THE

PROVINCE OF CANADA.

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FROM THE 28<sup>th</sup> DAY OF SEPTEMBER TO THE 9<sup>th</sup> DAY OF DECEMBER,

IN THE YEAR OF OUR LORD

1843.

AND IN THE SEVENTH YEAR OF THE REIGN OF OUR SOVEREIGN LADY

QUEEN VICTORIA.

---

BEING THE THIRD SESSION OF THE FIRST PROVINCIAL PARLIAMENT OF CANADA.

SESSION, 1843.

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Printed by the Order of the Legislative Assembly.

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KINGSTON:—Printed by EDWARD JOHN BARKER, M. D., at the Athenaeum.—1844.

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# PROCLAMATIONS.

Province of }  
Canada. } **CHARLES BAGOT.**

*VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c. &c. &c.*

Proclamation of the 10th November, continuing the Parliament to the 29th December next ensuing.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our Township of *Kingston*, on the eighteenth day of the month of November, instant, to have been commenced and held, and to every of you—

GREETING :

## A PROCLAMATION.

**WHEREAS**, on the twelfth day of October, now last past, we thought fit to prorogue our Provincial Parliament to the eighteenth day of November, instant, at which time, at our Township of *Kingston*, you were held and constrained to appear : Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving subjects, we have thought fit, by and with the advice of our Executive Council, to relieve you and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you, that on Thursday, the twenty-ninth day of December, now next ensuing, you meet us, in our Provincial Parliament, at our Township of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary.—Herein fail not.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed : Witness, our trusty and well beloved Sir *Charles Bagot*, G. C. B., one of our Most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor in Chief, in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same, &c. &c. &c., at our Government House, at *Kingston*, in our Province of *Canada*, this tenth day of November, in the year of our Lord one thousand eight hundred and forty-two, and in the sixth year of our Reign.

C. B.

By Command,

*Felix Fortier,*

C. C. C.

B

Province of }  
Canada. } **CHARLES BAGOT.**

*VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c. &c. &c.*

Proclamation of the 22nd December continuing the Parliament to the 7th of February, next ensuing.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens and Burgesses elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our Township of *Kingston*, on the twenty-ninth day of the month of December, instant, to have been commenced and held, and to every of you—

GREETING :

## A PROCLAMATION.

**WHEREAS**, on the tenth day of November now last past, we thought fit to prorogue our Provincial Parliament to the 29th day of December instant, at which time, at our Township of *Kingston*, you were held and constrained to appear : Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving subjects, we have thought fit, by and with the advice of our Executive Council, to relieve you and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you, that on Tuesday, the seventh day of February, now next ensuing, you meet us, in our Provincial Parliament, at our Township of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary.—Herein fail not.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed : Witness, our trusty and well beloved Sir *Charles Bagot*, G. C. B., one of our Most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor in Chief, in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same, &c. &c. &c., at our Government House, at *Kingston*, in our Province of *Canada*, this twenty-second day of December, in the year of our Lord one thousand eight hundred and forty-two, and in the sixth year of our Reign.

C. B.

By Command,

*Felix Fortier,*

C. C. C.

Province of }  
Canada. } **CHARLES BAGOT.**

**VICTORIA**, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, **QUEEN**, Defender of the Faith, &c. &c. &c.

Proclamation of the 1st Feb. continuing the Parliament to the 15th March next ensuing.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our Township of *Kingston*, on the seventh day of the month of February instant, to have been commenced and held, and to every of you—

GREETING :

**A PROCLAMATION.**

**WHEREAS**, on the twenty-second day of December now last past, we thought fit to prorogue our Provincial Parliament to the seventh day of February instant, at which time, at our Township of *Kingston*, you were held and constrained to appear: Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving subjects, we have thought fit, by and with the advice of our Executive Council, to relieve you and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you, that on Saturday, the eighteenth day of March, now next ensuing, you meet us, in our Provincial Parliament, at our Township of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary.—Herein fail not.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed: Witness, our trusty and well beloved Sir *Charles Bagot*, G. C. B., one of our Most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor in Chief, in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same, &c. &c. &c., at our Government House, at *Kingston*, in our Province of *Canada*, this first day of February, in the year of our Lord one thousand eight hundred and forty-three, and in the sixth year of our Reign.

C. B.

By Command,

*Felix Fortier*,

C. C. C.

Province of }  
Canada. } **CHARLES BAGOT.**

**VICTORIA**, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, **QUEEN**, Defender of the Faith, &c. &c. &c.

Proclamation of the 15th of March, continuing the Parliament to the 2d May next ensuing.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our Township of *Kingston*,

on the eighteenth day of the month of March instant, to have been commenced and held, and to every of you—

GREETING :

**A PROCLAMATION.**

**WHEREAS**, on the first day of February, now last past, we thought fit to prorogue our Provincial Parliament to the eighteenth day of March instant, at which time, at our Township of *Kingston*, you were held and constrained to appear: Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving subjects, we have thought fit, by and with the advice of our Executive Council, to relieve you and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you, that on Tuesday, the second day of May, now next ensuing, you meet us in our Provincial Parliament, at the Township of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary.—Herein fail not.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed: Witness, our trusty and well beloved the Right Honorable Sir *Charles Bagot*, Knight Grand Cross of the Most Honorable Order of the Bath, one of our Most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor in Chief, in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same, &c. &c. &c., at our Government House, at *Kingston*, in our Province of *Canada*, this fifteenth day of March, in the year of our Lord, one thousand eight hundred and forty-three, and in the sixth year of our Reign.

C. B.

By Command,

*Felix Fortier*,

C. C. C.

Province of }  
Canada. } **C. T. METCALFE.**

**VICTORIA**, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, **QUEEN**, Defender of the Faith, &c. &c. &c.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our Township of *Kingston*, on the second day of the month of May, now next ensuing, to have been commenced and held, and to every of you—

Proclamation of 29th April, continuing the Parliament to the 12th June, next ensuing.

GREETING :

**A PROCLAMATION.**

**WHEREAS**, on the fifteenth day of March, now last past, we thought fit to prorogue our Provincial Parliament to the second day of May, now next ensuing, at which time at our Township of



# Proclamations.

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*Kingston*, you were held and constrained to appear. Now Now Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving subjects, we have thought fit, by and with the advice of our Executive Council, to relieve you and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you, that on Monday, the twelfth day of June, now next ensuing, you meet us, in our Provincial Parliament, at our Township of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary.—Herein fail not.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed: Witness, our trusty and well beloved the Right Honorable Sir Charles Theophilus Metcalfe, Baronet, Knight Grand Cross of the Most Honorable Order of the Bath, one of our Most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor in Chief in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same, &c. &c. &c. at our Government House, at *Kingston*, in our Province of *Canada*, this twenty-eighth day of April, in the year of our Lord, one thousand eight hundred and forty-three, and in the sixth year of our Reign.

C. T. M.  
By Command,  
Felix Fortier,  
C. C. C.

Province of }  
*Canada*. } C. T. METCALFE.

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland QUEEN, Defender of the Faith, &c. &c. &c.

To our beloved and faithful the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our Township of *Kingston*, on the twelfth day of June, instant, to have been commenced and held, and to every of you—

GREETING :

## A PROCLAMATION.

WHEREAS, on the twenty-eighth day of April now last past, we thought fit to prorogue our Provincial Parliament to the twelfth day of June, instant, at which time, at our Township of *Kingston*, you were held and constrained to appear: Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving subjects, we have thought fit, by and with the advice of our Executive Council, to relieve you and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you, that on Saturday the twenty-second day of July, now

next ensuing, you meet us, in our Provincial Parliament, at our Township of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary.—Herein fail not.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed: Witness, our trusty and well beloved the Right Honorable Sir Charles Theophilus Metcalfe, Baronet, Knight Grand Cross of the Most Honorable Order of the Bath, one of our Most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor in Chief, in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same, &c. &c. &c. at our Government House, at *Kingston*, in our Province of *Canada*, this tenth day of June, in the year of our Lord, one thousand eight hundred and forty-three, and in the sixth year of our Reign.

C. T. M.

By Command,  
Felix Fortier,  
C. C. C.

Province of }  
*Canada*. } C. T. METCALFE.

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c. &c. &c.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses, elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our Township of *Kingston*, on the twenty-second day of July instant, to have been commenced and held, and to every of you—

Proclamation of the 15th July, continuing the Parliament to the 31st August, next ensuing.

GREETING :

## A PROCLAMATION.

WHEREAS, on the tenth day of June, now last past, we thought fit to prorogue our Provincial Parliament to the twenty-second day of July, instant, at which time, at our Township of *Kingston*, you were held and constrained to appear: Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving subjects, we have thought fit, by and with the advice of our Executive Council, to relieve you and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you, that on Thursday, the thirty-first day of August, now next ensuing, you meet us, in our Provincial Parliament, at our Township of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary.—Herein fail not.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province to be

Proclamation of the 19th June continuing the Parliament to the 22d July, next ensuing.

hereunto affixed: Witness, our right trusty and well beloved the Right Honorable Sir *Charles Theophilus Metcalfe*, Baronet, Knight Grand Cross of the Most Honorable Order of the Bath, one of our Most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor in Chief, in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same, &c. &c. &c. at our Government-House, at *Kingston*, in our Province of *Canada*, this fifteenth day of July, in the year of our Lord one thousand eight hundred and forty-three, and in the seventh year of our Reign.

C. T. M.

By Command,  
*Felix Fortier*,  
C. C. C.

Province of }  
*Canada*. } C. T. METCALFE.

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c. &c. &c.

Proclamation of the 10th August, convening Parliament on the 25th September, next ensuing.

To our well beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our Township of *Kingston*, on Thursday, the thirty-first day of August, now instant, to have been commenced and held, and to every of you—

GREETING ;

#### A PROCLAMATION.

WHEREAS, the meeting of our Provincial Parliament stands prorogued to the thirty-first day of August, instant, nevertheless for certain causes and considerations, We have thought fit further to prorogue the same to Thursday, the twenty-eighth day of September next, so that you nor any of you, on the said thirty-first day of August, instant, at our Township of *Kingston*, to appear are to be held or constrained, for We do will that you, and each of you, be as to Us in this matter entirely exonerated; commanding, and by the tenor of these presents enjoining you and every of you, and all others in this behalf interested, that on Thursday, the said twenty-eighth day of September next, at our Township of *Kingston* aforesaid, personally you be and appear, for the *Despatch of Business*, to treat, do, act and conclude upon those things which in our said Provincial Parliament by the Common Council of our said Province may by the favor of God be ordained.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province of *Canada*, to be hereunto affixed: Witness, our right trusty and well beloved the Right Honorable Sir *Charles Theophilus Metcalfe*, Baronet, Knight Grand Cross of the Most Honorable Order of the Bath, one of our Most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor in Chief, in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same, &c. &c. &c. at our Government House, at *Kingston*, in our said Province, this tenth day of August, in the year of our Lord, one thousand eight hundred and forty-three, and in the seventh year of our Reign.

C. T. M.

By Command,  
*Felix Fortier*,  
C. C. C.

# JOURNALS

OF THE

## LEGISLATIVE ASSEMBLY

OF

### CANADA.

SESS. 1843.

Jovis, 28<sup>o</sup> die Septembris.  
Anno 7<sup>o</sup> Victoriae Reginae, 1843.

**A MESSAGE** from His Excellency, the Governor General, by *Frederick Starr Jarvis*, Esquire, Gentleman Usher of the Black Rod:—

Mr. Speaker,

His Excellency, the Governor General, desires the immediate attendance of this Honorable House in the Legislative Council Chamber.

Accordingly, Mr. Speaker, with the House, went to the Council Chamber: and being returned:

Mr. Speaker acquainted the House that he had issued his Warrants, to the Clerk of the Crown in Chancery, to make out new Writs for the Election of Members to serve in the present Provincial Parliament, in the room of Members whose seats had become vacant, and that the Clerk of this House had received, from the said Clerk of the Crown in Chancery, the following Certificates of Returns of Members, elected during the recess, upon the said new Writs.

Province of *Canada*.

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 14th October, 1842.

This is to certify that in virtue of a 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 of the Fourth Riding of the County of *York*, (*George Lount*, Esquire,) for the Election of one Member for the said Fourth Riding of the said County of *York*, in the room of *Louis Hypolite Lafontaine*, 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 *Lower Canada*. The Honorable *Louis Hypolite Lafontaine* has been returned as duly elected accordingly, as appears by the Return of the said Writ, dated the eighth day of October, instant, 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. }

Province of *Canada*.

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 31st October, 1842.

This is to certify that in virtue of a Writ of Election dated the twenty-fourth day of September last past, issued by His Excellency the Governor in Chief, and directed to the Returning Officer for the

County of *Portneuf*, (*Paul Bigué*, Esquire,) for the Election of one Member for the said County of *Portneuf*, in the room of *Thomas Cushing Aylwin*, Esquire, whose seat had become vacant by his acceptance of the office of Her Majesty's Solicitor General for that part of the Province heretofore called *Lower Canada*. The Honorable *Thomas Cushing Aylwin* has been returned as duly elected accordingly, as appears by the Return of the said Writ, dated the twentieth day of October instant, 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. }

Province of *Canada*.

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 22d October, 1842.

This is to certify, that in virtue of a Writ of Election, dated the twenty-seventh day of September last past, issued by His Excellency the Governor in Chief, and directed to the Returning Officer, of the third Riding of the County of *York*, (*Alexander Grant*, Esquire,) for the election of one member for the said Third Riding of the County of *York*, in the room of *James Edward Small*, Esquire, whose seat had become vacant, by his acceptance of the office of her Majesty's Solicitor General, for that part of the Province heretofore called *Upper Canada*. The Honorable *James Edward Small*, has been returned as duly elected accordingly, as appears by the return of the said Writ, dated the fifteenth day of October instant, which is lodged of record in my office.

Third Riding  
*York*.

*Felix Fortier*,

Clerk of the Crown in Chancery.

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

Province of *Canada*.

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 25th November, 1842.

This is to certify, that in virtue of a Writ of Election, dated the tenth day of October last past, issued by His Excellency the Governor in Chief, and directed to the Returning Officer for the Second Riding of the County of *York*. (*John Hawkins*, Esquire,) for the Election of one Member for the said Second Riding of the County of *York*, in the room of *George Duggan*, Esquire, whose election and return had been declared void, *George Duggan* the younger, Esquire, has been returned as duly elected accordingly, as appears by the Return of the said Writ, dated the twenty-second day of

Second Riding  
*York*.

Message to attend Governor General.

Writs issued.

Fourth Riding of County of *York*.

County of *Port Neuf*.

November instant, 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. }

Province of *Canada.*

Office of the Clerk of the Crown in Chancery.  
*Kingston, 14th November, 1842.*

County of  
*Beauharnois.*

This is to certify, that in virtue of a Writ of Election, dated the twelfth day of October last past, issued by His Excellency the Governor in Chief, and directed to the Returning Officer of the County of *Beauharnois*, (*William Boveron, Esquire*), for the Election of one Member for the said County of *Beauharnois*, in the room of *John William Dunscomb, Esquire*, who has resigned his seat, *Edward Gibbon Wakefield, Esquire*, has been returned as duly elected accordingly, as appears by the Return of the said Writ, dated the ninth day of November instant, 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. }

Province of *Canada.*

Office of the Clerk of the Crown in Chancery.  
*Kingston, 13th December, 1842.*

County of Sag-  
*uenay.*

This is to certify, that in virtue of a Writ of Election, dated the twenty-ninth day of October last past, issued by His Excellency the Governor in Chief, and directed to the Returning Officer for the County of *Saguenay*, (*John Baptiste Du Berger, Esquire*.) for the election of one Member for the said County of *Saguenay*, in the room of *Etienne Parent, Esquire*, who had accepted of an office of emolument or profit, under the Crown, the Honorable *Augustus Norbert Morin* has been returned as duly elected accordingly, as appears by the Return of the said Writ, dated the twenty-eighth day of November last past, 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. }

Province of *Canada.*

Office of the Clerk of the Crown in Chancery.  
*Kingston, 8th February, 1843.*

County of Ri-  
*mouski.*

This is to certify that in virtue of a Writ of Election, dated the twenty-ninth day of December last past, issued by His Excellency the Governor in Chief, and directed to the Returning Officer for the County of *Rimouski*, (*Pierre Gauvreau, Esquire*.) for the election of one Member for the said County of *Rimouski*, in the room of *Michel Borue, Esquire*, who had resigned his seat, the Honorable *Robert Baldwin* has been returned as duly elected accordingly, as appears by the Return of the said Writ, dated the thirtieth day of January last past, 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. }

Province of *Canada.*

Office of the Clerk of the Crown in Chancery,  
*Kingston, 9th March, 1843.*

This is to certify that in virtue of a Writ of Election, dated the eleventh day of February last past, issued by His Excellency the Governor in Chief, and directed to the Returning Officer for the *City of Toronto*, (*John Radenhurst, Esquire*.) for the election of one Member for the said *City of Toronto*, in the room of *Isaac Buchanan, Esquire*, who had resigned his seat, the Honorable *Henry Sherwood* has been returned as duly elected accordingly, as appears by the Return of the said Writ, dated the sixth day of March, instant, 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. }

Province of *Canada.*

Office of the Clerk of the Crown in Chancery,  
*Kingston, 26th September, 1843.*

This is to certify that in virtue of a Writ of Election, dated the first day of September instant, issued by His Excellency the Governor in Chief, and directed to the Returning Officer for the County of *Champlain*, (*Louis Guillet, Esquire*.) for the Election of one Member for the said County of *Champlain*, in the room of *René Joseph Kimber, Esquire*, whose seat had become vacant, by his acceptance of a seat in the Legislative Council, *Henry Judah, Esquire* has been returned as duly elected accordingly, as appears by the Return of the said Writ, dated the twenty-second day of September instant, which is lodged of record in my office.

County of  
*Champlain.*

*Felix Fortier,*  
Clerk of the Crown in Chancery.

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

Province of *Canada.*

Office of the Clerk of the Crown in Chancery  
*Kingston, 27th September, 1843.*

This is to certify that in virtue of a Writ of Election, dated the fourth day of September instant, issued by the Governor in Chief, and directed to the Returning Officer for the *City of Quebec*, (*Archibald Campbell, Esquire*.) for the Election of one Member for the said *City of Quebec*, in the room of *David Burnet, Esquire*, who had resigned his seat, as a Member for the same, *Jean Chabot, Esquire* has been returned as duly elected accordingly, as appears by the Return of the said Writ, dated the eighteenth day of September instant, which is lodged of record in my office.

City of *Quebec*

*Felix Fortier,*  
Clerk of the Crown in Chancery.

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

(For the notifications made to Mr. Speaker and Resignations connected with the above Returns, see Appendix B.)

*Edward Gibbon Wakefield, Esquire*, Member for the County of *Beauharnois*, the Honorable *Henry Sherwood*, Member for the *City of Toronto*, and *Henry Judah, Esquire*, Member for the County of

Mr. *Wakefield*,  
Mr. *Sherwood*  
and Mr. *Judah*  
take their seats.

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 Husting 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 Russell.

Seat of A. M. Delisle, County of Montreal.

Writ for County of Hastings.

Special Return from Hastings.

Hastings Elec-  
tion.

Which special Return was accompanied by a certain protest of the Honorable Robert Baldwin, and others, marked (A.) herewith enclosed.

*Felix Fortier,*  
Clerk of the Crown in Chancery.

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

Protoc. To *John Wedderburne Dunbar Moodie, Esquire,*  
Returning Officer for the County of *Hastings,*  
&c. &c. &c.

Sir,

Take notice that we the undersigned, Candidate and Electors for the County of *Hastings,* have jointly and severally protested, and do hereby jointly and severally protest against your returning *Edmund Murney, Esquire,* as having been elected at the present Election to represent the County of *Hastings* in Provincial Parliament, on the following, among other, grounds:

1. That the Honorable *Robert Baldwin, Esquire,* having on the first day of the said Election been duly proposed and seconded as a fit and proper person to represent the said County of *Hastings* in Provincial Parliament, the shew of hands of the Electors present was duly declared by you to be in favour of the said *Robert Baldwin*: whereupon a Poll was demanded on behalf of the said *Edmund Murney,* and the same being granted, while such Poll was proceeding on the third day of the said Election, and when not more than four hundred and ten out of upwards of fifteen hundred of the Electors of the said County had polled their votes, a riot took place at the *Hustings,* at which riot the Electors in the interest of the said *Robert Baldwin* were forcibly driven from the said *Hustings* by a mob consisting of Electors in the interest of the said *Edmund Murney* and others, his friends and supporters, armed not only with clubs, sticks, stones, and other offensive weapons of that kind, but also with swords, knives, fire-arms, and other deadly weapons, which said mob entirely put your authority and that of the Magistrates of the District at defiance, neither you nor they being able to protect the persons of the peaceable Electors in the interest of the said *Robert Baldwin* from insult and injury, or otherwise to keep the public peace; and it in consequence became impossible to proceed with the Poll of the said Election with safety until the arrival of a Military force sufficient to restore the authority of yourself and the Magistrates, and to secure the public peace.

2. That such Military force did not arrive until the evening of the fourth day of the said Election, when you did not think proper to proceed with the Poll of the said Election on that day, but adjourned the same until the following morning.

3. That by means of such riot, and the total inability of yourself or the other public authorities to suppress it or insure the public peace so as to justify you, in your estimation, in proceeding with the Poll, a large number of the Electors of the said County in the interest of the said *Robert Baldwin,* and who would otherwise have come to the *Hustings* to vote for him, were deterred from doing so; such last mentioned Electors being sufficient of themselves to have placed the said *Robert Baldwin* ahead of the said *Edmund Murney* on the said Poll, had their votes been polled at the said Election.

4. That in consequence of such interruption, an opportunity has not been afforded to the Electors of the said County to Poll their votes at the present

Election, so as to enable you to pronounce that the said *Edmund Murney* has been elected by a majority of the votes of the Electors present at such Election, according to the command of the Queen's Writ.

5. That the said mob having so driven the Electors in the interest of the said *Robert Baldwin* from the said *Hustings* on the said third day of the said Election, took forcible possession of the said *Hustings,* and kept such possession until the afternoon of the fifth day of the said Election, (although you were frequently called upon by the said *Robert Baldwin* and his friends to have them removed for the purpose of affording to the Electors in the interest of the said *Robert Baldwin* an equal opportunity of polling their votes,) thereby enabling the Electors in the interest of the said *Edmund Murney* to Poll their votes and place him greatly in advance of the said *Robert Baldwin* on the said Poll, and preventing the Electors in the interest of the said *Robert Baldwin* from having free access to the said Poll, and thus affording the said *Edmund Murney* the advantage of leading the Poll on the fifth and sixth days of the said Election.

6. That there are now present at the close of the Poll, at and about the *Hustings,* a large number of the Electors of the said County, amounting to upwards of four hundred of such Electors who have not yet polled their votes at this Election, and the greater part of whom being more than sufficient to place the said *Robert Baldwin* in a large majority upon the said Poll, have been long in attendance at the said Poll waiting for an opportunity to poll their votes in his favor, but have not had the opportunity of doing so.

7. That it is admitted as well by yourself as by the Election Committee of the said *Edmund Murney,* by the said *Edmund Murney* himself, by divers Electors in his interest, and divers others of his friends, agents and supporters, and not denied by any that there has not, during the period that the Poll has been open at this Election, been sufficient time for fully polling the votes of the Electors of the said County.

8. That it is your duty, as the Returning Officer, under such circumstances, not to return the said *Edmund Murney* as duly elected, that not being the fact, but on the contrary thereof to make a special Return, setting forth the circumstances which have prevented you from being able to execute the Queen's Writ to you in this behalf directed, according to the exigency thereof.

ROBERT BALDWIN,	W. G. REYNOLDS,
BILLA FLINT, JR.	LYMAN DEFOE,
D. B. SOLE,	DEFOE.

Saturday, 3 o'clock, P. M. }  
Belleville, 8th October, 1842. }

On motion of *Sir Allan N. McNab,* seconded by *Mr. Cartwright.*

Ordered, That *Felix Fortier, Esquire,* Clerk of the Crown in Chancery, do appear before, this House forthwith, with the Return to the Writ for the election of a Member for the County of *Hastings,* and that he do lay the same before this House.

In conformity to the foregoing order, the Clerk of the Crown in Chancery, did appear and lay before the House the said Return to the Writ for the election of a Member for the County of *Hastings.*

Ordered, That the said Return be referred to a Committee of the whole House on Monday next.

Return for  
Hastings de-  
manded.

Mr. Speaker laid before the House the *Acte* of the resignation of *William Walker*, Esquire, Member for the County of *Rouville*, and acquainted the House, that, in conformity to law, he had issued his warrant to the Clerk of the Crown in Chancery, to make out a new Writ, for the election of a Member for the said County of *Rouville*, in the room of the said *William Walker*.

[For the *Acte* of Mr. *Walker's* resignation, see Appendix [B.]

Mr. Speaker also laid before the House the *Acte* of the resignation of *John Yule*, Esquire, Member for the County of *Chambly*.

[For the *Acte* of Mr. *Yule's* resignation, see Appendix [B.]

Mr. Speaker communicated to the House the following letter, by him received from the Speaker of the Assembly of Prince Edward Island.

House of Assembly,  
Prince Edward Island, March 6, 1843.

SIR,

The House of Assembly of this Colony having adopted the First Report of a Special Committee on the subject of the Post Office Department generally, and particularly in reference to the increased rates of Postage, now exacted on Letters, Newspapers and other Documents transmitted by Post, between the *British North American Colonies*, I am directed by the House to forward you a Copy of their Report, and to beg that you will have the goodness to lay the same before the House of Assembly of *Canada*, in hopes that the Assembly of *Canada* will co-operate with the *Representatives of this Province*, in soliciting from Her Majesty's Imperial Government, a revision of the Laws or Regulations under which the present Postage, Rates on Letters and Newspapers are exacted throughout the *British North American Colonies*, with a view of assimilating them as far as practicable to those now in force in the United Kingdom, or of placing the internal Post communication by a uniform system, under the controul of the Local Legislatures.

I have the honor to be, Sir,  
Your most obedient servant,

JOSEPH POPE, Speaker.

The Honorable the Speaker of the }  
House of Assembly of Canada. }

[Memo.—The Report did not accompany the above letter.]

Ordered, That the Honourable Mr. Attorney General *Baldwin* have leave to bring in a Bill to provide for the Administration of the oath of office to persons appointed to be Justices of the Peace in this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Mr. Speaker then reported that when the House did attend His Excellency the Governor General, this day in the Legislative Council Chamber, His Excellency was pleased to make a Speech to both Houses of the Provincial Parliament; of which Mr. Speaker said he had, to prevent mistakes, obtained a copy, which he read to the House, and is as followeth:

Honorable Gentlemen of the Legislative Council, and Gentlemen of the House of Assembly:

Speech at opening of Session.

I am happy to meet you assembled for the discharge of the high functions entrusted to you. Various considerations of importance have prevented my calling you together at an earlier period.

Since your last Session, the birth of a Princess has diffused joy throughout the British Empire, and we have reason to be deeply grateful for the continued protection vouchsafed by Almighty Providence to our gracious Queen, whose life and health are blessings to Her subjects.

In the same interval, an afflicting event has occurred in Canada, by the demise of your late Governor, my immediate predecessor, whose heart was devoted to the public welfare. Universal regret has done honor to his memory throughout the Province; and I cannot abstain from noticing that his desolate widow and family, and his mortal remains, in passing through the neighbouring territories of the United States, to their place of embarkation at New York, were received with marked and affecting tokens of friendly respect, which indicated both the esteem in which he was held in a country in which he had been personally well known, and also a generous sympathy worthy of the great nation by which it was evinced.

The Act of the Imperial Legislature which facilitates the introduction of Canadian Wheat, and of Flour prepared in Canada, into the Ports of the United Kingdom, will, I trust, prove to be a valuable boon to this Province; and is a further proof of Her Majesty's unremitted care for the prosperity of this portion of Her Dominions. A copy of a Despatch from Her Majesty's Secretary of State, on this subject, will be laid before you.

Measures will be submitted to you for the improvement of the system of Judicature in Lower Canada; of the Municipal Institutions, the laws relating to Education and the Jury system of both Divisions of the United Province, and of the Assessment Laws in Upper Canada, as well as on other important subjects; all of which will, I am sure, engage your earnest attention.

I have recently made a tour through the Province, such as the exigency of public business would permit, in order that I might become, in some degree, acquainted with local circumstances requiring attention.

I have had great satisfaction in seeing a fine country, evidently advancing in improvement; and have every where been received with manifestations of loyalty to our Gracious Sovereign, and with personal kindness to myself.

It has been highly satisfactory to me to witness the great works in progress, which, owing to the Loan raised in England under the guarantee of the Imperial Government, the Province has been enabled to undertake or prosecute. They are calculated, I hope, to extend the commerce, and develop the resources of this vast country, and increase the public revenue, and general and individual wealth.

In those parts where works of this description are in progress, I found contentment prevailing at the prospect which they present. In other parts there is a cry for improved Roads, for the conveyance of produce to appropriate Markets, a claim which is worthy of consideration; for on such communications the prosperity of the country must in a great measure depend. No where was this anxiety more strongly expressed than in the Eastern Townships of Lower Canada, where the community, almost entirely Agricultural, in consequence of the heavy duties imposed on their produce in the United States, have lost the market to which they had formerly recourse, while the exemption from duty in our country of the similar produce of our neighbours, enables them, by greater facilities of convey-

Mr. Walker resigns.

Writ for Rouville.

Mr. Yule resigns.

Letter from Speaker of Assembly of Prince Edward Island.

Justices oath Bill.

Speech reported.

ance, to undersell the producers of the Eastern Townships in our own markets. Similar complaints of the effects of the Duties on our produce in the United States, and of the facility given to the admission of their produce into our territory, are also made in other parts. Whatever improvement can be afforded to our internal communications is so obviously desirable for the advantage of the community, that any outlay devoted to that object, and consistent with the means at command, must be highly beneficial. It is therefore much to be regretted, that the state of the finances does not afford any immediate prospect of our being able to meet the wishes of many districts deeply interested in this respect.

I cannot refrain from bringing to your notice, as a subject worthy of consideration, the state of the Prisons in some portions of the Province. The Penitentiary at Kingston is an Institution very creditable to the country; great cost has been incurred in the erection of prisons in other places, and some of the local authorities are now laudably exerting themselves to provide suitable accommodation for prisoners; but in some places there is great deficiency. The justice due even to criminals requires that they should not be subjected to greater punishment than what is designed by their sentence, and that disease or death, from foul air and want of exercise, should not be superadded to imprisonment. It is likewise due to untried Prisoners, who may be innocent, that they should not be confined in the same cell with convicted criminals. A classification and separation of the latter is also requisite. Decency and morality demand the same with regard to the sexes: and Debtors and Criminals ought not to be confined together. It is desirable that enquiry should be made, in order to ascertain in what respects the Prisons of the Country may be defective in requisite accommodation, and to remedy any material deficiency that may exist.

The establishment of a Lunatic Asylum in Lower Canada is much required; those who are visited with the affliction of mental aberration being now confined in the common Prison, or in some of the Religious and Charitable Institutions which do honor to that portion of the Province. Measures are in progress for the permanent location of the Asylum now existing under a temporary arrangement in Upper Canada, and for the completion of the arrangements of that Institution.

*Gentlemen of the House of Assembly,*

The Accounts for the past, and Estimates for the present, year will be laid before you. I am concerned to announce to you that there is a considerable decrease in the Revenue, but I hope that it proceeds from temporary causes, and that it will be followed by a greater increase. The Loan obtained in England, under the guarantee of the Imperial Government, has been raised on advantageous terms.

This Act of the Imperial Legislature prescribing a new Tariff renders necessary a corresponding alteration in our Custom Laws, and this subject will be brought under your consideration. I have no doubt of your readiness to provide for the exigencies of the Public Service, and, as far as that object can be promoted, by practicable and judicious economy, you may rely on my co-operation.

*Honourable Gentlemen of the Legislative Council, and  
Gentlemen of the House of Assembly,*

I will not detain you longer from the commencement of your arduous duties. The welfare of Canada depends on the result of your deliberations on the numerous and important questions which will

come before you, and that great end will, I trust, be the sole object of your labours; It is the anxious desire of Her Majesty's Government, and will be the constant aim of my endeavours. I humbly hope that the Blessing of Almighty God will crown our united efforts with success.

The following Petitions were severally brought up and laid on the table :

Three Petitions brought up.

By the Honourable Mr. *Neilson*, the Petition of the Minister, Elders and Trustees of the *St. Andrew's Church of Quebec*; and the Petition of the Reverend *George Mackie* and others, the Managing Committee of the National Schools at *Quebec*.

By Mr. *Hale*, the Petition of *C. M. Hyndman*, keeper of the Court House and Crier of Her Majesty's Courts of Judicature, of the District of *St. Francis*.

On motion of Mr. *Henry Smith*, seconded by Mr. *Tuscherreau*,

*Ordered*, That the Clerk do charge, to the Contingencies of the House, the Postage on all letters not exceeding one ounce in weight, and on printed papers to and from Members of this House, during the present Session, provided that when Petitions to this House are enclosed, the Postage thereon shall be charged without restriction as to weight.

Postage.

On motion of the Honourable Mr. Attorney General *Baldwin*, seconded by the Honourable Mr. Solicitor General *Small*,

Speech to be considered.

*Ordered*, That the Speech of His Excellency the Governor General, this day delivered to both Houses of the Provincial Legislature, be taken into consideration on Monday next.

Then, on motion of the Honourable Mr. Solicitor General *Small*, seconded by the Honourable Mr. Attorney General *Lafontaine*.

The House adjourned.

*Veneris 29<sup>o</sup> die Septembris.*

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

MR. SPEAKER communicated to the House a Report, received from the Librarian, of the present state of the Library of the House, pursuant to a standing order of the 19th June, 1841.

Report from Librarian.

(For the said Report, see Appendix C.)

Mr. Speaker also laid before the House General Statements and Returns of Baptisms, Marriages and Burials in the District of *Gaspé*, for the year 1841, and in the Districts of *Quebec*, *Montreal* and *Three Rivers*, for the year 1842, received from the Prothonotaries of the said Districts, in conformity to the Act of the Legislature of the late Province of *Lower Canada*, 6, Geo. IV., Cap. 8.

Returns of Baptisms.

(For the said Statements and Returns see Appendix D.)

The following Petitions were severally brought up and laid on the table.

Nineteen Petitions brought up.

By the Honourable Mr. *Dunn*, the Petition of *E. B. Gilbert*, and other Inhabitants, of the City of *Toronto*.

By Mr. *Williams*, the Petition of the Municipal Council of the *Colborne* District, and the Petition of *William Smart* and others, inhabitants of the County of *Durham*.



By Mr. *Boutillier*, The Petition of the Municipal Council of the District of *Saint Hyacinthe*, (relating to the river *Yamaska*); the Petition of the Municipal Council of the District of *Saint Hyacinthe*, (relating to Foreign Agricultural Importations: the Petition of the Municipal Council of the District of *Saint Hyacinthe*, (relating to the Debts of the Municipality); the Petition of the Municipal Council of the District of *Saint Hyacinthe*, (relating to Division Courts); and the Petition of the Municipal Council of the District of *Saint Hyacinthe*, (relating to the Ordinance establishing Municipalities.)

By Mr. *Thorburn*, The Petition of the Municipal Council of the *Niagara* District, (relating to Agriculture); the Petition of the Municipal Council of the *Niagara* District, [relating to the limits of the District]; the Petition of the Municipal Council of the *Niagara* District (relating to Sessional allowance to Members of Assembly); the Petition of the Municipal Council of the *Niagara* District (relating to Tavern Licenses); and the Petition of the Municipal Council of the *Niagara* District (relating to a Tax on Dogs).

By Mr. *Simpson*, the Petition of *Effy M. Cuag*, widow of the late *John M. Cuag*, of the Seigniorship of *New Longueuil*.

By Captain *Steele*, the Petition of *George Wilson* and others, of *Orillia* and other Townships; the Petition of the Municipal Council of the District of *Simcoe*, (relating to Municipal Council and Common School Acts), and the Petition of the Municipal Council of the District of *Simcoe*, (relating to a permanent Road fund.)

By the Honourable Mr. *Neilson*, the petition of *A. Simpson*, and other Agriculturists of *Quebec*.

By Mr. *Christie*, the petition of *John T. Caldwell* and others, proprietors of vessels navigating the Gulf of *St. Lawrence*.

On motion of the Honourable Mr. *Neilson*, seconded by the Honourable Mr. Attorney General *Baldwin*.

*Ordered*, That the Resolutions of this House of the 13th of September, 1841, relating to the outrages alleged to have been committed at the General Election in the Counties of *Terrebonne*, *Montreal*, *Vaudreuil*, *Beauharnois*, *Chambly*, and *Rouville*, and also the entries relating thereto, of the 12th September, 1842, be now read.

The said Resolutions and Entries were read accordingly.

*Resolved*, That a Special Committee, of nine Members, be appointed to investigate and report on the said alleged outrages, with power to send for persons, papers, and records.

*Ordered*, That the Honourable Mr. *Neilson*, Sir *Allan N. McNab*, the Honourable Mr. *Sherwood*, the Honourable Mr. *Viger*, the Honourable Mr. Solicitor General *Aylwin*, Mr. *Tuché*, Mr. *Berthelot*, Mr. *Price*, and Mr. *Boutillier*, do compose the said Committee.

*Resolved*, That a Select Committee, composed of Mr. *Dunlop*, Mr. *De Witt*, the Honourable Mr. *Hincks*, Mr. *Cameron*, and Mr. *Merritt*, be appointed to consider the practicability and expediency of reducing the duty on merchandize, the produce of the *British West Indies*, contingent on their making an equal reduction on Bread Stuffs, Provisions, Lumber, &c., the produce of *Canada*, and to report thereon from time to time, with power to send for persons, papers, and records.

*Ordered*, That the Honourable Mr. Solicitor General *Aylwin* have leave to bring in a Bill to render the Judges of the Courts of King's Bench, in that part of this Province heretofore *Lower Canada*, independent of the Crown.

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. *Christie* have leave to bring in a Bill to save Public Officers the expense of new Commissions on the demise of the Crown. New Commissions.

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 Wednesday next.

*Ordered*, That Mr. *Christie* have leave to bring in a Bill for continuing the Provincial Parliament in case of the death or demise of Her Majesty, Her Heirs and successors. Parliament continuation.

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 Wednesday next.

Then, on motion of the Honourable Mr. *Viger*, seconded by Mr. *Henry Smith*.

The House adjourned until Monday next.

Luna, 2<sup>o</sup> die Octobris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

MR. SPEAKER informed the House that the Clerk of this House had received, from the Clerk of the Crown in Chancery, a certificate of the Election of a Member for the County of *Rouville*, in the room of *William Walker*, Esquire, who hath resigned his seat.

And the said certificate was read, and is as followeth:—

Province of *Canada*.

Office of the Clerk of the Crown in Chancery.  
*Kingston*, 30th September, 1843.

This is to certify, that, in virtue of a Writ of Election, dated the fourth day of September instant, issued by His Excellency the Governor in Chief, and directed to the Returning Officer of the County of *Rouville* (*H. Aubertin*, Esquire), for the election of one Member for the said County of *Rouville*, in the room of *William Walker*, Esq., who, since his election for the said County, had resigned his seat, *Timothée Franchère*, Esquire, has been returned as duly elected accordingly, as appears by the return of the said Writ (in the French language), dated the twenty-fifth September instant, which is lodged of record in my Office. Member elected for Rouville.

*Felix Fortier*.

Clerk of the Crown in Chancery.

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

Mr. Speaker laid before the House the accounts of the Corporation of the Trinity House, *Quebec*, received in conformity to the 20th section of the Act 4 and 5 Victoria, cap. 15. Trinity House, Quebec.

(For the said accounts, see Appendix E.)

The following Petitions were severally brought up and laid on the table:—

By Mr. *McLean*—The Petition of *Adam Johnston* and other inhabitants of the Third Concession of the Township of *Cornwall*, in the *Eastern District*.

By Captain *Steele*—The Petition of *Edward Ryall* and other inhabitants of the Township of *Oro*; and the Petition of *John Craig* and other inhabitants of the County of *Simcoe*. Forty-six Petitions brought in.

Resolutions on Election Outrages read.

Matter referred to Special Committee.

Duties on Merchandize.

Judges Independence.

By Mr. Cameron—The Petition of the Municipal Council of the District of *Bathurst* (relating to a main road from *Fitzroy Harbour* to the Lake *Des Allumets*); the Petition of the Municipal Council of the District of *Bathurst* (relating to the collection of the Township rates); the Petition of the Municipal Council of the District of *Bathurst* (relating to a road from *Perth* to *Kingston*); the Petition of the Municipal Council of the District of *Bathurst* (relating to its meetings); the Petition of the Municipal Council of the District of *Bathurst* (relating to a main road from the southern to the northern extremity of the said District); the Petition of the Municipal Council of the District of *Bathurst* (relating to Shops and Tavern Licenses, &c.); the Petition of *John Russell* and others, Common School Teachers, in the Township of *Bathurst* in the District of *Bathurst*; and the Petition of *James Greig* and other inhabitants of the Township of *Ramsay*, in the District of *Bathurst*.

By Mr. *Chill*—The Petition of *Uriah Jewett* and other inhabitants, of the County of *Stanstead*; and the Petition of *Alexander Kilborne* and other inhabitants, of the County of *Stanstead*.

By Mr. *Taché*—The Petition of *Jean Baptiste Miville de Chêne*, of the Parish of *La Sainte Famille*, in the Island of *Orleans*, and the Petition of *Alexander Fraser*, of the Parish of *St. Valier*.

By Mr. *Leslie*—The Petition of *Jean Durocher*, of the Parish of *Saint Mathieu de Beuil*; the Petition of Mrs. *Elizabeth M. Reid* and other Directresses of the Protestant Orphan Asylum of *Montreal*, (relating to an Act of Incorporation); and the Petition of Mrs. *Elizabeth M. Reid* and other Directresses of the Protestant Orphan Asylum of *Montreal* (relating to an aid in support of the said Asylum).

By Sir *Allan N. Macnab*—The Petition of *Archibald Patric*, and other Electors of the County of *Russell*, in the District of *Ottawa*.

By Mr. *Hobbs*—The Petition of *P. C. Valois*, and other inhabitants of this Parish of *Lachine*, and other places; the Petition of the *Bank of Montreal*; and the Petition of *William Macintosh*, and other inhabitants, of *Lower Lachine*.

By the Honourable Mr. *Hunch*—The Petition of *Thomas McLean*, and other inhabitants, of the Township of *Zorra East*.

By Mr. *Christie*—The Petition of *Charles Cunningham* and others, of the City of *London*, in *England*.

By Mr. *Morris*—The Petition of the Municipal Council of the *Johnstown* District, (relating to the Municipal Council Act); the Petition of the Municipal Council of the *Johnstown* District, (relating to Education); the Petition of the Municipal Council of the *Johnstown* District, relating to a Macadamized Road from *Brookville* to *St. Francis*; and the Petition of *Cyprian Morgan*, of the Township of *Yonge*, in the *Johnstown* District.

By Mr. *Thorburn*—The Petition of *Henry Smith*, Warden of the Provincial Penitentiary; the Petition of *George Ryher* and others, late Boundary Line Commissioners for the *Niagara* District; and the Petition of *Peter Lampman* and *Adam Stull*, of the Township of *Grantham*, in the *Niagara* District.

By Mr. *Berthelot*—The Petition of the Municipal Council of the District of *Kamutraska*.

By Mr. *Papineau*—The Petition of the Municipal Council of the District of *Sydenham*; the Petition of *D. McLean* and others, of the Township of *Buckingham*, in the District of *Sydenham*; and the Petition of *Alanson Cooke* and other inhabitants of the Seigniorship of *Petite Nation*, in the District of *Montreal*.

By the Honourable Mr. Solicitor General *Aylwin*—The Petition of *Joseph Laurin* and others, of the City of *Quebec*, *Censitaires*, on the Domain of the

Crown; the Petition of *Francois Cing Mars* and other Pilots, for and below the Harbour of *Quebec*; and the Petition of *Narcisse Arcand* and others, Pilots, for and below the Harbours of *Quebec* and *Montreal*.

By the Honourable Mr. Attorney General *Lafontaine*—The Petition of *Charles Doan* and others, of the Fourth Riding of *York*.

By the Honourable Mr. *Sherwood*—The Petition of *George T. Denison*, Junior, and others, of the City of *Toronto*; and the Petition of *William Leonard*, of *New Carlisle*, in the County of *Bonaventure*, in the District of *Gaspé*.

By Mr. *Dunlop*—The Petition of *Robert Modirwell* and others, of the Township of *Goderich*, in the *Huron* District.

By the Honourable Mr. *Neilson*—The Petition of Miss *Margaret Kerr* and others, Managers of the Male Orphan Asylum of *Quebec*.

By Mr. *George Sherwood*—The Petition of *P. D. Fraser* and others, frecholders of the District of *Ottawa*.

By Mr. *Quesnel*—The Petition of the Reverend *Pierre M. Mignault*, Founder and Superior of the College of *Chambly*; and the Petition of Mrs. *M. F. Viger*, and other Directresses of the Catholic Orphan Asylum, of *Montreal*.

Pursuant to the order of the day, the following Petitions were read: Petitions read.

Of the Minister, Elders, and Trustees, of the Saint Andrew's Church, *Quebec*; praying aid for a School, established in connection with the said Church. St. Andrew's Church, Quebec.

Of the Reverend *George Mackie* and others, the Managing Committee of the National Schools at *Quebec*; praying aid for the same. National Schools, Quebec.

Of *C. M. Hyndman*, Keeper of the Court House, and Crier of Her Majesty's Court of Judicature, in the District of *St. Francis*; praying to be put on the same footing as the Keepers of Court Houses and the Criers of the Courts in other Districts. C. M. Hyndman.

Of *E. B. Gilbert*, and other Inhabitants, of the City of *Toronto*; praying for certain amendments to the Act of Incorporation of the said City. E. B. Gilbert.

Of the Municipal Council of the *Colborne* District; praying that the whole of the County of *Peterborough* may be represented in the Provincial Parliament by one Member. Colborne District.

Of *William Smart* and other Inhabitants of the County of *Durham*; praying that a duty be imposed on all Produce coming into this Country from the *United States*. Wm. Smart, County Durham.

Of the Municipal Council of the District of *St. Hyacinthe*; praying for the improvement of the River *Yamaska*, the cost of improving which has been estimated at £26,000 Currency, by *A. Stevenson*, Esquire, under an Act of the late Province of *Lower Canada*. Dist. Council St. Hyacinthe.

Of the Municipal Council of the District of *St. Hyacinthe*; praying that high protecting duties may be imposed on all foreign Agricultural Produce susceptible of being raised in this Province. Do.

Of the Municipal Council of the District of *St. Hyacinthe*; praying that provision be made for the payment of certain expenses incurred by the said Council; and that, if the Law establishing such Councils be continued in force, their powers may be more clearly defined. Do.

Of the Municipal Council of the District of *St. Hyacinthe*; praying the re-establishment of Commissioners Courts, with jurisdiction to £10 Sterling. Do.

Of the Municipal Council of the District of *St. Hyacinthe*; praying for certain amendments to the Municipal District Law, and that the School moneys allowed by the Province be placed under the control of the Councils.

Of the Municipal Council of the *Niagara* District; praying that a duty be levied on all Agricultural

produce coming into this Province from the *United States*.

Niag. District. Of the Municipal Council of the *Niagara* District; praying that the Boundary Line between the said District and the District of *Gore*, which runs through the Indian Reservation, be defined and established.

Do. Of the Municipal Council of the *Niagara* District; praying that the amount collected in the said District, in 1841, for the payment of the Sessional allowance of Members of the Legislative Assembly, be refunded and placed at its disposal.

Do. Of the Municipal Council of the *Niagara* District; praying that certain License monies levied in the District, be placed at the disposal of the said Council for the uses of the District.

Do. Of the Municipal Council of the *Niagara* District; praying for power to impose a Tax on Dogs in the said District.

[Effy McCuaig. Of *Effy McCuaig*, Widow of the late *John McCuaig* of the Seignior of *New Longueuil*; complaining of the encroachment of the Township of *Lancaster* on her Land, in the Seignior of *Longueuil*, and praying relief.

Geo. Wilson & others. Of *George Wilson* and others of *Orillia*, and other Townships; praying for the construction of a Road from *Lake Huron* to *Lake Ontario* by the way of *Lake Simcoe*.

Dist. Council, Simcoe. Of the Municipal Council of the District of *Simcoe*; praying for certain amendments to the Municipal Council and Common School Acts.

Do. Of the Municipal Council of the District of *Simcoe*; praying that the moneys arising from Licenses and Fines in the District may be applied to the establishment of a permanent Road Fund in the said District.

A. Simpson & others. Of *A. Simpson*, and other Agriculturists, of *Quebec*; praying that the "*Quebec Turnpike Act*" may be so amended as to allow Carts laden with manure to pass through free of Toll.

J. J. Caldwell & others. Of *John T. Caldwell* and others, Proprietors of Vessels navigating the Gulf of *St. Lawrence*; praying a reduction of the taxes and dues now levied at *Quebec*, on Vessels engaged in the coasting trade and navigating the said Gulf of *St. Lawrence*.

Petition referred—A. Simpson & others.

Resolved, That the Petition of *A. Simpson* and other Agriculturists of *Quebec*, be referred to a Special Committee of five members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Ordered, That the Honourable Mr. *Neilson*, Mr. *Berthelot*, Mr. *Christie*, Mr. *Derbshire*, and Mr. *Hale*, do compose said Committee.

Ordered, That it be an instruction to the said Committee to consider the propriety of extending the same exemption to the whole Province.

J. T. Caldwell & others.

Resolved, That the Petition of *John T. Caldwell* and others, proprietors of Vessels navigating the Gulf of *St. Lawrence*, be referred to a Special Committee of seven members, to examine the contents thereof, and to report thereon from time to time, with power to send for persons, papers, and records.

Ordered, That Mr. *Christie*, the Honourable Mr. *Moffatt*, Mr. *Cameron*, Mr. *De Witt*, the Honourable Mr. *Hincks*, Mr. *Holmes*, and the Honourable Mr. *Neilson*, do compose the said Committee.

Effy McCuaig

Resolved, That the Petition of *Effy McCuaig*, widow of the late *John McCuaig*, of the Seignior of *New Longueuil*, be referred to a Select Committee, composed of Mr. *Simpson*, the Honourable Mr. *Morin*, the Honourable Mr. Solicitor General *Aylwin*, Mr. *Forbes*, Mr. *J. S. Macdonald*, Mr. *McLean*, and Mr. *Chesley*, to examine

the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Ordered, That the Honourable Mr. *Moffatt*, Mr. *Forbes*, and Mr. *Leslie*, be added to the Select Committee appointed to consider the practicability and expediency of reducing the duty on Merchandize, the produce of the British *West Indies*.

Duties on merchandize.

On motion of Mr. *Boutillier*, seconded by Mr. *Derbshire*,

Ordered, That Mr. Speaker do issue 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 *Chumby*, in the room and place of *John Yule*, Esquire, resigned.

New Writ for Chumby.

On motion of the Honourable Mr. *Morin*, seconded by the Honourable Mr. Solicitor General *Aylwin*,

Ordered, That the order of the day for taking into consideration the Speech of His Excellency, the Governor General, delivered to both Houses of the Provincial Legislature at the opening of the present Session, be now read.

Speech considered.

The said order of the day for taking into consideration the Speech of His Excellency, the Governor General, delivered to both Houses of the Provincial Legislature, at the opening of the present Session, being read,

The House proceeded, accordingly, to take the said Speech into consideration.

On motion of the Honourable Mr. *Viger*, seconded by Mr. *Merritt*,

Resolved, That an humble Address be presented to His Excellency, the Governor General, to thank His Excellency for His Gracious Speech from the Throne;

Address in answer to Speech.

To congratulate His Excellency upon his assumption of the Government of this Province, and to assure His Excellency, that our knowledge of His Excellency's political career, previously to his arrival amongst us, offers the happiest promise of a prosperous administration of the affairs of this great Province under His Excellency's Government;

To express to His Excellency our confidence that the delay which has occurred in summoning the Provincial Parliament, has arisen from considerations of great importance;

To assure His Excellency that, with truly loyal feelings, we rejoice at the birth of a Royal Princess, and feel deep gratitude to Divine Providence for the protection vouchsafed to our beloved Queen, whose life and health are blessings to Her Majesty's subjects throughout Her extensive dominions;

That we participate in the feeling of universal regret caused by the demise of His Excellency's immediate predecessor, and that we duly appreciate the respect paid to his desolate widow and family, and to his mortal remains, by the citizens of the neighbouring Republic, which indicated both the esteem in which he was held in a country in which he had been personally well known, and also a generous sympathy, worthy of a great nation;

That we fully appreciate the care of our Most Gracious Sovereign, for the welfare of *Canada*, as evinced in Her Majesty's assent to the Act of the Imperial Legislature, which facilitates the introduction of Canadian Wheat and of Flour prepared in *Canada*, into the Ports of the United Kingdom, and that we feel that this Legislative measure is a valuable boon to this Province, and that we will receive with great pleasure a communication of the Despatch of Her Majesty's Secretary of State on this interesting subject;

That we will consider with the most unremitting attention, all means of improvement of the system

Address in answer to Speech

of Judicature in *Lower Canada*, of the Municipal Institutions, of the Laws relating to Education, and of the Jury Systems of both divisions of the United Province, and of the Assessment Laws in *Upper Canada*, and that our earnest consideration will be devoted to these, and the other important subjects to which our attention may be called :

That we fully appreciate His Excellency's desire of becoming acquainted with local circumstances in *Canada*, which induced His Excellency to make a tour throughout the Province :

That we participate in His Excellency's gratification in seeing a fine country evidently advancing in improvement, and that we are grateful for His Excellency's notice of the manifestations of loyalty to our Gracious Sovereign and of personal kindness to himself, which have met His Excellency everywhere in his progress throughout the Province ;

That we are much gratified that His Excellency has witnessed with satisfaction the great Works in progress, which the Province, by means of the Loan raised under the guarantee of the Imperial Government, has been enabled to prosecute, and that we join His Excellency in the hope that these great undertakings will extend the commerce and develop the resources of this vast Country, as well as increase the Public Revenue, and general and individual wealth ;

That we are fully aware, that while these great works promote public prosperity and produce contentment in their own localities, improved Roads in the interior of the Province, for the conveyance of the produce of the Country to appropriate Markets, are also of considerable importance, and we unite with His Excellency in the regret that the state of the Public Finances does not afford any immediate prospect of Parliamentary Aid to construct new internal communications : that we rely, however, on the energies of the people themselves to obviate temporary inconvenience, and that we will cordially unite with His Excellency in his efforts to alleviate the evils complained of by the Agricultural population ;

That we fully and cordially concur in His Excellency's observations regarding the Prisons in this Province, and we humbly thank His Excellency for the active benevolence which has led His Excellency to call our attention to the amelioration of the condition of the friendless and destitute criminal, as well as to the promotion of prosperity and happiness amongst the more favoured of Her Majesty's subjects, and that we cordially assure His Excellency that we shall devote our attention to the state of the Prisons in the Province, with a view to ameliorate the condition of their unhappy inmates, from a feeling of Christian duty ;

That those who are visited with mental aberration in *Lower Canada*, being now confined in the common prisons, or in some of the Religious or Charitable Institutions, which do honour to that portion of the Province, we feel, with His Excellency, that the establishment of a Lunatic Asylum there, is much required, and we are happy to learn from His Excellency, that measures are in progress for the permanent location of an Asylum for the Insane in *Upper Canada*, and for the completion of the arrangements of that Institution ;

That we will give our best consideration to the Accounts for the past, and the Estimates for the present year, which will be laid before us by His Excellency ; that we are concerned to learn from His Excellency, that there is a considerable decrease in the revenue, but that we hope that it proceeds from temporary causes, and that it will be followed by a greater increase ; That we are happy to learn, from His Excellency, that the loan obtained in *England*, under the guarantee of the Imperial Government, has been raised on advantageous terms ;

That we will take into our most attentive consideration the Act of the Imperial Legislature, prescribing a new Tariff, and also such measures as may be requisite for a corresponding alteration in our Customs Laws, and that His Excellency may rely on our readiness to co-operate with him in providing for the exigencies of the Public Service, as far as is consistent with a practicable and judicious economy ;

That we shall devote ourselves to the arduous duties required of us, as a Legislative body on whose deliberations the welfare of our Country so much depends, and will give our unremitting attention to the important questions which will come before us ; That we thank His Excellency for the expression of the anxious desire of Her Majesty's Government, and of His own, for the welfare of *Canada*, and humbly hope that the blessing of Almighty God will crown our united efforts with success.

*Resolved*, That the said Resolution be referred to a Special Committee of five Members to prepare and report the draft of an Address in answer to the Speech of His Excellency, the Governor General, to both Houses of the Legislature at the opening of the present Session of the Provincial Parliament, in conformity to the said Resolution.

*Ordered*, That the Honourable Mr. Viger, Mr. Merritt, the Honourable Mr. Neilson, the Honourable Mr. Morin, and Mr. Leslie, do compose the said Committee.

The order of the day for the House in Committee on the Return to the Writ for the Election of a Member for the County of *Hastings*, being read.

Hastings Election.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

Sir *Allan N. Macnab* moved, seconded by Mr. *Cartwright*, That Mr. Speaker do issue 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*.

On motion of the Honourable Mr. Solicitor General *Aylwin*, seconded by the Honourable Mr. Attorney General *Lafontaine*.

*Ordered*, That the consideration of the said motion be postponed until to-morrow.

Then, on motion of the Honourable Mr. Solicitor General *Aylwin*, seconded by the Honourable Mr. *Hincks*.

The House adjourned.

*Martis 3<sup>o</sup> die Octobris.*

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

THE following Petitions were severally brought up and laid on the table :—

By Mr. *De Witt*—The Petition of the Reverend *J. B. Bouarssa* and others, Inhabitants of the Parish of *Chateauguay*, in the County of *Huntingdon* ; and the Petition of *J. Henry Lybbe* and others, of the City and Parish of *Montreal*.

By Mr. *Chesley*—The Petition of *Alexander McDonald* and others, Inhabitants of the Indian Reservation in the *Eastern District*.

By the Honourable Mr. *Viger*—The Petition of *James Corbill* and others, Assessors for taking the Census of the Parish of *Sorel*.

By the Honourable Mr. *Moffatt*—The Petition of the Ladies of the Committee of Management of the Lying-in Hospital of *Montreal* ; and the Petition of the Reverend *John Bethune* and others, of the City of *Montreal*.

Seventeen Petitions brought up.

By Mr. Child—The Petition of *George W. Fogg* and others, inhabitants of the County of *Stanstead*; and the Petition of *Increase Bullock* and others, Inhabitants of the County of *Stanstead*.

By Mr. Wakefield—The Petition of *Damase Masson*, of the City of *Montreal*.

By Mr. Merritt—The Petition of *John De Cow* and others, Inhabitants of the County of *Haldimand*, in the *Niagara* District.

By the Honourable Mr. Jones—The Petition of *R. H. Whitmore* and others, Inhabitants of the Seigneurship of *St. Armand*, in the Municipal District of *Missisquoi*.

By Mr. Boswell—The Petition of *Cumfort Curtis* and others, Inhabitants of the Township of *Percy*, in the *Newcastle* District.

By Mr. Leslie—The Petition of *B. H. Lemoine* and others, Inhabitants of the City and District of *Montreal*.

By Mr. Moore—The Petition of the District Council of the Municipal District of *Sherbrooke*.

By the Honourable Mr. Neilson—The Petition of *John Bonner* and *William Patry*, of *Quebec*.

By Mr. Holmes—The Petition of *Thomas White* and others, Boot and Shoe Manufacturers, of the City of *Montreal*.

By Mr. Christie—The Petition of *Charles Turgeon*, of *Quebec*, Merchant.

The Honourable Mr. Viger reported, from the Special Committee appointed, yesterday, to draw up an Address to His Excellency the Governor General, that they had drawn up an Address accordingly, and the same was read at the Clerk's Table and agreed to by the House, and is as followeth:—

To His Excellency the Right Honourable Sir Charles Theophilus Metcalfe, Baronet, Knight Grand Cross of the Most Honourable Order of the Bath, One of Her Majesty's Most Honourable Privy Council, Governor General of British North America, and Captain General and Governor in Chief, in and over our Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal Subjects, the Commons of Canada in Provincial Parliament assembled, humbly beg leave to thank Your Excellency for Your gracious Speech from the Throne;

We congratulate Your Excellency upon your assumption of the Government of this Province, and we assure Your Excellency, that our knowledge of Your Excellency's political career, previously to your arrival amongst us, offers the happiest promise of a prosperous administration of the affairs of this great Province under Your Excellency's Government;

We are confident that the delay which has occurred in summoning the Provincial Parliament has arisen from considerations of great importance;

We assure Your Excellency that, with true loyal feelings, we rejoice at the birth of a Royal Princess, and feel deep gratitude to Divine Providence for the protection vouchsafed to our beloved Queen, whose life and health are blessings to Her Majesty's subjects throughout Her extensive dominions;

We participate in the feeling of universal regret caused by the demise of Your Excellency's immediate predecessor, and we duly appreciate the respect paid to his desolate widow and family, and to his mortal remains, by the citizens of the neighbouring Republic, which indicated both the esteem in which he was held in a Country in which he had been personally well known, and also a generous sympathy, worthy of a great Nation:

We fully appreciate the care of our Most Gracious Sovereign for the welfare of *Canada*, as evinced in Her Majesty's Assent to the Act of the Imperial Legislature, which facilitates the intro-

duction of Canadian Wheat, and of Flour prepared in *Canada*, into the Ports of the United Kingdom; we feel that this Legislative measure is a valuable boon to this Province, and we shall receive with great pleasure a communication of the Despatch of Her Majesty's Secretary of State on this interesting subject;

We will consider with the most unremitting attention, all means of improvement of the system of Judicature in *Lower Canada*, of the Municipal Institutions, of the Laws relating to Education, and of the Jury System of both divisions of the United Province, and of the Assessment Laws in *Upper Canada*, and our earnest consideration will be devoted to these, and the other important subjects to which our attention may be called;

We fully appreciate Your Excellency's desire of becoming acquainted with local circumstances in *Canada*, which induced Your Excellency to make a tour throughout the Province;

We participate in Your Excellency's gratification in seeing a fine country evidently advancing in improvement, and we are grateful for Your Excellency's notice of the manifestations of loyalty to our Gracious Sovereign and of personal kindness to yourself, which have met Your Excellency everywhere, in your progress throughout the Province;

We are much gratified that Your Excellency has witnessed with satisfaction the great Works in progress, which the Province by means of the Loan raised under the guarantee of the Imperial Government has been able to prosecute; and we join Your Excellency in the hope that these great undertakings will extend the commerce and develop the resources of this vast Country, as well as increase the Public Revenue, and general and individual wealth;

We are fully aware, that, while these great works promote public prosperity and produce contentment in their own localities, improved Roads in the interior of the Province, for the conveyance of the produce of the Country to appropriate Markets, are also of considerable importance, and we unite with Your Excellency in the regret that the state of the Public Finances does not afford any immediate prospect of Parliamentary Aid to construct new internal communications; we rely however on the energies of the people themselves to obviate temporary inconvenience, and we will cordially unite with Your Excellency in your efforts to alleviate the evils complained of by the Agricultural population;

We fully and cordially concur in Your Excellency's observations regarding the Prisons in this Province, and we humbly thank Your Excellency for the active benevolence which has led Your Excellency to call our attention to the amelioration of the condition of the friendless and destitute criminal, as well as to the promotion of prosperity and happiness amongst the more favoured of Her Majesty's Subjects; and we cordially assure Your Excellency that we shall devote our attention to the state of the Prisons in the Province, with a view to ameliorate the condition of their unhappy inmates, from a feeling of Christian duty:—

Those who are visited with mental aberration in *Upper Canada*, being now confined in the common prisons, or in some of the Religious or Charitable Institutions, which do honour to that portion of the Province, we feel with Your Excellency, that the establishment of a Lunatic Asylum there, is much required; and we are happy to learn from Your Excellency, that measures are in progress for the permanent location of an Asylum for the Insane in *Upper Canada*, and for the completion of the arrangements of that Institution:

We will give our best consideration to the Accounts for the past, and the Estimates for the present year, which will be laid before us by Your Excellency; We are concerned to learn from Your

Excellency, that there is a considerable decrease in the revenue, but we hope that it proceeds from temporary causes, and that it will be followed by a greater increase; We are happy to learn from Your Excellency, that the loan obtained in England under the guarantee of the Imperial Government has been raised on advantageous terms;

We will take into our most attentive consideration the Act of the Imperial Legislature prescribing a new Tariff, and also such measures as may be requisite for a corresponding alteration in our Customs Laws, and Your Excellency may rely on our readiness to co-operate with you in providing for the exigencies of the Public Service, as far as is consistent with a practicable and judicious economy;

We shall devote ourselves to the arduous duties required of us as a Legislative body on whose deliberations the welfare of our Country so much depends, and will give our unremitting attention to the important questions which will come before us; We thank Your Excellency for the expression of the anxious desire of Her Majesty's Government, and of your own for the welfare of *Canada*, and humbly hope that the blessing of Almighty God will crown our united efforts with success.

*Ordered*, That the said Address be engrossed.

*Resolved*, That the said Address be presented to His Excellency, the Governor General, by the whole House.

*Ordered*, That such Members of this House as are of the Honourable the Executive Council of this Province, do wait upon His Excellency the Governor General, to know His Excellency's pleasure, when he will be attended by this House with its Address.

The Honourable *Dominick Daly*, one of the Members of the Executive Council, rose in his place and acquainted Mr. Speaker and the House, that His Excellency the Governor General will receive the House, with its address, to-morrow, at two o'clock, P. M.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine* have leave to bring in a Bill, for securing the Province against any unnecessary loss on the Judicial sale of certain parts of the vacant Estate of the late Honourable Sir *John Caldwell*.

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 Monday next.

*Ordered*, That the Honourable Mr. *Sherwood* have leave to bring in a Bill to afford relief, in certain cases, to sellers of Real Estate, in *Canada West*.

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.

The Honourable Mr. *Viger* moved, seconded by Mr. *Roblin*, That Mr. Speaker do issue 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 *Montreal*, in the room of *Alexander Maurice Delisle*, Esquire, who since his election has accepted the office of Clerk of the Peace for the District of *Montreal*.

*Resolved*, That that the said motion be referred to a Special Committee of five Members, to report thereon with all convenient speed, with power to send for persons, papers and records.

*Ordered*, That the Honourable Mr. *Sherwood*, the Honourable Mr. *Moffatt*, Mr. *Quernel*, the Honourable Mr. Attorney General *Baldwin*, and the Honourable Mr. *Neilson*, do compose the said Committee.

On motion of Mr. *Johnston*, seconded by Mr. *Roblin*,

*Resolved*, That this House will, to-morrow, resolve itself into a Committee of the whole House, to take into consideration the expediency of amending the Act of the 4th and 5th *Victoria*, cap. 74, passed in the fifth Session of the thirteenth Provincial Parliament of *Upper Canada*, intituled, "An Act to make provision for the management of the Temporalities of the United Church of *England and Ireland* in this Province, and for other purposes therein mentioned."

Sir *Allan N. Macnab* moved, seconded by Mr. *Cartwright*, that an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House copies of all communications between the Executive Government of this Colony and Her Majesty's Government, relative to the subject of the Seat of Government.

The Honourable Mr. Attorney General *Baldwin* moved, in amendment, seconded by Mr. *Christie*, That after the words "Seat of Government," in the said motion, the following be added, "or such parts thereof, or other information on the same subject, as His Excellency may feel himself at liberty to communicate to this House."

The question having been put, on the motion of amendment, it was agreed to by the House.

The question being then put on the main motion, as amended, it was also agreed to by the House, and

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all communications between the Executive Government of this Colony, and Her Majesty's Government, relative to the subject of the Seat of Government, or such parts thereof, or other information on the same subject, as His Excellency may feel himself at liberty to communicate to this House.

*Ordered*, That the said Address be presented to His Excellency, the Governor-General, by such Members of this House as are of the Honourable the Executive Council of this Province.

The order of the day for taking into consideration a motion made yesterday by Sir *Allan N. Macnab*, viz. :—"That Mr. Speaker do issue 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*," being read, The House proceeded accordingly, to take the said motion into consideration.

And the said motion being again read, and the question put thereon, it was agreed to unanimously, and

*Ordered* accordingly.

*Ordered*, That when this House doth adjourn, it will adjourn until to-morrow at one o'clock, P. M.

On motion of Mr. *Cameron*, seconded by Mr. *Johnston*,

*Resolved*, That this House will, to-morrow, resolve itself into a Committee of the whole House to take into consideration the propriety of amending the Act passed in the last Session, regulating the Lumber Trade.

Temporalities  
Church of Eng-  
land.

Seat of Govt.

New Writ for  
Hastings.

Lumber Trade.

Sir John Cald-  
well's Estate  
Bill.

Canada West  
Real Estate  
Bill.

New Writ for  
Montreal.

Then, on motion of Mr. Forbes, seconded by Mr. Christie,  
The House adjourned.

Mercurii, 4<sup>o</sup> die Octobris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.  
1â horâ, P. M.

**ORDERED**, That when this House doth adjourn, it will adjourn until four o'clock, P. M. this day.

The following Petitions were severally brought up and laid on the table :

By the Honourable Mr. Harrison—The Petition of the Municipal Council of the Western District.

By Mr. Judah—The Petition of the Reverend C. Gagnon, and others, inhabitants of the Townships of Somerset, Stanfold, and other places.

At the hour appointed, Mr. Speaker and the House attended upon His Excellency, with the Address of the House ;

And being returned.

Mr. Speaker reported that the House had attended upon His Excellency, the Governor General, with their Address in answer to the Speech of His Excellency to both Houses of the Legislature, at the opening of the present Session of the Provincial Parliament : to which His Excellency was pleased to make the following answer :

Gentlemen of the House of Assembly,

I thank you for your Address, and for your congratulations on my assumption of the Government of this Province, and I rely with confidence on your support and assistance in my administration of its affairs.

Then, on motion of the Honorable Mr. Viger, seconded by Mr. Christie,  
The House adjourned.

4â horâ, P. M.

**T**HE following Petitions were severally brought up and laid on the table :—

By Mr. Simpson—The Petition of the Members of the Medical Board of Montreal ; and the Petition of Savcuse de Beaujeu and others, inhabitants of the County of Vaudreuil.

By Mr. Cameron—The Petition of the Honourable Adam Ferris, of Montreal.

By Mr. Child—The Petition of David Connell, and others, inhabitants of the County of Stanstead.

By Mr. Holmes—The Petition of A. F. Holmes, M.D., and others, Professors and Lecturers of the Medical School in connexion with McGill College, at Montreal ; and the Petition of E. M. Leprohon, and others, Inspector and Assistant Inspectors of Pot and Pearl Ashes, of the City of Montreal.

By the Honourable Mr. Hincks—The Petition of the Municipal Council of the District of Brock (relating to Agriculture) ; and the Petition of the District Council of the District of Brock (relating to the Registry Office.)

By the Honourable Mr. Solicitor General Aylwin—The Petition of Æneas Bell, of the City of Toronto.

By Mr. Christie—The Petition of Andrew H. Young, and others, of the City of Quebec.

Pursuant to the Order of the day, the following Petitions were read :—

Of Adam Johnston, and others, inhabitants of the 3rd Concession of the Township of Cornwall, in the Eastern District, praying that the line run by Mr. J. McCarty, be established by law as the Eastern boundary of the said 3rd Concession of Cornwall.

Of Edward Ryall, and other inhabitants of the Township of Oro, praying for a repeal of the Common School Act ; and for certain amendments to the Municipal Council Act.

Of John Craig and other inhabitants of the County of Simcoe, praying for Agricultural protection.

Of the Municipal Council of the District of Bathurst, praying for a grant of money to improve a main road from Fitzroy Harbour to the Lake Des Allumettes, in the said District.

Of the Municipal Council of the District of Bathurst, praying that the time allowed to the Collector of Township Rates to return his Roll to the Treasurer of the District, be extended to the third Monday in February in each year.

Of the Municipal Council of the District of Bathurst ; praying for aid to open a Road from Bytown to Kingston, by the way of Perth.

Of the Municipal Council of the District of Bathurst ; praying that they may not be required to meet oftener than twice in each year.

Of the Municipal Council of the District of Bathurst ; praying for a grant to complete a main Road from the Southern to the Northern extremity of the District.

Of the Municipal Council of the District of Bathurst ; praying that the monies arising from Licenses and Fines in the District, be placed at their disposal, for carrying on public improvements in the said District.

Of John Russell and others, Common School Teachers, in the Township of Bathurst, in the District of Bathurst ; praying that the District Treasurer be authorized to divide the money in fund for School purposes.

Of James Greig and others, Inhabitants of the Township of Ramsay, in the District of Bathurst, praying for a repeal of the Common School Act, and the renewal of the Laws formerly regulating Schools.

Of Uriah Jewett and other Inhabitants of the County of Stanstead ; praying that the Fish called Maskinongé, may not be taken during the spawning season in Lake Memphremagog, and its inlets and outlets.

Of Alexander Kilborne and other Inhabitants of the County of Stanstead ; praying for agricultural protection.

Of Jean Baptiste Minville de Chene, of the Parish of Sainte Famille, in the Island of Orleans ; praying for an indemnity for the loss of a vessel chartered to the Government of that part of the Province formerly called Lower Canada.

Of Alexander Fraser, of the Parish of St. Valier ; Praying for the continuation of the privilege of levying toll on a certain bridge erected on the River Boyer.

Of Jean Durocher, of the Parish of St. Mathieu de Belœil ; praying a pension or allowance, in consequence of a wound received from a sentry at Belœil.

Of Mrs. Elizabeth M. Reid, and other Directresses of the Protestant Orphan Asylum of Montreal ; praying for an Act of Incorporation.

Of Mrs. Elizabeth M. Reid, and other Directresses of the Protestant Orphan Asylum of Montreal ;

2 Petitions brought up.

Reply to Address in answer to Speech.

10 Petitions brought up.

Petitions read.

praying for a grant of money for the support of the said Institution.

Of *Archibald Petrie*, and other Electors of the County of *Russell*, in the District of *Ottawa*; setting forth:—That by an Act of the late Province of *Upper Canada*, passed in the first year of the Reign of Her present Majesty, *Victoria*, chap. 25, sec. 2: it is enacted that certain Townships, among which are *Gloicester* and *Osgoode*, do constitute and form the County of *Carleton*, and that the said Townships of *Gloicester* and *Osgoode* form part of the District of *Dalhousie*.

That at the last Election for the said County of *Russell*, *Archibald Petrie*, of the Township of *Cumberland*, in the County of *Russell* aforesaid, Esquire, and *William Stewart*, of *Bytown*, in the County of *Carleton*, Esquire, were the Candidates for the Representation of the said County of *Russell*, in the Legislative Assembly of this Province.

That notwithstanding the provisions of the above mentioned Act, the Returning Officer directed that Polls for the Election of a Member, to represent the County of *Russell*, should be taken in the said Townships of *Osgoode* and *Gloicester*.

That previous to the opening of the Polls in and for the said Townships of *Gloicester* and *Osgoode*, the said *Archibald Petrie* handed to the respective Deputy Returning Officers of the said last named Townships, a protest against their polling any votes therein, as he considered that the last named Townships belonged to the County of *Carleton*, which protests are annexed to the Poll Book taken in the said Townships.

That the said *Archibald Petrie* had a large majority of votes in the said Townships of *Cumberland*, *Clarence*, *Cambridge* and *Russell*, which Townships, as your Petitioners contend, form the County of *Russell*.

That the said *William Stewart* having polled a larger majority of votes in *Gloicester* and *Osgoode* than the majority of the said *Archibald Petrie* in the other four Townships above named, the Returning Officer proceeded to declare, and did declare the said *William Stewart* to be the Representative duly elected to serve the said County of *Russell* in the Legislative Assembly of this Province.

Your Petitioners therefore humbly submit the above facts for the consideration of Your Honourable House, in order that Your Honourable House may decide whether or not the said Townships of *Gloicester* and *Osgoode* did at the time of the said Election form part of the County of *Russell*, and if not, that Your Honourable House would direct the Return made to be amended by striking out the name of *William Stewart*, and substituting in its place that of *Archibald Petrie*—the last named Gentleman having the majority of legal votes in the said County of *Russell*, that he may be thereby enabled to take his seat as our Representative in Your Honourable House, and that Your Honourable House would be pleased to direct what is right and just to be done in and about the Premises.

Of *P. C. Valois*, and other Inhabitants of the Parish of *Lachine*, and other places; praying that the road from *Lachine* to *Sawyer's Ferry* at *St. Ann's*, at the upper end of the Island of *Montreal*, may be repaired at the public cost.

Of the Bank of *Montreal*; praying for an extension of the time granted by the 4th and 5th *Victoria*, chap. 98: for the payment of the additional stock of the said Bank.

Of *William Macintosh*, and other inhabitants of *Lower Lachine*; praying for an extension of the Ordinance for the improvement of the *Upper Lachine* Road to the whole of the *Lower Lachine* Road.

Of *Thomas McLean*, and other inhabitants of the Township of *Zorra, East*; praying for a division of the said Township, into two Townships.

Of *Charles Cunningham*, and others, of the City of *Loulon*, in *England*; praying for an Act to incorporate them as a Fishing Company, and for other purposes.

Of the Municipal Council of the *Johnstown* District; praying for certain amendments to the Municipal Council Act.

Of the Municipal Council of the *Johnstown* District; praying that twenty-five thousand Acres of Land may be appropriated by Law, for the further endowment of District Grammar Schools in *Upper Canada*.

Of the Municipal Council of the *Johnstown* District; praying to be relieved from the responsibility of the payment of six thousand pounds expended on the Macadamized Road from *Brockville* to *St. Francis*, and that the same be assumed by the Provincial Government, and that the balance of thirty thousand pounds appropriated by Act of Parliament for the completion of the said Road, be paid either to the said Municipal Council, to the Board of Works, or to the Commissioners for the said Macadamized Road.

Of *Cyprian Morgan*, of the Township of *Yonge*, in the *Johnstown* District; praying to be naturalized.

Of *Henry Smith*, Warden of the Provincial Penitentiary; praying for an increase of Salary.

Of *George Rykert*, and others, late Boundary Line Commissioners for the *Niagara* District; praying that a summary mode may be provided for recovering the costs and expenses incurred under the Boundary Line Commissioners Act, now expired.

Of *Peter Lampman* and *Alam Stull*, of the Township of *Grantham*, in the *Niagara* District; complaining that their pensions as wounded Militia men, were withheld from them from 1821 to 1828, and praying for the same.

Of the Municipal Council of the District of *Kamouraska*; praying for a repeal of the Ordinance relative to Winter Roads, and for the amendment of the Registry and Municipal Council Acts; and the Act to provide for the Administration of Justice in *Lower Canada*.

Of the Municipal Council of the District of *Sydenham*; praying for an aid to erect a Gaol and Court House in the Town of *Aylmer*, in the said District.

Of *D. McLean* and others, of the Township of *Buckingham*, in the District of *Sydenham*; praying for the abolition of the Municipal Councils, and the re-enacting of the Provincial Statute of *Lower Canada*, 2nd Will. 4th, Chap. 44.

Of *Alanson Cooke*, and other inhabitants of the Seigniorship of *Petite Nation*, District of *Montreal*; praying for the abolition of the Municipal Councils; and that power may be given to Incorporated Townships and Parishes, to elect a certain number of persons to transact the affairs of their Corporation; and for the re-enacting of the Provincial Statute of *Lower Canada*, 2nd Will. 4th, Chap. 44.

Of *Joseph Laurin*, and others, of the City of *Quebec*, *Censitaires* on the domain of the Crown; praying a deduction of one-third from the *Lods et Ventes*



due, and that they may be allowed to pay the remainder by four equal instalments.

Of *François Cinq Mars*, and other Pilots for and below the Harbour of *Quebec*; praying for an Act of Incorporation.

Of *Narcisse Arcand*, and others, Pilots for, and below the Harbours of *Quebec* and *Montreal*; praying that the first *Montreal* Pilot, boarding a Vessel, may have a legal right to pilot the same to *Montreal*, if it be bound to that port.

Of *Charles Doane*, and others, of the Fourth Riding of *York*; praying for a reduction of the Salaries of Public Officers.

Of *George T. Denison*, Junior, and others, of the City of *Toronto*; praying that the West Toll Gate be removed outside the City Liberties where it was formerly.

Of *William Leonard* of *New Carlisle*, County of *Bonaventure*, in the District of *Gaspé*; praying to be remunerated for his services during the four years ending first May, 1840, as School Teacher in the said District, by appointment from the Royal Institution, at *Quebec*, for the advancement of learning.

Of *Robert Modizwell*, and others, of the Township of *Goderich*, in the *Huron* District; praying for the passing of an Act to compel Absentees to pay their taxes annually, in the said District.

Of *Miss Margaret Kerr*, and others, Managers of the Male Orphan Asylum of *Quebec*: praying an aid for the support of the said Asylum.

Of *P. D. Fraser* and others, freeholders of the District of *Ottawa*; praying for the passing of an Act to relieve the owners of lands sold for arrears of taxes in the said District in the year 1839.

Of the Rev. *Pierre M. Mignault*, founder and Superior of the College of *Chambly*; praying for a larger allowance than has been granted him during the last few years, in order to enable him to discharge the debts of the Institution and to provide for its support.

Of *Mrs. M. F. Viger* and other Directresses of the Catholic Orphan Asylum of *Montreal*; praying a grant of money in aid of the said Institution.

The Honourable *D. Daly*, one of Her Majesty's Executive Council, delivered to Mr. Speaker, four Messages from His Excellency, the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:

*C. T. Metcalfe.*

The Governor General transmits herewith, for the information of the House of Assembly, copies of two Despatches [No. 270, 7th Nov'r, 1842] from Her Majesty's Secretary of State, relating to the Addresses [No. 286, 28th Nov'r, 1842] from the House of Assembly to Her Majesty and His Royal Highness Prince *Albert*, submitted during the last Session.

Government House,  
*Kingston*, 4th Oct. 1843.

(Copy.) No. 270.

*Downing Street*,  
7th November, 1842.

SIR,

I have the honor to acknowledge the receipt of your Despatch, No. 216, of the 12th October, trans-

mitting Addresses to Her Majesty and Prince *Albert*, from the Legislative Council and House of Assembly of the Province of *Canada*, on the birth of the Prince of *Wales*, and on Her Majesty's escape from the late attempt upon Her life.

I am commanded by Her Majesty to instruct you to convey to the Legislative Bodies the sense which Her Majesty entertains of their loyalty and affection.

The Addresses to Prince *Albert* shall be forwarded to the proper officer of His Royal Highness's household.

I have the honor to be, &c.,

(Signed.)

*Stanley.*

The Right Honorable

Sir *Charles Bagot*, G.C.B., &c. &c. &c.

(Copy.) No. 286.

*Downing Street*,  
28th November, 1842.

SIR,

With reference to my Despatch, No. 270, of the 7th instant, I have the honor to transmit to you the enclosed replies to the Addresses to Prince *Albert* from the Legislative Council and House of Assembly of the Province of *Canada*, on the occasion of the Birth of the Prince of *Wales*.

I have to instruct you to cause them to be respectively delivered to the Speaker of the Council and to the Speaker of the House of Assembly.

I have, &c.,

(Signed.)

*Stanley.*

The Right Honourable

Sir *Charles Bagot*, G.C.B., &c. &c. &c.

Chief Secretary's Office,  
*Kingston*, 4th October, 1842.

SIR,

I have the honor, by command of the Governor General, acting upon instructions from Her Majesty's Secretary of State, to deliver to you the enclosed letter, in reply to the Address presented by the House of Assembly to His Royal Highness Prince *Albert* during the last Session.

I have the honour to be, Sir,

Your most obedient,  
Humble servant,

*Rawson W. Rawson*,  
Chief Secretary.

The Honourable

The Speaker of the  
House of Assembly.

*Walmer Castle*,  
Nov. 14, 1842.

SIR,

I am commanded, by His Royal Highness Prince *Albert*, to return thanks to the House of Assembly of the Province of *Canada*, for their Address of Congratulation on the happy occasion of the birth of His Royal Highness the Prince of *Wales*.

I have the honour to be,

Sir,

Your most obed't. serv't.,

*G. E. Anson.*

The Honourable

The Speaker, &c. &c. &c.

*C. T. Metcalfe.*

The Governor General transmits herewith to the House of Assembly the accompanying Report of the

Segn'l Tenure.

Messages from  
His Ex'y the  
Gov'r Gen'l.

Despatches.

Prince of  
Wales.

Commissioners appointed in pursuance of their Address of the 7th of September, 1841, to inquire relative to the Seigniorial Tenure, as it obtains in that part of the Province called *Lower Canada*.

Government House,  
Kingston, 4th October, 1843.

(For the said Report, see Appendix F.)

C. T. Metcalfe.

The Governor General transmits herewith, to the House of Assembly, the accompanying Report of the Commissioners, appointed in pursuance of their Address of the 15th of September, 1841, to inquire relative to the Administration of Justice in the Inferior District of *Gaspé*.

Government House,  
Kingston, 4th October, 1843.

(For the said Report, see Appendix G.)

C. T. Metcalfe.

The Governor General transmits to the House of Assembly a copy of a Despatch from the Secretary of State, announcing Her Majesty's assent to the Bill passed by the Provincial Parliament, in their last Session, for imposing a Duty on Wheat imported into *Canada*, and the enactment, by the Imperial Parliament, of an Act for reducing the Duties on Wheat and Flour, the produce of *Canada*, imported into the United Kingdom.

Government House,  
Kingston, 4th October, 1843.

(Copy.) No. 65.

Downing Street,  
18th July, 1843.

Sir,

I forward to you, by this mail, a copy of an Act, which has received the Royal Assent, for admitting Wheat and Wheat Flour, the Produce of *Canada*, into the Ports of the United Kingdom, at all times, on payment of the nominal duty of one shilling per quarter on Wheat, and a corresponding duty on Flour. I have to signify to you, at the same time, that Her Majesty in Council has been pleased, by the accompanying Order, specially to confirm and finally to enact, a Bill passed by the Legislature of *Canada*, entitled "An Act to impose a Duty upon Foreign Wheat imported into this Province." Until the Act of the Imperial Parliament, to which I have adverted, had received the Royal Assent; I did not consider it consistent with my duty, or with the understanding on which the *Canadian* Act was passed, to advise Her Majesty to assent to the latter Statute.

I trust that in the course of Legislation which has now received the sanction of Her Majesty, the Provincial Legislature will recognize an earnest desire on the part of Her Majesty and the Imperial Parliament, to promote the welfare of *Canada*, and to strengthen the bonds which now so happily unite her to the Parent State. The admission of Canadian Produce into the Markets of the United Kingdom, at all times at the lowest rate of duty at which Foreign Produce, or even that of other Colonies, is at any time and under any circumstances admitted, cannot fail to have a beneficial effect upon the Agricultural Industry of *Canada*, and as the construction which has been put upon the term "Produce," admits, on the same favorable terms, Flour manufactured in *Canada*, from *United States* Wheat, every encouragement is given to the extensive interests in *Canada* connected with the Milling business, and also with the Forwarding Trade, along

the great line of water communication, the improvement of which reflects so much credit on the enterprise, and is doubtless destined to add so greatly to the resources and importance of the United Province.

I have, &c.

(Signed)

Stanley.

The Right Honourable  
Sir C. T. Metcalfe, Bart. G.C.B.  
&c. &c. &c.

C A P. XXIX.

An Act for reducing the Duty on Wheat and Wheat Flour, the Produce of the Province of *Canada*, imported thence into the United Kingdom.

[12th July 1843.]

WHEREAS on the Twelfth Day of *October* One thousand eight hundred and forty-two an Act was passed by the Legislative Council and Legislative Assembly of the Province of *Canada*, and reserved by the Governor General for the Signification of Her Majesty's Pleasure, imposing a Duty of Three Shillings Sterling Money of *Great Britain* on each Imperial Quarter of Wheat imported into *Canada*, except from the United Kingdom or any of Her Majesty's Possessions, and being the Growth and Produce thereof: And whereas it is recited in the said Act, that it was passed in the confident Belief and Expectation that upon the Imposition of a Duty upon Foreign Wheat imported into the Province, Her Majesty would be graciously pleased to recommend to Parliament the Removal or Reduction of the Duties on Wheat and Wheat Flour, imported into the said United Kingdom from *Canada*: And whereas, in consideration of the duty so imposed by the said Act of the Legislature of *Canada*, it is expedient that, if Her Majesty shall be pleased to give Her Sanction to the said Act, the Duties imposed by an Act made and passed in the last Session of Parliament, intituled *An Act to amend the Laws for the Importation of Corn*, upon Wheat and Wheat Flour, the Produce of and imported from the Province of *Canada*, entered for Home Consumption in the United Kingdom, should be reduced as herein-after is mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of *October* One thousand eight hundred and forty-three, and thenceforth during the Continuance of the Duty so imposed by the said Act of the Legislature of *Canada*, as aforesaid, there shall be levied and paid upon all Wheat and Wheat Flour, the Produce of the said Province of *Canada*, which shall be imported thence into the United Kingdom after the said Tenth day of *October*, and shall be entered for Home Consumption, (the same having been shipped and imported with such Declarations and Certificates as are required in respect thereof in and by the said Act passed in the last Session of Parliament,) in lieu of the duties charged thereon by the said Act of Parliament, the Duties following: (namely.)

For every Quarter of such Wheat, One Shilling, and so in proportion for a less Quantity:

For every Barrel, being One hundred and ninety-six Pounds of such Wheat Flour, a Duty equal in Amount to the Duty which would hereby be payable upon Thirty-eight Gallons and a Half of Wheat, and so in proportion for a less Quantity:

And the said Duties hereby charged shall be levied, collected, paid, and applied in such and the same Manner in all respects as if the same had been imposed by the said Act of Parliament: Provided always, that

Administration of Justice, Gaspé.

Wheat & Flour.

Duty on wheat &c.

nothing in this Act contained shall repeal, reduce, or alter the Duties payable under the said Act of Parliament upon Wheat or Wheat Flour, the Produce of Canada, which shall be imported into the United Kingdom previous to the said Tenth Day of October One thousand eight hundred and forty-three, notwithstanding the same shall not be entered from the Warehouse or otherwise, for Home Consumption until after that Day.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

The Honourable *D. Daly*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General—

Return to an Address from the Legislative Assembly to His Excellency, the Governor General, dated 20th September, 1842, praying for "A Statement of the Licenses granted, and Timber cut on the waste Lands of the Crown, in the County of *Ristigouche*, in the Province of *New Brunswick*, in the years 1835, '36, '37, '38, '39, '40, '41, & '42, with the names of the persons to whom such Licenses were granted."

(For the said Return, see Appendix II.)

And also—

Return to an Address from the Legislative Assembly to His Excellency, the Governor General, dated 20th September, 1842, praying for "A Statement of the quantity of Timber shipped from the Ports of *Dalhousie* and *Cambelltown*, in the *Ristigouche*, in the years 1835, '36, '37, '38, '39, '40, '41, & '42."

(For the said Return, see Appendix II.)

*Resolved*, That the Petition of *Uriah Jewett*, and other inhabitants of the County of *Sansueul*, be referred to a Special Committee of five Members to examine the contents thereof, and to report thereon, with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That *Mr. Child*, *Mr. Moore*, *Mr. Christie*, *Mr. Papineau*, and *Mr. Foster*, do compose the said Committee.

*Resolved*, That the Petition of *Mrs. Elizabeth M. Reil*, and other Directresses of the Protestant Orphan Asylum of *Montreal*, praying for an Act of Incorporation, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers and records.

*Ordered*, That *Mr. Leslie*, *Mr. Barthe*, *Mr. Judah*, the Honourable *Mr. Viger*, and *Mr. L. M. Viger* do compose the said Committee.

*Resolved*, That the Petition of *George T. Denison*, junior, and others, of the City of *Toronto*, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon, with all convenient speed, with power to send for persons, papers and records.

*Ordered*, That the Honourable *Mr. Sherwood*, *Mr. Thorburn*, the Honourable *Mr. Dunn*, *Mr. Price* and *Capt. Steele*, do compose the said Committee.

*Ordered*, That *Mr. Turcotte* have leave to absent himself from this House for three weeks from this House, on urgent business.

Then on motion of *Mr. Johnston*, seconded by *Mr. D. Mc Donald*,  
The House adjourned.

Jovis 5<sup>o</sup> die Octobris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

MR. SPEAKER laid before the House a Statement of the Assets and Liabilities, and a List of the names of the Stockholders, of the *Canada Fire Assurance Company*, received in conformity to an order of the House of the 10th October, 1842. (For the said Statement and List, see Appendix I.)

Canada Fire Assurance Company.

Mr. Speaker also laid before the House a Return of the *British American Fire and Life Assurance Company*, received in conformity to the Acts 3d *William IV.* Cap. 19. and 6th *Victoria*, Cap. 26.

British American Fire and Life Assurance Company.

(For the said Return, see Appendix I.)

The following Petitions were severally brought up and laid on the Table:—

15 Petitions brought up.

By *Mr. De Witt*—The Petition of *Amable Jetté*, and other Assessors in divers Parishes, in the County of *Leinster*.

By *Mr. Moore*—The Petition of *Israel Rice*, of the Township of *Hann*, in the District of *Saint Francis*; the Petition of *Joshua Foss*, and other Inhabitants of *Westbury* and other Townships in the District of *St. Francis*; and the Petition of Lieutenant Colonel *William Morris*, and others, Inhabitants of the County of *Sherbrooke*.

By *Mr. Wakefield*—The Petition of *Eden Colville*, of *Beauharnois*.

By *Mr. Child*—The Petition of *Alexander Kilborn* and others, Inhabitants of the County of *Stanstead*.

By the Honourable *Mr. Harrison*—The Petition of the Mayor, and Common Council of *Kingston*.

By the Honourable *Mr. Morin*—The Petition of *J. Lefebvre de Bellefeuille*, and others, inhabitants of the Parish of *St. Eustache*.

By the Honourable *Mr. Attorney General Baldwin*—The Petition of *Joseph Ouellet*, of *Trois Pistoles*, Notary.

By *Mr. Parke*—The Petition of *Donald Currie*, Schoolmaster, *Aldborough*, *London* District.

By *Mr. Roblin*—The Petition of *Joseph Striker*, and others, of the Township of *Marysburgh*, in the *Prince Edward* District.

By *Mr. Holmes*—The Petition of the Trustees of the *Longueuil & Chambly* Turnpike Road (relating to a loan of £2,500); the Petition of the Trustees of the *Longueuil & Chambly* Turnpike Road (relating to amendments to the Act incorporating them); and the Petition of the Honourable *James Reid*, and others, of the City of *Montreal*.

By the Honourable *Mr. Viger*—The Petition of the Municipal Council of the District of *Richelieu*.

Pursuant to the Order of the Day, the following Petitions were read:—

Petitions read.

Of the Reverend *J. B. Bourassa*, and others, inhabitants of the Parish of *Chateauguay*, in the County of *Huntingdon*, praying aid for the establishment of an Institution for the education of female youth, to be conducted by Ladies from the Congregational Nunnery at *Montreal*.

Of *J. Henry Lambe*, and others, of the City and Parish of *Montreal*; praying that the Community of the *Hotel Dieu* may be authorized, by law, as Proprietors and Possessors of the *Arrière Fiefs* of *Nazareth*, *St. Augustin* and *St. Joseph*, to commute with their *Censitaires*.

Of *Alexander McDonald*, and others, inhabitants of the Indian Reservation in the *Eastern* District; praying that they may be allowed the exercise of the *Elective Franchise*.

Of *James Corbitt*, and others, Assessors, for taking the Census of the Parish of *Sorel*; praying to be

Petitions referred—  
*Uriah Jewett*, and others.

Protestant Orphan Asylum, Montreal.

Geo. T. Denison and other Inhabitants of Toronto.

Leave of absence to Mr. Turcotte.

remunerated for their services in taking the said Census.

Of the Ladies of the Committee of Management of the Lying-in-Hospital of *Montreal*; praying for an aid, and an Act of Incorporation.

Of the Reverend *John Bethune*, and others, of the City of *Montreal*; praying for an Act to Incorporate an Association under the Style and Title of "The Provident Mutual Life Endowment, Clerical, Law, Medical, and General, Association in *Canada*."

Of *George W. Fogg*, and others, Inhabitants of the County of *Stanstead*; praying for the repeal of the District and Division Courts; the re-establishment of the small cause's Courts; and the restoration of the Registry Office in their County.

Of *Increase Ballock*, and others, Inhabitants of the County of *Stanstead*; praying for an aid to repair the road across the *Bolton Mountains*.

Of *Damasc Masson*, of the City of *Montreal*; praying compensation for losses to the amount of £1670 16 4 occasioned by the Rebels, and by Her Majesty's Troops, during the Rebellion in 1833.

Of *John De Cow*, and others, Inhabitants of the County of *Haldimand*, in the *Niagara* District; praying for a renewal of the Charter granted them in the year 1835, for the purpose of carrying on a Glass Manufactory in the said County.

Of *R. H. Whitmore*, and others, Inhabitants of the Seigniorship of *St. Armand*, in the Municipal District of *Missisquoi*; praying for a certain amendment to the Registry Ordinance; for the repeal of the Act establishing Division Courts; and for the re-establishment of the Commissioner's Courts.

Of *Comfort Curtis*, and others, Inhabitants of the Township of *Percy*, in the *Newcastle* District; praying that the Concession Line drawn by *T. C. Denuehy*, in the said Township, be confirmed by Law.

Of *B. H. LeMoine*, and others, Inhabitants of the City and District of *Montreal*; praying for aid in support of the British and Canadian School Society at *Montreal*.

Of the District Council of the Municipal District of *Sherbrooke*; praying for certain amendments to the District Council Ordinance; and Common School Act.

Of *John Bonner* and *William Petry*, of *Quebec*; praying that the Investigation instituted by the Legislative Assembly, into the merits of the Petition presented by them during the last Session, may be continued and brought to a close.

Of *Thomas White*, and others, Boot and Shoe Manufacturers of the City of *Montreal*; praying that a duty of thirty per cent. may be imposed on Boots, Shoes, &c. imported into this Province from the *United States*.

Of *Charles Turgeon*, of *Quebec*, Merchant; praying payment out of the Public Moneys of £137 16 9 due to him by the District Council, of the Municipal District of *Quebec*.

Resolved, That the Petition of *Charles Cunningham*, and others, of the City of *London* in *England*, presented to the House on the second Instant, be referred to a Special Committee of seven Members, to examine the contents there-

of, and to report thereon, with all convenient speed, with power to send for persons, papers, and Records.

Ordered, That *Mr. Christie*, *Mr. Taché*, *Mr. Wakefield*, the Honourable *Mr. Neilson*, *Mr. De Witt*, *Mr. Berthelot*, and *Mr. Barthe*, do compose the said Committee.

Resolved, That the Petition of *Adam Johnston* and other Inhabitants of the third Concession of the Township of *Cornwall*, in the *Eastern* District, presented to the House on the second Instant, be referred to a Select Committee composed of *Mr. McLean*, *Mr. Chesley*, *Mr. Roblin*, *Mr. G. Sherwood*, and *Mr. Forbes*, to examine the contents thereof, and to report thereon, with all convenient speed, with power to send for persons, papers, and records.

Adam Johnston & others.

Resolved, That the Petition of the Reverend *John Bethune*, and others, of the City of *Montreal*, be referred to a Select Committee, composed of the Honourable *Mr. Moffatt*, *Mr. Quesnel*, *Mr. Dunlop*, *Mr. Forbes* and *Mr. Hale*, to examine the contents thereof, and to report thereon, with all convenient speed, with power to send for persons, papers and records.

Rev'd. John Bethune, and others.

The Honourable *Mr. Neilson* moved, seconded by *Mr. Dunlop*, that a Special Committee of seven Members be appointed to prepare and report, with all convenient speed, lists of Members to compose Standing Committees, viz.:

Standing Committees.

First.... of PRIVILEGES AND ELECTIONS.

Second... " GRIEVANCES.

Third.... " COURTS OF JUSTICE.

Fourth... " PUBLIC ACCOUNTS.

Fifth.... " EDUCATION AND SCHOOLS.

Sixth.... " TRADE.

Seventh... " AGRICULTURE.

Eighth... " ROADS AND PUBLIC IMPROVEMENTS.

Ninth.... " PUBLIC LANDS AND SEIGNORIAL RIGHTS.

Ten'h..... " EXPIRING LAWS AND ENGROSSED BILLS.

Eleventh.. " PRIVATE BILLS.

Twelfth... " HOSPITALS AND CHARITABLE INSTITUTIONS.

which said Committees shall severally be empowered to examine and enquire into all such matters and things as may be referred to them by the House, and to report, from time to time, their observations and opinions thereon, with power to send for persons, papers and records.

The Honourable *Mr. Attorney General Baldwin* moved in amendment, seconded by the Honourable *Mr. Attorney General Lafontaine*, That all the words in the said motion between the word "That" and the words "which said Committees shall severally be empowered" be struck out, and the following substituted: "Select Standing Committees of this House for the present Session be appointed.

Firstly.... of PRIVILEGES and ELECTIONS.

Secondly... on EXPIRING LAWS.

Thirdly.... " PRIVATE BILLS.

Fourthly... " STANDING ORDERS.

Fifthly.... " PRINTING.

And

Sixthly... " CONTINGENCIES."

The question having been put upon the Motion of Amendment, a division ensued, and the names being called for, they were taken down as followeth:

Persons Referred

C. Cunningham & others of London, England.

YEAS:

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOUTILLIER, CAMERON, CHILD, CHRISTIE, DALY, DERBISHIRE, DUGGAN, DUNN, FORBES, FOSTER, HARRISON, HINCKS, HOLMES, HOPKINS JOHNSTON, JONES, JUDAH, KILLALY, LAFONTAINE, LESLIE, SIR ALLAN N. MCNAB, D. McDONALD, J. S. McDONALD, MERRITT, MOORE, MORIN, MORRIS, PAPINEAU, PARKE, PRICE, QUESNEL, ROBLIN, SIMPSON, HARMANNUS SMITH, G. SHERWOOD, H. SHERWOOD, STEELE, TACHE, TASCHEREAU, THOMPSON, THORBURN, D. B. VIGER, L. M. VIGER, WAKEFIELD, and WILLIAMS.—(51.)

NAYS:

Messieurs DE WITT, DUNLOP, HALE, McLEAN, MOFFATT, and NEILSON.—(6.)

So it was carried in the affirmative.

The question being then put on the main motion, as amended, the House divided thereon, and the names being called for, they were taken down as followeth:

YEAS:

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOUTILLIER, CAMERON, CHILD, CHRISTIE, DALY, DERBISHIRE, DE WITT, DUGGAN, DUNN, FORBES, FOSTER, HALE, HARRISON, HINCKS, HOLMES, HOPKINS, JOHNSTON, JONES, JUDAH, KILLALY, LAFONTAINE, LESLIE, SIR ALLAN N. MACNAB, D. McDONALD, J. S. McDONALD, McLEAN, MOFFATT, MOORE, MORIN, MORRIS, PAPINEAU, PARKE, PRICE, ROBLIN, SIMPSON, HARMANNUS SMITH, G. SHERWOOD, H. SHERWOOD, STEELE, TACHE, TASCHEREAU, THOMPSON, THORBURN, D. B. VIGER, WAKEFIELD, and WILLIAMS.—(52.)

NAY:

The Honourable Mr. NEILSON.

So it was carried in the affirmative, and Resolved, Accordingly.

Lumber Trade

On motion of Mr. Cameron, seconded by Mr. Johnston.

Ordered, That the Order of the day for the House in Committee to take into consideration the propriety of amending the Act passed in the last Session, regulating the Lumber Trade, lost by the adjournment of the House of yesterday, be revived, and that this House do resolve itself into the said Committee after the Orders of this day.

Commissioners of Bankrupts.

On motion of Mr. De Witt, seconded by Mr. Christie,

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House from each of the Commissioners of Bankrupts, appointed in Lower Canada, under the Ordinance intituled "An Ordinance concerning Bankrupts, and the Administration and distribution of their Estates and Effects," a statement of the official business before him, from his appointment to the present time, shewing

The number of persons and Firms or Partnerships who have taken the benefit of the said Ordinance, the name of each such Person or Firm, and the places at which they respectively last carried on business, before taking the benefit of the said Ordinance;

The Amount of the debts proved against each such Person or Firm, and the Dividends paid or ordered, in each case;

The total amount of the costs and expenses in each case; and the amount of the fees in each case paid or due to the Commissioners, Commissioners Clerk, Messenger, Witnesses, and other parties, respectively, and the allowance made to the Bankrupt;

The number of cases in which no dividend has been paid or ordered;

The number of cases in which the Bankrupt has received a certificate, and the number of cases in which the certificate has been refused;

The number of cases still pending, with the particulars above mentioned, in each case, so far as they can be ascertained;

The cases in which there shall have been appeals from the decision of the Commissioner, and the result of each appeal.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Ordered, That the Honourable Mr. Attorney General Lafontaine have leave to bring in a Bill for better securing the independence of the Parliament of this Province.

Independence of Parliament.

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 Monday the sixteenth instant.

Ordered, That the Honourable Mr. Attorney General Lafontaine have leave to bring in a Bill for taking the Census of the Inhabitants of Lower Canada, and for obtaining certain statistical information therein mentioned.

Census of Lower 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 Monday next.

On motion of the Honourable Mr. Attorney General Lafontaine, seconded by the Honourable Mr. Morin,

Resolved, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of repealing certain parts, and amending certain other parts, of the several Laws relating to the Judicature of Lower Canada.

Judicature of Lower Canada.

The House accordingly resolved itself into the said Committee.

Mr. Cameron took the Chair of the Committee; and after some time spent therein.

Mr. Speaker resumed the Chair;

And Mr. Cameron reported that the Committee had come to a Resolution, 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 repeal certain parts, and to amend certain other parts, of the several Laws relating to the Judicature in Lower Canada.

Ordered, That the Honourable Mr. Attorney General Lafontaine have leave to bring in a Bill to amend the Law relative to the administration of Justice in Lower 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 Thursday next.

Court of Appeal, Lower Canada.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine* have leave to bring in a Bill for the establishment of a better Court of Appeals in *Lower Canada*.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Small Cause Trial, Lower Canada.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine* have leave to bring in a Bill to provide for the summary trial of Small Causes in *Lower Canada*.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Administration of Justice Dist<sup>t</sup> of Gaspé.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine* have leave to bring in a Bill to establish the District of *Gaspé*, and to provide for the due Administration of Justice therein.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

On motion of the Honourable Mr. *Hincks*, seconded by Mr. *Child*,

Duties.

*Resolved*, That this House will, on Monday next, resolve itself into a Committee of the whole House, to consider the propriety of amending the Act 4 & 5 *Victoria*, cap. 14, which imposes duties on Goods, Wares, and Merchandize, imported into this Province, and imposing duties on certain Agricultural products exempted from duty under the said Act.

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

Canada Corn Law & British Possession Act

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House copies of all Despatches and communications with the Home Government, relating to the *Canada Corn Law* and *British Possessions Act*, since the 2d March, 1842.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Christie*, seconded by Mr. *Williams*.

Reduction of Civil List.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to inform this House whether any communications have been made, since the last Session, to Her Majesty's Government, by the Executive of this Province, with respect to a reduction in the Civil List, and other expenses of the Civil Government thereof, and that His Excellency will be pleased to lay before the House all such information and correspondence respecting the same as he may deem himself at liberty to communicate.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Administration of Justice, Gaspé.

*Ordered*, That one hundred copies of the Report of the Commissioners on the Administration of Justice in the Inferior District of *Gaspé*, be printed in each of the English and French Languages, for the use of the Members of this House.

On motion of Mr. *Christie*, seconded by Mr. *McLean*,

*Ordered*, That the Order of the day for the second reading of the Bill for continuing the Provincial Parliament in case of the death or demise of Her Majesty, Her Heirs, and Successors, lost by the adjournment of the House of yesterday, be revived, and that the said Bill be read a second time after the Orders of this day.

Continuance of Prov<sup>t</sup> Par. on demise of Crown.

*Ordered*, That the Order of the day for the second reading of the Bill to save Public Officers the expense of New Commissions, on the demise of the Crown, lost by the adjournment of the House of yesterday, be revived, and that the said Bill be read a second time after the Orders of this day.

Expense of New Commissions.

On motion of the Honourable Mr. Attorney General *Baldwin*, seconded by the Honourable Mr. Attorney General *Lafontaine*,

*Resolved*, That this House do now resolve itself into a Committee of the whole House to take into consideration the Acts of the Parliament of the late Province of *Upper Canada*, of the 31 *Geo. 3*, Cap. 1, for the regulation of Juries; the 36 *Geo. 3*, Cap. 2, to amend the same; the 48 *Geo. 3*, Cap. 13, for the regulation of Special Juries; and the first section of the 32 *Geo. 3*, Cap. 2, for the establishment of Trial by Jury, with a view to the consolidation and amendment of the same.

Juries.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair;

And Mr. *Holmes* reported that the Committee had come to a Resolution, 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 repeal the Acts of the Parliament of the late Province of *Upper Canada*, of the 34 *Geo. 3*, Cap. 1, for the regulation of Juries; the 36 *Geo. 3*, Cap. 2, to amend the same; the 48 *Geo. 3*, Cap. 13, for the regulation of Special Juries; and the latter part of the first section of the 32 *Geo. 3*, Cap. 2, for the establishment of Trial by Jury, and to consolidate and amend the provisions thereof.

*Ordered*, That the Honourable Mr. Attorney General *Baldwin* have leave to bring in a Bill for the consolidation and amendment of the Laws relative to Jurors, Juries, and Inquests, in that part of this Province called *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 the twenty-third Instant.

*Resolved*, That a Special Committee of five Members be appointed to inquire what accommodation is afforded, within the Legislative Building for the deliberation of the Committees of this House, and if insufficient, to report what further accommodation may be necessary, and if such can be obtained in the vicinity of the House, to report thereon, with all convenient speed, with power to send for persons, papers, and records.

Accommodation for Committees.

*Ordered*, That Mr. *Simpson*, Mr. *Thorburn*, Mr. *L. M. Viger*, Mr. *De Witt* and Mr. *Cartwright* do compose the said Committee.

On motion of Mr. *Johnston*, seconded by Mr. *Roblin*,

*Ordered*, That the Order of the day for the House in Committee to take into consideration the

Temporalities Church of England.

expediency of amending the Act of the 4 & 5 Victoria, Cap. 74, passed in the fifth Session of the thirteenth Provincial Parliament of *Upper Canada*, intituled "An Act to make provision for the management of the Temporalities of the United Church of *England* and *Ireland* in this Province, and for other purposes therein mentioned," lost, by the adjournment of the House of yesterday, be revived, and that this House will resolve itself into the said Committee after the Orders of this day.

The Order of the day for the second reading of the Bill to render the Judges of the Courts of King's Bench, in that part of this Province heretofore *Lower Canada*, independent of the Crown, being read.

Ordered, That the said Order of the day be postponed until Monday the sixteenth Instant.

A Bill to afford relief in certain cases to Sellers of Real Estate in *Canada West*, was, according to Order, read a second time.

A Bill to save Public Officers the expense of New Commissions on the demise of the Crown, was, according to Order, read a second time.

Ordered, That the said Bill be engrossed.

A Bill for continuing the Provincial Parliament, in case of the death or demise of Her Majesty, Her Heirs, and Successors, was, according to Order, read a second time.

Ordered, That the said Bill be referred to a Committee of the whole House to-morrow.

The Order of the day for the House in Committee to take into consideration the propriety of amending the Act passed in the last Session, regulating the Lumber Trade being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair;

And Mr. *Morris* reported that the Committee had come to a Resolution; 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 repeal an Act passed during the last Session of the Provincial Parliament, intituled "An Act to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature," and to introduce a new Bill for like purposes.

Ordered, That Mr. *Cameron* have leave to bring in a Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, and other articles of a like nature.

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 Friday the thirteenth instant.

The Order of the Day for the House in Committee to take into consideration the expediency of amending the Act of the 4 & 5 Victoria, cap. 74, passed in the fifth Session of the thirteenth Provincial Parliament of *Upper Canada*, intituled "An Act to make provision for the management of the Temporalities of the United Church of *England* and *Ireland* in this Province, and for other purposes therein mentioned" being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair;

Then on motion of the Honourable Mr. *Viger*, seconded by the Honourable Mr. Attorney General *Baldwin*,

The House adjourned.

Veneris 6<sup>o</sup> die Octobris.]

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

THE following Petitions were severally brought up, and laid on the Table:—

Eight Petitions brought up.

By Mr. *Parke*—The Petition of *George Belton*, and others, of the *London* and *Brock* Districts.

By Mr. *Foster*—The Petition of the President and Directors of the *Shefford* Academy.

By Mr. *Holmes*—The Petition of the Mayor, Aldermen, and Citizens of the City of *Montreal*.

By Mr. *Hermannus Smith*—The Petition of *Samuel Pomsfrey*, of the Township of *Ancaster*, in the *Gore* District.

By Mr. *Boswell*—The Petition of *John Vandal Ham*, of the River *Trent*, Doctor of Medicine.

By Mr. *Child*—The Petition of *C. Jackson*, and others, Trustees of the *Charleston* Academy.

By the Honourable Mr. *Hincks*—The Petition of *David Muckenzie*, and others, School Teachers in the District of *Brock*.

By Sir *Allan N. MacNab*—The Petition of *Alexander Findlay*, and other Electors of the County of *Russell*.

An engrossed Bill to save Public Officers the expense of New Commissions, on the demise of the Crown, was read for the third time.

Expense of new Commissions.

Resolved, That the Bill do pass and the Title be "An Act to exempt Public Officers from the expense of New Commissions on the demise of the Crown."

Ordered, That Mr. *Christie* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the day, the following Petitions were read:—

Petitions read.

Of the Municipal Council of the *Western* District; praying for the removal of the District Seat from *Sandwich* to *Clutham*.

Of the Rev. *C. Gagnon*, and others, Inhabitants of the Townships of *Somerset*, *Stanford*, and other places; praying a grant of £2,000 to open a Road from the said Townships to the River *St. Lawrence*; and that the lands in the same may be granted to the actual occupants.

Of the Members of the Medical Board of *Montreal*; praying for the passing of an Act to regulate and facilitate the study of Anatomy.

Of *Laveuse De Beaujeu*, and others, Inhabitants of the County of *Vaudreuil*; praying a Grant for a Road across *Isle Perrot*.

Of the Honourable *Adam Ferric*, of *Montreal*; praying to be authorized to sue for such debts, and the recovery of such rights, as he may be lawfully entitled to maintain in his capacity of Chairman of the *Canada* Inland Forwarding Company.

Of *David Connell*, and others, Inhabitants of the County of *Stanstead*; praying for a repeal of the Registry Ordinance, and the establishment of a Registry Office in the said County to enregister Notarial Deeds at full length.

Of *A. F. Holmes*, M. D., and others, Professors and Lecturers of the Medical School in connexion with *McGill College* at *Montreal*; praying an aid

Independence of Judges.

Sellers of Real Estate.

Expense of New Commissions.

Parliament continuation.

Lumber Trade.

Temporalities Church of England.

to enable them to carry on the operations and extend the usefulness of the said Institution.

Of *E. M. Leprohon*, and others, Inspector and Assistant Inspectors of Pot and Pearl Ashes, of the City of *Montreal*; praying for certain amendments to the Act to regulate the Inspection of Pot and Pearl Ashes.

Of the Municipal Council of the District of *Brook*; praying for Legislative enactment to protect the Agriculturists and rural Merchants of the Province, against the high charges of Forwarders.

Of the District Council of the District of *Brook*; praying for the passing of a Law enacting that the Registrar's Office be kept in the Court House of the District Town.

Of *Aenas Bell*, of the City of *Toronto*; praying remuneration for his services as Keeper of the Parliament House in the said City during a certain period.

Of *Andrew H. Young*, and others, of the City of *Quebec*; praying that *C. Cunningham*, *R. Norman*, *S. Amory*, and others, be Incorporated for the purpose of carrying on the British Fisheries in the Gulf of *St. Lawrence*, and for other purposes.

Petitions referred.

Inhabitants of Indian Reservation.

Certain Inhabitants of Quebec.

Medical Board Montreal.

John De Cow and others.

Election, County of Montreal.

*Resolved*, That the Petition of *Alexander McDonald*, and others, Inhabitants of the Indian Reservation, in the *Eastern* District, presented to the House on the third Instant, be referred to a Select Committee, composed of *Mr. Chesley*, the Honourable *Mr. Viger*, *Mr. Simpson*, *Mr. Forbes*, and *Mr. McLean*, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers, and records.

*Ordered*, That the Petition of *Andrew H. Young*, and others, of the City of *Quebec*, be referred to the Special Committee to which was referred the Petition of *Charles Cunningham*, and others, of the City of *London*, in *England*.

*Resolved*, That the Petition of the Members of the Medical Board of *Montreal*, be referred to a Select Committee, composed of *Mr. Simpson*, *Mr. Taché*, *Mr. Boutillier*, *Mr. Harmannus Smith*, and *Mr. Dunlop*, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers, and records.

*Resolved*, That the Petition of *John De Cow*, and others, Inhabitants of the County of *Haldimand*, in the *Niagara* District, presented to the House on the third Instant, be referred to a Select Committee, composed of *Mr. Merritt*, *Mr. Thompson*, *Mr. Thorburn*, *Mr. Powell*, and *Mr. Harmannus Smith*, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers, and records.

The Honourable *Mr. Sherwood*, from the Special Committee to which was referred a motion made on the third instant, viz. :—“That *Mr. Speaker* do issue 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 *Montreal*, in the room of *Alexander Maurice Delisle*, Esquire, who, since his election, has accepted the office of Clerk of the Peace for the District of *Montreal*,” presented to the House the Report of the said Com-

mittee, which was again read at the Clerk's table, as followeth :—

Your Committee have had before them copies of the Commission appointing Messrs. *Delisle* and *Brehaut* to be jointly Clerk of the Peace for the District of *Montreal* (dated 25th May, 1838), and of that appointing *A. M. Delisle*, Esquire, solely to fill that office (dated 4th July, 1843) both of which Commissions are herewith annexed.

On referring to the first clause of the Act of the Legislature of the late Province of *Lower Canada* (4 Will. 4, chap. 32) intitled “An Act for vacating the seats of Members of the Assembly in certain cases therein mentioned,” and the first clause of the Act passed at the last Session of the present Provincial Parliament, intitled “An Act to make the Law for vacating the seats of Members of the Legislative Assembly accepting Office uniform throughout this Province”—Your Committee find that *Alexander M. Delisle*, Esquire, a Member of Your Honourable House, by accepting, since his Election in May, 1841, “An office of profit under the Crown,” placed himself in the position of having vacated his seat for the County of *Montreal*.

Your Committee have looked into several precedents in the House of Commons of *Great Britain* and *Ireland*, which establish the fact that a mere renewal of a Commission, to comply with legal or other forms, does not vacate the seat of a Member; but in this case *Mr. Delisle*, being authorized by his new Commission to receive all the fees and emoluments, to only half of which he was entitled under the former one, has clearly had a profit conferred on him by the authority of the Crown, which he has accepted since his Election.

Your Committee therefore recommend, that a new Writ be ordered for the County of *Montreal*, for the Election of a Member in the place of the said *Alexander Maurice Delisle*, Esquire.

Dissentient, the Honourable *Mr. Sherwood* and the Honourable *Mr. Moffatt*.

A.

Province of } Signed, J. COLBORNE.  
Lower Canada. }

VICTORIA, by the Grace of GOD, of the United Kingdom of *Great Britain and Ireland* QUEEN, Defender of the Faith, &c. &c. &c.

To all to whom these Presents shall come, or whom the same may concern—Greeting :

WHEREAS, by certain Letters Patent bearing date at our Castle of *Saint Lewis*, in our City of *Quebec*, the fifth day of January, in the year of our Lord one thousand eight hundred and thirty three, and in the third year of the Reign of His late Majesty *William the Fourth*, His said late Majesty did assign, constitute and appoint *John Delisle* and *Alexander Maurice Delisle*, of our City of *Montreal*, Esquires, to be jointly Clerk of the Peace, and of our Sessions of the Peace for our said District of *Montreal*, in our said Province of *Lower Canada*—And whereas the said *John Delisle* hath lately departed this life : Now Know Ye, that reposing trust and confidence in the loyalty, integrity and ability of our beloved and faithful *Alexander Maurice Delisle*, and *William Henry Brehaut*, Esquires, We of our Especial Grace, certain knowledge and mere motion, have assigned, constituted and appointed and by these presents do assign, constitute and appoint the said *Alexander Maurice Delisle*, and *William Henry Brehaut*, to be jointly Clerk of the

Commission appoint'g Alexander Maurice Delisle and William Henry Brehaut, Esquires, Joint Clerk of the Peace for the District of Montreal.

Fiat. Recorded in the Registrar's Office of Records at Quebec, the 25th day of May, 1843, in the fifteenth Register of Letters Patent and Commissions.—Folio 187.

D. Duly Registrar.



Peace, and of our Sessions of our Peace for our said District of Montreal, in our said Province of *Lower Canada*. To have, hold, exercise and enjoy the said office of Clerk of the Peace, and of our Sessions of the Peace as aforesaid, together with all and singular the rights, privileges, fees, profits, emoluments and advantages to the said office appertaining, or which shall or may lawfully appertain to the same, unto them the said *Alexander Maurice Delisle* and *William Henry Brehaut*, jointly for and during our pleasure and the residence of them the said *Alexander Maurice Delisle* and *William Henry Brehaut* respectively in our said Province of *Lower Canada*.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province of *Lower Canada* to be hereunto affixed: Witness our trusty and well beloved Lieutenant General Sir *John Colborne*, Knight Grand Cross of the most Honourable Military Order of the *Bath*, and of the Royal Hanoverian Guelphic Order, Commander in Chief of our Forces in the Province of *Lower Canada* and *Upper Canada*, and Administrator of the Government of our said Province of *Lower Canada*. At our Castle of *Saint Lewis*, in our City of *Quebec*, in our said Province of *Lower Canada*, the twenty-fifth day of May, in the year of our Lord one thousand eight hundred and thirty-eight, and in the first year of our Reign.

(Signed) *D. Daly,*  
Sec'y.

Provincial Registrar's Office,  
*Kingston*, 5th October, 1843.

I do certify that the foregoing is a true and faithful copy of the Record with which it has been carefully collated.

*R. A. Tucker,*  
Registrar.

B.

Province of }  
*Canada.* } *C. T. METCALFE.*

*VICTORIA*, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c. &c. &c.

To all to whom these Presents shall come, or whom the same may concern—Greeting:

WHEREAS, by certain Letters Patent, bearing date at our Castle of *Saint Lewis*, in our City of *Quebec*, on the twenty-fifth day of May, in the first year of our Reign, we did assign, constitute and appoint *Alexander Maurice Delisle* and *William Henry Brehaut*, Esquires, to be jointly Clerk of the Peace and of our Sessions of the Peace for our District of *Montreal*, in our said Province, for and during our pleasure. And whereas we have determined our pleasure in the premises, and for divers good causes and considerations, Us thereunto moving, have revoked and repealed as by these Presents we do revoke and repeal our said Letters Patent: Now Know Ye, that reposing trust and confidence in the loyalty, integrity and ability of our beloved and faithful *Alexander Maurice Delisle*, of our City of *Montreal*, Esquire, We of our Especial Grace, certain knowledge and mere motion, have assigned, constituted and appointed, and by these Presents do assign, constitute and appoint him the said *Alexander Maurice Delisle* to be Clerk of the Peace, and of our Sessions of the Peace, for our said District of *Montreal*, in our said Province: to have, hold, exercise and enjoy the said office of Clerk of the Peace, and of our Sessions of the Peace, as aforesaid together

with all and singular, the rights, privileges, fees, profits, emoluments and advantages, to the said Office appertaining, or which shall or may lawfully appertain to the same, unto him the said *Alexander Maurice Delisle*, for and during our pleasure and the residence of him the said *Alexander Maurice Delisle* in our said Province.

In testimony whereof, We have caused these our Letters to be made Patent, and the Great Seal of Our said Province of *Canada* to be hereunto affixed; Witness our right trusty and well beloved, the Right Honourable Sir *Charles Theophilus Metcalfe*, Baronet, Knight Grand Cross of the Most Honourable Order of the *Bath*, one of our Most Honourable Privy Council, Governor General of British *North America*, and Captain General and Governor in Chief in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick* and the Island of *Prince Edward*, and Vice Admiral of the same—at our Government House at *Kingston*, in our said Province of *Canada*, the fourth day of July, in the year of our Lord, one thousand eight hundred and forty-three, and in the seventh year of our Reign.

*C. T. M.*

*D. Daly,*  
Secretary.

Provincial Registrar's Office,  
*Kingston*, 5th October, 1843.

I do certify that the foregoing is a true and faithful copy of the Record, with which it has been carefully collated.

*R. A. Tucker,*  
Registrar.

Ordered, That the said Report be referred to a Committee of the whole House, on Monday next.

On motion of Mr. *Price*, seconded by Mr. *Papineau*,

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, the names of all Members of this House who have received appointments to office, whether of honour or profit, from the Government; the nature of each appointment, with the salary attached to each office; together with such appointments as have been given, since the Union, to Gentlemen formerly Members of the House; with the salary to each office stated in current money. The appointments made before, to be distinguished from those made on and since the 16th September, 1842.

Names of Members who have received appointments.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Leslie*, seconded by Mr. *Dunlop*.

Ordered, That the Officers connected with the several Chartered Banks and Insurance Offices of the Province be respectively directed to lay before this House the Statement of the affairs of the said Banks and Offices, as required by the Acts of Incorporation.

Bank Statements.

The Honourable Mr. *Hincks*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Letters Patent appointing A. M. Delisle, Esq. to be Clerk of the Peace and of the Sessions of the Peace for the District of Montreal.

Recorded in the Registrar's office of the Records at Kingston, the seventh day of July, 1843, in the eighteenth Register of Commissions and Letters Patent, Folio 98.  
*R. A. Tucker,*  
Registrar.

King's and U.  
C. College.

Detailed Statements of affairs of King's College, and *Upper Canada* College, for the years 1839, 1840, 1841 and 1842.

For the said Statement, see Appendix J.

*Ordered*, That two hundred and fifty copies of the said Statement be printed, in each of the English and French Languages, for the use of the Members of this House.

Parliament  
continuation  
of demise of  
Crown.

The Order of the Day for the House in Committee on the Bill for continuing the Provincial Parliament, in case of the death or demise of Her Majesty, Her Heirs, and Successors, being read.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Forbes* reported that the Committee had gone through the Bill, without making any amendment thereto; and the Report was again read at the Clerk's table.

*Ordered*, That the said Bill be engrossed.

Then, on motion of the Honourable Mr. *Viger*, seconded by the Honourable Mr. *Daly*.

The House adjourned till Monday next.

*Luner, 9<sup>o</sup> die Octobris.*

Anno 7<sup>o</sup>, Victoriae Reginae, 1843.

15 Petitions  
brought up.

THE following Petitions were severally brought up and laid on the table:—

By Mr. *Wakefield*—The Petition of the Reverend *J. Z. Carron*, and other Inhabitants of the Municipal District of *Beauharnois* (relating to the re-establishment of the Commissioners' Courts); the Petition of the Reverend *J. Z. Carron*, and other Inhabitants of the County of *Beauharnois* (relating to persons who sell Malt Liquors); and the Petition of *Eden Colville*, of *Beauharnois*, Agent for the *North American Colonial Association of Ireland*.

By Mr. *Hale*—The Petition of the Lord Bishop of *Montreal*, and others.

By Mr. *De Witt*—The Petition of the Corporation of the College of *L'Assomption*, in the County of *Leinster*.

By the Honourable Mr. Attorney General *Baldwin*—The Petition of the Municipal Council of the District of *Victoria* (relating to a tax on dogs) and the Petition of the Municipal Council of the District of *Victoria* (relating to Tavern and other Licenses.)

By Mr. *Cartwright*—The Petition of the President, Directors and Stockholders of the *Catarqui* Bridge.

By Mr. *Henry Smith*—The Petition of the Municipal Council of the *Midland* District; and the Petition of *William Ketcheson*, Junior, and others, late Boundary-line Commissioners for the District of *Victoria*.

By Mr. *Cameron*—The Petition of *William Gordon*, and others, of the Township of *Drummond*.

By the Honourable Mr. *Neilson*—The Petition of the Superior and Directors of the Seminary of *Quebec*; the Petition of Mrs. *M. G. P. Painchaud*, and others, Directresses and Managers of the Charitable Association of Roman Catholic Ladies of *Quebec*; and the Petition of Mrs. *Susannah Smith*, and other Ladies of the *Quebec* Infant School.

By the Honourable Mr. *Jones*—The Petition of *William Baker*, and others, Trustees for the *Dunham* High School.

Parliament  
continuation in  
case of demise  
of Crown.

An engrossed Bill for continuing the Provincial Parliament, in case of the death or demise of Her Majesty, Her Heirs and Successors, was read for the third time.

*Resolved*, That the Bill do pass and the Title be "An Act for continuing the Provincial Parliament in case of the demise of the Crown."

*Ordered*, That Mr. *Christie* do carry the said Bill to the Legislative Council and desire their concurrence.

Pursuant to the Order of the day, the following Petitions were read:—

Petitions Read

Of *Amable Jetté*, and other Assessors in divers Parishes, in the County of *Leinster*; praying to be indemnified for their trouble and expenses in taking the Census in their several localities, under the Act 4 & 5 *Victoria*, cap. 42, the Municipal Council not having provided the means of paying them the allowance mentioned in the said Act.

Of *Israel Rice*, of the Township of *Ham*, in the District of *St. Francis*; representing the sufferings which he has endured in settling in the said Township, and praying relief.

Of *Joshua Foss*, and other Inhabitants of *Westbury* and other Townships, in the District of *St. Francis*; praying aid for the completion of a Road in the said Townships.

Of Lieutenant Colonel *William Morris*, and others, Inhabitants of the County of *Sherbrooke*; praying for Agricultural protection.

Of *Eden Colville*, of *Beauharnois*; praying, as Agent for the Proprietors of the Seignory of *Beauharnois*, for compensation for losses sustained by the Inhabitants of the said Seignory from outrages of the workmen on the Canal, and for protection against further injury.

Of *Alexander Kilborn*, and others, Inhabitants of the County of *Stanstead*; praying aid for the extension of the *Chambly* Plank Road to the outlet of *Lake Memphremagog*, and thence to the Township of *Hereford* and to the Town of *Sherbrooke*; and for the survey of the said extension of Road by the Board of Works.

Of the Mayor and Common Council of *Kingston* praying to be incorporated under the Title of "The City of Kingston," and for the extension of the limits of the said City.

Of *J. Leschvre de Bellefville*, and others, Inhabitants of the Parish of *St. Eustache*; praying to be indemnified for the loss of the Church and Convent in the said Parish, which were burnt during the late Rebellion.

Of *Joseph Ouellet*, of *Trois Pistoles*, Notary; praying that he may be paid £71 15 10 for his services in taking the Census, of the County of *Rimouski*; for which sum a Resolution of the Assembly of *Lower Canada* was passed in his favor on the 26th February, 1836.

Of *Donald Currie*, Schoolmaster, *Aldborough*, *London* District; praying for a superannuated allowance.

Of *Joseph Striker*, and others, of the Township of *Marysburgh* in the *Prince Edward* District; praying that the original Survey made by Messieurs *Aitkins* and *Collins* in the first Concession of the said Township, be established by Law.

Of the Trustees of the *Longueuil* and *Chambly* Turnpike Road; praying for authority to borrow £2,500, under the same restrictions and with the same guarantee as those by which they effected a former loan.

Of the Trustees of the *Longueuil* and *Chambly* Turnpike Road; praying for certain amendments to their Act of Incorporation.

Of the Honourable *James Reid*, and others, of the City of *Montreal*; praying an aid towards the erection of a Building for the purposes of a Charity School in the said City.

Of the Municipal Council of the District of *Riche-lieu*; praying that the Municipal District Ordinance, (4 Vic. cap. 4.) be amended so that the Councils may appoint their own Officers: that the Registry Ordinance, (4 Vic. cap. 30.) may be repealed or amended, and that a duty may be imposed on Foreign Agricultural Produce.

Of *George Belton* and others, of the *London* and *Brock* Districts; praying for protection and encouragement as Hop Growers in this Province.

Of the President and Directors of the *Shefford* Academy; praying an aid in support of the said Institution.

Of the Mayor, Aldermen and Citizens of the City of *Montreal*; praying for certain powers and privileges, in relation to the *Montreal* Water Works.

Of *Samuel Pomsrey*, of the Township of *Ancaster*, in the *Gore* District; representing that he is unable to gain a living by labour, in consequence of an injury received while firing a Royal Salute in the year 1833, and praying relief.

Of *John Vandal Ham*, of the River *Trent*, Doctor of Medicine; praying that the Peninsula of *New-castle* be attached to the Township of *Cramahc*.

Of *C. Jackson*, and others, Trustees of the *Charleston* Academy; praying an aid for the said Institution.

Of *David Mackenzie*, and others, School Teachers, in the District of *Brock*; praying for the grant to Government Teachers for the present year, which they have not received in consequence of the Council of the said District having resolved not to impose the Tax required by Law to obtain the same.

Of *Alexander Findlay*, and other Electors of the County of *Russell*, setting forth:—That in the month of September last past, an Election was held to elect a fit and proper person to represent the said County in the Legislative Assembly, at which Election *Archibald Petrie*, of the County of *Russell*, Esquire, and *William Stewart*, of the County of *Carleton*, Esquire, were Candidates, and *Edward Malloch*, Esquire, Returning Officer.

That the said Returning Officer at the time of the said Election, and for six months next before the said Election, was residing in the Township of *Nepean*, in the County of *Carleton*, and in consequence thereof the said Returning Officer could not, according to Law, hold such Election, for by the Act passed by the Parliament of *Canada*, in the sixth year of the Reign of Her present Majesty, entitled "An Act to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned," it is enacted "That no person except a Freeholder shall be appointed nor act as a Returning Officer, nor unless he shall have been a Freeholder during at least a twelve month next before the appointment in the County, Riding, City, Town, or Borough, for which he is appointed, and shall, during that time, have resided therein."

Petitioners are fully prepared to substantiate the above allegation, and therefore pray this Honourable House to take the same into consideration.

*Resolved*, That the Petition of *J. Henry Lambé*, and others, of the City and Parish of *Montreal*, (relating to the commutation with the *Censitaires* of *Nazareth* and other Fiefs) presented to the House on the third Instant, be referred to a Special Committee, to examine the contents thereof, and to report thereon, with all

convenient speed, with power to send for persons, papers, and records.

*Ordered*, That Mr. *De Witt*, Mr. *L. M. Viger*, Mr. *Leslie*, Mr. *Quesnel*, and the Honourable Mr. *Moffatt*, do compose the said Committee.

The Honourable Mr. *Daly*, one of Her Majesty's Executive Council, delivered to Mr. Speaker, two Messages from His Excellency, the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:—

*C. T. Metcalfe*.

The Governor General informs the House of Assembly that the Bill intituled "An Act to make provision for the management of the Temporalities of the United Church of *England* and *Ireland*, in the Diocese of *Quebec*, in this Province, and for other purposes therein mentioned," which was passed by the Provincial Parliament during its last Session, and was reserved by the late Governor General for the signification of Her Majesty's pleasure, was specially confirmed, and finally enacted by Her Majesty in Council on the 23d August last.

Government House,  
*Kingston*, 6th October, 1843.

*C. T. Metcalfe*.

The Governor General informs the House of Assembly, in reply to their Address on the subject of the Seat of Government, that he does not consider himself at liberty to lay before the House copies of the communications which have passed between Her Majesty's Government and the Governor of this Colony, relative to that subject; but that the substance of the instructions issued to him is to the effect, that Her Majesty's Government decline coming to a determination in favor of any place as the future Seat of Government, without the advice of the Provincial Legislature; and that Her Majesty's Ministers will be prepared to submit favourably to Her Majesty such Addresses on this subject as may be presented by either, or both, of the Legislative Houses, in recommendation of either *Kingston* or *Montreal*; provided, that in any Address for this purpose from the House of Assembly, the House shall pledge itself to provide the necessary supply for the expenditure which may be expected to attend the permanent location of the Seat of Government at the place that they may recommend; it being understood that the selection is now necessarily limited to one of those places; the former Capitals, *Quebec* and *Toronto*, being alike too remote from the centre of the Province, and the plan of alternate Sessions at one or the other of these last mentioned, or any other places being deemed objectionable and impracticable, on account of its manifest and extreme inconvenience; as connected with this subject, the Governor General transmits a copy of a Report from the Committee of the Executive Council, and a copy of a Protest from one of its Members on the subject thereof, which were submitted for the consideration of Her Majesty's Ministers.

Government House,  
*Kingston*, 6th October, 1843.

(Copy.)

To His Excellency, the Right Honourable Sir *Charles Bagot*, G.C.B., Governor General of *British North America*, &c. &c. &c.

Report of a Committee of the Executive Council  
Present:

The Honourable Mr. *Sullivan* in the Chair, Mr. *Dunn*, Mr. *Daly*, Mr. *Harrison*, Mr. *Killaly*, Mr. *Hincks*, Mr. *Lafontaine*, Mr. *Baldwin* and Mr. *Morrin*, relative to the Seat of Government, Messrs. *Aylwin* and *Small* being absent on public business.

Messages from  
His Excel-  
lency.

Temporalities  
Church of Eng.

Seat of Gov't.

Petitions re-  
ferred.

J. H. Lambé &  
others.

Seat of Gov't.

## MAY IT PLEASE YOUR EXCELLENCY,

The important question, respecting the locality of the Seat of the Provincial Government of *Canada*, upon which Your Excellency is desired by Her Majesty's Secretary of State for the Colonies, to form an opinion with the assistance of the Executive Council, has engaged the anxious attention of the Committee of the whole of that body; and the Committee, fully sensible of the difficulties attending such a subject of inquiry, and aware of the impossibility of reconciling local interests in favour of any decision which may be pronounced, respectfully offer their advice, the result of much deliberation, and which, though not in accordance with the first impression on the mind of the late Governor General, or with the policy which directed the assemblage of the Legislature at *Kingston*, and the removal of the Public Departments to that place, they believe, nevertheless, to be most conducive to the public welfare, and most likely to meet with the general approbation of the people of the Province.

As might naturally be expected, the popular opinions most strongly expressed are either openly based upon the claims of the inhabitants of certain localities, to have the Seat of Government to their own City or neighbourhood, or they are traceable to local pecuniary interest, though assuming the appearance of taking public and general ground: Thus, for example, the Citizens of the ancient Capitals of *Upper* and *Lower Canada* complain of depreciation in the value of property, consequent upon the removal of the Government from these Cities. The inhabitants of *Kingston* set up a like claim because of their late investment of capital in building, and in the purchase of building ground, under an expectation formed by them that *Kingston* was to be the permanent capital. Then on behalf of *Quebec*, its Military strength and its possession of buildings for the use of the Legislature, are said to give that City the preference, on the arguments of security and economy. The existence of Public Buildings in *Toronto*, the rapidly increasing population and wealth of that City and the neighbouring Districts are urged, as public grounds of economy and future convenience, in its favor. While in *Kingston*, its central position and defences, and the expenditure that lately took place under the authority of Lord *Sydenham*, in the purchase of lands for the erection of Public Buildings, are brought forward not only as inducements for making *Kingston* the Provincial Capital, but as in a manner binding on Her Majesty's Government to fulfil expectations to which the acts of Government gave rise. Then in favour of *Bytown*, its inland position, on the boundary River between the late Provinces, and at the mouth of the great Military Canal of the *Richelieu*, are said to give it claims to consideration above other places, because it is comparatively safe in case of War, and convenient alike for *Upper* and *Lower* Canadians.

The Committee look upon the selection of a locality for the Government and Legislature, as far too important to the public generally, to permit of much consideration of the local interests of the inhabitants of the places claiming to be chosen. The convenience and advantage of the whole community are mainly to be sought, and it may be said that these are the sole objects to be served in the selection of a Capital in a country like *Canada*, where, as yet, no great local interests are created of sufficient importance to entitle them to regard in a national point of view. The removal of a government is unquestionably a great calamity to the possessors of property in the place from which the removal is made, and measures of change, in this respect should never be lightly adopted; but these facts only make it more imperatively the duty of the Government to be careful in the choice, and at the earliest possible period to fix the capital at a place

Seat of Gov't.

from which the future condition of the country will not require a removal. To continue for a time any Seat of Government injudiciously chosen, exposes the place to the aggravated but certain future evil of abandonment, when the interest involved would be vastly greater than at present, and therefore while the Government is bound to avoid, as much as possible, changes in the location of a Capital, this desirable object can only be attained by a correct selection made in contemplation, not of local or temporary, but of general and abiding interests.

The union of the Provinces of *Canada* brings together in one Legislature and in one City those interested with the management of public affairs of a people scattered over an extensive region, and differing in language, in Laws, and in many respects in local interests. It also brings to the Seat of the Provincial Government a continual concourse of persons having private or public matters to solicit. To cause this assemblage in any portion of one section of the Province which, from its position, would place the Legislature and suitors from the other section at once out of view of every thing connected with their own Race and Country, and at a distance from those whose interests they are bound to represent, and whose confidence it is essential to them to continue, would, in the opinion of the Committee of Council, prove a never ceasing source of discontent, and would promote a sense of banishment and of abandonment, which no arguments could overcome, or no advantages counterbalance. Some of this feeling is unavoidable from the fact that any Capital in *Canada* must be at a great distance from the extremities of the Province, and those at a distance from the scene of Legislative deliberation and Executive action, will always imagine their interests more or less overlooked or their opinions slighted; but dissatisfaction of this nature must be very much aggravated if Legislation be carried on in a locality where neither the language, laws or manners of a large portion of the community prevail, or are known, and where the actual condition and requirements of that part of the population cannot be observed, and can only be learned upon statements liable to be denied or controverted; could no common locality be found on ground equal, or nearly so, to both parties, a great obstacle would be offered to the success of the measure of the Union; for the Committee think that one or the other party would continue discontented, and would suffer under a sense of injustice and oppression most injurious to the Government, and inimical to the tranquillity of the Province. To find the place which leaves the least foundation for complaint on any side, has therefore been the object of the Committee of Council in the present inquiry, and it is one which they think ought to be paramount to all others.

*Quebec* it is true, has its fortifications; it is the mart of the Timber Trade, in which a portion of the People of *Upper Canada* are connected; it has Houses of Parliament already constructed, which might temporarily answer for the meeting of the Legislature, and part of which would serve the same purpose in future; and it is not materially different in climate from most other parts of the Province. But its distance from *Upper Canada*, its want of equal commercial connection with the Upper Province, except as regards one branch of trade, the little personal common intercourse between its Inhabitants and people from the western portion of the Colony, form in the opinion of the Committee, strong objections to its being chosen as the Seat of Government. *Upper* Canadians having business to transact with Government, or who are engaged in public affairs, would feel themselves forced to go to a distance from their Country to a place where everything would appear strange, and where even the distance from, and expense of communication with, their own Section of the Province, would be

Seat of Gov't.

considered unnecessary inflictions. *Toronto* though a flourishing and rapidly rising City, situate in a fertile Country, and having a large extent of territory in its rear, peopled, and in the course of settlement, has nevertheless little interests in common with the Lower Province, unless as a place through which its Commerce must pass, and its strangeness to Lower Canadians, would ever be greater than would be felt in *Quebec*, by people from *Upper Canada*, whilst its distance from Eastern *Canada* would cause many and constant inconveniences, too great to admit the continuance of the Capital there. *Kingsston*, it is true, is some what nearer to a central position, but its importance, except as a Military Post, depends mainly upon the forwarding trade; and not having an improved back country, its progress has not been rapid, notwithstanding its being one of the most ancient Towns in the Province, and favoured by the presence of large Naval and Military establishments. The coming of the Government caused improvements, which, however, must be limited to the wants of the influx population consequent upon that occasion. It is close upon the American Frontier; many of its supplies are taken from the *United States*, and the inhabitant of *Lower Canada* feels himself alienated from his own people as much in this City as he could well be any where in *Canada*; while it is not a place in which any considerable number of the inhabitants of *Upper Canada*, besides its own citizens and the country in its neighbourhood, have any interest. It is not surprising, therefore, that when the question was discussed in the two last Sessions in the Legislative Assembly, a very large majority of Members declared decidedly against *Kingsston*. Of *Bytown* it may be said that is comparatively safe from attack in the interior; that when the country of the *Ottawa* comes to be settled, it promises to rise into importance, and that it is situate on the Provincial Boundary, but then its position makes it inconvenient both for *Upper* and *Lower Canadians*; it is, in fact, out of the way of both; and thus possessing disadvantages which would be equally felt by both divisions of the Province, it would, probably, unite both in one feeling, and that not in its favor.

The Island of *Montreal* was chosen as the site of a great City by the French Government in the early times of the Colony. In making this choice, the acknowledged sagacity and foresight displayed by the officers of that nation, in their selection of positions, for either Civil or Military occupation, along the course of the *Saint Lawrence* and down the *Mississippi*, in a country then a Forest Wilderness, was scarcely required when *Montreal* was designated as a future City. No discoveries of localities claiming to be equal, no developement of the vast resources of later times, no improvement in Canal Navigation, and not even the discovery and use of Steam, which in other instances have set at naught the calculations of the wisest and most profound of early politicians, have made any change in the prospects of importance of *Montreal*, except as they have confirmed and advanced all prognostications of its future greatness. Situate at the head of navigation from the Sea, and at the foot of the River and Canal Navigation, not only of *Canada* but of *North Western America*; *Montreal* has long been the Commercial Capital of the Province, and bids fair to be the Mart of Commerce of a large portion of the vast North Western country of the American States. It is not merely a City through or by which the Commerce of the country passes, but it is the depot and place of exchange of that Commerce, and consequently it is beyond all comparison the centre of the wealth of *Canada*, a wealth not derived from any partial or changeable source, but flowing to it alike from the Atlantic, from the distant Western

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Lakes, and even from waters whose natural outlet is to be found at *New Orleans*, but which by means of Canals have been made to communicate with the Canadian Lakes, and to bring contributions to the favoured City of *Canada*. Ships from the Ocean and Vessels from the interior lie together in the port, and men from all quarters meet there in the ordinary course of business. *Montreal* has no concern in the sectional jealousies of the different positions in the Western Country, but it is impossible to imagine an improvement in the condition of that country, by which that City is not benefited, while, on the other hand, the Upper Canadians having little to do with the affairs of the other Ports of *Lower Canada*, have a deep interest in *Montreal* as their own Sea Port and their own Market; *Montreal* is therefore essentially a City of both the late Provinces; one in which each claim an interest, and it is moreover a City familiar to Upper Canadians as it is to the inhabitants of the section of which it forms a part; it is the place of all others in which to study the statistics and politics of the whole of *Canada*,—in which there is the least chance of partial Legislation, or of the interests of any part of the People of the Province being overlooked or disregarded.

There can be no stronger proof of the correctness of these opinions, than the claim set up by the Inhabitants of the Western Country, long before the Union, to the City of *Montreal*, as a place built up with the result of their industry, and sustained by their Commerce, but of the resources arising from the wealth of which they were deprived in consequence of that City forming part of a different Province. That the lower Canadians resented and resisted a proposition for the dismemberment of their Country, and the loss of their chief City, is undoubted, and surely this contest for a place in which both claimed a deep and obvious interest, shared by no other locality, ought to be conclusive evidence in favor of the disputed position, when the inquiry is made, where shall be the United Capital of these contending Provinces? That the Capital of the United Provinces ought to be placed in the position which would enable Upper Canadians most effectually to look after the concerns of their own sea borne and outward trade, and in the place in which Lower Canadians can most effectually investigate and control the internal management of communications, of which they share the expense, and in the advantages of which they expect to share, appears to the Committee of Council almost an indisputable proposition. That *Montreal* possesses these advantages is not to be disputed, and that there are facilities afforded to a Government resident in *Montreal* of closely and constantly ascertaining what is for the Public advantage of the whole community, and what is the true bent of Public opinion, superior to any offered by rival Cities claiming the choice of the Government, the Committee think is equally apparent. All the advantages of common and universal interest in one locality are, in the opinion of the Committee, found in *Montreal*, in a superior degree to those existing in most Capital Cities, and therefore they feel bound, without giving much weight to local claims, or to desires naturally entertained of political preferance in either section of the Province, to tender to Your Excellency their respectful advice to recommend to the Queen the choice of *Montreal* as Her Majesty's Canadian Capital.

The Committee further beg leave to suggest that although it is for Her Majesty to declare Her Gracious pleasure upon this subject, yet in whatever place the Seat of Government shall be fixed, heavy expenses will attend its establishment, which have to come through the vote of the Legislature, and they have no doubt but that it would be gratifying

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to Her Majesty, as it would to Your Excellency and Council, to see the necessary expenditure cheerfully and cordially undertaken, and borne by the Provincial Parliament. And the Committee need not say how much it would mortify them to see any serious difference of opinion in the Legislature on such a point. The proceedings in the two last Sessions of Parliament would, the Committee apprehend, indicate such a difficulty, to an extent which would make an application to Parliament almost hopeless, were *Kingston* to be continued, or any of the places which put forward their own claims, chosen, and they are of opinion that although the Citizens of *Montreal* appear to take little interest in the Question, as they might be personally affected by its decision, and although in fact that City is so full of other resources, as to account for the indifference of its Inhabitants, to the acquisition of the of the character of a Political Capital, yet the advantages to the Public generally appear so plain, and the general objects in view in the choice so defensible, that they have the strongest hope of a concurrence in the selection by the Legislature, and of the avoidance of the difficulties which any other would probably occasion. In favor of which soever place Her Majesty may be pleased to decide, the Committee of Council would respectfully suggest that the interests of individuals are suffering, and will continue to suffer, by any delay in the final decision. The popular mind is also kept more or less unsettled and agitated on the question, so as to affect other politics injuriously. When once the Provincial Capital is definitively chosen, bad feeling on the subject will cease, and common favorable interests will be awakened. The more quickly the intention of Her Majesty shall be carried into execution, the sooner will its beneficial objects be understood and admitted. And should Your Excellency be pleased to agree in the recommendation of the Committee, and should Her Majesty be advised to concur in the measure of fixing the Capital at *Montreal*, the Committee think that facilities for a very early removal of the Government thither can be found in that City, and the accommodation offered by its extent and position, as well as by the possession of Public property there, available for the uses of the Government.

The urgent necessity for an immediate decision and for early action thereupon, is further shown by the approaching want of funds to pay the rents of the Public Buildings and the Government House occupied in *Kingston*. An application to Parliament for those funds would bring on the question respecting the Seat of Government in its most embarrassing shape. The buildings occupied for Public Offices and for Parliament in *Kingston*, are, moreover, totally unfit for the purposes to which they are temporarily turned. The Members of the Legislature have been put to the greatest inconvenience for the want of a tolerable building in which to hold their Sessions, and the facilities for the erection of buildings in *Montreal*, and the superior cheapness of their construction at that place, give it advantages in an economical point of view, which would more than counterbalance the value of any Public Edifices that exist either in *Quebec* or *Toronto*.

All which is respectfully submitted.

By order,

(Signed.) *R. B. Sullivan,*  
Chairman.

Certified, *E. Parent, C. E. C.*

Council Chamber, }  
*Kingston, 16th March, 1843.* }

(Copy.)

Mr. *Harrison*, as a Member of the Executive Council of *Canada*, present on the 16th instant, in a Committee of Council, when a minute was agreed upon, by which the Committee advise the transfer of the Seat of Government of *Canada* from *Kingston* to *Montreal*, feels it to be his duty to communicate to His Excellency, the Governor General, that he has not concurred in the Minute of Council above referred to.

Anxious to avoid every possible cause of embarrassment, and feeling satisfied that all the political arguments upon every view that can be taken of the subject have been fully exhausted, Mr. *Harrison* refrains from entering into any statement of the process of reasoning by which he has been led to the conclusion at which he has arrived, and therefore contents himself with making this communication to His Excellency.

*Kingston, 20th March, 1843.*

The Honourable Mr. Attorney General *Baldwin* moved, seconded by the Honourable Mr. *Harrison*, that two thousand five hundred copies of the Message of His Excellency, the Governor General, in answer to the Address of this House, on the subject of the Seat of Government, and of the accompanying Documents, be printed in each of the *English* and *French* languages, for the use of the Members of this House.

Mr. *Johnston* moved, seconded by Mr. *Dunlop*, that the further consideration of the said motion be postponed until the fullest information can be procured, agreeably to the Address of this House of the third instant.

The question having been put on the said motion, a division ensued, and it passed in the negative.

The question being then put on the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:—

## YEAS:

Messieurs. ARMSTRONG, BALDWIN, BARTHE, BERTHELOT, BOUTILLIER, CAMERON, CHILD, CHRISTIE, CRANE, DALY, DE WITT, DUNN, FORBES, GILCHRIST, HARRISON, HINCKS, HOPKINS, JUDAH, KILLALY, LAFONTAINE, LESLIE, D. McDONALD, MORIN, NEILSON, PAPINEAU, PARKE, POWELL, PRICE, ROBLIN, SIMPSON, HARMANNUS SMITH, STEELE, TACHE, THOMPSON, THORBURN, TURGEON, D. B. VIGER, L. M. VIGER, and WAKEFIELD.—(39.)

## NAYS:

Messieurs. CARTWRIGHT, DUNLOP, HALE, JOHNSTON, SIR ALLAN N. McNAB, McLEAN, HENRY SMITH, and WILLIAMS.—(8.)

So it was carried in the affirmative; and  
*Ordered, Accordingly.*

On motion of Sir *Allan N. MacNab*, seconded by Mr. *Cartwright*,

*Ordered*, That five thousand copies of the Address of this House, of the third Instant, to His Excellency, the Governor General, praying for information on the subject of the Seat of Government, be printed for the use of the Members of this House.

Mr. *Simpson*, from the Special Committee appointed to inquire what accommodation is afforded within the Legislative Building for the deliberation of the Committees of this House, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Protest.

"That this House contains but two unappropriated rooms capable of affording accommodation to Committees. The attention of your Committee was next directed to the out-buildings, but they found that the only one convertible into Committee Rooms was the shed, and that by incurring an expense of £140 could be so arranged as to form eight rooms, each 12 x 24 feet. They were disposed to recommend the alteration of the shed, from an anxious desire to add some new apartments to a Charitable Institution, and which at some future period might serve as a contagious fever-ward; but from an apprehension arising from the lateness of the season, and the difficulties consequent thereon, they were induced to apply to the Venerable the Archdeacon of the Diocese, who has most liberally offered them the necessary accommodations for the sum of £75 for the present Session.

Your Committee therefore beg leave most respectfully to recommend that the sum of seventy-five pounds be charged to the contingencies of the House, that their Chairman be allowed to conclude the arrangement with the Venerable the Archdeacon for the subject of the Reference."

*Ordered*, That the said Report be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Barthe* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered*, That said Committee have leave to sit again to-morrow.

*Resolved*, That a Select Committee of eleven Members, composed of the Honourable Mr. Attorney General *Baldwin*, the Honourable Mr. *Neilson*, Sir *Allan N. MacNab*, Mr. *Merritt*, Mr. *Leslie*, Mr. *Price*, the Honourable Mr. *Moffatt*, the Honourable Mr. *Harrison*, Mr. *Christie*, the Honourable Mr. *Sherwood*, and Mr. *L. M. Viger*, be appointed to prepare and report with all convenient speed lists of Members to compose the six standing Committees ordered by this House, on Thursday last.

On motion of Mr. *Wakefield*, seconded by Mr. *De Witt*,

*Resolved*, That a humble Address be presented to His Excellency, the Governor General, praying that His Excellency be pleased to cause to be laid before this House, any Correspondence that may have taken place between the Civil Government and the Military Authorities, with respect to stationing troops on the line of the *Beauharnois* Canal.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

*Ordered*, That Mr. *Williams* have leave to bring in a Bill to enable Religious Societies of all denominations of Christians (in that part of the Province formerly called *Upper Canada*), to hold Lands requisite for certain purposes therein mentioned.

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 Friday next.

On motion of the Honourable Mr. Attorney General *Baldwin*, seconded by Mr. *Derbshire*,

*Resolved*, That a humble Address be presented to His Excellency, the Governor General,

praying that His Excellency will be pleased to cause to be laid before this House, copies of any correspondence that may have passed with the Executive Government of this Province, since His Excellency's Assumption of the Government thereof, respecting the case of *Marshall Spring Bidwell*, Esquire, formerly Speaker of the Commons House of Assembly, of the late Province of *Upper Canada*.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

*Ordered*, That the Honourable Mr. Attorney General *Baldwin* have leave to bring in a Bill to restrain Party Processions in certain cases.

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 Monday, the twenty-third instant.

*Ordered*, That the Honourable Mr. Attorney General *Baldwin* have leave to bring in a Bill for the discouragement of Secret Societies.

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 Monday, the twenty-third instant.

*Ordered*, That the Honourable Mr. Attorney General *Baldwin* have leave to bring in a Bill to provide for the calling and orderly holding of Public Meetings in this Province, and for the better preservation of the public peace thereat.

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 Monday, the twenty-third instant.

A Bill for securing the Province against any unnecessary loss on the Judicial Sale of certain parts of the Vacant Estate of the late Honourable Sir *John Caldwell* was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. *De Witt* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair, and Mr. *De Witt* reported that the Committee had gone through the Bill and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

A Bill for taking the Census of the Inhabitants of *Lower Canada*, and for obtaining certain Statistical information therein mentioned was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair, and Mr. *Merritt* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

The Order of the day for the House in Committee to consider the propriety of amending the Act 4 & 5 *Victoria*, Cap. 14, which imposes duties on

Marshall  
Spring Bidwell  
Esquire.

Party  
Processions.

Secret  
Societies.

Public  
Meetings.

Late Sir John  
Caldwell's Estate.

Census of Lower  
Canada.

Duties on Imports.

Standing Committees.

Troops at  
Beauharnois.

Religious Societies  
Lands.

goods, wares, and merchandize, imported into this Province, and imposing duties on certain Agricultural products exempted from duty under the said Act, being read,

The House accordingly resolved itself into the said Committee.

Captain *Steele* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Captain *Steele* reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Writ of Election County of Montreal.

The Order of the day for the House in Committee on the Report of the Special Committee to which was referred a motion made on the third instant, viz: "That the Speaker do issue 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 *Montreal*, in the room of *Alexander Maurice Delisle*, Esquire, who, since his election has accepted the Office of Clerk of the Peace for the District of *Montreal*," being read—

Ordered, That the said order of the day be postponed until to-morrow, and that it be then the first order of the day.

Then on motion of the Honourable Mr. Solicitor General *Aylwin*, seconded by the Honourable Mr. *Viger*,

The House adjourned.

Martis 10<sup>o</sup> die Octobris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

Collectors' Returns.

MR. SPEAKER laid before the House Returns from the Collectors of the Ports of *Montreal* and *Kingston*, to an order of the House of the 8th October, 1842, for a copy of the regulations relating to Warehousing at the several Ports of this Province.

(For the said Returns see Appendix K.)

12 Petitions brought up.

The following Petitions were severally brought up and laid on the table:

By Mr. *L. M. Viger*—The Petition of the Reverend Messieurs *Brassard* and *Mignault*, Rectors of *Longueuil* and *Chambly*, and of other inhabitants of the said Parishes; and the Petition of *Joseph Bessett* and other Proprietors of Lands on the line of the *Chambly Canal*.

By Mr. *Child*—The Petition of *Edmund Perle* and others, inhabitants of the County of *Stanstead*; the Petition of *Andrew Patton*, Land Waiter to the Custom House in the Township of *Stanstead*; and the Petition of *Robert Hoyle*, Collector of Customs at *Stanstead*.

By the Honourable Mr. *Morin*—The Petition of *H. St. Germain*, and *J. G. La Violette*, of the Parish of *St. Eustache*, in the District of *Montreal*.

By the Honourable Mr. *Neilson*—The Petition of *Charles Hebert*, Messenger of the *Quebec District Council*.

By Mr. *Henry Smith*—The Petition of the Venerable *George Okill Stuart*, and others, Freeholders and Householders in Lot No. 24, in the First Concession of the Township of *Kingston*.

By Mr. *Taschereau*—The Petition of the Reverend *P. Beaumont* and others, inhabitants of the Parish of *St. Jean Chrysostome*, in the Seigniorship of *Lawson*, in the County of *Dorchester*.

By the Honourable Mr. Solicitor General *Aylwin*—The Petition of the Reverend *C. F. Cazeau* and

others, of the City of *Quebec*; members of the Congregation of Our Lady, (*Congrégation de Notre Dame*.)

By Mr. *Wakefield*—The Petition of *J. B. La Violette*, Stipendiary Magistrate on the *Beauharnois Canal*, in the District of *Montreal*.

By Mr. *Cartwright*—The Petition of *Thomas A. Corbett* and others, of the Town of *Kingston*.

Mr. *Simpson*, from the Select Committee to which was referred the Petition of the members of the Medical Board of *Montreal*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Medical Board Montreal.

"Your Committee beg leave to Report—That the sanction of your Honourable House having been obtained to the principle of this measure, by the second reading of a Bill to facilitate the study of Anatomy, in the two last Sessions, your Committee consider they will best promote the object of the reference, by the introduction of a Bill, which they recommend to the consideration of your Honourable House."

Ordered, That Mr. *Simpson* have leave to bring in a Bill to regulate and facilitate the study of Anatomy.

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 Friday the twentieth instant.

Study of Anatomy.

Mr. *Christie* from the Special Committee to which were referred the Petition of *Charles Cunningham*, and others, of the City of *London* in *England*; and the Petition of *Andrew H. Young* and others, of the City of *Quebec*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report on Petition of Charles Cunningham and others.

"Your Committee having made the necessary inquiry as to the benefit in a public sense, to be derived to the Province by the Incorporation of a Company for the objects mentioned in the first of the said Petitions referred to them, and having with a view to ascertain the standing and efficiency of the Petitioners to carry out the purposes contemplated in their Petition, examined *J. H. Kerr*, of *Quebec*, Esquire, Agent of the Petitioners, and Mr. *Wakefield*, one of the Members of Your Honourable House, to whom the Petitioners are personally known, and whose evidence was satisfactory in this respect, are of opinion that the formation of a Company for the purposes prayed for, with a Capital of £150,000, liable to be increased to £200,000 Sterling of which at least one third should actually be paid up by the Stockholders before the said Company shall go into operation and have the benefits of a Corporate capacity in *Canada*, would be beneficial to the Province by the introduction of British Capital and the encouragement of enterprise and industry therein, care always being taken that it be provided in any enactment that may be passed for the purpose, that before the said Company shall be operative as a Body Corporate in this Province, the aforesaid proportion of at least one third of the Capital Stock of the Company shall *bonâ fide* actually have been paid up, funded and at the disposal of the said Company for the purposes thereof, and accessible to those in this Province who shall at any time have claims thereon; also that a general Statement of the affairs of the said Company shall be annually placed under the supervision of the Provincial Legislature, only to such extent however as may be sufficient to afford a check upon any abuse of the privileges conferred upon the Company, by its Incorporation under the Provincial Act; and Your Committee accordingly recommend that the prayer of the Petitioners be granted, and that an Act to Incorporate the said



Company be introduced and passed by Your Honourable House.

*Ordered*, That the said Report be referred to a Committee of the whole House, on Tuesday next.

Register Laws.

*Ordered*, That the Honourable Mr. *Sherwood* have leave to bring in a Bill to alter and amend the Registry Laws of that part of this Province which was 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 Wednesday the eighteenth instant.

On motion of Mr. *Thorburn*, seconded by Mr. *Harmannus Smith*,

Niagara Boundary Line.

*Resolved*, That this House will, on Wednesday the eighteenth instant, resolve itself into a Committee of the whole House, to take into consideration the propriety of amending the Act of the Legislature of the late Province of *Upper Canada*, of the 56 Geo. III., cap. 19, so far as relates to the Boundary Line between the *Niagara* and *Gore* Districts; and that the Petition of the Municipal Council of the *Niagara* District, respecting said Boundary Line, presented to the House on the twenty-ninth of September last, be referred to the said Committee.

On motion of Mr. *Thorburn*, seconded by Mr. *Harmannus Smith*,

Boundary Commission.

*Resolved*, That this House will, on to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of reviving and continuing so much of the Act of the Legislature of the late Province of *Upper Canada*, of the 1 *Victoria*, chap. 19, as will enable the Commissioners appointed under the said Act, to collect and obtain a settlement of such costs and expenses incurred by them in the execution of their trust, as still remain unliquidated; and that the Petition of *George Rykert*, and others, presented to the House on the second instant, be referred to the said Committee.

On motion of the Honourable Mr. *Jones*, seconded by the Honourable Mr. *Neilson*,

Disturbances Beauharnois.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House the Report of the Commission of Enquiry into the disturbances upon the *Beauharnois* Canal during the last summer; a Statement of the Expenses attending the said Commission of Enquiry, and of the other Expenses consequent upon the question of the said disturbances; and also a Statement of the Expenses of putting down the disturbances upon the *Lachine* Canal during the last winter.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Cartwright*, seconded by Mr. *Price*,

Quarter Sessions Upper Canada.

*Resolved*, That this House do now resolve itself into a Committee of the whole House, to take into consideration the propriety of repealing part, and amending the Laws now in force for fixing the periods of holding the several Courts of General Quarter Sessions of the Peace in that part of the Province formerly *Upper Canada*.

The House accordingly resolved itself into the said Committee.

Mr. *L. M. Viger* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *L. M. Viger* reported that the Committee had come to a Resolution, 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 Laws so as to fix the periods for holding the several Courts of the General Quarter Sessions of the Peace, in and for the several Districts of the Province heretofore called *Upper Canada*, and that the periods be uniform throughout.

*Ordered*, That Mr. *Cartwright* have leave to bring in a Bill, to fix the periods for holding the Courts of General Quarter Sessions of the Peace, in that part of the 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.

On motion of the Honourable Mr. *Hincks*, seconded by the Honourable Mr. *Morin*,

Provincial Customs.

*Resolved*, That this House do now resolve itself into a Committee of the whole House, to consider the propriety of repealing certain Acts and Ordinances relative to the management and regulation of the Provincial Customs, and to Duty of Customs, and other Duties imposed by Provincial Laws; and to the Licensing of Tavern Keepers, and Vendors of Spirituous and other Liquors, Auctioneers, Distillers, Hawkers and Pedlars, and Keepers of Billiard Tables.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Judah* reported that the Committee had come to a Resolution, 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 repeal the Acts and Ordinances relative to the management and regulation of the Provincial Customs, and to Duties of Customs, and other Duties imposed by Provincial Laws, and to the Licensing of Tavern Keepers, and Vendors of Spirituous and other Liquors, Auctioneers, Distillers, Hawkers and Pedlars, and Keepers of Billiard Tables, and to substitute other provisions in lieu thereof.

*Ordered*, That the Honourable Mr. *Hincks* have leave to bring in a Bill to repeal the Acts, Ordinances, and provisions of Law, therein mentioned, relative to the management and regulation of the Provincial Customs, and to Duties of Customs, and other Duties imposed by Provincial Laws, and to the Licensing of Tavern Keepers and Vendors of Spirituous and other Liquors, Auctioneers, Distillers, Hawkers and Pedlars, and Keepers of Billiard Tables.

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. *Thompson* have leave to bring in a Bill to provide for the detention, and conveyance to Gaol of Debtors, in certain cases, within *Canada West*.

Debtors' detention.

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.

Montreal  
County Elec-  
tion.

Sir *Allan N. MacNab* moved, seconded by the Honourable Mr. *Moffatt*, that an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of the opinion given by the Law Officers of the Crown, in that part of this Province lately called *Lower Canada*, on the subject of the application of *A. M. Delisle*, Esquire, Clerk of the Peace for the District of *Montreal*, to be permitted to perform his duties, as such Clerk of the Peace, by Deputy, during the sitting of Parliament, to enable him to attend in his place in this House, as Representative of the County of *Montreal*, and all communications between the Government and the said *A. M. Delisle* on the subject.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Sir John Cald-  
well's Estate.

Mr. *De Witt*, from the Committee of the whole House on the Judicial Sale of certain parts of the vacant Estate of the late Honourable Sir *John Caldwell*, reported, according to order, the amendments made by the Committee to the said Bill, 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.

Census, Lower  
Canada.

Mr. *Merritt*, from the Committee of the whole House, on the Bill for taking the Census of the Inhabitants of *Lower Canada*, and for obtaining certain Statistical information therein mentioned, reported, according to order, the amendments made by the Committee to the said Bill, 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.

Duties

The Order of the day for receiving the Report of the whole House to consider the propriety of amending the Act 4 & 5 *Victoria*, Cap. 14, which imposes duties on goods, wares, and merchandize, imported into this Province, and imposing duties on certain Agricultural products exempted from duty under the said Act, being read.

Ordered, That the said Order of the day be postponed until Monday next.

Montreal Elec-  
tion.

The Order of the day for the House in Committee on the Report of the Special Committee to which was referred a motion made on the 3d instant, viz: "That the Speaker do issue 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 *Montreal*, in the room of *Alexander Maurice Delisle*, Esquire, who, since his Election, has accepted the Office of Clerk of the Peace, for the District of *Montreal*," being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *McLean* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and is as followeth:

Resolved, That it is the opinion of this Committee, that a new Writ be ordered for the County of *Montreal*, for the election of a Member in the room of *Alexander Maurice Delisle*, Esquire, whose seat has become vacant by accepting office since his election in March, 1841.

The Honourable Mr. *Viger* moved, seconded by Mr. *Boutillier*, that the House doth concur with the Committee in the said Resolution.

The question having been put upon the said motion, the House divided thereon, and the names being called for, they were taken down as followeth:

#### YEAS:

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOUTILLIER, CHESLEY, CHILD, CHRISTIE, CRANE, DE WITT, DUNN, GILCHRIST, HARRISON, HENCKS, HOPKINS, JONES, KILLALY, LAFONTAINE, LESLIE, D. McDONALD, McLEAN, MERRITT, MORIN, NEILSON, PAPINEAU, PRICE, QUESNEL, SIMPSON, SMALL, HARMANNUS SMITH, THOMSON, THORBURN, TURGEON, D. B. VIGER, L. M. VIGER, WAKEFIELD, and WILLIAMS.—(38.)

#### NAYS:

Messieurs. CARTWRIGHT, DUGGAN, FORBES, SIR ALLAN N. MACNAB, McCULLOCH, MOFFATT, ROBLIN, HENRY SMITH, and H. SHERWOOD.—(9.)

So it was carried in the affirmative; and

Resolved, Accordingly.

On motion of the Honourable Mr. *Viger*, seconded by Mr. *Boutillier*.

Ordered, That Mr. Speaker do issue his warrant for a new Writ, conformably to the said Resolution.

The Order of the Day for the House in Committee, on the Report of the Special Committee appointed to enquire what accommodation is afforded within the Legislative Building for the deliberation of the Committees of this House, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Wakefield* reported that the Committee had come to a Resolution which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Then, on motion of the Honourable Mr. *Viger*, seconded by the Honourable Mr. *Hincks*,

The House adjourned.

Mercurii, 11<sup>o</sup> die Octobris.

Anno 7<sup>o</sup>, Victoriae Reginae, 1843.

THE following Petitions were severally brought up and laid on the Table:—

By Mr. *De Witt*—The Petition of *Loop Odell*, of *Napierville*; and the Petition of *John G. Lansing*, and others, Inhabitants of the Seignory of *Lucolle*.

By Mr. *Armstrong*—The Petition of *Oliver Valois*, and others, Freeholders of the Parish of *Isle du Puds*, in the District of *Montreal*.

By Mr. *Chesley*—The Petition of *Joshua Y. Cozens*, of the Town of *Cornwall*,

By Mr. *Child*—The Petition of *H. W. Hitchcock*, and others, Inhabitants of the Township of *Hatley*, in the District of *St. Francis*.

By Mr. *Papineau*—The Petition of the Municipal Councillors, and other Inhabitants of the County of *Ottawa*, in the District of *Sydenham*; and the Petition of *Charles Symmes*, and other Inhabitants of the County of *Ottawa*; and the Petition of the Reverend *Joseph Desautels*, of the Township of *Hull*, in the District of *Ottawa*.

By Mr. *Holmes*—The Petition of the President and Governors of the *Montreal* General Hospital; the Petition of the Mercantile Library Association of *Montreal*; and the Petition of the Honourable *Peter McGill*, and others, of the City of *Montreal*.

By Mr. *Hopkins*—The Petition of the Municipal Council of the *Gore* District; (relating to the boun-

Accommoda-  
tion for Com-  
mittees.

26 Petitions  
brought up.

dary line between the Districts of *Gore* and *Niagara*;) the Petition of the Municipal Council of the *Gore* District. (relating to Agriculture;) and the Petition of the Municipal Council of the *Gore* District, (relating to Division Courts.)

By Mr. *Forbes*—The Petition of *Thomas Kains*, and others, inhabitants of the left Bank of the River *Ottawa*; the Petition of *George Bridgman*, and others, Leather Manufacturers and Dealers, in *Canada East*; and the Petition of *W. G. Blanchard*, and other Inhabitants, of the County of the *Lake of Two Mountains*.

By the Honourable Mr. *Viger*—The Petition of *Patrick Brennan*, of the City of *Montreal*.

By Mr. *Price*—The Petition of *G. W. Yarker* and others, Inhabitants of the County of *Frontenac*.

By Mr. *Roblin*—The Petition of *W. Ketchison junior*, and *T. D. Appleby*, of the District of *Victoria* and *P. V. Elmore*, of the Town of *Kingston*; and the Petition of *Albert G. Alexander*, of the Township of *Hamilton*, in the *Newcastle* District.

By Mr. *Henry Smith*—The Petition of *Robert Barclay*, and others, Stone Masons, of the Town of *Kingston*.

By the Honourable Mr. Attorney General *Lafontaine*—The Petition of the Reverend Mr. *Ducharme*, Rector of the Parish of *Blainville*, in the County of *Terrebonne*; and the Petition of the Fourth Riding Agricultural Society of the County of *York*.

By the Honourable Mr. *Neilson*—The Petition of the Reverend *John Cook*, and other Directors of the *Quebec High School*.

By the Honourable Mr. *Sherwood*—The Petition of *Julia Bell*, wife of *Aeneas Bell*, Chief Messenger of the late House of Assembly of *Upper Canada*.

An engrossed Bill for securing the Province against any unnecessary loss on the Judicial Sale of certain parts of the vacant estate of the late Honourable Sir *John Caldwell*, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the day, the following Petitions were read:—

Of the Reverend *J. Z. Carron*, and other Inhabitants, of the Municipal District of *Beauharnois*: praying the repeal of the Judicature Act, 4 & 5 *Victoria*, cap. 20, and the re-establishment of Commissioners' Courts.

Of the Reverend *J. Z. Carron*, and other Inhabitants of the County of *Beauharnois*: praying that persons selling Malt Liquors or fermented Liquors, may be subjected to the same duty, and the same formalities before they obtain Licenses, as persons selling Spirituous Liquors.

Of *Eden Colville*, of *Beauharnois*, Agent for the North American Colonial Association of *Ireland*: praying that further powers be granted to the said Association.

Of the Lord Bishop of *Montreal*, and others: praying for an Act of Incorporation for the Diocesan College of *Lennoxville* in *Lower Canada*.

Of the Corporation of the Collège of *L'Assomption*, in the County of *Leinster*: praying a grant of money to enable them to enlarge the said College so as to meet the growing wants of the population.

Of the Municipal Council of the District of *Rimouski*: praying the repeal of the Sleigh Ordinance; the repeal or amendment of the Registry Ordinance;

the amendment of the Judicature Act, 4 & 5 *Victoria*, Cap. 20, and the re-establishment of Commissioners' Courts; and the amendment of the School Act, 4 & 5 *Victoria*, Cap. 18.

Of the Municipal Council of the District of *Victoria*: praying to be authorized to impose a Tax on Dogs in the said District.

Of the Municipal Council of the District of *Victoria*: praying that all moneys arising from Licenses and Fines in the said District, be placed at the disposal of the said Council, for District purposes.

Of the President, Directors, and Stockholders, of the *Catarqui* Bridge; praying for certain amendments to their Act of Incorporation.

Of the Municipal Council of the *Midland* District; praying that the District be relieved from any liabilities for the costs of the Macadamized Road from *Kingston* to *Napanee*, and that the said Road be placed under the control of the Board of Works.

Of *William Ketchison junior*, and others, late Boundary Line Commissioners for the District of *Victoria*: praying that an Act be passed to enable them to recover all arrears for their services under the Boundary Line Commissioners Act, now expired.

Of *William Gordon*, and others, of the Township of *Drummond*: praying for certain Amendments to the Common School Act.

Of the Superior and Directors of the Seminary of *Quebec*: praying that they may be empowered by an Act to acquire and hold additional property to the amount of £1000, currency, per annum.

Of Mrs. *M. G. P. Poinchaud*, and other Directresses and Managers of the Charitable Association of the Roman Catholic Ladies of *Quebec*: praying an aid for the said Association.

Of Mrs. *Susanna Smith*, and other Ladies of the *Quebec* Infant School; praying an aid for the support of the said School.

Of *William Baker*, and others, Trustees for the *Dunham* High School; praying an aid for the support of the said School.

*Ordered*, That the Petition of the Superior and Directors of the Seminary of *Quebec*, be printed in the English and French Languages, for the use of the Members of this House.

*Resolved*, That the Petition of the Lord Bishop of *Montreal* and others, be referred to a Special Committee of five Members to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That Mr. *Bale*, the Honourable Mr. *Neilson*, Mr. *L. M. Viger*, Mr. *Moore*, and the Honourable Mr. *Viger*, do compose the said Committee.

*Ordered*, That the Petition of *William Ketchison junior*, and others, late Boundary Line Commissioners for the District of *Victoria*, be referred to the Committee of the whole House, appointed to consider the expediency of reviving and continuing so much of the Act of the Legislature of the Province of *Upper Canada* of 1841, *Victoria*, Cap. 19, as will enable the Commissioners appointed under the said Act, to collect and obtain a settlement of such costs and expenses incurred by them in

Petitions referred.  
Superior &c.  
Quebec Seminary.

Bishop of Montreal.

W. Ketchison and others.

Caldwell's Estate Bill.

Petitions read.

the execution of their trust, as still remain unliquidated.

Cataraqui  
Bridge Com-  
pany.

*Resolved*, That the Petition of the President, Directors, and Stockholders, of the *Cataraqui Bridge*, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That Mr. *Henry Smith*, Mr. *Cartwright*, the Honourable Mr. *Harrison*, Mr. *Price*, and Sir *Allan N. MacNab*, do compose the said Committee.

F. C. Mars &  
other Pilots.

*Resolved*, That the Petition of *François Cinq Mars*, and other Pilots, for and below the Harbour of *Quebec*, presented to the House on the second instant, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That the Honourable Mr. Solicitor General *Aylwin*, Mr. *Christie*, the Honourable Mr. *Neilson*, Mr. *Taché*, and the Honourable Mr. *Morin*, do compose the said Committee.

N. Arcand &  
other Pilots.

*Ordered*, That the Petition of *Narcisse Arcand* and others, Pilots for and below the Harbours of *Quebec* and *Montreal*, presented to the House on the second instant, be referred to the said Committee.

Standing Com-  
mittees.

The Honourable Mr. Attorney General *Baldwin*, from the Select Committee appointed to prepare and report lists of Members to compose the six standing Committees ordered by this House, on Thursday last, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and agreed to by the House, and is as followeth:

Your Committee have proceeded in accordance with the Order of Your Honourable House, to the selection of the following lists of Members to compose the standing Committees, viz:—

1st.—On Privileges and Elections.

The Honourable Mr. Attorney General *Baldwin*,  
The Honourable Mr. *Neilson*,  
The Honourable Mr. *Viger*,  
The Honourable Mr. *Black*,  
Mr. *Quesnel*,  
Sir *Allan N. MacNab*, and  
The Honourable Mr. *Moffatt*.

2nd.—On Expiring Laws.

The Honourable Mr. Solicitor General *Aylwin*,  
The Honourable Mr. *Sherwood*,  
Mr. *Christie*,  
The Honourable Mr. *Boulton*, and  
Mr. *L. M. Viger*.

3rd.—On Private Bills.

The Honourable Mr. Attorney General *Lafontaine*,  
Mr. *Price*,  
Mr. *Merritt*,  
The Honourable Mr. *Moffatt*,  
The Honourable Mr. *Black*,  
Mr. *Cartwright*, and  
Mr. *Boutillier*.

4th.—On Standing Orders.

The Honourable Mr. *Harrison*,  
The Honourable Mr. *Morin*,  
The Honourable Mr. *Boulton*,  
The Honourable Mr. *Neilson*, and  
Sir *Allan N. MacNab*.

5th.—On Printing.

Mr. *De Witt*,  
Mr. *Morris*,  
The Honourable Mr. *Neilson*,  
Mr. *Thompson*,  
Mr. *George Sherwood*,  
Mr. *Barthe*, and  
The Honourable Mr. *Jones*.

And 6th.—On Contingencies.

Mr. *Holmes*,  
Mr. *Thorburn*,  
The Honourable Mr. *Moffatt*,  
The Honourable Mr. *Hincks*,  
Mr. *McLean*,  
Mr. *Roblin*, and  
Mr. *George Sherwood*.

Mr. *McLean*, from the Select Committee to which was referred the Petition of *Adam Johnston*, and other Inhabitants of the third Concession of the Township of *Cornwall*, in the *Eastern District*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:

Report on Pe-  
tition of Adam  
Johnston and  
others.

Your Committee having examined, fully and satisfactorily, the grounds upon which the Petitioners have based their prayer, and being led thereby to the conclusion that great inconveniences and much confusion must ensue from a change in the course of the side lines which the Inhabitants of the said Concession have held to, for the last forty years, and upwards; and that the only interest affected thereby is that of the Petitioners, who are all agreed that the line run by *J. M. Carly* should be established and become permanent—Your Committee therefore recommend the prayer of the Petitioners to the favourable consideration of Your Honourable House.

*Ordered*, That the said Report be referred to a Committee of the whole House, on Friday next.

*Ordered*, That Mr. *Roblin* have leave to bring in a Bill to provide for the more equal distribution of the property of persons dying intestate within that part of this Province formerly *Upper Canada*.

Intestate Es-  
tates 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 Friday the twentieth instant.

On motion of Mr. *Holmes*, seconded by the Honourable Mr. *Hincks*,

*Resolved*, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of amending the Act 4 & 5 *Victoria*, cap. 98, relating to the Incorporation of the Bank of *Montreal*, with a view of granting an extension of the time limited in the said Act for the calling in of the whole amount of the subscribed stock.

Bank of Mont-  
real.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Price* reported, that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

The Honourable Mr. *Daly*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Return to an Address of the House of Assembly, to the Governor General, praying that there be laid before that House, copies of any correspondence

M. S. Bidwell,  
Esq.

that may have passed with the Executive Government of this Province, since His Excellency's assumption of the Government thereof, respecting the case of *Marshall Spring Bidwell*, Esquire, formerly Speaker of the Commons House of Assembly of the late Province of *Upper Canada*.

Secretary's Office,  
Kingston, 10th October, 1842.

D. Daly, Sec.

(Copy.)

Mr. *Robert Baldwin* having been informed by Mr. Secretary *Harrison*, that, with reference to the case of Mr. *Bidwell*, which Mr. *Baldwin* had the honour of bringing under the notice of the Governor General, shortly after his assumption of the Government, His Excellency only requires a request to be made to him as a foundation for his directing that the pledge taken from that gentleman on his departure from *Upper Canada*, should be cancelled, and giving His Excellency's sanction for the introduction into Parliament of a Bill to restore to Mr. *Bidwell* the political rights, of which his residence abroad, under pressure of that pledge, has deprived him; Mr. *Baldwin* respectfully begs leave to make such request.

Wellington Street,  
25th May.

(Copy.) Secretary's Office, (West),  
Kingston, 29th May, 1843.

Sir,

I am commanded by the Governor General to inform you, in reply to your note of the 25th instant, that His Excellency considers it right that whatever pledge may have been given by Mr. *Bidwell*, on his departure from *Upper Canada* to preclude his return, should be cancelled.

The letter of that gentleman to the then Lieutenant Governor, Sir *F. B. Head*, supposed to contain such a pledge, is not to be found in the archives of the Secretary's Office; I am therefore directed to say, that the pledge is considered as cancelled, and that the letter, if ever found, may be returned.

I am also further desired to acquaint you that, in the event of Mr. *Bidwell's* proposing to return, His Excellency will give his sanction to the introduction into Parliament, next Session, of a Bill to restore to that gentleman the political rights, of which his residence abroad, under the pressure of that pledge, has deprived him.

I have, &c.

(Signed,) S. B. Harrison.

The Honourable *Robert Baldwin*.

Mr. *Wakefield*, from the Committee of the whole House on the Report of the Special Committee appointed to enquire what accommodation is afforded within the Legislative Building for the deliberation of the Committees of this House, 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 the sum of seventy-five pounds, currency, be charged to the Contingencies of the House, as necessary to furnish accommodation to the various Special Committees appointed by this House.

The Order of the Day for the House in Committee to consider the expediency of reviving and continuing so much of the Act of the Legislature of

the late Province of *Upper Canada*, of the 1st *Victoria*, cap. 19, as will enable the Commissioners appointed under the said Act, to collect and obtain a settlement of such costs and expenses incurred by them in the execution of their Trust as still remain unliquidated; and on the Petition of *George Rykert*, and others, late Boundary Line Commissioners for the *Niagara* District, and the Petition of *William Ketchison*, Junior, and others, late Boundary Line Commissioners for the District of *Victoria*, being read,

The House accordingly resolved into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Quesnel* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Mr. Speaker having put the question—

Shall the Committee have leave to sit again?—  
It passed in the negative.

*Resolved*, That the Petition of *George Rykert*, and others, late Boundary Line Commissioners for the *Niagara* District; and the Petition of *William Ketchison*, Junior, and others, late Boundary Line Commissioners for the District of *Victoria*, be referred to a Special Committee of five Members to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That the Honourable Mr. *Boulton*, Mr. *Cartwright*, Mr. *Roblin*, Mr. *Henry Smith*, and Mr. *Thorburn*, do compose the said Committee.

Then, on motion of the Honourable Mr. *Viger*, seconded by Mr. *Simpson*,  
The House adjourned.

Jovis 12<sup>o</sup> die Octobris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

**THIMOTHE' E FRANCHERE**, Esquire, Member for the County of *Rouville*, 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. Speaker laid before the House the Registrar's Report of Bonds and Securities registered, in compliance with the Provincial Act 4 & 5 *Victoria*, cap. 91.

(For the said Report, see Appendix L.)

The following Petitions were severally brought up, and laid on the table:—

By Mr. *De Witt*—The Petition of *Edward March*, of the Seigniorship of *Lacolle*, County of *Huntingdon*.

By Mr. *Price*—The Petition of *Peter Freeland*, and others, Manufacturers of Soap and Candles, in the City of *Toronto*.

By the Honourable Mr. *Moffatt*—The Petition of *J. S. Brondgeest*, and others, Proprietors of *St. George's Chapel, Montreal*.

By Mr. *Morris*—The Petition of *Joshua Bates* and others, inhabitants of the District of *Johnstown*; and the Petition of *Billa Flint*, and others, inhabitants of the District of *Johnstown*.

By Mr. *Quesnel*—The Petition of the Reverend *Jean Romuald Paré*, Rector of the Parish of *St. Jacques de l'Achigan*; and the Petition of *L. M. Viger*, Esquire, and others, Bankers in the City of *Montreal*.

By Mr. *Wakefield*—The Petition of *Donald A. McDonald*, of the County of *Beauharvois*, Trader and Contractor.

Revising and amending 1 Vic. cap. 19.

Petition of Geo. Rykert and others.

Member for Rouville.

Bonds and Securities.

25 Petitions brought up.

By the Honourable Mr. *Viger*—The Petition of *Christophe Lauzon*, and others, inhabitants of the Parishes of *Ste. Rose, St. Martin*, and other places.

By the Honourable Mr. *Jones*—The Petition of *Curtis Goodsill* and others, Assessors for the District of *St. John's*.

By Mr. *Berthelot*—The Petition of *Joseph Laurin*, as Attorney for certain Militiamen having served as such during the War with the *United States*; and the Petition of *Alexandre Duperre*, of *Kamouraska*, Notary.

By Mr. *Parke*—The Petition of *Joseph Bauchette*, of *Kingston*.

By Mr. *Boutillier*—The Petition of the *Montreal Medical Board*.

By Mr. *Leslie*—The Petition of the Reverend *J. Duracher* and other Inhabitants of the Parish of *Belair*, in the District of *Montreal*; and the Petition of *William Phillips*, and others, of *Quebec*.

By Mr. *Hobbs*—The Petition of *Benjamin Burland*, Gauger, and *Louis C. Vandal*, and *William Leggett*, Land Waiters at the Port of *St. John's, Canada East*.

By Mr. *Papineau*—The Petition of *Thomas H. Day* and others, Inhabitants of the Inferior District of *Sydenham*.

By Mr. *L. M. Viger*—The Petition of *Ignace Racine*, of the Parish of *St. Benoit*, Notary.

By Mr. *Christie*—The Petition of *Antoine Charles Taché*, Esquire, Representative for the County of *Dorchester*.

By Mr. *Merrill*—The Petition of *John Georwin* and others, Members of the Baptist Church at *Beamville*, in the District of *Niagara*.

By Mr. *Henry Smith*—The Petition of the *Kingston Marine Railway Company*; and the Petition of *J. A. P. Barber*, and Mrs. *Euphrasie Barber*, his wife.

By the Honourable Mr. Solicitor General *Aylwin*—The Petition of *George Pezer*, Esquire, of the City of *Quebec*.

By the Honourable Mr. *Neilson*—The Petition of *George Anoldt*, and others, of *Quebec*.

By Sir *Allan N. MacNab*—The Petition of *James Monton*, and others, of the town of *Kingston*.

Census Lower  
Canada.

An engrossed Bill for taking the Census of the inhabitants of *Lower Canada*, and for obtaining certain statistical information therein mentioned, was read for the first time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine* do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the order of the day, the following Petitions were read:—

Of the Reverend Messieurs *Brussard* and *Mignault*, Rectors of *Longueuil* and *Chambly*, and of other inhabitants of the said Parishes; praying that the Ordinance of *Victoria*, cap. 16, establishing the *Chambly Turnpike Road* may be so amended as to allow the inhabitants to pass free of toll, when going to, or returning from Divine Service; and so that the Priests having the care of souls in the said Parishes, may pass free from toll when travelling in the exercise of their Ministry.

Of *Joseph Besette*, and other Proprietors of lands on the line of the *Chambly Canal*; complaining of damages from the leakage of the said Canal, and praying relief.

Of *Edmund Peel*, and others, inhabitants of the County of *Stanstead*; praying for the re-establishment of the Commissioners' Courts, in *Lower Canada*.

Of *Andrew Patton*, Land Waiter to the Custom House in the Township of *Stanstead*; praying for an increase of salary.

Of *Robert Hoyle*, Collector of Customs at *Stanstead*; praying for an increase of salary.

Of *H. St. Germain* and *J. G. Lavolette*, of the Parish of *St. Eustache*, in the District of *Montreal*; praying to be authorized to construct a Bridge across the River *Jesus*.

Of *Charles Hébert*, Messenger of the *Quebec* District Council; complaining of the non-payment of his wages by the said Council, and praying relief.

Of the Venerable *George O'Kill Stuart*, and others, Freeholders and Householders in Lot No. 24, in the first Concession of the Township of *Kingston*; praying that the limits of the Town of *Kingston* be not extended so as to include the said Lot No. 24 within its Jurisdiction.

Of the Reverend *P. Beaumont*, and others, Inhabitants of the Parish of *St. Jean Chrysostome*, in the Seigneurie of *Lauzon*, in the County of *Dorchester*; praying that a Grist Mill may be built in the said Parish; or that the Inhabitants may be allowed to construct one for themselves.

Of the Reverend *C. F. Cazeau*, and others, of the City of *Quebec*, Members of the Congregation of our Lady (*Congregation de Notre Dame*); praying to be incorporated as a Charitable Association.

Of *J. B. Lavolette*, Stipendiary Magistrate on the *Beauharnois Canal*, in the District of *Montreal*; praying an indemnity for losses sustained by him during the late Rebellion.

Of *Thomas A. Corbett*, and others, of the Town of *Kingston*; praying to be incorporated under the Title of "The Trust and Loan Company of *Upper Canada*."

*Ordered*, That the Petition of *Alexander Fraser*, of the Parish of *St. Valier*, presented to the House on the second Instant, be referred to the Standing Committee on Private Bills.

Alexr Fraser.

Mr. *Chesley*, from the Select Committee to which was referred the Petition of *Alexander McDonald*, and others, Inhabitants of the Indian Reservation in the *Eastern District*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Your Committee have taken into their consideration the case of the Petitioners, and beg to report to your Honourable House their unanimous opinion that the prayer of the Petitioners ought to be granted. Your Committee therefore beg leave to recommend the propriety of passing a Bill to confer on the Petitioners the privileges prayed for.

Mr. *Chesley* moved, seconded by Mr. *Johnston*, that the said Report be referred to a Committee of the whole House, on Tuesday next.

The Honourable Mr. Solicitor General *Aylwin* moved, in amendment, seconded by the Honourable Mr. Solicitor General *Small*, that all the words after "That" in the said motion be struck out, and the following substituted: "The said Report be recommended, and that the Committee be enjoined to take evidence upon the subject reported upon, and that they do report such evidence to the House."

The question having been put upon the motion of amendment, a division ensued, and it was carried in the affirmative.

The question being then put on the main motion, as amended, it was agreed to by the House, and *Ordered, Accordingly*.

On motion of Sir *Allan N. MacNab*, seconded by the Honourable Mr. *Moffatt*.

Russell Elec-  
tion.

*Ordered*, That the Petition of *Alexander Findlay* and other Electors of the County of *Russell*, complaining of the undue election and return of *William Stewart*, Esquire, be taken into consideration by this House, on the twenty-third day of October, instant, at the hour of three o'clock, P. M., and that notice to that effect, in writing, be forthwith given, by the Speaker, to the Petitioners and the sitting Member, according to the Provision of the second clause of an Act passed by the Parliament of *Upper Canada*, during the fourth year of the Reign His late Majesty King *George the IV.* Cap. 4.

Education.

The Honourable Mr. *Daly*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Return to an Address of the Legislative Assembly, bearing date, the 6th of October, 1842, "praying for information in regard to the several Institutions of Education in this Province, receiving grants of the Public money."

(For the said Return see Appendix M.)

Also,

Return to two Addresses from the Legislative Assembly, bearing date the 10th of October, 1842, "praying for certain information to be furnished by the Trustees of the *Montreal* and *Quebec* turnpike roads."

(For the said Return see Appendix N.)

And also,

Return to an Address from the House of Assembly, dated 5th October, 1843, praying for "Copies of all Despatches and Communications with the Home Government relating to the *Canada* Corn Law and British Possessions Act, since the second March, 1842."

(For the said Return see Appendix O.)

On motion of Mr. *Chill*, seconded by Mr. *Dunlop*,  
*Ordered*, That it be an Instruction to the Special Committee, to which was referred the Petition of *Uriah Jewett*, and other Inhabitants of the County of *Sansacul*, praying for the preservation of the fish called "*Lunge*" or "*Musking*," during the spawning season, to extend the inquiry, and consider whether it would not be well to provide a general measure of that kind for the preservation of all kinds of fish in the fresh waters of *Canada*, during the spawning season, with power to report from time to time.

*Ordered*, That the Honourable Mr. *Hinch* have leave to bring in a Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue.

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. *Halc* have leave to bring in a Bill to regulate Steam Vessels in this Province.

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, the twenty-fourth instant.

On motion of Mr. *Christie*, seconded by Mr. *McLean*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a copy of the Indictment and record of the trial and conviction of *Prudent Blanchette*, by the late Court

of Oyer and Terminer, holden at *New Carlisle*, in the Inferior District of *Gaspé*, of manslaughter.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

*Resolved*, That a Select Committee composed of the Honourable Mr. Attorney General *Baldwin*, the Honourable Mr. Attorney General *Lafontaine*, and Sir *Allan N. MacNab*, be appointed for the purpose of preparing a humble Address to be presented to Her Majesty, offering to Her Majesty the cordial congratulations of this House, on the Birth of another Princess, and a similar Address, to be presented to His Royal Highness, Prince *Albert*.

Addresses on  
Birth of Prin-  
cess.

On motion of the Honourable Mr. Attorney General *Baldwin*, seconded by the Honourable Mr. *Hincks*,

*Resolved*, That this House do now resolve itself into a Committee of the whole House to consider the expediency of amending certain Acts of the Parliament of the late Province of *Upper Canada* relative to King's College, and the other Collegiate Institutions of that part of this Province.

King's College

The House accordingly resolved itself into the said Committee.

Captain *Steele* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair.

And Captain *Steele* reported that the Committee had come to a Resolution, 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 certain Acts of the Provincial Parliament of *Upper Canada* relating to King's College and the other Collegiate Institutions of that part of this Province.

*Ordered*, That the Honourable Mr. Attorney General *Baldwin* have leave to bring in a Bill to provide for the separate exercise of the Collegiate and University Functions of the College established at the City of *Toronto* in *Upper Canada*; for Incorporating certain other Colleges and Collegiate Institutions of that division of the Province with the University, and for the more efficient establishment and satisfactory Government of the same.

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 Monday the sixth of November next.

*Ordered*, That the Honourable Mr. Attorney General *Baldwin* have leave to bring in a Bill to enable Courts of Law, in that part of this Province called *Upper Canada*, to give relief against adverse claims made upon persons having no interest in the subject of such claims.

Adverse Claims

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.

Mr. *Price* from the Committee of the whole House to consider the expediency of amending the Act 4 & 5 *Victoria*, cap. 98, relating to the Incorporation of the Bank of *Montreal*, with a view of granting an extension of the time limited in the said Act for the calling in of the whole amount of the subscribed Stock, 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:—

Bank of Mont-  
real.

*Resolved*, That it is expedient to amend the Act 4 & 5 *Victoria*, cap. 98, relating to the Incorporation of the Bank of *Montreal*, for the purpose of granting an extension of the time limited by the said Act for the calling in of the whole amount of the new stock.

*Ordered*, That Mr. *Holmes* have leave to bring in a Bill to amend the Act Incorporating the Bank of *Montreal*, by providing for the extension of the time limited for the paying up of the new stock of the said Bank.

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.

Administration  
of Justice, Lower  
or Canada.

The Order of the Day for the second reading of the Bill to amend the Law relative to the Administration of Justice in *Lower Canada*, being read.

*Ordered*, That the said Order of the Day be postponed until Monday next, and that it be then the first Order of the Day.

Judges inde-  
pendence.

A Bill to render the Judges of the Court of King's Bench, in that part of this Province, heretofore *Lower Canada*, independent of the Crown, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

ProvincialCus-  
toms.

A Bill to repeal the Acts, Ordinances, and provisions of Law therein mentioned, relative to the management and regulation of the Provincial Customs, and to Duties of Customs, and other Duties imposed by Provincial Laws, and to the Licensing of Tavern Keepers and Vendors of Spirituous and other Liquors, Auctioneers, Distillers, Hawkers and Pedlars, and Keepers of Billiard Tables, was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

The Honourable Mr. *Viger* took the Chair of the Committee, and, after some time spent therein,

Mr. Speaker resumed the Chair.

And the Honourable Mr. *Viger* reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

Then, on motion of the Honourable Mr. *Viger*, seconded by the Honourable Mr. Attorney General *Baldwin*.

The House adjourned.

Veneris, 13<sup>o</sup> die Octobris.

Anno 7<sup>o</sup>, Victoriae Reginae, 1843.

Russell Elec-  
tion.

MR. SPEAKER acquainted the House that *Archibald Petrie*, *John Marks*, and *Donald McDonald*, had entered into the usual recognizance required by Law, on the subject matter of the Contested Election for the County of *Russell*.

10 Petitions  
brought up.

The following Petitions were severally brought up and laid on the table:—

By Mr. *Moore*—The Petition of *G. B. Cleveland*, and others, of the Seigniorship of *Nicolet*, and other places.

By Mr. *Thompson*—The Petition of *John Millar*, of the Township of *Bertie*, in the District of *Niagara*.

By Mr. *Hopkins*—The Petition of the Municipal Council of the *Gore* District.

By Mr. *Papineau*—The Petition of the Reverend *Pierre Ménard*, and others, Inhabitants of the Parish of *St. Benoît*.

By the Honourable Mr. *Neilson*—The Petition of the Committee of Ladies conducting the affairs of the Protestant Female Orphan Asylum at *Quebec*; and the Petition of the President and Members of the *Quebec British and Canadian School Society*.

By the Honourable Mr. *Sherwood*—The Petition of Mrs. *Margaret Powell*, late House-keeper to the Executive Council in *Upper Canada*.

By Mr. *Henry Smith*—The Petition of Mrs. *Prudence Richardson*, of *Barrie*, in the District of *Simcoe*.

By the Honourable Mr. *Hincks*—The Petition of the Members of the Executive Committee of the *Canada Baptist Union*.

By Mr. *Halmers*—The Petition of the Minister, *Eblers*, and Trustees of *St. Paul's Church*, at *Montreal*.

An engrossed Bill to render the Judges of the Courts of King's Bench, in that part of this Province heretofore *Lower Canada*, independent of the Crown, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. Solicitor General *Aylwin* do carry the said Bill to the Legislative Council, and desire their concurrence.

Judges Inde-  
pendence.

Pursuant to the Order of the Day, the following Petitions were read:—

Petitions read.

Of *Loop Odell*, of *Napierville*; praying for the re-imbursment of certain sums of money expended by him as a Commissioner under the Act for the erection of Court Houses and Gaols in the Country Parishes.

Of *John G. Lansing* and other inhabitants of the Seigniorship of *Lacolle*; praying to be indemnified for losses sustained by them through incendiarism.

Of *Olivier Valois*, and others, Freeholders of the Parish of *Isle du Puits*, in the District of *Montreal*; praying the passing of an Act to authorize them to make regulations concerning the said Common.

Of *Joshua Y. Cozens*, of the Town of *Cornwall*; praying compensation for a tract of land, purchased by him from the *Six Nations Indians*, and afterwards ceded by Government to the Honourable *Thomas Clark*, for the consideration of £5000.

Of *H. W. Hitchcock*, and others, inhabitants of the Township of *Halley*, in the District of *St. Francis*; praying for the opening of a Road in the said District, under the superintendence of the Board of Works.

Of the Municipal Council, and other inhabitants, of the County of *Ottawa*, in the District of *Sydenham*; praying for pecuniary aid for the purpose of making a Road in the said District.

Of *Charles Symes*, and other inhabitants of the County of *Ottawa*; praying for the erection of the County of *Ottawa* into an Inferior District.

Of the Reverend *Joseph Desautels*, of the Township of *Hull*, in the District of *Ottawa*; praying aid to complete the building of a School House in the said Township.

Of the President and Governors of the *Montreal* General Hospital, praying for a grant to relieve the present embarrassed state of the finances of the said Hospital.



Of the Mercantile Library Association of *Montreal*; praying for an Act of Incorporation.

Of the Honourable *Peter McGill*, and others, of the City of *Montreal*; praying for an aid in support of "The High School of *Montreal*."

Of the Municipal Council of the *Gore* District; praying that the line drawn by the Boundary Line Commissioners, between the Districts of *Gore* and *Niagara*, on the River *Ouse*, be established by Law.

Of the Municipal Council of the *Gore* District; praying for agricultural protection.

Of the Municipal Council of the *Gore* District; praying for a repeal of the Division Courts, and the establishment of Courts of Requests.

Of *Thomas Kains*, and others, inhabitants of the left bank of the River *Ottawa*; praying for aid to complete a Road, and to construct Bridges between *Grenville* and *Hull*.

Of *George Bridgman*, and others, Leather Manufacturers and Dealers, in *Canada East*; praying that the Duty on Leather imported into this Province from the *United States*, be raised to its former rate.

Of *W. G. Blanchard*, and others, inhabitants of the County of *The Lake of Two Mountains*; praying for the improvement of the road from the Village of *Currillon* to the Township of *Grenville*.

Of *Patrick Brennan*, of the City of *Montreal*; praying to be relieved from the liabilities of a public Contract, which he was unable to fulfil, by reason of the severity of the past winter.

Of *G. W. Yarker*, and other inhabitants of the County of *Frontenac*; praying that Lot No. 21, in the first Concession of the Township of *Kingston*, be annexed to the Town of *Kingston*.

Of *W. Ketchison, Junior*, and *T. D. Appleby*, of the District of *Victoria*, and *P. V. Elmore*, of the Town of *Kingston*; praying to be relieved from the heavy pecuniary responsibilities they are subjected to, in consequence of the expiration of the Act under which they were appointed Boundary Line Commissioners for the District of *Victoria*.

Of *Albert G. Alexander*, of the Township of *Hamilton*, in the *Newcastle* District; praying for the passing of an Act of Naturalization in his behalf.

Of *Robert Barclay*, and others, Stone Masons, of the Town of *Kingston*; complaining of losses they have sustained by the non-fulfilment of a public contract in consequence of the late Rebellion, and praying relief.

Of the Reverend Mr. *Ducharme*, Rector of the Parish of *Blainville*, in the County of *Terrebonne*; praying a grant of £500 as an aid towards the support of the College of *St. Therèse*, established in the said Parish.

Of the Fourth Riding Agricultural Society of the County of *York*; praying an alteration in the mode of distributing the money granted by Parliament for the encouragement of Agricultural Societies.

Of the Reverend *John Cook*, and other Directors of the *Quebec* High School; praying a grant in aid of the said Institution.

Of *Julia Bell*, wife of *Æneas Bell*, Chief Messenger of the late House of Assembly of *Upper*

*Canada*; praying remuneration for her services in the capacity of House Keeper to the late House of Assembly of *Upper Canada*, from the year 1833, until the time of the Union.

Petitions referred.

*Resolved*, That the Petition of *E. M. Leprohon*, and others, Inspector and Assistant Inspectors of Pot and Pearl Ashes, of the City of *Montreal*, presented to the House on the fourth Instant, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

*E. M. Leprohon* and others.

*Ordered*—That Mr. *Holmes*, Mr. *Leslie*, the Honourable Mr. *Moffatt*, Mr. *De Witt*, and Mr. *Quesnel*, do compose the said Committee.

*Resolved*—That the Petition of the Mayor, Aldermen, and Citizens of the City of *Montreal*, presented to the House on the sixth Instant, be referred to a Special Committee of five Members to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Montreal City Corporation*.

*Ordered*—That Mr. *Holmes*, Mr. *L. M. Viger*, the Honourable Mr. *Neilson*, the Honourable Mr. *Moffatt*, and Mr. *Quesnel*, do compose the said Committee.

The Honourable Mr. Attorney General *Baldwin*, from the Select Committee appointed for the purpose of preparing an humble Address to be presented to Her Majesty, offering to Her Majesty the cordial congratulations of this House, on the Birth of another Princess, and a similar Address to be presented to His Royal Highness Prince *Albert*; presented to the House the Addresses prepared by the said Committee, which Addresses were again severally read at the Clerk's table, and agreed to by the House, and are as followeth:

Addresses on birth of Princess.

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's dutiful and loyal Subjects, the Commons of *Canada*, in Provincial Parliament assembled, most humbly beg leave to tender to Your Majesty our cordial congratulations on the Birth of another Princess; an event in which we sincerely rejoice not only as conducive to the domestic happiness of Your Majesty and Your August Consort, but as deeply interesting to all parts of Your Majesty's Dominions.

To His Royal Highness Prince *Albert, Francis' Augustus, Charles, Emmanuel*, of *Saxe-Cobourg Gotha*, Field Marshal in Her Majesty's Forces.

MAY IT PLEASE YOUR ROYAL HIGHNESS:

We, Her Majesty's dutiful and loyal Subjects, the Commons of *Canada* in Provincial Parliament assembled, most humbly beg leave to tender to Your Royal Highness our cordial congratulations on the Birth of another Princess; an event in which we sincerely rejoice, not only as conducive to the domestic happiness of Your Royal Highness and Our Most Gracious Sovereign, but as deeply interesting to all parts of Her Majesty's Dominions.

*Ordered*, That the said Addresses be engrossed. On motion of the Honourable Mr. Attorney General *Baldwin*, seconded by Sir *Allan N. MacNab*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, informing His Excellency, that this House hath voted an humble Address of Congratulation to Her Majesty, on the birth of another Princess;

and praying that His Excellency would be pleased to transmit the said Address to Her Majesty's Government in *England*, to be laid at the foot of the Throne.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, informing His Excellency that this House hath voted an humble Address of Congratulation to His Royal Highness Prince *Albert of Saxe-Coburg and Gotha*, on the birth of another Princess, and praying that His Excellency would be pleased to transmit the said Address to Her Majesty's Government in *England*, to be presented to His Royal Highness.

*Ord. rd.* That the said Addresses be engrossed.  
*Resolved*, That the said Addresses be presented to His Excellency, the Governor General, by the whole House.

*Ordered*, That such Members of this House as are of the Honourable the Executive Council of this Province, do wait upon His Excellency, the Governor General, to know His Excellency's pleasure, when he will be attended by this House with its Addresses.

**Call of House.** On motion of the Honourable Mr. Attorney General *Balwin*, seconded by the Honourable Mr. Attorney General *LeFol*.

*Resolved*, That a call of this House be made on Thursday, the second day of November next.

*Resolved*, That such Members as shall not then attend, be sent for in custody of the Serjeant at Arms attending this House.

*Ord. rd.* That Mr. Speaker do cause circular letters to be written immediately to the absent Members, except those who are on leave from the House, enclosing to them copies, signed by the Clerk of this House, of the preceding Resolutions.

**Beauharnois Canal.**

The Honourable Mr. *Daly*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General.

Return to an Address from the House of Assembly to His Excellency, the Governor General, dated 9th October, 1843, praying for "copies of any correspondence that may have taken place between the Civil Government and the Military Authorities, with respect to stationing troops on the line of the *Beauharnois Canal*."

*Rawson W. Rawson.*

Government House,  
Kingston, 12th October, 1843.

(Copy.) Government House,  
Kingston, 31st March, 1843.

Sir,

Application having been made by the Board of Works for a Military Detachment to be stationed at or near *St. Timothy*, in aid of the Civil Power to prevent expected riot and outrage in that neighbourhood, similar to what have occurred at *Lachine*: I am directed by the Governor General to request that you will submit this question for the consideration of His Excellency the Commander of the Forces: as it is possible there may be objections of importance to such an arrangement.

The Governor General is on general principles adverse to the dispersion of the Troops in small Detachments, and would therefore be disinclined to adopt the arrangement proposed; but His Excellency's want of local experience prevents his deciding that it is unnecessary; and having been recommended to his predecessor by the Executive Council as necessary, it appears to demand attention.

If therefore the Commander of the Forces sees no decided objection to the arrangement, the Governor General requests that it may be adopted as a temporary measure; but in the contrary case he begs to be favoured with His Excellency's opinion.

The strength of the party suggested by the Board of Works is thirty, and they have, in anticipation of compliance, directed the Engineer in charge to prepare comfortable Barracks for that number; but the strength of the party, if the arrangement be adopted, will, in the Governor General's opinion, be most properly determined by the Commander of the Forces, and accommodation will be prepared accordingly.

I have the honour,  
&c. &c. &c.

(Signed.) *J. Studholme Brownrigg*, Capt.  
Military Sec'y.

To the Military Secretary,  
*Montreal*.

(Copy.) Military Secretary's Office,  
*Montreal*, 3rd April, 1843.

Sir,

I have the honour to express the acknowledgement of the Commander of the Forces for the consideration shown by His Excellency, the Governor General, in having caused to be referred to him the question of placing a Detachment at or near *St. Timothy*, for the purposes contemplated in stationing similar Detachments at *Lachine*.

It is the opinion of the Commander of the Forces that the proposed measure will prove ineffectual in that quarter, as it has done at *Lachine*; but the Commander of the Forces will have shortly to submit, for the consideration of His Excellency, the Governor General, a Report from Major General *Sir James Hope*, upon the employment of Her Majesty's Troops at *Lachine*.

The Commander of the Forces is much gratified, though not at all surprised, to hear that His Excellency objects on general principles to the dispersion of Troops in small Detachments; it is certainly prejudicial to the discipline of the Troops, and seldom productive of even temporary benefit to a Country, except in so far as it may cause the outlay of money in its Markets.

The Major General Commanding the Eastern District will be instructed to hold a Detachment of 30 men in readiness, to move, when applied for, to *St. Timothy*, as it would appear that the Executive Council recommended the measure, and anticipated the concurrence of the late Governor General to it; but the Commander of the Forces has no hesitation in expressing his decided objection, (now that he has the opportunity of offering an opinion) to the dissemination of Troops in small bodies for the prevention of disturbances among workmen employed on Public Works, which has been hitherto restricted to cases where recourse has been had to convict labour only, and never, he believes, where abundance of voluntary labour can be obtained.

I have the honour,  
&c. &c. &c.

(Signed.) *Brooke Taylor*,  
Military Sec'y.

To Captain *J. S. Brownrigg*,  
Military Secretary, *Kingston*.

(Copy.) Military Secretary's Office,  
*Montreal*, 8th September, 1843.

Sir,

The Commander of the Forces having learnt that Major General *Sir James Hope* has been informed

by Mr. *Brown* and Captain *Wetherall*, Magistrates, that the presence of the Military at *St. Timothé* and *Beauharnois* is no longer required, I am directed by His Excellency to acquaint you, for the information of His Excellency the Governor General, that the troops that went there *on the requisition of the Magistrates*, will be withdrawn, but that the Officer and twenty-five men placed at *St. Timothé* by the Governor General's order, will remain there, until His Excellency desires they may be removed, which the Commander of the Forces is sure will be directed when the Governor General thinks fit.

I have the honour,  
&c. &c. &c.

(Signed) *Henry Wynyard*,  
D. A. A. G.

In the absence of the Military Sec'y.

To the Military Secretary  
to His Excellency,  
The Governor General,  
*Kingston*.

(Copy.) Government House,  
*Kingston*, 23d September, 1842.

Sir,

The delay in receiving your letter of the 8th instant, occasioned by my having been travelling much lately, has prevented my replying to it at an earlier period.

I have now the honour, by direction of the Governor General, to beg that you will inform the Commander of the Forces that His Excellency is not aware of the necessity of the continuance of the detachment of an Officer and twenty-five men at *St. Timothé*.

I have the honour,  
&c. &c. &c.

(Signed) *J. Studholme Brownrigg*, Capt.  
Military Secretary.

To the Acting Military Secretary,  
*Montreal*.

Certified that the foregoing are true copies.

*J. Studholme Brownrigg*,  
Capt. Grenadier Guards,  
Military Secretary.

Government House,  
11th October, 1843.

Also,

Return to an Address of the Legislative Assembly to the Governor General, bearing date the 6th Instant, "praying that His Excellency would be pleased to cause to be laid before the House the names of all Members of the House who have received appointments to office, whether of honour or profit from the Government, the nature of each appointment, with the salary attached to each office, together with such appointments as have been given, since the Union, to Gentlemen formerly Members of the House, with the salary to each office, stated in current money; the appointments made before to be distinguished from those on or since the 16th September, 1842."

(For the said Return see Appendix P.)

And also,

A Report of the Board of Works, in accordance with the 30th Section of the Act, 4 & 5, *Victoria*, cap, 38, dated 11th October, 1843.

(For the said Report see Appendix Q.)

Ordered, That Mr. *Duggan* have leave to absent himself from this House for one week, on urgent business.

Resolved, That a Special Committee of five Members be appointed to inquire as to the amount of fees and emoluments received by the various Officers connected with the Administration of Justice in that part of this Province, formerly *Upper Canada*, and paid out of the District Funds, to report thereon from time to time, with power to send for persons, papers, and records.

Ordered, That the Honourable Mr. *Hincks*, Mr. *Morris*, the Honourable Mr. *Sherwood*, Mr. *Merritt*, and the Honourable Mr. *Boulton*, do compose said Committee.

Ordered, That the Honourable Mr. *Sherwood* have leave to absent himself from this House, for one week from this date, on urgent business.

Ordered, That Mr. *Thompson* have leave to bring in a Bill to prevent obstruction in Rivers and Rivulets in *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 Friday next.

Ordered, That Sir *Allan N. MacNab* have leave to absent himself from this House, for one week from this date, on urgent business.

Ordered, That one hundred copies of the Report of the Board of Works, and of the documents accompanying the same, laid before the House this day, be printed, in each of the English and French languages, for the use of the Members of this House.

Ordered, That the Honourable Mr. *Boulton* have leave to absent himself from this House, for one week from this date, on urgent business.

The Order of the Day for the second reading of the Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, and other articles of a like nature, being read,

Ordered, That the said Order of the Day be postponed until Friday the twentieth instant.

A Bill to enable Religious Societies of all denominations of Christians (in that part of the Province formerly called *Upper Canada*) to hold the Lands requisite for certain purposes therein mentioned, was, according to order, read a second time.

Ordered, That the said Bill be referred to a Committee of the whole House, on Wednesday next.

The Order of the Day for the House in Committee, on the Report of the Select Committee to which was referred the Petition of *Adam Johnston*, and other Inhabitants of the third Concession of the Township of *Cornwall*, in the *Eastern District*, being read.

The House accordingly resolved itself into the said Committee.

The Honourable Mr. *Moffatt* took the Chair of the Committee, and after some time spent therein, Mr. Speaker resumed the Chair.

And the Honourable Mr. *Moffatt* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolved, That the Report of the Select Committee to which was referred the Petition of *Adam Johnston*, and other Inhabitants of the Third Concession of the Township of *Cornwall*, in the *Eastern District*, be recommitted to the same Select Committee, and that the Committee be enjoined to take and report evi-

Fees for Administration of Justice.

Leave of Absence to Mr. *Sherwood*.

Rivers Obstruction.

Leave of Absence to Sir *A. MacNab*.

Report Board of Works.

Leave of Absence to Mr. *Boulton*.

Timber Inspection.

Religious Societies' Land.

Petition of *Adam Johnston* & others.

Members appointed to Office.

Report from Board of Works

Leave of Absence to Mr. *Duggan*.

dence on the subject matter contained in the said Petition.

*Ordered*, That Mr. *Parke* be added to the said Select Committee.

Then on motion of the Honourable Mr. *Morin*, seconded by the Honourable Mr. *Viger*,  
The House adjourned until Monday next.

Lune, 16<sup>o</sup> die Octobris.

Anno 7<sup>o</sup> Victoriae Reginae. 1843.

**JEAN CHABOT**, Esquire, Member for the City of *Quebec*, having previously taken the oath according to law, and subscribed before the Commissioners the Roll containing the same, took his seat in the House.

The following Petitions were severally brought up and laid on the table:—

By Mr. *Boutillier*—The Petition of *E. Crevier*, and other Inhabitants of the Township of *Acton* and other places.

By Mr. *Leslie*—The Petition of *Paul Lussier* and other Inhabitants of the Parish of *Ste. Anne de Varennes*, in the District of *Montreal*.

By the Honourable Mr. *Hincks*—The Petition of the Honourable *W. W. Baldwin* and others, Inhabitants of the *Home* District.

By Mr. *L. M. Viger*—The Petition of *Charles Heon* and others, inhabitants of the Township of *Blanford*, in the District of *Nicolet*.

By Mr. *Robin*—The petition of *B. Hubbs*, *A. Campbell*, and *W. Rorke*, late Boundary Line Commissioners for the District of *Prince Edward*.

By Mr. *Wakefield*—The Petition of *William McNaughton* and others, Presbyterian Inhabitants of *Ormstown*, in the County of *Beauharnois*.

By Mr. *Merritt*—The Petition of *Jacob Beam* and others, Inhabitants of the Townships of *Clinton* and *Grimsby*, in the District of *Niagara*.

By Mr. *Christie*—The Petition of *William Henry Roy*, and others, who served in the embodied Militia of *Lower Canada*, during the last war with the *United States of America*.

By Mr. *Durand*—The Petition of the Municipal Council of the District of *Wellington* (relating to the Municipal Council Act); the Petition of the Municipal Council of the District of *Wellington* (relating to Assessments on Lands); the Petition of the Municipal Council of the District of *Wellington* (relating to the boundary of the District); the Petition of the Municipal Council of the District of *Wellington* (relating to the Common School Act); and the Petition of the Municipal Council of the District of *Wellington* (relating to the Township of *Wilmet*.)

By the Honourable Mr. *Neilsen*—The Petition of the Reverend *John Michar*, Minister of *St. Andrew's* Church in *Kingston*; the Petition of *John Sweeney*, and others, commuted Pensioners, and discharged Soldiers; and the Petition of Mrs. *Jane Piggott*, of the City of *Quebec*.

By Mr. *Cameron*—The Petition of *Ebenezer Bell* and others; the Petition of *William Bell* and *Malcolm Cameron* of *Perth*; the Petition of *John Colvin* and others, Debtors, confined in the Gaol of the District of *Bathurst*; and the Petition of *Thomas Scott* of *South Burgess*, in the District of *Bathurst*, Stone Mason.

By Mr. *Derbshire*—The Petition of the Right Reverend *Patrick Phelan*, Bishop of *Carrhoe*, Coadjutor and Administrator of the Diocese of *Kingston*.

An engrossed Bill to repeal the Acts, Ordinances and provisions of Law therein mentioned, relative to the management and regulation of the Provincial Customs, and to Duties of Customs, and other Duties imposed by Provincial Laws, and to the Licensing

of Tavern Keepers and Vendors of Spirituous and other Liquors, Auctioneers, Distillers, Hawkers and Pedlars, and Keepers of Billiard Tables, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. *Hincks* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the Day, the following Petitions were read:—

Of *Edward March*, of the Seigniorship of *Lacolle*, County of *Huntingdon*, praying an increase of salary.

Of *Peter Freeland*, and others, Manufacturers of Soap and Candles, in the City of *Toronto*, praying protection for their trade.

Of *J. S. Brondegest*, and others, Proprietors of *St. George's* Chapel, *Montreal*; praying an aid for a School.

Of *Joshua Bates* and others, inhabitants of the District of *Johnstown*; praying for a repeal of the Division Courts, and the re-establishment of the Courts of Requests.

Of *Billa Flint* and others, Inhabitants of the District of *Johnstown*; praying for the repeal or modification of the Act to amend the Laws regulating the Practice of Physic, Surgery and Midwifery in this Province.

Of the Reverend *Jean Romuald Paré*, Rector of the Parish of *St. Jacques de l'Achigan*; praying that certain Religious Ladies, who have established a Convent in the said Parish, may be incorporated with certain corporate powers.

Of *L. M. Viger*, Esquire, and others, Bankers of the City of *Montreal*; praying for an Act of Incorporation.

Of *Donald A. McDonald*, of the County of *Beauharnois*, Trader and Contractor; praying to be indemnified for losses sustained in consequence of the riots on the *Beauharnois* Canal.

Of *Christophe Lauzon* and others, Inhabitants of the Parishes of *Ste. Rose* and *St. Martin*, and other places; praying indemnification for the loss they have sustained by the non-restoration of their arms, which were seized by order of the Government.

Of *Curtis Goodsill*, and others, Assessors for the District of *St. John's*; praying remuneration for services performed in their capacity of Assessors.

Of *Joseph Laurin*, as Attorney for certain Militiamen, having served as such during the war with the *United States*; praying that means may be taken to assure to them the Lands they were entitled to for their services, but which they cannot now obtain because their claims were not presented before the first of August, 1830.

Of *Alexander Duperré*, of *Kamouraska*, Notary; praying that the Legislature will adopt such measures as may be deemed advisable, for ensuring the payment of £100 due to him for his salary as Clerk of the District Council of the District of *Kamouraska*.

Of *Joseph Bouchette*, of *Kingston*; praying aid to enable him to publish his Map of *Canada*.

Of the *Montreal* Medical Board; praying for the passing of a Law to regulate the Study of the Medi-

Petitions Read.

M. Chabot.

31 Petitions brought up.

cal profession consistent with the present advanced state of Society in this Province.

Of the Reverend *J. Durocher*, and others, inhabitants of the Parish of *Belœil*, in the District of *Montreal*; praying that a duty may be imposed on *American Agricultural Produce*, and that the District Court Act (4 & 5 *Victoria*, cap. 20) may be repealed.

Of *William Phillips*, and others, of *Quebec*; praying to be indemnified for losses sustained by them, in consequence of the destruction of *W. Nelson's* property at *St. Denis*, by Her Majesty's troops in 1837.

Of *Benjamin Burland*, Gauger, and *Louis C. Vandul* and *William Leggett*, Land Waiters, at the Port of *St. John's, Canada East*, praying for an increase of salary.

Of *Thomas H. Day*, and others, Inhabitants of the Inferior District of *Sydenham*; praying for aid to establish a Classical School in the said District.

Of *Ignace Razienne*, of the Parish of *St. Benoit*, Notary; praying such indemnity as the House may be pleased to award him for the losses he sustained by the destruction of his property by the Troops and Volunteers in 1837.

Of *Antoine Charles Taschereau*, Esquire, Representative for the County of *Dorchester*; praying remuneration for services performed by him for the Government, and for which he has not been adequately compensated.

Of *John Goodwin*, and others, Members of the Baptist Church at *Beamsville*, in the District of *Niagara*; praying that the benefits of the University of King's College be not confined to one Religious denomination only; but be extended to all classes of Her Majesty's Subjects.

Of the *Kingston Marine Railway Company*; praying for additional powers to conduct the affairs of the said Company.

Of *J. A. P. Barbier*, and *Mrs. Euphrasie Barbier*, his wife; praying for an Act of Naturalization.

Of *George Pozer*, Esquire, of the City of *Quebec*; complaining of a By Law made by the Common Council of the City of *Quebec*, concerning the removal of door steps, and praying relief.

Of *George Arnold*, and others, of *Quebec*: praying that the Building erected for the accommodation of the Customs at the Port of *Quebec*, be appropriated to the object for which it was originally intended.

Of *James Morton*, and others, of the Town of *Kingston*; praying to be Incorporated under the Title of "The *Kingston Mineral Wells Company*."

Of *G. B. Cleveland*, and others, of the Seignior of *Nicolet*, and other places; praying aid for a Road in the said Seignior.

Of *John Millar*, of the Township of *Bertie*, in the District of *Niagara*; praying indemnification for certain property lost to him through the inadvertency of the Executive Government in the year 1795.

Of the Municipal Council of the *Gore* District; praying for authority to raise a loan of ten thousand

pounds on the guarantee of the Province, to complete a road in the said District.

Of the Reverend *Pierre Ménard*, and others, Inhabitants of the Parish of *St. Benoit*; praying aid for the re-construction of the Buildings for Divine Worship, destroyed during the Rebellion of 1837.

Of the President and Members of the *Quebec British and Canadian School Society*; praying aid for the said Institution.

Of the Committee of Ladies, conducting the affairs of the Protestant Female Orphan Asylum at *Quebec*; praying an aid for the said Institution.

Of *Mrs. Margaret Powell*, late House Keeper to the Executive Council, in *Upper Canada*; praying for a Pension.

Of *Mrs. Prudence Richardson*, of *Barrie*, in the District of *Simcoe*; praying indemnification for losses sustained by her late husband, as Boundary Line Commissioner.

Of the Members of the Executive Committee of the *Canada Baptist Union*; praying that the benefits of the University of King's College may be extended equally to all classes of Her Majesty's Subjects in this Province.

Of the Minister, Elders, and Trustees of *St. Paul's Church*, at *Montreal*; praying for an Act of Incorporation.

Resolved, That the Petition of *Cyprian Morgan*, of the Township of *Yonge*, in the *Johnstown* District, presented to the House on the second Instant, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Ordered, That *Mr. Morris*, the Honourable *Mr. Neilson*, *Mr. George Sherwood*, *Mr. Chabot*, and *Mr. Thorburn*, do compose the said Committee.

Ordered, That that part of the Petition of the Ladies of the Committee of Management of the Lying-in-Hospital of *Montreal*, presented to the House on the third Instant, which relates to an Act of Incorporation, be referred to the Standing Committee on Private Bills.

Ordered, That the Petition of *Mrs. Prudence Richardson*, of *Barrie*, in the District of *Simcoe*, be referred to the Special Committee to which were referred the Petition of *George Rykert*, and others, late Boundary Line Commissioners, for the *Niagara* District; and the Petition of *William Ketchison*, junior, and others, late Boundary Line Commissioners for the District of *Victoria*.

Ordered, That the Petition of the Reverend *Jean Romuald Paré*, Rector of the Parish of *St. Jacques de l'Achigan*, be referred to the Standing Committee on Private Bills.

Ordered, That the Petition of *L. M. Viger*, Esquire, and others, Bankers in the City of *Montreal*, be referred to the Standing Committee on Private Bills.

Ordered, That the Petition of *Thomas A. Corbett*, and others, of the Town of *Kingston*, presented to the House on the tenth Instant, be referred to the Standing Committee on Private Bills.

Petitions Referred.  
Cyprian Morgan.

Lying-in Hospital, Montreal.

Prudence Richardson.

J. R. Paré.

L. M. Viger.

T. A. Corbett.

Honourable  
Adam Ferric.

*Ordered.* That the Petition of the Honourable *Adam Ferric*, of *Montreal*, presented to the House on the fourth Instant, be referred to the Standing Committee on Private Bills,

Rev. C. F. Ca-  
zeau & others.

*Resolved.* That the Petition of the Reverend *C. F. Caudeau*, and others, of the City of *Quebec*. Members of the Congregation of Our Lady, (Congrégation de Notre Dame) presented to the House on the tenth Instant, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, by Bill, or otherwise, with power to send for persons, papers, and records.

*Ordered.* That the Honourable Mr. Solicitor General *Aylwin*, Mr. *Chabot*, the Honourable Mr. *Neilson*, Mr. *Taché*, and Mr. *L. M. Viger*, do compose the said Committee.

Geo. Poser Esq.

*Resolved.* That the Petition of *George Poser*, Esq. of the City of *Quebec*, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers, and records.

*Ordered.* That the Honourable Mr. Solicitor General *Aylwin*, Mr. *Barthe*, Mr. *Berthelot*, the Honourable Mr. *Neilson*, and Mr. *Christie*, do compose the said Committee.

James Morton  
and others.

*Ordered.* That the Petition of *James Morton* and others, of the Town of *Kingston*, be referred to the Standing Committee on Private Bills.

Report on Con-  
tingencies.

Mr. *Thorburn* from the Standing Committee on Contingencies, presented to the House the first Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

“Your Committee have examined the accompanying account of the Clerk of Your Honourable House, and the vouchers connected therewith, detailing the disbursement of the sum of £6000 which was placed in his hands at the last Session, as per the Address to His Excellency, the Governor General, on account of the contingencies of Your Honourable House; also, of the sum of £253 19, remaining in his hands at the last audit; also, £409 19, remaining in Mr. Speaker's hands, as a balance of the sum of £5,000, placed in his hands during the first Session—And also, the sum of £140 received upon seven Private Bills—in all amounting to £6801 18—and against which, your Committee find Vouchers for an expenditure of £7303 9 11½, leaving £501 11 11½, for which there is no funds in the hands of the Clerk to discharge. There is likewise due, and will be owing for salaries to the Officers of your Honourable House, up to the 31st December, ensuing, the sum of £1821 4 4½, and also, the sum of £1275 13 4, for sundry materials and labour performed for the last Session and the recess: in all making £3578 9 7½, to be provided for.

An Estimate of a further sum required to meet the necessary disbursements for the present Session and the ensuing recess of £11,500 has been made; but your Committee would only recommend that a sum of £5000 thereon for the present be had, to meet immediate demands, and therefore beg leave to recommend to your Honourable House that an humble Address be presented to His Excellency, the Governor General, praying that he would be pleased to cause to be placed in the hands of the Clerk of your Honourable House the sum of £8578 9 7½, for the aforesaid purposes.”

*Ordered.* That the said Report be referred to a Committee of the whole House, on to-morrow.

Mr. *Leslie*, from the Special Committee to which was referred the Petition of Mrs. *Elizabeth M. Reid*, and other Directresses of the Protestant Orphan Asylum of *Montreal*, praying for an Act of Incorporation, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and agreed to by the House, and is as followeth.—

Report on Pe-  
tition of Mrs.  
E. M. Reid, &  
others.

“Your Committee have examined the said Petition, and after mature deliberation thereon, are of opinion that the prayer of the Petitioners should be granted.”

*Ordered.* That Mr. *Leslie* have leave to bring in a Bill to incorporate the Ladies of the Protestant Orphan Asylum of the City of *Montreal*.

Montreal Pro-  
testant Orphan  
Asylum.

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 Friday next.

The Honourable Mr. *Hincks*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, Accounts and Statements respecting the Public

Consolidated  
Revenue Fund  
of Province.

Income and Expenditure of the Consolidated Revenue Fund of the Province of *Canada*, in the year ending the 31st December, 1842.

(For the said Accounts and Statements see Appendix A.)

Also,

Return of all seizures of goods illegally imported in the years 1840, 1841 and 1842, pursuant to an Address of the Legislative Assembly of the 10th October, 1842.

Seizure of  
Goods.

(For the said Return see Appendix R.)

Also,

Return of Fees arising from the sale of Marriage Licenses in *Canada* (East and West,) received between the 10th February, 1841, and the 31st December, 1842, prepared by the Receiver General in compliance with an Address of the Legislative Assembly, dated the 10th October, 1842.

Fees on Mar-  
riage Licenses

The said Return is as followeth:—

1841.	Canada West.	Currency. £ s. d.
July 10..	Amount paid over by Mr. <i>Hopkirk</i> this day, .....	160 0 0
“ 30..	Do. do. do. Mr. <i>Harrison</i> , .....	55 5 0
Sept. 30.	Do. received between 10th July and date, .....	349 10 0
Dec. 31..	Do. do. during the quarter ending this day,	422 10 0
1842.	£	987 5 0
March 31	Do. do. do. do.	642 10 0
June 30..	Do. do. do. do.	466 5 0
Sept. 30.	Do. do. do. do.	388 0 0
Dec. 31.	Do. do. do. do.	790 10 0
	£	3274 10 0
1842.	Canada East.	
March 31	Amount paid over by Mr. <i>Daly</i> , this day, being receipts between 10th Feb'y. 1841, and date, .....	509 17 0
June 30.	Do. received during the quarter ending this day,..	62 2 6
Sept. 30.	Do. do. do. do.	181 15 0
Dec. 31.	Do. do. do. do.	194 0 0
	Total Receipts, £	4222 4 6

T. Douglas Harrington,  
Receiver.

Marriage Licenses.

STATEMENT showing the Disbursements of the Receipts arising from the Sale of Marriage Licenses, from the 10th February, 1841, to the 31st December, 1842, prepared in compliance with an Address of the Legislative Assembly, dated 10th October, 1842.

	Currency.		
	£	s.	d.
Receiver's 5 per cent. on £4,222 4 6 by authority of Lord Sydenham, dated 13th August, 1841, . . . . .	211	2	2½
Hon. S. B. Harrison, his allowance as remuneration for loss in being placed on a fixed salary, from 10th Feb'y, 1841, to 31st Dec'r, 1842, at £250 St'g. per annum, by order of Lord Sydenham, dated 20th July, 1841, . . .	524	3	3
Hon. D. Daly, do. do. do. . . . .	524	3	3
Various accounts for printing Licenses and Bonds, Account Books, &c. . .	73	8	4
Walter McKenzie, balance of extra salary due him from the 10th Feb'y to 31st May, 1841, at £50 per ann'm, (up to the Union, defrayed by Mr. Harrison, from these fees.) . . . . .	15	17	1
T. W. C. Murdoch, Esq., for his expenses incurred through the forfeiture of his passage to England, and his return on public service in Nov. 1841. . . . .	250	0	0
J. W. Winter's expenses incurred on Secret Services on the American Frontier, . . . . .	6	5	0
Baron De Rottenburgh's expenses to Quebec and back, while employed framing a Militia Bill, . . . . .	23	17	0
G. W. Hurd, arrearage of salary as a Clerk in Government Office, Upper Canada, being difference between £175 and £74 from 1st April, 1839 to 9th Nov. 1840, . . . . .	162	0	0
Baron De Rottenburgh's expenses to Brantford, and Dunnville and back, while employed on the Welland Canal, suppressing the disturbances, &c. . . . .	29	10	6
Expenses of certain Officers, incurred in moving from Toronto and Quebec to Kingston, when the Seat of Government was changed, . . . . .	665	5	10
Sundry expenses attending the Official trip of the Governor General to Montreal and Quebec, in July and August, 1842. . . . .	750	7	1½
Expenses incurred by the Members of the Executive Council, in going to Montreal, &c., on summons from the Governor General, . . . . .	129	0	0
Expenses of the Secretary's Office, (East) Allowances to Clerks, Postages, &c., during its removal to Canada East, in attendance on the Governor General, . . . . .	695	8	1
Balance on hand, (31st Dec'r. 1842.) paid over to the Receiver General, . . . . .	161	16	10
Total Disbursements, £	4222	4	6

Thomas Douglas Harington, Receiver of Fees, maketh oath and saith that the forgoing accounts of Receipts and Disbursements, amounting to Four thousand two hundred and twenty-two Pounds, four shillings and six pence, Provincial Currency, are just and true to the best of his knowledge and belief.

T. Douglas Harington,  
Receiver.

Sworn before me at Kingston, }  
this 30th day of September, 1843. }

Thomas W. Robison, J. P.

Also,

Returns of the Casual and Territorial Revenue pursuant to an Address of the Legislative Assembly, of the 17th August, 1841, viz :—

Casual and Territorial Revenue.

- A. Statement of payment made from the Casual and Territorial Revenue in Upper Canada, from 1st January to 31st December, 1839.
- B. Ditto of monies paid from the Casual and Territorial Revenue of the Crown in Upper Canada, from 1st January 1840, to 9th February, 1841.
- C. Account of the Receipts and Payments of the Casual and Territorial Revenue of the Crown, from 1st January to 31st December, 1839.
- D. Account of the same Receipts and Payments, from 1st January 1840, to 9th February, 1841.
- E. Statement of the Crown's proportion of Seizures received from 1st January, 1839 to 9th February, 1841.
- F. Statement of the application, by the Commissary General, of certain portions of the Revenues of the Crown paid into his hands by the Receiver General of the late Provinces of Upper and Lower Canada, previous to the Union of these Provinces.

(For the said Return see Appendix S.)

And also,

Report of the affairs of the late Provincial Steam Dredging Machine. Steam Dredge

The said Report is as followeth :—

Kingston, 2nd October, 1843.

Sir,

I have the honour to transmit herewith a Report of the Affairs of the late Provincial Steam Dredging Machine, of which I was Commissioner under the 5th Wm. 4, cap. 30, and so continued by the 6th Wm. 4, cap. 46, and for a limited period by the 4 & 5 Vic., cap. 44.

I have the honour to be,  
Sir,

Your obedient Servant,

David Thorburn.

James Hopkirk, Esquire,  
Secretary's Office, C. W.

To His Excellency, Sir Charles T. Metcalfe, Governor General, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

In accordance with the provisions of the 4th & 5th Vic., cap. 44 and 1st section, I have now the honour to transmit herewith Vouchers for the payment of £447 4 2.

And that I delivered the Provincial Steam Dredge of the late Province of Upper Canada over to the Board of Works at the close of the year in conformity with the 3rd section of the said Act.

I also send herewith a Statement of the expenses and credit of the said Dredging Machine, not heretofore accounted for, in compliance with the 5th Wm. 4, cap. 30, and the 6th Wm. 4th, cap. 46 of the aforesaid late Province.

All of which is respectfully submitted.

David Thorburn,  
Late Commissioner of the P. S. Dredge.

Kingston, 2nd October, 1843.

Dundas, 20th July, 1837.

Steam Dredge.

The undersigned, Acting Commissioner for the Provincial Steam Dredge, has this day bought from Mr. *L. R. Lyon*, sundries as per the annexed Bill of materials amounting to two hundred and two pounds four shillings and five pence currency, for which bill he promises, as Commissioner, to owe one hundred and twenty-five pounds currency, the remaining seventy-two pounds four shillings and five pence, acknowledged by Mr. *Lyon*, to be satisfied in services had from the Steam Dredge over the time contemplated in the Report made to the first Session of the 13th Provincial Parliament, the said one hundred and twenty-five pounds only to be paid from funds raised by the services of the Dredge. No interest to be allowed.

*David Thorburn*,  
Acting Commissioner.  
*L. R. Lyon*.

In presence of

*Francis Hall*, Engineer.  
*G. W. Thomson*.

Received 22d March 1842, of *David Thorburn*, Esquire, Commissioner, &c., one hundred and twenty five pounds, Currency, in full of the within obligation.

*L. R. Lyon*.

Niagara, 16th Feb. 1842.

Received from *David Thorburn*, Esq., the sum of fifteen pounds, in full for services of Provincial Steam Dredge, as allowed by Provincial Legislature last Session.

*Francis Hall*.

Queenston, 2nd Feb. 1842.

Received from *David Thorburn*, Esquire, the sum of twenty-eight pounds, nine shillings and three pence, Currency, in full for the amount due me, for services performed on the Provincial Dredge.

*Jacob Randall*.

Trafalgar, Jan. 25th 1842.

£13 1s. 9d.

Received of *David Thorburn*, Esq., of Queenston, by the hand of *Justus W. Williams*, Esquire, of Oakville, the sum of thirteen pounds, fourteen shillings and nine pence, it being in full of my claim for work done on the Provincial Dredge.

his  
*Annrusselt X Schlenon*,  
mark  
Engineer of the P. S. Dredge.

Witness,

*Janus Appellu*.

Port Hope, June 15th. 1842.

£39 4s. 7d.

Received from *David Thorburn*, Esquire, Commissioner of Provincial Steam Dredge, the sum of thirty-nine pounds, four shillings, and seven pence, currency, appropriated by the Legislature of 1841, for the expense of raising the Steam Dredge from under water.

*William Wallace*,  
Treasurer of the Port Hope Harbour.

*David Thorburn*, late Commissioner of Provincial Steam Dredge. Steam Dredge.

In account with the Province of Canada.

1841—Deer.

Cash received on warrant, by virtue of the 4th & 5th Vic. c. 4, for the purposes set forth in the first section £447 4 2

Contra.

1842.

Jan. 25th—Cash paid <i>Annrusselt Schlenon</i> , per Receipt .....	£ 13 14 9
Feb. 2nd—Cash paid <i>Jacob Randall</i> , per Receipt .....	28 9 3
“ 16th—Cash paid <i>Francis Hall</i> , per Receipt .....	15 0 0
March 22nd—Cash paid <i>L. R. Lyon</i> , per Receipt .....	125 0 0
June 15th—Cash paid Treasurer <i>Port Hope Harbour</i> .....	39 4 7
Amount owing Commissioner and allowed for his services .....	225 15 7
	£447 4 2

Kingston, 2d Oct. 1843.

*David Thorburn*,  
Late Com'r. of P. S. Dredge.

Commissioner of the Provincial Steam Dredge,

To the Port Hope Harbour.

1841.

To amount of account rendered for the year 1841, up to the 1st July of that year .....	£242 9 1
July 3d—300 bus. Coal, a 30s .....	£ 4 10 0
18 lbs. Sole Leather .....	1 7 0
3 Mill Saw-files, a 2s. 6d. ....	0 7 6
1 paper Tacks, 2s. 6d. ....	0 2 6
Oakum, £1 6s. 8d.; Canvass, 1s. 6d. ....	1 8 2
Nails and Spikes, 3s. 4d. ....	0 3 4
Cash paid for Horn Wheels and other Castings, as per acct. ....	21 2 3
Men and Materials, repairing Frame .....	2 5 6
Oil, 8ss. 6d., Calf Skin, for belt thongs, 6s. 3d. ....	4 14 9
Steel for Latch Spring .....	2 10 0
Iron, 34 lbs. a 6d., do. 19 lbs. 4s. 10d., do 6½, 1s. 7½d. ....	0 12 5½
12 lbs. Nails, 7s. 6d., Belt Leather, 11s. 3d. ....	0 18 9
53 lbs. Tallow, a 7½d. ....	2 13 7½
<i>George Boyd</i> (Engineer), 78½ days, 6s. 3d. ....	24 10 7½
<i>Jan. Torrens</i> (Do.), 12½ do, 10s. ....	6 2 6
<i>Jan. Nelson</i> (Do.), 63½ do, 10s. ....	31 18 9
<i>Jos. Adams</i> (Do.), a £5 per month .....	3 17 0
<i>Thos. Spry</i> (Blacksmith), 96 days, a 5s .....	24 0 0
<i>Best Feir</i> (Superintendent), from 13th July to Nov. 4th—105 days, a 15s.—for the year 1841 .....	78 15 0
	211 19 5½
	£154 8 9½

Cr.

By the Provincial Steam Dredge, in operation at the Port Hope Harbor, from the 13th July, 1841, to Nov. 13th, 1841, being 123 days (less 40½ days, for Sundays, bad weather and repairs, making 82½ working days) a £5 10s per diem. £453 15 0  
By abatement to balance .....

E. E.

Port Hope, June 15th, 1842.

To *David Thorburn*, Esquire,  
Commissioner, P. S. Dredge.

Sir,

The foregoing is a true statement of the articles and expenses connected with the Steam Dredge, from the first of January to the close of the year, 1841, and the time in actual operation in the Port Hope Harbour the same year; the charge for the time employed while Dredging is extended, as desired by you.

I am, Sir,  
Yours truly,

*Best Feir*,  
Superintendent.

Port Hope,  
June 15th, 1842.



County of Huron.  
On motion of Mr. Dunlop, seconded by Mr. Cartwright,

*Resolved*, That this House will, to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of amending the Act of the 7th William 4, cap. 55, establishing the County of Huron.

Banking Returns.  
On motion of Mr. Cartwright, seconded by Mr. Price.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a Return of the several Banking Institutions which have paid the tax imposed by the Act 4 & 5 Victoria, cap. 29, distinguishing the amount paid by each Bank separately.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Appointments of Members to public offices.  
*Ordered*, That the Return to an Address of the Legislative Assembly of the 6th instant, relating to the appointment of Members of the Assembly to Public Offices, laid before the House on the thirteenth instant, be printed for the use of the Members of this House.

Printed papers.  
*Ordered*, That the Clerk of this House be instructed to direct the Printers or contractors for the Printing of the several Bills, Messages, and other papers, to mark on the back of each the number of sheets contained therein.

Marriage Licenses.  
*Ordered*, That one hundred copies of the Return of Fees arising from the sale of Marriage Licenses, in Canada, (East and West,) presented to the House this day, be printed in each of the English and French Languages, for the use of the Members of this House.

The Honourable Mr. Hincks, one of Her Majesty's Executive Council, delivered to Mr. Speaker, a Message from His Excellency, the Governor General, 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:—

C. T. Metcalfe.

Statement of Revenue and Expenditure.  
The Governor General transmits to the House of Assembly a Statement of the probable Revenue and Expenditure of the Province during the year ending the 31st December, 1843, together with an Estimate of the sums required for the service of the same year: and in conformity with the provisions of the 57th clause of the Union Act, he recommends these Estimates to the House of Assembly.

Government House.  
Kingston, 16th October, 1843.  
(For the Estimate accompanying the said Message, see Appendix A.)

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker three Messages from His Excellency, the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:

C. T. Metcalfe.

Civil List.  
The Governor General informs the House of Assembly, in reply to their Address regarding the Civil List, that communications have been made to Her Majesty's Government, on that subject, by the Go-

vernor of this Province, since the last Session; and that a correspondence is still pending. He does not consider himself at liberty to lay before the House any portion of that correspondence. Neither is he able to make any declaration, which should have the effect of fettering the discretion of Her Majesty's Government, as to the view which may be taken of the subject, by Her Majesty's Ministers, or the Imperial Parliament, whose intervention is absolutely necessary to effect any alteration in the amount of the existing Civil List, or in the authority by which it is granted. The Governor General, however, is not aware of any obstacle to a practical diminution of the Civil Expenditure, whether borne on the Civil List or otherwise, by such reasonable and judicious reductions as it may be in his competency to authorize: and, in conformity to the desire which he has always entertained in favor of all practicable economy, he has recently abstained from filling a vacancy in the Secretariat, trusting that the public service will not require more than one Provincial Secretary.

As connected with the subject of the Civil List, the Governor General has authorized the Inspector General to lay before the House some documents, being portions of a Memorandum furnished by that officer, at the Governor's desire, for the information of Her Majesty's Government.

Government House, Kingston,  
10th October, 1833.

C. T. Metcalfe.

The Governor General transmits, for the information of the House of Assembly, copies of the several Despatches from Her Majesty's Secretary of State, enumerated in the next Schedule.

Government House.  
Kingston, 12th Oct., 1843.

SCHEDULE of Despatches accompanying the Governor General's message of 12th Oct., 1843.

Despatches.

No.	DATE.	SUBJECT.
66	11th Feb. 1842	Relative to the Act for the regulation of Savings Banks, passed by the Provincial Legislature in the Session of 1841.
103	22d Mar., 1842	Relative to certain Acts for regulating the Currency, and various Banking Companies, passed in the same Session.
137	30th April, 1842	Relative to the Act for consolidating the Laws relating to Provincial Customs Duties, passed in the same Session.
15	3rd April, 1843	Relative to the Act for better proportioning the punishment to the offence in certain cases, passed in the Session of 1842 (Extract from a Despatch.)

(Copy)

No. 66.

Downing-Street.  
11th Feb. 1842.

Sir,

I have had under consideration, an Act passed by the Legislature of Canada, during their late Session for the regulation of Savings Banks, in the Province, and I have to call your attention to the following observations upon it.

Savings Banks

This Act, like the act for regulating Savings Banks in this country, states in its preamble, that it is expedient to give protection to Institutions, established for the safe custody and increase of SMALL savings belonging to the *industrious classes* of Her Majesty's subjects; but there is no limit, either as to the annual amount to be invested (which in this country is limited to £30 per annum) or to the total amount to be deposited, (which in this country is limited to £150); but in Sec. 12, it is enacted, "That the Trustees shall not receive as a deposit for the use and benefit of Depositors, any larger sum than £500, at the same time of any one Depositor, other than a Religious or Charitable Corporation;" so that under this clause a party might invest thousands, provided he did not pay in more than £500 at the same time.

The mode of investment by the Trustees, according to Sec. 9, is objectionable, in not confining such investment to the Government security of the Province.

The act does not contain any limit as to the amount of interest, to be paid to Depositors, which is the case in *England*, though it provides that the surplus profits may under certain restrictions be appropriated to charity.

The Institutions by the act, are placed under the management of a Treasurer, Trustees, and Managers, who are to act *gratuitously*; but it provides, that before they undertake the office, *each of them shall take AN OATH*, for the faithful discharge thereof. This provision is very unusual and objectionable, as well as a subsequent clause, which obliges the Treasurer, Trustees, and Managers, or the major part of them to *swear to the correctness of their annual accounts*.

The Act, as it is at present framed, does not appear to be calculated to carry into effect the establishment of Savings Banks as they exist in this country; the provisions being much more applicable to a Joint Stock Investment Company; and though, in drawing the present Act, reference has certainly been made to the Acts for regulating Savings Banks in this country, yet the spirit and intention of them seem to me to be overlooked, and several important Clauses omitted.

I am aware that much depends on the manner in which the Rules and Regulations may be drawn, but I am nevertheless of opinion that in its present form this Act is not calculated to establish Savings Banks in the Province on a satisfactory foundation. You will therefore invite the Legislature to consider the objections above stated, and Her Majesty's decision on the Act will be suspended until I shall have learnt the result of their deliberations.

I have, &c.  
(Signed) Stanley.

The R't Hon. Sir Charles Bagot,  
&c. &c. &c.

(Copy.) No. 137.  
Downing Street,  
30th April, 1842.

Sir,

Customs duties

With reference to my Despatch of the 30th April, enclosing two orders passed by Her Majesty in Council on the 27th instant, confirming and leaving to their operation certain Acts of the last Session of the Legislature of *Canada*, I have to request your attention to the following remarks which arise on the Act to repeal certain Acts therein mentioned, and to "consolidate the Laws relating to the Pro-

vincial Duties to be levied on Goods, Wares and Merchandize imported into this Province."

Although Her Majesty has been advised to leave the Act to its operation, Her Majesty's Government have felt serious doubts as to the policy of maintaining so high a duty on Tea and on *Madeira Wine*, as that Act imposes. A duty of 3d. per pound on Tea will probably afford such encouragement to the illicit introduction of that article into *Canada* from the *United States*, as will at once prejudice the Revenue and discourage the importation of Tea in British Vessels.

There appears to be no sufficient reason for placing *Madeira Wine* in a less favourable position than the Wines of other Countries by subjecting it to higher Duties. Nor can I abstain from observing that the imposition by a Colonial Legislature of a differential Duty operating against the produce of any particular country is open to serious objection, and tends to embarrass the relation of the Mother Country with such Foreign State.

Inconvenience may also be anticipated from the scale of Spirit Duties under this Act when complicated with the Duties imposed by the possessions Act and the Imperial Act 11, *Geo. III*, Cap. 88, and very accurate instructions will in consequence be required by the Officers of Customs who are employed in collecting both the Imperial and Colonial Revenue, in order to define the amount which may be lawfully collected under these various Acts, not only on Spirits, but on other articles, more especially Wines, Refined Sugar, and Molasses, and Syrups.

Having, however, regard to the inconvenience and dissatisfaction which might arise in *Canada*, from the disallowance of this Act, and to the fact that changes in the Imperial Duties, payable upon the importation of Goods into the British possessions in *America*, are now under the consideration of Parliament, which will, if decided on, necessarily lead to the Revision by the Provincial Legislature, of the Scale of Duties now established, Her Majesty's Government have felt themselves justified in recommending that this act be left to its operation.

I have, &c.

(Signed) Stanley.

The Right Honorable  
Sir Charles Bagot, &c. &c.

Extract of a Despatch from the Secretary of State to the His Excellency, the Governor-General, dated, *Downing-street*, 3d April, 1843, No. 15.

Punishment for offences.

"The act for better proportioning the punishment to the offence in certain cases (distinguished in the Records of this office as No. 198), substitutes for transportation, an Imprisonment of equal duration in the Penitentiary. Hence, in some cases imprisonment for life must be inflicted, although this is a penalty unknown to the Law of *England*. Hence, also it will happen that imprisonment for long terms of years must be of frequent occurrence. But between imprisonment for a large portion of a man's life, and transportation for the same period, there is no real equality. Transportation is in such cases by far the less severe penalty of the two, and it is a penalty of which the rigor progressively decreases as time passes on, and which is therefore always cheered and sustained by hope.

I should conclude that these considerations escaped the notice of the Framers of this Law. If brought to their attention by a suggestion from yourself, they would probably introduce into the Legis-

lature another Act for the amendment of that to which I refer. I can hardly doubt that such a proposal would, if made, be successful. In that hope Her Majesty's decision on No. 108 will be postponed."

(Copy.)

No. 103.

Downing Street.  
22d March, 1842.

Sir,

In my Despatch of this day's date, I transmitted to you two Orders passed by Her Majesty in Council on the 11th instant, confirming various Acts and Reserved Bills, passed by the Legislature of *Canada* during their recent Session.

Although Her Majesty's Government have consented to the confirmation of those Bills which related to the different Banking Establishments, they have not done so without some degree of hesitation; inasmuch as those Bills, and especially that for the incorporation of the *Niagara* Bank, contain provisions more particularly with respect to the issue of small notes under the value of £1, which are altogether at variance with the regulations laid down by Her Majesty's Government, for the observance in Legislative enactments relating to the Incorporation of Banking Companies in the Colonies. As it appears, however, that the subject of these Bills was fully considered, both by the late Governor General, Lord *Sydenham*, and by the Members of the respective Houses of the Legislature, and that Lord *Sydenham*, fully aware as he must have been of the Regulations in question, had nevertheless expressed his intention strongly to recommend the Bills for Her Majesty's allowance; and considering also that the refusal to confirm them might in the present state of the Province occasion considerable embarrassment, Her Majesty's Government have thought it more expedient that they should receive Her Majesty's assent; Her Majesty's Government have been more readily led to adopt this course, from observing, that in each of these proposed Acts, a power is reserved to the Colonial Legislature to make such regulation regarding the issue and circulation of Promissory Notes by these or other Banking Establishments, as may hereafter be found advisable; and it would be far more satisfactory, that the evils, likely to result from continuing such a paper circulation, should be prevented by the interposition of the Colonial Legislature, than by the abrupt rejection of Acts to which the sanction of the Legislature of *Canada*, and of the Governor General has been after full consideration, deliberately given.

I have, however, to call your attention to the importance which Her Majesty's Government attach to the early reduction of that small paper circulation, to which the Acts in question give encouragement; and I cannot but express a hope that the Canadian Legislature will, at an early period, revise this part of the system of Banking in the Province, and secure to the people of *Canada* the benefit of a metallic circulation which is incompatible with the circulation of paper of this description.

The Currency Bill has likewise received the Royal Assent, but I have to call your attention to a material error (possibly occurring in transcribing the Bill) in the weight assigned to the Gold Eagle of the United States, which in the present Bill is stated to be *eighteen pennyweights eighteen grains*, Troy.

It is not improbable that inconvenience may attend the circulation of the Penny and its proportionate parts in currency of the British Penny, half-penny and farthing, in conjunction with the British

Silver or Gold Coins, of which they constitute the ordinary fractional subdivisions; in that case, however, Her Majesty's Government would be willing to cause a special copper coinage to be prepared for the use of the Province.

I have, &amp;c.

(Signed,)

Stanley.

The Right Honourable

Sir *Charles Bagot*, &c. &c.

C. T. Metcalfe.

The Governor General transmits to the House of Assembly, in reply to their Address of the 10th Instant, the Report of the Commission of Inquiry into the disturbances upon the line of the *Beauharnois* Canal, during the last Summer, together with a statement of the Expenses consequent upon the quieting of the said disturbances, and also a statement of the Expenses of putting down the disturbances upon the *Lachine* Canal during the last Winter.

The expenses attending the Commission of Inquiry, relative to the disturbances on the line of the *Beauharnois* Canal, are not yet ascertained. But whenever their amount shall be determined, the Governor General will communicate a Statement of them to the House of Assembly.

Government House,  
Kingston, 16th October, 1843.

(For the Documents accompanying the said Message see Appendix T.)

The Honourable Mr. *Hincks*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

A Memorandum containing some information respecting the Civil List, with suggestions for putting it on a more satisfactory footing, referred to in the Message of His Excellency, the Governor General, of this day, relating to the said Civil List.

(For the said Memorandum see Appendix U.)

*Ordered*, That two hundred and fifty copies of the Message of His Excellency, the Governor General, on the subject of the Civil List, together with the Memorandum respecting the same, laid before the House, this day, be printed in each of the English and French Languages, for the use of the Members of this House.

The Honourable Mr. Attorney General *Balwin*, one of Her Majesty's Executive Council, reported to the House, that the Governor General, having been waited upon, pursuant to their Order of Friday last, humbly to know His Excellency's pleasure when He will be attended by this House with their congratulatory Addresses to the Queen and Prince *Albert*, on the birth of another Princess, and also the Addresses to His Excellency praying that He will transmit the said Addresses to Her Majesty's Government in *England*; had been pleased to appoint to be attended to-morrow, at two o'clock P.M.

*Ordered*, That when this House doth adjourn, it will adjourn until one o'clock, P.M., to-morrow.

A Bill to amend the Law relative to the Administration of Justice in *Lower Canada*, was, according to order, read a second time.

*Resolved*, That the said Bill be referred to a Special Committee of five Members, to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine*, Mr. *Quésnel*, the Honourable

Disturbances  
Beauharnois  
Canal.

Civil List.

Addresses to  
Her Majesty &  
Prince Albert.Administra-  
tion of Justice,  
Lower Canada.Currency  
and  
Banking.

Mr. *Morin*, the Honourable Mr. *Black*, and Mr. *L. M. Viger*, do compose the said Committee. *Ordered*, That it be an Instruction to the said Committee to inquire whether it would be expedient to recommend Superior Criminal Jurisdiction being added to the Court of Queen's Bench for the District of *St. Francis*.

Independence  
of Parliament.

A Bill for better securing the independence of the Parliament of this Province, was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Watts* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

Duties.

The Order of the day for receiving the Report of the Committee of the whole House, to consider the propriety of amending the Act 4 & 5 *Victoria*, cap. 11, which imposes duties on goods, wares, and merchandize imported into this Province, and imposing duties on certain Agricultural products exempted from duties under the said Act, being read,

*Ordered*, That the said Order of the day be discharged, and the said Report be re-committed to a Committee of the whole House, to-morrow, and that it be then the first Order of the day.

Then on motion of the Honourable Mr. *Viger*, seconded by the Honourable Mr. Attorney General *Baldwin*.

The House adjourned.

*Martis* 17° die Octobris.

Anno 7° *Victoriae Reginae*, 1843.

1â horâ, P. M.

Four Petitions  
brought up.

The following Petitions were severally brought up and laid on the table.

By Mr. *Dunlop*—The Petition of *William Rees*, of the City of *Toronto*, Medical Superintendent of the Provincial Temporary Lunatic Asylum.

By Mr. *Thorburn*—The Petition of *J. B. Clendenian* and others, inhabitants of *Pelham* and *Louth*, in the District of *Niagara*; the Petition of the Reverend *J. F. A. S. Fayette*, A. M. of *Brantford*; and the Petition of the Reverend *Abijuh Blanchard*, D. D. of *Pelham*, in the District of *Niagara*.

Leave of absence  
to Mr  
Crane

*Ordered*, That Mr. *Crane* have leave to absent himself from this House, for ten days, on urgent business.

*Ordered*, That when this House doth adjourn, it will adjourn until four o'clock, P. M., this day.

At the hour appointed, Mr. Speaker and the House attended upon His Excellency with the Addresses of the House.

And being returned,

Addresses to  
Her Majesty,  
&c.

Mr. Speaker, reported that the House had attended upon His Excellency, the Governor General, with their congratulatory Addresses to the Queen and Prince *Albert*, on the birth of another Princess; and also, the Addresses to His Excellency, praying that he will transmit the said Addresses to Her Majesty's

Government, in *England*, to which His Excellency was pleased to make the following answer:

Gentlemen,

I shall have pleasure in transmitting to the Secretary of State, for the purpose of being laid before the Queen, and His Royal Highness Prince *Albert*, your loyal Addresses on the birth of another Princess.

Then on motion of the Honourable Mr. Attorney General *Baldwin*, seconded by the Honourable Mr. *Viger*,

The House adjourned.

*Martis*, 17° die Octobris.

Anno 7° *Victoriae Reginae*, 1843.

4â horâ, P. M.

The following Petitions were severally brought up and laid on the table:

Three Petitions  
brought up.

By Mr. *Merritt*—The Petition of *John Harris*, and others, Inhabitants of *Grimsby*, and other Townships, in the District of *Niagara*.

By Mr. *Thompson*—The Petition of *John Juvron* and others, of the Townships of *Moulton*, *Canborough* and *Sherbrooke*.

By Mr. *Cameron*—The Petition of the Minister, Elders, Trustees and Managers of the *St. Andrew's* Church, in *Hamilton*.

The Honourable Mr. *Moffatt*, from the Select Committee to which was referred the Petition of the Reverend *John Bethune* and others, of the City of *Montreal*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:

Report on Pe-  
tition of Rev.  
John Bethune  
and others.

"The Petition referred to your Committee, pray for the incorporation of a Company, for the purposes of Life Endowment, upon the principles of Mutual Insurance. From the equitable and beneficial nature of the principles upon which Mutual Assurance Companies are based, it appears to your Committee, that a Company established on such principles, would afford to persons, in the enjoyment of an annual income, but possessing little property, far greater facilities in providing for their Children or surviving relatives, than they could otherwise enjoy. Under the system of Mutual Insurance Companies, every desirable security is afforded, whilst under that of Proprietary Companies the guarantee consists in the stability of the Company and the condition of its affairs.

The profits also in the former case are devisable amongst the Assured, whereby the Rates of Assurance are diminished or advantageous in another shape afforded to the interested.

The establishment of Companies of this nature in *Great Britain*, having been productive of much benefit, your Committee are led to anticipate a like result from their introduction into this country, and therefore recommended the passing of a general law, to authorise the formation of Provident Mutual Life Assurance Companies throughout the Province; of the provisions of which law, the Petitioners will be enabled to avail themselves."

The Hon. Mr. *Moffatt* from the standing Committee on Private Bills, presented to the House, the First Report of the said Committee, which was again read at the Clerk's table, and is as followeth:

First Report of  
Committee on  
Private Bills.

"Your Committee to which was referred so much of the Petition of the Ladies of the Committee of Management of the Lying-in Hospital of *Montreal*, as relates to an Act of Incorporation, beg

leave to report thereon as follows:—The Hospital was founded by private benevolence, in January 1842, for the relief of distressed females, who from poverty are unable to procure the comfort and support requisite in their critical situation; the benefits of the Institution have now become so largely extended, that the Committee of Management are desirous of obtaining an Act of Incorporation, which your Committee humbly conceive, should be granted, and they therefore recommend to your Honourable House to pass an Act for the purpose."

*Ordered*, That the Honourable Mr. *Moffatt* have leave to bring in a Bill, to Incorporate the Ladies of the Committee of Management of the *Montreal Lying in Hospital*.

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.

On motion of Mr. *Cartwright*, seconded by Mr. *Dunlop*.

*Resolved*—That this House will on Friday next, resolve itself into a Committee of the whole House, to consider the propriety of establishing a House or Houses of Refuge, for Juvenile offenders, and to provide for the diminution of Crime in the Province.

On motion of Mr. *Thorburn*, seconded by Mr. *Child*,

*Resolved*—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before the House the correspondence which has passed between the Home and Provincial Governments, respecting the Post Office Department, in this Province, or of *British North America*, and also of the *United States of America*, relative thereto, or any other information upon the same subject, which His Excellency may deem necessary and please to communicate; and also quarterly statements, shewing the gross amount of receipts and expenditures of the said Departments, in this Province, from the 5th January 1841, to the 5th January 1843; the amount of receipts derived from Letter Postage, and also the amount of Newspaper and Pamphlet Postage, stated separately, with the amount of perquisites arising from the latter description of Postage during the same period; to the Deputy Post Master General of this Province or his Deputies, separately stated; and also the amount of Postage charged to and paid out of the Provincial Funds of this Province, stating the amount paid by each Department separately during the same period; also any information relative to the Commission of Post Office Enquiry, referred to from the Throne in the opening Speech of the First Session of the present Parliament; and further, a statement of Salaried Officers in the said Post Office Department of this Province, the amount thereof separately, and from what part of the funds thereof paid; whether from the aggregate of Letter, or Newspaper and Pamphlet Postage, naming the Officers in each Office; and the amount actually paid to each, or any other allowance to each for Office Rent, Stationary or otherwise; and further, if anything has been done to alter, augment, or reduce the present rate of Postage—and if so, what the nature of such alterations is, and the grounds or authority by which the same has been done.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. *Jones*, seconded by Mr. *Forbes*,

*Resolved*, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of amending the Ordinance 4 *Victoria*, cap. 11, of the Governor and Special Council of the late Province of *Lower Canada*, intituled "An Ordinance to provide for the construction of a Turnpike Road, from the River *Richelieu*, opposite the Town of *Dorchester*, commonly called *St. Johns*, to the Village of *Granby*."

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Thorburn* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered*, That the Honourable Mr. *Neilson* have leave to bring in a Bill to provide for the management of the *Presbyterian Church of Canada*, in connexion with the Church of *Scotland*.

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 Friday next.

The Honourable Mr. *Daly*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, 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:—

*C. T. Metcalfe.*

The Governor General transmits, for the information of the House of Assembly, a Despatch from Her Majesty's Secretary of State, respecting the arrangements of the Post Office in *British North America*.

Government House.

Kingston, 17th October, 1843.

(Copy.)

No. 74.

Downing Street.

3rd August, 1843.

Sir,

Having, on my assumption of the Seals of this Department, found in my office a Report, drawn up by the Commissioners appointed by the late Lord *Sydenham*, to enquire into the system on which the Post Office in *British North America* was conducted; I addressed myself, at an early period, to the consideration of this document, but the complexity of the subject, together with representations, involving further inquiries, which have been received from the *North American Colonies*, subsequently to the presentation of the Commissioners' Report, has, unfortunately, created an unavoidable delay in announcing the decision of Her Majesty's Government on the propositions contained in it. Nor am I able, even now, to communicate to you the decisions of Her Majesty's Government upon all those propositions. I do not, however, on that account, think it necessary to delay communicating to you, the course proposed to be taken on such of them as we have been able to decide upon.

We have determined, in the first place, to substitute the system of weight for that of enclosures, in the mode of charging the internal letters circulating in *British North America*; and, secondly, to abolish the Newspaper privilege of the several Deputy Post

Turnpike Road from St. John's to Granby.

Presbyterian Church.

Post Office.

Montreal Lying-in Hospital

House of Refuge.

Post Office Department.

Post Office

Masters General, imposing on the public instead, a charge on newspapers, of one halfpenny for each sheet.

Thirdly, it is intended that the Colonial Legislative proceedings shall circulate at the rate of one penny for four ounces, limiting the weight of such proceedings sent by Post, in ordinary cases, like other printed papers to sixteen ounces, but reserving power to the Governor or Lieutenant Governor of each Colony, to give a special direction to the Deputy Post Masters of the Colony, to send any particular Legislative proceedings through the Post at the usual rate of one penny for four ounces, although the documents to be so sent shall exceed the established limit of sixteen ounces. Fourthly, we propose to authorize the reduction of the internal rates on the correspondence of *British North America*, conveyed either direct by Packet or private Ship, or by the way of the *United States*, to and from this country, to the uniform rate of two pence the half ounce, the charge being progressive with the weight.

Her Majesty's Government will give their attention to the substitution, in *British North America*, of Penny or District Posts, for a certain number of the existing Way Offices, as soon as we are in possession of the necessary information on the subject; nor shall we exclude from our consideration, the important subject of the disposal of the surplus Revenue arising from the Post Office in the *British North American Colonies*. Upon these points you will hereafter receive from me another communication.

I have further to add, that the compensation to the Post Masters, and other Officers connected with the Post Office of *British North America*, will be duly considered by Her Majesty's Government, so soon as sufficient information to enable us to form an opinion on the subject, shall have been furnished.

I have, &amp;c.,

(Signed.)

Stanley.

The Right Honourable  
Sir C. T. Metcalfe,  
&c. &c. &c.

*Ordered*, That one hundred copies of the said Message, and of the Despatch accompanying the same, be printed in each of the *English* and *French* Languages, for the use of the Members of this House.

The Honourable Mr. Hincks, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, Financial Statements, required by a Resolution of the Legislative Assembly of the 8th September, 1841.

(For the said Statements, see Appendix V.)

On motion of Mr. Wakefield, seconded by Mr. Tucké.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies or extracts of any correspondence that may have taken place between the Executive and the Stipendiary Magistrate recently appointed on the line of the *Beauharnois Canal*.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

*Resolved*, That a Select Committee, composed of Mr. Simpson, the Honourable Mr. Solicitor General Aylwin, Mr. Wakefield, Mr. Dunlop, Mr. Forbes, Mr. Derbshire and Mr. Christie, be appointed to enquire into the effect of the *English Copy Right Act*, the consequent exclusion of *American Reprints*, and the policy of that exclusion, as connected with the probable influence on the minds of the rising generation of the Province, to report thereon with all convenient speed, with power to send for persons, papers and records.

English Copy-right Act

A Bill to provide for the detention and conveyance to Gaol of Debtors in certain cases, within *Canada West*, was according to order, read a second time.

Debtors' Detention.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Tuesday next.

A Bill to fix the period for holding the Courts of General Quarter Sessions of the Peace, in that part of the Province, formerly *Upper Canada*, was according to order, read a second time.

Courts of Quarter Sessions.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. Williams reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

Mr. Watts, from the Committee of the whole House, on the Bill for the better securing the Independence of the Parliament of this Province, reported according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table.

Independence of Parliament.

The Honourable Mr. Attorney General Lafontaine moved, seconded by Mr. Parke,

That the question of concurrence be now separately put upon the said amendments.

The Honourable Mr. Neilson moved in amendment, seconded by Mr. Cartwright, that all the words after "That" in the said motion be struck out, and the following substituted: "The said Report be recommitted to a Committee of the whole House, with an instruction to modify the Bill so as not to establish any disqualification not established by Laws and Parliamentary practice in the United Kingdom, and more particularly to guard against all encroachments on the prerogative of the Crown to call such persons to the Legislative Council as it sees fit, conformably to the existing Laws, and the privilege of the people of electing their Representatives."

The question having been put upon the motion for amendment, a division ensued, and the names being called for they were taken down as followeth:

YEAS.

Messieurs CARTWRIGHT, McLEAN, MOFFATT, NEILSON, and WATTS.—(5.)

NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN BARTHE, BERTHELOT, BOSWELL, BOUTILLIER, CAMERON, CHABOT, CHESLEY, CHILD, CHRISTIE, DALY, DeWITT, DUNN, DURAND, FORBES, FOSTER, GILCHRIST, HALE, HAMILTON, HINCKS, HOLMES, HOP-

Financial Statements.

Correspondence Beauharnois Canal.

KINS, JONES, KILLALY, LAFONTAINE, LESLIE, D. McDONALD, J. S. McDONALD, MERRITT, MOORE, MORIN, MORRIS, NOEL, PARKE, POWELL, PRICE, QUESNEL, ROBLIN, SIMPSON, HARMANNUS SMITH, GEORGE SHERWOOD, STEELE, TACHE, TASCHEREAU, THOMPSON, THORBURN, D. B. VIGER, L. M. VIGER, WAKEFIELD, and WILLIAMS.—(52.)

So it passed in the Negative.

The question being then put on the main motion it was agreed to.

And the said amendments being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House.

*Ordered.* That the said Bill as amended be engrossed.

Duties.

The Order of the day for the House in Committee on the recommitted Report of the Committee of the whole House to consider the propriety of amending the Act 4 & 5 Victoria, cap. 14, which imposes duties on Goods, Wares and Merchandize, imported into this Province, and imposing duties on certain Agricultural products exempted from duty under the said Act, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Taschereau* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered.* That the said Committee have leave to sit again to-morrow, and that it be then the first Order of the day.

*Ordered.* That the remaining Orders of the day be postponed until to-morrow.

Then on motion of Mr. *Hamilton*, seconded by Mr. *Berthelot*,

The House adjourned.

*Mercurii*, 18<sup>o</sup> die Octobris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

12 Petitions brought up.

THE following Petitions were severally brought up and laid on the Table:—

By the Honorable Mr. *Harrison*—The Petition of *John F. Kingston*, of the Township of *Bedford*, in the *Midland* District.

By Mr. *Price*—The Petition of *John A. Wilkinson*, and others, inhabitants of the *Western* District: the Petition of the Municipal Council of the *Western* District (relating to duty on tobacco); the Petition of the Municipal Council of the *Western* District (relating to imprisonment for Debt); and the Petition of *J. B. Baby*, and others, Freeholders and inhabitants of the *Western* District.

By Mr. *Roblin*—The Petition of the *Prince Edward* District Agricultural Society.

By Mr. *Morris*—The Petition of *Alexander Wylie* and others, Presbyterians, of the Townships of *Edwardsburgh* and *Augusta*.

By Mr. *Gilchrist*—The Petition of the Municipal Council of the District of *Colborne*.

By the Honorable Mr. *Jones*—The Petition of *E. J. Briggs* and others, inhabitants of the Municipal District of *Missisquoi*; the Petition of *Francis Marie* and others, inhabitants of *Foucault*, *Canada East*; the Petition of *A. Chapman* and others, of the County of *Rouville*; and the Petition of *Godfrey Esinhart* and others, Tavern Keepers, of the Town of *Dorchester*, in the Parish of *St. John the Evangelist*.

An engrossed Bill for better securing the independence of the Parliament of this Province was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to fix the period for holding the Courts of General Quarter Sessions of the Peace, in that part of the Province formerly *Upper Canada*, was read for the third time.

General Quarter Sessions.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Cartwright* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the Day, the following Petitions were read:—

Petitions read

Of *E. Crevier* and other Inhabitants of the Township of *Actou*, and other places; praying a grant to repair three miles of road formerly made at the public expense of the Province, between the Township of *Grantham* and the ninth Concession of *St. Hyacinthe*.

Of *Paul Lussier*, and other Inhabitants of the Parish of *Ste. Anne de Varennes*, in the District of *Montreal*; praying that a duty may be imposed on agricultural produce and live stock imported from the *United States*;—that a premium may be granted on certain *Canadian* manufactures;—that the District and Division Courts may be abolished, and the Commissioners Courts re-established;—and that the owners of Steamboats may be compelled to adopt certain precautions against fire.

Of the Honourable *W. W. Baldwin* and others, Inhabitants of the *Home* District, praying for agricultural protection.

Of *Charles Heon* and others, Inhabitants of *Blandford*, in the District of *Nicolet*; praying aid for a road in the said District.

Of *B. Hubbs*, *A. Campbell* and *W. Rorke*, late Boundary Line Commissioners for the District of *Prince Edward*; praying that a summary mode may be provided for recovering the costs and expenses incurred by them under the late Boundary Line Commissioners' Act.

Of *William McNaughton* and others, Presbyterian Inhabitants of *Ormstown*, in the County of *Beauharnois*; praying for the passing of a law to provide for the management of the Temporalities of the Presbyterian Church of *Canada*.

Of *Jacob Beam* and others, Inhabitants of the Townships of *Clinton* and *Grimby*, in the District of *Ningara*; praying that the benefits of the University of *King's College*, be extended to all classes of Her Majesty's subjects.

Of *William Henry Roy* and others, who served in the embodied Militia of *Lower Canada*, during the last war with the *United States of America*; praying remuneration for their services.

Of the Municipal Council of the District of *Wellington*; praying that certain amendments be made to the Municipal Council Act.

Of the Municipal Council of the District of *Wellington*; praying for certain amendments to the Laws relating to the Assessment of Lands.

Of the Municipal Council of the District of *Wellington*; praying for the passing of an Act to define the limits of the said District.

Of the Municipal Council of the District of *Wellington*; praying for certain amendments to the Common School Act.

Independence of Parliament.

Petitions read.

Of the Municipal Council of the District of *Wellington*; praying that the Township of *Wilnot* may not be separated from the said District.

Of the Reverend *John Machar*, Minister of *St. Andrew's Church*, in *Kingston*; praying for the passing of an Act to provide for the management of the Temporalities of the Presbyterian Church of *Canada*.

Of *John Sweeny* and others, commuted Pensioners, and discharged Soldiers; praying for grants of land, without the obligation of Settlement Duties; or the value of such grants in Scrip.

Of *Mrs. Jane Pigott*, of the City of *Quebec*; praying that the grant of Fifty Pounds, formerly made to her late husband, by the Legislature of *Lower Canada*, for scientific services, may be continued in her favour.

Of *Ebenezer Bell*, and others; praying that steps may be taken for the reduction of the number of Taverns throughout the Province.

Of *William Bell* and *Malcolm Cameron* of *Perth*; praying for a certain amendment to the *Tay Navigation Act*.

Of *John Colvin* and others, Debtors confined in the Gaol of the District of *Bathurst*; praying for the passing of an Act to allow confined Debtors to take exercise in the yards adjoining the Gaols throughout this Province.

Of *Thomas Scott*, of *South Burgess*, in the District of *Bathurst*, Stone Mason; praying payment of certain claims against the Commissioners for the *Cornwall Canal*.

Of the Right Reverend *Patrick Phelan*, Bishop of *Carrher*, Coadjutor and Administrator of the Diocese of *Kingston*; praying an aid for the completion of a Catholic Seminary in the town of *Kingston*.

Petitions Referred.

*H. St. Germain* and *J. L. Laviolette*.

Montreal Medical Board.

*Ordered*, That the Petition of *H. St. Germain*, and *J. G. Laviolette*, of the Parish of *St. Eustache*, in the District of *Montreal*, presented to the House on the tenth instant, be referred to the Standing Committee on Private Bills.

*Resolved*, That the Petition of the *Montreal Medical Board*, praying that a Law be passed to regulate the Study of Medicine, be referred to a Select Committee composed of *Mr. Boutillier*, *Mr. Dunlop*, *Mr. Taché*, *Mr. Noël*, *Mr. Gilchrist*, *Mr. Foster*, and *Mr. Harmannus Smith*, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

W. Smart and others.

*Ordered*, That the Petition of *William Smart*, and other Inhabitants of the County of *Durham*, presented to the House on the twenty-ninth of September last; the Petition of the Municipal Council of the *Niagara District*, praying for Agricultural protection: the Petition of *Alexander Kilborn* and others, Inhabitants of the County of *Stanstead*, praying for Agricultural protection: and the Petition of the Honourable *W. W. Baldwin* and others, Inhabitants of the *Hume District*: be referred to the Committee of the whole House to consider the propriety of amending the Act 3 & 5 *Victoria*, Cap. 14, which imposes duties on goods, wares, and merchandize, imported into this Province, and imposing duties on certain Agricultural products exempted from duty under the said Act.

Hon. W. W. Baldwin and others.

*Resolved*, That the Petition of *George Bridgman*, and others, Leather Manufacturers and Deal

Geo. Bridgman and others.

ers in *Canada East*, presented to the House on the eleventh Instant, be referred to a Select Committee composed of *Mr. Forbes*, *Mr. De Witt*, *Mr. Leslie*, *Mr. McLean*, and *Mr. Simpson*, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That the Petition of *Thomas White*, and others, Boot and Shoe Manufacturers of the City of *Montreal*, presented to the House on the third Instant be referred to the said Committee.

Tho's White &amp; others.

*Resolved*, That the Petition of the Municipal Council of the District of *Gore*, praying that they may be authorized to raise a sum of money on the credit of the District to make a certain piece of Plank Road to connect the *Gore* and *Wellington* Districts be referred to a Select Committee composed of *Mr. Hopkins*, *Mr. Durand*, *Mr. Harmannus Smith*, *Mr. Thorburn*, and *Mr. Merritt*, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Municipal Council Gore District.

*Resolved*, That the Petition of *John Sweeny*, and others, commuted Pensioners and discharged Soldiers, be referred to a Special Committee of five Members, to examine the contents thereof, and to report with all convenient speed, with power to send for persons, papers, and records.

John Sweeny and others.

*Ordered*, That the Honourable *Mr. Neilson*, the Honourable *Mr. Morin*, *Mr. Taschereau*, *Mr. J. S. McDonald*, and *Mr. Christie* do compose the said Committee.

*Ordered*, That the Petition of *B. Hubbs*, *A. Campbell*, and *W. Rorke*, late Boundary Line Commissioners for the District of *Prince Edward*, be referred to the Special Committee to which were referred the Petition of *George Rykert* and others, late Boundary Line Commissioners for the *Niagara District*, and the Petition of *Wm. Ketchison*, junior, and others, late Boundary Line Commissioners for the District of *Victoria*.

Hubbs, Campbell &amp; Rorke.

The Honourable *Mr. Daly*, one of Her Majesty's Executive Council, laid before the House by command of His Excellency, the Governor General,

Return to an Address of the Legislative Assembly to the Governor General, bearing date the 17th Instant, praying that His Excellency will be pleased to communicate to the House, copies or extracts of any correspondence that may have taken place between the Executive and the Stipendiary Magistrate recently appointed on the line of the *Beauharnois Canal*.

Information Beauharnois Canal.

By Command,

*D. Daly*,  
Secretary.

Secretary's Office,  
*Kingston*, 18th Oct., 1843

(Copy.)  
(Immediate.)

Secretary's Office,  
*Kingston*, 6th Oct., 1843.

Sir,

I have the honour, by command of the Governor General, to inform you that His Excellency has been pleased to appoint you to the office of Stipendiary Magistrate on the line of the *Beauharnois Canal*, at the rate of remuneration established last year, £200 per annum. And I am to convey to you His instructions that you should lose no time in



repairing to *St. Timothé* to relieve Mr. *Lavolette* and to take immediate charge of the Police Force there maintained.

His Excellency relies confidently upon the most constant vigilance on your part, and the exercise of a sound discretion in your communications with all parties, to prevent the recurrence of disturbances in the section of Country placed under your charge. In case you should, however, at any time regard the presence of the Troops as necessary for the preservation of order, you will of course not hesitate to make the usual requisition on the Military Authorities.

As soon as possible after your arrival at *St. Timothé*, and from time to time afterwards as occasion may require, you will make report to this Department, upon any matters that may seem to you to require attention.

I have, &c.

(Signed.)

*D. Daly,*  
Secretary.

*C. Wetherall, Esq., J. P. &c. &c.*  
*Lapraric.*

*St. Timothé,*  
11th October, 1843.

Sir,

I have the honour to acknowledge the receipt of your letter of the 6th Instant, notifying to me that the Governor General had been pleased to appoint me Stipendiary Magistrate on the line of the *Beauharnois* Canal. In obedience to His Excellency's commands I immediately proceeded to this place for the purpose of relieving Mr. *Lavolette* and of taking charge of the Police force stationed here.

I learnt on my arrival that Mr. *Lavolette* left *St. Timothé* on the morning of the 3rd Instant, when the Troops were withdrawn and has not since returned.

I have notified my appointment to the Commander of the Forces, and have requested in the event of Troops being necessary that the Officer commanding at *Lapraric*, which is the nearest Military post, be instructed to comply with my requisition without further reference to Head Quarters; I beg, however, to state for the information of the Governor General, that I do not apprehend the presence of

Troops will be necessary to ensure the maintenance of good order in this part of the country.

I have, &c.

(Signed,)

*C. Wetherall,*  
Stipendiary Magistrate.

Honourable *D. Daly,*  
&c. &c. &c.

Secretary's Office,  
*Kingston,* 11th October, 1843.

Sir,

I am commanded by the Governor General to request that you will Report for His Excellency's information, at as early a day as possible, upon the nature and extent of the depredations committed on the line of the *Beauharnois* Canal since the commencement of the works, and also as to the probability of their continuance, with such suggestions relative to the steps required for their prevention, as you may be prepared to offer.

I have, &c.

(Signed,)

*D. Daly,*  
Secretary.

*C. Wetherall, Esq., &c. &c.*  
*St. Timothé de Beauharnois.*

And also,

Return to an Address of the Legislative Assembly to the Governor General, bearing date the 16th Instant, praying that His Excellency will be pleased to cause to be laid before the House, a Return of the several Banking Institutions who have paid the tax imposed by the Act 4 & 5 Vic., cap. 29, distinguishing the amounts paid by each Bank separately.

Returns from  
Banking Insti-  
tutions.

By Command,

*D. Daly,*  
Secretary.

Secretary's Office,  
*Kingston,* 18th Oct., 1843.

Return of the several Banking Institutions who have paid the tax imposed by the Act 4 & 5 Vic., cap. 29, distinguishing the amounts paid by each Bank, required by the Address of the Honourable the Legislative Assembly of the 16th Instant: —

NAMES OF THE BANKS.	Duties Paid in 1841.			Duties Paid in 1842.			Duties Paid, up to 3d April, 1843.			Total Amount Currency.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Montreal Bank.....	0	0	0	2467	17	1	1226	18	1	3694	15	2
Gore Bank.....	0	0	0	936	10	8	261	19	4	1225	19	0
Commercial Bank.....	238	1	0	1505	17	4	441	15	1	2185	12	5
Bank of Upper Canada.....	190	9	4	1510	15	6	525	1	11	2226	6	9
Bank of the People, Toronto.....	126	9	11	644	6	6*	0	0	0	770	16	5
Banque du Peuple, Montreal.....	0	0	0	653	17	11	210	17	3	864	15	2
Farmer's Joint Stock Banking Co., Toronto..	18	1	5	72	11	7	18	6	7	103	10	7
City Bank, Montreal.....	0	0	0	1160	2	6	419	5	5	1579	8	11
Bank of British North America, Quebec....	0	0	0	367	9	6	113	10	9	481	0	3
Do. Do. Montreal ..	0	0	0	220	15	11	131	9	6	352	5	5
Do. Do. Kingston ..	0	0	0	61	11	0	47	19	3	109	10	3
Do. Do. Toronto ...	0	0	0	202	14	2	96	19	2	299	13	4
Quebec Bank.....	0	0	0	445	4	5	147	17	10	593	2	3
Total currency.....	£	567	1 8	10277	3 1		3642	0 2		14487	4 11	

Inspector General's Office,  
*Kingston,* 17th October, 1843.

*Jos. Cary,*  
Deputy Inspector General.

\* The amount payable by the Bank of the People at Toronto, since the 1st August, 1842, is included in the payments made by the Bank of Montreal.

Illegitimate  
Children.

*Ordered*, That Mr. *Hale* have leave to bring in a Bill to make provision for the support of illegitimate children.

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.

Finance &  
Statements.

*Ordered*, That the Financial Statements laid before the House yesterday, in compliance with a Resolution of the Legislative Assembly of the 8th September, 1841, be printed for the use of the Members of this House.

On motion of Mr. *Hamilton*, seconded by Mr. *Dunlop*.

Coast Fisheries.

*Ordered*, That the Entries in the Journals of the fifth day of October, 1842, relating to the Salmon Fisheries in the Inferior District of *Caspé*, be now read.

The said Entries were read accordingly.

*Resolved*, That the said Entries be referred to a Special Committee of five Members, with an instruction to continue the Enquiry relative to the said Fisheries, and to report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers and records.

*Ordered*, That Mr. *Hamilton*, Mr. *Prince*, Mr. *Christie*, Mr. *L. M. Viger*, and Mr. *Dunlop*, do compose the said Committee.

Duties on Im-  
ports.

The Order of the Day for the House in Committee on the re-committed Report of the Committee of the whole House, to consider the propriety of amending the Act 1 & 5 *Victoria*, cap. 14, which imposes duties on Goods, Wares, and Merchandize, imported into this Province, and imposing duties on certain Agricultural Products exempted from duty under the said Act, and other references, being read.

The House accordingly resolved itself into the said Committee.

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

Mr. *Speaker* resumed the Chair,

And Mr. *Taschereau* reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

Registry Laws

The Order of the day for the second reading of the Bill to alter and amend the Registry Laws of that part of this Province, which was formerly *Upper Canada*, being read,

*Ordered*, That the said Order of the day be postponed until Tuesday next.

Montreal Bank

A Bill to amend the Act incorporating the Bank of *Montreal*, by providing for the extension of the time limited for the paying up of the Stock of the said Bank, was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

The Honourable Mr. *Dum* took the Chair of the Committee, and after some time spent therein,

Mr. *Speaker* resumed the Chair,

And the Honourable Mr. *Dum* reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

*Ordered*, That the remaining Orders of the day be postponed until to-morrow,

Then on motion of Mr. *Hamilton*, seconded by Mr. *Dunlop*,  
The House adjourned.

*Jovis 19<sup>o</sup> die Octobris.*

Anno 7<sup>o</sup> *Victoriæ* Reginæ, 1843.

MR. SPEAKER, informed the House that a Commission had issued under the Great Seal of the Province, appointing *Charles De Léry*, Esqr., the younger, a Master in Chancery.

*Chas De Léry*,  
Esqr., Master  
in Chancery.

Mr. *Speaker* laid before the House a Statement of the affairs of the "*Champlain and St. Lawrence Rail Road*" as required by the 49th Section of the Act 2nd *Wm.* 4, cap. 58, of the late Province of *Lower Canada*.

*Champlain and  
St. Lawrence  
Rail Road.*

(For the said Statement see Appendix W.)

Also,

The Report of the Commissioners for the relief of Insane and Invalids, and Foundlings, in the District of *Quebec*, to 30th September, 1842.

Foundlings,  
&c. *Quebec*.

(For the said Report see Appendix X.)

And also,

General Statements of the affairs of the Bank of *Montreal*; of the City Bank of *Montreal*; of the *Quebec Bank*, and of the Bank of *British North America*, received in conformity to order of this House of the 6th instant.

Bank of *Mon-  
treal*.

(For the said General Statements see Appendix Y.)

The following Petitions were severally brought up and laid on the table.

12 Petitions  
brought up.

By Mr. *Merritt*—The Petition of *Henry R. Goodman*, M. D. and others, Inhabitants of the Township of *Grimsby*.

By Mr. *Foster*—The Petition of the Reverend *Andrew Ballfour*, of *Waterloo*.

By Mr. *Christie*—The Petition of *Joseph Forsyth* and others, commuted Pensioners and discharged Soldiers.

By Mr. *Chabot*—The Petition of Messieurs *Atkinson, Osborne & Co.*, and others of the City and *Banlieue* of *Quebec*.

By Mr. *Prince*—The Petition of the Municipal Council of the *Western District*, (relating to the School Act); the Petition of the Municipal Council of the *Western District*, (relating to *Wolf Scalps*); the Petition of the Municipal Council of the *Western District*, (relating to a Tax on *Dogs*); and the Petition of *Thomas Woodbridge* and others, Inhabitants of the *Western District*.

By Mr. *Forbes*—The Petition of *Edwin Pridlum* and others, Inhabitants of the Township of *Greenville*, on the *Ottawa River*.

By the Honourable Mr. *Hincks*—The Petition of *Charles F. Grace*, and others, Inhabitants of the District of *Terrebonne, Canada East*.

By the Honourable Mr. *Moffatt*—The Petition of the *Montreal Board of Trade*; praying that the prayer of the Petition of *E. M. Leprohon* and others, Inspectors of *Pot and Pearl Ashes*, presented to the House this Session, may not be granted.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Cartwright*,

*Ordered*, That the said Petition be now read, and that the Rule of this House of the 28th June, 1841, be dispensed with, as to the present Petition.

The said Petition was read accordingly.

Pursuant to the Order of the Day, the following Petitions were read,

Petitions read.

Of *Williams Rees*, of the City of *Toronto*, Medical Superintendent of the Provincial Temporary

Lunatic Asylum; praying to be allowed the Salary provided for by the Legislature of *Upper Canada* in 1839.

Of *James B. Clendennan*, and others, Inhabitants of *Pelham* and *Louth*, in the District of *Niagara*; praying for the passing of an Act to naturalize the Reverend *Abijah Blanchard*.

Of the Reverend *J. F. A. S. Fayette*, A. M., of *Brantford*; praying to be naturalized.

Of the Reverend *Abijah Blanchard*, D. D., of *Pelham*, in the District of *Niagara*; praying to be naturalized.

Of *John Harris*, and others, Inhabitants of *Grimsby*, and other Townships in the District of *Niagara*; praying for a division of the said District into two Districts.

Of *John Jarron*, and others, of the Townships of *Moulton*, *Canborough*, and *Sherbrooke*; praying that proprietors of lands in the said townships, who are in arrears for taxes, be compelled to pay the same.

Of the Minister, Elder, Trustees, and Managers, of the *St. Andrew's Church* in *Hamilton*; praying for the passing of an Act to regulate the management of the Temporalities of the Presbyterian Church in *Canada*.

*Ordered*, That the Petition of the *Montreal Board of Trade*, be referred to the Special Committee to which was referred the petition of *E. M. Leprohon* and others, Inspector and Assistant Inspectors of Pot and Pearl Ashes, of the City of *Montreal*.

*Ordered*, That the Petition of the Mercantile Library Association of *Montreal*, presented to the House on the eleventh Instant; the Petition of the *Kingston Marine Railway Company*, presented to the House on the twelfth Instant; the Petition of *J. A. P. Barbier*, and Mrs. *Euphrasie Barbier*, his wife, presented to the House on the twelfth Instant; the Petition of the Minister, Elders, and Trustees of *St. Paul's Church, Montreal*, presented to the House on the thirteenth Instant; and the Petition of *Eden Colville*, of *Beauharnois*, Agent for the North American Colonial Association of *Ireland*, be referred to the Standing Committee on Private Bills.

*Resolved*, That the Petition of *John Jarron*, and others, of the Townships of *Moulton*, *Canborough*, and *Sherbrooke*, be referred to a Special Committee of five Members to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That Mr. *Thompson*, Mr. *Merritt*, Mr. *Roblin*, Mr. *Thorburn*, and Mr. *Parke*, do compose the said Committee.

Mr. *Hale*, from the Special Committee, to which was referred the Petition of the Lord Bishop of *Montreal*, and others, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee having taken the said Petition, as well as the Prospectus of the said College, into their consideration, it appears that the same is in immediate connexion with the Church of *England* and *Ireland*, but without excluding the youth of any other Religious profession, or debarring them from attending their own Places of Worship.

That it is founded at present by private contributions, aided by grants from different Societies in *England*; and that a School connected with the said Institution is in existence, attended by a Teacher.

Your Committee therefore beg leave to recommend that an Act be passed by Your Honourable House, to incorporate the Lord Bishop of *Montreal*, and the Trustees and College Council of the said Institution, by the name of the Diocesan College of *Canada East*, in compliance with the prayer of the Petitioners, with such powers and privileges as to Your Honourable House may seem meet."

*Ordered*, That the said Report be referred to a Committee of the whole House, to-morrow.

On motion of the Honourable Mr. *Morin*, seconded by the Honourable Mr. Attorney General *Baldwin*.

*Resolved*, That this House will, on Monday next, resolve itself into a Committee of the whole House, to consider the expediency of repealing the Act of the Parliament of this Province passed in the Fourth and Fifth years of Her Majesty's Reign, intituled "An Act to repeal certain Acts therein mentioned, and to make further provision for the establishment and maintenance of Common Schools throughout the Province," and of substituting other provisions in lieu thereof.

*Ordered*, That Mr. *Hale* and Mr. *Barthe*, be added to the Standing Committee on Private Bills.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Henry Smith*.

*Resolved*, That the Rule of this House, which determines the period for the reception of Private Bills, be extended until the thirty-first Instant.

Mr. *Taschereau*, from the Committee of the whole House, on the recommitted Report of the Committee of the whole House, to consider the propriety of amending the Act 4 & 5 *Victoria*, cap. 14, which imposes duties on Goods, Wares, and Merchandize, imported into this Province, and imposing duties on certain Agricultural Products, exempted from duty under the said Act, and other references, reported, according to order the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and are as followeth:—

1. *Resolved*, As the opinion of this Committee, That, with a view to remove the just ground of complaint on the part of the Agricultural population, of inequality in the present system of raising a Revenue by Duties of Customs, and also for the purpose of increasing the Public Revenue, it is expedient to impose duties on Agricultural Produce and Live Stock imported into this Province.

2. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of one pound, ten shillings, sterling, on each Horse, Mare, or Gelding, imported into this Province.

3. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of fifteen shillings, sterling, on each Colt or Foal, under two years old, imported into this Province.

4. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of five shillings, sterling, on each Mule or Ass imported into this Province.

5. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of fifteen

Petitions Referred:

Montreal Board of Trade.

Mercantile Library Association of Montreal  
Kingston Marine Railway Company.  
Barbier & wife, Minister & c. St Paul's Church Montreal.  
Eden Colville.

John Jarron & others.

Report on the Petition of the Lord Bishop of Montreal.

Common Schools.

Private Bills.

Import Duties.

Import Duties

- shillings, sterling, on each Bull imported into this Province.
6. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of twenty shillings, sterling, on every Ox, four years old, and upwards, imported into this Province.
7. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of ten shillings, sterling, on each Steer, Heifer, Cow, and on each Head of Cattle under four years old, imported into this Province.
8. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of five shillings, sterling, on each Calf, under one year old, imported into this Province.
9. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of two shillings, sterling on each sheep imported into this Province.
10. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of one shilling, sterling, on each Lamb imported into this Province.
11. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of five shillings, sterling, on each Hog and Swine imported into this Province.
12. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of one shilling, sterling on each Goat or Kid imported into this Province.
13. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of ten *per centum ad valorem*, on Poultry or Game imported into this Province.
14. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of three shillings, sterling, on each quarter of Barley imported into this Province.
15. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of three shillings, sterling, on each quarter of Rye, Peas, Beans, Maize or Indian Corn, Buck-wheat, Bear or Bigg, imported into this Province.
16. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of two shillings, sterling, on each quarter of Oats imported into this Province.
17. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of two shillings, sterling, on each one hundred and ninety-six pounds of Barley Meal, Wheat Meal, not being Wheat Flour, Oat Meal, Buckwheat Meal, Rye Meal, or Indian Corn Meal, imported into this Province.
18. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of three pence, sterling, upon each hundred weight of Bran or Shorts, imported into this Province.
19. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of six shillings, sterling, on each ton of Hay imported into this Province.
20. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of three

shillings, sterling, on each ton of Straw imported into this Province.

Import Duties

21. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of three pence, sterling, on each pound of Hops imported into this Province.
22. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of three pence, sterling, on each bushel of Potatoes imported into this Province.
23. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of fifteen *per centum ad valorem* on all unenumerated Vegetables imported into this Province.
24. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of five shillings, sterling, on each hundred weight of cured Bacon or Hams imported into this Province.
25. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of four shillings, sterling, on each hundred weight of Fresh Meat, of any kind, imported into this Province.
26. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of two shillings, sterling, on each hundred weight of Meat of any kind, salted or cured, imported into this Province.
27. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of two shillings, sterling, on each hundred weight of Butter imported into this Province.
28. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of two shillings, and six pence, sterling, on each hundred weight of Cheese imported into this Province.
29. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of six shillings, sterling, on each hundred weight of Lard imported into this Province.
30. *Resolved*, As the opinion of this Committee, That it is expedient to impose a duty of fourteen *per centum ad valorem* on Eggs imported into this Province.
31. *Resolved*, As the opinion of this Committee, That it is expedient to exempt from the said duties all Agricultural Produce and Live Stock imported by Sea for the use of the Fisheries of this Province.
32. *Resolved*, As the opinion of this Committee, That it is expedient that the Governor in Council be empowered to remit all duties levied on Cattle or other Live Stock imported for the purpose of fulfilling any Contract with Her Majesty's Commissariat, entered into by the Importer, before the first day of the present month of October, on their receiving satisfactory proof that the said Cattle, and other Live Stock, have been delivered, in fulfillment of such Contract, to some person authorized to receive the same, on behalf of Her Majesty's Commissariat.
33. *Resolved*, As the opinion of this Committee, That the said duties be levied and collected

under the same provisions as the duty imposed by the Act of the last Session on Foreign Corns.

34. *Resolved*, As the opinion of this Committee, That it is expedient to provide that Neat Cattle and Swine imported into this Province, may, under proper regulations, be slaughtered, packed, and cured, in Bond, without the payment of the said duties, and for that purpose to empower the Governor in Council to appoint proper Warehousing Ports, and make such Regulations as may be necessary for carrying the said Provision into effect.

The Honourable Mr. *Hincks* moved, seconded by Mr. *Christie*, That the question of concurrence be now separately put upon the said Resolutions.

The Honourable Mr. *Neilson* moved in amendment, seconded by Mr. *Simpson*, That all the words after "That," in the said motion, be struck out, and the following substituted, "in the present state of opinion throughout the world in respect of the freedom of Commercial intercourse between Nations, it is inexpedient to extend or introduce the system of imposing taxes on the food of one description of the Inhabitants with a view to benefit another class, and particularly to impose taxes on the importation of food for the use of the non-agricultural population in this Province."

The question having been put on the motion of amendment, a division ensued, and the names being called for they were taken down as followeth:

## YEAS.

Messieurs BARTHE, FORBES, HAMILTON, LESLIE, MOFFATT, NEILSON, D. B. VIGER, and L. M. VIGER, (8.)

## NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BERTHELOT, BOSWELL, BOUTILLIER, CAMERON, CHABOT, CHILD, CHRISTIE, DALY, DE WITT, DUNN, DURAND, FOSTER, GILCHRIST, HALE, HINCKS, HOLMES, HOPKINS, JONES, KILLALY, LAFONTAINE, D. McDONALD, J. S. MACDONALD, McLEAN, MERRITT, MOORE, MORIN, MORRIS, NOEL, PAPINEAU, PARKE, POWELL, PRICE, PRINCE, QUESNEL, ROBLIN, HENRY SMITH, HARMANNUS SMITH, G. SHERWOOD, STEELE, TACHE, TASCHEREAU, THOMPSON, THORBURN, TURGEON, WAKEFIELD, WATTS, and WILLIAMS, (50.)

So it passed in the Negative.

The question being then put on the main motion, it was agreed to by the House, and

The first to the fifth of the said Resolutions, inclusively, being again severally read, and the question of concurrence being separately put upon each, they were agreed to unanimously.

The sixth of the said Resolutions being again read,

The Honourable Mr. *Hincks* moved in amendment, seconded by Mr. *Cameron*, That the words "on each head of neat Cattle enumerated four years old and upwards," be added after the word "Sterling" in the said Resolution.

The Question having been put on the motion of amendment, it was agreed to by the House.

The Question being then put on the said sixth Resolution, as amended, it was agreed to unanimously.

The seventh of the said Resolutions being again read,

The Honourable Mr. *Hincks* moved in amendment, seconded by Mr. *Cameron*, That the words "on each head of neat Cattle unenumerated under four years old" be added after the word "Sterling" in the said Resolution.

The Question having been put on the motion of amendment, it was agreed to by the House.

The Question being then put on the said seventh Resolution, as amended it was agreed to unanimously.

The eighth to the twenty-fourth of the said Resolutions, inclusively, being again severally read, and the Question of concurrence being separately put upon each, they were agreed to unanimously.

The twenty-fifth of the said Resolutions being again read, and the Question of concurrence being put thereon, a division ensued, and the names being called for, they were taken down as followeth:

## YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BERTHELOT, BOSWELL, BOUTILLIER, CAMERON, CARTWRIGHT, CHABOT, CHILD, CHRISTIE, DALY, DE WITT, DUNLOP, LUNN, DURAND, FOSTER, GILCHRIST, HALE, HINCKS, HOLMES, HOPKINS, JONES, KILLALY, LAFONTAINE, D. McDONALD, J. S. MACDONALD, McLEAN, MERRITT, MOORE, MORIN, MORRIS, NOEL, PARKE, POWELL, PRICE, PRINCE, QUESNEL, ROBLIN, HENRY SMITH, HARMANNUS SMITH, STEELE, TACHE, TASCHEREAU, THOMPSON, THORBURN, WAKEFIELD, WATTS, and WILLIAMS, (49.)

## NAYS.

Messieurs BARTHE, FORBES, LESLIE, MOFFATT, NEILSON, SIMPSON, D. B. VIGER, and L. M. VIGER, (8.)

So it was carried in the affirmative.

The twenty-sixth of the said Resolutions being again read, and the Question of concurrence being put thereon, a division ensued, and the names being called for, they were taken down as in the last preceding division.

So it was carried in the affirmative.

The twenty-seventh to the thirty-first of the said Resolutions, inclusively, being again severally read, and the Question of concurrence being separately put upon each, they were agreed to unanimously.

The thirty-second of the said Resolutions being again read, and the Question of concurrence being put thereon, a division ensued, and the names being called for, they were taken down as followeth:

## YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BERTHELOT, BOSWELL, BOUTILLIER, CAMERON, CARTWRIGHT, CHABOT, CHILD, CHRISTIE, DALY, DE WITT, DUNN, FORBES, FOSTER, GILCHRIST, HARRISON, HINCKS, HOLMES, KILLALY, LAFONTAINE, LESLIE, D. McDONALD, MERRITT, MOFFATT, MOORE, MORIN, MORRIS, NEILSON, NOEL, PARKE, POWELL, PRICE, PRINCE, QUESNEL, ROBLIN, TACHE, TASCHEREAU, D. B. VIGER, L. M. VIGER, and WAKEFIELD, (42.)

## NAYS.

Messieurs BARTHE, DUNLOP, DURAND, HALE, HOPKINS, J. S. MACDONALD, SIMPSON, HENRY SMITH, HARMANNUS SMITH, STEELE, THOMPSON, THORBURN, WATTS, and WILLIAMS, (14.)

So it was carried in the affirmative.

The thirty-third of the said Resolutions being again read, and the Question of concurrence being put thereon, it was agreed to by the House.

The Thirty-fourth and last of the said Resolutions being again read, and the Question of concurrence being put thereon, a division ensued, and the names being called for, they were taken down as followeth:

## YEAS.

Messieurs AYLWIN, BALDWIN, BERTHELOT, BOUTILLIER, CAMERON, CARTWRIGHT, CHAROT, CHRISTIE, DE WITT, DUNN, FORBES, HARRISON, HINCKS, HOLMES, KILLALY, LAFONTAINE, LESLIE, D. McDONALD, J. S. McDONALD, McLEAN, MERRITT, MOFFATT, MORIN, MORRIS, NELSON, NOEL, PARKE, PRICE, QUESNEL, TACHE, THOMPSON, THORBURN, D. B. VIGER, L. M. VIGER, and WAKEFIELD, (35.)

## NAYS.

Messieurs ARMSTRONG, BARTHE, BOSWELL, CHILD, DUNLOP, DURAND, FOSTER, GILCHRIST, HALE, HOPKINS, MOORE, POWELL, PRINCE, ROBLIN, SIMPSON, HENRY SMITH, HARMANNUS SMITH, STEELE, TASCHEREAU, WATTS, and WILLIAMS, (21.)

So it was carried in the affirmative.

The Honourable Mr. *Hincks* moved, seconded by the Honourable Mr. Attorney General *Baldwin*, for leave to bring in a Bill to impose Duties on Agricultural Produce and live Stock imported into this Province.

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:

## YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BERTHELOT, BOSWELL, BOUTILLIER, CAMERON, CARTWRIGHT, CHAROT, CHILD, CHRISTIE, DE WITT, DUNLOP, DUNN, DURAND, FORBES, FOSTER, GILCHRIST, HALE, HARRISON, HINCKS, HOLMES, HOPKINS, KILLALY, LAFONTAINE, LESLIE, D. McDONALD, J. S. McDONALD, McLEAN, MERRITT, MOFFATT, MOORE, MORIN, MORRIS, NELSON, NOEL, PARKE, POWELL, PRICE, PRINCE, QUESNEL, ROBLIN, HENRY SMITH, HARMANNUS SMITH, STEELE, TACHE, TASCHEREAU, THOMPSON, THORBURN, D. B. VIGER, L. M. VIGER, WAKEFIELD, WATTS, and WILLIAMS.—(54.)

## NAYS.

Messieurs BARTHE, and SIMPSON.—(2.)

So it was carried in the affirmative, and

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 Monday next.

Customs Bill The Order of the Day for the second reading of the Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue, being read,

*Ordered*, That the said Order of the Day be postponed until Thursday next.

Adverse claims A Bill to enable Courts of Law in that part of this Province called *Upper Canada*, to give relief against adverse claims made upon persons having no interest in the subject of such claims, was, according to Order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Roblin* reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

*Ordered*, That the said Bill be engrossed.

The Order of the Day for the House in Committee to take into consideration the propriety of amending the Act of the Legislature of the late Province of *Upper Canada*, of the 56 *Geo.* 3, cap. 19, so far as relates to the Boundary Line between the *Niagara* and *Gore* Districts, and another Reference being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Taché* reported that the Committee had come to a Resolution, 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 that the present Base Line between the Townships of *Onwida* and *Seneca*, in the District of *Niagara* and the Townships of *Tuscarora* and *Onondaga* in the District of *Gore*, be adopted as the true Boundary Line between the said Districts, and that so much of the Act 56 *Geo.* 3, cap. 19, of the Legislature of the late Province of *Upper Canada*, be amended as relates to the same.

*Ordered*, That Mr. *Thorburn* have leave to bring in a Bill to amend the Act relating to the Boundary Line between the *Niagara* and *Gore* Districts.

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.

The Order of the Day for the House in Committee on the Bill to enable Religious Societies of all denominations of Christians (in that part of the Province formerly called *Upper Canada*) to hold the Lands requisite for certain purposes therein mentioned, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Gilchrist* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered*, That the said Committee have leave to sit again, on Tuesday next.

The Order of the Day for the House in Committee, on the Report of the Special Committee to which were referred the Petition of *Charles Cunningham* and others, of the City of *London*, in *England*; and the Petition of *Andrew H. Young* and others, of the City of *Quebec*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Merritt* reported that the Committee had come to a Resolution, 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 grant the prayer of the Petitioners, and to incorporate a Company under proper restrictions for the purposes of carrying on the Fisheries in the District of *Gaspé* and other parts of the Gulf of *St. Lawrence*, in this Province, and for Coal mining during a limited time.

*Ordered*, That Mr. *Christie* have leave to bring in a Bill to incorporate certain persons therein named with others, providing funds towards carrying on the British Fisheries in the Gulf of

*Niagara and Gore Districts Boundary Line*

*Religious Societies' Lands.*

*Petition of C. Cunningham and others, & H. Young & others.*

*Gaspé Mining and Fishing Company Bill.*

*St. Lawrence* and District of *Gaspé*, and mining in the said District, under the the style of the *Gaspé* Fishery, Commercial, and Mining Company.

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 Wednesday next.

Contingencies.

The Order of the Day for the House in Committee on the First Report of the Standing Committee on Contingencies, being read,

The House accordingly resolved itself into the said Committee.

The Honourable Mr. *Viger* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And the Honourable Mr. *Viger* reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

County of Huron.

The Order of the Day for the House in Committee to consider the expediency of amending the Act of the 4th *William* 4, Cap. 55, establishing the County of *Huron*, being read,

The House accordingly resolved itself into the said Committee.

The Honourable Mr. Attorney General *Lafontaine* took the Chair of the Committee, and after some time spent therein.

Mr. Speaker resumed the Chair,

And the Honourable Mr. Attorney General *Lafontaine* reported that the Committee had come to a Resolution, 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 4th *William* 4, cap. 55, which establishes the County of *Huron*, by detaching the Township of *Williams* from the said County of *Huron*.

*Ordered*, That Mr. *Dunlop* have leave to bring in a Bill to detach the Township of *Williams* from the County of *Huron* in the District of *Huron*, and annex it to the County of *Middlesex*, in the District of *London*.

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 Wednesday next.

Then on motion of Mr. *Hamilton*, seconded by the Honourable Mr. *Viger*,  
The House adjourned.

Veneris, 20<sup>o</sup> die Octobris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

Commercial Bank.

MR. SPEAKER laid before the House a General Statement of the Affairs of the Commercial Bank of the *Midland* District, received in conformity to an Order of this House of the 6th Instant. (For the said General Statement see Appendix Y.)

12 Petitions brought up.

The following Petitions were severally brought up and laid on the Table:—

By Mr. *Morris*—The Petition of the Minister and Session in behalf of the Presbyterian Church at *Brockville*.

By Mr. *McLean*—The Petition of *John Cryslor*, and others, of the Township of *Finch*, in the *Eastern* District; and the Petition of *John McGillivray* and others, of the *Eastern* and *Ottawa* Districts.

By Mr. *D. McDonald*—The Petition of *Charles A. Lowe*, and others, Inhabitants of the District of *Ottawa*.

By Mr. *Wakefield*—The Petition of *Eden Colville* and others, Inhabitants of the Parishes of *St. Clément* and *St. Timothé de Beauharnois*.

By Mr. *Cameron*—The Petition of the Minister, Elders, and Trustees, of the First Presbyterian Church at *Perth*, in the District of *Bathurst*.

By Mr. *Hale*—The Petition of *George K. Chisholm*, Serjeant-at-Arms to the Legislative Assembly.

By the Honourable Mr. *Viger*—The Petition of *Xavier Légault* and others of *Isle Bizarre* in the Parish of *St. Raphaël*, in the District of *Montreal*.

By the Honourable Mr. Attorney General *Baldwin*—The Petition of *Newby Robinson*, and others, Inhabitants of the *Home* District.

By Mr. *Roblin*—The Petition of *William Portt* and *George Portt*, of the Township of *Tyendinaga*, in the District of *Victoria*.

By the Honourable Mr. *Hincks*—The Petition of *Mark Willoughby*, Superintendent of the *Newfoundland* and *British North American* School Society.

By Mr. *Powell*—The Petition of *Frederick Sovreen*, and others, of the *Middleton* Baptist Church.

An Engrossed Bill to amend the Act Incorporating the Bank of *Montreal*, by providing for the extension of the time limited for the paying up of the new Stock of the said Bank, was read for the third time.

Bank of Montreal.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Holmes* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to enable Courts of Law in that part of this Province called *Upper Canada*, to give relief against adverse claims made upon persons having no interest in the subject of such claims, was read for the third time.

Adverse claims Bill.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. Attorney General *Baldwin* do carry the said Bill to the Legislative Council and desire their concurrence.

Pursuant to the Order of the Day, the following Petitions were read:—

Petitions read.

Of *John F. Kingston*, of the Township of *Bedford*, in the *Mitland* District; praying for the opening of a Road between the Towns of *Perth* and *Kingston*, through the Townships of *Bedford*, *Loborough*, *Sherbrooke*, and *Bathurst*.

Of *John A. Wilkinson*, and others, Inhabitants of the *Western* District; praying that the Act providing for indemnification for losses sustained by Her Majesty's loyal Subjects, in consequence of the late Rebellion, be carried into effect.

Of the Municipal Council of the *Western* District; praying for an additional duty upon Leaf Tobacco, imported into this Province from the *United States*.

Of the Municipal Council of the *Western* District; praying for the abolition of imprisonment for debt, except in certain cases.

Of *J. B. Baby* and others, Freeholders and Inhabitants of the *Western* District; praying that the Seat of Government be not removed East of *Kingston*.

Of the *Prince Edward* District Agricultural Society; praying that a duty be levied on Agricultural Produce imported into this Province from the *United States*, equal to the duty now levied on *Canadian* produce by the *American* authorities.

Of *Alexander Wylie* and others, Presbyterians of the Townships of *Edwardsburgh* and *Augusta*;

praying that no Legislative enactment may be passed on the subject of the Temporalities of the Church of Scotland in Canada.

Of the Municipal Council of the District of Colborne : praying for the survey of a line of road from Lake Simcoe to Kingston, by the Board of Works.

Of *E. J. Briggs* and others, Inhabitants of the Municipal District of *Missisquoi* ; praying that the Jurisdiction of the District Courts be increased.

Of *Godfrey Esinhart* and others, Tavern Keepers, of the Town of *Dorchester*, in the Parish of *St. John the Evangelist* ; praying that no free License be granted to sell any Malted or Fermented Liquors.

Of *A. C. Chapman* and others, of the County of *Rouville* ; praying aid for the establishment of an Academy at *Clarenceville*.

Of *Francis Maine* and others, Inhabitants of *Foucault, Canada East* ; praying indemnification for losses sustained during the late troubles.

Petition of *E. J. Briggs* and others referred

*Ordered*, That the Petition of *E. J. Briggs* and others, Inhabitants of the Municipal District of *Missisquoi*, be referred to the Special Committee to which was referred the Bill to amend the Law relative to the Administration of Justice in *Lower Canada*.

Message from Legislative Council.

A Message from the Legislative Council, by *Charles De Léry*, Esquire, Master in Chancery, Mr. Speaker.

The Legislative Council have passed the following Bills, without amendment :—

Judges Independence Bill.

“ An Act to render the Judges of the Courts of King's Bench, in that part of this Province heretofore *Lower Canada*, independent of the Crown.”

Parliament Continuation Bill.

“ An Act for continuing the Provincial Parliament in case of the demise of the Crown.”

Caldwell's Estate Bill

“ An Act for securing the Province against any unnecessary loss on the Judicial Sale of certain parts of the Vacant Estate of the late Honourable Sir *John Caldwell*.”

And then he withdrew.

Indian Lands.

*Resolved*, That a Select Committee, composed of *Mr. Thompson*, the Honourable *Mr. Dunn*, the Honourable *Mr. Marin*, the Honourable *Mr. Harrison*, *Mr. Merritt*, *Mr. Thorburn*, *Mr. Christie*, *Mr. Parke*, and *Mr. Cartwright*, be appointed to take into consideration the system of granting *Indian Lands* in the District of *Niagara* and *Gore*, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Contingencies.

The Honourable *Mr. Viger*, from the Committee of the whole House on the first Report of the Standing Committee on Contingencies, reported, according to Order, the Resolutions of the said Committee ; which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth :—

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to issue his Warrant in favor of *William Burns Lindsay*, Esquire, Clerk of this House, for the sum of three thousand, five hundred and seventy-eight pounds, nine shillings, and seven pence, three farthings, currency, for defraying the arrears of the Contingencies of this House, of the last Session and Recess ; and assuring His Excellency that this House will make good the same.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to issue his Warrant in favour of *William Burns Lindsay*, Esquire, Clerk of this House, for the sum of five thousand pounds, currency, towards defraying the current expenses of this House for the present Session, and assuring His Excellency that this House will make good the same.

*Ordered*, That the said Addresses be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

The Order of the Day for the second reading of the Bill to regulate and facilitate the study of Anatomy, being read, Anatomy Bill.

*Ordered*, That the said Order of the Day be postponed until Friday next.

The Order of the Day, for the second reading of the Bill to provide for the more equal distribution of the property of persons dying intestate, within that part of this Province formerly *Upper Canada*, being read, Intestate Estate Bill.

*Ordered*, That the said Order of the Day be postponed until Monday, the fifteenth of November next.

The Order of the Day, for the second reading of the Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, and other articles of a like nature, being read, Timber Inspection Bill.

*Ordered*, That the said Order of the Day be postponed until Tuesday, the thirty-first instant.

A Bill to Incorporate the Ladies of the Protestant Orphan Asylum of the City of *Montreal*, was, according to Order, read a second time, Protestant Orphan Asylum Bill.

*Ordered*, That the said Bill be engrossed.

The Order of the Day for the second reading of the Bill to provide for the management of the Temporalities of the Presbyterian Church of *Canada*, in connexion with the Church of *Scotland*, being read, Presbyterian Church Bill.

*Ordered*, That the said Order of the Day be postponed until Wednesday next.

The Order of the Day for the House in Committee to consider the propriety of establishing a House or Houses of Refuge for Juvenile offenders, and to provide for the diminution of crime in this Province, being read, Houses of Refuge.

The House accordingly resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair.

And *Mr. Chabot* reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth :—

1. *Resolved*, That the Prisons in this Province, at present, are not suitable places for the confinement of children, but such confinement induces or leads them to crime, as they are confined with old and hardened offenders by day and night.

2. *Resolved*, That it is expedient to appoint a Special Committee to consider the expediency of establishing an Asylum, or other means of classification of persons in which children under a certain age, who become subject to the notice of the Police, either as Vagrants or charged with crimes, may be classed, put to work at such employments as will tend to encourage industry—taught the first branches of educa-



tion, and instructed in their moral and religious obligations, and where, at the same time, they may be subjected to a course of treatment that will afford a prompt and energetic corrective of their various propensities, and hold out every possible inducement to reformation and good conduct.

*Resolved*, That a Special Committee of seven Members be appointed in conformity to the second of the said Resolutions, to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That Mr. *Cartwright*, the Honourable Mr. *Viger*, the Honourable Mr. *Neilson*, the Honourable Mr. *Morin*, Mr. *Morris*, the Honourable Mr. *Hincks*, and Mr. *Thorburn*, do compose the said Committee.

The Order of the Day for the House in Committee on the Report of the Special Committee to which was referred the Petition of the Lord Bishop of *Montreal*, and others, being read,

The House accordingly resolved itself into the said Committee,

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

Mr. Speaker resumed the Chair,

And Mr. *Christie* reported that the Committee had come to a Resolution, 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 that an Act should be passed, in conformity with the recommendation contained in the Report of the Special Committee to incorporate a College under the name of the Diocesan College of the Protestant Episcopal Diocese of *Quebec*.

*Ordered*, That Mr. *Hale* have leave to bring in a Bill to incorporate the Diocesan College of the Protestant Episcopal Diocese of *Quebec*.

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 Friday next.

A Bill to prevent obstructions in Rivers and Rivulets, in *Upper Canada*, was, according to order, read a second time.

*Resolved*, That the said Bill be referred : a Special Committee of five Members, to Report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That Mr. *Thompson*, Mr. *Merritt*, Mr. *Thorburn*, Mr. *Williams*, and Mr. *Forbes*, do comprise the said Committee.

Then, on motion of the Honourable Mr. *Viger*, seconded by the Honourable Mr. *Morin*,

The House adjourned until Monday next.

*Lunæ. 23° die Octobris.*

Anno 7° Victoriae Reginae, 1843.

THE hour appointed for taking into consideration the Petition of *Alexander Findlay*, and other Electors of the County of *Russell*, complaining of the undue Election and Return of *William Stewart*, Esquire, as a Member to represent the County of *Russell*, in this present Parliament, being come,

The House proceeded to the appointment of a Select Committee to try and determine the merits of the said Petition.

The Sergeant-at-Arms was directed by Mr. Speaker to go with the Mace to the places adjacent, and require the attendance of the Members on the business of the House.

And he went accordingly.

And being returned, the House was called, and more than thirty Members being present,

Mr. Speaker called upon the Petitioners, their Counsel, or Agent, to appear at the Bar.

*Archibald Petrie*, Esquire, appeared at the Bar, as Agent for the Petitioners.

Mr. Speaker then called for *William Stewart*, Esquire, the Member elect, his Counsel, or Agent, to appear at the Bar, when no person appeared.

Mr. Speaker then desired the Sergeant-at-Arms to lock the doors.

And the doors being locked accordingly, and the Order of the Day, for taking the said Petition into consideration, being read, the attestation of Mr. Speaker was taken from off the Box in which, agreeably to the Statute, the names of all the Members of the House were sealed up, and the same was read by the Clerk, as follows :—

"I attest that this Box was, on the twenty-third day of October, 1843, made up in my presence, in the manner directed by an Act passed in the Fourth year of the Reign of His late Majesty King George the Fourth, intituled "An Act to repeal an Act passed in the Forty-fifth year of His late Majesty's Reign, intituled "An Act to regulate the trial of contested Elections, or Returns of Members to serve in the House of Assembly, and to make more effectual provision for such trials."

*Austin Cuvillier*,  
Speaker.

The Box was then opened, and the attestation of the Clerk was taken out of the Box and read by him as follows :—

"I attest that I did on Monday, the twenty-third day of October, 1843, in presence of the Speaker of this House, put into a Box, in which this attestation is found, the names of all the Members composing the present Legislative Assembly, written upon slips of parchment, and rolled up as directed by an Act passed in the Fourth year of the Reign of His late Majesty, King George the Fourth, intituled "An Act to repeal an Act passed in the forty-fifth year of His late Majesty's Reign, intituled "An Act to regulate the trial of controverted Elections or Returns of Members to serve in the House of Assembly, and to make more effectual provision for such trials."

*W. B. Lindsay*,  
Clerk of Assembly.

The names of all the Members were taken out of the Box, and put into three other Boxes.

The drawing of the names was proceeded in, in the usual manner.

Mr. Speaker directed the Clerk to draw from the Boxes one other name, exclusive of the nominee chosen.

The list of Names was then completed, as follows :

- |                     |                  |
|---------------------|------------------|
| 1. HAMILTON,        | 12. THORBURN,    |
| 2. WATTS,           | 13. THOMPSON,    |
| 3. HALE,            | 14. LESLIE,      |
| 4. HARMANNUS SMITH, | 15. POWELL,      |
| 5. PRINCE,          | 16. PAPINEAU,    |
| 6. WILLIAMS,        | 17. MOORE,       |
| 7. GILCHRIST,       | 18. BALDWIN,     |
| 8. TACHE,           | 19. AYLWIN,      |
| 9. CHILD,           | 20. HOLMES,      |
| 10. D. McDONALD,    | 21. DURAND,      |
| 11. PARKE,          | 22. H. SHERWOOD. |

Two names were drawn and set aside, or excused as follows :

One exempted from age,  
One do. do. sickness.

Twenty-eight names were also drawn of Members who were absent.

The Honourable Mr. *Sherwood* was chosen nominee for the Petitioners.

Petition of the Bishop of Montreal.

Protestant Episcopal College of Quebec

Bill to prevent obstructions in Rivers.

County of Russell contested Election.

Ordered, That the Clerk of the House be appointed to act on the part of the absent party, for the purpose of striking off alternately the Members, according to the provisions of the Grenville Act.

At twenty minutes to four o'clock, P. M., the parties, with *Alfred Patrick*, Esquire, Clerk to the Select Committee, retired for the purpose of striking the said Committee.

At four o'clock, P. M., the Clerk to the Select Committee delivered to the Clerk of the House a List containing the names of the nine Members unstruck, composing the Select Committee, which is as follows:

- |              |               |              |
|--------------|---------------|--------------|
| 1. HAMILTON. | 4. WILLIAMS,  | 7. THORBURN, |
| 2. HALE.     | 5. GILCHRIST, | 8. LESLIE,   |
| 3. PRINCE.   | 6. CHILD,     | 9. POWELL.   |

Nominee for the Petitioners, the Honourable Mr. *Sherwood*.

Nominee for the Member Elect, Mr. *Noël*.

*Alfred Patrick*,  
Clerk to Committee.

The said nine Members and the Nominees were then severally sworn at the table by the Clerk, in the usual manner.

On motion of the Honourable Mr. *Sherwood*, seconded by Mr. *Noël*.

Ordered, That the Committee appointed to try the Petition of *Alexander Finlay*, and other Electors of the County of *Russell*, complaining of the undue Election and Return of *William Stewart*, Esquire, do now meet in a Committee Room of this House.

1- Petitions brought up.

The following Petitions were severally brought up and laid on the table:

By Mr. *Thorburn*—The Petition of *James Taylor* and others, Brewers and Barley Growers, in the District of *Niagara*.

By Mr. *Leslie*—The Petition of *Peter Morgan* and others, Inhabitants of *Côte des Neiges*; *Côte St. Catherine*; *Côte St. Luc*, and *Côte St. Antoine*, in the Parish of *Montreal*; the Petition of *Simon Valois* and others, Inhabitants of *Côte St. Michel*; *Côte de la Visitation*, and of the *St. Mary's* Current, in the Parish of *Montreal*; and the Petition of Messieurs *Gillespie*, *Moffatt & Company*, and other Merchants of *Montreal*.

By Mr. *Cameron*—The Petition of *William Mil-lar* and others, of Port *Sarnia*.

By Mr. *Moore*—The Petition of *Alexander Rea*, of the Township of *Compton*; and the Petition of *Thomas Tate* and others, Inhabitants of *Melbourne* and other Townships, in the District of *St. Francis*.

By Mr. *Durant*—The Petition of the Municipal Council of the District of *Wellington* (relating to Statute labour.)

By Mr. *Chabot*—The Petition of *J. Duval*, Esquire, and others, Officers of the Society of Education for the District of *Quebec*.

By Mr. *Holmes*—The Petition of *George Matthews* and others, Inhabitants of the City of *Montreal*; and the Petition of the Mayor, Aldermen and Citizens of the City of *Montreal*.

By Mr. *Prince*—The Petition of the Municipal Council of the *Western* District (relating to the remuneration of Councillors); the Petition of the Municipal Council of the *Western* District (relating to the Town Clerks); the Petition of the Municipal Council of the *Western* District (relating to the Municipal Council Act); and the Petition of *John Brown* and others, Inhabitants of the *Western* District.

By Mr. *Judah*—The Petition of *W. A. Hale*, Esquire, and others, Inhabitants of the Parish of *St. Anne Le Péradc*, in the District of *Three Rivers*.

By the Honourable Mr. *Moffatt*—The Petition of *Thomas Jenkins*, Senior, of the Township of *Middleton*, in the District of *Talbot*.

An Engrossed Bill to Incorporate the Ladies of the Protestant Orphan Asylum of the City of *Montreal*, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Leslie* do carry the said Bill to the Legislative Council and desire their concurrence.

Pursuant to the Order of the Day, the following Petitions were read:—

Of *Henry R. Goodman*, M. D. and others, Inhabitants of the Township of *Grimshy*; praying that the Laws for the recovery of small Debts may be amended.

Of the Reverend *Andrew Balfour*, of *Waterloo*: praying aid for a School.

Of *Joseph Forsyth*, and others, commuted Pensioners and discharged Soldiers; praying for an extension of the time for application to the Government for Scrip.

Of Messieurs *Atkinson, Usborn & Co.*, and others, of the City and Banlieu of *Quebec*; praying aid to repair the Cove or Beach Road, from the City of *Quebec* to the South West extremity of *Sillery* Cove.

Of the Municipal Council of the *Western* District; praying for certain amendments to the Common School Act.

Of the Municipal Council of the *Western* District: praying for a repeal of all Laws authorizing the payment of a Bounty for destroying Wolves in the said District.

Of the Municipal Council of the *Western* District: praying that a Tax be imposed on Dogs in the said District.

Of *Thomas Woodbridge* and others, Inhabitants of the *Western* District; praying that the Act for the preservation of Deer within this Province, and to prohibit shooting on the Lord's day, be amended.

Of *Edwin Pridlum* and others, Inhabitants of the Township of *Grenville*, on the *Ottawa* River; praying that a Duty be imposed on American Produce and Manufactures imported into this Province.

Of *Charles F. Grece* and others, Inhabitants of the District of *Terrebonne, Canada East*; praying that a Duty be imposed on American Produce and Manufactures imported into this Province.

Of the Minister and Session on behalf of the Presbyterian Church at *Brockville*; praying that the Bill relating to the Temporalities of the Church of *Scotland* in *Canada*, be not passed.

Of *John Cryster* and others, of the Township of *Finch*, in the *Eastern* District; praying aid for a Road.

Of *Charles A. Love* and others, Inhabitants of the District of *Ottawa*; praying for a Law to confirm certain Official Acts in the *Ottawa* District.

Of *Eden Colvile* and others, Inhabitants of the Parishes of *St. Clement* and *St. Timothé de Beauharnois*; complaining of damages and injuries sustained from the Labourers on the *Beauharnois* Canal; and praying for compensation and protection.

Montreal Protestant Orphan Asylum Bill.

Petitions read.

Of the Minister, Elders, and Trustees, of the First Presbyterian Church at *Perth*, in the District of *Bathurst*; praying for the passing of an Act to secure the Temporalities of the said Church.

Of *George K. Chisholm*, Serjeant-at-arms to the Legislative Assembly; complaining of the inadequacy of his Salary, and praying an increase thereof.

Of *Zavier Légaull* and others, of *Isle Bizarre*, in the Parish of *St. Raphaël*, in the District of *Montreal*; praying that the said Island may be annexed to the County of *Montreal*, instead of forming part of the County of *Two Mountains*.

Of *Newby Robinson* and others, Inhabitants of the *Home* District; praying for the passing of an Act to abolish Imprisonment for Debt.

Of *William Portt* and *George Portt* of the Township of *Tyendinaga*, in the District of *Victoria*; praying to be indemnified for losses sustained through political incendiarism.

Of the Reverend *Mark Willoughby*, Superintendent of the *Newfoundland* and *British North American* School Society; praying for an aid in support of the said Society.

Petition referred.  
Serjeant-at-Arms.

*Ordered*, That the Petition of *George K. Chisholm*, Serjeant-at-arms to the Legislative Assembly, be referred to the Standing Committee on Contingencies.

Report on Private Bills.

The Honourable Mr. *Moffatt*, from the Standing Committee on Private Bills, presented to the House the Second Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Banque du Peuple Bill.

" By the Petition of *L. M. Viger*, Esquire and others, it appears that the Petitioners are the Acting Partners of a Company, who have for many years carried on business as Bankers in the City of *Montreal*, being commonly known as the *Banque du Peuple*.—with a Capital of £150,000 currency; and their Co-partnership being about to expire, they are desirous of obtaining an Act of Incorporation, based upon their Articles of Association, with power to sue and be sued under a Corporate name.

" After a due consideration of the matter, your Committee are disposed to recommend that the prayer of the Petitioners be adopted; they therefore respectfully submit that an Act of Incorporation be granted to the Petitioners, their Heirs and Assigns, based upon the said Articles of Association, with such further provisions as may be deemed fit and proper by your Honourable House.

*Dissentit*—The Honourable Mr. *Moffatt*.

Bill to incorporate the Dames Religieuses du Sacré Cœur de Jésus.

Your Committee have also examined the Petition of the Reverend *Jean Romuald Parré*, Rector of the Parish of *St. Jacques de L'Achigan*.—which sets forth that a Convent was established some years ago in the said Parish, at the private expense of the Petitioner and others, under the direction of *Les Dames Religieuses du Sacré Cœur de Jésus*, for the education of young females; and prays that an Act may be passed to Incorporate the Ladies of the said Institution for the furtherance of the object for which it was established. Your Committee having considered the subject, are of opinion that a compliance with the prayer of the Petitioner will tend to the advancement of education, and therefore submit the expediency of passing a law to carry the same into effect.

T

Your Committee have considered the Petition of the Office Bearers of the Mercantile Library Association of *Montreal*; this Institution was established in 1811, by certain young men engaged as Mercantile Clerks, who associated themselves together for the purpose of forming a Library and Reading Room, and for organizing a system of instruction by means of lectures and classes in the different branches of Mercantile education; and having now become possessed of a valuable collection of Books, and other necessary property, are anxious to obtain an Act of the Legislature to erect them into a body politic and corporate, for the purpose of enabling them to provide more effectually for the management of the Institution—a measure which your Committee cordially recommend for the adoption of your Honourable House.

Mercantile Library Association of Montreal.

The Petition of *Jacques Adrien Pierre Barbier*, and *Euphrasie Barbier*, his wife, praying for an Act to naturalize them, and to enable them to hold certain land in this Province bequeathed to the latter by will, has also come under the consideration of your Committee; the former has appeared before them in support of his petition, and states that he was born at *Villeneuve Le Roi*, in the Department of *L'Yonne*, Kingdom of *France*, in 1813.—that his wife *Euphrasie Vivien*, is a native of the same Kingdom, having been born at *Paris*; that by the last will of the late *William Harwood*, a natural born subject of Her Majesty, certain real estate in this Province was bequeathed to the said *Euphrasie Vivien*, and that the Petitioners came to this Country in 1837, are now residing in *Kingston*, and are desirous of permanently establishing themselves in the Province, and taking possession of the said property; but they cannot legally hold the same without an Act being passed to enable them to do so. The case being one of a peculiar nature, and in which the interests of other persons besides the Petitioners may be involved, your Committee recommend the adoption only of so much of the prayer of the petition as relates to an Act of Naturalization, leaving the residue of the matter to be settled in such way as to your Honourable House may seem most expedient."

Naturalization of J. A. P. Barbier and wife.

The Honourable Mr. *Neilson*, from the Special Committee to which was referred the Petition of *A. Simpson*, and other Agriculturists of *Quebec*; praying that "The *Quebec Turnpike Act*" may be so amended as to allow Vehicles laden with manure to pass through free of Toll, with an Instruction to consider the propriety of extending the same exemption to the whole Province, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report of Special Committee on Petition of A. Simpson & others.

" Your Committee have duly considered the Petition referred, and the order of Reference and Instruction. The Petition praying that "The *Quebec Turnpike Act*" may be so amended as to allow Vehicles laden with manure to pass through free of Toll; and your Committee also considering the great quantities of manure which accumulate in Towns, and the beneficial effects which may result from the example of Agricultural improvement in the vicinity of the Towns, from a proper and extended application of manure, are of opinion, that the exemption prayed for ought to be granted, and also that the same exemption be extended to all the Turnpike Roads in the vicinities of the several Towns within the Province."

*Ordered*, That the said Report be referred to a Committee of the whole House, to-morrow.

*Ordered*, That the Honourable Mr. Solicitor General *Small* have leave to absent himself from this House, for one week, on urgent business.

Leave of absence to Mr. Small.

Harbour and  
Port dues, To-  
ronto.

On motion of the Honourable Mr. Boulton, seconded by the Honourable Mr. Dunn,

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a Return of the Harbour and Port Dues, levied by any Act of the Parliament of *Upper Canada*, for the years commencing on the 1st January, 1836, and ending on the 1st January, 1843, for the Port of *Toronto*.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Upper Canada  
Local Municipal  
Authorities  
Bupal

*Ordered*, That the Honourable Mr. Attorney General *Baldwin* have leave to bring in a Bill to repeal the Act in force in *Upper Canada*, relative to the establishment of Local and Municipal Authorities: the Regulation of Highways: the Assessment and Collection of Local Taxes: and other matters of a like nature.

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 Monday next.

Cities & Towns  
Incorporation  
Bill, &c.

*Ordered*, That the Honourable Mr. Attorney General *Baldwin* have leave to bring in a Bill, to provide for the Incorporation of the Townships, Towns, Counties and Cities in *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 Monday next.

Mercantile Li-  
brary Associa-  
tion Bill.

*Ordered*, That Mr. *Holmes* have leave to bring in a Bill to Incorporate the Members of the Mercantile Library Association of *Montreal*.

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, the thirty-first instant.

Lunatic Asy-  
lums Toronto,  
Montreal and  
Quebec.

On motion of Mr. *Thorburn*, seconded by the Honourable Mr. *Boulton*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House the accounts of the Temporary Lunatic Asylums at *Toronto*, *Montreal* and *Quebec*, together with the number of Patients received and discharged, with the dates, particularizing the name of the District by which sent; also any sums of money paid in on account of Patients, and if any, what the amount, and by whom paid: as well as copies of all correspondence connected with the management of the said Institutions.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

County Reports

*Ordered*, That one hundred copies of the Report of the Commissioners appointed to inquire into the Feudal and Seigneurial Tenure of Lands, in *Lower Canada*, and of the Appendix accompanying the same, be printed in each of the *English* and *French* languages, for the use of the Members of this House.

July Bill

A Bill for the consolidation and amendment of the Laws relative to Jurors, Juries, and Inquests, in that part of this Province formerly called *Upper Canada*, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Thursday next.

A Bill to restrain Party Processions, in certain cases, was, according to Order, read a second time.

Party Processions  
Bill

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Hopkins* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered*, That the said Committee have leave to sit again on Wednesday next.

A Bill for the discouragement of Secret Societies, was, according to Order, read a second time.

Secret Societies'  
discouragement  
Bill

*Ordered*, That the said Bill be referred to a Committee of the whole House on Monday next.

A Bill to provide for the calling and orderly holding of Public Meetings in this Province, and for the better preservation of the public peace thereat, was, according to order, read a second time.

Public Meet-  
ings, Bill.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. *Harmannus Smith* took the Chair of the Committee, and, after some time spent therein,

Mr. Speaker resumed the Chair.

And Mr. *Harmannus Smith* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

The Order of the Day for the second reading of the Bill to impose Duties on Agricultural Produce and Live Stock imported into this Province, being read.

Agricultural  
Duties Bill.

The Honourable Mr. *Black* moved, seconded by the Honourable Mr. *Neilson*, that the said Order of the Day be discharged, and that the said Bill be read a second time this day six months.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

#### YEAS.

Messieurs BLACK, FORBES, HAMILTON, LESLIE, MOFFATT, NEILSON, D. B. VIGER, and L. M. VIGER. (8.)

#### NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BERTHELOT, BOSWELL, BOULTON, BOUTILLIER, CARTWRIGHT, CHILD, CHRISTIE, DE WITT, DUGGAN, DUNN, DURAND, GILCHRIST, HALE, HINCKS, HOLMES, HOPKINS, JUDAH, KILLALY, LAFONTAINE, D. McDONALD, J. S. McDONALD, MERRITT, MORIN, NOEL, PAPI-NEAU, PARKE, POWELL, PRICE, PRINCE, QUESNEL, HENRY SMITH, HARMANNUS SMITH, G. SHERWOOD, H. SHERWOOD, STEELE, THOMPSON, THORBURN, TURGEON, WAKEFIELD, WATTS, and WILLIAMS, (44.)

So it passed in the Negative.

The said Bill was then, according to Order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. Hamilton reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it will be pleased to receive the same.

Ordered, That the Report be received to-morrow.

The Order of the Day for the House in Committee to consider the expediency of repealing the Act of the Parliament of this Province, passed in the fourth and fifth years of Her Majesty's Reign, intituled, "An Act to repeal certain Acts therein mentioned, and to make further provision for the establishment and maintenance of Common Schools throughout the Province," and of substituting other provisions in lieu thereof being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Powell reported, that the Committee had come to a Resolution, 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 repeal the Act, passed in the first Session of the present Provincial Parliament, intituled, "An Act to repeal certain Acts therein mentioned, and to make further provision for the establishment and maintenance of Common Schools throughout the Province."

Then, on motion of the Honourable Mr. Viger, seconded by Mr. Boswell,

The House adjourned.

Martis, 24<sup>o</sup> die Octobris.

Anno 7<sup>o</sup>, Victoriae Reginae, 1843.

MR. SPEAKER laid before the House a General Statement of the Affairs of the Bank of Upper Canada, received in conformity to an Order of this House, of the 6th October instant.

(For the said General Statement, see Appendix Y.)

The following Petitions were severally brought up and laid on the table:

By Mr. D. McDonald—The Petition of Alexis Chandler, of the Township of Caledonia, in the District of Ottawa.

By Mr. J. S. Macdonald—The Petition of William Fraser and others, Inhabitants of Breadalbane, Glengarry.

Mr. Holmes, from the Special Committee to which was referred the Petition of E. M. Leprohon and others, Inspector and Assistant Inspectors of Pot and Pearl Ashes, of the City of Montreal; and the Petition of the Montreal Board of Trade, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Your Committee having considered the subject in its various bearings, cannot recommend any deviation from the regulations for the Inspection of Ashes now in force; and therefore cannot support the prayer of the Petition of the said E. M. Leprohon and others."

Mr. Thompson, from the Special Committee to which was referred the Bill to prevent obstructions in Rivers and Rivulets in Upper Canada, 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.

Ordered, That the said Bill and Report be referred to a Committee of the whole House, on Tuesday next.

On motion of Mr. Prince, seconded by the Honourable Mr. Sherwood,

Resolved, That this House will, to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of repealing an Act of the late Province of Upper Canada, intituled "An Act to amend an Act passed in the fourth year of the Reign of His late Majesty, King George the Fourth, intituled 'An Act for the preservation of Deer within this Province,' and to extend the provisions of the same, and to prohibit hunting and sporting on the Lord's Day," and of passing an Act for the preservation of Game within the Province of Canada, and to prevent hunting and shooting at improper seasons of the year.

The Honourable Mr. Sherwood moved, seconded by Mr. Prince, that a Select Committee, composed of the Honourable Mr. Hincks, the Honourable Mr. Harrison, Mr. Leslie and Mr. Merritt, be appointed to consider the effect of the Laws which regulate or restrain the interest of money, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

MESSIERS. BOSWELL, BOUTILLIER, CAMERON, CHABOT, CHESLEY, CHILD, DERBISHIRE, DUGGAN, FORBES, HALE, HAMILTON, HARRISON, HINCKS, HOLMES, JONES, JUDAIL, MOFFATT, MOORE, PARKE, PRICE, PRINCE, G. SHERWOOD, H. SHERWOOD, STEELE, THOMPSON, WAKEFIELD and WILLIAMS.—(27.)

NAYS.

MESSIERS. ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOULTON, CHRISTIE, DE WITT, DURAND, FOSTER, FRANCHERE, GILCHRIST, HOPKINS, LAFONTAINE, LESLIE, D. McDONALD, MERRITT, MORIN, NEILSON, NOEL, PAPINEAU, POWELL, QUESNEL, SMALL, HARMANNUS SMITH, TACHE, TASCHEREAU, THORBURN, TURGEON, D. B. VIGER, and L. M. VIGER.—(31.)

So it passed in the negative.

On motion of Mr. Thorburn, seconded by Captain Steele,

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of the Report of the Commission of Inquiry into the practice of the Court of Chancery, together with the number of suits depending in the said Court of Chancery, in Upper Canada, on the first of January, 1841, and those since instituted to the first of January, 1843; the state in which they now are; with the names of the Litigants, and the time at which any or such of the same were disposed of; naming the party gaining the suit; together with the costs or final judgments, as taxed by the proper Officer.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Preservation of Deer & Game Law.

Court of Chancery.

Common Schools.

Upper Canada Bank

Two Petitions brought up.

Report on Petition of E. M. Leprohon, and others.

Bill to prevent obstructions in Rivers.

Imprisonment  
for Debt.

*Ordered*, That the Honourable Mr. *Boulton* have leave to bring in a Bill to abolish Imprisonment for Debt, and for the punishment of fraudulent Debtors.

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.

Election Com-  
mission

On motion of the Honourable Mr. *Sherwood*, seconded by Mr. *Noel*,

*Ordered*, That Tuesday next be appointed for the interchange of Lists of Witnesses between the Petitioners and the Sitting Member, upon the subject of the contested Election for the County of *Russell*.

Members wa-  
ges.

Mr. *Thorburn* moved, seconded by Mr. *Merritt*, that a Special Committee of seven Members be appointed to consider the propriety and justice of returning to certain Districts in *Canada West*, certain sums of money paid by them into the Provincial Treasury on account of Members' wages, for the first Session of the present Parliament.

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

Messieurs CAMERON, CHESLEY, DUGGAN, J. S. McDONALD, MERRITT, MOFFATT, POWELL, HARMANUS SMITH, THOMPSON, and THORNBURN.—(10.)

NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOTTILLIER, CARR-WRIGHT, CHABOT, CHILD, CHRISTIE, DEWEY, DENN, FORBES, FOSTER, FRANCHERE, GILCHRIST, HALE, HAMILTON, HINCKS, HOLMES, HOPKINS, JUDAH, KILLALY, LAFONTAINE, LESLIE, D. McDONALD, MOORE, MORIS, NEILSON, NOEL, PAPINEAU, PARKE, PRINCE, QUESNEL, SMALL, G. SHERWOOD, H. SHERWOOD, STEELE, TACHE, TIRGIBON, D. B. VIGER, L. M. VIGER, and WARRE.—(41.)

So it passed in the Negative.

Seminary Qu-  
lity.

*Ordered*, That the Honourable Mr. *Neilson* have leave to bring in a Bill to authorize the Superior and Directors of the Seminary of *Quebec*, to acquire and hold a certain amount of property in addition to that now held by them.

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 Friday next.

Cayuga Glass  
Company.

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

*Resolved*, That this House will, to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of reviving an Act passed in the Parliament of *Upper Canada*, intitled "An Act for incorporating certain persons therein mentioned and their Associates, under the Style and Title of the *Cayuga Glass Manufacturing Company*."

La Banque du  
Peuple

*Ordered*, That Mr. *Quesnel* have leave to bring in a Bill to incorporate certain persons, carrying on the business of Banking in the City of *Montreal*, under the name of "*La Banque du Peuple*."

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.

Contingencies.

Mr. *Thorburn*, from the Standing Committee on Contingencies, presented to the House the second Report of the said Committee, which was again read at the Clerk's table, and is as followeth:

"Your Committee have, since their last Report, extended their inquiry into the various sources of expenditure connected with Your Honourable House:—among which the subject of the compilation of the Indices for the Journals of the Houses of Assembly, of the late Provinces of *Upper and Lower Canada*, which were ordered by Your Honourable House, as per the following Resolutions of the 8th September, 1841, viz:—

"*Resolved*, That it is expedient to authorize the Clerk of this House to cause a general Index to be made to the Journals of the House, of Assembly, of the late Provinces of *Upper and Lower Canada*."

"*Resolved*, That the Speaker of this House be authorised to advance, from time to time, to the Clerk of this House, out of the Contingent funds of this House, such sum or sums of money as he shall deem necessary to facilitate the work."

was the first upon which they entered.

Your Committee in reference to such works, called before them Mr. *Wicksteed*, the Law Clerk, who gave an estimate of the amount required to complete that undertaking, and of the moneys already paid by the Clerk on account of the same: which is as follows:—

	For <i>U. Canada</i>	For <i>L. Canada</i>
Paid by the Clerk on account of the work.....	£ 105	£ 160
Now due as per accounts furnished.....	237	302
Will be required to complete Manuscript.....	312	462
For superintending Printing of do.....	172	210
Total for <i>Lower Canada</i> .....		1164
Total for <i>Upper Canada</i> .....		856
Making a total, for the manuscripts of both works, of.....		2020
Add, for translation.....		800
For Printing, <i>Upper Canada</i> .....		1000
For do, <i>Lower Canada</i> .....		1500
Total expense, when completed.....		£5320

Your Committee, considering the above as a low estimate, have a right to suppose, even a larger sum may be required: but taking the supposition that the above may complete the undertaking, feel it their duty most strongly to urge the discontinuance of the same on the plan originally contemplated by the Order of the House.

The accounts of *Alfred Todd* and *Alpheus Todd*, as connected with this work, have been laid before Your Committee, viz:

By <i>Alpheus Todd</i> , during the two last recesses, is charged for his services		
620 days, at 15s. per day.....	£482	2 6
Less, paid by the Clerk, on account.	160	0 0
Balance claimed.....	£302	2 6
By <i>Alfred Todd</i> , during the same period, 457 days, at 5s. per day....	£342	15 0
Less, paid on account by the Clerk..	105	0 0
Balance claimed.....	£237	15 0

Contingencies.

Your Committee do not find any order of Your Honourable House to warrant the charge of 15s. per day, but they (the claimants) however state to the Committee, that such an understanding took place before entering upon the work. And Your Committee, from information derived from Mr. *Parent's* letter annexed, are inclined to think that the claimants were given to understand, during the progress of the work, that such would be the case. If their present accounts be allowed, they will receive each, for their individual time in the service of the House, from the first day of this Parliament (14th June, 1841), to the commencement of the present Session (a period of two years and three months and a half) :—

By <i>Alpheus Todd</i> , as Deputy Librarian.....	£229	0	0
For making proceedings of last two Sessions .....	12	10	0
Charge for Index up to present Session.....	462	2	6
Total.....	£703	12	6

By <i>Alfred Todd</i> , as Extra Clerk....	£214	10	0
Charge for Index to present Session..	342	15	0
Total .....	£557	5	0

Your Committee are, therefore, of opinion, that the work of making the Indices, at so expensive a rate, ought not to be continued; and forbear from recommending the payment of the sums claimed—but would respectfully recommend that the said *Alfred Todd* and *Alpheus Todd* be added to the permanent establishment, as Junior Clerks, the former at a salary of £200, and the latter at £150 per annum, their time during the recesses to be occupied solely with the Indices until they are completed; after which, at such other work as may be directed. And Your Committee further recommend that as a consideration for their past extra services in relation to the Indices, that their salaries be allowed them from the commencement of this Parliament, which must include any sums received by them, as salary or allowance during that period. Upon this recommendation Your Committee would also suggest that the situation of Assistant Librarian be abolished, as no longer required, but that *Alpheus Todd* do attend in the Library during each Session as at present.

Your Committee, in conclusion, recommend that the translating, printing, &c., of the Indices, be dispensed with, and that the works, when completed in manuscript, be neatly bound and deposited in the Library for reference.

Upon the subject of expenditure attendant upon the office of Clerk to Your Honourable House, Your Committee beg to suggest certain alterations, with a view to economy. By the 89th Rule, the hours of attendance are particularly defined. Your Committee would recommend that the day for all temporary Clerks and Writers be regulated in conformity therewith, and that any other rule, regulating the hours of their attendance, be dispensed with; and also that the maximum allowance to such be limited to ten shillings per day, while, at the same time, an intimation should be given to that class of employees, that, in future, no allowance would be made, except to those expressly summoned to attend by the Clerk—that the contingent fund may not, in future (as hitherto it has been), be drained by placing a host of Assistant Writers upon pay at the opening of a Session, when, in fact, there was no employment.

Under this arrangement, Your Committee would respectfully recommend the employment of three ad-

Contingencies.

ditional permanent Clerks, viz : *Alfred Todd*, *Thaddeus Patrick* and *Alpheus Todd*, the former at a salary of £200, and the others at £150 per annum each. Your Committee would recommend, that, in addition to this salary, *Alpheus Todd* be allowed £50 per year, from the commencement to the completion of the Index, at which he has been engaged. This arrangement would supersede the expense now complained of for extra hours—and that the Clerk of Your Honourable House should be instructed to dispense with as many temporary writers as possible, and to employ such supernumeraries only as the actual business required, and that no allowance for extra hours or extra services be in future admitted. If, however, another permanent Clerk should be required, which Your Committee think may, probably, be the case, they recommend that *J. B. Moraul* (at present engaged as an extra Writer) be the person selected, also at a salary of £150 per annum.

Upon the subject of payment to Witnesses, summoned to give evidence before Select Committees, Your Committee would recommend the allowance of 10s. per day, with a reasonable allowance for travelling expenses, and that it be paid by the Clerk out of the Contingent Fund, upon the certificate or order of the Chairman of the Committee, before whom such evidence may have been given."

Executive Council Office.  
23d October, 1843.

SIR,

In answer to your note of this day, respecting the result of the deliberations of the Committee of last Session, on the subject of the Indices to the Journals to the late Houses of Assembly of *Upper and Lower Canada*, I have the honour to inform you, that, on account of the shortness and sudden close of the Session, I could not have a single regular meeting of the Committee, but it was understood between the individual members thereof, that Mr. *Lindsay* should continue to employ Messrs. *Todds*, allowing them, as the work was going on, such remuneration as he thought reasonable, leaving such further allowance as they might be entitled to, at the completion of the work, to be settled by the House.

I may add, that on Mr. *Lindsay* wishing to know from me what I would consider to be a reasonable allowance during the progress of the work, I told him, if I remember well, that three dollars a-day would be very fair.

I have the honour to be,  
Your obedient servant,

*E. Parent.*

*D. Thorburn, C. C. C.*

Mr. *Harmannus Smith*, from the Committee of the whole House, on the Bill to provide for the calling and orderly holding of Public Meetings in this Province, and for the better preservation of the public peace thereat, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Orderly holding of Public Meetings.

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

Mr. *Hamilton*, from the Committee of the whole House on the Bill to impose Duties on Agricultural Produce and Live Stock, imported into this Province, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Duties on Agricultural Products.

*Ordered*, That the said Bill, as amended, be engrossed.

Steam Vessels. A Bill to regulate Steam Vessels in this Province, was, according to order, read a second time.

*Resolved*, That the said Bill be referred to a Select Committee composed of Mr. Hale, Mr. Armstrong, Mr. Quesnel, the Honourable Mr. Sherwood and Mr. Cameron, to report thereon with all convenient speed, with power to send for persons, papers, and records.

Lying-in Hospital, Montreal. A Bill to Incorporate the Ladies of the Committee of Management of the *Montreal* Lying-in Hospital, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

Illegitimate Children. The Order of the Day for the second reading of the Bill to make provision for the support of illegitimate children, being read,

*Ordered*, That the said Order of the Day be discharged.

Registry Laws. A Bill to alter and amend the Registry Laws of that part of this Province which was formerly *Upper Canada*, was, according to order, read a second time.

*Resolved*, That the said Bill be referred to a Select Committee, composed of the Honourable Mr. Sherwood, the Honourable Mr. Attorney General Baldwin, and Mr. Prince, to report thereon with all convenient speed, with power to send for persons, papers, and records.

Niagara & Gore District Boundary Line. A Bill to amend the Act relating to the Boundary Line between the *Niagara* and *Gore* Districts, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

Debtors Detention. The Order of the Day for the House in Committee on the Bill to provide for the detention and conveyance to Gaol of Debtors, in certain cases, within *Canada West*, being read,

*Ordered*, That the said Order of the Day be discharged.

*Resolved*, That the said Bill be referred to a Special Committee of five Members, to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That Mr. Thompson, Mr. Cartwright, the Honourable Mr. Boulton, Mr. Boswell, and Mr. Thorburn, do compose the said Committee.

Religious Societies' Lands. The Order of the Day for the House in Committee on the Bill to enable Religious Societies of all denominations of Christians (in that part of the Province formerly called *Upper Canada*) to hold the Lands requisite for certain purposes therein mentioned, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Gilchrist reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

Petition of A. Simpson and others. The Order of the Day for the House in Committee on the Report of the Special Committee to which was referred the Petition of A. Simpson and other Agriculturists, of *Quebec*; praying that the *Quebec* Turnpike Act may be so amended as to allow Vehicles laden with manure to pass free of Toll, with an Instruction to consider the propriety

of extending the same exemption to the whole Province, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Leslie reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

*Resolved*, That this House doth concur with the Special Committee in their Report.

Then on motion of the Honourable Mr. Viger, seconded by the Honourable Mr. Neilson,

The House adjourned.

*Mercurii 25<sup>o</sup> die Octobris.*

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

MR. SPEAKER laid before the House a General Statement of the affairs of the *Montreal* Assurance Company, received in conformity to an order of this House of the 6th Instant.

Montreal Assurance Company.

(For the said General Statement see Appendix I.)

The following Petitions were severally brought up and laid on the Table:—

9 Petitions brought up

By Mr. Simpson—The Petition of the Very Reverend P. S. Archambault and others, of the Parish of *St. Joseph de Soulanges* and other places, in the District of *Montreal*.

By Mr. Foster—The Petition of H. Robinson and others, Inhabitants of the County of *Shefford*.

By the Honourable Mr. Hincks—The Petition of Robert Currie and others, Inhabitants of the Township of *East Oxford*.

By Mr. McLean—The Petition of John Montgomery, Senior, and others, Inhabitants of the Township of *Roxborough*, in the County of *Stormont*.

By the Honourable Mr. Moffatt—The Petition of the *Montreal* Board of Trade (relating to the measurement of Lumber); and the Petition of the *Montreal* Board of Trade (relating to the *Montreal* Harbour.)

By Mr. Powell—The Petition of the Reverend Francis Evans and others, of the Town of *Simcoe*, in the District of *Talbot*.

By Mr. Prince—The Petition of the Municipal Council of the *Western* District (relating to Assessors); and the Petition of the Municipal Council of the *Western* District (relating to the Municipal Council Act.)

An Engrossed Bill, to Incorporate the Ladies of the Committee of Management of the *Montreal* Lying-in-Hospital, was read for the third time.

Montreal Lying-in Hospital Bill.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to amend the Act relating to the Boundary Line between the *Niagara* and *Gore* Districts, was read for the third time.

Niagara and Gore Boundary Line.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Thorburn do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to impose Duties on Agricultural Produce and Live Stock imported into this Province, was read for the third time.

Duties Bill.

The Honourable Mr. Hincks moved, seconded by Mr. Chute, that the Bill do pass, and the title be "An Act to impose Duties on Agricultural Produce and Live Stock imported into this Province."



The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

## YEAS.

Messieurs ARMSTRONG, BALDWIN, BERTHELOT, BOSWELL, BOULTON, CAMERON, CARTWRIGHT, CHABOT, CHILD, CHRISTIE, DERBISHIRE, DE WITT, DUGGAN, DUNN, DURAND, FOSTER, FRANCHERE, GILCHRIST, HALE, HINCKS, HOLMES, HOPKINS, JONES, JUDAH, LAFONTAINE, D. McDONALD, J. S. MACDONALD, MCLEAN, MOORE, MORIN, PAPINEAU, PARKE, POWELL, PRINCE, QUESNEL, SMALL, HENRY SMITH, HARMANNUS SMITH, G. SHERWOOD, H. SHERWOOD, STEELE, TACHE, THOMPSON, THORBURN, WAKEFIELD, and WILLIAMS. (46.)

## NAYS.

Messieurs BARTHE, BLACK, FORBES, HAMILTON, LESLIE, MOFFATT, NEILSON, SIMPSON, D. B. VIGER, and L. M. VIGER. (10.)

So it was carried in the affirmative, and Resolved, Accordingly.

Ordered, That the Honourable Mr. Hincks do carry the said Bill to the Legislative Council and desire their concurrence.

Petitions read.

Pursuant to the the Order of the Day, the following Petitions were read:—

Of James Taylor and others, Brewers and Barley Growers, in the District of Niagara; praying that a duty be imposed on Beer, Porter, and other Malt Liquors, imported from the United States.

Of Peter Morgan and others, Inhabitants of Côte des Neiges; Côte St. Catherine; Côte St. Luc; and Côte St. Antoine, in the Parish of Montreal; complaining of high tolls on the Turnpike Roads in the neighbourhood of Montreal, and of their being collected from persons going to and returning from Divine Service; and praying such relief as the House may deem expedient.

Of Simon Valois and others, Inhabitants of Côte St. Michel; Côte de la Visitation; and of the St. Mary's Current, in the Parish of Montreal; complaining of high tolls on the Turnpike Roads in the neighbourhood of Montreal; of their being collected in Winter, and also from persons going to or returning from Divine Service, and praying such relief as the House may deem expedient.

Of Messieurs Gillespie, Moffatt and Company, and other Merchants of Montreal; praying that a part of the duty exacted from them on Bastard Sugars, contrary to the spirit of the Law, be refunded to them.

Of William Millar and others, of Port Sarvia; praying for certain amendments to the Charter of King's College.

Of Alexander Rea, of the Township of Compton; praying for relief in consequence of an injury received while in the discharge of his duty as a Magistrate.

Of Thomas Taite and others, Inhabitants of Melbourne and other Townships, in the District of St. Francis; praying for the completion of a Road from Quebec to Montreal, through the centre of the Eastern Townships.

Of the Municipal Council of the District of Wellington; praying that further means be provided to enforce Statute Labour.

Of J. Duval, Esquire, and others, Officers of the Society of Education for the District of Quebec; praying that the said Society may be Incorporated.

Of George Matthews and others, Inhabitants of the City of Montreal; praying that "The Independent Order of Odd Fellows" be exempted from the provisions of the Bill for the discouragement of Secret Societies.

Of the Mayor, Aldermen, and Citizens of the City of Montreal; praying for the revision and amendment of the Ordinances incorporating the said City, and for the addition of certain other provisions thereto.

Of the Municipal Council of the Western District; praying that Municipal Councillors may receive a remuneration sufficient to cover their expenses in attending to their duties as Councillors.

Of the Municipal Council of the Western District; praying that the Town Clerks be authorized to administer affidavits to Township Officers, when necessary.

Of the Municipal Council of the Western District; praying that a certain amendment be made to the Municipal Council Act.

Of John Brown and others, Inhabitants of the Western District; praying for a certain amendment to the Law which imposes a Tax on houses.

Of W. A. Hale, Esquire, and others, Inhabitants of the Parish of St. Anne La Pérade, in the District of Three Rivers; praying that they may have the same privileges with regard to the new bridge over the River Ste. Anne, as they would have had with regard to the former one which it replaces.

Of Thomas Jenkins, Senior, of the Township of Middleton, in the District of Talbot; praying for certain amendments to the Municipal Council Act.

Resolved, That the Petition of John Colvin and others, Debtors, confined in the Gaol of the District of Bathurst, presented to the House on the sixteenth instant, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers and records.

Petitions referred.  
John Colvin & others, debtors.

Ordered, That Mr. Cameron, Mr. Prince, Mr. Merritt, the Honourable Mr. Boulton and Mr. Foster do compose the said Committee.

Resolved, That the Petition of Thomas McLean and other Inhabitants of the Township of Zorra East, presented to the House on the second instant, be referred to a Select Committee, composed of the Honourable Mr. Hincks, Mr. Parke, Mr. Powell, Mr. Henry Smith, and Mr. Durand, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Inhabitants of Zorra.

Resolved, That the Petition of J. Duval, Esquire, and others, Officers of the Society of Education for the District of Quebec, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Education Society for the District of Quebec.

Ordered, That Mr. Chabot, Mr. Berthelot, the Honourable Mr. Black, the Honourable Mr. Neilson, and Mr. Taché do compose the said Committee.

Russell Con-  
tested Election

Mr. *Prince*, Chairman of the Committee appointed to try the merits of the Petition of *Alexander Findlay* and other Electors of the County of *Russell*, complaining of the undue Election and return of *William Stewart*, Esquire, as a Member to represent the County of *Russell*, in this present Parliament, reported to the House

"That the Committee had met in the Committee Room pursuant to adjournment, at eleven o'clock, A. M. this day, and were unable to proceed with the matter referred to them, for want of evidence, and they therefore adjourned until eleven, A. M., to-morrow; and they also Report the absence of the Honourable *Henry Sherwood*, one of its Members, and in conformity with the Statute, the Committee waited for one hour, and beg to report the same to the House."

The Honourable Mr. *Sherwood* being present in the House when the Report was made, he was called upon by Mr. Speaker for an Excuse, which was made accordingly, and received by the House.

Contingencies.

*Ordered*, That the Second Report of the Standing Committee on Contingencies, be referred to a Committee of the whole House, on Friday next.

On motion of Mr. *George Sherwood*, seconded by Mr. *Duggan*.

Summary Con-  
victions

*Resolved*, That this House will, on Friday next, resolve itself into a Committee of the whole House, to consider the propriety of extending the Right of Appeal to all cases of summary convictions by Justices of the Peace, in that part of this Province, called *Upper Canada*.

Sale of Lands  
for Taxes

*Ordered*, That Mr. *George Sherwood* have leave to bring in a Bill to explain an Act passed in that part of this Province, called *Upper Canada*, in the third year of the Reign of Her Majesty, intitled "An Act to confirm and regulate certain sales of Lands for Taxes in the District of *Ottawa*."

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 Friday next.

Reporting De-  
bates of the  
House

The Honourable Mr. *Sherwood* moved, seconded by Mr. *Prince*, that a Special Committee of seven Members be appointed to enquire into the expediency of adopting some method by which faithful and correct Reports of the debates and proceedings of this House may be given to the country, to report thereon with all convenient speed, with power to send for persons, papers, and records.

Mr. *Christie* moved, in amendment, seconded by Mr. *Barthe*, that all the words after "That," in the said motion be struck out, and the following substituted, "it is not expedient or proper that this House adopt any measure towards publishing the debates of the Members thereof."

The Question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:—

#### YEAS.

Messieurs ARMSTRONG, BARTHE, BERTHELOT, CARTWRIGHT, CHABOT, CHILD, CHRISTIE, DE WITT, FOSTER, FRANCHERE, GILCHRIST, HALE, HOLMES, HOPKINS, JONES, LESLIE, D. McDONALD, McLEAN, MOFFATT, MOORE, NELSON, NOEL, QUESNEL, HARMANNUS SMITH, THOMPSON, THORBURN, L. M. VIGER, WATTS and WILLIAMS.—(29.)

#### NAYS.

Messieurs BALDWIN, BOSWELL, BOUTILLIER, CAMERON, CHESLEY, DALY, DERBISHIRE, DUGGAN, DUNN, DURAND, FORBES, HAMILTON, HINCKS, JUDAH, KILLALY, LAFONTAINE, MERRITT, MORIN, PAPINEAU, POWELL, PRINCE, SIMPSON, SMALL, HENRY SMITH, G. SHERWOOD, H. SHERWOOD, STEELE, TACHE, D. B. VIGER, and WAKEFIELD.—(30.)

So it passed in the negative.

Mr. *Hamilton* then moved, in amendment to the main motion, seconded by Mr. *Duggan*, that the words "the expediency" in the said motion be struck out, and the following substituted—"the means, if any can be found."

The question being then put upon the motion of amendment, a division ensued, and it passed in the negative.

The question having been then put on the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:—

#### YEAS.

Messieurs BALDWIN, BOUTILLIER, CAMERON, CHESLEY, DALY, DERBISHIRE, DUGGAN, DUNN, DURAND, FORBES, HAMILTON, HINCKS, JUDAH, KILLALY, LAFONTAINE, PAPINEAU, POWELL, PRINCE, SIMPSON, SMALL, HARMANNUS SMITH, G. SHERWOOD, H. SHERWOOD, STEELE, TACHE, THORBURN, and WAKEFIELD. (27.)

#### NAYS.

Messieurs ARMSTRONG, BARTHE, BERTHELOT, BOSWELL, CARTWRIGHT, CHABOT, CHILD, CHRISTIE, DE WITT, FOSTER, FRANCHERE, GILCHRIST, HALE, HOLMES, HOPKINS, JONES, LESLIE, D. McDONALD, McLEAN, MERRITT, MOFFATT, MOORE, MORIN, NELSON, NOEL, QUESNEL, HENRY SMITH, THOMPSON, D. B. VIGER, L. M. VIGER, WATTS, and WILLIAMS. (32.)

So it also passed in the negative.

A Bill to Incorporate certain persons therein named, with others, providing funds towards carrying on the British Fisheries in the Gulf of *St. Lawrence*, and District of *Gaspé*; and mining in the said District, under the style of the *Gaspé* Fishery, Commercial, and Mining Company, was, according to Order, read a second time.

British Fish-  
eries Gulf of  
St. Lawrence  
and Gaspé.

*Ordered*, That the said Bill be referred to the Standing Committee on Private Bills.

A Bill to provide for the management of the Temporalities of the Presbyterian Church of *Canada*, in connection with the Church of *Scotland*, was, according to Order, read a second time.

Presbyterian  
Church, Cana-  
da.

*Resolved*, That the said Bill be referred to a Special Committee of five Members, to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That the Honourable Mr. *Neilson*, Mr. *Leslie*, Mr. *De Witt*, the Honourable Mr. *Moffatt*, and the Honourable Mr. *Black*, do compose the said Committee.

The Order of the Day for the House in Committee on the Bill to restrain Party Processions, in cases, being read.

Party Proce-  
sions.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Hopkins* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to

report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

Game Laws.

The Order of the Day for the House in Committee, to consider the expediency of repealing an Act of the late Province of *Upper Canada*, intituled "An Act to amend an Act passed in the fourth year of the Reign of His late Majesty, King *George* the Fourth, intituled 'An Act for the preservation of Deer within this Province,' and to extend the provisions of the same, and to prohibit Hunting and Sporting on the Lord's Day," and of passing an Act for the preservation of Game within the Province of *Canada*, and to prevent Hunting and Shooting at improper seasons of the year, being read,

The House accordingly resolved itself into the said Committee.

Captain *Steele* took the Chair of the Committee, and, after some time spent therein,

Mr. Speaker resumed the Chair,

And Captain *Steele* reported, that the Committee had come to a Resolution, 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 repeal an Act of the late Province of *Upper Canada*, intituled "An Act to amend an Act passed in the fourth year of the Reign of His late Majesty, King *George* the Fourth, intituled 'An Act for the preservation of Deer within this Province,' and to extend the provisions of the same, and to prohibit Hunting and Shooting on the Lord's Day;" and to pass an Act for the preservation of Deer within the Province of *Canada*, and for the prohibition of Hunting and Shooting on Sundays, and during that portion of the year in which Deer and Feathered Game are not in season, and are rearing their young.

*Ordered*, That Mr. *Prince* have leave to bring in a Bill for the preservation of Deer and other Game within this Province, and for prohibiting Hunting and Shooting on the Lord's Day.

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.

Cayuga Glass Company Bill.

The Order of the Day for the House in Committee to consider the expediency of reviving an Act passed in the Parliament of *Upper Canada*, intituled "An Act for Incorporating certain persons therein mentioned, and their Associates, under the style and title of the *Cayuga Glass Manufacturing Company*," being read

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Wakefield* reported that the Committee had come to a Resolution, 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 revive an Act intituled "An Act for Incorporating certain persons therein named, and their Associates, under the style and title of the *Cayuga Glass Manufacturing Company*."

*Ordered*, That Mr. *Merrill* have leave to bring in a Bill to revive an Act passed in the Parliament of the late Province of *Upper Canada*, of the 5th Will. 4th, cap. 18, to Incorporate certain persons therein named, and their Associates, under the style and title of the "*Cayuga Glass Manufacturing Company*."

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 Friday next.

The Order of the Day for the House in Committee, on the Bill to enable Religious Societies of all denominations of Christians (in that part of the Province formerly called *Upper Canada*) to hold the Lands requisite for certain purposes therein mentioned, being read,

Religious Societies' Lands.

The House accordingly resolved itself into the said Committee.

Mr. *Harmannus Smith* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Harmannus Smith* reported, that the Committee had gone through the Bill and had made some 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.

Then on motion of Mr. *Hamilton*, seconded by the Honourable Mr. *Judah*,

The House adjourned.

*Jovis*, 28<sup>o</sup> die Octobris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

MR. SPEAKER laid before the House a General Statement of the Affairs of the Gore Bank, received in conformity to an Order of this House of the 6th instant.

Gore Bank.

(For the said General Statement, see Appendix Y.)

The following Petitions were severally brought up and laid on the Table:—

8 Petitions brought up.

By the Honourable Mr. *Boulton*—The Petition of *John H. Cornell*, and others, Inhabitants of the Township of *Norwich*, in the District of *Brock*; the Petition of *William Cornell* and others, Inhabitants of the District of *Brock*; and the Petition of *William Rees*, of the City of *Toronto*, Medical Superintendent of the Provincial Temporary Lunatic Asylum.

By Mr. *D. McDonald*—The Petition of *Charles P. Treadwell*, Esquire, and others, of the Counties of *Prescott* and *Russell*.

By Mr. *Dunlop*—The Petition of the Honourable *James Crooks*, of the District of *Gore*.

By Mr. *Morris*—The Petition of *Paul Glasford*, and others, appointed to superintend the erection of a Gaol and Court House in *Brockville*.

By Mr. *Baswell*—The Petition of the Reverend *Thomas Alexander*, and others, Members of the Presbyterian Church of *Cobourg*.

By Mr. *Thorburn*—The Petition of *Lewis Willson*, and others, Freeholders of the Township of *Pelham*, in the District of *Niagara*.

An Engrossed Bill to enable Religious Societies of all denominations of Christians (in that part of the Province formerly called *Upper Canada*) to hold the Lands requisite for certain purposes therein mentioned, was read for the third time.

Religious Societies' Lands.

*Resolved*, That the Bill do pass, and the title be "An Act to enable Religious Societies of all Denominations of Christians (in that part of the Province called *Upper Canada*) to hold the Lands requisite for certain purposes therein mentioned."

*Ordered*, That Mr. *Williams* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill, to provide for the calling and orderly holding of Public Meetings in this Province,

Public Meetings Bill.

and for the better preservation of the Public Peace thereat, was read for the third time.

*Resolved.* That the Bill do pass.

*Ordered.* That the Honourable Mr. Attorney General *Baldwin* do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read

Pursuant to the Order of the Day, the following Petitions were read:—

Of *Alexis Chandler*, of the Township of *Calendonia*, in the District of *Ottawa*; praying to be naturalized.

Of *William Fraser* and others, Inhabitants of *Breadalbane, Glengarry*; praying that the University of King's College may no longer be conducted on exclusive principles.

Petitions re-  
to read.

A. Wylie and  
others

*Ordered.* That the Petition of *Alexander Wylie*, and others, Presbyterians, of the Townships of *Edwardsburgh* and *Augusta*, presented to the House on the eighteenth instant; and the Petition of the Minister and Session, on behalf of the Presbyterian Church at *Brockville*, presented to the House on the twentieth instant, be referred to the Special Committee to which was referred the Bill to provide for the management of the Presbyterian Church of *Canada*, in connection with the Church of *Scotland*.

Presbyterian  
Church at  
Brockville

Es. B. Clenden-  
man and  
others

*Ordered.* That the Petition of *James B. Clendenman* and others, Inhabitants of *Pelham* and *Louth*, in the District of *Niagara*; the Petition of the Reverend *J. E. A. S. Fayette*, A. M., of *Branford*; and the Petition of the Reverend *Abjoh Blanchard*, D. D., of *Pelham*, in the District of *Niagara*; the said three Petitions presented to the House on the seventeenth Instant, be referred to the Special Committee to which was referred the Petition of *Cyprian Morgan*, of the Township of *Yonge*, in the *Johnstown* District.

J. E. Fayette  
Reverend A.  
Blanchard

A. G. Alexan-  
der

*Ordered.* That the Petition of *Albert G. Alexander*, of the Township of *Hamilton*, in the *Newcastle* District, presented to the House on the eleventh Instant, be referred to the said Committee.

A. Lafontaine,  
Minister  
of Justice,  
Lower Canada

The Honourable Mr. Attorney General *Lafontaine*, from the Special Committee to which was referred the Bill to amend the Law relative to the Administration of Justice in *Lower Canada*; with an Instruction to the said Committee; and to which was also referred the Petition of *E. J. Briggs* and others, Inhabitants of the Municipal District of *Missisquoi*, 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.

*Ordered.* That the said Bill and Report, be referred to a Committee of the whole House on Monday next.

Common  
Schools

On motion of the Honourable Mr. Attorney General *Baldwin*, seconded by the Honourable Mr. Attorney General *Lafontaine*.

*Resolved.* That this House will, on Thursday next, take into consideration the Message of His Excellency, the Governor General, of the 6th of October instant, respecting the Seat of Government, and that the same be the first Order of the Day after that for the call of the House.

Common  
Schools

*Ordered.* That the Honourable Mr. *Morin* have leave to bring in a Bill to repeal the Act now in force for the establishment and maintenance of Common Schools, and to grant an in-

demnity for the payment of certain portions of the School moneys for the year one thousand eight hundred and forty-two, and further to provide for the apportionment and distribution of the balance of said moneys, for the years one thousand eight hundred and forty-two, and one thousand eight hundred and forty-three.

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.

*Resolved.* That the Petition of the Mayor, Aldermen, and Citizens of the City of *Montreal*, presented to the House on the twenty-third Instant, be referred to a Special Committee of five Members; to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Petition of the  
Corporation of  
Montreal re-  
ferred.

*Ordered.* That Mr. *Holmes*, the Honourable Mr. *Moffatt*, Mr. *L. M. Viger*, Mr. *De Witt*, and Mr. *Leslie*, do compose the said Committee.

On motion of Mr. *Prince*, seconded by the Honourable Mr. *Sherwood*.

*Ordered.* That the Committee appointed to try the merits of the Petition of *Alexander Finlay*, and other Electors of the County of *Russell*, complaining of the undue Election and Return of *William Stewart*, Esquire, as a Member to represent the County of *Russell* in this present Parliament, have leave to adjourn until Tuesday, the 31st Instant at eleven o'clock A. M., there being no witnesses in attendance, and this House having appointed that day for the interchange of the Lists of Witnesses between the Parties.

Russell Con-  
tested Election.

The Honourable Mr. *Morin*, one of Her Majesty's Executive Council, delivered to Mr. Speaker, a Message from His Excellency, the Governor General, 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:—

*C. T. Metcalfe.*

The Governor General informs the Legislative Assembly, that in consequence of the Ordinance of the Governor and Special Council of *Lower Canada*, intitled "An Ordinance to provide for the better internal Government of this Province, by the establishment of Local or Municipal Authorities therein," not having been generally carried into effect, it became impracticable to carry out literally the Act of the Parliament of this Province, intitled "An Act to repeal certain Acts therein mentioned, and to make further provision for the establishment and maintenance of Common Schools," and that in *Upper Canada* also the last mentioned act has not generally been complied with, so as strictly to entitle many of the Districts to receive a share of the annual sum appropriated by the said Act for the establishment and maintenance of the Common Schools.

Common  
Schools.

Under these circumstances, the Governor General, with the advice of the Executive Council, directed a distribution of money in aid of the purposes for which the said appropriation was made, as nearly as possible in conformity with the spirit and intention of the said Act, for the year one thousand eight hundred and forty-two, leaving a balance undistributed for that year in the hands of the Receiver General, and also leaving the whole sum appropriated for the year one thousand eight hundred and forty-three to be distributed according to such provision as may be agreed upon in that behalf by the several Branches of the Legislature.

The Governor General transmits to the Legislative Assembly herewith copies of the several Minutes of Council under which the said distribution of the Common School money has been made together with the accounts and other documents explanatory of the course directed by him, as before mentioned.

Government House,  
25th October, 1843.

(For the Documents accompanying the said Message, see Appendix Z.)

Ordered, That two hundred and fifty copies of the said Message, and of the Documents accompanying the same, be printed in each of the English and French Languages, for the use of the Members of this House.

Bill to restrain Party Processions.

Mr. Hopkins from the Committee of the whole House on the Bill to restrain Party Processions in certain cases, reported, according to order, the amendments made by the Committee to the said Bill, and the Report was again read at the Clerk's table.

The Honourable Mr. Attorney General Baldwin moved, seconded by the Honourable Mr. Solicitor General Small, That the question of concurrence be now separately put upon the said amendments.

Mr. Duggan moved, in amendment, seconded by Mr. Cartwright, That all the words after "That" in the said motion be struck out, and the following substituted: "the said Bill be recommitted, with an instruction to amend the same, by affording the right of appeal and trial by Jury without restriction, as a principle of British Justice, of which none of Her Majesty's subjects should be deprived in cases when personal liberty is involved."

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

Messieurs CARTWRIGHT, DEGGAN, FOSTER, McLEAN, MOFFATT, HENRY SMITH, G. SHERWOOD, H. SHERWOOD, and WATTS.—(9.)

NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOUTILLIER, CAMERON, CHABOT, CHILD, CHRISTIE, DEWITT, DURAND, FORBES, GILCHRIST, HARRISON, HOLMES, HOPKINS, JUDAH, KILLALY, LAFONTAINE, LESLIE, D. McDONALD, J. S. McMACDONALD, MERRITT, MORIN, NEILSON, NOEL, PAPINEAU, PARK, POWELL, PRICE, PRINCE, QUESNEL, SMALL, HARMANNUS SMITH, STEELE, TACHE, THOMPSON, THORBURN, TURGEON, D. B. VIGER, L. M. VIGER, WAKEFIELD, and WILLIAMS.—(45.)

So it passed in the Negative.

The question being then put on the main motion, it was agreed to by the House.

And the said amendments being again severally read, and the question of concurrence being separately put upon each, they were agreed to unanimously.

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

Management of Customs bill

The Order of the day for the second reading of the Bill to provide for the management of the Customs, and of matters relative to the Collection of the Provincial Revenue, being read.

Ordered, That the said Order of the day be postponed until Thursday next.

Jury Bill, U.C.

The Order of the day for the House in Committee on the Bill for the consolidation and amendment

of the Laws relative to Jurors, Juries, and Inquests, in that part of this Province called Upper Canada, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Noël reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again, on Monday, the sixth of November next.

Then on motion of Mr. G. Sherwood, seconded by Mr. Dr Witt,

The House adjourned.

Veneris, 27° die Octobris.

Anno 7° Victoriae Reginae, 1843.

MR. SPEAKER acquainted the House, that the Clerk of this House had received from the Clerk of the Crown in Chancery, a Certificate of the Election of a Member for the County of Chambly, in the room of John Yule, Esquire, who had vacated his seat.

Mr. Lacoste returned for Chambly.

And the said certificate was read, and is as followeth:—

Province of Canada.

Office of the Clerk of the Crown in Chancery.  
Kingston, 27th October, 1843.

This is to certify that in virtue of a Writ of Election, dated the fifth day of October, instant, issued by the Governor in Chief, and directed to the Returning Officer for the County of Chambly, (Bazile Laroque, Esquire,) for the Election of one Member for the said County of Chambly, in the room of John Yule, Esquire, who had resigned his seat, Louis Lacoste, Esquire, has been returned as duly elected, accordingly, as appears by the return of the said Writ, dated the twenty-third day of October, instant, 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.

The following Petitions were severally brought up and laid on the Table:—

4 Petitions brought up.

By Mr. Hale—The Petition of Samuel Brooks, and other Inhabitants of Sierbrooke.

By Mr. D. McDunnald—The Petition of Charles A. Low, and others, Inhabitants of the Township of Hawkesbury, in the District of Ottawa.

By Captain Steele—The Petition of J. H. Thompson and others, of the Township of Brock, in the Fourth Riding of York.

By the Honourable Mr. Solicitor General Aylwin—The Petition of the Governors of the University of McGill College, and of others, interested in the establishment of the said University.

An engrossed Bill to restrain Party Processions in certain cases, was read for the third time.

Party Processions Bill.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Baldwin do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the day, the following Petitions were read:—

Of the Very Reverend *P. J. Archambault* and others, of the Parish of *St. Joseph de Soulanges* and other places in the District of *Montreal*: praying such aid as the House may deem expedient towards improving the road across a certain ravine in *Vaudreuil*.

Of *H. Robinson* and others, Inhabitants of the County of *Shefford*: praying for Agricultural protection: for the re-establishment of Commissioners Courts: for amendments to the Municipal Council Ordinance, the School Act, the Registry Act, and the Road Laws: and for a grant to carry on Internal Improvements in the *Eastern Townships*.

Of *Robert Currie*, and other Inhabitants of the Township of *East Oxford*: praying that an Act be passed appointing Commissioners to make a just and correct division of the said Township.

Of *John Montgomery*, Senior, and others, Inhabitants of the Township of *Rochborough*, in the County of *Stormont*: complaining that they have not received compensation for work performed by them under public contract, and praying relief.

Of the *Montreal* Board of Trade: praying that the measurement of Lumber may not be made compulsory.

Of the *Montreal* Board of Trade: praying that the Harbour of *Montreal* and the Revenue thereof be placed under the control and management of the Trinity House of *Montreal*.

Of the Reverend *Francis Evans* and others, of the Town of *Simcoe*, in the District of *Talbot*: praying for the passing of an Act authorizing the sale of an Episcopal Reserve in the said town for certain purposes.

Of the Municipal Council of the *Western* District: praying for the passing of an Act to enable the Assessors to verify their Assessment Rolls before any Justice of the Peace, or any Commissioner appointed to take affidavits.

Of the Municipal Council of the *Western* District: praying for certain amendments to the Municipal Council Act.

Ordered, That the Petition of *Alexis Chandler*, of the Township of *Caicedonia*, in the District of *Ottawa*, presented to the House on the 24th Instant, be referred to the Special Committee to which was referred the Petition of *Cuprian Morgan*, of the Township of *Yonge* in the *Johnstown* District, and other References.

Petition of Alexis Chandler referred.

Report on Petition of the Reverend C. F. Cazeau and others

The Honourable Mr. Solicitor General *Aylwin*, from the Special Committee to which was referred the Petition of the Reverend *C. F. Cazeau* and others, of the City of *Quebec*, Members of the Congregation of Our Lady (*Congrégation de Notre Dame*), presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee after having examined the Petition of the Reverend *C. F. Cazeau* and others, of the City of *Quebec*, Members of the Congregation of Our Lady (*Congrégation de Notre Dame*), praying that they may be incorporated for Religious, Moral, and Charitable purposes, are of opinion that the prayer of the Petition should be granted; and therefore that a Bill should be introduced for this purpose."

On motion of the Honourable Mr. *Boulton*, seconded by the Honourable Mr. *Viger*,

Resolved, That a humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a Tabular Return of the several Agents and other Persons employed by the Commissioner of Crown Lands, during and subsequent to 1840, and who are accountable to the Government for the receipt of moneys in that Department; designating the name of the Agent or other person employed; the date of his appointment; whether on the permanent establishment or for a temporary occasion; the amount outstanding in the hands of such Agent on the first day of September of each year inclusive; the reason of the detention thereof; and the salary, per centage, or other emolument receivable by such persons.

Tabular Statement of persons employed by the Crown Lands Commissioner.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Resolved, That a Select Committee, composed of the Honourable Mr. *Hucks*, the Honourable Mr. *Morin*, Mr. *Williams*, Mr. *Taché*, Mr. *Moore*, Mr. *Prince*, and Mr. *Roblin*, be appointed, to consider the best mode of granting Legislative aid for the encouragement of Agriculture in this Province, to report thereon with all convenient speed, with power to send for persons, papers, and records.

Encouragement of Agriculture.

On motion of the Honourable Mr. *Boulton*, seconded by Mr. *Morin*,

Resolved, That a humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a detailed Tabular Statement of the Fines, Forfeitures, and Recognizances, inflicted, incurred, and estreated, at the several Courts held in this Province during the year 1842; and also, the Fines imposed by Justices of the Peace, and payable to the Receiver General for the use of the Province during the same period; the amount received in each case; and the steps taken to recover the sums remaining unpaid.

Tabular Statement of Fines, Forfeitures, & Recognizances

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

A Bill to regulate and facilitate the Study of Anatomy was, according to order, read a second time.

Anatomy Bill.

Mr. *Simpson* moved, seconded by Mr. *Dunlop*, that the said Bill be referred to a Committee of the whole House.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

#### YEAS.

Messieurs AYLWIN, BARTHE, BLACK, BOULTON, BOUTILLIER, CHESLEY, DALY, DUGGAN, DUNLOP, DURAND, FORDS, FOSTER, GILCHRIST, HALE, HINCKS, HOLMES, JONES, JUDAH, KILLALY, LAFONTAINE, J. S. McDONALD, McLEAN, PAPINEAU, PARKE, POWELL, PRINCE, ROBLIN, SIMPSON, HARMANNUS SMITH, G. SHERWOOD, H. SHERWOOD, STEELE, TACHÉ, THOMPSON, THORBURN, TURGEON and WILLIAMS.—(37)

#### NAYS.

Messieurs ARMSTRONG, BALDWIN, BERTHELOT, CHABOT, CHILD, CHRISTIE, DE WITT, FRANCHERE.

HOPKINS, LESLIE, D. McDONALD, MERRITT, MOPPATT, MORIN, NEILSON, HENRY SMITH, D. B. VIGER, and L. M. VIGER.—(18.)

So it was carried in the affirmative, and The House accordingly resolved itself into the said Committee.

The Honourable Mr. Black took the Chair of the Committee, and after some time spent therein, Mr. Speaker resumed the Chair.

And the Honourable Mr. Black reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Mr. Speaker having put the question— Shall the Committee have leave to sit again? It passed in the negative.

Resolved, That the Bill to regulate and facilitate the Study of Anatomy, be referred to a Special Committee of five Members, to report thereon with all convenient speed, with power to send for persons, papers, and records.

Ordered, That Mr. Simpson, Mr. Boutillier, Mr. Dunlop, Mr. Noël and Mr. Taché, do compose the said Committee.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to the Speaker two Messages from His Excellency, the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth :—

C. T. Metcalj.

The Governor General informs the House of Assembly, with reference to their Addresses, dated 20th October, that he has issued his Warrant in favour of William Burns Lindsay, Esquire, the Clerk of the House, for the sum of three thousand, five hundred and seventy-eight pounds, nine shillings, and seven pence, three farthings, currency, for defraying the arrears of the Contingencies of the House for the last Session and Recess; and also for the sum of five thousand pounds, currency, towards

defraying the current expenses of the House for the present Session.

Government House,  
Kingston, 26th October, 1843.

C. T. Metcalfe.

The Governor General transmits the accompanying Returns to the Legislative Assembly, in reply to their Address of the 27th September, 1842. From the incompleteness of the Public Records of the late Province of Lower Canada, it has been found impracticable to compile a Return of the precise character indicated by their Address. The communications from the Provincial Registrar, which accompany the Returns herewith transmitted, and the Remarks of the Deputy Inspector General of Public Accounts, which are appended to one of them, will serve to explain the principle upon which they have been prepared, and will shew that they embody all the information on the subject, which it is in the Governor General's power to give.

Government House,  
Kingston, 24th October, 1843.

(For the Documents accompanying the last preceding Message, see Appendix A. A.)

The Honourable Mr. Daly also laid before the House, by command of His Excellency, the Governor General,

Return to an Address from the House of Assembly to His Excellency, the Governor General, praying that he will be pleased to cause to be laid before them, a Return of Harbour and Port Dues, levied by any Act of the Parliament of Upper Canada, for the years commencing on the 1st January, 1836, and ending on the 1st January, 1843, for the Port of Toronto.

D. Daly,  
Secretary.

Secretary's Office,  
Kingston, 27th October, 1843.

Return to an Address of 27 Sept. 1842 (appointments in Lower Canada since 1791.)

Harbour and Port Dues.

RETURN of the Rates collected on Cargoes of Vessels coming into the Port of Toronto, and for Wharfage on Articles landed from on board Vessels, or other Craft, at the Pier erected for the benefit of the Harbour at Toronto, under the authority of the Acts U. C. 3 Wm. 4, chap. 32, and 7 Wm. 4, chap. 64, and the Regulations established by the Lieutenant Governor and Honourable the Executive Council, dated 14th September, 1837, and 17th September, 1840. (Furnished in compliance with an Address from the Honourable the Legislative Assembly, of October, 1843.)

QUARTERS ENDED.	1837.	1838.	1839.	1840.	1841.	1842.	TOTAL CV.	REMARKS.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
31 March & 5 April.....	0 0 0	6 3 3	0 0 0	26 9 8½	22 3 5	16 14 10		
30 June & 5 July.....	0 0 0	51 16 4	117 11 4	75 11 6	149 1 1	152 17 2		
30 September & 5 Oct.....	0 0 0	75 1 0	29 1 6	97 18 9	219 13 5	291 19 2		
31 Dec. & 5 January.....	From 15 Sep. 1837. 133 19 6	232 12 2	181 5 8	174 1 9	164 1 10	167 11 4		
Totals Currency.....	133 19 6	365 12 9	387 18 6	374 1 8½	554 19 9	629 2 6	2445 14 8½	
Expenses of Collection, viz: 10 per cent on amount collected and Salary of Light House Keeper, a £50, cv, per annum, charged since 1st Oct. 1840, &c.	13 7 11	36 11 3½	38 15 10	50 8 2	105 16 7	112 18 3	437 18 0½	
Net Revenue.....	£ 120 11 7	329 1 5½	349 2 8	323 13 6½	449 3 2	516 4 3	2007 16 8½	

Inspector General's Office,  
Kingston, 24th October, 1843.

F. Hincks,  
Inspector General.

Also,

Report of the Commissioner for investigating the mode now adopted in the Collection of the Revenue in the late Province of *Upper Canada*.

(For the said Report, see Appendix B. B.)

Also,

Return to an Address of the Legislative Assembly to the Governor General, bearing date the 27th of September, 1842, praying that His Excellency will be pleased to cause to be laid before the House, a Tabular Return from each Department of the Executive Government, for the years 1840, 1841 and 1842, exhibiting the names of the Heads and subordinate persons employed in each Department, with the designation of such persons respectively, whether Clerks, Assistants, permanent or supernumerary, Messengers, or otherwise, with the amount of salary accorded to each, and the fees, if any, receivable by such Heads of Departments or their subordinates, and, if any, for what services, and by whom payable, and under what authority such salaries and fees have respectively been established; and also the contingent expenses of each Department, classed under the various heads of expenditure applicable thereto.

(For the said Tabular Return, see Appendix C. C.)

Also,

Assessment Rolls for the years 1842 and 1843 (*Upper Canada*) transmitted for the information of the Legislative Assembly, pursuant to the Statute of *Upper Canada*, 59 *Geo.* 3, ch. 7.

(For the said Assessment Rolls see Appendix D. D.)

A Bill to Incorporate the Diocesan College of the Protestant Episcopal Diocese of *Quebec* was, according to order, read a second time.

*Resolved*, That the said Bill be referred to a Select Committee, composed of Mr. *Hale*, the Honourable Mr. Attorney General *Baldwin*, the Honourable Mr. *Viger*, Mr. *Cartwright*, and the Honourable Mr. *Black*, to report thereon with all convenient speed, with power to send for persons, papers, and records.

A Bill to authorize the Superior and Directors of the Seminary of *Quebec*, to acquire and hold a certain amount of property, in addition to that now held by them, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

The Order of the Day for the second reading of the Bill to explain an Act passed in that part of this Province called *Upper Canada*, in the third year of the Reign of Her Majesty, intituled "An Act to confirm and regulate certain sales of Lands for Taxes in the District of *Ottawa*" being read.

*Ordered*, That the said Order of the Day be postponed until Friday next.

The Order of the Day for the second reading of the Bill to revive an Act passed in the Parliament of the late Province of *Upper Canada* of the 5th *Will.* 4th, cap. 18, to incorporate certain persons therein named and their associates, under the Style and Title of the *Cayuga Glass Manufacturing Company*, being read.

*Ordered*, That the said Order of the Day be postponed until Tuesday next.

The Order of the Day for the House in Committee on the second Report of the Standing Committee on Contingencies being read.

*Ordered*, That the said Order of the Day be discharged, and that the said Report be recommended to the said Standing Committee on Contingencies.

The Order of the Day for the House in Committee to consider the propriety of extending the Right of Appeal to all cases of Summary Convictions by Justices of the Peace, in that part of this Province called *Upper Canada*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Thorburn* reported that the Committee had come to a Resolution; 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 extend the Right of Appeal to certain cases of Summary Convictions or Decisions by Justices of the Peace, in that part of the Province called *Upper Canada*.

Then on motion of the Honourable Mr. *Viger*, seconded by the Honourable Mr. Attorney General *Baldwin*,

The House adjourned till Monday next.

*Luna*, 30<sup>o</sup> die Octobris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

**WILLIAM STEWART**, Esquire, Member for the County of *Russell*, 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. Speaker acquainted the House that the Clerk of this House had received from the Clerk of the Crown in Chancery, a Certificate of the Election of a Member, for the County of *Montreal*, in the room of *Alexander Maurice Delisle*, Esquire, whose seat had been declared vacant.

And the said certificate was read, and is as followeth:—

Province of *Canada*.

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 30th October, 1843.

This is to certify that in virtue of a Writ of Election, dated the eleventh day of October instant, issued by the Governor-in-Chief, and directed to the Returning Officer for the County of *Montreal* (*Jacques Viger*, Esquire,) for the Election of one Member for the said County, in the room of *Alexander Maurice Delisle*, Esquire, whose seat as Member for the said County of *Montreal* has been declared vacant, *André John*, Esquire, has been returned as duly elected accordingly, as appears by the return of the said Writ, dated the twenty-seventh day of October instant, 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.

The following Petitions were severally brought up and laid on the Table:—

By Mr. *Moore*—The Petition, of *John S. Bostwick* and others, Inhabitants of the Township of *Compton*, in the County of *Sherbrooke*; the Petition of *A. W. Kendrick* and others, Inhabitants of the Township of *Compton*, in the District of *St. Francis*; and the Petition of *B. Pomroy* and others, Inhabitants of the Township of *Compton*, in the County of *Sherbrooke*.

Summary convictions.

Russell contested Election.

Montreal Election.

12 Petitions brought up.

Collection of Revenue.

Tabular Return from Departments.

Assessment Rolls.

Quebec Episcopal College Bill.

Quebec Seminary Bill.

Sales of Lands for Taxes.

Cayuga Glass Company.

Contingencies.



By the Honourable Mr. Black—The Petition of Messieurs *James G. Heath* and Company, and *Shaw* and *Torrance*, of *Quebec*, Merchants.

By Mr. *D. McDonald*—The Petition of *John Wilson* and others, of the District of *Ottawa*.

By Mr. *Roblin*—The Petition of *R. J. Hopkins* and others, Inhabitants of the District of *Prince Edward*; the Petition of *John Rose* and others, Inhabitants of the Township of *Marysburgh*; and the Petition of *Joshua M. Cadman* and others, Inhabitants of the District of *Prince Edward*.

By Mr. *Turgeon*—The Petition of *J. Jolicoet* and others, Inhabitants of the Parishes of *St. Gervais* and *St. Lazare*.

By Mr. *Merritt*—The Petition of *Jacob Price* and others, of the Baptist Church and Congregation at *Louth*, in the District of *Niagara*; the Petition of *Thomas McDonald* and others, of the Village of *St. Catharines*, in the District of *Niagara*; and the Petition of *George Adams* and others, Inhabitants of the District of *Niagara*; praying for an extension of the time limited for the payment of the Capital Stock of the *Niagara* District Bank.

On motion of Mr. *Merritt*, seconded by Mr. *Thorburn*,

Ordered, That the last preceding Petition be now read, and that the Rule of this House of the 28th of June, 1841, be dispensed with as to the present Petition.

And the said Petition was read accordingly.

An Engrossed Bill to authorize the Superior and Directors of the Seminary of *Quebec*, to acquire and hold a certain amount of property in addition to that now held by them, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. *Neilson* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the Day, the following Petitions were read;—

Of *John H. Cornell* and others, Inhabitants of the Township of *Norwich*, in the District of *Brock*; ; praying for the repeal of the Municipal Council Act, and that each Township in the said District may be incorporated separately; and that all Licenses and Fines levied within the said Townships may be applied to the uses thereof.

Of *William Cornell*, and other Inhabitants of the District of *Brock*; ; praying for the re-establishment of Courts of Requests, with certain amendments.

Of *William Rees*, of the City of *Toronto*, Medical Superintendent of the Provincial Temporary Lunatic Asylum; praying that the Salary provided by Law for the said Office, may be granted to him.

Of *Charles P. Treadwell*, Esquire, and others, of the Counties of *Prescott* and *Russell*; ; praying an aid for a Road.

Of the Honourable *James Crooks*, of the District of *Gore*; ; praying indemnification for the loss of a vessel illegally seized by the *United States*, and destroyed during the War of 1812.

Of *Paul Glasford* and others, appointed to superintend the erection of a Gaol and Court House in *Brockville*; ; praying a grant to liquidate a debt on the said Buildings.

Of the Reverend *Thomas Alexander* and others, Members of the Presbyterian Church at *Cobourg*; ; praying for such alterations in the charter of *King's*

College as may better secure Theological Instruction to all Religious denominations, and for the incorporation of other Colleges therewith.

Of *Lewis Willson*, and others, Freeholders of the Township of *Pelham* in the District of *Niagara*; ; praying that the Agricultural interest in this Province be protected by imposing a duty on all live stock and Agricultural Produce imported from the *United States*.

Of *Samuel Brookes* and other Inhabitants of *Sherbrooke*; ; praying for an aid to promote internal improvement by means of a Plank Road from *Chambly* to *Granby*, and other roads branching therefrom.

Of *Charles A. Low* and others, Inhabitants of the Township of *Hawkesbury*, in the District of *Ottawa*; ; praying that the said Township be divided into two separate Townships, called *East* and *West Hawkesbury*.

Of *J. H. Thompson* and others, of the Township of *Brock*, in the Fourth Riding of *York*; ; praying for certain amendments to the Common School Act.

Of the Governors of the University of *McGill* College, and others, interested in the establishment of the said University; ; praying for an aid in behalf of the said Institution.

Ordered, That the Petition of *George Adams* and others, Inhabitants of the District of *Niagara*, be referred to the Standing Committee on Private Bills.

Resolved, That the Petition of *Billa Flint* and others, Inhabitants of the District of *Johnstown*, presented to the House on the twelfth instant, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Ordered, That Mr. *Morris*, Mr. *Dunlop*, Mr. *Taché*, Mr. *Foster*, and Mr. *Johnston* do compose the said Committee.

The Honourable Mr. *Moffatt*, from the Standing Committee on Private Bills, presented to the House the Third Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"The Petition of *James Morton* and others, sets forth that certain Mineral Springs have recently been discovered in the vicinity of *Kingston*, which have proved efficacious in the cure of numerous diseases; and prays that an Act may be passed to Incorporate the Petitioners, with power to purchase and hold the lands upon which the said Springs are situate, and such further quantity as may be necessary for the purposes of the Company, and to erect buildings thereupon for the accommodation of visitors.

Your Committee have taken evidence as to the nature and properties of the water, and are satisfied of its efficacy. An Act having been passed by the Parliament of *Upper Canada* in 1837, granting similar powers to those now prayed for to a Company, by the name of the "*Caledonia* Springs Company," your Committee beg to report favorably upon the prayer of the Petitioners, and recommend that an Act be passed to Incorporate them for the purposes desired, under such regulations and limitations as to your Honourable House may seem expedient.

Your Committee have also examined the Petition of the *Kingston* Marine Railway Company. This

Petition of  
*George Adams*  
& others read.

Quebec Semi-  
nary.

Petitions read.

Petitions re-  
ferred.

*George Adams*  
and others.

*Billa Flint* and  
others.

Third Report  
on Private Bills

Third Report  
on Private Bills

Company was incorporated in the year 1838, by an Act of the Legislature of the then Province of *Upper Canada*, and now prays that the powers conferred by that Act may be so far extended as to enable the Company to hold real and personal estate for their use, and to lease or convey the same, to build vessels thereon, and further improve their property by the erection of additional wharves and buildings.—The Petitioners seek no authority to increase their capital for these purposes: and your Committee are of opinion that their Act of Incorporation should be amended as prayed for.

The Petition of the Honourable *Adam Ferrie*, Chairman of the Committee of Management of a Joint Stock Company, known as the *Canada Inland Forwarding and Insurance Company*, praying for authority to sue for and recover the debts of the said Company—has been considered by your Committee,—and they have perused the articles of Association of the Company, bearing date 22nd January, 1833, wherein it is provided that all suits brought against the Association shall be brought against the Chairman of either of the Committees for the time being, and that all recoveries so had shall be conclusive upon the Company, its Stock, and Funds,—and that in case of any suit at Law, the Chairman of the Committee, for the time being, shall have full power in his own name and on behalf of the Company to prosecute to judgment and execution in the manner and form as, by the laws of the Province in which the action is brought, it is provided.

The Committee considering the difficulty of carrying this provision into effect without a Legislative enactment, recommend that a Bill be passed enabling the Association to sue and be sued in the name of the Chairman."

Fourth Report  
on Private Bills

The Honourable Mr. *Moffatt*, from the Standing Committee on Private Bills, presented to the House the Fourth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Your Committee have considered the Petition of *Eden Colville*, Esquire, of *Beauharnois*, the authorized Agent of the *North American Colonial Association of Ireland*, and that of *Thomas Corbett* and others, of *Kingston*. The evidence taken by your Committee in reference to these Petitions is annexed to this Report.

The *North American Colonial Association of Ireland* was incorporated by an Act of the Imperial Parliament passed in 1835, and amended in 1842. The Company have a capital of £300,000 paid up, which they are empowered to enlarge to the extent of £1,000,000—and they are authorized to borrow a farther sum of £500,000. They have acquired a large estate in the County of *Beauharnois*, and are empowered, by an Act passed in the first Session of the present Provincial Parliament, to loan monies to the District Council in the said County, for carrying on public works. The Company are now desirous of obtaining power to invest a large portion of their effects and capital in the loan of monies on real securities within this Province; and Your Committee are of opinion that it is expedient to grant these powers to them, subject to such regulations and limitations as Your Honourable House may see fit to prescribe, with a provision, however, that the said Company should at no time be allowed to hold lands in this Province exceeding in value the sum of £300,000, the amount of their paid up capital.

The Petition of *Thomas A. Corbett* and others, prays for authority to enable them to form a Loan and Trust Company for the purpose of raising a Capital for the objects set forth in their Petition. Your Committee recommend that the prayer of the

Petitioners be granted, under such regulations and restrictions as it may be deemed expedient to impose.

Fourth Report  
on Private Bills

In the matter of the Petition of *Eden Colville*, of *Beauharnois*.

*E. G. Wakefield*, Esquire, a Member of the House, called in and examined:—

Please to describe to the Committee the objects of the present application.—Speaking in general terms there is but one object in view—namely, that of applying to *Canada* the principle of the Companies established in *London*, under the name of "Trust Companies", by means of which a large amount of Capital has been supplied to the British Colonies of the Southern Hemispheres. These Companies have been founded with a view of at once providing profitable employment for the Capital of a country in which money is superabundant, and furnishing to a new country that Capital in which it is necessarily deficient, and which is essential to the development of its natural resources. The old country is the lender, and the new country the borrower: and each party gains exactly that which it wants:—the lender, employment for surplus and idle capital—the borrower, the indispensable means of increasing the wealth of the poorer country. The *modus operandi* of the Australasian Trust Companies is very simple:—A Company is Incorporated by Royal Charter, or Act of Parliament, with power to subscribe a large capital, to borrow money in *England*, on the security of the capital subscribed, but not paid up, and then to lend in the Colonies, at Colonial rates of interest, the money so borrowed. The subscriptions of a wealthy body of Shareholders form the security on which the money is borrowed, at a low rate of interest, for the purpose of being lent at a high rate, and the profit of the Company consists of the difference (deducting expenses of management) between the two rates of interest on the sum employed. The *Australian Trust Companies* have been remarkably successful, and their operation is now on the point of being extended to *New Zealand*, at the instance of the inhabitants generally of the latter Colony, who have observed the beneficial effects of these Companies in *New South Wales* and *Van Diemen's Land*, and are most anxious to obtain the same great advantage for themselves.

2. In what manner is it proposed to apply the principle of the Australasian Trust Companies to *Canada*?—The *North American Colonial Association of Ireland*, is incorporated by an Act of the British Parliament, with a subscribed capital of £300,000, and with power to augment its available means either by subscribing a farther capital of £700,000 or by borrowing to the extent of £500,000, or by both of these operations. It therefore already possesses the power of doing all that is required with respect to obtaining in *England* a large Trust Fund—all that belongs to the borrowing part of a Trust Company's operations. Two years ago it also possessed under its original Act, all the powers requisite for lending money in *Canada*. But in the Session before last of the Imperial Legislature, this Company obtained a new Act by which its powers were greatly modified. The new Act divests the Company of various powers which the old Act authorized it to exercise in *Canada*, and provides that except as regards a purchase of land, already made by it in *Canada*, it shall exercise within the Province such powers only as shall be conferred upon it by the Provincial Legislature, but that powers so conferred by the Provincial Legislature, shall be exercised to the same effect as if they had been conferred by the Imperial Parliament. Under the present Law the Company can undertake nothing new without the sanction of this Parliament, and any legislation of this Parliament binds the Shareholders and Directors in *England*.

This novel provision was adopted deliberately, for the express purpose of giving the Provincial Legislature the fullest control with respect to operations to be carried on within the Province; it recognizes that well founded jealousy and dislike with which the Colony has regarded Imperial Acts, bestowing upon Companies in *London* extensive powers in the *Colony*, without the consent or even the knowledge of the Colonists. This provision may be said to have introduced a new and valuable principle into Imperial Legislation with respect to Colonies. In consequence of this provision the Company, though it possesses by means of its Imperial Act, all the powers necessary for borrowing, stands in need of Provincial Legislation in order to lend, for of course all the lending must take place here. The object of this Petition therefore is to obtain for the Company powers of lending in *Canada*.

3. Is that the only power which the Company requires?—Yes; that is the only direct power, but inasmuch as it is impossible to lend money with safety on real property without enjoying the power to hold such property in case the mortgager should fail in his engagement, the necessity arises of enabling the Company to hold lands to some limited extent beyond its present acquisitions; at present it cannot buy an acre of land beyond what it possesses. There is no desire on the part of the Company to extend its operations as a Landowner, on the contrary its aim is to sell off by degrees the large property which it already holds. But as an incident of the Trust Company powers of lending, there must be a power to hold land to some limited extent. Supposing that the Trust Fund of the Company may be £500,000 as is intended, I think there ought to be a power of holding land to the extent of one fifth of that sum, or £100,000.

4. Is it desired that the powers to be conferred on the Company should be perpetual?—There is no necessity for it. A limited time might be fixed, but the whole measure would be defeated unless such term were amply sufficient to satisfy capitalists that they would not be subjected to loss, by having to wind up their affairs prematurely or suddenly.

5. What property has the Company acquired in *Canada* under its present Act?—The Seignory of *Beauharnois* with certain Township Lands which it purchased from Mr. *Ellice* for £150,000 sterling.

6. Do you know that the Petitioner, Mr. *Eden Colville*, is the duly authorized Agent for the Company?—I do.

(In the matter of the Petition of *Thomas A. Corbett* and others, for incorporation of a Loan and Trust Company.)

*Robert S. Atcheson*, Esquire, called in and examined:—

State to the Committee any information you possess respecting the operation and advantages of Companies of the nature of that for which the Petitioners desire an Act of incorporation?—Mr. *Wakefield*, the Member for *Beauharnois*, in his evidence on the petition of *Eden Colville*, Esquire, the Agent of the *North American Association of Ireland* has, I believe, stated fully to the Committee the operation and advantages of Companies, similar to that which the Petitioners now before the Committee are desirous of being empowered to form. Mr. *Wakefield* has also stated, the success which has attended the Companies of this nature, connected with the *Australian Colonies*, and the great extent to which these Companies have contributed to the extraordinary prosperity which those Colonies now enjoy. A Company of a similar nature was some time since formed in *Ohio*, one of the most flourishing of the adjoining States, and its success has not

only given a high value to the Shares of the Stockholders; but its operation has, I have been given to understand, very materially promoted the singular success which has attended Colonization in the State of *Ohio*. I understand, also, that an Association has long existed in *Aberdeen*, which employs its Capital, in advances to persons resident in the *United States*, on real or personal security, on the Representation of a confidential Agent, whom it maintains in that Country. That Association is not incorporated, and its operations are therefore necessarily limited. From my personal knowledge I am able to speak with some confidence of the great benefit which would result to this part of *Canada* from the Establishment of a Company of this nature in it. The improvement of Farms, and the extension of every branch of business connected with the agricultural classes, are most materially impeded by the great want of Capital which exists. The Banks are precluded by their Charters, from advancing money, on mortgage, and there are but few private individuals resident in this part of *Canada*, who have the means of making such advances. Since my settlement, I have made repeated visits to *England*, and upon almost every occasion I have been solicited by persons possessing property here, either to negotiate loans on their property, or in some instances, even to offer it for sale, at prices involving great sacrifices. Sometimes the political condition of the Province was urged as a ground for a refusal to invest Capital, in the manner proposed, in *Canada*; but the ground most generally urged was, the extreme difficulty of obtaining sufficiently satisfactory evidence as to the title and money value of the property, and the great trouble, risk and expense, of collecting the interest, or re-mitting it on the avails of purchased property, to *England*. All these objections would be met and overcome, in my opinion, by the establishment of the Company proposed to be formed by the Petitioners.—The extent of their operations would enable them to employ and amply remunerate an agent whose duty it would be to receive applications for loans, and to report the same to the Directors with his opinion on the legal sufficiency of the title, and the money value of the property, and under their sanction to direct the advances agreed upon by the Directors, and to see to the collection of the interest, and the enforcement of its payment, together with the principal whenever necessary. Such an agent it is not worth while of a single individual to employ, but an incorporated Company, from the extent of its operations, could employ and amply remunerate him. In this way would be ensured to non-resident Capitalists the means of making advances in this section of *Canada* with safety. The Capitalists engaged in the undertaking would secure a profitable investment, and to the Colony would be given the relief essential to the development of its resources, and the attainment of the prosperity, which from the natural fertility of its soil, and the advantages of its climate, and position it has a just right to look forward to.

The Honorable Mr. *Dunn*, one of Her Majesty's Executive Council, laid before the House, by Command of his Excellency the Governor General, Schedule of Government Debentures, redeemed and outstanding, issued under the authority of Acts of the Legislature of the late Province of *Upper Canada*.—A. D. 1842.

(For the said Schedule see Appendix E. E.)

Mr. *Holmes* from the Special Committee, to which was referred the Petition of the Mayor, Aldermen, and Citizens of the City of *Montreal*, respecting the Water Works in the said City of *Montreal*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report on  
Montreal Water Works.

"Your Committee having examined into the prayer of the Petitioners, and given the subject the fullest consideration, they are of opinion that the Citizens generally would be benefited by an extension throughout the City and Suburbs, of the works in question, and the dispensing of, thereby, a more copious and adequate supply of so necessary an article of life, as pure and wholesome water; but in recommending to your Honourable House, the favorable consideration of the prayer of the Petitioners, your Committee consider it expedient to suggest, that the Inhabitants of the City and Suburbs of *Montreal*, be guarded against the danger which might attend the conferring upon the Mayor, Aldermen, and Citizens, in their Corporative capacity, any additional right of Assessment or of enforcing a water rent, or tax, and thereby humbly suggest due provision being made in any bill, which may under the authority of your Honourable House, be introduced, to preclude the possibility of any such enactment, in any Bye Law or Municipal regulation hereafter to be determined upon by the said Corporation, in reference to the said Water Works—and that it be provided:—

*First*.—That no Proprietor, Householder, or other persons or parties be subjected to a Water Tax, unless he or they be actually supplied with water, and that he or they be not compelled to receive the said water, or the conducts thereof, into his or their Premises upon compulsion.

*Second*.—That the final purchase or settlement of the existing bargain, and the issue of the Bonds of the Corporation therefor, shall not take place or have effect until the first day of January now next ensuing. That the Inhabitants of the said City of *Montreal* may have a full and fair opportunity afforded them of recording their opinion upon the proposed acquisition of the said Water Works—thus devolving upon the Councillors to be elected at the now next ensuing election (which will be held on the first day of December next) as by law established, the approval, or the rejection, of the intended purchase.

*And, lastly*.—That all the revenues arising from or out of the supplying of water from the Establishment now sought to be acquired, shall, after providing for the interest accruing on the Bonds, and the expenses attendant upon the maintenance of the said Works, be applied towards the immediate extinction of the debt incurred by the purchase; and that the Bonds be drawn, payable "on or before" the ultimate limit or *échéance* of the Bond, so as to enable the Corporation to extinguish any portion of the debt, at times convenient and beneficial to the said Corporation—without authority to apply any such surplus revenue to any other purpose."

*Ordered*, That Mr. *Cartwright* have leave to bring in a Bill, for incorporating and granting certain powers to the *Upper Canada* Trust and Loan Company.

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, the seventh day of November next.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Cartwright*,

*Ordered*, That the Standing Committee on Private Bills be discharged from the further consideration of the Petition of the Ministers, Elders, and Trustees of *St. Paul's* Church at *Montreal*, and that the said Petition be referred to the Special Committee to which was referred the Bill, to provide for the management of the temporalities of the Presbyterian Church of *Canada*, in connexion with the Church of *Scotland*, and other References.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Cartwright*,

*Resolved*, That the time for receiving Reports on Petitions for Private Bills, be further extended until the sixth of November next.

*Ordered*, That Mr. *Holmes* have leave to bring in a Bill, to authorize the Mayor, Aldermen and Citizens of *Montreal*, to purchase, acquire, and hold the property now known as the *Montreal* Water Works.

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 Wednesday the eight of November next.

On motion of Sir *Allan N. MacNab*, seconded by Mr. *Cartwright*,

*Resolved*, That a Select Committee be appointed to search the Journals of the Honourable the Legislative Council, with relation to any proceedings had in the present Session on the subject of the Seat of Government, and to make a Report thereof to this House; and that Sir *Allan N. MacNab*, the Honourable Mr. *Neilson* and the Honourable Mr. *Sherwood* do compose the said Committee.

*Ordered*, That Mr. *Cartwright* have leave to bring in a Bill, to naturalize *Jacques Adrien Pierre Barbier* and *Euphrasie Barbier*, his wife.

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 Wednesday next.

*Ordered*, That Mr. *Price* have leave to bring in a Bill, to render more summary the means of enforcing the returns of Process by Sheriffs and Coroners, in that part of this Province called *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, the seventh of November next.

*Ordered*, That Mr. *Cameron* have leave to bring in a Bill, to give further powers to the *North American Colonial Association of Ireland*.

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, the seventh of November next.

The Honourable Mr. *Boulton* moved, seconded by Mr. *Price*, That two hundred copies of the Message of His Excellency, the Governor General, accompanied with the Returns of Appointments in *Lower Canada*, from the division of the Province of *Quebec*, in 1791, into the Provinces of *Upper* and *Lower Canada*, to the Union of those Provinces, and other Documents relating thereto, presented to this House on the 27th instant, in reply to an Address of the House of the 27th September, 1842; and also of the Tabular Return of the Departments of the Executive Government for the years 1840, 1841, and 1842, laid before the House on the same day, by command of His Excellency, the Governor General, in compliance with another Address of the 27th September, 1842, be printed in each of the *English* and *French* languages, for the use of the Members of this House.

On motion of the Honourable Mr. *Sherwood*, seconded by the Honourable Mr. *Neilson*,

*Ordered*, That the further consideration of the said motion be postponed until Wednesday, the fifteenth day of November next.

*Ordered*, That the Honourable Mr. *Hincks* have leave to bring in a Bill to establish a more

Reports on Private Bills.

Montreal Water Works.

Seat of Government.

Barriers naturalization.

Returns of Process by Sheriffs and Coroners.

North American Colonial Association of Ireland.

Appointments in Lower Canada since 1791. &

Tabular Returns from Executive Dep.

Upper Canada, Loan & Trust Company.

Committee on Private Bills.

Assessment

equal and just system of Assessment in the several Townships, Towns, and Cities in *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 Monday, the sixth of November next.

Real Estate.

On motion of the Honourable Mr. *Sherwood*, seconded by Mr. *Cartwright*,

*Ordered*, That the Bill to afford relief, in certain cases, to sellers of Real Estate, in *Canada West*, be referred to a Committee of the whole House to-morrow.

Mr. Moffatt, vacates his seat.

The Honourable *George Moffatt* rose in his place and informed Mr. Speaker and the House, that it was his intention to vacate his Seat as a Member of this House, for the City of *Montreal*, and that in consequence of the provisions of the Act of the late Province of *Lower Canada*, 1st *Will. IV.*, cap. 42, he now vacated his Seat accordingly.

Local and Municipal Authorities.

A Bill to repeal the Act in force in *Upper Canada*, relative to the establishment of Local and Municipal Authorities, the Regulation of Highways, the Assessment and Collection of Local Taxes, and other matters of a like nature, was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

The Honourable Mr. Solicitor General *Small* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And the Honourable Mr. Solicitor General *Small* reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

The Honourable Mr. *Daly*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Return of the Inhabitants of the Districts constituting *Upper Canada*, with the other statistical information thereof, obtained under the Act of the Parliament of the Province of *Canada*, for taking a periodical Census (4 & 5 *Victoria*, ch. 42.)

(For the said Return, see Appendix F. F.)

Population Returns.

A Bill to provide for the Incorporation of Townships, Towns, Counties and Cities, in *Upper Canada*, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Monday next.

Towns, &amp;c. incorporation.

Secret Societies.

The Order of the Day for the House in Committee on the Bill for the discouragement of Secret Societies, being read.

The House accordingly resolved itself into the said Committee.

Captain *Steele* took the Chair of the Committee, and, after some time spent therein,

Mr. Speaker resumed the Chair,

And Captain *Steele* reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received at the next sitting of the House.

The Order of the Day for the House in Committee on the Bill to amend the Law relative to the

Administration of Justice in *Lower Canada*, being read,

*Ordered*, That the said Order of the Day be postponed until the next sitting of the House, and that it be then the first Order of the Day.

Administration of Justice Lower Canada.

On motion of Sir *Allan N. MacNab*, seconded by Mr. *Henry Smith*,

*Ordered*, That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Chancery, to make out a new Writ for the election of a Member to serve in this present Parliament, for the City of *Montreal*, in the room and place of the Honourable *George Moffatt*, who hath resigned his Seat.

Montreal Election Writ.

Then on motion of the Honourable Mr. Attorney General *Baldwin*, seconded by the Honourable Mr. *Viger*,

The House adjourned.

*Martis*, 31° die Octobris.

Anno 7° , Victoriae Reginae, 1843.

THE following Petitions were severally brought up and laid on the Table:—

4 Petitions brought up.

By Mr. *Holmes*—The Petition of *Narcisse Valois* and others, Inhabitants of the County of *Montreal*.

By Mr. *Leslie*—The Petition of *Fleury St. Jean*, and others, Censitaires of the Fiefs *Closse* and *La Gauchetière*, in the City of *Montreal*.

By the Honourable Mr. Attorney General *Baldwin*—The Petition of *Reuben White*, of the Township of *Sidney*, in the District of *Victoria*.

By Sir *Allan N. MacNab*—The Petition of *Thomas Fingland* and others.

Petitions referred.

*Resolved*, That the Petition of *John Harris* and others, Inhabitants of *Grimsby* and other Townships, in the District of *Niagara*, presented to the House on the seventeenth instant, be referred to a Select Committee composed of Mr. *Merritt*, Mr. *Thorburn*, Mr. *Thompson*, Mr. *Powell*, and the Honourable Mr. *Boulton*, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

John Harris &amp; others.

*Ordered*, That the Petition of *Edwin Pridham*, and others, inhabitants of the Township of *Grenville*, on the *Ottawa River*, presented to the House on the nineteenth instant, be referred to the Select Committee to which was referred the Petition of *George Brülman* and others, Leather Manufacturers and Dealers, in *Canada East*, and other References.

Edwin Pridham and others.

Mr. *Morris*, from the Standing Committee on Printing, presented to the House the First Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

First Report on Printing.

"Agreeably to the practice followed during previous Sessions, your Committee received Tenders for performing the daily Printing of the House, during the present Session, in the French and English Languages, and the Tenders of *Desburats* and *Derbishire*, and *Edward John Barker*, being the lowest, your Committee directed the Clerk of the House to give the Printing in the French language to the former, and that in the English language to the latter; the said parties having been required to furnish good and sufficient sureties for the speedy and correct performance of the work; to all of which your Committee pray the concurrence of your Honourable House."

*Ordered*, That the said Report be referred to a Committee of the whole House, on Tuesday next.

Russell contested Election.

According to Order, the Honourable Mr. Sherwood, Nominee for the Petitioners, in the matter of the contested Election for the County of Russell, laid before the House a List of Witnesses on the part of the Petitioners, which was read by the Clerk, as followeth:—

List of Witnesses to be called and produced on the part of the Petitioners, against the Return of the Sitting Member for the County of Russell:—  
Edward Malloch, Esquire.....By-Town.  
The Honourable Thomas McKay...New Edinburgh.  
James Johnston, Esquire.....By-Town.  
Christopher Armstrong, Esquire...By-Town.

Mr. Noel, Nominee for the Sitting Member for the County of Russell, according to order, also handed in a List of Witnesses on behalf of the said Sitting Member, which was also read by the Clerk, as followeth:—

Names of Witnesses on behalf of the Sitting Member for the County of Russell.  
James Johnston, Esquire.  
George Patterson.  
Archibald McDonell, Esquire.  
William Smith, Esquire.  
Christopher Armstrong, Esquire.  
B. Billings, Junior, Esquire.

Sixty-seventh Rule dispensed with.

Ordered, That the Honourable Mr. Boulton have leave to lay before the House, a Petition of the Honourable S. B. Harrison, and that the sixty seventh Rule of this House respecting the presentation of Petitions for Private Bills, be dispensed with, so far as relates to the said Petition.

The said Petition was accordingly laid before the House.

Third Report on Contingencies.

Mr. Thornburn, from the Standing Committee on Contingencies, presented to the House the Third Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

“Your Committee beg to report that the accompanying Tradesmen's Accounts for the present Session (a Schedule of which is annexed), amounting to two hundred and eighty-one pounds, nineteen shillings and eleven pence half penny, have been audited and found correct, and therefore recommend, that the Clerk of your Honourable House be authorized to pay the same out of the Funds now in his hands for such purposes.

Accounts during the Third Session of First Parliament.

D. Smith, Carpenter, (appraised Acc't)	£173	18	3½
D. Gleeson, Whitewashing, (appraised Account).....	15	18	3
J. Kay, Labour.....	9	0	0
J. Milner, Mason.....	15	4	2
G. Brown, Architect.....	12	2	0
James Powell, Tinsmith, (appraised Account).....	50	17	9
“Toronto Star and Transcript,”.....	3	4	6
“Cobourg Star”.....	1	15	0
	£281	19	11½

Ordered, That the said Report be referred to the whole House on Friday next.

Report on Catarqui Bridge Company.

Mr. Cartwright, from the Special Committee to which was referred the Petition of the President, Directors, and Stockholders, of the Catarqui Bridge, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

“That the Charter of this Company, of the late Province of Upper Canada, 8 George 4, cap. 12,

has been examined, and they have ascertained that there is an error in the twenty-fourth Clause, where in a reference is made to the fifth Clause instead of the sixth clause, whereby the remedy intended to be granted is in operation. They therefore report that it is desirable to amend the law as prayed for and a few amendments as prayed for by the Petitioners.”

Ordered, That Mr. Cartwright have leave to bring in a Bill, to amend the Charter of the Catarqui Bridge Company.

Catarqui Bridge.

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.

Mr. Hale, from the Standing Committee on Private Bills, presented to the House the Fifth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Fifth Report on Private Bills.

“Your Committee have considered the Petition of George Adams and others, which states, that in consequence of the insertion in the Act incorporating the Bank of the Niagara District, of a clause declaring the Stockholders therein liable for the debts of the Company, to the extent of double the amount of their subscribed shares, the Capital Stock of the said Bank has not yet been subscribed. Your Committee therefore recommend that an Act be passed extending the time for receiving subscriptions to the Capital Stock of the said Bank, to eighteen months from the passing thereof, and two years for the paying up the subscriptions for the same.”

Ordered, That when this House doth adjourn, it will adjourn until Thursday next.

Mr. Child, from the Special Committee to which was referred the Petition of Uriah Jewitt, and other Inhabitants of the County of Stanstead, praying for the preservation of the Fish called “Lunge” or “Mashinongé,” during the spawning season, to extend the Enquiry and consider whether it would not be well to provide a general measure of that kind for the preservation of all kinds of Fish in the fresh waters of Canada, during the spawning season, with power to report from time to time, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report on petition of Inhabitants of Stanstead.

“Your Committee have examined the Petition referred to them, and have taken the testimony of several Members of Your Honourable House, who reside in that part of the Province, respecting the prayer thereof, and also the Salmon Fisheries in the District of St. Francis, and have come to the opinion, that the prayer of the Petitioners ought to be granted; and also that the Salmon Fish should not be prevented from running up the St. Francis, and other Rivers in the said District, to the places where they lay their spawn. And Your Committee recommend that the Chairman move for leave to introduce a Bill providing for the above purposes.

Your Committee have also extended their enquiries, in obedience to the order of Instructions of the twelfth instant, of your Honourable House, with a view to provide a general measure of this kind, and have addressed certain Queries to many of the Members of your Honourable House, who reside in various parts of the Province, and have obtained some answers thereto. And your Committee have come to the opinion that no general measure of this kind is immediately called for, nevertheless your Committee are fully persuaded that while many valuable Fish are taken in considerable quantities for the consumption of the Inhabitants, it will be necessary to preserve such kinds of Fish during the

spawning season, whenever it is prayed for by the Inhabitants of the shores of the numerous Lakes, Rivers, Creeks, and Bays, with which *Canada* so much abounds."

Stanstead Fish-  
ing Bill

*Ordered*, That Mr. *Child* have leave to bring in a Bill, for the better preservation of certain species of Fish in the rivers and waters of the Counties of *Stanstead*, *Sherbrooke*, *Missisquoi*, and *Shefford*.

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 Friday, the tenth of November next.

On motion of Mr. *Prince*, seconded by the Honourable Mr. *Sherwood*,

Russell Elec-  
tion.

*Ordered*. That the Committee appointed to try the merits of the Petition of *Alexander Findlay* and other Electors of the County of *Russell*, complaining of the undue Election and Return of *William Stewart*, Esquire, the sitting Member for the said County of *Russell*, have leave to adjourn until Monday, the sixth of November next, at eleven o'clock, A. M., on the ground that the Returning Officer is not in attendance to give his evidence, and that he cannot arrive here for that purpose, before Sunday next.

Ottawa Courts.

*Ordered*, That Mr. *D. McDonald* have leave to bring in a Bill, to confirm and make valid certain official Acts in the Offices of the Registrar, Clerk of the Peace, Clerk of the District Court, and Registrar of the Surrogate Court in and for the District of *Ottawa*.

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 Friday next.

Niagara Bank

*Ordered*, That Mr. *Merritt* have leave to bring in a Bill to amend the Act Incorporating the Bank of the *Niagara* District, by providing for the extension of the time limited for the paying up of the stock of the said Bank.

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 Friday next.

Divisions City  
of Toronto, and  
Towns.

*Resolved*, That a Select Committee, composed of the Honourable Mr. Attorney General *Baldwin*, the Honourable Mr. *Dunn*, the Honourable Mr. *Sherwood*, Mr. *Price*, the Honourable Mr. *Harrison*, Mr. *Henry Smith*, Sir *Allan N. MacNab*, Mr. *Harmannus Smith*, the Honourable Mr. *Boulton*, Mr. *Merritt*, Mr. *G. Sherwood*, Mr. *Morris*, Mr. *Chesley*, Mr. *McLean*, Mr. *Williams*, Mr. *Crane*, Mr. *Boswell*, Mr. *Roblin*, the Honourable Mr. *Killaly*, and Mr. *Parke*, be appointed to enquire into the present limits and divisions of the City of *Toronto*, and the different Towns and Villages having Police Regulations in *Upper Canada*, and into the expediency of amending the same or any of them; to report, from time to time, as to the limits and divisions which it may, in their opinion, be expedient to establish for the said City, and the said Towns and Villages respectively, or for any of them, with power to send for persons, papers and records.

On motion of the Honourable Mr. *Neilson*, seconded by Mr. *Parke*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of any correspondence between the Provincial Government and Mr. *Nicholas Fullam*, or be-

tween the Provincial Government and any Public Officer or Officers, Member or Members of the Legislature, or other person or persons, during the period of the late General Election in the late Province of *Lower Canada*, concerning the manner in which the said Election was conducted, and the fixing of the places of Election.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

*Ordered*—That Mr. *Henry Smith* have leave to bring in a Bill to alter and amend the Act of the Incorporation of the *Kingston Marine Railway Company*.

Kingston Ma-  
rine Railway.

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.

On motion of the Honourable Mr. *Boulton*, seconded by Sir *Allan N. MacNab*,

*Resolved*, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of repealing the second and fourth sections of an Act passed in the Parliament of *Upper Canada*, in the second year of the Reign of His late Majesty, King *William 4th*, intituled "An Act to repeal part of and amend the charter of the *Niagara Canal Company*," and for amending the provisions thereof.

Niagara Cana  
Company.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Cameron* reported that the Committee had come to a Resolution, 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 repeal the second and fourth sections of an Act passed in the Parliament of *Upper Canada*, in the second year of the Reign of His late Majesty, King *William the Fourth*, intituled "An Act to repeal part of and amend the Charter of the *Niagara Canal Company*," and for amending the provisions thereof.

*Ordered*, That the Honourable Mr. *Boulton* have leave to bring in a Bill to alter and amend the Charter of the *Niagara Canal Company*.

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.

On motion of the Honourable Mr. *Black*, seconded by Mr. *Cartwright*,

*Resolved*, That this House will, on Tuesday next, resolve itself into a Committee of the whole House, to consider the expediency of presenting an Address to Her Majesty, respecting the Imperial Duties payable upon the importation into this Province of Works promoting useful information, and not issuing from the British Press.

Imperial duties  
(Copyrights.)

*Resolved*, That a Select Committee, composed of the Honourable Mr. *Sherwood*, the Honourable Mr. *Morin*, the Honourable Mr. *Hincks*, Sir *Allan N. MacNab*, Mr. *Wakefield*, Mr. *Cartwright*, Mr. *Roblin*, Mr. *Boutillier*, and Mr. *Papineau*, be appointed to inquire whether any plan can be advantageously adopted by the Legislature of this Country, to assist in establishing a more efficient system of Colonization;

Colonization.

Late General  
Election, Low-  
er Canada.

and also to enquire into the possibility of enabling this Province to obtain pecuniary aid from the Imperial Parliament, with a view of promoting the settlement of Wild Lands by every class of Her Majesty's subjects, and of developing the natural resources of the Country, by means of Roads and other internal improvements; to report thereon with all convenient speed, with power to send for persons, papers and records.

M. Lacoste & M. Jobin take their Seats.

*Louis Lacoste*, Esquire, Member for the County of *Chambly*, and *André Jobin*, Esquire, Member for the County of *Montreal*, having previously taken the oath, according to Law, and severally subscribed, before the Commissioners, the Roll containing the same, took their seats in the House.

Private Bills.

*Ordered*, That Mr. *Quesnel* be added to the Standing Committee on Private Bills, in the room of the Honourable *George Moffatt*, who has resigned his Seat in this House.

Orders postponed.

*Ordered*, That the several Orders of the Day for to-morrow, be postponed until Friday next.

Report of Select Committee on Petition of Allan McDonnell and others, read.

On motion of Mr. *Simpson*, seconded by Mr. *Boutillier*.

*Ordered*, That the entry in the Journals of this House, of the fifteenth of September, 1841, containing the Report of the Select Committee to which was referred the Petition of *Allan McDonnell*, of *St. Andrews*, in the Township of *Cornwall*, praying for the opening of a road from *Coteau du Lac*, to the Road called *Dundas Street*, leading through the sixth Concession of *Lancaster*, in the *Eastern District*, where the River *Beaudette* crosses the line formerly dividing the Provinces of *Upper and Lower Canada*, be now read.

Coteau du Lac Road Bill.

The said Entry was read accordingly.

*Ordered*, That Mr. *Simpson* have leave to bring in a Bill for the opening of a road from *Coteau du Lac* to *Dundas Street*, through the third Concession of *Lancaster*.

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 Friday the seventeenth of November next.

Secret Societies.

Captain *Steele*, from the Committee of the whole House, on the Bill for the discouragement of Secret Societies, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

The Honourable Mr. *Boulton* moved, seconded by Mr. *Williams*, That the said Bill be now re-committed to a Committee of the whole House.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

#### YEAS.

Messieurs BARTHE, BOSWELL, BOULTON, CARTWRIGHT, DUGGAN, DUNLOP, FOSTER, SIR ALLAN N. MACNAB, McLEAN, HENRY SMITH, H. SHERWOOD, STEWART and WILLIAMS.—(13.)

#### NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BERTHELOT, BOUTILLIER, CAMERON, CHABOT, CHILD, CHRISTIE, COOK, DALY, DEWITT, DUNN, DURAND, FRANCHERE, GILCHRIST, HALE, HINCKS, HOLMES, HOPKINS, JOBIN, JOHNSTON, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, MERRITT, MORIN, MORRIS, NOEL, PAPINEAU, PARKE, POWELL, PRICE, QUESNEL, SIMPSON, SMALL, STEELE, TACHE, D. B. VIGER, L. M. VIGER, and WAKEFIELD.—(45.)

So it passed in the Negative.

The Honourable Mr. Attorney General *Baldwin* moved, seconded by the Honourable Mr. Attorney General *Lafontaine*, that the said Bill, as amended, be engrossed.

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

#### YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOULTON, BOUTILLIER, CAMERON, CHABOT, CHILD, CHRISTIE, COOK, DALY, DE WITT, DUNN, DURAND, FRANCHIERE, GILCHRIST, HAMILTON, HINCKS, HOLMES, HOPKINS, JOBIN, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, J. S. MACDONALD, MERRITT, MORIN, MORRIS, NOEL, PAPINEAU, PARKE, POWELL, PRICE, QUESNEL, SIMPSON, SMALL, STEELE, TACHE, D. B. VIGER, L. M. VIGER, and WAKEFIELD.—(45.)

#### NAYS.

Messieurs. CARTWRIGHT, DUGGAN, DUNLOP, FOSTER, HALE, JOHNSTON, SIR ALLAN N. MACNAB, McLEAN, ROBLIN, HENRY SMITH, H. SHERWOOD, STEWART and WILLIAMS.—(13.)

So it was carried in the affirmative, and *Ordered* accordingly.

On Motion of Mr. *Boswell*, seconded by Mr. *D. McDonald*.

*Ordered*, That the remaining orders of this day be postponed until Friday next.

Orders postponed.

Then on motion of Mr. *Boswell*, seconded by Mr. *Cartwright*.

The House adjourned until Thursday next.

*Jovis, 2<sup>o</sup> die Novembris*

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

THE following Petitions were severally brought up and laid on the table. 10 Petitions brought up.

By the Honourable Mr. *Viger*—The Petition of *R. Jones*, Esquire, and others, Inhabitants of the Parishes of *Sorel, St. Michael* and other places.

By Mr. *Jobin*—The Petition of *Hugh Brodie*, junior, and others, Inhabitants of *Cote St. Paul, Coteau St. Pierre*, and of the *Tanneries des Rollands* in the Parish of *Montreal*.

By Mr. *Roblin*—The Petition of *D. B. Stevenson*, and others, inhabitants of the District of *Prince Edward*.

By the Honourable Mr. *Hincks*—The Petition of the Reverend *Donald McKenzie*, and others, Inhabitants of *Zorra*, and other Townships in the District of *Brock*.

By the Honourable Mr. *Boulton*—The Petition of *W. T. Cameron*, and others, Inhabitants of the Town of *Niagara* and its Vicinity; and the Petition of *C. O. Ermatinger* and others, Inhabitants of the Parish of *St. Armund West*.

By Mr. *Parke*—The Petition of the Reverend *Alexander C. McColl*, and others, Inhabitants of *Aldborough*, District of *London*.

By Mr. *Derbshire*—The Petition of *Nicholas Sparks*, of *Bytown*.

By Mr. *Durand*—The Petition of *David Good* and others, Delegates of the School Districts, in the Townships of *Waterloo, Wilmot*, and *Woolwich*, in the District of *Wellington*; and the Petition of *A. Dingwall Fordyce* and others, Inhabitants of *Fergus*, and neighbourhood, in the District of *Wellington*.



Petitions read.

Pursuant to the Order of the day, the following Petitions were read:—

Of *John S. Bostwick*, and others. Inhabitants of the Township of *Compton*, in the County of *Sherbrooke*; praying for certain alterations in the present system of Judicature in the District of *Saint Francis*; and also for amendments to the Municipal Council Ordinance.

Of *A. W. Kendrick* and others. Inhabitants of the Township of *Compton*, in the District of *Saint Francis*; praying for the construction of a Turnpike road, from the said Township, to the City of *Montreal*, under the superintendence of the Board of Works.

Of *B. Pomroy* and others. Inhabitants of the Township of *Compton*, in the County of *Sherbrooke*; praying that the Municipal Council Ordinance, and the Common School Act be amended.

Of Messieurs *James G. Heath* and Company, and *Shaw* and *Torrance* of *Quebec*, Merchants; praying that a certain portion of the Duty on Bastard Sugars, exacted from them, contrary to the spirit of the Law, be refunded them.

Of *John Wilson* and others, of the District of *Ottawa*; praying aid for a road in the said District.

Of *R. J. Hopkins* and others, Inhabitants of the District of *Prince Edward*; praying that the present Law for the recovery of small debts in *Upper Canada*, be repealed, and that the former act for the same object, be revived, with certain amendments.

Of *John Rose* and others. Inhabitants of the Township of *Marysburgh*; praying that the present Law for the recovery of Small debts in *Upper Canada*, be repealed, and that the former Act for the same object be revived, with certain amendments.

Of *Joshua M. Calman* and others, Inhabitants of the District of *Prince Edward*; praying for the repeal of the existing law, for the recovery of small debts; and the re-establishment of the Law heretofore in force for the same object.

Of *J. Jolivet* and others, Inhabitants of the Parishes of *St. Gervais* and *St. Lazare*; praying for the repeal of the Registry ordinance; and that taxes may not be imposed on Real Property, for the support of Schools.

Of *Jacob Price*, and others, of the Baptist Church and Congregation at *Louth*, in the District of *Niagara*; praying that the benefits of the University of King's College and McGill College, be extended equally to all classes of Her Majesty's subjects.

Of *Thomas McDonald*, and others, of the Village of *St. Catherine's*, in the District of *Niagara*; praying for certain amendments to the Charter of the University of King's College.

Of *Narcisse Valois*, and others, Inhabitants of the County of *Montreal*; praying for Agricultural protection.

Of *Fleury St. Jean* and others, Censitaires of the Fiefs *Closse* and *La Gauchetiere*, in the City of *Montreal*; praying that a law may be passed to oblige the Proprietors of the said Fiefs, to commute the Tenure of their Censitaires and to regulate the terms and conditions of such commutation.

Of *Reuben White*, of the Township of *Sidney*, in the District of *Victoria*; complaining of the seizure

of his property, by one *William Bone*, in the year 1837, which he yet retains and refuses to return, and praying relief.

Of *Thomas Finland* and others; complaining of injury, sustained by the withholding of the interest of certain sums of money, paid to them as public Contractors for "the *Hamilton* and *Branford* macadamized road," and praying relief.

Of the Honourable *S. B. Harrison*; praying for the passing of an Act, to authorise him to practice as an Attorney in the Court of Queen's Bench, and as Solicitor in the High Court of Chancery in *Upper Canada*.

Resolved—That the Petition of *Paul Glasford* and others, appointed to superintend the erection of a Gaol and Court House in *Brockville*, presented to the House on the twenty-sixth of October last, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon, with all convenient speed, with power to send for persons papers and Records.

Ordered, That Mr. *Morris*, Mr. *George Sherwood*, Mr. *Crane*, Mr. *McLean*, and Mr. *Boswell*, do compose the said Committee.

Ordered, That the Petition of *Fleury St. Jean* and others, Censitaires, of the Fiefs *Closse* and *La Gauchetiere*, in the City of *Montreal*, be referred to the Special Committee, to which was referred the Petition of *J. Henry Lamb* and others, of the City and Parish of *Montreal* (relating to the commutation with the Censitaires of *Nazareth* and other Fiefs.)

Ordered, That the Petition of the Honourable *S. B. Harrison*, be referred to the Standing Committee on Private Bills.

Resolved, That the Petition of Messieurs *Gillespie*, *Moffatt* and Company, and other Merchants of *Montreal*, presented to the House on the twenty-third of October last, be referred to a Select Committee, composed of Mr. *Leslie*, the Honourable Mr. *Hincks*, the Honourable Mr. *Neilson*, the Honourable Mr. *Harrison*, and Mr. *L. M. Viger*, to examine the contents thereof, and to report thereon, with all convenient speed, with power to send for persons, papers and Records,

Ordered, That the Petition of Messieurs *James G. Heath*, and Company, and *Shaw*, and *Torrance* of *Quebec*, Merchants, be referred to the said Committee.

Mr. *Hall*, from the Standing Committee on Private Bills, presented to the House the Sixth Report of the said committee, which was again read at the clerk's table, and is as followeth:—

"Your committee have examined the Bill to incorporate certain persons as a company for carrying on the Fishery and Trade in connexion therewith, in the *Gaspé* District and Gulph of *St. Lawrence*, and coal Mining in the said District—and have agreed to certain amendments thereto, which they beg to recommend for the adoption of your Honourable House."

Mr. *Morris* from the Special committee, to which was referred the Petition of *Cyprian Horgan*, of the Township of *Yonge*, in the *Johnstown* District, and other references, presented to the House the Report of the said committee, which was again read at the clerk's table, and is as followeth:—

Petitions referred.  
Paul Glasford and others.

Fleury St. Jean and others.

S. B. Harrison.

Gillespie, Moffatt & Co.

Jas. G. Heath & Co.

Sixth Report on Private Bills.

Report on Petition of Cyprian Horgan, and other Petitions.

"Your Committee have examined the Petitions of *Cyprian Morgan*, the Reverend *A. Blanchard*, the Reverend *J. F. A. S. Fayette*, *Albert G. Alexander*, and *Alexis Chandler*, praying respectively to be naturalized,—and being satisfied upon enquiry, of the good character of each of the Petitioners, have no hesitation in recommending that an Act be passed conferring upon them the rights and privileges of natural born British Subjects."

Canada Inland Forwarding, &c. Company Bill.

*Ordered*, That Mr. *Cameron* have leave to bring in a Bill to authorise the Chairman of the Committee of the *Canada Inland Forwarding and Insurance Company*, to sue for and recover debts due to the Company.

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 Wednesday next.

King's and Upper Canada Colleges.

*Resolved*, That the detailed Statement of Affairs of *King's College* and *Upper Canada College*, for the years 1839—1840—1841 and 1842, laid before the House on the sixth of October last, be referred to a Special Committee of five Members, to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That Mr. *Thompson*, the Honourable Mr. *Hincks*, Mr. *Cartwright*, Mr. *Morris*, and Mr. *Williams*, do compose the said Committee.

Montreal City Incorporation

*Ordered*, That Mr. *Quesnel* be added to the Special Committee to which was referred the Petition of the Mayor, Aldermen, and Citizens, of the City of *Montreal*, praying for amendments to the Act of Incorporation of the said City, in the room of the Honourable *George Moffatt*, who hath resigned his seat.

Call of House. The Order of the Day for the call of the House, being read.

The House was accordingly called over; and several of the Members appeared, and the names of such Members as made default to appear, were taken down, and are as followeth:—

The Honourable *George Moffatt*.

The Honourable *Charles Richard Ogden*.

County of Hastings Election.

Mr. Solicitor General *Aylwin* moved, seconded by the Honourable Mr. *Dunn*, that it be referred to the Standing Committee of Privileges and Elections, to enquire into the circumstances which have delayed the issue and return of a Writ for the election of a Member to serve in this Parliament for the County of *Hastings*, ordered by this House.

The Question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

*Ordered*, Accordingly.

Seat of Government.

The Order of the Day for taking into consideration the Message of His Excellency, the Governor General, of the sixth of October last, respecting the Seat of Government, being read,

The Honourable Mr. Attorney General *Baldwin* moved, seconded by the Honourable Mr. Attorney General *Lafontaine*, that it is the opinion of this House, that it is expedient that the Seat of Her Majesty's Provincial Government for this Province, should be at the City of *Montreal*.

The Honourable Mr. *Harrison* moved in amendment, seconded by the Honourable Mr. *Boulton*, that all the words after "That" in the said motion be struck out, and the following substituted—"This House representing so many and such various local and conflicting interests, is persuaded that any decision which it may come to upon the question of establishing the Seat of Government in this Province, will be unsatisfactory to the great sections

thereof, whose interests may be felt to be compromised thereby, and that in the opinion of this House, the whole Province will more cheerfully acquiesce in the signification of Her Majesty's pleasure on the subject, unfettered by any opinion of the Legislature."

And a Debate arising thereupon,

*Ordered*, That the Debate be adjourned till to-morrow.

*Ordered*, That the remaining Orders of the Day be postponed until to-morrow.

Orders postponed.

Then on motion of the Honourable Mr. Attorney General *Baldwin*, seconded by the Honourable Mr. *Daly*,

The House adjourned till to-morrow at 10 o'clock, A. M.

Veneris, 3<sup>o</sup> die Novembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

10<sup>a</sup> horu, A. M.

THE following Petitions were severally brought up and laid on the Table:—

By Mr. *McLean*—The Petition of *Hugh Urquhart* and others, Inhabitants of the Town of *Cornwall*, and its vicinity.

By Mr. *Thompson*—The Petition of *Thomas Webb* and others, Members of the Baptist Congregation at *Walpole*, in the District of *Niagara*.

2 Petitions brought up.

*Resolved*, That the Petition of *Simon Valois* and others, Inhabitants of *Côte St. Michel*, *Côte de la Visitation*, and of the *St. Mary's Current*, in the Parish of *Montreal*, presented to the House on the twenty-third of October last, be referred to a Special Committee of five Members to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers and records.

Petitions referred. *Simon Valois*, and others.

*Ordered*, That Mr. *Leslie*, Mr. *De Witt*, Mr. *Jabin*, Mr. *Quesnel*, and the Honourable Mr. *Neilson*, do compose the said Committee.

*Ordered*, That the Petition of *Peter Morgan* and others, Inhabitants of *Côte des Neiges*, *Côte St. Catherine*, *Côte St. Luc*, and *Côte St. Antoine* in the Parish of *Montreal*, presented to the House on the twenty-third day of October last, be referred to the said Committee.

*Peter Morgan*, and others.

*Resolved*, That the Petition of *John Montgomery*, Senior, and others, Inhabitants of the Township of *Roxborough*, in the County of *Stormont*, presented to the House on the twenty-fifth of October last, be referred to a Select Committee, composed of Mr. *McLean*, Mr. *Prince*, Mr. *Chesley*, Mr. *J. S. McDonald*, and the Honourable Mr. *Sherwood*, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers and records.

*John Montgomery*, Sen'r, and others.

*Ordered*, That Mr. *Morris* have leave to bring in a Bill to naturalize *Cyprian Morgan*, and others.

*Morgan's Naturalization 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 Tuesday next.

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

*Ordered*, That the Order of the Day for the House in Committee on the Bill to prevent obstructions in Rivers and Rivulets in *Upper*

*Rivers obstruction Bill*.

Canada, and on the Report of the Special Committee to which was referred the said Bill, be postponed until Wednesday next.

Toll exemption

*Ordered*, That the Honourable Mr. Neilson have leave to bring in a Bill, to exempt Vehicles conveying manure from the Cities and Towns of this Province, from the payment of Tolls on Turnpike Roads.

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 Friday next.

On motion of Mr. Christie, seconded by Mr. De Witt,

Fisheries, Gulf of St. Lawrence

*Ordered*, That the Bill to incorporate certain persons therein named with others, providing Funds towards carrying on the British Fisheries in the Gulf of St. Lawrence, and District of Gaspé, and mining in the said District, under the style of the Gaspé Fishery, Commercial, and Mining Company, be referred to a Committee of the whole House, on Wednesday next.

Collection of Revenue, Upper Canada.

*Ordered*, That two hundred Copies of the Report of the Commissioner for investigating the mode now adopted in the Collection of the Revenue in the late Province of Upper Canada, with the Appendix thereto, laid before the House on the twenty-seventh of October last, be printed in the English and French languages, for the use of the Members of this House.

Bills from Legislative Council.

A Message from the Legislative Council, by Charles De Lery, Esquire, Master in Chancery:—

Mr. Speaker,

The Legislative Council have passed the following Bills, without any amendment:—

“An Act to impose Duties on Agricultural Produce and Live Stock, imported into this Province.”

“An Act to Incorporate the Ladies of the Protestant Orphan Asylum of the City of Montreal.”

Agricultural Imports.

Protestant Orphan Asylum, Montreal.

Lying-in-Hospital, Montreal.

Bank of Montreal.

“An Act to Incorporate the Ladies of the Committee of Management of the Montreal Lying-in Hospital.”

“An Act to amend the Act Incorporating the Bank of Montreal, by providing for the extension of the time limited for the paying up of the new stock of the said Bank.”

And then he withdraw.

Seat of Government.

The Order of the Day being read for resuming the adjourned debate upon the amendment which was, yesterday, proposed to be made to the motion, “That it is the opinion of this House, that it is expedient that the Seat of Her Majesty's Provincial Government for this Province should be at the City of Montreal,” and which said amendment was to leave out all the words from the word “That” in the said motion, in order to substitute the following:—“This House, representing so many and such various local and conflicting interests, is persuaded that any decision which it may come to upon the question of establishing the Seat of Government in this Province, will be unsatisfactory to the great sections thereof, whose interests may be felt to be compromised thereby, and that in the opinion of this House, the whole Province will more cheerfully acquiesce in the signification of Her Majesty's pleasure on the subject, unfettered by any opinion of the Legislature.”

And the said amendment being read, the House resumed the said adjourned debate.

And the question of amendment being put, upon the said amendment, a division ensued, and the

names being called for they were taken down as followeth:—

Seat of Government.

## YEAS.

Messieurs BOSWELL, BOULTON, CAMERON, CARTWRIGHT, CHESLEY, COOK, DUGGAN, DUNLOP, FORBES, HARRISON, HOPKINS, JOHNSTON, SIR ALLAN N. MACNAB, MCLEAN, MERRITT, MORRIS, POWELL, ROBLIN, HENRY SMITH, HARMANNUS SMITH, GEORGE SHERWOOD, HENRY SHERWOOD, STEELE, STEWART, THOMPSON, THORBURN, WATTS, WILLIAMS, and WOODS.—(29.)

## NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BLACK, BOUTILLIER, CHABOT, CHILD, CHRISTIE, CRANE, DALY, DERBISHIRE, DE WITT, DUNN, DURAND, FOSTER, FRANCHERE, GILCHRIST, HALE, HAMILTON, HINCKS, HOLMES, JOHN, JONES, JUDAH, KILLALY, LACOSTE, LAFONTAINE, LESLIE, McCULLOCH, D. McDONALD, J. S. MACDONALD, MOORE, MORIN, NEILSON, PAPINEAU, PARKE, PRICE, PRINCE, QUESNEL, SIMPSON, SMALL, TACHE, TASCHEREAU, TURCOTTE, TURGEON, D. B. VIGER, L. M. VIGER, and WAKEFIELD.—(50.)

So it passed in the Negative.

Mr. Thorburn moved an amendment to the main motion, seconded by the Honourable Mr. Harrison, that all the words after “That” in the said motion, be struck out, and the following substituted:—“It is the opinion of this House, that for the present, Kingston is a proper and suitable place for the site of the Provincial Government.”

Mr. Duggan moved, seconded by the Honourable Mr. Boulton, that the House do now adjourn.

The question being put upon the said motion, a division ensued, and it passed in the negative.

The Honourable Mr. Sherwood moved in amendment to Mr. Thorburn's motion of amendment, seconded by the Honourable Mr. Boulton, that the word “Kingston” in the said motion be struck out, and the following substituted, “some place within the limits of Upper Canada.”

The Question having been put upon the Honourable Mr. Sherwood's motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:—

## YEAS.

Messieurs BOSWELL, BOULTON, CAMERON, CARTWRIGHT, CHESLEY, COOK, DUGGAN, DUNLOP, FORBES, HARRISON, HOPKINS, JOHNSTON, SIR ALLAN N. MACNAB, MCLEAN, MERRITT, MORRIS, ROBLIN, HENRY SMITH, HARMANNUS SMITH, GEORGE SHERWOOD, HENRY SHERWOOD, STEELE, STEWART, THOMPSON, THORBURN, WILLIAMS, and WOODS.—(27.)

## NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BLACK, BOUTILLIER, CHABOT, CHILD, CHRISTIE, CRANE, DALY, DERBISHIRE, DE WITT, DUNN, DURAND, FOSTER, FRANCHERE, GILCHRIST, HALE, HAMILTON, HINCKS, JOHN, JONES, JUDAH, KILLALY, LACOSTE, LAFONTAINE, LESLIE, McCULLOCH, D. McDONALD, J. S. MACDONALD, MOORE, MORIN, NEILSON, NOEL, PAPINEAU, PARKE, POWELL, PRICE, PRINCE, QUESNEL, SIMPSON, SMALL, TACHE, TASCHEREAU, TURCOTTE, TURGEON, D. B. VIGER, L. M. VIGER, WAKEFIELD, and WATTS.—(52.)

So it passed in the Negative.

The Question being then put on Mr. Thorburn's motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:—

Seat of Gov.  
ernment.

## YEAS.

Messieurs BOSWELL, BOULTON, CAMERON, CARTWRIGHT, CHESLEY, COOK, DUGGAN, DUNLOP, HARRISON, HOPKINS, JOHNSTON, SIR ALLAN N. MACNAB, McLEAN, MERRITT, MORRIS, PRINCE, ROBLIN, HENRY SMITH, HARMANNUS SMITH, GEORGE SHERWOOD, STEELE, STEWART, THOMPSON, THORBURN, WILLIAMS, and WOODS.—(26.)

## NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BLACK, BOUTILLIER, CHABOT, CHILD, CHRISTIE, CRANE, DALY, DERBISHIRE, DEWITT, DUNN, DURAND, FORBES, FOSTER, FRANCHERE, GILCHRIST, HALE, HAMILTON, HINCKS, HOLMES, JOHN, JONES, JUDAH, KILLALY, LACOSTE, LAFONTAINE, LESLIE, McCULLOCH, D. McDONALD, J. S. MACDONALD, MOORE, MORIN, NEILSON, NOEL, PAPINEAU, PARKE, POWELL, PRICE, QUESNEL, SIMPSON, SMALL, HENRY SHERWOOD, TACHE, TASCHEREAU, TURCOTTE, TURGEON, D. B. VIGER, L. M. VIGER, WAKEFIELD and WATTS.—(54.)

So it also passed in the negative.

Mr. *Cartwright* then moved, in amendment to the main motion, seconded by the Honourable Mr. *Sherwood*, That all the words after "That" in the said motion be struck out, and the following substituted—"Upon a matter of such great importance as the selection of a place where the Seat of Government is to be permanently established for United *Canada*, attended, as it must be, with a large expenditure of Public Money, this House is unwilling to assume the responsibility of deciding the question, involving, as it does, many important considerations, without a further manifestation of public opinion than has yet been declared, and therefore consider that it would be an act of proper courtesy and respect to the intelligence of the people of *Canada* to appeal directly to them upon the question."

The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:—

## YEAS.

Messieurs BOSWELL, BOULTON, CAMERON, CARTWRIGHT, CHESLEY, COOK, DUGGAN, DUNLOP, HARRISON, HOPKINS, JOHNSTON, SIR ALLAN N. MACNAB, McLEAN, MERRITT, ROBLIN, HENRY SMITH, GEORGE SHERWOOD, HENRY SHERWOOD, STEELE, STEWART, THOMPSON, WILLIAMS, and WOODS.—(23.)

## NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOUTILLIER, CHABOT, CHRISTIE, CRANE, DALY, DERBISHIRE, DEWITT, DUNN, DURAND, FORBES, FOSTER, FRANCHERE, GILCHRIST, HALE, HAMILTON, HINCKS, HOLMES, JOHN, JONES, JUDAH, KILLALY, LACOSTE, LAFONTAINE, LESLIE, McCULLOCH, D. McDONALD, J. S. MACDONALD, MOORE, MORIN, MORRIS, NOEL, PAPINEAU, PARKE, POWELL, PRICE, PRINCE, QUESNEL, SIMPSON, SMALL, HARMANNUS SMITH, TACHE, TASCHEREAU, THORBURN, TURCOTTE, TURGEON, D. B. VIGER, L. M. VIGER, WAKEFIELD, and WATTS.—(54.)

So it passed in the negative.

The question being then put on the main motion, a division ensued thereon, and the names being called for, they were taken down as followeth:—

## YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOUTILLIER, CHABOT,

CHILD, CHRISTIE, CRANE, DALY, DERBISHIRE, DEWITT, DUNN, DURAND, FORBES, FOSTER, FRANCHERE, GILCHRIST, HALE, HAMILTON, HINCKS, HOLMES, JOHN, JONES, JUDAH, KILLALY, LACOSTE, LAFONTAINE, LESLIE, McCULLOCH, D. McDONALD, J. S. MACDONALD, MOORE, MORIN, NOEL, PAPINEAU, PARKE, POWELL, PRICE, QUESNEL, SIMPSON, SMALL, TACHE, TASCHEREAU, TURCOTTE, TURGEON, D. B. VIGER, L. M. VIGER, WAKEFIELD, and WATTS.—(51.)

Seat of Gov.  
ernment.

## NAYS.

Messieurs BOSWELL, BOULTON, CAMERON, CARTWRIGHT, CHESLEY, COOK, DUGGAN, DUNLOP, HARRISON, HOPKINS, JOHNSTON, SIR ALLAN N. MACNAB, McLEAN, MERRITT, MORRIS, PRINCE, ROBLIN, HENRY SMITH, HARMANNUS SMITH, GEORGE SHERWOOD, HENRY SHERWOOD, STEELE, STEWART, THOMPSON, THORBURN, WILLIAMS, and WOODS.—(27.)

So it was carried in the affirmative, and

*Resolved*, That it is the opinion of this House, that it is expedient that the Seat of Her Majesty's Provincial Government for this Province, should be at the City of *Montreal*.

The Honourable Mr. Attorney General *Baldwin* moved, seconded by the Honourable Mr. Attorney General *Lafontaine*, That upon Her Majesty, in the gracious exercise of Her Royal Prerogative, giving directions for the location of the Seat of the Provincial Government of this Province in the City of *Montreal*, this House pledges itself to provide the necessary supply for the expenditure which may be expected to attend upon the establishment of the Seat of Government in that City.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

## YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOUTILLIER, CHABOT, CHILD, CHRISTIE, CRANE, DALY, DERBISHIRE, DEWITT, DUNN, DURAND, FORBES, FOSTER, FRANCHERE, GILCHRIST, HALE, HAMILTON, HINCKS, HOLMES, JOHN, JONES, JUDAH, KILLALY, LACOSTE, LAFONTAINE, LESLIE, McCULLOCH, D. McDONALD, J. S. MACDONALD, MOORE, MORIN, MORRIS, NOEL, PAPINEAU, PARKE, POWELL, PRICE, PRINCE, QUESNEL, SIMPSON, SMALL, HARMANNUS SMITH, TACHE, TASCHEREAU, THORBURN, TURCOTT, TURGEON, D. B. VIGER, L. M. VIGER, and WAKEFIELD.—(55.)

## NAYS.

Messieurs BOULTON, CAMERON, CARTWRIGHT, CHESLEY, COOK, DUGGAN, DUNLOP, HARRISON, HOPKINS, JOHNSTON, SIR ALLAN N. MACNAB, McLEAN, MERRITT, ROBLIN, HENRY SMITH, GEO. SHERWOOD, HENRY SHERWOOD, STEELE, STEWART, THOMPSON, WILLIAMS, and WOODS.—(22.)

So it was carried in the affirmative, and

*Resolved* accordingly.

The Honourable Mr. Attorney General *Baldwin* moved, seconded by the Honourable Mr. Attorney General *Lafontaine*, That an humble Address be presented to Her Majesty, embodying the foregoing Resolutions.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

## YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOUTILLIER,

Seat of Gov.  
ernment.

CHABOT, CHILD, CHRISTIE, CRANE, DALY, DERBISHIRE, DEWITT, DUNN, DURAND, FORBES, FOSTER, FRANCHERE, GILCHRIST, HALE, HAMILTON, HINCKS, HOLMES, JOBIN, JONES, JUDAH, KILLALY, LACOSTE, LAFONTAINE, LESLIE, McCULLOCH, D. McDONALD, J. S. MACDONALD, MOORE, MORIN, NOEL, P'APINEAU, PARKE, POWELL, PRICE, PRINCE, QUESNEL, SIMPSON, SMALL, HARMANNUS SMITH, TACHE, TASCHEREAU, THORBURN, TURCOTTE, TURGEON, D. B. VIGER, L. M. VIGER, and WAKEFIELD.—(54.)

## NAYS.

Messieurs BOULTON, CAMERON, CARTWRIGHT, COOK, DUGGAN, DUNLOP, HARRISON, HOPKINS, JOHNSTON, SIR ALLAN N. MACNAB, McLEAN, MERRITT, MORRIS, ROBLIN, HENRY SMITH, GEO. SHERWOOD, HENRY SHERWOOD, STEELE, STEWART, THOMPSON, WILLIAMS, and WOODS.—(22.)

So it was carried in the affirmative, and Resolved accordingly.

Resolved, That a Select Committee, composed of the Honourable Mr. Attorney General Baldwin, the Honourable Mr. Attorney General Lafontaine, and the Honourable Mr. Hincks, be appointed to prepare and report the draught of the said Address.

Ordered, That the remaining Orders of the Day be postponed until the next sitting of this House.

Then on motion of the Honourable Mr. Attorney General Baldwin, seconded by the Honourable Mr. Attorney General Lafontaine,

The House adjourned until to-morrow, at eleven o'clock, A. M.

Sabbati, 4<sup>o</sup> die Novembris.

Anno 7<sup>o</sup>, Victoriæ Reginæ, 1843.

IIo horâ, A. M.

MR. SPEAKER informed the House that a Commission had issued under the Great Seal of the Province, appointing *John Fenning Taylor*, Esquire, the elder, a Master in Chancery.

The following Petitions were severally brought up and laid on the Table:—

By the Honourable Mr. Boulton—The Petition of *James Garrick*, and others, Members of *St. Andrew's Church*, at *Niagara*, in connection with the Synod of *Canada*.

By the Honourable Mr. Morin—The Petition of *Jean Baptiste Daut* and others, Inhabitants of the Parish of *St. Eustache*, in the County of the *Lake of Two Mountains*.

By the Honourable Mr. Attorney General Baldwin—The Petition of Mrs. *Jane McElleran*, widow of the late *Alexander McElleran*, Sergeant in the third Regiment of *Northumberland Militia*, of the Township of *Murray*, in the District of *Newcastle*.

By the Honourable Mr. Hincks—The Petition of *Hugh Campbell* and others, Inhabitants of the District of *Brock*; and the Petition of *William Barker* and others, Inhabitants of the Village of *Paris*, and other places.

An Engrossed Bill for the discouragement of Secret Societies, was read for the third time.

The Honourable Mr. Attorney General Baldwin moved, seconded by the Honourable Mr. Solicitor General Small, That the Bill do pass, and the title be "An Act for the discouragement of Secret Societies."

Mr. Cartwright moved, in amendment, seconded by Sir Allan N. MacNab, That all the words after "That" in the said motion be struck out, and

the following substituted—"This Bill do not now pass, but that it pass this day six months."

The question having been put upon the said motion, a division ensued, and it passed in the negative.

The question being then put upon the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:—

## YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOUTILLIER, CAMERON, CHABOT, CHILD, CHRISTIE, COOK, DALY, DERBISHIRE, DE WITT, DUNN, DURAND, FRANCHERE, GILCHRIST, HAMILTON, HARRISON, HINCKS, HOLMES, HOPKINS, JOBIN, JUDAH, KILLALY, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, J. S. MACDONALD, MERRITT, MOORE, MORIN, NOEL, P'APINEAU, PARKE, POWELL, PRICE, PRINCE, QUESNEL, SIMPSON, SMALL, HARMANNUS SMITH, STEELE, TACHE, TASCHEREAU, THOMPSON, THORBURN, TURCOTTE, TURGEON, D. B. VIGER, L. M. VIGER, and WAKEFIELD.—(55.)

## NAYS.

Messieurs BLACK, CARTWRIGHT, DUGGAN, FORBES, FOSTER, HALE, JOHNSTON, SIR ALLAN N. MACNAB, McLEAN, NEILSON, ROBLIN, STEWART, and WILLIAMS.—(13.)

So it was carried in the affirmative, and Resolved accordingly.

Ordered, That the Honourable Mr. Attorney General Baldwin do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the Day, the following Petitions were read:—

Of *R. Jones*, Esquire, and others, Inhabitants of the Parishes of *Sorel*, *St. Michel*, and other places; praying for the passing of an Act, to appoint Trustees, for establishing and maintaining better means of communication between *William Henry* and *Drummondville*.

Of *Hugh Brodie*, jun., and others, Inhabitants of *Cote St. Paul*, *Coteau St. Pierre*, and of the *Tanneries des Rollands*, in the Parish of *Montreal*; praying for amendments to the Laws establishing Turnpike roads, in the neighbourhood of *Montreal*.

Of *D. B. Stevenson* and others, Inhabitants of the District of *Prince Edward*; praying that the consideration of the question of the Seat of Government be deferred, until the sense of the people be taken thereon; or that an Address may be passed, praying Her Majesty to exercise the Royal Prerogative thereon, without referring the matter to the Legislature of this Province.

Of the Reverend *Donald MacKenzie* and others, Inhabitants of *Zorra*, and other Townships, in the District of *Brock*; praying for certain amendments to the Charter of the University of King's College.

Of the Reverend *Alexander C. McColl* and others, Inhabitants of *Aldborough*, District of *London*; praying for certain amendments to the Charter of the University of King's College.

Of *Nicholas Sparks*, of *Bytown*; praying for Legislative interposition, to recover certain property, unlawfully taken from him by the Ordnance Department.

Of *David Good* and others, Delegates of the School Districts, in the Townships of *Waterloo*, *Wilmot* and *Woodwich*, in the District of *Wing*.

Orders post-  
poned.J. F. Taylor,  
Esq., Master in  
Chancery.4 Petitions  
brought up.Secret Socie-  
ties Bill.

ton; praying for certain amendments to the Common School Act.

Of *A. Dingwall Fordyce*, and others, Inhabitants of *Fergus*, an' neighbourhood, in the District of *Wellington*; praying for certain amendments to the Charter of the University of King's College.

Seventh  
Report on Pri-  
vate Bills.

Mr. *Hale* from the Standing Committee on Private Bills, presented to the House, the Seventh Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee have considered the Petition of the Honourable *S. B. Harrison*, praying that the Courts of Queen's Bench and Chancery, may be authorized respectively to admit him to practise as an Attorney and Solicitor therein. Your Committee have had Mr. *Harrison* before them, and they beg leave respectfully to report his evidence, and to recommend that the prayer of his Petition be granted."

The Honourable *Samuel B. Harrison*, a Member of this House, appeared before your Committee and stated that he was educated in England, in the Profession of the Law. That he was, as a part of his education, articled to an Attorney in England, and served under those articles for upwards of three years. That he afterwards procured those articles to be cancelled, and after having gone to the University of *Cambridge*, and having qualified himself, entered into the practice of the Law, as a special pleader. That he continued in such practice for eight years, until the year 1831, when he was called to the degree of the Bar in England, by the Honourable Society of the Middle Temple. That he continued practising as a Barrister until the year 1837, when he arrived in *Upper Canada*. That he was admitted to practise as a Barrister in *Upper Canada* in 1834, but that he has never practised his profession in this province, having been otherwise fully engaged. That he is, however, owing to recent circumstances, desirous of resuming the practise of his profession, but not being authorized by the Law to practise as an Attorney or Solicitor, although qualified as a Barrister in any Court of *Upper Canada*, he is anxious that a law be passed to authorise the Courts of Queen's Bench and Chancery, respectively to admit him as an Attorney and Solicitor therein.

Seat of Gov-  
ernment.

The Honourable Mr. Attorney General *Baldwin*, from the Select Committee appointed to prepare and report the Draught of an Address, embodying the Resolutions of the House, of yesterday, on the subject of the Seat of Government, reported to the House the said Draught of an Address, which was again read at the Clerk's table and agreed to by the House, and is as followeth:—

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN:

Address.

We, Your Majesty's dutiful and loyal Subjects, the Legislative Assembly of *Canada*, in Provincial Parliament assembled, most humbly beg leave to approach Your Majesty with renewed expressions of a devoted attachment to Your Majesty's Royal Person and Government.

During the present Session of Your Majesty's Provincial Parliament, Your Majesty's Governor General of this Province has, by Message communicated to us, that Your Majesty's Imperial Government decline coming to a decision in favor of any place as the future Seat of Government for this Province, without the advice of the Provincial Legislature; and that Your Majesty's Ministers will be prepared to submit favourably to Your Majesty

such Addresses on this subject, as may be presented by either or both of the Legislative Houses, in recommendation of either *Kingston* or *Montreal*, provided such recommendation should be accompanied by a Parliamentary pledge to provide the necessary supply.

Address, Seat  
of Government.

We assure Your Majesty, that we most deeply feel this additional proof of Your Majesty's Gracious desire to consult the wishes of your Canadian people. And we most respectfully beg leave to submit to Your Majesty, that we have in compliance with the gracious wish thus expressed, taken this most important subject into our most careful and deliberate consideration—and that in our opinion it is expedient that the Seat of Your Majesty's Provincial Government, for this Province, should be at the City of *Montreal*.

We further beg leave most respectfully to assure Your Majesty that upon Your Majesty, in the Gracious exercise of Your Royal Prerogative, giving directions for the location of it at that place, we pledge ourselves to provide the necessary supply for the expenditure which may be expected to attend upon the establishment of the Seat of Government at that City.

Ordered, That the said Address be engrossed.

Ordered, That the said Address be communicated, by Message, to the Legislative Council, requesting the concurrence of their Honours thereto.

Ordered, That the Honourable Mr. Attorney General *Baldwin* do carry the said Message to the Legislative Council.

Mr. *Christie*, from the Special Committee to which was referred the Petition of *John S. Caldwell* and others, Proprietors of Vessels navigating the Gulf of *St. Lawrence*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report on Peti-  
tion of John S.  
Caldwell and  
others.

"Your Committee having taken into consideration the matter referred to them, beg leave to submit to Your Honourable House the following Report:

"The Provincial Statute of *Lower Canada*, 45 Geo. 3, Cap. 12, Section 23, allows a fee of seven shillings and six pence, currency, to the Harbour Master of *Quebec* for a printed or a written copy of the Laws and Regulations concerning Pilots, and the navigation of the River *St. Lawrence*, recoverable from Ship Masters arriving in the Port of *Quebec* from Sea.

"This fee is exigible but once during any one season: Ship Masters on their return or second voyage from Sea being by another Statute of *Lower Canada*, 2 Geo. Cap. 7, Section 5, expressly exempted from the charge, unless during the interval between their departure from *Quebec* and return thither, some new Bye-laws or Regulations have been passed, whereof they ought to be notified. In this case it is the Harbour Master's duty to furnish the Ship Master with a copy of the new Bye-laws or Regulations, and for which he is again entitled to a like fee of seven shillings and six pence, currency, for this additional service.

"The Pamphlet containing the existing Laws, Bye-laws, and Regulations, for which the said charge of seven shillings and six pence, currency, is allowed, has been produced to Your Committee, and accompanies this Report. It consists of seventy-eight pages octavo. There is also a small table consisting of twelve lines closely printed, pasted on the cover of the Pamphlet, purporting to be a new Bye-law or Regulation passed by the Trinity House of *Quebec*, in August last (1843), and for which Ship

Masters on their second voyage this year to *Quebec*, are under the aforesaid 5th Section of the latter act, liable a second time to the said charge of 7s. 6d., as a fee to the Harbour Master of *Quebec*.

The Petitioners who are all residents in this Province, and as such presumed to be cognizant of its laws, complain of the charge alluded to, and pray to be relieved *in toto* of it.

The intrinsic value of the Pamphlet and label cannot exceed *one shilling*, Currency, and might be furnished at a profit, by any Printer or Bookseller in *Quebec*, for considerably less than that amount, were not the sale of it a monopoly by Act of Parliament in the hands of the Harbour Master of *Quebec*, who besides his salary, derives from it a very considerable revenue, levied upon shipping, arriving from Sea at the Port of *Quebec*, in number from eleven to twelve hundred sail per season.

Your Committee are of opinion that all River Craft, owned in this Province, whether navigating the River and Gulph of *St. Lawrence* only, or performing voyages hence to any other British North American Province or Colony, ought to be exempt from this charge, and that all Ships and Ship Masters returning from *Europe* to *Quebec*, on a second voyage the same season, should be provided by the Harbour Master with a copy of any new By-Laws or Regulations made during his absence.

The Provincial Statute of *Lower Canada*, 51, Geo. III. Chap. 12., which vests in the Trinity House of *Quebec* (Sec. 6.) the Harbour, known as the *Cul-de-Sac*, in the Port of *Quebec*, also enacts (Sec. 11.) that "the Wharfage and Dock dues on such Vessels, as are employed in the Fisheries in the Gulph and River *St. Lawrence*, and in the trade of the said River only, including such Rivers as run into the same, from *Cape Chat* upwards to the Harbour of *Montreal* inclusive, shall not exceed *four-pence*, current money of this Province, per ton register measurement of the Vessel *per annum*, for loading, unloading, and wintering in the said Harbour." This enactment the Petitioners represent is to their prejudice defeated: First, by a By-law or regulation of the Trinity House, passed 1st. May 1812, requiring "that all Masters of Ships and Vessels under the general name of River Craft, employed solely in the Gulph and River *St. Lawrence*, and in the Trade of the said River, who intend to benefit from the advantages given them by the said Act, shall each and every year, on or before the 1st day of June, take out a License from the Corporation of the Trinity House of *Quebec*, to make use of the said Harbour of the *Cul-de-Sac*, agreeably to Law, and on receiving the same shall pay the annual tonnage duty, thereby ordered to be levied, to such persons as shall be authorized to receive the same;" and Secondly—by another By-law of the same date, which provides, "that any Ship or Vessel, having such License as aforesaid, and going a voyage to sea, shall thereafter be subject to the like wharfage and dock dues, as Vessels from Sea," that is to say *six-pence*, currency per ton loading and unloading, and 2s. 6d. per day, from the day of their entering to the day of their departure therefrom, exclusive.

River Craft for which such Licenses have been taken and paid, consequently forfeit by performing a voyage in the course of the season to either of the Lower Provinces, the amount paid for Licenses previous to the first of June, and thereby are placed in a worse situation than Vessels not owned in the Province, being in addition to the forfeiture subjected thereafter to the same charges as those Vessels are, and this for the legitimate pursuit of their calling.

Your Committee recommend an enactment to afford relief in the foregoing respects; but with respect to the other matters represented in the Petition referred to Your Committee, they cannot advise any alteration."

*Ordered*. That the said Report be referred to a Committee of the whole House, on Wednesday next.

Sir *Allan N. MacNab*, from the Select Committee appointed to search the Journals of the Honourable the Legislative Council with relation to any proceedings had in the present Session on the Seat of Government, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report of Committee on searching Journals of Legislative Council on Seat of Government.

Saturday, 30th September, 1843.

It was moved to resolve that an humble Address be presented to His Excellency, the Governor General, respectfully requesting that His Excellency will be pleased to lay before this House (if consistent with His Excellency's Instructions) copies of any despatches that may have been received from Her Majesty's principal Secretary of State for the Colonies, relating to the place where the Legislature is in future to assemble in this Province.

The Question of concurrence being put thereon, the same was agreed to by the House; and it was ordered accordingly,

*Ordered*. That the Honourable Messieurs *Morris* and *Washburn*, do wait upon His Excellency, the Governor General, with the said Address.

Tuesday, 3rd October, 1843.

The Honourable Mr. *Morris* reported that the Honourable Mr. *Washburn* and himself had, according to order, waited on His Excellency, the Governor General, with the Address of this House of Saturday last, and that His Excellency was pleased to say that he would answer the said Address by Message.

Tuesday, 10th October, 1843.

The Honourable Mr. *Sullivan* acquainted the House that he had a Message from His Excellency, the Governor General, under his Sign Manual, which his Excellency had commanded him to deliver to this House, and the same was read as follows:—

*C. T. Metcalfe*.

The Governor General informs the Honourable the Legislative Council, in reply to their Address on the subject of the place where the Legislature is in future to assemble in this Province, that he does not consider himself at liberty to lay before that Honourable House, the Despatches which he received from Her Majesty's Secretary of State on that subject; but that the substance of the instructions issued to him is to the effect, that Her Majesty's Government decline coming to a determination in favor of any place as the future Seat of Government without the advice of the Provincial Legislature: and that Her Majesty's Ministers will be prepared to submit favourably to Her Majesty, such Addresses on this subject as may be presented by either, or both, of the Legislative Houses, in recommendation of either *Kingston* or *Montreal*; it being understood that the selection is now necessarily limited to one of those places; the former Capitals, *Quebec* and *Toronto*, being alike too remote from the centre of the Province, and the plan of alternate Sessions at one or the other places being deemed objectionable and impracticable, on account of its manifest and

Report of Committee on searching Journals of Legislative Council on Seat of Government.

extreme inconvenience. As connected with this subject, the Governor General transmits a copy of a Report from the Committee of the Executive Council, and a copy of a Protest from one of its Members, on the subject thereof, which were submitted for the consideration of Her Majesty's Ministers.

Government House,  
Kingston, 6th October, 1843.

(Copy.)

To His Excellency the Right Honourable Sir  
*Charles Bagot*, G. C. B. Governor General of  
*British North America*, &c. &c. &c.

Report of a Committee of the Executive Council :

*Present.*—The Honourable Mr. *Sullivan* in the Chair, Mr. *Dunn*, Mr. *Daly*, Mr. *Harrison*, Mr. *Killaly*, Mr. *Hincks*, Mr. *Lafontaine*, Mr. *Balwin*, and Mr. *Morin*, relative to the Seat of Government. Messrs. *Aylwin* and *Small* being absent on public business.

MAY IT PLEASE YOUR EXCELLENCY :

The important question, respecting the locality of the Seat of the Provincial Government of *Canada*, upon which Your Excellency is desired by Her Majesty's Secretary of State for the Colonies, to form an opinion with the assistance of the Executive Council, has engaged the anxious attention of the Committee of the whole of that body, and the Committee fully sensible of the difficulties attending such a subject of enquiry, and aware of the impossibility of reconciling local interests in favor of any decision which may be pronounced, respectfully offer their advice, the result of much deliberation, and which, though not in accordance with the first impression on the mind of the late Governor General, or with the policy which directed the assemblage of the Legislature at *Kingston*, and the removal of the Public Departments to that place, they believe, nevertheless, to be most conducive to the public welfare and most likely to meet with the general approbation of the people of the Province.

As might naturally be expected, the popular opinions most strongly expressed are either openly based upon the claims of the inhabitants of certain localities, to have the Seat of Government to their own City or neighbourhood, or they are traceable to local pecuniary interest, though assuming the appearance of taking public and general ground : Thus for example the Citizens of the ancient Capitals of *Upper* and *Lower Canada* complain of depreciation in the value of property consequent upon the removal of the Government from these Cities. The inhabitants of *Kingston* set up a like claim because of their late investment of capital in building, and in the purchase of building ground under the expectation formed by them that *Kingston* was to be the permanent capital. Then on behalf of *Quebec*, its Military strength and its possession of buildings for the use of the Legislature are said to give that City the preference, on the arguments of security and economy. The existence of Public Buildings in *Toronto*, the rapidly increasing population and wealth of that City and the neighbouring Districts are urged as public grounds of economy and future convenience in its favor, while in *Kingston* its central position and defences, and the expenditure that lately took place under the authority of Lord *Sydenham*, in the purchase of lands for the erection of Public Buildings, are brought forward not only as inducements for making *Kingston* the Provincial Capital, but as in a manner binding on Her Majesty's Government to fulfil expectations to which the Acts of Government gave rise. Then in

favor of *Bytown*, its inland position, on the Boundary River between the late Provinces, and at the mouth of the great Military Canal of the Rideau, are said to give it claims to consideration above other places because it is comparatively safe in case of War, and convenient alike for Upper and Lower Canadians.

The Committee look upon the selection of a locality for the Government and Legislature, as far too important to the public generally, to permit of much consideration of the local interests of the Inhabitants of the places claiming to be chosen. The convenience and advantage of the whole community are mainly to be sought, and it may be said that these are the sole objects to be served in the selection of a Capital in a country like *Canada*, where as yet no great local interests are created of sufficient importance to entitle them to regard in a national point of view. The removal of a Government is unquestionably a great calamity to the possessors of property in the place from which the removal is made, and measures of change in this respect should never be lightly adopted ; but these facts only make it more imperatively the duty of the Government to be careful in the choice, and at the earliest possible period to fix the Capital at a place from which the future condition of the country will not require a removal. To continue for a time any Seat of Government injudiciously chosen, exposes the place to the aggravated but certain future evil of abandonment when the interest involved would be vastly greater than at present, and therefore while the Government is bound to avoid as much as possible, changes in the location of a Capital, this desirable object can only be attained by a correct selection made in contemplation not of local or temporary but of general and abiding interests

The Union of the Provinces of *Canada* brings together in one Legislature and in one City, those interested with the management of public affairs of a people scattered over an extensive region, and differing in language, in laws, and, in many respects, in local interests. It also brings to the Seat of the Provincial Government a continual concourse of persons having private or public matters to solicit. To cause this assemblage in any portion of one section of the Province which, from its position, would place the Legislature and suitors from the other section at once out of view of every thing connected with their own Race and Country, and at a distance from those whose interests they are bound to represent, and whose confidence it is essential to them to continue, would, in the opinion of the Committee of Council, prove a never ceasing source of discontent, and would promote a sense of banishment and of abandonment, which no arguments could overcome, or no advantages counterbalance, some of this feeling is unavoidable, from the fact that any Capital in *Canada* must be at a great distance from the extremities of the Province, and those at a distance from the scene of Legislative deliberation and Executive action, will always imagine their interests more or less overlooked or their opinions slighted ; but dissatisfaction of this nature must be very much aggravated if Legislation be carried on in a locality where neither the language, laws, or manners of a large portion of the community prevail, or are known, and where the actual condition and requirements of that part of the population cannot be observed, and can only be learned upon statements liable to be denied or controverted ; could no common locality be found, on ground equal, or nearly so, to both parties, a great obstacle would be offered to the success of the measure of the Union—for the Committee think, that one or the other party would continue discontented, and would suffer under a sense of injustice and op-

Report of Committee on searching Journals of Legislative Council on Seat of Government.



pression, most injurious to the Government, and inimical to the tranquillity of the Province; to find the place which leaves the least foundation for complaint on any side, has therefore been the object of the Committee of the Council in the present inquiry, and it is one which, they think, ought to be paramount to all others.

Quebec, it is true, has its fortifications; it is the mart of the Timber Trade, in which a portion of the people of *Upper Canada* are connected; it has Houses of Parliament already constructed, which might temporarily answer for the meeting of the Legislature, and part of which would serve the same purpose in future; and it is not materially different in climate from most other parts of the Province. But its distance from *Upper Canada*, its want of equal commercial connection with the Upper Province, except as regards one branch of trade, the little personal common intercourse between its Inhabitants and people from the western portion of the Colony, form, in the opinion of the Committee, strong objections to its being chosen as the Seat of Government. Upper Canadians having business to transact with Government, or who are engaged in public affairs, would feel themselves forced to go to a distance from their Country to a place where everything would appear strange, and where even the distance from, and expense of communication with their own Section of the Province, would be considered unnecessary inflictions. Toronto, though a flourishing and rapidly rising City, situated in a fertile Country, and having a large extent of territory in its rear, peopled, and, in the course of settlement has, nevertheless, little interests in common with the Lower Province, unless as a place through which its Commerce must pass. And its strangeness to Lower Canadians, would ever be greater than would be felt in *Quebec*, by people from *Upper Canada*, whilst its distance from *Eastern Canada* would cause many and constant inconveniences, too great to admit the continuance of the Capital there. *Kingston*, it is true, is somewhat nearer to a central position, but its importance, except as a Military Post, depends mainly upon the forwarding trade, and, not having an improved back country, its progress has not been rapid, notwithstanding its being one of the most ancient Towns in the Province, and favoured by the presence of large Naval and Military establishments. The coming of the Government caused improvements, which, however, must be limited to the wants of the influx population consequent upon that occasion. It is close upon the American frontier; many of its supplies are taken from the *United States*, and the inhabitant of *Lower Canada* feels himself alienated from his own people as much in this City as he could well be anywhere in *Canada*; while it is not a place in which any considerable number of the inhabitants of *Upper Canada*, besides its own Citizens and the Country in its neighbourhood, have any interest. It is not surprising, therefore, that when the question was discussed, in the two last Sessions, in the Legislative Assembly, a very large majority of Members declared decidedly against *Kingston*. Of *Bytown*, it may be said that it is comparatively safe from attack in the interior; that when the Country of the *Ottawa* comes to be settled, it promises to rise into importance, and that it is situate on the Provincial Boundary, but then its position makes it inconvenient both for *Upper* and *Lower* Canadians; it is, in fact, out of the way of both; and thus possessing disadvantages which would be equally felt by both divisions of the Province, it would, probably, unite both in one feeling, and that not in its favour.

The Island of *Montreal* was chosen as the site of a great City, by the *French* Government, in the early times of the Colony. In making this choice,

the acknowledged sagacity and foresight displayed by the Officers of that Nation, in their selection of positions, for either Civil or Military occupation, along the course of the *Saint Lawrence* and down the *Mississippi*, in a country then a forest wilderness, was scarcely required, when *Montreal* was designated as a future City. No discoveries of localities claiming to be equal, no development of the vast resources of later times, no improvement in Canal navigation, and not even the discovery and use of steam (which, in other instances, have set at naught the calculations of the wisest and most profound of early politicians), have made any change in the prospect of importance to *Montreal*, except as they have confirmed and advanced all prognostications of its future greatness. Situate at the head of navigation from the Sea, and at the foot of the River and Canal navigation, not only of *Canada* but of *North Western America*, *Montreal* has long been the Commercial Capital of the Province, and bids fair to be the Mart of Commerce of a larger portion of the vast North Western country of the *American States*. It is not merely a City through or by which the Commerce of the country passes, but it is the depôt and place of exchange of that Commerce, and, consequently, it is, beyond all comparison, the centre of the wealth of *Canada*, a wealth, not derived from any partial or changeable source, but flowing to it alike from the *Atlantic*, from the distant Western Lakes, and even from waters whose natural outlet is to be found at *New Orleans*, but which, by means of Canals, have been made to communicate with the *Canadian* Lakes, and to bring contributions to the favoured City of *Canada*. Ships from the Ocean and Vessels from the interior, lie together in the Port, and men from all quarters meet there in the ordinary course of business. *Montreal* has no concern in the sectional jealousies of the different positions in the Western Country, but it is impossible to imagine an improvement in condition of that country, by which that City is not benefitted, while, on the other hand, the *Upper Canadians* having little to do with the affairs of the other Ports of *Lower Canada*, have a deep interest in *Montreal*, as their own Sea Port and their own market; *Montreal* is, therefore, essentially a City of both the late Provinces; one in which each claim an interest; and it is, moreover, a City familiar to *Upper Canadians* as it is to the inhabitants of the section of which it forms a part; it is the place, of all others, in which to study the statistics and policy of the whole of *Canada*—in which there is the least chance of partial Legislation; or of the interests of any part of the people of the Province being overlooked or disregarded.

There can be no stronger proof of the correctness of these opinions, than the claim set up by the Inhabitants of the Western Country, long before the Union, to the City of *Montreal*, as a place built up with the result of their industry, and sustained by their Commerce; but the resources arising from the wealth of which they were deprived, in consequence of that City forming part of a different province. That the Lower Canadians resented and resisted a proposition for the dis-memberment of their Country, and the loss of their chief City, is undoubted, and surely this contest for a place in which both claimed a deep and obvious interest, shared by no other locality, ought to be conclusive evidence in favor of the disputed position, when the inquiry is made where shall be the United Capital of these contending Provinces. That the Capital of the United Provinces ought to be placed in the position which would enable Upper Canadians most effectually to look after the concerns of their own seaborne and outward trade, and in the place in which Lower Canadians can most effectually investigate and control the internal management of communications, of which they share the expense, and in

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the advantages of which they expect to share, appears to the Committee of Council almost an indisputable proposition. That *Montreal* possesses these advantages is not to be disputed, and that there are facilities afforded to a Government resident in *Montreal*, of closely and constantly ascertaining what is for the Public advantage of the whole community, and what is the true bent of Public opinion, superior to any afforded by rival Cities claiming the choice of the Government, the Committee think is equally apparent. All the advantages of common and universal interest in one locality are, in the opinion of the Committee, found in *Montreal* in a superior degree, to those existing in most Capital Cities, and therefore they feel bound, without giving much weight to local claims, or to desires naturally entertained of political preponderance in either section of the Province, to tender to your Excellency their respectful advice, to recommend to the Queen the choice of *Montreal* as Her Majesty's Canadian Capital.

The Committee further beg leave to suggest that although it is for Her Majesty to declare Her Gracious pleasure upon this subject, yet, in whatever place the Seat of Government shall be fixed, heavy expenses will attend its establishment, which have to come through the vote of the Legislature, and they have no doubt but that it would be gratifying to Her Majesty, as it would to Your Excellency and Council, to see the necessary expenditure cheerfully and cordially undertaken, and borne by the Provincial Parliament. And the Committee need not say how much it would mortify them to see any serious difference of opinion in the Legislature on such a point. The proceedings in the two last Sessions of Parliament would, the Committee apprehend, indicate such a difficulty, to an extent which would make an application to Parliament almost hopeless, were *Kingston* to be continued, or any of the places which put forward their own claims, chosen, and they are of opinion that although the Citizens of *Montreal* appear to take little interest in the Question, as they might be personally affected by its decision, and although in fact that City is so full of other resources, as to account for the indifference of its inhabitants, to the acquisition of the character of a Political Capital, yet the advantages to the Public generally appear so plain, and the general objects in view in the choice so defensible, that they have the strongest hope of a concurrence in the selection by the Legislature, and of the avoidance of the difficulties which any other would probably occasion. In favor of which soever place Her Majesty may be pleased to decide, the Committee of Council would respectfully suggest that the interest of individuals are suffering, and will continue to suffer, by any delay in the final decision. The popular mind is also kept more or less unsettled and agitated on the question, so as to affect other politics injuriously. When once the Provincial Capital is definitively chosen, bad feeling on the subject will cease, and common favorable interests will be awakened. The more quickly the intention of Her Majesty shall be carried into execution, the sooner will its beneficial objects be understood and admitted. And should Your Excellency be pleased to agree in the recommendation of the Committee, and should Her Majesty be advised to concur in the measure of fixing the Capital at *Montreal*, the Committee think that facilities for a very early removal of the Government thither can be found in that City, and the accommodation offered by its extent and position, as well as by the possession of public property there, available for the uses of the Government.

The urgent necessity for an immediate decision and for early action thereupon, is further shewn by

the approaching want of funds to pay the rents of the Public Buildings and the Government House occupied in *Kingston*. An application to Parliament for those funds would bring on the question respecting the Seat of Government in its most embarrassing shape. The buildings occupied for Public Offices and for Parliament in *Kingston*, are, moreover, totally unfit for the purpose to which they are temporarily turned. The Members of the Legislature have been put to the greatest inconvenience for the want of a tolerable building in which to hold their Sessions, and the facilities for the erection of buildings in *Montreal* and the superior cheapness of their construction at that place, give it advantages in an economical point of view, which would more than counterbalance the value of any Public Edifices that exist either in *Quebec* or *Toronto*.

All which is respectfully submitted.

By order,

(Signed,) R. B. Sullivan,  
Chairman.

(Certified,) E. Parent, C. E. C.

Council Chamber, }  
*Kingston*, 16th March, 1843. }

Mr. *Harrison*, as a Member of the Executive Council of *Canada*, present on the 16th instant, in a Committee of Council, when a minute was agreed upon, by which the Committee advise the transfer of the Seat of Government of *Canada* from *Kingston* to *Montreal*, feels it to be his duty to communicate to His Excellency the Governor General that he has not concurred in the minute of Council above referred to.

Anxious to avoid every possible cause of embarrassment, and feeling satisfied that all the political arguments upon every view that can be taken of the subject have been fully exhausted, Mr. *Harrison* refrains from entering into any statement of the process of reasoning by which he has been led to the conclusion at which he has arrived, and therefore contents himself with making this communication to His Excellency.

*Kingston*, 20th March, 1843.

Wednesday, 11th October, 1843.

It was moved, that an humble Address be presented to His Excellency, the Governor General, to return him the thanks of this House for His Message of yesterday, in answer to the Address of this House on the subject of the place where the Legislature is in future to assemble in this Province. Upon which debates ensued.

Ordered, That the said debate be adjourned until to-morrow.

Thursday, 12th October, 1843.

Pursuant to the Order of the Day, the House resumed the debate on the motion of yesterday that an humble Address be presented to His Excellency, the Governor General, to return him the thanks of this House for His Message of Tuesday last, in answer to the Address of this House, on the subject of the place where the Legislature is in future to assemble in this Province.

The question of concurrence being put thereon, the same was carried in the affirmative, and it was ordered accordingly.

Ordered, That the Honourable Mr. *Sullivan*, do wait on His Excellency the Governor General with the said Address.

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It was moved that there be a call of the House on Monday the thirtieth instant, for the purpose of taking into consideration the last mentioned Message of His Excellency, and the Documents accompanying the same.

Which being objected to—

The question of concurrence was put thereon, and the same was resolved in the negative.

Then it was moved that there be a call of the House on Monday the twenty-third instant, for the purpose last aforesaid.

Which being objected to—

The question of concurrence was put thereon, and the same was resolved in the negative.

Whereupon it was moved that the said Message of His Excellency, the Governor General, together with the documents accompanying the same, be committed to a Committee of the whole House presently,

Which being objected to—

The question of concurrence was put thereon, and the same was resolved in the affirmative, and it was

*Ordered*, That the House be now put into a Committee upon the said Message and Documents.

The House, according to Order, was adjourned during pleasure, and was put into a Committee of the whole House on the same.

After some time the House was resumed.

And the Honourable Mr. *Sullivan* reported, from the said Committee, that they had taken the said Message and Documents into consideration, had made some progress therein, and asked leave to sit again to-morrow.

*Ordered*, That leave be granted accordingly, and that the said Message and Documents do stand as the first item on the Order of the Day for to-morrow.

*Ordered*, That the Members in Town who have absented themselves this day from the House be specially summoned to attend the service of this House to-morrow, at the hour of one o'clock, P. M.

Friday, 13th October, 1843.

The House, according to Order, was adjourned during pleasure, and was again put into a Committee of the whole House on the subject of His Excellency's Message of Tuesday last, in answer to the Address of this House, relative to the place where the Legislature is in future to assemble in this Province. After some time, the House was resumed, and the Honourable Mr. *Sullivan* reported, from the said Committee, that they had gone through the said Message, and had directed him to report several Resolutions, which he was ready to submit, whenever the House would be pleased to receive the same.

It was moved that the said Report be now received, but that the said Message of His Excellency be again referred to a Committee of the whole House on Monday, the twenty-third instant.

Which being objected to—after debate,

The question of concurrence was put thereon, and the same was resolved in the negative.

Then it was moved, That the Report be now received—which being objected to,

The question of concurrence was put thereon, and the same was carried in the affirmative, and it was ordered accordingly.

The said Resolutions were then read by the Clerk, as follows :—

*Resolved*, That in assenting to the Union of *Upper and Lower Canada*, the inhabitants of the former Province were greatly influenced by a confidently cherished expectation, that the very reason of policy which induced Her Majesty's

Ministers to advise that important measure, would have a decided weight on the determining the locality of the Seat of Government.

*Resolved*; That the Imperial Parliament, in giving to the Governor General, or the Representative of our Most Gracious Sovereign, the power to determine in what place or places the Legislature of this Province should assemble, evinced their desire that Her Majesty's Ministers should have ample authority to carry out their policy in that respect, in settling the future Government of this Province.

*Resolved*, That His Excellency, the late Lord *Sydenham*, the first Governor General of this Province, did, by the selection of a place in *Upper Canada* at which the first Provincial Parliament should assemble, act in accordance with the policy which brought about the Union, and in compliance with the wishes of the people of the Upper Province, as expressed through their Representatives.

*Resolved*. That, although many objections may have, from time to time, been strongly urged against the locality of *Kingston*, neither public or private interests appear to have weighed sufficiently in favour of any one other place, so as to unite a majority of the people of the Province in its favour.

*Resolved*, That the only proposition in which a majority of either branch of the Legislature concurred for removing the Seat of Government, united the supporters of two different Cities; and, though eloquently supported, and based on many public and patriotic considerations, yet nevertheless, the arguments advanced in its favour not only failed to convince Her Majesty's Ministers of the propriety of adopting and carrying it into effect, but drew from Her Majesty's Secretary of State for the Colonies the expression of an opinion "that a change, involving, among other consequences, largely increased expenditure, ought not to be sanctioned, except upon the clearest necessity, and the general sense of the Province unequivocally expressed in its favour."

*Resolved*, That although Her Majesty's Executive Council of this Province did, in consequence of a reference to them by His Excellency, the late Governor General, adopt a Report, embodying the arguments in favour of a removal of the Seat of Government to *Montreal*, and such Report was transmitted to *England* for the information of Her Majesty's Ministers, the considerations therein advanced appear to have been insufficient to induce the *British* Cabinet to advise Her Majesty to act upon the conclusions of the Provincial Advisers of the Governor General.

*Resolved*, That in ignorance of any other reasons which have influenced the judgment of Her Majesty's Ministers in not adopting the views recommended in the Report of the Executive Council, this House naturally concludes that they continue to entertain the same opinions, both as to the general policy of the Union, and the locality of the Seat of Government, as were avowed and acted upon in carrying that measure through the Imperial Parliament, and bringing it afterwards into practical operation in this Province.

*Resolved*; That the Legislative Council have not, upon any of the grounds presented for their

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consideration, been able to arrive at any other conclusion than this : that the soundness of the principles upon which *Upper Canada* assented to the Union has in no degree been shaken, and that no change has occurred to justify a departure from the policy of the Government based upon those principles.

*Resolved.* That in the selection of one place in preference to another, it is impossible, in this Province, entirely to avoid the effect of local interests and personal inducements, and that, consequently, no decision arrived at here will command the same respect, and be entitled to the same credit for impartiality, as would be cheerfully accorded, by Her Majesty's faithful subjects, to their Sovereign's decision.

*Resolved.* That, influenced by these considerations, the Legislative Council respectfully desire that Her Majesty will be pleased to exercise Her Royal prerogative in the selection of some place within the former limits of the Province of *Upper Canada*, at which the Parliament of *Canada* shall assemble ; pledging themselves to concur with the other branch of the Legislature in any grant to be made by them to Her Majesty, for the expenditure which may be expected to attend the permanent location of the Seat of Government at the place selected by Her Majesty.

The said Resolutions being read a second time, and the same being objected to, the question of concurrence was put on each, and they were severally agreed to by the House, and it was

*Ordered* accordingly.

*Dissentient.*—Because the consideration of the Message of His Excellency, the Governor General, on the subject of the Seat of Her Majesty's Provincial Government, was moved and proceeded in suddenly and without notice, upon an amendment to a motion for a call of this House, for the purpose of considering the said Message at a future day, and because the consideration of the said Message was thus brought on by surprise, no opportunity being given for the consideration of the said Message.

Because, at the time the consideration of the said Message was suddenly proceeded in, many Members were casually absent from *Kingston*, those who were present being chiefly residents in *Upper Canada*, and but four Members present who were residents in the *Eastern Section* of the Province, and because the said Message nearly concerned the interests and welfare of all the Province, and could not be satisfactorily settled in the casual absence of the greater number of the *Lower Canadian* Members.

Because the said Message was not translated into the French language, neither were the Resolutions before the House, and because time was not given for the translation of the said Message and Resolutions, although such translations were asked for by two and more Members, pursuant to the sixty-eighth Rule of this House.

Because the whole proceedings in this House on the said Message have been hurried through with unusual and unnecessary rapidity, notwithstanding that objections were made to such haste, as well as motions for delay, and notwithstanding that there was no press of business before the House, or any other just reason for precipitation in coming to a conclusion on the question submitted.

Because it could not have been Her Majesty's desire to receive the opinions of the Members residing

in one section of the Province only, and because the Resolutions adopted by this House in the absence of the greater part of its Members resident in *Lower Canada*, cannot be justly said to express the collective sense of this House on the question before it, and because therefore any consequence arising from the adoption of the said Resolutions cannot be satisfactory to the people of *Canada*.

Because the said Resolutions are not in compliance with the pleasure of Her Majesty, as conveyed in the Message of His Excellency, the Governor General, as the said Resolutions do not recommend either of the places, mentioned in the said Message, one of which Her Majesty graciously intended to choose as the place for the meeting of the Provincial Legislature, and because, while the said Resolutions affect to pray Her Majesty's decision as to the locality of the Seat of Government, they do so far as the Resolutions of this House can, solicit the restriction of Her Majesty's choice to some place in *Upper Canada*.

Because the place for the meeting of the Provincial Parliament should be fixed, with due regard to the convenience of the inhabitants of both sections of the Province, and to the language spoken in either, and because for the reasons set forth in the minute of the Committee of the Executive Council of this Province, a copy of which accompanied His Excellency's Message, it would greatly tend to the welfare and contentment of the people of *Canada* generally, were the Seat of Government to be placed at the City of *Montreal*.

R. B. Sullivan,  
Bmy. Joliette,  
J. B. Taché,  
A. Dionne.

Adam Ferric,  
J. Ams. Irving,  
G. J. Goodhue,

*Ordered.* That an humble Address be presented to Her Majesty founded on the foregoing Resolutions.

*Ordered.* That an Address be presented to His Excellency, the Governor General, respectfully requesting His Excellency will be pleased to transmit their Address to the Queen, to Her Majesty's principal Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

*Ordered.* That the foregoing Addresses be presented to His Excellency by the whole House.

*Ordered.* That the Honourable Messieurs *De Blaquiere, Morris, Sherwood, and Draper*, do wait on His Excellency, the Governor General, to know what time His Excellency will please to be attended with the said Addresses.

Monday, 16th October, 1843.

The Honourable Mr. *De Blaquiere* reported that the Honourable Messieurs *Morris, Sherwood, Draper* and himself had, according to order, waited on His Excellency, the Governor General, for the purpose of knowing when His Excellency would be pleased to receive this House with their Address to Her Majesty on the subject of the Seat of Government, and that His Excellency was pleased to name one o'clock to-morrow afternoon for that purpose.

Tuesday, 17th October, 1843.

The Honourable the Speaker informed the House, that in consequence of the delay which his interview with His Excellency, the Governor General had this day caused, His Excellency had been pleased, at his request to appoint to-morrow, at the hour of half past one, to receive this House with the Address to Her Majesty, instead of to-day.

Wednesday, 18th October, 1843.

The Honourable the Speaker reported, that the House did this day wait on His Excellency, the

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Governor General, with their Address to the Queen on the subject of the Seat of Government, to which His Excellency was pleased to return the following answer:—

“Honourable Gentlemen:

“I will transmit your Address to Her Majesty's Secretary of State for the purpose of its being laid at the foot of the Throne.”

On motion of Mr. Cartwright, seconded by Mr. Williams,

Ordered, That one thousand copies of the proceedings of this House on the subject of the removal of the Seat of Government, be printed for the use of the Members of this House.

Ordered, That the Honourable Mr. Boulton have leave to bring in a Bill to authorize the Court of Queen's Bench, and the High Court of Chancery, at their discretion to admit Samuel B. Harrison, to practise as an Attorney and Solicitor thereof, respectively.

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 Wednesday next.

Ordered, That the remaining Orders of the day be postponed until Monday next.

Resolved, That the Petition of R. Jones, Esquire, and others, Inhabitants of the Parishes of Soré, St. Michel, and other places, be referred to a Select Committee, composed of the Honourable Mr. Viger, the Honourable Mr. Morin, Mr. Watts, Mr. Armstrong, and Mr. Boutillier, to examine the contents thereof, and to report with all convenient speed, with power to send for persons, papers, and records.

Then on motion of Mr. Cartwright, seconded by Mr. Prince.

The House adjourned until Monday next.

Lunæ, 6<sup>o</sup> die Novembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

THE following Petitions were severally brought up and laid on the Table:—

By the Honourable Mr. Sherwood—The Petition of the Council of King's College at Toronto.

By the Honourable Mr. Attorney General Baldwin—The Petition of the Reverend A. Gale and others, Inhabitants of the Town of Kingston.

By the Honourable Mr. Viger—The Petition of Benjamin Esty and others, Inhabitants of the Parishes of St. Eustache, St. Benoit, and other places.

By Mr. Dunlop—The Petition of Major Smith and Henry Mosher; the Petition of Mrs. Catherine Jane Kidd, widow of the late Robert Kidd, of the Township of Kingston; and the Petition of Pate Cuggy, of the Township of Warwick in the Western District.

By Mr. Cameron—The Petition of Josias Richey, Deputy Surveyor.

By Mr. Christie—The Petition of William Tate and George Tate, Forwarders and Carriers between the Ports of Montreal and Quebec.

By Mr. De Witt—The Petition of Henry Corse and others, Inhabitants of the City of Montreal.

By Mr. Henry Smith—The Petition of William Hunt and others, Inhabitants of the Township of Pittsburgh.

By Mr. La Coste—The Petition of Laurent Benoit, fils, and others, of the Parish of St. Antoine De Longueuil, and of Boucherville.

By Mr. Holmes—The Petition of the Reverend William Thompson and others, Inhabitants of the City of Montreal and its vicinity; the Petition of the Reverend Mark Willoughby and others, Inhabitants of the City of Montreal and its vicinity, (relating to Education); the Petition of the Reverend David Black and others, Inhabitants of Ste. Theresé de Blainville, and its vicinity (relating to the University of McGill College) and the Petition of the Reverend David Black and others, Inhabitants of Ste. Theresé de Blainville and its vicinity (relating to the Act passed by the Presbyterian Synod of Canada, in July last.)

By Mr. Cartwright—The Petition of the Right Reverend Lord Bishop of Toronto; setting forth:

That a Bill has been presented for the consideration of Your Honourable House entitled, “An Act to provide for the separate exercise of the Collegiate and University functions of the College established at the City of Toronto, Upper Canada, for incorporating certain other Colleges and Collegiate Institutions, of that division of the Province, with the University, and for the more efficient establishment and satisfactory government of the same,” in which Bill enactments are introduced, which, in the opinion of Your Memorialist, are subversive of the sacred rights of conscience as well as of property, and altogether repugnant to the British Constitution, and to civil and religious liberty. And although your Memorialist deems it impossible for Your Honourable House to countenance a measure so deadly to the best interests of man, yet the very fact that it has been presented, is so alarming as to justify a brief reference to its objects, its character, and its consequences.

First—its objects. The leading object of the Bill is to place all forms of error upon an equality with truth, by patronizing equally within the same Institution, an unlimited number of sects whose doctrines are absolutely irreconcilable—a principle, in its nature atheistical, and so monstrous in its consequences, that if successfully carried out it would utterly destroy all that is pure and holy in morals and religion, and would lead to greater corruption than any thing adopted during the madness of the French Revolution, when that unhappy country abjured the Christian Faith and set up, in its stead, the worship of the Goddess of Reason. Such a fatal departure from all that is good, is without a parallel in the history of the World, unless indeed some resemblance to it can be found in Pagan Rome, which, to please the Nations she had conquered, condescended to associate their impure idolatries with her own. 2. In accordance with this Godless principle, the second object of the Bill is to destroy the Royal charter of the University of King's College and to deprive it of its endowment; and to apply the latter to purposes which His late Majesty, King George the Fourth, never contemplated, much less those who petitioned successfully for the Charter and endowment. Two things were prayed for: first—the means of educating young men for the Ministry of the United Church of England and Ireland, the Church of the Empire, and of which the Sovereign is the temporal head. Secondly, the power to open the College or University for secular learning to the whole population. Both were most graciously granted by the reigning Sovereign. The University was placed under the government of a Council whose members were all of the United Church of England and Ireland, that, in this, the most important point, namely Religion, there might be perfect unity.

The Visitor was the Bishop of Quebec, and the President the Archdeacon of York; so that the reli-

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Proceedings on Seat of Gov't to be printed.

Bill for relief of S. B. Harrison.

Orders Postponed.

Petition of R. Jones, Esquire, and others, referred.

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gious teaching in the University might be that which the Royal founder professed, and was sworn to maintain as the religion of the Empire. Now it is to be remembered that His late Majesty, King *George* the Fourth, had an undoubted right to grant the Charter and endowment, and being once granted, after long and careful inquiry and deliberation, as was the case in this instance, I contend firmly, but respectfully, that it is not competent for any power or authority to take them away, or to apply them to purposes foreign to, and inconsistent with, the Royal intention. The King, in virtue of His Coronation Oath, had not the power to patronize or establish any other form of worship within the University of King's College than that of the National Faith, and it is well known that His Majesty neither did nor could profess any other, and yet the proposed Bill drops the principal object of the Charter, namely, that so far as religious instruction is concerned, the Christianity taught shall be that of the United Church of *England* and *Ireland*, and no other, and opens the door to every species of error taught by the numerous sects which have dissented from the pure branch of the Catholic Church of Christ. So deeply was the Venerable Society, for the Propagation of the Gospel in Foreign Parts, impressed with this view of the subject that they presented a selection of the works of the best Divines of the Church of *England*, to the amount of five hundred pounds sterling, as a commencement of a Library for the Divinity department.

The Third prominent object of this deadly measure, is to restrain the Royal Prerogative so that no Royal Charter shall in future be granted for the establishment of any Seminary whatever, with power to confer degrees, except the proposed Institution, and which is to be constituted a complete monopoly of Science and of what it calls Divinity, and so to preclude any class of Her Majesty's subjects whatever their wishes may be, from escaping its tyrannical and intolerant provisions, and prevent them from erecting Seminaries for the secular and religious instruction of their own youths, thus instituting a refinement of intolerance and slavery unknown in the worst of times.

The Fourth object is insidiously and indirectly, but virtually and effectually, to proscribe in this British Colony, the Church of *England*, the Bulwark of the Protestant Faith, the Church of the Sovereign and of the Empire; to degrade her Ministry by excluding them from all professional education and academical honors, except with the sacrifice of conscience; and such is the bitter hostility manifested by the framers of this measure to the national faith that they seek to insult the Church of *England* in the person of your Memorialist by inventing for him a new title instead of "Bishop of *Toronto*" conferred upon him by his Sovereign, with whom the sole power rests, by the British Constitution, of establishing Bishoprics and settling the titles of the incumbents thereof.

Secondly, the character of the proposed University.—It is decidedly irreligious and revolutionary, since it not only attempts to hold up the Christian Religion to the contempt of wicked men, by establishing in the same Seminary, various denominations, whose principles are hostile and irreconcilable, but disturbs social order by unsettling the property of the whole country. The University of King's College holds its endowments by the same title by which the lands of the Colony are held by their proprietors, and the Legislature may, with equal justice seize upon and confiscate the property of individuals as that of the University. It is even worse than revolutionary, for the endowment of King's College, *New York*, was left untouched by

the Revolution, and remains, at this day, in the sole possession of that Institution. The only change was the name, which, after the peace of 1783, was altered from "King's College" to "*Columbia College*"—so far were our neighbours from breaking down, or even molesting, literary and religious Institutions, that they have at all times been zealously disposed to support and to build them up; much less have they attempted the monstrous novelty of combining all sorts of religious sects in one great Institution. On the contrary, they have been liberal in bestowing grants on the Colleges of different persuasions, each separate from the other, and they have been most scrupulous, in all they did, to guard and protect the rights of conscience; they felt, that to establish and build up, requires wisdom and ability, but to break down what is useful, venerable and holy, requires, instead of ability and talent, the mere exertion of arbitrary and reckless power. The most prominent result of such an experiment as that of uniting all denominations of Christians, as well as persons of no religion, in the management of the same Institution, must, of necessity, be anarchy. It is certainly the first experiment of the kind ever contemplated in any country; and to hope that a University so managed can proceed in harmony and with efficiency, is to set at nought all former experience. It is true the Charter has been already altered by the Legislature, but such alteration had been previously assented to by the Crown, and it left the vital portions uninjured. The endowment remained untouched, and the Divinity department was maintained on its original footing; and while nothing can be more open or less exclusive in its character than the Charter of King's College now is, yet it is secured from anarchy and confusion, and its efficiency made certain, by vesting the power of carrying its provisions into effect, so far as appointments are concerned, in the Crown, where it ought to be, and which I firmly believe to be satisfactory to the great majority of the population.

Thirdly, its consequences.—It excludes, from all participation of the advantages granted by the Royal Charter and Endowment, the Church for whose benefit they were more especially designed, except on conditions to which that Church can never consent. Lamentably would the United Church of *England* and *Ireland* descend from her high and holy position, were she to place the purity of her doctrine, and the teachers thereof in the great school of her faith—the nursery of her Bishops, Presbyters and Deacons—either directly or indirectly, under the controul of Bodies of which some have no acknowledged religious character, and others are the avowed foes of her Articles, Creeds and Discipline. When I consider the sacred responsibilities entailed upon those whom God has called to preside over the studies of the youth designed for the Ministry of our Holy Church, I feel that it is impossible they can be suffered to take part in such an Institution as that contemplated.—If it be said that neither the proposed Caput nor Board of Control are to be permitted to meddle with the Divinity Students, then why should they be attached to an Institution so unnaturally combined as that which the Bill seeks to establish. But this cannot be. The proposed University, through its Caput, Board of Control and Convocation, legislates for, executes the laws, and controls the several Colleges, as it may think fit; and under such a system neither the Students of the Church of *England* nor their Instructors can be preserved from dangerous associations, and from the constant presence of error and schism, against which we are bound to pray. The measure unsettles all property, by depriving the University of King's College of an endowment which is the gift of the Crown, and thus

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it introduces a precedent the most destructive to the very existence of Society. If the patents for land are to be touched, there is an end to the permanency of any Institution, and public and private property is alike placed at the mercy of a reckless and changing majority. The University of King's College holds its property by direct grant from the Crown, and its title to the same, is equally, if not more clear than that by which the Religious and Collegiate Institutions of *Lower Canada*, in general, hold theirs; though very inferior in value and extent: but if it is to be confiscated without reason, and applied at the will of the Legislature, it is only the commencement of an evil that all good men must deplore. There may be a majority found (though I do not believe it) willing to confiscate the endowment of the University of King's College; but, in a very short time, should so wicked a thing be consummated, another majority will be found, fortified by so unprincipled a precedent, to confiscate the like endowments in *Lower Canada*; for it is not to be supposed, that when confiscation once commences, it will be permitted to stop, more especially since the temptation will be much greater. The endowment of the University of King's College amounts only to two hundred and twenty-five thousand acres, whereas the property belonging to the Collegiate and Religious Institutions of *Lower Canada*, exceeds two millions of acres, as appears from the following table:—

The Ursuline Convent of <i>Quebec</i> ..	164,616
The Ursulines of <i>Three Rivers</i> ....	38,909
Recollects .....	945
Bishop and Seminaries of <i>Quebec</i> ..	693,324
Jesuits .....	891,845
St. Sulpicians, <i>Montreal</i> .....	250,191
General Hospital, <i>Quebec</i> .....	28,497
Do. <i>Montreal</i> .....	404
Hotel Dieu, <i>Quebec</i> .....	14,112
Sœurs Grises.....	42,336

2,125,179 Acres.

Your Memorialist deprecates touching one single acre of these Endowments. They are all dedicated to sacred purposes, and should be held sacred. What he contends for is, that the endowment of the University of King's College is equally sacred; and that if it be taken away (which God forbid) the time will come, sooner or later, when so destructive a precedent will be applied to their confiscation. Your Memorialist, therefore, prays that the endowment of the University of King's College may remain as it is, undisturbed; and he feels assured that no one who honestly wishes to preserve the endowments in *Lower Canada* can, with any consistency, vote for its confiscation.

A third consequence will flow from this measure, should it unfortunately pass, highly detrimental to the character and working of the *British* Constitution. The Crown will be degraded in the eyes of the people, and henceforth its gifts will be despised as so much waste paper, and the salutary influences of the Sovereign, and Representatives, become unfelt and unknown.

A fourth consequence will be, the certain disgrace that so wicked a measure, should it become law, will reflect upon the Province. No attempt has ever been made, in any country professing Christianity, to place all the errors of weak and wicked men on an equality with Gospel truth. An attempt was indeed made in *Prussia*, some years ago, by a stretch of tyrannical power, scarcely compatible even with despotism, to amalgamate, as it were, the Lutheran and Calvinistic denominations, but it has signally failed. Men are not machines, nor are their minds malleable like iron—what a melancholy specimen of the march of intellect, in

the nineteenth century, does this dishonest and intolerant measure exhibit.

Another consequence of the measure is, that it destroys the value of Academical degrees; for those it confers will, at best, be acknowledged only within the Province; whereas, degrees conferred under the Royal Charter, are recognized throughout the *British* Empire, because they emanate from the Crown—thus the destruction of the Charter of the University of King's College takes away all that is honourable in the degrees, and leaves them worthless. Again, the provisions of the Bill preclude the slightest hope that any one, will ever, by gift or bequest, endow a Literary or Religious Seminary in this unhappy Province: no person could be found so foolish as to do so under restrictions so absurd—restrictions which hinder the donor from giving the power of management of the endowment to whom he chooses and in the way he desires, or to acquire from the Crown the immunities and privileges essential to a University, and which confer upon it, dignity and importance. A further pernicious consequence which must flow from this measure is the precedent which it affords of meddling continually, and Session after Session, with Seminaries of learning, and which ought never to be touched, except in cases of extreme necessity. The senseless and unjust clamours raised against the University of King's College, operated so far, a few years ago, upon a Government, more disposed at the time to yield to expediency, than adhere firmly to sound principle, as to induce it to countenance certain amendments of the Charter (as they were called), and in which, for the sake of peace, the College Council reluctantly acquiesced, and certainly in the hope, that the Institution would never again be molested. But although its enemies were for a time satisfied, yet the desire of novelty which generally marks the absence of correct principles, has called up a new conspiracy against King's College, and the result is the measure now before your Honourable House, in which its enemies seem cordially to agree (if in nothing else) in their implacable enmity to the Church of *England*, and are willing to surrender or modify their distinctive views and doctrines, provided they can accomplish the destruction of the only Literary and Religious Institution of any character within the Province of *Upper Canada*. Precedents are thus afforded, of continually disturbing the University of King's College, and destroying that tranquillity and repose which are essential to the prosperity and well being of seats of learning.

Fourthly.—Having thus touched upon the objects, character, and consequences of the proposed measure for destroying the University of King's College, and seizing upon its endowments, it does not appear necessary for your Memorialist to dwell upon the details of the Bill, for if it be, as your Memorialist is convinced, based on principles at once inconsistent with the rights of conscience and of civil and religious liberty, it is of little importance to enter upon the minor objections, such as the deplorable unacquaintance with Literary Institutions every where displayed, the cumbrous and impracticable machinery, the discordant nature of the bodies in which the various powers are lodged, &c. &c.

It may be sufficient to remark, that the adoption of the Bill will be, to destroy a noble Institution, which, if left unmolested, would, in a short time, shed a lustre over the whole Province; and this without the slightest necessity, since it is quite competent for the Legislature to grant separate endowments to such Christian denominations as it may delight to honour, without trenching on the rights of the Church of *England*, or the integrity of the University of King's College.

In conclusion, your Memorialist respectfully, but of right, claims the continuance of the same protection, privileges and immunities for the University of King's College which are possessed, without hindrance or molestation, by the Roman Catholic Seminaries and Institutions of *Lower Canada*, and to which it is equally entitled, by every principle of justice and honour.

Should your Memorialist unhappily fail in arresting the further progress of this fatal Bill in the Provincial Legislature, he has still the consolation to know, that it is one of those measures which cannot be finally disposed of by the Colonial Authorities, as it deals with and compromises the most important principles of Revealed Religion, and must be referred to the Imperial Parliament; and he feels satisfied that it will be viewed by that August Body in the same light as a measure obnoxious to every right principle, human and Divine, offensive to conscience and social order, and such as cannot be entertained, for a moment, by a Christian Nation.

John Toronto, L. S.

On motion of Mr. Cartwright, seconded by Mr. Prince,

Petition of the Lord Bishop of Toronto read.

*Ordered*, That the last preceding Petition be now read, and that the Rule of this House of the 26th June, 1841, be dispensed with as to the present Petition.

The said Petition was read accordingly.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:—

Of *W. T. Cameron* and others, Inhabitants of the Town of *Niagara* and its vicinity; praying for certain amendments to the Charter of the University of King's College.

Of *C. O. Ermatinger* and others, Inhabitants of the Parish of *St. Armand West*; praying for certain amendments to the Common School Act.

Of *Hugh Urquhart* and others, Inhabitants of the Town of *Corunwall* and its vicinity; praying for certain amendments to the Charter of the University of King's College.

Of *Thomas Webb* and others, Members of the Baptist Congregation at *Walpole*, in the District of *Niagara*; praying that the benefits of the Universities of King's College, at *Toronto*, and *McGill College*, at *Montreal*, be extended equally to all classes of Her Majesty's subjects.

Of *James Garrick* and others, Members of *St. Andrew's Church*, at *Niagara*, in connection with the Synod of *Canada*; praying for the passing of an Act to provide for the management of the Temporalities of the Church of *Scotland* in this Province.

Of *Jean Baptiste Daut* and others, Inhabitants of the Parish of *Saint Eustache*, in the County of the *Lake of Two Mountains*; praying that they may be allowed to use such construction of winter carriages as they find most advantageous.

Of *Mrs. Jane McEltheran*, widow of the late *Alexander McEltheran*, Serjeant in the third Regiment of *Northumberland Militia*, of the Township of *Murray*, in the District of *Newcastle*; representing that, in consequence of her husband's death, which was occasioned by hardships endured in Her Majesty's service during the late rebellion, she is in a most destitute condition, and praying relief.

Of *Hugh Campbell* and others, Inhabitants of the District of *Brock*; praying for the passing of the University Bill, now before the House.

Of *William Barker* and others, Inhabitants of the village of *Paris* and other places; praying for the passing of the University Bill, now before the House.

*Ordered*, That the Petition of *John H. Cornell* and others, Inhabitants of the Township of *Norwich*, in the District of *Brock*, be referred to the Committee of the whole House, on the Bill to provide for the Incorporation of Townships, Towns, Counties and Cities in *Upper Canada*.

Petitions referred.  
John H. Cornell and others.

*Ordered*, That the Petition of *P. C. Valois* and other Inhabitants of the Parish of *Lachine* and other places; and the Petition of *William Mackintosh* and other Inhabitants of *Lower Lachine*, both presented to the House on the second of October last, be referred to the Special Committee to which was referred the Petition of *Simon Valois* and others, Inhabitants of *Côte St. Michel*, *Côte de la Visitation*, and of the *St. Mary's Current*, in the Parish of *Montreal*, and other References.

P. C. Valois.

*Ordered*, That the Petition of the Right Reverend the Lord Bishop of *Toronto*, be printed for the use of the Members of this House.

Lord Bishop of Toronto.

On motion of Mr. Leslie, seconded by Mr. De Witt.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House any Despatches or Communications that have been received from, or transmitted to, the Colonial Minister on the subject of the duties levied on Bastard Sugars.

Duties on Sugars.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Sherwood, seconded by Mr. Price.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House at as early a period as possible, copies of all papers, documents and communications relating in any way to the dismissal or the cause of dismissal of *William Moore Kelly*, Esquire, from the situation of Collector of Customs at the Port of *Toronto*.

W. M. Kelly, Esquire.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

*Ordered*, That Mr. Franchère have leave to absent himself from this House until the twenty-fifth of December next, on account of ill health.

Leave of absence to Mr. Franchère.

On motion of Mr. Hale, seconded by Mr. Quesnel,  
*Ordered*, That the time for the reception of Private Bills, and for receiving Reports of the Standing Committee on Private Bills, be extended until the thirteenth instant.

Private Bills.

*Resolved*, That a Select Committee composed of Mr. Prince, Mr. Merritt, Sir Allan N. MacNab, the Honourable Mr. Sherwood, and Mr. Crane, be appointed to ascertain whether any, and if so, what plan can be devised to indemnify the losses and satisfy the claims sustained and made by individuals during the late Rebellion and Invasions of the late Province of *Upper Canada*, and for carrying into effect the provisions of certain Acts of the Province of *Upper Canada*, and of this Province, passed in the third, fourth, and fifth Victoria, to report

Claims for Losses.



thereon with all convenient speed, with power to send for persons, papers, and records.

The Order of the day for the House in Committee on the Bill to amend the Law relative to the Administration of Justice in *Lower Canada*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Leslie* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Thursday next.

Ordered, That the remaining Orders of the day be postponed, until to-morrow.

Then on motion of Mr. *Hamilton*, seconded by Mr. *Forbes*,  
The House adjourned.

*Martis, 7<sup>o</sup> die Novembris.*

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

MR. SPEAKER informed the House that the Clerk of this House had received from the Clerk of the Crown in Chancery, a certificate of the election of a Member for the County of *Hastings*.

And the said Certificate was read, and is as followeth:—

Province of *Canada*.

Office of the Clerk of the Crown in Chancery.  
*Kingston*, 7th November, 1843.

This is to certify, that in virtue of a Writ of Election, dated the ninth day of October last past, issued by His Excellency the Governor in Chief, and directed to the Returning Officer for the County of *Hastings*, (*William Hutton*, Esquire,) for the Election of one Member to represent the County of *Hastings* in the present Parliament, *Edmund Murney*, of the Township of *Thurlow*, in the County and Province aforesaid, Esquire, has been returned as duly elected accordingly, as appears by the return of the said Writ, dated the fourth day of November, instant, 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.

The Honourable Mr. *Morin*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General.

The Report of the Superintendent of Education for *Lower Canada*, for the year 1842.

(For the said Report see Appendix Z.)

The following Petition was brought up, and laid on the table:

By *Captain Steele*—The Petition of *Michael Ryan* and others, Inhabitants of the Townships of *Adjala* and *Mono*.

Ordered, That two hundred and fifty copies of the Report of the Superintendent of Education for *Lower Canada*, for the year 1842, be printed in each of the English and French Languages, for the use of the Members of this House.

Ordered, That the Order of the day for the House in Committee on the Bill for the consolidation and amendment of the Laws relative to Jurors, Juries, and Inquests, in that part of this Province called *Upper Canada*, be postponed until Monday next.

Orders postponed.

*Edmund Murney*, Esquire, Member for the County of *Hastings*, having previously taken the oath according to Law, and subscribed before the Commissioners the Roll containing the same, took his seat in the House.

E. Murney, Esq., takes his Seat.

Ordered, That Mr. *Murney* be added to the Select Committee appointed to inquire into the present limits and divisions of the City of *Toronto*, and the different Towns and Villages having Police Regulations in *Upper Canada*.

Limits of Cities &c.

Ordered, That the Order of the day for the second reading of the Bill to provide for the separate exercise of the Collegiate and University Functions of the College established at the City of *Toronto*, in *Upper Canada*; for incorporating certain other Colleges and Collegiate Institutions of that division of the Province with the University—and for the more efficient establishment and satisfactory Government of the same, be postponed until Thursday the sixteenth instant.

University Bill.

Mr. *Prince*, Chairman of the Committee appointed to try the merits of the Petition of *Alexander Findlay* and other Electors, of the County of *Russell*, complaining of the undue Election and return of *William Stewart*, Esquire, as a Member to represent the County of *Russell*, in this present Parliament, reported to the House,

Russell Election.

“That pursuant to adjournment, the Committee had met at eleven o'clock this day, and having waited for one hour, at the expiration of which Mr. *Williams*, one of their number, being absent, the Committee were thus unable to proceed to business, and begged to report the same to the House.”

Mr. *Williams* being present in the House when the Report was made, he was called upon by Mr. Speaker, for an excuse, which was made accordingly, and received by the House.

Ordered, That Mr. *Morris* have leave to bring in a Bill to authorize the Chartered Banks of this Province to open books in the United Kingdom for the transfer of their Stock.

Banks.

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 Saturday next.

Ordered, That Mr. *Duggan* and Mr. *Morris* be added to the Select Committee appointed to ascertain whether any, and if so, what plan can be devised to indemnify the losses, and satisfy the claims sustained and made by individuals during the late Rebellion and Invasions of the late Province of *Upper Canada*.

Losses Claims.

Ordered, That the Order of the Day for the second reading of the Bill to establish a more equal and just system of Assessment in the several Townships, Towns, and Cities, in *Upper Canada* be postponed until Thursday, the sixteenth instant.

Assessment Bill.

Ordered, That the Order of the Day for the second reading of the Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, and other articles of a like nature, be postponed until Friday next.

Timber Measurement Bill.

Administration of Justice in Lower Canada.

Orders postponed.

Hastings Election.

Report on Education, Lower Canada.

Common  
School Bill.

*Ordered*, That the Order of the Day for the second reading of the Bill to repeal the Act now in force for the establishment and maintenance of Common Schools, and to grant an indemnity for the payment of certain portions of the School moneys, for the year one thousand eight hundred and forty-two, and further to provide for the apportionment and distribution of the balance of the said moneys for the years one thousand eight hundred and forty-two, and one thousand eight hundred and forty-three, be postponed until Wednesday next.

Loan & Trust  
Bill.

*Ordered*, That the Order of the Day for the second reading of the Bill for Incorporating and granting certain powers to the *Upper Canada* Trust and Loan Company, be postponed until Friday next.

Banks Liability  
Bill.

*Ordered*, That the Honourable Mr. *Hincks* have leave to bring in a Bill to relieve the Shareholders of the several Banks therein mentioned, from liability beyond the amount of the shares subscribed, and for that purpose to amend the several Acts creating such liabilities.

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 Monday next.

N. A. Colonial  
Association of  
Ireland.

*Ordered*, That the Order of the Day for the second reading of the Bill to give further powers to the *North American* Colonial Association of *Ireland*, be postponed until Friday next.

On motion of the Honourable Mr. *Hincks*, seconded by the Honourable Mr. Solicitor General *Small*,

Welland Ca-  
nal.

*Resolved*, That this House will, to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of amending a certain Act of the Parliament of *Upper Canada*, passed in the seventh year of the Reign of his late Majesty *William IV*, intituled, "An Act to provide for the permanent completion of the *Welland Canal* and for other purposes therein mentioned"; and also a certain other Act of the Parliament of *Upper Canada*, passed in the fourth and fifth years of the Reign of Her present Majesty, intituled, "An Act to authorize the Stock held by private parties in the *Welland Canal* to be purchased on behalf of the Province."

Marriage Li-  
censes.

Mr. *Christie* moved, seconded by Mr. *De Witt*, that the Statement laid, in compliance with an Address of this House of the 10th October, 1842, before this House on the 16th of October last, by command of His Excellency, the Governor General, shewing the disbursements of the receipts arising from the sale of Marriage Licenses, from the 10th February 1841, to the 31st December 1842, be referred to a Special Committee of seven Members, with power to send for persons, papers, and records, to report thereon with all convenient speed; and that it be an Instruction to the said Committee to enquire into and report upon the expediency of impeaching such Members of Her Majesty's Executive Council in this Province, as may have presumed to appropriate to themselves, or to advise, or permit the appropriation by others, of any part of such funds, without the previous consent and authority of the Provincial Parliament.

The Honourable Mr. *Boulton* moved in amendment, seconded by Mr. *Wakefield*, that all the words after "Speed," in the said motion, be struck out.

The Honourable Mr. *Viger* then moved, seconded by Mr. *Dunlop*, that the consideration of the said motions be postponed until Thursday next.

The Question having been put upon the said motion, a division ensued, and it passed in the Negative.

The Question being then put on the motion of amendment, the House divided thereon, and it was carried in the Affirmative.

And the Question being put on the main motion, as amended, it was agreed to unanimously, and *Resolved* accordingly.

*Ordered*, That Mr. *Christie*, Mr. *Wakefield*, the Honourable Mr. *Sherwood*, Mr. *Quesnel*, Mr. *L. M. Viger*, Mr. *Cartwright*, and the Honourable Mr. *Neilson*, do compose the said Committee.

A Bill to render more summary the means of enforcing the Returns of Process, by Sheriffs and Coroners in that part of this Province called *Upper Canada*, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Tuesday next.

A Bill to amend the Charter of the *Cataragui* Bridge Company, was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Johnston* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

A Bill to alter and amend the Act of Incorporation of the *Kingston* Marine Railway Company, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

The Order of the Day for the second reading of the Bill to alter and amend the Charter of the *Niagara Canal* Company being read,

*Ordered*, That the said Order of the Day be postponed until Wednesday the fifteenth Instant.

The Order of the Day for the House in Committee on the First Report of the Standing Committee on Printing, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Roblin* reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

The Order of the Day, for the House in Committee to consider the expediency of presenting an Address to Her Majesty, respecting the Imperial Duties payable upon the importation into this Province of Works promoting useful information, and not issuing from the British Press, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Simpson* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered.* That the said Committee have leave to sit again to-morrow.

A Bill to naturalize *Cyprian Morgan* and others, was, according to Order, read a second time.

*Ordered.* That the said Bill be engrossed.

A Bill to provide for the management of the Customs, and of matters relative to the Collection of the Provincial Revenue, was, according to Order, read a second time.

*Ordered.* That the said Bill be referred to a Committee of the whole House on Thursday next.

The Order of the Day for the House in Committee on the Bill to provide for the Incorporation of Townships, Towns, Counties, and Cities, in *Upper Canada*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Child* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered.* That the said Committee have leave to sit again on Thursday next.

*Ordered.* That the remaining Orders of the Day be postponed until to-morrow.

Then on motion of the Honourable Mr. *Viger*, seconded by the Honourable Mr. Attorney General *Baldwin*.

The House adjourned.

*Mercurii, 8<sup>o</sup> die Novembris*  
Anno 7<sup>o</sup> Victoriae Reginae, 1843.

THE following Petitions were severally brought up, and laid on the Table:—

By Mr. *Crane*—The Petition of *Major Smith* and others, of the Township of *Edwardsburgh*, in the District of *Johnstown*.

By Mr. *Morris*—The Petition of the Minister and Congregation of *St. Andrew's Church*, *St. Peter's Street, Montreal*.

By the Honourable Mr. Solicitor General *Aylwin*—The Petition of *Charles Cazeau* and others, Commissioned Cullers of the City of *Quebec*.

An Engrossed Bill to naturalize *Cyprian Morgan* and others, was read for the third time.

*Resolved.* That the Bill do pass.

*Ordered.* That Mr. *Morris* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to alter and amend the Act of Incorporation of the *Kingston Marine Railway Company*, was read for the third time.

*Resolved.* That the Bill do pass.

*Ordered.* That Mr. *Henry Smith* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the Day, the following Petitions were read:—

Of the Council of *King's College Toronto*; praying to be heard by Counsel at the Bar of the House on the subject of the Bill for Incorporating certain other Colleges and Collegiate Institutions with the University of *King's College*; and in defence of their privileges, property, and rights, in the said Institution.

Of the Reverend *A. Gale* and others, Inhabitants of the Town of *Hamilton*; praying for certain amendments to the Charter of the University of *King's College*.

Of *Benjamin Esty* and others, Inhabitants of the Parishes of *St. Eustache, St. Benoit*, and other places; against the granting of the exclusive privilege asked by *Hyacinthe St. Germain* and *J. Gasparid Laviolette*, for a Bridge over the River *Jesus*, from *St. Eustache* to *Ste. Rose*.

Of *Major Smith* and *Henry Mosher*; praying indemnification for losses sustained by them during the year 1838.

Of Mrs. *Catharine Jane Kidd*, widow of the late *Robert Kidd*, of the Town of *Kingston*; praying that a Pension be granted her as the widow of the said *Robert Kidd*, whose death was caused by exposure to excessive cold while on duty in defence of the Province.

Of *Paul Curgy* of the Township of *Warwick*, in the *Western District*; representing that in consequence of a wound received while in Her Majesty's service, he is disabled from earning the necessary means of support, and praying relief.

Of *Josias Richey*, Deputy Surveyor; praying that a Law may be passed to regulate Surveys in this Province.

Of *William Tate* and *George Tate*, Forwarders and Carriers, between the Ports of *Montreal* and *Quebec*; praying for certain amendments to the Act establishing the *Trinity House of Montreal*.

Of *Henry Corse* and others, Inhabitants of the City of *Montreal*; praying to be exempted from certain provisions of the Bill to authorize the Corporation of *Montreal* to purchase the *Water Works* of the said City.

Of *William Hunt* and others, Inhabitants of the Township of *Pittsburgh*; praying that no additional power be granted to the *Cataraqui Bridge Company*.

Of *Laurent Benoit*, fils, and others, of the Parish of *St. Antoine De Longueuil* and *Boucherville*; praying that the Ordinance concerning *Winter Carriages* may be brought into force, as passed by the Governor and Special Council, and that the amendments made to the same be repealed.

Of the Reverend *William Thompson* and others, Inhabitants of the City of *Montreal* and its vicinity; praying that the *Common School Act* be amended by placing "*Les Frères de la Doctrine Chrétienne*" on the same footing as all *Foreigners*, as regards admissibility to teach the youth of the Province.

Of the Reverend *Mark Willoughby* and others, Inhabitants of the City of *Montreal*, and its vicinity; praying that the *Holy Scriptures* may be used as a *Class Book* in all *Public Schools* and *Seminaries* in the Province, in so far as *Protestant children* are concerned.

Of the Reverend *David Black* and others, Inhabitants of *Ste. Therese de Blainville* and its vicinity; praying that the benefits of the Universities of *McGill College*, at *Montreal*, and *King's College*, at *Toronto*, be extended to all *Religious Denominations*.

Of the Reverend *David Black* and others, Inhabitants of *Ste. Therese de Blainville* and its vicinity; praying for the passing of a Bill to provide for the

management of the Temporalities of the Presbyterian Church in *Canada*.

Petitions re-ferred.

J. S. Wilkinson and others.

*Ordered*, That the Petition of *John A. Wilkinson* and others, Inhabitants of the *Western* District, presented to the House on the eighteenth of October last, and the Petition of *William Portt* and *George Portt*, of the Township of *Tyendinaga*, in the District of *Victoria*, presented to the House on the twentieth of the same month, be referred to the Select Committee appointed to ascertain whether any, and if so, what plan can be devised to indemnify the losses, and satisfy the claims sustained and made by Individuals during the late Rebellion and Invasions of the late Province of *Upper Canada*.

Benjamin Esty and others.

*Ordered*, That the Petition of *Benjamin Esty* and others, Inhabitants of the Parishes of *St. Eustache*, *St. Benoit*, and other places, be referred to the Standing Committee on Private Bills.

Report on Petition of Paul Glasford and others.

Mr. *Morris* from the Special Committee to which was referred the Petition of *Paul Glasford* and others, appointed to superintend the erection of a Gaol and Court House in *Brockville*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee have examined the Petition referred to them, and beg leave to report in relation thereto, that the Petitioners were appointed a Building Committee to superintend the erection of a new Gaol and Court House at *Brockville*, for the District of *Johnstown*, under the Statute 1 *Victoria* cap. 38; and they accordingly caused a good and substantial building to be erected, the cost of completing which, upon the plans sanctioned and approved of by the General Board of Commissioners appointed under the Act 1 *Victoria* cap. 5, has exceeded the sum authorized by the first recited Act: Your Committee therefore recommend that an Act be passed declaring any debt contracted by the Petitioners for the purposes aforesaid, and not exceeding £1,000 over and above the sum which by the said Act they were authorized to expend, to be a debt due by the District, and to be paid by the District Council out of the funds of the District."

*Ordered*, That the said Report be referred to a Committee of the whole House, on Friday next.

Fourth Report, Contingencies.

Mr. *Thurburn*, from the Standing Committee on Contingencies, presented to the House the Fourth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

That the second Report of Your Committee has undergone a re-consideration, in conformity with the Order of Your Honourable House.

"Your Committee find that, with respect to the services of *Alfred Todd* and *Alpheus Todd*, in making the Indices, Your Honourable House had made no determination at what rate they should be paid for such services. That a Committee had been appointed for that purpose last Session, but no Report was made, as will appear from the letter of *E. Parent*, Esquire, Chairman of said Committee—that, although no Report was made, it does appear that the Chairman expressed himself in a way to induce

these persons to expect the sum of fifteen shillings per day—although Your Committee are fully aware that no such pledge on the part of the House was given, nevertheless Your Committee have doubts whether there would not be a breach of a confidence, unless a certain reliance were placed upon the word or expression given by a Chairman upon business connected with the subject of reference, of which he is a Chairman.

Your Committee would, after great deliberation, respectfully submit for the consideration of Your Honourable House, two modes of arranging this matter: the first being to place the gentlemen named, as permanent Clerks, at the time and in the manner set forth in the Report referred for the re-consideration of Your Committee; and, second, to allow them at the rate of 12s. 6d. per day, in accordance with the annexed memorandum, which shows the amount to each, from the beginning of this Parliament to the commencement of the present Session, a period of two years and three and a half months.

Your Committee see no reason for any alteration in their recommendation to abolish the situation of Assistant Librarian, and therefore recommend that *Alpheus Todd* be paid at the rate of 15s. per day, during each Session, for his attendance in the Library, and while working at the Indices, or otherwise employed as a Junior Clerk, to be allowed 10s. per diem during the recess.

Your Committee, having re-considered the subject of the Indices, proceed to lay before Your Honourable House the result of their further enquiries in reference to the subject of the Expenditure in the Office of the Clerk of the House. The Committee requested the Clerk to lay before them a statement of the present efficiency of his Office, and of any alteration, in point of usefulness or economy: which is appended hereto.

Your Committee, in accordance therewith, refrain from recommending any further additional permanent Clerks—and that those now in the service, viz.:—

<i>Alfred Todd</i> . . . .	10 years' service	} Junior Clerks.
<i>Thaddeus Patrick</i> 10	do. do.	
<i>J. B. Moraud</i> . . . .	12 do. do.	
<i>Henry Hartney</i> . . .	4 years and 8 month's service.	
<i>Andrew Stuart</i> . . .	4 do. service,	
<i>William Lindsay</i> 2½	do do.	
<i>William Le Moine</i> 1	do. do.	
<i>W. A. Hinmworth</i> 1	do. do.	
<i>King Barton</i> . . . .	8 do. do. in the House of Assembly—one year of which an Extra Writer.	

*Chas. Fitz-Gibbon*, present Session, in place of his brother.

be continued as such Extra Writers, at a per diem allowance of 15s., commencing from this Session—and that any future promotions to permanent Clerkships be directed by the Clerk, whenever the service may require it, from that number, according to their merits, and also that any temporary writers, during the Sessions, that may be required by the Clerk, may not receive but 10s. per day while employed."

MEMORANDUM of *Alfred* and *Alpheus Todd's* accounts for the work of the Indices, up to the present Session (as audited by Committee):—

*Alfred Todd.*

For the Recess of 1842, from 21st March to 7th September (actually employed, exclusive of Sundays,) 123 days, at 12s. 6d. per day .....	£ 76 17 6
For Recess of 1843, from 18th November to 28th September (do. do.) 269 days, at 12s. 6d. per day .....	168 2 6
	<hr/>
	£245 0 0
(Received from Clerk of the House, on account of above. £105.)	
For his services as Extra Clerk for two last Sessions .....	244 10 0
	<hr/>
Total for the past 2 years and 3½ months .....	£489 10 0

*Alpheus Todd.*

For Recess of 1842, from 22d October to 8th September (actually employed, exclusive of Sundays), 260 days, at 12s. 6d. per day .....	£182 10 0
For Recess of 1843, from 17th October to 23d September (do. do.) 271 days, at 12s. 6d. per day .....	169 7 6
	<hr/>
	£331 17 6
(Received from Clerk of the House, on account of above, £160.)	
For his Salary as Assistant Librarian for last two Sessions .....	229 0 0
For making proceedings of House for do. do. ....	12 10 0
	<hr/>
Total for the last 2 years and 3½ months .....	£573 17 6

Clerk's Office, Legislative Assembly,  
Kingston, 28th October, 1843.

Sir,

In conformity to the order of the Standing Committee of Contingencies, requesting me to make a Report of the state of my Office, and if, in my opinion, "any alteration therein is necessary to make it more efficient for the despatch of the general business, either in point of placing more of the Clerks upon annual salaries, and, in regard to economy, whether the paying of the extra writers at 10s. per day of six hours ought not to be altered." I have now the honour to report that I consider the present permanent establishment of the House fully sufficient, as far as annual salaries are concerned, to those who now enjoy those salaries. During the sitting of Parliament, it becomes absolutely necessary to employ extra writers at a per diem allowance, without which the business of the House would be greatly retarded. For instance, at the present time, every Officer, either permanent or extra, is fully employed in the routine business of the House—such as bringing up the Journals, preparing Orders of the Day, Lists of Committees, Orders of Reference, Engrossing Bills, Endorsing Petitions and Public Documents laid before the House, (which this Session are voluminous beyond precedent) copying for the Printers, preparing for the press and examining proofs; attending Standing, Select and Special Committees, to note their proceedings and take evidence; translating into *French* of almost every thing that is laid before the House, and fair transcripts of the same; besides other work, which it is almost impossible to enumerate, and I find that, at the present moment, I have not sufficient assistance to get through the work with celerity. On Friday, some very important communications were laid before the House, connected with Education, and ordered to be printed in both languages; it will be essentially necessary that those should be in the hands of Members, to be looked at, previous to the passing of a new Education Bill; and I now solemnly declare that I have not Clerks at leisure to copy these documents for the Printers, and unless the originals are sent to the Printer (which is a dangerous practice) it will be many days before the Members of the

House are put in possession of such valuable information. I fear I am wandering from the order given me by the Committee, but I think it a duty I owe to the House and to myself in stating these facts;—for the despatch of the daily business of the House, I humbly conceive that my hands should be left untied. I am responsible for the work being done without any possible delay, and I hope that the Committee will do me the justice to say that, since this Parliament has commenced, nothing has been allowed to fall in arrear.

With regard to the question of economy, whether paying extra writers at 10s. per day of six hours ought not to be altered? I reply, without hesitation, that this allowance is far too great. I would humbly recommend to the Committee that 15s. per diem, commencing from this Session, be allowed to this class of Officers; and, should necessity require the assistance of any of them during the recess, 10s. will be quite adequate remuneration. Should the Committee consider it necessary to place any more of the Clerks on permanent salaries, I consider it a justice I owe to Messrs. *Alfred Todd* and *Thaddeus Patrick*, to say that they should be the first selected, because I understand that in *Upper Canada*, their allowance was always made up to the sum of £200. The salary, however, the Committee will, in their wisdom, fix.

I have the honour to be,

Sir,

Your most obedient servant,

*Wm. R. Lindsay*, Clerk Assem.

To *David Thorburn*, Esquire,  
Chairman, Standing Committee of Contingencies.

Ordered, That one hundred and fifty copies of the Second and Fourth Reports of the said Committee be printed for the use of the Members of this House.

Ordered, That the said Reports be referred to a Committee of the whole House, on Wednesday next, and that it be then the first order of the day.

Report printed  
and committed

Message from  
Legislative  
Council.

A Message from the Legislative Council by *John Fenwings Taylor*, Esquire, one of the Masters in Chancery.

Mr. Speaker.

Bankrupt Bill.

The Legislative Council have passed a Bill, intituled "An Act to repeal an Ordinance of *Lower Canada*, intituled "An Ordinance concerning Bankrupts, and the administration and distribution of their Estates and Effects," and to make provision for the same object throughout *Canada*," to which they desire the concurrence of the Assembly.

Also,

Legislative Council,  
8th November, 1843.

Seat of Gov-  
ernment.

*Ordered*, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council have agreed to the Address to Her Majesty on the subject of the Seat of Government.

Attest,

*Charles de Léry*,  
D'y. Clerk Leg. Council.

And also,

Legislative Council,  
8th November, 1843.

*Ordered*, That one of the Masters in Chancery do go down to the Legislative Assembly and acquaint that House that the Legislative Council have passed the accompanying Address to His Excellency, the Governor General, requesting His Excellency to transmit the joint Address to the Queen, on the subject of the Seat of Government, to Her Majesty's Provincial Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne, to which they desire the concurrence of the Legislative Assembly.

Attest,

*Charles de Léry*,  
D'y. Clerk Leg. Council.

(The Address is as follows:)

Address.

To His Excellency the Right Honourable SIR CHARLES THEOPHILUS METCALFE, Baronet, Knight Grand Cross of the Most Honourable Order of the Bath, One of Her Majesty's Most Honourable Privy Council, Governor General of British North America, and Captain General and Governor in Chief, in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Legislative Council and Assembly of *Canada*, in Provincial Parliament assembled, beg leave to approach Your Excellency with our respectful request, that you will be pleased to transmit our Joint Address on the subject of the future Seat of Her Majesty's Provincial Government for this Province, in such way as Your Excellency may deem fit, in order that the same may be laid at the foot of the Throne.

*R. E. Caron*,  
Speaker.

Legislative Council,  
8th November, 1843.

And then he withdrew.

Bankrupt Bill.

An Engrossed Bill from the Legislative Council, intituled, "An Act to repeal an Ordinance of *Lower Canada*, intituled, "An Ordinance concerning Bankrupts and the Administration and distribution of their Estates and Effects, and to make provision

for the same object throughout the Province of *Canada*," was read for the first time.

On motion of the Honourable Mr. *Sherwood*, seconded by Mr. *Cartwright*.

*Ordered*, That the Council of King's College at *York*, now *Toronto*, in that part of this Province formerly called *Upper Canada* be, in pursuance of their Petition, heard by Counsel at the Bar of this House against a Bill, intituled "An Act to provide for the separate exercise of the Collegiate University Functions of the College established at the City of *Toronto*, in *Upper Canada*, for incorporating certain other Colleges and Collegiate Institutions of that division of the Province with the University; and for the more efficient establishment and satisfactory Government of the same."

Council of  
King's College  
Toronto.

On motion of the Honourable Mr. *Sherwood*, seconded by Mr. *Dunlop*.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a Return of the names of all persons holding situations in any of the Public Departments connected with the Government of *Upper* and *Lower Canada*, on the first day of January, 1838; the names of all persons taken on service in the said Departments from that period, both before and since the Union and up to the present time, with the dates of their respective appointments, whether permanent or temporary; the amount of Salary in each case, with the increase (if any) from time to time; the names of those discharged from office since that period, and how disposed of, whether by pension, gratuity, being appointed to other offices, or how otherwise.

Return of  
names of per-  
sons of Public  
Departments.  
&c. &c.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

The Honourable Mr. Attorney General *Baldwin* moved, seconded by the Honourable Mr. Attorney General *Lafontaine*, that this House do concur in the Address of the Honourable the Legislative Council to His Excellency, the Governor General, requesting His Excellency to transmit the Joint Address to the Queen on the subject of the Seat of Government, to Her Majesty's Provincial Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne, that the Blank therein be filled up with the words "*Legislative Assembly*," and that the said Address be signed by Mr. Speaker on behalf of this House.

Seat of Gov-  
ernment.

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BLACK, BOSWELL, BOUTILLIER, CHABOT, CHILD, CHRISTIE, CRANE, DERBISHIRE, DE WITT, DUNN, DURAND, FORBES, FOSTER, GILCHRIST, HAMILTON, HINCERS, HOLMES, JOHN, JONES, JUDAH, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, J. S. MACDONALD, MOORE, MORIN, NEILSON, PAPINEAU, PARKE, POWELL, PRICE, QUESNEL, SIMPSON, SMALL, TACHE, TURCOTTE, TURGEON, D. B. VIGER, L. M. VIGER, and WAKEFIELD.—(46)

NAYS.

Messieurs BOULTON, CAMERON, CARTWRIGHT, COOK, DUGGAN, DUNLOP, HOPKINS, JOHNSTON, Mc-

LEAN, MERRITT, MORRIS, MURNEY, ROBLIN, HENRY SMITH, HARMANNUS SMITH, HENRY SHERWOOD, STEWART, THOMPSON, THORBURN, WILLIAMS, and WOODS.—(21.)

So it was carried in the affirmative, and Resolved, Accordingly.

Resolved, That a Message be sent to the Honourable the Legislative Council, acquainting their Honours that this House hath agreed to the Address to His Excellency, the Governor General, requesting His Excellency to transmit the Joint Address to Her Majesty on the subject of the Seat of Government, to Her Majesty's Principal Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

Ordered, That the Honourable Mr. Attorney General Baldwin do carry the said Message to the Legislative Council.

Ordered, That the Order of the Day fixed for Saturday next for the second reading of the Bill to authorize the chartered Banks of this Province to open Books in the United Kingdom for the transfer of their Stock, be postponed until Tuesday next.

Chartered Banks.

Bankrupt Bill. On motion of Mr. Holmes, seconded by the Honourable Mr. Viger.

Ordered, That two hundred copies of the Engrossed Bill from the Legislative Council, intitled "An Act to repeal an Ordinance concerning Bankrupts, and the administration and distribution of their Estates and Effects, and to make provision for the same object throughout the Province of Canada," be printed in the French Language for the use of the Members of this House.

Petition of Lord Bishop of Toronto.

Ordered, That one thousand additional copies of the Petition of the Right Reverend the Lord Bishop of Toronto, against the University Bill of Upper Canada, be printed in the English, and two hundred in the French, Languages, for the use of the Members of this House.

Catarqui Bridge Company.

Mr. Johnston from the Committee of the whole House on the Bill to amend the Charter of the Catarqui Bridge Company, reported, according to order, the amendments made by the Committee to the said Bill, 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.

Printing.

Mr. Roblin, from the Committee of the whole House on the First Report of the Standing Committee on Printing, 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 the daily Printing of the House during the present Session, in the English Language, be given to Edward John Barker, and that in the French Language, to Messieurs Desbarats and Derbshire.

Montreal Water Works.

A Bill to authorize the Mayor, Aldermen, and Citizens of Montreal to purchase, acquire, and hold, the property now known as the Montreal Water Works, was, according to order, read a second time.

Resolved, That the said Bill be referred to a Select Committee composed of Mr. Holmes, Mr. Quesnel, Mr. L. M. Viger, Mr. De Witt, and Mr. Leslie, to report thereon with all convenient speed, with power to send for persons, papers, and records.

F 2

A Bill to authorise the Court of Queen's Bench and the High Court of Chancery, at their discretion to admit Samuel B. Harrison to practise as an Attorney and Solicitor thereof, respectively, was, according to order, read a second time.

S. B. Harrison.

Ordered, That the said Bill be engrossed.

The Order of the Day for the House in Committee on the Bill to prevent obstructions in Rivers and Rivulets in Upper Canada, being read, The House accordingly resolved itself into the said Committee.

Obstructions in Rivers.

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

Mr. Speaker resumed the chair,

And Mr. Johnston reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Provincial Penitentiary.

Statements of the Accounts and Affairs of the Provincial Penitentiary for the years 1842 and 1843, transmitted for the information of the Legislative Assembly, pursuant to Statute of Upper Canada, 4 Wm. 4, ch. 37.

(For the said Statements see Appendix G. G.)

The Order of the Day, for the House in Committee, on the Bill to Incorporate certain persons therein named, with others, providing funds towards carrying on the British Fisheries in the Gulf of St. Lawrence and District of Gaspé, and Mining in the said District, under the style of the Gaspé Fishery, Commercial, and Mining Company, being read,

British Fisheries, Gulph of St. Lawrence.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the chair,

And Mr. Roblin reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again, on Friday next.

Ordered, That the Order of the Day for the House in Committee to consider the expediency of presenting an Address to Her Majesty respecting the Imperial Duties payable upon the importation into this Province of Works promoting useful information, and not issuing from the British Press, be postponed until to-morrow, and that it be then the first order of the day.

Imperial duties

Ordered, That the remaining Orders of the day be postponed, until to-morrow.

Orders Postponed.

Then on motion of Mr. Simpson, seconded by Mr. Hamilton, The House adjourned.

Jovis, 9<sup>o</sup> die Novembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

A MESSAGE from the Legislative Council, by the Masters in Chancery:—

Message from Legislative Council.

Mr. Speaker,

The Legislative Council have passed the following Bills, without any amendment:

Quebec Sem-  
nary.

"An Act to authorize the Superior and Directors of the Seminary of Quebec to acquire and hold a certain amount of Property, in addition to that now held by them."

Party Process-  
ions.

"An Act to restrain Party Processions in certain cases."

Secret Socie-  
ties.

"An Act for the discouragement of Secret Societies."

Niagara and  
Gore boundary  
lines.

"An Act to amend the Act relating to the Boundary Line between the Niagara and Gore Districts."

Also,

The Legislative Council have passed the following Bills, with amendments, to which they desire the concurrence of the Assembly:—

Public Meet-  
ings.

"An Act to provide for the calling and orderly holding of Public Meetings in this Province, and for the better preservation of the public peace thereat."

Independence  
of Parliament.

"An Act for better securing the Independence of the Parliament of this Province."

And also.

Legislative Council.

Thursday, 9th November, 1843.

*Ordered.* That the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that His Excellency, the Governor General, has appointed to-morrow, at two o'clock, at the Government House, to be attended with the Addresses of both Houses, and that the Legislative Council do intend to be there at that time.

Attest,

Charles de Léry.

Dy. Clerk Leg. Council.

And then they withdrew.

Five Petitions  
brought up.

The following Petitions were severally brought up and laid on the table:—

By Mr. *Hale*—The Petition of the Right Reverend the Lord Bishop of Montreal and others, Inhabitants of Lower Canada.

By Mr. *Holmes*—The Petition of H. Solomon and others, Trustees of the Montreal Congregation of Israelites.

By Mr. *Christie*—The Petition of Joseph Paquet and others, Pilots for the navigation of the St. Lawrence between the Ports of Montreal and Quebec.

By Mr. *Lacoste*—The Petition of the Honourable Grant de Longueuil and others, Inhabitants of the Town of St. Johns and of its vicinity; and the Petition of Guillaume D'Eschambault, Physician, of the Village of Laprairie de la Magdeleine.

S. B. Harrison.

An engrossed Bill to authorize the Court of Queen's Bench, and the High Court of Chancery, at their discretion, to admit Samuel B. Harrison to practice as an Attorney and Solicitor thereof, respectively, was read for the third time.

*Resolved*, That the Bill do pass, and the Title be "An Act to authorize the Court of Queen's Bench, and the High Court of Chancery, at their discretion, to admit Samuel Bealy Harrison to practice as an Attorney and Solicitor thereof respectively."

*Ordered*. That the Honourable Mr. Boulton do carry the said Bill to the Legislative Council and desire their concurrence.

Catarqui  
Bridge Com-  
pany.

An engrossed Bill, to amend the Charter of the Catarqui Bridge Company, was read for the third time.

*Resolved*—That the Bill do pass.

*Ordered*, That Mr. Cartwright do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the Day, the following Petition was read:—

Petition read.

Of Michael Ryan and others, Inhabitants of the Townships of Adjula and Mono; praying an aid for a road.

*Ordered*, That the Petition of Henry Corse and others, Inhabitants of the City of Montreal, presented to the House on the sixth instant, be referred to the Special Committee to which was referred the Bill to authorize the Mayor, Aldermen, and Citizens of Montreal, to purchase, acquire and hold the property now known as the Montreal Water Works.

Petition of  
Henry Corse  
and others re-  
ferred.

Mr. *Hale*, from the Standing Committee on Private Bills, presented to the House the eighth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Eighth Report.  
Private Bills.

"Your Committee have considered the Petition of Alexander Fraser, of the Parish of St. Valier, and find the facts are as follows:

An Act was passed by the Legislature of Lower Canada, in the 52nd year of the Reign of His late Majesty, King George the Third (chapter 20) by which authority was granted to Alexis Gosselin to levy tolls upon a bridge erected by him over the River Boyer in the said Parish, for the term of twenty-five years, which privilege was afterwards transferred to the Petitioner, through his wife, by a Deed of Donation from the said Alexis Gosselin; the said term expired in 1837, and the Bridge has since been destroyed by the ice: the Petitioner is now desirous of obtaining authority to rebuild the same, with the privilege of levying tolls thereon for fifty years.

Your Committee have examined several of the Members of Your Honourable House, who are more or less acquainted with the circumstances of the case, and it appears, from their evidence, that the public will suffer great inconvenience unless the said Bridge is re-built, but that the Municipal Council of the District having taken no action in the matter, it might be questioned whether other means are easily available, by which the Inhabitants can be required to rebuild it at their own cost: Your Committee therefore conceive, that the only way by which the said inconvenience can be remedied is, by granting the authority desired by the Petitioner; and they, therefore, recommend the passing of an Act for that purpose, limiting the duration of the privilege, however, to twenty years, and providing that the Government should have the right of assuming the said Bridge at any time, upon payment of the value of the Bridge, to be ascertained, by assessment, in the usual way."

Mr. *Chabot*, from the Special Committee to which was referred the Petition of J. Duval, Esquire, and others, Officers of the Society of Education for the District of Quebec, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report on Pe-  
tition of J.  
Duval, Esq.

"Your Committee, after having examined the Petition of J. Duval, Esquire, and others, Officers of the Society of Education for the District of Quebec, praying that they may be incorporated for Educational purposes, are of opinion, that the prayer of the Petition should be granted; and, therefore, that a Bill should be introduced for this purpose."

*Ordered*, That Mr. Taché have leave to bring in a Bill to renew and continue, for a certain time, the privileges granted by a certain Act of Lower Canada, therein mentioned, to Alexis Gosselin, and his Heirs or Assigns, with regard to a certain Bridge over the River Boyer, in the County of Bellechasse.

Boyer Bridge.

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 Wednesday next.

Les Dames Religieuses, &c.

*Ordered*, That Mr. *Quesnel* have leave to bring in a Bill to Incorporate *Les Dames Religieuses du Sacré Cœur de Jesus*, of the Parish of *St. Jacques de L'Achigan*, in the District of *Montreal*, for the purposes of Education.

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 Monday next.

Leave of absence to Mr. McCulloch.

*Ordered*, That Mr. *McCulloch* have leave to absent himself from this House until the first of December next, on urgent business.

Independence of Parliament.

On motion of the Honourable Mr. Attorney General *Lafontaine*, seconded by the Honourable Mr. Attorney General *Baldwin*,

*Ordered*, That the amendments made by the Legislative Council to the Bill intituled "An Act for better securing the Independence of the Parliament of this Province," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth :—

Press 1. Line 12.—Leave out "passing of this Act," and insert "end of the present Parliament."

Press 1. Line 14.—After "incapable of," leave out to the word "and," in the 20th line.

Press 2. Line 27.—After "laws," leave out the remainder of the clause, and insert "Provided always, that nothing in the foregoing enactment shall extend, or be construed to extend, to any person who, being a Member of the Executive Council, shall also fill any of the following offices, that is to say :—of Receiver General, Inspector General, Secretary of the Province, Commissioner of Crown Lands, Attorney General, Advocate General, Solicitor General, Chairman of the Board of Works, Registrar of the Province, or Surveyor General."

Press 2. Lines 41 and 42.—Leave out "shall after the passing of this Act presume," and insert "who shall or may be elected after the passing of this Act shall presume."

Presses 2 and 3.—Leave out the third and fourth Clauses,

Press 3. Line 31.—After "Circuit Judges" insert "and all Clergymen of the Church of *England* or *Scotland*, and all Priests or Ministers, either according to the Rights of the Church of *Rome* or under any other form or profession of Religious faith or worship."

In Preamble, Line 3.—Leave out, "Parliament" and insert "Legislative Assembly."

In the Title—Leave out "Parliament" and insert "Legislative Assembly."

And the said amendments being again read, they were agreed to by the House.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine*, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Privileges and Elections.

*Ordered*, That Mr. *Price* be added to the Standing Committee on Privileges and Elections, in the room of the Honourable *George Moffatt*, who hath resigned his seat in this House.

*Ordered*, That the Order of the day for the House in Committee on the Bill to provide for the

management of the Customs, and of matters relative to the collection of the Provincial Revenue, be postponed until Monday next; The Orders of the day for the second reading of the Bill to explain an Act passed in that part of this Province called *Upper Canada*, in the third year of the Reign of Her Majesty, intituled "An Act to confirm and regulate certain sales of Lands for Taxes in the District of *Ottawa*;" The second reading of the Bill to confirm and make valid certain Official Acts in the Offices of Registrar, Clerk of the Peace, Clerk of the District Court, and Registrar of the Surrogate Court in and for the District of *Ottawa*; and the second reading of the Bill to amend the Act, incorporating the Bank of the *Niagara* District, by providing for the extension of the time limited for the paying up of the Stock of the said Bank: be postponed until Tuesday next. The Orders of the day for the second reading of the Bill for the preservation of Deer and other Game within this Province, and for prohibiting hunting and shooting on the Lord's day; the Second reading of the Bill to revive an Act passed in the Parliament of the late Province of *Upper Canada*, of the 5th Wm. IV. chap. 18., to Incorporate certain persons therein named and their Associates, under the style and title of the *Cayuga* Glass Manufacturing Company; and the Second reading of the Bill to abolish Imprisonment on execution for Debt, and for the punishment of fraudulent Debtors; be postponed until Wednesday next. The order of the day for the House in Committee to consider the expediency of amending a certain Act of the Parliament of *Upper Canada*, passed in the Seventh year of the Reign of His late Majesty Wm. IV., intituled, "An Act to provide for the permanent completion of the Welland Canal, and for other purposes therein mentioned"—and also a certain other Act of the Parliament of *Upper Canada*, passed in the 4th and 5th years of the Reign of Her present Majesty, intituled, "An Act to authorize the Stock held by Private Parties in the Welland Canal, to be purchased on behalf of the Province," be postponed until Thursday next; and the orders of the day for the second reading of the Bill to authorise the Chairman of the Committee of the *Canada* Inland Forwarding and Insurance Company, to sue for and recover debts due to the Company; for the House in Committee on the Report of the Special Committee, to which was referred the Petition of *John T. Caldwell* and others, Proprietors of Vessels navigating the Gulph of *St. Lawrence*. For the House in Committee on the Bill, to afford relief in certain cases to Sellers of Real Estate in *Canada West*; and for the House in Committee, on the Third Report of the Standing Committee on Contingencies; be postponed until Friday the seventeenth instant.

*Ordered*—That the order of the day for the Second reading of the Bill to naturalize *Jacques Adrian Pierre Barbier*, and *Euphrasie Barbier*, his wife, be postponed until to-morrow.

*Ordered*—That when this House doth adjourn, it will adjourn until to-morrow at one o'clock P. M.

Mr. *Johnston* from the Committee of the whole House on the Bill, to prevent obstructions in Rivers and Rivulets in *Upper Canada*, reported according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Orders Postponed. Management of Customs.

Sales of Lands for Taxes.

Official Acts Ottawa district

Bank of Niagara.

Game Bill.

Cayuga Glass Company.

Imprisonment for Debt.

Welland Canal.

Private Stock, ditto.

Canada Inland Insurance.

Petition John T. Caldwell, & others.

Real Estate.

Contingencies.

J.A. P. Barbior

Adjournment.

Obstructions in Rivers.

*Ordered*—That the said Bill, as amended, be engrossed and read for the Third time on Tuesday next.

Mercantile Library Association, Montreal.

A Bill to Incorporate the Members of the Mercantile Library Association of *Montreal*, was according to order read a Second time.

*Ordered*—That the said Bill be engrossed.

La Banque du Peuple.

A Bill to Incorporate certain persons carrying on the business of Banking in the City of *Montreal*, under the name of "*La Banque du Peuple*," was according to order, read a second time.

*Resolved*—That the said Bill be referred to a Select Committee, composed of Mr. *Quesnel*, Mr. *Holmes*, Mr. *Leslie*, Mr. *Simpson*, and Mr. *Boutillier*, to report thereon with all convenient speed, with power to send for persons, papers and Records.

Imperial duties

The Order of the day for the House in Committee, to consider the expediency of presenting an Address to Her Majesty, respecting the Imperial Duties, payable upon the importation into this Province of Works promoting useful information, and not issuing from the British Press, being read.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Simpson* reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:—

1. *Resolved*, That the advancement of Useful Knowledge is of such primary importance as to merit the attention of every Government, but more especially of any Government conducted on the principles of the British Constitution.
2. *Resolved*, That to promote this invaluable object, one of the most efficacious means is to facilitate the introduction of the best work of useful information, at the least possible expense.
3. *Resolved*. That without now calling in Question the wisdom of those regulations, by which the importation of reprints of Copy-Right Works published in the United Kingdom is prohibited, it cannot, in the opinion of this committee, be wise or consistent with sound policy to discourage the importation of Works promoting useful information, originally written and published in foreign countries.
4. *Resolved*, That in consequence of the peculiar situation and peculiar circumstances of this country, a very large portion of the inhabitants speak the French language; and that for this reason, the standard works required by them in the three great departments of Religion, Literature and Law, are French, and must be obtained from France.
5. *Resolved*, That an humble Address be presented to Her Majesty, praying that Her Majesty will be pleased to adopt such measures as She may in Her wisdom deem expedient, to remove the discouragement arising from the duties imposed by the Imperial Act, on works of the class above mentioned and calculated to promote the dissemination of important knowledge; and assuring Her Majesty of our conviction that in complying with this prayer Her Majesty will increase the hap-

pinness and prosperity of Her Subjects in this Province.

*Resolved*. That a Special Committee of three Members be appointed to prepare and report the Draught of an humble Address to Her Majesty, embodying the said Resolutions.

*Ordered*, That the Honourable Mr. *Black*, Mr. *Simpson* and Mr. *Merritt*, do compose the said Committee.

The Order of the day for the House in Committee on the Bill to amend the Law relative to the Administration of Justice in *Lower Canada* being read,

Administration of Justice Lower Canada

*Ordered*, That the said Order of the Day be discharged, and that the said Bill be recommitted to the same Special Committee to which it had already been referred.

The Order of the Day for the House in Committee on the Bill to provide for the Incorporation of Townships, Towns, Counties, and Cities, in *Upper Canada*, being read,

Towns incorporation, &c

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Child* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

Then on motion of Mr. *Dunlop*, seconded by the Honourable Mr. *Morin*,

The House adjourned.

Veneris, 10<sup>o</sup> die Novembris.

Anno 7<sup>o</sup>, Victoriae Reginae, 1843.

1â hora, P. M.

Mr. *Prince*, Chairman of the Committee appointed to try the merits of the Petition of *Alexander Findlay*, and other Electors of the County of *Russell*, complaining of the undue Election and Return of *William Stewart*, Esquire, as a Member to represent the County of *Russell* in this present Parliament, presented to the House the Final Report of the said Committee, which was again read at the Clerk's table, as followeth:—

Russell Election.

"The Select Committee appointed to try the merits of the Petition of *Alexander Findlay* and others, Electors of the County of *Russell*, complaining of the undue Election and Return of *William Stewart*, Esquire, as a Member to represent that County in this Parliament, beg leave to report the following Resolutions, as their final decision thereon.

*Resolved*, That it is the opinion of this Committee that *Edward Malloch*, Esquire, Returning Officer for the County of *Russell*, at the last Election of a Representative in the Provincial Parliament for that County, was not at the time of said Election, nor within a twelvemonth prior to said Election, resident within the said County.

*Resolved*, That the requirements of the 13th Sec. of the Provincial Statute 6 *Victoria*, cap. 1, have not been carried out in the appointment of the Returning Officer, at the Election under discussion, and on the part of the Returning Officer in acting in that capacity.

*Resolved*, That the provisions contained in the the said 13th Clause of the said Act, are, in the opinion of this Committee, directory, and their non-observance, not sufficient to vitiate the Election in question.

Resolved, That therefore the Election and Return of William Stewart, Esquire, as the Representative for the County of Russell, chosen at the said Election, is legal and valid.

Resolved. That the Petition of Alexander Findlay and others, against the said Return, is not frivolous nor vexatious."

Adjournment:

Ordered, That when this House doth adjourn it will adjourn until five o'clock P. M. this day.

Answer to joint Address to His Excellency on Seat of Government.

Mr. Speaker reported, that both Houses attended His Excellency, the Governor General, this day with their Addresses, to which Addresses His Excellency was pleased to give the following Answer :—

Honourable Gentlemen of the Legislative Council,

And,

Gentlemen of the Legislative Assembly :

I will transmit your Joint Address to Her Majesty's Secretary of State, in order that it may be laid at the foot of the Throne.

Then on motion of the Honourable Mr. Viger, seconded by Mr. Chabot, The House adjourned.

Veneris, 10<sup>o</sup> die Novembris

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

5a hora P. M.

Two Petitions brought up.

THE following Petitions were severally brought up, and laid on the Table :—

By Mr. Foster—The Petition of H. Robinson and others, Inhabitants of the Townships of Stukely, Ely, and Brompton.

By Mr. Forbes—The Petition of the Agricultural Society of the Municipal District of the Lake of Two Mountains.

Mercantile Library, Montreal

An Engrossed Bill to Incorporate the Members of the Mercantile Library Association of Montreal, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Holmes do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read :—

Of Major Smith and others, of the Township of Edwardsburgh, in the District of Johnstown ; praying to be indemnified for losses sustained through incendiarism in the year 1838.

Of the Minister and Congregation of St. Andrew's Church, St. Peter's Street, Montreal ; praying that the said Church be exempted from the Provisions of the Bill relating to the Temporalities of the Church of Scotland, now before the Legislature.

Of Charles Cazou and others, commissioned Cullers of the City of Quebec ; praying for certain amendments to the Act regulating the Measurement and Culling of Timber.

Report on Petition of Geo. Bridgeman & others.

Mr. Forbes, from the Select-Committee to which was referred the Petition of George Bridgeman and

others, Leather Manufacturers and Dealers, in Canada East, and other References, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth ;

" Your Committee have examined various Parties interested in the manufacture of Raw Hides into Leather, as well as the manufacturers of Leather into Boots and Shoes ; the subject of the Petitions referred to them.

" Your Committee most respectfully suggest that there are two methods of affording the relief prayed for, the one, by the addition to the already existing Duties on Leather imported from the United States ; the other, by the repeal of the Duty on South American dried or salted Hides, the latter of which they recommend as the soundest policy.

" The Duty on Leather Manufactures has been reduced from 30 per cent. ad valorem, formerly liable under the Imperial Act, to 7 per centum under that authority. Your Honourable House having acknowledged the principle of Protective Duties on Agricultural Products, they respectfully leave that part of the Reference to the consideration of the Provincial Legislature ; begging permission, however, to observe, that in those articles of pegged boots and Shoes, the Artisans of Canada contend against Penitentiary labour in the United States ; that labour is the most costly portion of the value of those articles, and that the admission of those manufactures at the low Duty must tend to the discouragement, if not to the entire suppression of that Trade in Canada.

" In order to render the illicit Trade in these commodities more easy of detection, Your Committee would recommend that the Officers of Customs, at the Ports where these articles may be entered, be directed to stamp, in legible characters, the Leather, and Boots and Shoes so entered, on which Duty has been paid, with the name of the Port of Entry."

The Honourable Mr. Black, from the Special Committee appointed to prepare and report the draught of an humble Address to Her Majesty, embodying the Resolutions of this House on the subject of the Imperial Duties, payable upon the importation into this Province of Works promoting useful information, and not issuing from the British Press, presented to the House the said draught of an Address, which was again read at the Clerk's table, and agreed to by the House, and is as followeth :—

Imperial duties on certain works.

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's dutiful and loyal Subjects, the Legislative Assembly of Canada, in Provincial Parliament assembled, humbly beg leave to represent,

Address to Her Majesty.

That the advancement of Useful Knowledge is of such primary importance as to merit the attention of every Government, but more especially of any Government conducted on the principles of the British Constitution.

That to promote this invaluable object, one of the most efficacious means is to facilitate the introduction of the best Works of useful information at the least possible expense.

That without now calling in question the wisdom of those regulations by which the importation of reprints of Copyright Works published in the United Kingdom is prohibited, it cannot in our opinion, be wise or consistent with sound policy to discourage the importation of Works promoting useful information, originally written and published in Foreign Countries.

Address to Her Majesty.

That in consequence of the peculiar situation and peculiar circumstances of this Country, a very large portion of the Inhabitants speak the French language: and that, for this reason, the Standard Works required by them in the three great Departments of Religion, Literature, and Law, are French, and must be obtained from *France*.

We therefore humbly pray, that Your Majesty will be pleased to adopt such measures as may in Your Wisdom be deemed expedient, to remove the discouragement arising from the Duties imposed by the Imperial Act on Works of the class above mentioned, and calculated to promote the dissemination of important knowledge. and we beg to assure Your Majesty of our conviction that, in complying with this prayer, Your Majesty will increase the happiness and prosperity of Your Majesty's Subjects in this Province.

*Ordered*, That the said Address be engrossed.

Address to His Excellency.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, informing His Excellency, that this House hath voted an Address to Her Majesty respecting the importation of Works promoting useful information originally written and published in Foreign Countries, and praying that His Excellency would be pleased to transmit the said Address to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

*Ordered*, That the said Address be engrossed.

*Ordered*, That the said Address to His Excellency, the Governor General, and also the Address of this House to Her Majesty, be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Public Meetings.

On motion of the Honourable Mr. Attorney General *Baldwin*, seconded by the Honourable Mr. Solicitor General *Aylwin*,

*Ordered*, That the amendment made by the Legislative Council to the Bill, intituled "An Act to provide for the calling and orderly holding of Public Meetings in this Province, and for the better preservation of the Public Peace thereat," be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:—

Press. 2. Line 17.—Leave out "eight" and insert "three."

And the said amendment being again read it was agreed to by the House.

*Ordered*, That the Honourable Mr. Attorney General *Baldwin* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

Leave of absence to Mr. Turgeon.

*Ordered*, That Mr. *Turgeon* have leave to absent himself from this House until the twenty-fifth of December next, on account of ill health.

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

Journal read on Petition of Rich'd Brown and others.

*Ordered*, That the Entries in the Journals of this House of the twenty-sixth of December, 1842, relating to the Petition of *Richard Brown* and others, of the County of *Haldimand*, praying that the said County of *Haldimand* be erected into a separate District, under the name of the "District of *Manchester*," be now read.

The said Entries were read accordingly.

*Ordered*, That the said Entries be referred to the Select Committee to which was referred the Petition of *John Harris* and others, Inhabitants of *Grimsby*, and other Townships in the District of *Niagara*.

*Ordered*, That Mr. *Thorburn* have leave to absent himself from this House for a fortnight, on urgent business.

Leave of absence to Mr. Thorburn.

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

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of two Petitions filed in the office of the Executive Council, the one from *James Little* and others, and the other from the Chiefs and Sachems of the Six Nations Indians, residing on the *Grand River* Tract, both relating to Indian Lands.

Address on Petitions of James Little and others, & of the 6 Nation Chiefs.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Solicitor General *Aylwin*, seconded by Mr. *Barthe*,

*Ordered*, That the Engrossed Bill from the Legislative Council, intituled "An Act to repeal an Ordinance of *Lower Canada*, intituled 'An Ordinance concerning Bankrupts and the Administration and distribution of their Estates and Effects,' and to make provision for the same object throughout the Province of *Canada*," be read a second time, on Friday next.

Bankrupt Bill.

A Bill for the better preservation of certain species of Fish in the Rivers and Waters of the Counties of *Stanstead*, *Sherbrooke*, *Missisquoi*, and *Shefford*, was, according to order, read a second time.

Preservation of Fish in the waters of Stanstead, &c.

*Resolved*, That the said Bill be referred to a Special Committee of five Members, to report thereon, with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That Mr. *Child*, Mr. *Papineau*, Mr. *Hamilton*, Mr. *De Witt*, and Mr. *Moore*, do compose the said Committee.

A Bill to exempt vehicles, conveying manure from the Cities and Towns of this Province, from the payment of Tolls on Turnpike Roads, was, according to order, read a second time.

Toll exemption.

*Resolved*, That the said Bill be referred to a Special Committee of five Members to report thereon, with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That the Honourable Mr. *Neilson*, Sir *Allan N. MacNab*, Mr. *Quesnel*, Mr. *Price*, and Mr. *Chabot*, do compose the said Committee.

A Bill to regulate the Inspection and measurement of Timber, Masts, Spars, Deals, and other articles of a like nature, was, according to order, read a second time.

Measurement of Timber.

Mr. *Cameron* moved, seconded by Sir *Allan N. MacNab*, That the said Bill be now referred to a Committee of the whole House.

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

#### YEAS.

Messieurs AYLWIN, BOSWELL, CAMERON, CARTWRIGHT, COOK, DUGGAN, FOSTER, HALE, HINCKS, HOLMES, HOPKINS, JUDAH, KILLALY, SIR ALLAN N. MAGNAB, D. McDONALD, J. S. MACDONALD, McLEAN, MORRIS, PAPINEAU, PARKE, POWELL, PRICE, and TACHE.—(23.)

#### NAYS.

Messieurs BARTHE, BERTHELOT, CHILD, CHRISTIE, DALY, DE WITT, FORBES, JOHN, JONES, LACOSTE, LAFONTAINE, LESLIE, MERRITT, MORIN, NEIL-

SON, QUESNEL, SMALL, THORBURN, D. B. VIGER, L. M. VIGER, WAKEFIELD, WATTS, and WILLIAMS. —(23.)

And the votes being equally divided, Mr. Speaker gave his casting vote in the negative.

*Ordered*, That the said Bill be referred to a Committee of the whole House on Tuesday next.

Loan & Trust Company.

A Bill for incorporating and granting certain powers to the *Upper Canada Trust and Loan Company*, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Wednesday next.

N. A. Colonial Association.

A Bill to give further powers to the *North American Colonial Association of Ireland*, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Tuesday, the twenty-first instant.

J. A. P. Barbier.

A Bill to naturalize *Jacques Adrien Pierre Barbier* and *Euphrasie Barbier*, his wife, was, according to order, read a second time.

*Resolved*, That the said Bill be referred to a Select Committee, composed of Mr. *Cartwright*, the Honourable Mr. *Black*, and the Honourable Mr. *Neilson*, to report thereon with all convenient speed, with power to send for persons, papers, and records.

Report on Petition of Paul Glasford and others.

The Order of the day for the House in Committee on the Report of the Special Committee to which was referred the Petition of *Paul Glasford*, and others, appointed to superintend the erection of a Gaol and Court House in *Brockville*, being read, The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Hopkins* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

*Resolved*, That the Municipal Council of the District of *Johnstown*, be authorized and required to pay such debts as may have been legally contracted by the Committee of Magistrates, appointed to superintend the erection of a new Gaol and Court House at *Brockville*, under the Act of the Province of *Upper Canada*, 1 Vict. cap. 38, in the erection and completion of the same, and that the said Council be empowered to raise by Assessment the necessary moneys for that purpose.

*Ordered*, That Mr. *Morris* have leave to bring in a Bill to declare a debt contracted by the Committee of Magistrates of the *Johnstown* District, to enable them to complete the New Gaol and Court House of said District, to be a debt payable by the District Council.

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, the twenty-first instant.

British Fisheries Gulf of St. Lawrence.

The Order of the day for the House in Committee on the Bill to incorporate certain persons therein named, with others, providing funds towards carrying on the British Fisheries in the Gulf of *St. Lawrence*, and District of *Gaspé*, and mining in the said District, under the style of the *Gaspé* fishery, commercial, and mining Company, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Parke* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received on Monday next.

The Honourable Mr. *Daly*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, 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:—

*C. T. Metcalfe.*

The Governor General recommends to the consideration of the House of Assembly, the substitution of other and more convenient provisions for the purchase of the interest of the private shareholders in the *Welland Canal*, in lieu of those contained in the Act passed by the Legislature of *Canada* in the Session of 1841.

Government House,  
*Kingston*, 10th November, 1843.

The Order of the day for the House in Committee on the Bill to provide for the Incorporation of Townships, Towns, Counties, and Cities in *Upper Canada*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Johnston* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered*, That the said Committee have leave to sit again on Monday next,

Then on motion of Mr. *Williams*, seconded by the Honourable Mr. *Viger*,

The House adjourned until Monday next.

*Luce die 13<sup>o</sup> Novembris.*

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

THE following Petitions were severally brought up, and laid on the table:—

Eight Petitions brought up.

By the Honourable Mr. *Neilson*—The Petition of *William Price*, Esquire, of *Quebec*, Merchant.

By Mr. *D. McDonald*—The Petition of *John Chitty*, and others, Inhabitants of the Districts of *Dalhousie* and *Ottawa*.

By Mr. *Cameron*—The Petition of *Charles H. Sache* and others, Inhabitants of the District of *Bathurst*; the Petition of the Minister, Elders and Congregation, of the Presbyterian Church, in *Dundas*; and the Petition of *Andrew Dickson*, Sheriff of the District of *Bathurst*.

By Mr. *Leslie*—The Petition of *Thomas Mullan* and others, Tide Waiters at the Port of *Montreal*; and the Petition of *James Morgan* and others, Inhabitants of *Cote St. Martin*, *Longue Pointe*, and *Pointe aux Trembles*, in the District of *Montreal*.

By Mr. *Powell*—The Petition of *G. R. Lounsbury* and others, Members of the Baptist Church and Congregation at *Simcoe*, in the District of *Talbot*.

Pursuant to the Order of the day the following Petitions were read:—

Petitions read.

Of the Right Rev. the Lord Bishop of *Montreal*, and others, Inhabitants of *Lower Canada*; praying to be incorporated under the title of "The Church Society of the Diocese of *Quebec*."

Of *H. Solomon* and others, Trustees of the *Montreal* Congregation of Israelites; praying for certain amendments to the Act 9 and 10 *George IV.* cap. 75.

Of *Joseph Paquet* and others. Pilots for the Navigation of the *St. Lawrence*, between the Ports of *Montreal* and *Quebec*; praying for certain amendments to the laws regulating their calling.

Of the Honourable *Grant de Longueuil* and others. Inhabitants of the Town of *St. John's*, and of its vicinity; praying for an establishment of a Court of Quarter Sessions in the said Town; and for authority to build a Gaol, upon the guarantee that the cost of the same will be refunded to them by the Province.

Of *Guillaume D'Eschambault*, Physician, of the Village of *Laprairie de la Magdeleine*; praying such compensation as the House may see fit to grant, for his services as Commissioner, concerning the contested Election of *Mr. O. Berthelet*, in 1833.

Of *H. Robinson* and others. Inhabitants of the Townships of *Stukely*, *Ely* and *Brompton*; praying an aid for a road from *Sherbrooke* to *Montreal*, through the said Townships.

Of the Agricultural Society of the Municipal District of *The Lake of Two Mountains*; praying for the repeal of the Act now in force, and the re-enactment of an Ordinance repealed therein, relative to the construction of Winter carriages.

Petitions referred.  
Major Smith and others.

*Ordered* That the Petition of *Major Smith* and others, of the Township of *Edwardsburgh* in the District of *Johnstown*, presented to the House on the eight instant, be referred to the Select Committee appointed to ascertain whether any, and if so what plan can be devised to indemnify the losses and satisfy the claims sustained and made by Individuals during the late Rebellion and Invasions of the late Province of *Upper Canada*.

Rt. Rev. The Lord Bishop of Montreal and others.

*Resolved*. That the Petition of the Right Rev. the Lord Bishop of *Montreal* and others, Inhabitants of *Lower Canada*, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and Records.

*Ordered*. That *Mr. Hale*, the Honourable *Mr. Neilson*, *Mr. Holmes*, *Mr. Williams*, and the Honourable *Mr. Black*, do compose the said Committee.

G. D'Eschambault.

*Ordered*. That the Petition of *Guillaume D'Eschambault*, Physician, of the Village of *Laprairie de la Magdeleine*, be referred to the standing Committee on Contingencies.

St. Andrew's Church, Montreal.

*Ordered*. That the Petition of the Minister and Congregation of *St. Andrew's Church*, *St. Peter's Street*, *Montreal*, presented to the House on the eight instant, be referred to the Special Committee, to which was referred the Bill, to provide for the management of the temporalities of the Presbyterian Church of *Canada*, in connexion with the Church of *Scotland*, and other references.

First Report from Committee on Privileges and Elections.

The Honourable *Mr. Neilson*, from the Standing Committee of Privileges and Elections, presented to the House the First Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

“ Your Committee, in conformity with the order

of reference to them given, beg leave to report that they have inquired into the circumstances which have delayed the issue and return of the Writ for the late election for the County of *Hastings*, and they have annexed to this Report the minutes of evidence taken thereon.

Your Committee are of opinion, that the delay which has occurred, has not arisen from any fault or intention on the part of the Clerk of the Crown in Chancery, or other public Officer, but chiefly from complaint made and notice given by a Member of this House, of a proposed investigation into the conduct of the late Returning Officer at the preceding Election, which suggested the propriety of not re-appointing him as Returning Officer on the present occasion and selecting another person.

*Felix Fortier*, Esquire, Clerk of the Crown in Chancery, called in and examined—

1. You are the Clerk of the Crown in Chancery?—I am.

2. When did you receive the order to issue the new writ for the county of *Hastings*?—On the 4th October, at half-past 12 o'clock, I received the Speaker's warrant for the issuing of a writ for the election of a Knight to represent the County of *Hastings*.

3. When was the Writ issued?—On the 13th October.

4. Can you state what occasioned the delay from the 4th to the 13th?—The occasion of the delay seems to be, the necessary proceedings for the issuing of a Writ; on the 4th October, about 4 o'clock, I sent a letter marked A. (App. No. 1) to the Secretary of the Province as usual, the moment I receive the Speaker's warrant, I have prepared the Writs and Commissions, leaving blanks to be filled up according to the directions of the Governor General. It was only on the 9th October after 3 o'clock, that I received a letter marked B. (App. No. 2) from the Assistant Secretary West—having had difficulty in making out the name of *Mr. Billa Flint*, (it not being very legibly written) after enquiry, I took it for *Billier*, and filled up the Commission with that name.

I made out the Writ on the same day, and sent it next morning to be signed by the Governor General. I got back the Writ enregistered late in the evening of the 12th, by a Messenger from the House, bringing it to me at my lodgings—next day I sent the whole by Post, to the Returning Officer, with a letter of instructions marked C. (App. No. 3.)

In the afternoon of the 17th October, I received a letter from *Mr. Hutton*, the Returning Officer, marked D. (App. No. 4.); by my letter of the 4th October, I had informed the Secretary, that *Mr. Gilbert* had already acted before under the name of *Gilberts*. I found his name by referring to the Book of Record, and by looking to the letter of *Mr. Assistant Secretary* of 17th September, 1842, I find that the name is *Gilberts* and not *Gilbert*. *Mr. Gilbert* acted as Commissioner for the first time in 1842. On 17th October, as soon as I received the letter marked D. (App. No. 4.) I wrote the letter marked E. (App. No. 5) and sent a new Commission, dated 17th Instant, with the name rightly spelt,—next day, 18th, the Commission was recorded, and sent to the Returning Officer.

5. Had you any communication with any person other than those mentioned in your official communication on the subject of the issuing of the Writ?—I had not.

*William Hutton*, Esquire, called in and examined.

6. Were you the Returning Officer at the late Election for the County of *Hastings*?—I was.

7. When did you receive the Writ?—I received the Writ for the County of *Hastings*, on Saturday the 14th October, at 8 o'clock P. M.

8. What day was fixed for the opening of the Election?—I issued the Proclamation on the 16th October, at 3 o'clock P. M., appointing Friday, the 27th Instant as the nomination day—thus giving *ten* days notice, because an earlier day would have interfered with the Judge who was holding the Assizes and occupying the Court Room, which I required on account of the inclement weather; on that day, (the 27th inst.) a Poll being demanded, I granted it,—to be taken on the first and second days of November, allowing the four days as required by Law—met again in the Court House on Saturday the 4th November, and declared *Edmund Murney*, Esquire, duly elected by a majority of 78 votes; had the Indenture prepared same day and brought it to *Kingston* on the 6th., at half-past five o'clock P. M., and made my return on the next day in the forenoon; issued the Proclamation without waiting for the *Dedimus*, which I enclosed to the Clerk of the Crown in Chancery on the 16th, because the names were mis-spelt, fearing that it might be of some consequence, and received a new *Dedimus* by return of Post; the names in the *Dedimus* being mis-spelt did not delay the Election—as I issued the Proclamation as soon as possible after the receipt of the Writ.

*James Hopkirk*, Esquire, called in and examined.

9. What is your official situation under Government?—Assistant Secretary *Canada West*.

10. Had you any communication with the Clerk of the Crown in Chancery, relating to the issuing of the Writ for *Hastings*?—I had no direct communication, in the first instance, with him—I think it was on the 5th October, Mr. *Daly* informed me, that he had received a letter from Mr. *Fortier* on the subject of the *Hastings* Election. Mr. *Daly* gave me no instructions at that time; on the 9th October he directed me to write to Mr. *Fortier*, with the names of the Returning Officer and Commissioners; my impression is, this was about three o'clock P. M. I immediately wrote the letter of 9th October, of which F. (App. No. 6), is a copy; I wrote the letter myself in place of drafting it, and having it copied to save time. On the 17th October Mr. *Fortier* handed me the letter of that date, pointing out the mistake in the names of the Commissioners, with a new *Dedimus*; I immediately sent it to Government House, with a memorandum to His Excellency explanatory of it, and requesting that it might be returned as soon as possible. The instant it was returned it was sent to the Register, where Mr. *Fortier* called for it and received it on the 18th October.

The Honourable Mr. Attorney General *Baldwin*, Chairman of the Committee, examined.

11. Did you have any communication with any person relating to the issuing the Writ for the *Hastings* Election, and if so, will you be pleased to state what occurred?—In consequence, as I understood from Mr. Secretary *Daly*, of a remonstrance transmitted to the Governor General, through the Private Secretary, against the appointment of Mr. *Moodie*, as Returning Officer, His Excellency called for information as to the exact state of the matter as it stood before the House. This occasioned the first delay. After the information was reported to the Governor General, but before the Commission was made out

for Mr. *Moodie*, Sir *Allan MacNab* informed me in the House that he had received affidavits on the subject of the conduct of Mr. *Moodie* at the last Election, in consequence of which he intended to move the House for an Enquiry. I felt it my duty upon this information to communicate the same to the Head of the Government, and upon consideration of this announcement of Sir *Allan MacNab*, His Excellency deemed it inexpedient to re-appoint Mr. *Moodie* on this occasion. Mr. *Hutton*, the Warden of the District, was then suggested for Returning Officer, but as he had been spoken of as a Candidate in 1841, it was thought better to wait a day or two, to ascertain who the Candidates were before appointing him. I had reason myself daily to expect a letter from *Belleville*, giving me this information, and a day or two was lost in waiting for it. As soon as it was ascertained that Mr. *Hutton* was not a Candidate, the Instructions were given for preparing the appointments of Returning Officer and Commissioners for administering the oath.

These delays took place, I believe, between the 5th and 9th October, but I kept no memorandum that would enable me to state the days on which they occurred. My communication with the Governor General was through Mr. Secretary *Daly*, whose duty it was to call His Excellency's attention to the necessity of making the appointments.

*Edmund Murney*, Esquire, M. P. P., called in and examined.

12. Were you in Town when the Election for *Hastings* was declared void, and a new Writ issued?—I remained in *Kingston* for two days after the Writ for the County of *Hastings* was ordered, for the purpose of ascertaining the Returning Officer's name: during those two days, I called repeatedly upon Mr. *Fortier* to see the Writ: at first it was refused, but afterwards Mr. *Fortier* showed me the Writ filled up, but without any name for the Returning Officer.

A. (Appendix No. 1.)

(Copy.)

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 4th October, 1843.

Sir,

The Honourable Speaker of the Legislative Assembly having addressed to me his Warrant for the Election of a Member to represent the County of *Hastings*, I beg to be furnished with the names of the Returning Officer and the Commissioners, at the next Election. The Commissioners at the last Election were *William Hutton* and *John Gilberts*, Esquires, together with *J. W. Dunbar Moodie*, Esquire, who acted as Returning Officer.

I have the honour to be,  
&c. &c. &c.

(Signed,)

*Felix Fortier*,  
C. C. C.

Honourable *D. Daly*,  
Secretary,  
*Kingston*.

(Copy.)

Secretary's Office,  
*Kingston*, 17th September, 1842.

Sir,

I have the honour, by command of the Governor General, to acknowledge the receipt of your letter of this date, and am to acquaint you in reply that

Hastings Elec-  
tion.

His Excellency has been pleased to direct that the Election for *Hastings* shall take place at *Belleville*, upon Monday the third proximo, and that *J. W. Dunbar Moodie*, Esquire, Sheriff of the District of *Victoria*, shall be Returning Officer, and that the said *J. W. D. Moodie*, *William Hutton*, and *John Gilberts*, Esquires, shall be Commissioners, and that the Election for the Fourth Riding of *York*, shall take place at *Sharon*, on Monday the third day of October next, and that *George Lount*, Esquire, shall be Returning Officer, and that the said *George Lount*, *Jacob Amelius Irving*, and *James Pearson*, Esquires, shall be Commissioners.

I have the honour to be, Sir,  
Your most obedient,  
humble Servant,

*James Hopkirk*,  
Ass't Secretary.

*Felix Fortier*, Esquire.

B. (Appendix No. 2.)

(Copy.)

Secretary's Office, West,  
9th October, 1843.

SIR,

I have the honour, by command of the Governor General, to acknowledge the receipt of your letter of the 4th instant, and to acquaint you in reply, that His Excellency has been pleased to direct that *William Hutton*, Esquire, shall be Returning Officer, and the said *William Hutton*, *John Gilberts*, and *Billa Flint*, Junior, Esquires, Commissioners at the ensuing Election for the County of *Hastings*.

I have the honour to be, Sir,  
Your most obedient, humble Servant,

*James Hopkirk*,  
Ass't Secretary.

*Felix Fortier*, Esquire,  
&c. &c. &c.

C. (Appendix No. 3.)

(Copy.)

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 13th November, 1843.

To *William Hutton*, Esquire,  
Returning Officer for the County of *Hastings*.

SIR,

I have the honour, by command of the Governor General, to enclose to you herewith, a Writ for the Election of a Member for the County of *Hastings*, together with a Commission appointing you Returning Officer, and another appointing you Commissioner together with *John Gilberts* and *Billa Flint*, Junior, Esquires.

You will proceed without loss of time to make proclamation according to the 9th Section of the Act 6th Vict. cap. 1, and take the other necessary steps in accordance with the requirements with that Statute and other Statutes for the election of Members (copies of part of which Statutes are enclosed herewith for the guidance of yourself and Deputies.) At the same time, I will also call your attention to the Imperial Statute, 31st Geo. 3: cap. 31: Sections 20, 21, 22, 23, 24, and to the Provincial Statutes, 4 Geo. 4: cap. 3: (the 12th and 15th Sections being repealed), the 4th Will. 4: cap. 14.

You will observe that your Commission contains no directions as to the time or places of holding the

Election, the late Act having transferred the duty of naming these to the Returning Officer, who must, however, of course, observe the directions of the Statute in these as in all other particulars.

An acknowledgment of the receipt of the enclosed document, at your earliest convenience, will oblige

Your obedient Servant,

(Signed,) *F. Fortier*,  
C. C. C.

D. (Appendix No. 4.)

(Copy.)

*Belleville*, October 16th, 1843.

SIR,

I have the honour to acknowledge the receipt of your letter of the 13th inst. covering Writ for the Election of a Member for *Hastings*, also Commission "*Dedimus*," copies of the Statutes, &c. &c. &c.

The names of the two Gentlemen mentioned in the *Dedimus* being mis-spelt, I have taken the liberty to re-indorse it for alteration, fearing lest the error might be of some importance. Instead of "*John Gilberts*," it should be "*John Gilbert*," and instead of "*Biller Flint*," Junior, it should be "*Billa Flint*," Junior.

I have the honour to be, Sir,  
Your most obedient humble Servant,

*William Hutton*,  
Returning Officer.

To *Felix Fortier*, Esquire, C. C. C.  
&c. &c. &c. *Kingston*.

E. (Appendix No. 5.)

(Copy.)

Office of the Clerk of the Crown in Chancery,  
17th October, 1843.

SIR,

I beg leave to state for His Excellency's information, that I have received this afternoon, from *Wm. Hutton*, Esquire, Returning Officer for the County of *Hastings*, a letter including the Commission *Dedimus Potestatem*, which has been issued by His Excellency, the Governor General, addressed to himself, *John Gilberts* and *Biller Flint*, Esquires, stating that the names of the two latter Gentlemen being mis-spelt (that is *Gilbert* instead of *Gilberts*, and *Billa Flint*, instead of *Biller Flint*.) he thought proper to re-enclose the said Commission for alteration. In consequence, I have prepared a new Commission, with the names of the Gentlemen correctly spelt, in order to avoid any delay, should His Excellency order the error to be rectified by a new Commission. I take also the liberty of enclosing the first Commission.

I have the honor to be, Sir,  
Your obedient Servant,

(Signed,) *Felix Fortier*,  
C. C. C.

To *J. Hopkirk*, Esq.

F. (Appendix No. 6.)

(Copy.)

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 4th October, 1843.

SIR,

The Honourable Speaker of the Legislative Assembly, having addressed to me his warrant for

Hastings Elec-  
tion.



Hastings Elec-  
tion.

the Election of a Member to represent the County of *Hastings*, I beg to be furnished with the name of the Returning Officer, and of the Commissioners at the ensuing Election. The Commissioners at the last Election, were *William Hutton* and *John Gilberts*, Esquires, together with *J. W. Dunbar Moodie*, Esquire, who acted also as Returning Officer.

I have, &amp;c.

*Felix Fortier*,  
C. C. C.

Honourable *D. Daly*,  
Secretary,  
*Kingston*.

A true Copy.

*D. Daly*,  
Secretary.

(Copy.)

Secretary's Office,  
*Kingston*, 9th October, 1843.

Sir,

I have the honour, by command of the Governor General, to acknowledge the receipt of your letter of the 4th Instant, and to acquaint you in reply, that His Excellency has been pleased to direct that *William Hutton*, Esquire, shall be Returning Officer, and the said *William Hutton*, *John Gilberts*, and *Billa Flint*, junior, Esquires, Commissioners at the ensuing Election for the County of *Hastings*.

I have &amp;c.

*James Hopkirk*.

*Felix Fortier*, Esquire,  
Clerk of the Crown in Chancery.

A true Copy.

*D. Daly*,  
Secretary.

(Copy)

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 17th October, 1843.

Sir,

I beg leave to state for His Excellency's information, that I have received this afternoon, from *William Hutton*, Esquire, Returning Officer for the County of *Hastings*, a letter, including the Commission *Dedimus Potestatem*, which has been issued by His Excellency the Governor General, the ninth instant, addressed to himself, *John Gilberts* and *Biller Flint*, Esquires, stating that the names of the two latter Gentlemen, were mis-spelt (*Gilberts* instead of *Gilbert*, and *Biller Flint* instead of *Billa Flint*) and that he thought proper to re-enclose the said Commission for alteration. In consequence I have prepared a new Commission with the names of the same Gentlemen, correctly spelt, in order to avoid any delay, should His Excellency order the error to be rectified by a new Commission.

I take also the liberty of enclosing at the same time the former Commission.

I have, &amp;c.

(Signed) *Felix Fortier*,  
C. C. C.

*James Hopkirk*, Esquire,  
Assistant Secretary (West.)

A true Copy.

*D. Daly*,  
Secretary.

(Copy)

*Kingston*, 4th October, 1843.Hastings Elec-  
tion.

Sir,

We have the honour to state to you, for the information of His Excellency the Governor General, that we were at the last Election for the County of *Hastings*, Freeholders therein, and present thereat; that the Returning Officer, *J. M. Dunbar Moodie*, Esquire, (who is also now and was then Sheriff of the District of *Victoria*) did throughout the said Election exhibit a decided bias and partiality for the Government Candidate, the Honourable *Robert Baldwin*, the present Attorney General for *Canada West*, not only by referring to him for, and deciding according to the opinion of the said Government Candidate, upon various points of difference, which arose at the said Election, but also by observing a distinction between the two Candidates, in calling upon the supporters of Mr. *Murney*, (the Candidate opposing the Honourable *Robert Baldwin*) by the designation of supporters of Mr. *Murney*, to make way, on the Thursday of the week of the Election, for the adherents of the Honourable *Robert Baldwin*. We beg leave further to state, for the information of His Excellency the Governor General, that the Returning Officer at such Election, *S. W. Dunbar Moodie*, Esquire, Sheriff of the District of *Victoria*, might have proceeded with the said Election, after the arrival of the Troops from *Kingston*, without interruption by either party and moreover, that it was, because he the said Returning Officer, Sheriff as aforesaid, believed that Mr. *Murney* would, if all the votes in the County had been polled, have had a majority, and been entitled to a return as Member for the said County of *Hastings*, that therefore he the said *J. W. Dunbar Moodie*, Esquire, Returning Officer at such Election, and Sheriff of the said District of *Victoria*, as a private friend and political partizan of the said Honourable *Robert Baldwin*, raised every obstacle to such an event, which he by virtue of his office had the opportunity of creating.

We have the honour to be, Sir, &amp;c.

*William Robertson*,  
*C. O. Benson*,

*J. M. Higginson* Esquire,  
Civil Secretary.

A true Copy.

*D. Daly*,  
Secretary.

(Copy.)

Secretary's Office,  
*Kingston*, 12th Oct. 1843.

Sir,

The Private Secretary having handed to this Office a letter dated the 4th instant, signed by Mr. *Benson* and yourself on the subject of the proceedings of the Returning Officer, at the late Election for the County of *Hastings*, I have laid it before the Governor General for His Excellency's information.

I have &amp;c.

(Signed) *D. Daly*,

*William Robertson*, Esquire,  
*Kingston*.

A true copy.

*D. Daly*,  
Secretary.

Hastings Elec-  
tion.

(Copy)

Secretary's Office,  
Kingston, 14th October 1843.

Sir,

I have the honour, by command of the Governor General, to acquaint you, that a new election being about to take place for the County of Hastings. His Excellency has not deemed it expedient again to direct your being Returning Officer, as an intention has been expressed in the House of Assembly to institute an inquiry into your proceedings at the last Election, which renders it unadvisable that you should be employed as Returning Officer on the present occasion.

His Excellency has thought it due to you, to direct me to convey to you this explanation, and to assure you, that He does not entertain any opinion to your prejudice, and will rejoice to find that any enquiry instituted may terminate in establishing the correctness of your conduct.

I have &c.

D. Daly,  
Secretary.

J. W. Dunbar Moodie, Esquire,  
&c. &c. &c.

A true Copy.

D. Daly,  
Secretary.

(Copy)

Sheriff's Office,  
Bellerive, 17th October, 1843

Sir,

I have the honour to acknowledge the receipt of your letter of the 14th instant, conveying an explanation of the motive which influenced His Excellency, the Governor General, in appointing another person as Returning Officer, at the approaching Election for this County. May I request that you will convey to His Excellency, my sincere acknowledgements for the kind consideration he has shown for my feelings on this occasion, and that you will assure Him, that no less on public than on personal grounds, do I rejoice that such an inquiry into my proceedings at the last Election may take place, as the public will thereby be put in possession of the whole facts of the case, which I feel persuaded, must lead to the most beneficial results to the country at large.

I have &c

J. W. Dunbar Moodie,  
Sheriff, District of Victoria.

The Honourable Dominick Daly,  
Secretary C. W. Kingston.

A true Copy.

Ordered, That the said Report be taken into consideration, on Tuesday the twenty-first instant.

Montreal Wa-  
ter Works.

Mr. Holmes from the Special Committee, to which was referred the Bill to authorize the Mayor, Aldermen, and Citizens of Montreal, to purchase, acquire and hold, the property now known as the Montreal Water-works, and another Reference, 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.

Ordered, That the said Bill be referred to a Committee of the whole House to-morrow.

Mr. Hale from the Standing Committee on Private Bills, presented to the House the Ninth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report from  
Standing Com-  
mittee on Pri-  
vate Bills.

"Your Committee have had under consideration the Petition of H. St. Germain and J. G. Lavolette, praying that the privilege of collecting Tolls on a bridge over the River Jesus may be continued to him; and the Petition of Benjamin Esty and others, praying that the same may not be granted. They have used every means in their power to ascertain whether the first named Petitioners have given due notice of their application, but have yet received no proof of their having fully complied with the Rule of Your Honourable House in relation to such notice. They are therefore unable to take any further action in the matter."

Mr. Hale from the Select Committee to which was referred the Bill to incorporate the Diocesan College of the Protestant Episcopal Diocese of Quebec, 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.

Protestant Col-  
lege Quebec.

Ordered, That the said Bill be referred to a Committee of the whole House, on Wednesday next.

The Honourable Mr. Attorney General Lafontaine, from the Special Committee to which was re-committed the Bill to amend the Law relative to the Administration of Justice in Lower Canada, 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.

Administra-  
tion of Justice  
Lower Canada

Ordered, That the said Bill be referred to a Committee of the whole House this day, and that it be then the first Order of the day.

Ordered, That the Special Committee to which was referred the Statement laid, in compliance with an Address of this House of the 10th October, 1842, before this House on the sixteenth of October last, by command of His Excellency, the Governor General, showing the Disbursements of the receipts arising from the sale of Marriage Licenses, from the 10th February, 1841, to the 31st December, 1842, have leave to report from time to time.

Marriage Li-  
cences.

Ordered, That the Honourable Mr. Jones have leave to bring in a Bill for the preservation of certain species of wild animals, in Lower Canada.

Bill for preser-  
vation of cer-  
tain wild ani-  
mals in Lower  
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 Wednesday next.

Ordered, That Mr. Gilchrist have leave to absent himself from this House, for one week from this day, on urgent business.

Leave of ab-  
sence to Mr.  
Gilchrist.

Ordered, That the Honourable Mr. Solicitor General Aylwin have leave to bring in a Bill to Incorporate the Association called "La Congregation de Notre Dame de Quebec."

La Congrega-  
tion de Notre  
Dame de Que-  
bec.

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 Friday next.

Ordered, That Mr. Chabot have leave to bring in a Bill to Incorporate the Education Society of the District of Quebec.

Education So-  
ciety Quebec.

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 Friday next.

Mr. Parke from the Committee of the whole House on the Bill to Incorporate certain persons therein named with others, providing funds towards carrying on the British Fisheries in the Gulf of St. Lawrence and District of Gaspé, and Mining in the said District, under the style of "The Gaspé Fishery, Commercial, and Mining Company," reported, according to order, the amendments made by the Committee to the said Bill, 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.

A Bill to repeal the Act now in force for the establishment and maintenance of Common Schools, and to grant an indemnity for the payment of certain portions of the School moneys for the year one thousand eight hundred and forty-two, and further to provide for the apportionment and distribution of the balance of said moneys for the years one thousand eight hundred and forty-two, and one thousand eight hundred and forty-three, was, according to order, read a second time.

Ordered, That the said Bill be referred to a Committee of the whole House, to-morrow, and that it be then the first order of the day.

The Order of the Day for the second reading of the Bill to relieve the Shareholders of the several Banks therein mentioned from liability beyond the amount of the shares subscribed, and for that purpose to amend the several Acts creating such liabilities, being read.

The Honourable Mr. Black moved, seconded by Mr. Child, that the said Order of the Day be discharged, and that the said Bill be read a second time this day six months.

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

## YEAS.

Messieurs BERTHELOT, BLACK, CHABOT, CHESLEY, CHILD, COOK, DUGGAN, DUNLOP, DURAND, FORBES, HOLMES, HOPKIN, JOHNSTON, JONES, JUDAH, LESLIE, McLEAN, MOORE, NEILSON, POWELL, HARMANNUS SMITH, STEWART, and WOODS.—(23.)

## NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BOULTON, BOUTILLIER, CAMERON, CARTWRIGHT, CHRISTIE, CRANE, DALY, DE WITT, DUNN, HALE, HARRISON, HINCKS, JOBIN, KILLALY, LAFONTAINE, SIR ALLAN N. MACNAB, MORIN, MORRIS, PARKE, SMA' L, HENRY SMITH, STEELE, THOMPSON, D. B. VIGER, L. M. VIGER, WAKEFIELD, WATTS, and WILLIAMS.—(32.)

So it passed in the Negative.

The said Bill was then, according to Order, read a second time.

Ordered, That the said Bill be referred to a Committee of the whole House, on Friday next.

Ordered, That the Order of the Day for the House in Committee on the Bill for the consolidation and amendment of the Laws relative to Jurors, Juries, and Inquests, in that part of this Province called Upper Canada, be postponed until Monday next.

A Bill to Incorporate Les Dames Religieuses du Sacré Cœur de Jésus of the Parish of St. Jacques de

l'Achigan, in the District of Montreal, for the purposes of Education, was, according to order, read a second time.

Resolved, That the said Bill be referred to a Select Committee composed of Mr. Quesnel, Mr. J. M. Viger, the Honourable Mr. Neilson, Mr. Leslie, and Mr. Rouillier, to report thereon with all convenient speed, with power to send for persons, papers, and records.

The Order of the Day, for the House in Committee on the Bill to amend the law relative to the administration of Justice in Lower Canada, being read.

The House accordingly resolved itself into the said Committee.

Mr. Leslie took the Chair of the Committee; and after some time spent therein.

Mr. Speaker resumed the Chair.

And Mr. Leslie reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

The Order of the Day for the House in Committee on the Bill to provide for the Incorporation of Townships, Towns, Counties, and Cities, in Upper Canada, being read.

The House accordingly resolved itself into the said Committee.

Mr. Johnston took the Chair of the Committee; and after some time spent therein.

Mr. Speaker resumed the Chair.

And Mr. Johnston reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again, to-morrow.

The Order of the Day, for the House in Committee on the Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue, being read.

Ordered, That the said Order of the Day be postponed, until to-morrow.

Then, on motion of Mr. Duggan, seconded by Mr. Dunlop.

The House adjourned.

Martis, 14<sup>o</sup> die Novembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

THE following Petitions were severally brought up, and laid on the Table:—

By the Honourable Mr. Boulton—The Petition of William Stewart and others, Debtors confined in the close custody of the Sheriff of the Home District.

By Mr. Foster—The Petition of H. Robinson, and others, Inhabitants of the County of Shufford. (relating to a road.)

By Mr. Cameron—The Petition of R. Young and others, Inhabitants of Goderich, in the District of Huron.

By Mr. Parke—The Petition of Henry Hamilton and others, School Commissioners and Teachers, of the Townships of Yarmouth and Southwold, in the District of London; and the Petition of John Burwell, of Port Burwell.

Mr. Dunlop moved, seconded by the Honourable Mr. Sherwood, That the Petition of the Honourable James Crooks, Esquire, of the District of Gore presented to the House on the twenty-sixth of Oc-

British Fisheries Gulf of St. Lawrence.

Indemnity to Common Schools.

Banks liability

Administration of Justice Lower Canada

Towns &c. Incorporation.

Management of Customs.

5 Petitions brought up.

Jurors and Juries.

Les Dames du Sacré Cœur de Jésus.

Petition of the Hon'ble James Crooks.

tober last, be referred to a Select Committee composed of Mr. *Dunlop*, Mr. *Christie*, Mr. *Merritt*, Mr. *Leslie*, and Mr. *De Witt*, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:

## YEAS.

Messieurs CARTWRIGHT, CHRISTIE, DUNLOP, DURAND, HALE, HAMILTON, HOLMES, JOHNSTON, SIR ALLAN N. MACNAB, MOORE, MURNEY, HARMANNUS SMITH, GEORGE SHERWOOD, THOMPSON, and WATTS.—(15.)

## NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BLACK, BOULTON, BOUTILLIER, CAMERON, CHABOT, CHILD, COOK, DE WITT, DUNN, FOSTER, JONES, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, MORIN, NELSON, PAPINEAU, PARKE, POWELL, QUENNEL, STEELE, TACHE, TURCOTTE, D. B. VIGER, I. M. VIGER, and WAKEFIELD.—(32.)

So it passed in the Negative.

Report on Petition of the Right Rev. the Bishop of Montreal.

Mr. *Hale*, from the Special Committee to which was referred the Petition of the Right Reverend the Lord Bishop of *Montreal*, and others, Inhabitants of *Lower Canada*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee have examined the Petition referred to them, and find that the objects for which the Petitioners are associated together, are for the support of Missionaries of the United Church of *England and Ireland*—to provide stipends for poor Clergymen or their Widows and Orphans; for the encouragement of Education; for the circulation of the Scriptures, and other laudable purposes; they therefore recommend to Your Honourable House to permit the introduction of a Bill to incorporate the said Society in connection with the United Church of *England and Ireland*, under the style and title of "The Church Society of the Diocese of *Quebec*."

Church Society Bill-Quebec.

*Ordered*, That Mr. *Hale* have leave to bring in a Bill to incorporate The Church Society of the Diocese of *Quebec*.

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 Friday next.

Bill for preservation of Fish in Stanstead, &c

Mr. *Child*, from the Special Committee to which was referred the Bill, for the better preservation of certain species of Fish in the Rivers and Waters of the Counties of *Stanstead*, *Sherbrooke*, *Missisquoi*, and *Shefford*, reported that the Committee had gone through the Bill, and made several amendments thereto, which amendments were again read at the Clerk's table.

*Ordered*, That the said Bill be referred to a Committee of the whole House, to-morrow.

On motion of Mr. *Cameron*, seconded by Mr. *Child*,

Tay Navigation Act.

*Resolved*, That this House will, to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of amending the Tay Navigation Act.

Hawkesbury division Bill.

*Ordered*, That Mr. *D. McDonald* have leave to bring in a Bill, to divide the Township of *Hawkesbury*, in the *Ottawa* District, into two Townships.

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 Wednesday, the twenty-second Instant.

*Ordered*, That the Honourable Mr. Attorney General *Baldwin* have leave to bring in a Bill for the better division of that part of this Province called *Upper Canada*, into Counties; for abolishing the territorial division thereof into Districts, and providing for the temporary union of Counties for judicial and other purposes, and the future dissolution of such unions as the increase of the population may require.

Counties Division of 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 Friday next.

*Ordered*, That the Imperial Acts, entitled "An Act for incorporating and granting certain powers to the *North American Colonial Association of Ireland*," and "An Act to amend an Act for incorporating and granting certain powers to the *North American Colonial Association of Ireland*, and for explaining, altering, and enlarging, the Provisions thereof," be printed for the use of the Members of this House.

North American Colonial Association of Ireland.

*Ordered*, That Mr. *Watts* and Mr. *Child*, be added to the Select Committee appointed to consider the best mode of granting Legislative aid for the encouragement of Agriculture in this Province.

Encouragement of Agriculture.

*Ordered*, That Mr. *George Sherwood* have leave to bring in a Bill, to facilitate the proof of the Laws of *Upper and Lower Canada*, and to declare Protest of Notaries Public Evidence in certain cases in *Upper Canada*.

Notaries Public Evidence.

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 Friday next.

*Ordered*, That the Bill for the establishment of a better Court of Appeals in *Lower Canada*, be read a second time, on Thursday next.

Court of Appeals, Lower Canada.

*Ordered*, That the Bill to provide for the summary trial of small causes in *Lower Canada*, be read a second time, on Thursday next.

Small Causes, Lower Canada.

*Ordered*, That the Bill to establish the District of *Gaspé* and to provide for the due Administration of Justice therein, be read a second time, on Thursday next.

Administration of Justice, Gaspé.

Mr. *Leslie*, from the Committee of the whole House on the Bill, to amend the Laws relative to the Administration of Justice in *Lower Canada*, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Administration of Justice Lower Canada.

*Ordered*, That the said Bill, as amended, be engrossed.

On motion of the Honourable Mr. Attorney General *Baldwin*, seconded by the Honourable Mr. Attorney General *Lafontaine*.

Towns &c. Incorporation.

*Ordered*, That the Order of the day for the House in Committee, on the Bill to provide for the Incorporation of Townships, Towns, Counties and Cities in *Upper Canada*, be now read.

The Order of the day for the House in Committee on the Bill to provide for the Incorporation

of Townships, Towns, Counties and Cities, in *Upper Canada*, being read.

The House accordingly, resolved itself into the said Committee.

Mr. *Johnston* took the Chair of the Committee, and after some time spent therein :—

Mr. Speaker resumed the Chair,

And Mr. *Johnston* reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again, on Thursday next.

A message from the Legislative Council by *John Fenwicks Taylor*, Esquire, one of the Masters in Chancery.

Mr. Speaker,

The Legislative Council have passed the Bill, intitled, "An Act to exempt Public Officers from the expense of new Commissions on the demise of the Crown," without any amendment.

And also :—

The Legislative Council have passed the following Bills, with several Amendments, to which they desire the concurrence of the Assembly.

"An Act to fix the period for holding the Courts of General Quarter Sessions of the Peace, in that part of the Province formerly *Upper Canada*."

"An Act to alter and amend the Act of incorporation of the *Kingston Marine Railway Company*," And then he withdrew.

The Honourable Mr. *Daly*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General:

Return to an Address from the House of Assembly to His Excellency, the Governor General, dated 6th November, 1843, praying for "any Despatches or communications that have been received from, or transmitted to, the Colonial Minister on the subject of Duties levied on Bastard Sugar."

*Rawson W. Rawson,*  
Chief Secretary.

Chief Secretary's Office,  
*Kingston*, 14th November, 1843.

(Copy.) No. 173.

*Downing Street,*  
18th June, 1842.

SIR,

I forward for your information and guidance, (Colonial office, 17th June.) copies of a correspondence relative to the Duty levied on Bastard Sugar, in *Canada*, respecting which a complaint (Treasury, 18th June.) has been addressed to me by Lord *Sandon*, and Sir *Howard Douglas*.

I have &c.,

(Signed) *Stanley.*

The Right Honourable  
Sir *Charles Bagot*, G. C. B.  
&c. &c. &c.

(Copy)

*Downing Street,*  
17th June, 1842.

SIR,

I am directed by Lord *Stanley*, to transmit to you (16th June.) the copy of a note which his Lordship has received from both the Members of Parliament, for the Borough of *Liverpool*, complaining of the Duty levied by the Provincial Legislature, on Bastard

Sugar imported into *Canada*, and requesting that instructions may be sent by the mail of the 18th instant, to the Governor, to replace that article upon the footing which it has heretofore held with reference to refined Sugar. I also inclose a copy of the Colonial Act, by virtue of which the higher rate of Duty is levied. In laying this letter before the Lords Commissioners of the Treasury, for their consideration. I am requested that you would move their Lordships to inform Lord *Stanley*, whether, under that Act, Bastard Sugars are properly liable to the high rate of Duty. If such is not the proper construction of the Act, Lord *Stanley* proposes, with their Lordships' concurrence, to instruct Sir *Charles Bagot*, immediately to adopt such means as may be necessary to prevent the exaction of the high rate of duty.

Bastard Sugar.

I am further to add, that as this is a Duty imposed by a Provincial Statute, his Lordship apprehends, that the proceedings under it are not subject to the control of the Commissioners of Customs in this Country.

I have &c.,

(Signed) *James Stephen.*

*C. E. Trevelyan*, Esquire.

(Copy)

Lord *Sandon* and Sir *Howard Douglas*, present their compliments to Lord *Stanley*, and beg to represent to his Lordship, that they have just received from one of their Constituents, Sir *Thomas Branker*, an intimation, that the Collectors of the Customs at *Quebec*, and *Montreal*, have demanded upon Bastard Sugar of fine quality, the colonial duty of 2d. per pound, being the same Duty as that which is levied upon refined Sugar imported into *Canada*; whereas, heretofore, Bastard Sugar has always been considered as raw Sugar, and has paid one half only of the Duty levied upon refined Sugar.

Lord *Sandon* and Sir *Howard* have to state, that during the last year, the prices of Sugar in *Canada*, including Duty and charges, were for Refined Sugar from 6½d. to 7d. currency, the pound; for fine Bastard, 4½d. to 4¾d., and for coarse Bastard, about 3¾d.; the Duty being then one penny the pound upon Refined Sugar, and one halfpenny the pound upon Bastard Sugar, which is perhaps sufficient to shew how exorbitant the duty of two pence the pound would be upon the latter, and how entirely the trade in that description of Sugar would be thereby annihilated. Inasmuch as Foreign Sugars of fine quality, paying only the raw Sugar Duty, would at once displace an article of British Manufacture.

Lord *Sandon* and Sir *Howard* have finally to request that Lord *Stanley* will be pleased to give such instructions to the Governor of *Canada*, by the Packet of the 19th instant, from *Liverpool*, as may have the effect of replacing Bastard Sugar upon the footing which it has heretofore held, with reference to Refined Sugar; as until that step shall have been taken, the trade in Bastard Sugar will continue to be completely stagnated.

*20 Fludger Street,*  
16th June, 1842.

(Copy)

*Treasury Chambers,*  
18th June, 1842.

SIR,

In reply to your letter of the 17th instant, on the subject of the rate of Duty levied under the Act of the Canadian Legislature, 4 & 5 Vic. Cap. 14, on Bastard Sugar, imported into that Colony from this

Message from Legislative Council.

Expense of new Commissions.

Courts Quarter Sessions.

Kingston Marine Railway.

Bastard Sugar.

Bastard Sugar.

country, I am directed by the Lords Commissioners of Her Majesty's Treasury, to request you will state to Lord *Stanley*, that in the absence of information as to any proceedings, that may have taken place in *Canada*, respecting the alleged alteration in the assessment of the Duty on that article, and adverting to the variations between the terms used in the previous Act of the Legislature of *Lower Canada*, and in the Act above mentioned, in regard to the descriptions of Sugar liable to different rates of Duty, their Lordships are not prepared to decide that Bastard Sugars may not in strictness be subject to the rate of Duty imposed by the recent Act on Refined Sugar,

But you will observe to Lord *Stanley*, that the Lords Commissioners would see no objection to the Governor General, being instructed to take the necessary steps for the reduction of the Duty on Bastard Sugars to an amount equivalent to that on unrefined Sugar, which would be consonant with the practice in this country in regard to the drawback on the exportation of that article.

I am &amp;c.,

(Signed) *C. E. Trevelyan.*

*James Stephen*, Esquire,  
&c. &c. &c.

(Copy.) No. 160.

Quebec, 24th July, 1842.

MY LORD,

With reference to the representation from Lord *Sandon* and Sir *H. Douglas*, respecting the Duty charged in this Province, on Bastard Sugar, which accompanied your Lordships despatch to me of the 18th ultimo, No. 173, I have the honour to inclose [20th July.] herewith, for your information, the copy of a letter addressed to me by the Inspector General of Public Accounts, to whom I had transmitted the correspondence.

I have, &amp;c.

*Charles Bagot.*

The Lord *Stanley*,  
&c. &c. &c.

(Copy.)

Inspector General's Office,  
Kingston, 20th July, 1842.

SIR,

I have the honour to acknowledge the receipt of your letter of the 11th instant, informing me that His Excellency, the Governor General, had commanded you to transmit, for my information and guidance, the copy of a Despatch from the Secretary of State, accompanied by a correspondence between the Colonial Office and the Treasury, relative to the Duty levied in this Province on Bastard Sugar. I have given my best attention to that correspondence, and I fully admit the force of the representations made by Lord *Sandon* and Sir *Howard Douglas*, to Lord *Stanley*, as to the injury which the Trade must sustain by the exaction of the Duty of two pence per pound on partially refined Sugar. I should infer from the correspondence, that the Lords Commissioners of Her Majesty's Treasury do not think that the Provincial Act, 4th & 5th Vic. chap. 14, very clear on the subject; and the Minutes of the Executive Council of 22nd March, 1842, throws upon each Collector the onus of

deciding whether each particular cask of Sugar has been improved in purity and value by a process of refinement: in which case it shall be subject to the full Duty on refined Sugar, which is certainly contrary to the intention of the Legislature. As the season has now far advanced, it would perhaps be inexpedient to make any change at present, even if His Excellency should, on consideration, feel himself justified in taking such a step; but I shall take an opportunity previous to the next Session of Parliament, to bring the subject under His Excellency's consideration, in the hope of obtaining his sanction to the introduction, by the Administration, of a Bill to amend the Customs' Duties Act of last Session, in that particular.

I have &amp;c.

(Signed) *F. Hincks.*  
Inspector-General.

*T. W. C. Murdoch*, Esquire,  
Chief Secretary, &c. &c.

(Copy) No. 241.

Downing Street,  
4th September, 1842.

SIR,

With reference to your Despatch, No. 160, of the 24th July, I enclose, herewith, the copy of a letter [2nd Sept. 1842.] from the Assistant Secretary of the Lords Commissioners of the Treasury, transmitting the copy of a Memorial which has been addressed to their Lordships by Messrs. *Branker & Company*, and Messrs. *Macfie & Sons*, of *Liverpool*, praying that measures may be taken for ensuring the return of a portion of the Duty levied on certain Sugar imported by them into *Canada*.

I have to instruct you to bring this Memorial under the notice of the Provincial Legislature, when the question of a modification of the existing Duty on Sugar, is submitted for their consideration.

I have &amp;c.

(Signed,) *Stanley.*

The Right Honourable  
Sir *Charles Bagot*, G. C. B.  
&c. &c. &c.

(Copy.)

Treasury Chambers,  
2nd September, 1842.

SIR,

I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you a copy of a Memorial which has been addressed to their Lordships by Messrs. *Branker & Co.*, and Messrs. *Macfie & Sons*, of *Liverpool*, praying that means be taken for ensuring to them the return of the amount of Duty levied on certain Sugars imported by them into *Canada*; and I am to request that you will submit the same to Lord *Stanley*, and suggest to his Lordship that a copy thereof should be forwarded to the Governor of *Canada*, in order that the attention of the local Authorities and Legislature may be called to the prayer of it.

I am &amp;c.

(Signed) *C. E. Trevelyan.*

Bastard Sugar

To the Lords Commissioners of Her Majesty's Treasury.

MAY IT PLEASE YOUR LORDSHIPS,

The undersigned Sugar Refiners at this Port, working under Bond, learn with great satisfaction, from an Extract of a Report of the Inspector General of Public Accounts in Canada, dated Kingston, 20th July 1842, that the recommendation of Your Lordships upon their former Memorial as to the justice of levying the full duty of 2d. per lb. payable on Refined Sugar, on those descriptions shipped by them to Canada, under the denomination of Bastard, has received due attention on the part of the Colonial Government, and that a remedial measure is likely to be brought forward in the forthcoming Session of their Parliament.

Your Memorialists, however, are informed by their Agents in Canada, that the high Duty is in the intermediate period being levied on the whole of the Sugars of the description alluded to, now in progress of importation, which were exported from hence, in full confidence of the relative proportion in the Duties remaining unchanged, and would therefore most respectfully express a hope that Your Lordships will be pleased to suggest to the Colonial Authorities the introduction of a Clause in the new Act ensuring to them the return of the amount of Duty as paid in excess.

Your Memorialists ground their prayer upon this plea, that it would appear that this excess of Duty is only levied under a misconstruction of the Law as it stands, and therefore it would be a case of real hardship to subject them to the eventual loss of the amount so levied in error, which error the Colonial Legislature is about taking steps to remedy as soon as pointed out.

And Your Memorialists, &c.

(Signed) Bruncker & Co. Macfie & Sons.

(Copy.) No. 67.

Government House, Kingston, 2nd August, 1842.

MY LORD,

My attention has been called to your Lordship's Despatch of the 4th September last, No. 241, in which you instructed my Predecessor to bring before the Provincial Legislature a Memorial of certain parties, praying a Return of a portion of the Duty levied on Bastard Sugar imported into Canada.

The Memorialists ground their claim upon the plea, that the excess of Duty is levied under a misconstruction of the Law as it now stands. This, however, is denied here. The Law is said to impose a certain Duty on Refined Sugar, which, in the absence of any definition of the term "Refined," has been construed to mean all Sugar improved in purity and value by a process of refinement.

I propose to recommend to the Provincial Parliament to alter the Law, so as to remove the ground of complaint with respect to Bastard Sugar for the future; but I much fear that there will be no disposition in the Legislature to refund any part of the Duties exacted under the existing Law.

I would therefore request Your Lordship's attention to this view of the case, and request further Instructions as to bringing the Memorial in question before the Legislature; since it appears to me inexpedient to do so, unless there be a prospect of the desired relief.

I have, &c.

(Signed) C. T. Metcalfe.

(Copy.) No. 94.

Downing Street, 26th September, 1842.

SIR,

With reference to that part of your Despatch, No. 67, of the 2nd ultimo, requesting Instructions as to the propriety of applying to the Legislature of Canada, for the return of the Duty levied on Bastard Sugar, which the Importers allege to have been exacted under a misconstruction in the Province, of the Canadian Customs Law, I have to inform you that, as you appear to be satisfied that the allegation of the Importers is not well founded, I refer entirely to your own discretion the question, whether any application should be made to the Provincial Legislature for the re-payment of the Extra Duty.

I have, &c.

(Signed) Stanley.

The Right Honourable C. T. Metcalfe, Bart. G. C. B. &c. &c. &c.

And also,

Annual Report of the Deputy Superintendent of Education on Common Schools throughout Canada West. Report on Education, Canada West.

(For the said Report see Appendix Z.)

The Order of the Day for the House in Committee on the Bill to repeal the Act now in force for the establishment and maintenance of Common Schools, and to grant an indemnity for the payment of certain portions of the School moneys for the year one thousand eight hundred and forty-two, further to provide for the apportionment and distribution of the balance of said moneys for the years one thousand eight hundred and forty-two, and one thousand eight hundred and forty-three, being read, The House accordingly resolved itself into the said Committee. Indemnity to Common Schools.

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

Mr. Speaker resumed the Chair, And Mr. Stewart reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

The Order of the Day for the House in Committee on the Bill to authorize the Chartered Banks of this Province to open Books in the United Kingdom for the transfer of their Stock, being read, Chartered Banks.

Resolved, That this House will, on Tuesday next, resolve itself into the said Committee.

The Order of the Day for the second reading of the Bill to explain an Act passed in that part of this Province called Upper Canada, in the third year of the Reign of Her Majesty, intituled, "An Act to confirm and regulate certain Sales of Lands for Taxes in the District of Ottawa." Ottawa Land Tax.

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

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

Mr. Speaker resumed the Chair, And Mr. Judah reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

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

Official Acts  
in District of  
Ottawa.

The Order of the Day for the second reading of the Bill to confirm and make valid certain Official Acts in the Offices of Registrar, Clerk of the Peace, Clerk of the District Court, and Registrar of the Surrogate Court, in and for the District of *Ottawa*, being read,

*Ordered*, That the Bill be read a second time on Friday next.

Obstructions  
in Rivers.

The Order of the Day for the third reading of the Engrossed Bill, to prevent obstructions in Rivers and Rivulets in *Upper Canada*, being read,

*Ordered*, That the said Order of the Day be discharged, and that the said Bill be re-committed to a Committee of the whole House, on Wednesday the twenty-second Instant.

Summary  
Process.

The Order of the day for the House in Committee on the Bill to render more summary the means of enforcing the returns of Process by Sheriffs and Coroners in that part of the Province called *Upper Canada* being read,

The House accordingly resolved itself into the said Committee.

The Honourable Mr. Solicitor General *Aylwin*, took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair.

And the Honourable Mr. Solicitor General *Aylwin* reported, that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the report be received to-morrow.

Montreal water  
works.

The Order of the day for the House in Committee on the Bill to authorize the Mayor, Aldermen, and Citizens of *Montreal*, to purchase, acquire and hold, the property now known as the *Montreal Water works*, being read,

The House accordingly resolved itself into the said Committee,

The Honourable Mr. *Daly* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair.

And the Honourable Mr. *Daly* reported that the Committee had gone through the Bill, and had made several Amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

Inspection &c.  
of Timbers

The Order of the day for the House in Committee, on the Bill to regulate the Inspection and measurement of Timber, Masts, Spars, Deals, and other articles of a like nature, being read,

*Resolved*, That this House will to-morrow resolve itself into the said Committee, and that it be the first order of the day.

Management  
of Customs.

*Ordered*, That the Order of the day for the House in Committee, on the Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue, be postponed until Thursday next.

Then on motion of the Honourable Mr. *Viger*, seconded by the Honourable Mr. Solicitor General *Aylwin*,

The House adjourned.

*Mercurii die 15<sup>o</sup> Novembris.*

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

4 Petitions  
brought up.

THE following Petitions were severally brought up, and laid on the table:—

By Mr. *Crane*—The Petition of *Andrew Holmes* and others, Presbyterians in connexion with the

Synod of *Canada*, of *South Gower, Mountain* and *Oxford*.

By Mr. *Prince*—The Petition of the Municipal Council of the Western District, (relating to Water courses.)

By the Honourable Mr. *Black*—The Petition of Sir *Henry J. Caldwell* and others, Merchants of *Quebec*.

By the Honourable Mr. Solicitor General *Aylwin*—The Petition of *Joseph Donegani*, of *Montreal*, Merchant.

An Engrossed Bill to incorporate certain persons therein named, with others, providing Funds towards carrying on the British Fisheries, in the Gulf of *St. Lawrence* and District of *Gaspé*, and Mining in the said District, under the style of the *Gaspé Fishery, Commercial and Mining Company*, was read for the third time,

*Resolved*, That the Bill do pass, and the Title be "An Act to incorporate *Charles Cunningham, Richard Norman, Samuel Amory* and others, forming a Joint Stock Company for carrying on the Fishery in the *Gaspé District*, and Gulf of *St. Lawrence*, and Coal Mining in the said District."

*Ordered*, That Mr. *Christie* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to explain an Act passed in that part of the Province called *Upper Canada*, in the third year of the Reign of Her Majesty, intituled, "An Act to confirm and regulate certain sales of Lands for taxes in the District of *Ottawa*," was read for the third time,

*Resolved*, That the Bill do pass, and the Title be "An Act to explain an Act passed in that part of this Province called *Upper Canada*, in the third year of the Reign of Her Majesty, intituled, "An Act to confirm and regulate certain sales of Lands for taxes in the *Ottawa District*."

*Ordered*, That Mr. *George Sherwood*, do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to amend the Law relative to the Administration of Justice in *Lower Canada*, was read for the third time.

*Ordered*, That the said Bill be now re-committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee,

The Honourable Mr. Solicitor General *Aylwin* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And the Honourable Mr. Solicitor General *Aylwin* 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.

Pursuant to the Order of the day, the following Petitions, were read:—

Of *William Price*, Esquire, of *Quebec*, Merchant, praying that the Bill to regulate the inspection of Timber, Masts, Deals, &c. now before the Legislature be not past.

Of *John Chitty* and others, inhabitants of the Districts of *Dalhousie* and *Ottawa*, praying an aid for a road.

Of *Charles H. Sache* and others, inhabitants of

British Fisher-  
ies, Gulf of St.  
Lawrence.

Ottawa Land  
Tax.

Administra-  
tion of Justice,  
Lower Cana-  
da.

Petitions  
Read.



*Bathurst*, praying for the making of a certain road through the said District.

Of the Minister, Elders, and Congregation, of the Presbyterian Church in *Dundas*; praying that the Bill to regulate the Temporalities of the Church of *Scotland* be not passed.

Of *Andrew Dickson*, Sheriff of the District of *Bathurst*; praying for changes in the Law concerning the duties of Sheriffs, and the payment of their Fees.

Of *Thomas Mullon* and others, Tide Waiters at the Port of *Montreal*; praying for an increase of their Salaries.

Of *James Morgan* and others, Inhabitants of *Côte St. Martin*, *Longue Point*, and *Pointe aux Trembles*, in the District of *Montreal*; complaining of abuses committed by the *Montreal* Turnpike Road Trustees, and praying such relief as the House may think fit to grant.

Of *G. R. Lounsbury* and others, Members of the Baptist Church and Congregation, at *Simcoe*, in the District of *Talbot*; praying that the benefits of King's College at *Toronto*, and *McGill* College, at *Montreal*, may be equally extended to all Religious Denominations.

Ordered, That the Petition of *James Morgan* and others, Inhabitants of *Côte St. Martin*, *Longue Point*, and *Pointe aux Trembles*, in the District of *Montreal*, be referred to the Special Committee to which was referred the Petition of *Simon Valois* and others, Inhabitants of *Côte St. Michel*, *Côte de la Visitation*, and of the *St. Mary's Current*, in the Parish of *Montreal*, and other References.

Resolved, That the Petition of *Nicholas Sparks*, of *Bytown*, presented to the House, on the second Instant, be referred to a Select Committee composed of Mr. *Derbshire*, the Honourable Mr. Solicitor General *Aylwin*, Mr. *Papineau*, Mr. *Johnston*, and Mr. *De Witt*, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Resolved, That the Petition of *William Tate* and *George Tate*, Forwarders and Carriers between the Ports of *Montreal* and *Quebec*, presented to the House on the sixth Instant, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Ordered, That Mr. *Christie*, the Honourable Mr. *Neilson*, Mr. *Leslie*, Mr. *De Witt*, and Mr. *Holmes*, do compose the said Committee.

Ordered, That the Petition of *Joseph Paquet* and others, Pilots for the navigation of the *St. Lawrence*, between the Ports of *Montreal* and *Quebec*, presented to the House on the ninth Instant, be referred to the said Committee.

Ordered, That the Petition of *William Price*, Esquire, of *Quebec*, Merchant, be referred to the Committee of the whole House on the Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, and other articles of a like nature.

Ordered, That the Petition of *Charles Cazeau* and others, commissioned Cullers of the City

of *Quebec*, presented to the House on the 8th Instant, be referred to the said Committee.

Resolved, That the Petition of *Xavier Legault* and others, of *Isle Bizarre*, in the Parish of *St. Raphaël*, in the District of *Montreal*, presented to the House on the twentieth of October last, be referred to a Special Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Ordered, That Mr. *Jobin*, the Honourable Mr. *Viger*, Mr. *Papineau*, Mr. *Burthé*, and Mr. *Lacoste*, do compose the said Committee.

A Message from the Legislative Council by *John Fennings Taylor*, Esquire, one of the Masters in Chancery :

Mr. Speaker,

The Legislative Council have passed the Bill, intitled "An Act to amend the Charter of the *Catarqui* Bridge Company," without any amendment.

And also,

The Legislative Council have passed the Bill, intitled "An Act for taking the Census of the Inhabitants of *Lower Canada*, and for obtaining certain Statistical information, therein mentioned," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

Mr. *De Witt* from the Special Committee to which was referred the Petition of *J. Henry Lambe* and others, of the City and Parish of *Montreal* (relating to the commutation with the *Censitaires* of *Nazareth* and other Fiefs,) and another Reference, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

"Your Committee, after maturely deliberating on the Petitions to them referred, have come to the opinion, that it is expedient to authorize the Proprietors of the Fiefs *St. Augustin*, *St. Joseph*, *La Gauchetière*, and *Closse*, to commute with their *Censitaires* upon such terms as may be mutually agreed upon between the Parties; and that the said authority do continue in force until a general law be passed to authorize the Seigniors of the late Province of *Lower Canada* to commute with their *Censitaires*."

Ordered, That the said Report be referred to a Committee of the whole House, on Tuesday next.

Mr. *Christie* from the Special Committee to which was referred the Statement laid in compliance with an Address of this House of the 10th October, 1842, before this House on the sixteenth of October last, by command of His Excellency, the Governor General, shewing the disbursements of the receipts arising from the sale of Marriage Licenses, from the 10th February, 1841, to the 31st December, 1842, with power to report from time to time, presented to the House the First Report of the said Committee, which was again read at the Clerk's table,

(For the said Report see Appendix R. R.)

Ordered, That two hundred and fifty copies of the said Report, be printed in each of the English and French Languages, for the use of the Members of this House.

Mr. *Quesnel* from the Select Committee to which was referred the Bill to incorporate certain persons carrying on the Business of Banking in the City of

X. Legault and others.

Message from Legislative Council.

Catarqui Bridge Bill.

Census of Lower Canada.

Report of Special Committee on Petition of J. H. Lambe and others.

Sale of Marriage Licenses.

La Banque du peuple.

Petitions referred.  
Jas. Morgan and others.

Nicholas Sparks.

W. & G. Tate.

Jos. Paquet and other Pilots.

W. Price, Esq.

C. Cazeau and others.

*Montreal*, under the name of "*La Banque du Peuple*," reported that the Committee had gone through the Bill and made several amendments thereto, which amendments were again read at the Clerk's Table.

*Ordered*, That the said Bill and Report be referred to a Committee of the whole House, on Friday next.

Bill to Incorporate  
the Les Dames  
Religieuses &c.

Mr. *Quesnel*, from the Select Committee to which was referred the Bill to incorporate *Les Dames Religieuses du Sacre Cœur de Jesus* of the Parish of *St. Jacques de L'Achigan*, in the District of *Montreal*, for the purposes of Education, reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

*Ordered*, That the said Bill be engrossed.

Report of Select Committee  
on Petition of  
Thomas McLean and  
others.

The Honourable Mr. *Hincks* from the Select Committee to which was referred the Petition of *Thomas McLean* and other Inhabitants of the Township of *Zorra East*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee have inquired into the practicability of granting the prayer of the Petitioners, and have agreed to recommend the same to the favourable consideration of Your Honourable House; and would therefore suggest the propriety of passing a Bill to divide the Township of *Zorra* into two Townships, to be called the Township of *East Zorra*, and the Township of *West Zorra*."

*Ordered*, That the said Report be referred to a Committee of the whole House, on Monday next.

Upper Canada  
University Bill.

*Ordered*, That the Order of the Day for the second reading of the Bill to provide for the separate exercise of the Collegiate and University Functions of the College established at the City of *Toronto*, in *Upper Canada*; for incorporating certain other Colleges and Collegiate Institutions of that division of the Province with the University; and for the more efficient establishment and satisfactory Government of the same, be postponed until Wednesday, the twenty-second Instant.

The Honourable Mr. *Daly*, one of Her Majesty's Executive Council, laid before the House by command of His Excellency, the Governor General,

Return to an Address of the Legislative Assembly to the Governor General, bearing date the 31st ult.; praying that His Excellency will be pleased to cause to be laid before the House, copies of any correspondence between the Provincial Government and Mr. *Nicholas Fullam*, or between the Provincial Government and any Public Officer or Officers, Member or Members of the Legislature, or other person or persons during the period of the late General Election, in the late Province of *Lower Canada*, concerning the manner in which the said Election was conducted and the fixing of the places of Election.

Late General  
Election of  
of Lower Can-  
ada.

By Command

*D. Daly*,  
Secretary.

Secretary's Office,  
*Kingston*, 11th November, 1843.

(The said Return is printed as an Appendix to the First Report of the Special Committee, appointed to investigate and report on the outrages alleged to have been committed at the General Election, in the Counties of *Terrebonne*, *Montreal*, *Vaudreuil*, *Beauharnois*, *Chambly*, and *Rouville*. (See Appendix JJ.)

On motion of the Honourable Mr. *Neilson*, seconded by Mr. *Cartwright*.

*Ordered*, That the said return be referred to the Special Committee, appointed to investigate and report on the outrage alleged to have been committed at the General Election in the Counties of *Terrebonne*, *Montreal*, *Vaudreuil*, *Beauharnois*, *Chambly* and *Rouville*.

On motion of Mr. *Henry Smith*, seconded by Mr. *Murney*.

*Ordered*, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend the Act of Incorporation of the *Kingston Marine Railway Company*, be now taken into consideration.

Kingston Marine  
Railway  
Company.

The House proceeded accordingly to take the said amendments into consideration.

And the said Amendments were read and are as followeth:—

Press 1, Line 25.—After "expedient" insert "Provided always, that all such real estate or Property to be at any time held by the said Company shall not exceed in its yearly value, the sum of five thousand pounds, currency."

*Ibid*,—30.—After "be" insert "as."

*Ibid*,—31.—After "whatsoever" insert "as if the powers and authorities conferred by this Act had been conferred by the Act above mentioned, and as if the said Deeds, Conveyances, Leases, Agreements, or Contracts, had been made by, with, or in the name of the said Corporation."

—2.—After "same" insert "Provided that nothing in the said hereinbefore mentioned Act, or in this Act contained, shall be held to authorize or warrant the said Corporation to act as Bankers, or to issue or keep in circulation, notes in the nature of Bank Notes, or to make such notes valid in law, if issued by or in the name of the said Corporation."

And the said amendments being again read, they were agreed to by the House.

*Ordered*, That Mr. *Henry Smith* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. *Cartwright*, seconded by Mr. *George Sherwood*.

General Quar-  
ter Sessions  
U. C.

*Ordered*, That the amendments made by the Legislative Council to the Bill, intituled "An Act to fix the period for holding the Courts of General Quarter Sessions of the Peace in that part of the Province, formerly *Upper Canada*," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:—

Press 1, Line 19.—After "notwithstanding," insert the following Clause—"And whereas from the alteration in the periods for holding the several Courts of General Quarter Sessions of the Peace as aforesaid, the several periods for holding the District Courts in and for the Districts of that part of this Province, heretofore *Upper Canada*, will under the Provisions of the Law be changed; and whereas Writ and Processes may have been, or may yet issue, returnable on a day on which no such District Court under the Provisions of this Act will be held, for remedy whereof, be it enacted that any Writ or Process, which hath been or shall be issued before the first day of January next, from any

District Court in that part of the Province heretofore called *Upper Canada*, and the return day mentioned in any such Writ or Process be deemed and taken to be as valid and effectual in Law to all intents and purposes, as if this Act had not been passed; and such Writ or Process (being a Mesne Process) shall be taken and considered to be returnable, on the third day of the Term next ensuing the first day of January next, although another and different return day may be stated in such Writ or Process, which hath been or shall be issued as aforesaid."

Preamble. Line 2.—After "Peace," insert "and District Courts."

Title. Line 2.—After "Peace," insert "and District Courts."

And the said amendments being again read, they were agreed to by the House.

*Ordered*, That Mr. *Cartwright* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of the Honourable Mr. Solicitor General *Aylwin*, seconded by the Honourable Mr. *Daly*, *Resolved*, That this House do now resolve itself into a Committee of the whole House to consider the expediency of repealing the several Laws and Ordinances now in force relating to the powers and duties of the Corporation of the Trinity House of *Quebec*; to Pilots and Pilotage in the Port of *Quebec*; and to the *Quebec* Decayed Pilot Fund;—and of substituting other legislative provisions in lieu thereof.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Simpson* reported that the Committee had come to a Resolution, 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 repeal the several Laws and Ordinances now in force relating to the powers and duties of the Corporation of the Trinity House of *Quebec*; to Pilots and Pilotage in the Port of *Quebec*; and to the *Quebec* Decayed Pilot Fund; and of substituting other legislative provisions in lieu thereof.

*Ordered*, That the Honourable Mr. Solicitor General *Aylwin* have leave to bring in a Bill to amend and consolidate the Laws and Ordinances now in force relating to the powers and duties of the Corporation of the Trinity House of *Quebec*; to Pilots and Pilotage in the Port of *Quebec*; and to the *Quebec* Decayed Pilot Fund, and for other purposes.

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 the twenty-third Instant.

*Ordered*, That the Order of the day for the House in Committee on the Bill for Incorporating and granting certain powers to the *Upper Canada* Trust and Loan Company, be postponed until Tuesday next.

*Ordered*, That Mr. *Forbes* have leave to bring in a Bill to detach the Township of *Gore* from the County of *Terrebonne*, and to annex it to the County of *Two Mountains*.

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.

On motion of Mr. *Leslie*, seconded by Mr. *De Witt*,

*Ordered*, That the Return to an Address from the House of Assembly to His Excellency, the Governor General, dated 6th November 1843, praying for "any Despatches or communications that have been received from, or transmitted to, the Colonial Minister, on the subject of Duties levied on Bastard Sugar," laid before the House on the fourteenth instant, be referred to the Select Committee to which was referred the Petition of Messieurs *Gillespie*, *Moffatt*, and Company, and other Merchants of *Montreal*, and other references.

Duties on Bastard Sugar.

Mr. Speaker acquainted the House that he had received a communication informing him that it was His Excellency the Governor General's intention, to proceed to the Legislative Council to-morrow, at half-past three o'clock P. M., for the purpose of giving His Assent in Her Majesty's name, to certain Bills passed by the Legislative Council and Legislative Assembly.

His Excellency to proceed to the Leg. Council.

Mr. *Stewart* from the Committee of the whole House, on the Bill to repeal the Act now in force for the establishment and maintenance of Common Schools, and to grant an indemnity for the payment of certain portions of the School moneys for the year one thousand eight hundred and forty two, and further to provide for the apportionment and distribution of the balance of said moneys, for the years one thousand eight hundred and forty-two, and one thousand eight hundred and forty-three, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Common Schools.

*Ordered*, That the said Bill, as amended, be engrossed.

The Honourable Mr. Solicitor General *Aylwin*, from the Committee of the whole House, on the Bill to render more summary the means of enforcing the Returns of Process, by Sheriffs and Coroners in that part of this Province called *Upper Canada*, reported, according to order, the amendment made by the Committee to the said Bill, which amendment was again read at the Clerk's table and agreed to by the House.

Process by Sheriffs.

*Ordered*, That the said Bill as amended be engrossed.

The Honourable Mr. *Daly*, from the Committee of the whole House, on the Bill to authorize the Mayor, Aldermen, and Citizens, of *Montreal*, to purchase, acquire, and hold, the property now known as the *Montreal* Water Works, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Montreal Water Works.

*Ordered*, That the said Bill, as amended, be engrossed.

The Order of the day for the Second Reading of the Bill, to continue and renew for a certain time, the privileges granted by a certain Act of *Lower Canada*, therein mentioned to *Alexis Gosselin*, and his Assigns, with regard to a certain Bridge over the *River Boyer*, in the County of *Bellechasse*, being read,

River Boyer Bridge.

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

Mr. *J. S. Macdonald* took the Chair of the Committee, and after some time spent therein, Mr. Speaker resumed the Chair,

Trinity House, Quebec.

U. C. Trust & Loan Company

Gore Township

And Mr. *J. S. Macdonald* reported, that the Committee had gone through the Bill and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

Game Bill

The Order of the day for the Second Reading of the Bill for the preservation of Deer and other Game, within this Province, and for prohibiting hunting and shooting on the Lord's Day, being read.

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

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

Mr. Speaker resumed the Chair.

And Mr. *Hamilton* reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*. That the Report be received to-morrow.

Imprisonment for Debt.

The Order of the day for the Second Reading of the Bill to abolish imprisonment on execution for Debt, and for the punishment of fraudulent Debtors, being read,

The said Bill was accordingly read, and referred to a Special Committee, composed of the Honourable Mr. *Boulton*, Mr. *Julah*, Mr. *Quesnel*, the Honourable Mr. *Black*, the Honourable Mr. *Sherwood*, Mr. *Boswell*, and Mr. *Duggan*, to report thereon with all convenient speed, with power to send for persons, papers, and records.

Timber Inspection.

The Order of the day for the House in Committee on the Bill to regulate the inspection and measurement of Timber, Masts, Spars, Deals, and other articles of a like nature, and other References, being read.

The House accordingly resolved itself into the said Committee.

Mr. *Roblin* took the Chair of the Committee.

Several Members having retired,

Mr. Speaker resumed the Chair.

And the names of the Members present were taken down, as followeth:—

Mr. Speaker,

Messieurs *Aylwin*, *Berthelot*, *Boutillier*, *Cameron*, *Chabot*, *Derbshire*, *De Witt*, *Hale*, *Holmes*, *Johnston*, *D. McDonald*, *Morin*, *Roblin*, *Stewart*, *L. M. Viger*, and *Watts*.

And at half past eleven o'clock at night, Mr. Speaker adjourned the House for want of a Quorum.

*Jovis*, 16° die Novembris.

Anno 7° Victoriae Reginae. 1843.

Six Petitions brought up.

THE following Petitions were severally brought up, and laid on the Table:—

By Mr. *Harmannus Smith*—The Petition of *E. Cartwright Thomas* and others, Inhabitants of the District of *Gore*, in Public Meeting assembled, (relating to the road between *Hamilton* and *Binkley's*.)

By Mr. *Parke*—The Petition of *Dugald Sinclair* and others, Members of the Baptist Church and Congregation at *Lobo*, in the District of *London*.

By Mr. *Duggan*—The Petition of *George Millar* and others, Inhabitants of the Township of *Toronto* and neighbourhood.

By Mr. *Jobin*—The Petition of the Reverend *E. Payment* and others, Inhabitants of the Parishes of *Ste. Genevieve* and *Ste. Anne*, in the Island of *Montreal*.

By Mr. *Durand*—The Petition of *E. Cartwright Thomas* and others, Inhabitants of the Districts of *Gore* and *Wellington* (relating to a road from *Lake Ontario* to *Owen's Sound*.)

By the Honourable Mr. *Black*—The Petition of *William Sheppard*, Esq. President of the Literary and Historical Society of *Quebec*.

An engrossed Bill to amend the Law relative to the Administration of Justice in *Lower Canada*, as amended, was again read.

The Honourable Mr. Attorney General *Lafontaine* moved, seconded by the Honourable Mr. Solicitor General *Aylwin*. That the Bill do now pass and the Title be, "An Act to amend the Law relative to the Administration of Justice in *Lower Canada*."

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

## YEAS.

Messieurs *ARMSTRONG*, *AYLWIN*, *BALDWIN*, *BARTHE*, *BERTHELOT*, *BOSWELL*, *BOULTON*, *BOUTILLIER*, *CAMERON*, *CHABOT*, *CHILD*, *CHRISTIE*, *COOK*, *CRANE*, *DE WITT*, *DUNN*, *DURAND*, *FOSTER*, *HALE*, *HAMILTON*, *HINCKS*, *HOLMES*, *JOBIN*, *JONES*, *LACOSTE*, *LAFONTAINE*, *LESLIE*, *MOORE*, *MORIN*, *MORRIS*, *NOEL*, *PAPINEAU*, *PARKE*, *PRINCE*, *QUESNEL*, *ROBLIN*, *SIMPSON*, *SMALL*, *HARMANNUS SMITH*, *STEELE*, *STEWART*, *TACHE*, *TURCOTTE*, *D. B. VIGER*, *L. M. VIGER*, *WAKEFIELD*, and *WILLIAMS*.—(47.)

## NAYS.

Messieurs *BLACK*, *CARTWRIGHT*, *DUGGAN*, *FORBES*, *MURNEY*, *NEILSON*, *HENRY SMITH*, and *HENRY SHERWOOD*.—(8.)

So it was carried in the affirmative, and Resolved, That the Bill do pass.

*Ordered*. That the Honourable Mr. Attorney General *Lafontaine* do carry the said Bill to the Legislative Council, and desire their concurrence.

A Message was brought by *Frederick Starr Jarvis*, Esquire, Gentleman Usher of the Black Rod.

Administration of Justice, Lower Canada.

Black Rod.

Mr. Speaker,

His Excellency, the Governor General, desires the immediate attendance of this Honourable House in the Legislative Council Chamber.

Accordingly Mr. Speaker, with the House, went to the Council Chamber,

And being returned,

Mr. Speaker reported, that, agreeable to the commands of His Excellency, the Governor General, the House had attended His Excellency in the Legislative Council Chamber, where His Excellency was pleased to give, in Her Majesty's name, the Royal Assent to the following Public and Private Bills:—

House to attend His Ex'y.

Royal Assent to certain Bills.

"An Act for continuing the Provincial Parliament in case of the demise of the Crown."

"An Act to render the Judges of the Courts of King's Bench in that part of this Province heretofore *Lower Canada*, independent of the Crown."

"An Act for securing the Province against any unnecessary loss on the judicial sale of certain parts of the vacant estate of the late Honourable Sir *John Caldwell*."

"An Act to amend the Act incorporating the Bank of *Montreal*, by providing for the extension of the time limited for the paying up of the new Stock of the said Bank."

"An Act to incorporate the Ladies of the Protestant Orphan Asylum of the City of *Montreal*."

"An Act to incorporate the Ladies of the Committee of Management of the *Montreal Lying in Hospital*."

"An Act to impose certain duties on Agricultural produce and Live Stock, imported into this Province."

"An Act to authorize the Superior and Directors of the Seminary of *Quebec*, to acquire and hold a certain amount of property in addition to that now held by them."

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read :

Of *William Stewart* and others, Debtors, confined in the close custody of the Sheriff of the *Home District*; praying for the passing of the Bill now before the House to abolish imprisonment for Debt.

Of *H. Robinson* and others, Inhabitants of the County of *Shefford*; praying an aid to open a road from *St. John's* to *Waterloo*, in the said County.

Of *R. Young* and others, Inhabitants of *Goderich*, in the District of *Huron*; praying that the Bill now before the House for the annexation of the Township of *Williams* in the District of *London*, be not passed.

Of *Henry Hamilton* and others, School Commissioners and Teachers, of the Townships of *Yarmouth* and *Southwold*, in the District of *London*; praying that the said District may receive its proportion of School Money since 1841.

Of *John Burwell*, of *Port Burwell*; praying that Registry Books be declared Public Property, and remain as such in Registry Offices.

Message from Leg. Council.

A Message from the Legislative Council, by *John Fennings Taylor*, Esquire, one of the Masters in Chancery.

Mr. Speaker,

The Legislative Council have passed the following Bills, without any amendment :

Harrison's relief.

"An Act to authorize the Court of Queen's Bench, and the High Court of Chancery, at their discretion, to admit *Samuel Bealy Harrison*, to practise as an Attorney and Solicitor thereof, respectively."

Adverse Claims.

"An Act to enable Courts of Law, in that part of this Province called *Upper Canada*, to give relief against adverse claims made upon persons having no interest in the subject of such claims."

And then he withdrew.

Petitions referred.

William Stewart and others.

*Ordered*, That the Petition of *William Stewart*, and others, Debtors confined in the close custody of the Home District, be referred to the Special Committee to which was referred the Bill to abolish imprisonment on Execution for Debt, and for the punishment of fraudulent Debtors.

*Ordered*, That *Mr. Prince* be added to the said Committee.

Agricultural Society, Two Mountains.

*Resolved*, That the Petition of the Agricultural Society of the Municipal District of *The Lake of Two Mountains*, presented to the House on the tenth instant, be referred to a select Committee, composed of *Mr. Forbes*, *Mr. Armstrong*, *Mr. Simpson*, the Honourable *Mr. Jones*, and *Mr. Quesnel*, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Andrew Dickson.

*Ordered*, That the Petition of *Andrew Dickson*, Sheriff of the District of *Bathurst*, presented

to the House, on the thirteenth instant, be referred to the Special Committee appointed to inquire as to the amount of Fees and Emoluments received by the various Officers connected with the Administration of Justice, in that part of this Province formerly *Upper Canada*, and paid out of District Funds.

*Resolved*, That the Petition of *Narcisse Arcaud* and others, Pilots for and below the Harbours of *Quebec*, and *Montreal*, presented to the House on the Second of October last, be referred to a Special Committee of seven Members, to examine the contents thereof, and to report thereon from time to time, with power to send for persons papers and records.

*Ordered*, That the Honourable Mr. Solicitor General *Aylwin*, Captain *Steele*, Mr. *Williams*, Mr. *Chabot*, Mr. *Christie*, the Honourable Mr. *Neilson*, and Mr. *Taché*, do compose the said Committee.

On motion of Mr. *Meritt*, seconded by M. *Cameron*,

*Ordered*, That the Order of the day for the Second Reading of the Bill to amend the Act incorporating the Bank of the *Niagara District*, by providing for the extension of the time limited for the paying up of the Stock of the said Bank, lost by the adjournment of the House of Tuesday last, be revived, and that the said Bill be read a second time on Wednesday next.

*Ordered*, That the Honourable Mr. *Boulton*, have leave to bring in a Bill for vesting the Market Block, in the Town of *Niagara*, in the Council of the said Town, and for other purposes.

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 Wednesday the twenty-ninth instant,

*Ordered*, That the Honourable Mr. Solicitor General *Small*, have leave to bring in a Bill to enable Creditors to attach the personal Estate of absconding Debtors, where the bodies of such Debtors cannot now, by Law be detained.

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.

The Honourable Mr. Solicitor General *Small* moved, seconded by Mr. *Child*, for leave to bring in a Bill to repeal certain parts of, and to amend an Act of the Parliament of the Province, passed in the 4th and 5th years of the Reign of Her present Majesty, intituled, "An Act to repeal the Laws now in force in that part of the Province formerly *Upper Canada*, for the recovery of Small Debts, and to make other provision therefor," and to provide for the payment of the Clerks of the several Division Courts, in *Upper Canada*, by Fees, instead of a fixed Salary.

The Question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

And 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. *Parke*, seconded by Mr. *Child*, *Resolved*, That this House do now resolve itself into a Committee of the Whole House, to consider the expediency of repealing, amending, and consolidating, as so amended, the several Acts now in force in *Upper Canada*, concerning Surveyors, and the mode of ascertaining and establishing boundary Lines,

The House accordingly resolved itself into the said Committee.

Boundary Lines

Mr. *Cameron*, took the Chair of the Committee and after sometime spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Cameron* reported that the Committee had come to a Resolution, 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 repeal, amend, and consolidate, the several Acts in force in *Upper Canada*, concerning Surveyors and the mode of ascertaining Boundary Lines, and to substitute other provisions in lieu thereof.

Land Surveyors.

*Ordered*, That Mr. *Parke* have leave to bring in a Bill to repeal certain Acts therein mentioned, and to make better provision respecting the admission of Land Surveyors and the Survey of Lands in *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 Monday next.

Common Schools.

*Ordered*, That the Honourable Mr. *Hincks* have leave to bring in a Bill to provide for the establishment and maintenance of Common Schools in that part of this Province called *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 Thursday next.

Roman Catholic Churches, &amp;c.

On motion of Mr. *Chabot*, seconded by Mr. *Berthelot*,

*Resolved*, That this House will, to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of repealing the Laws now in force in *Lower Canada*, for the construction and repairing of the *Roman Catholic Churches*, Church Yards, Parsonage Houses, and Dependencies thereof, and also for the erection and division of Parishes in *Lower Canada*, and of substituting new provisions in lieu thereof.

Leave of absence to Mr. Powell.

*Ordered*, That Mr. *Powell* have leave to absent himself from this House for a fortnight from this day, on urgent business.

River Boyer Bridge.

Mr. *J. S. Macdonald* from the Committee of the whole House on the Bill to renew and continue for a certain time the privileges granted by a certain Act of *Lower Canada* therein mentioned to *Alexis Gosselin* and his heirs and assigns, with regard to a certain Bridge over the River *Boyer*, in the County of *Bellechasse*, reported, according to order, the amendments made by the Committee to the said Bill, 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.

Game Bill.

Mr. *Hamilton* from the Committee of the whole House, on the Bill for the preservation of Deer and other Game within this Province, and for prohibiting hunting and shooting on the Lord's day, reported, according to order, the amendments made by the Committee, to the said Bill, which amendments were again read at the Clerk's table.

Mr. *Prince* moved, seconded by Mr. *Hamilton*, that the Question of concurrence be now separately put upon the said amendments.

Mr. *Murney* moved, in amendment, seconded by Mr. *Cartwright*, that all the words after "That" in the said motion, be struck out, and the following substituted—"The said Bill and Report be now re-

committed for the purpose of inserting after the 24th line in the 3rd clause, the following words," 'or if any person shall hunt or shoot, or go out with a gun or rifle in quest or pursuit of any Deer or other wild animals, or game, or wild fowl, on the Lord's day (commonly called Sunday) within this Province.'

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

Messieurs BOULTON, CAMERON, CARTWRIGHT, CHESLEY, CHILD, DUGGAN, FOSTER, HOPKINS, JOHNSTON, J. S. MACDONALD, McLEAN, MORRIS, MURNEY, NEILSON, ROBLIN, HARMANNUS SMITH, GEORGE SHERWOOD, HENRY SHERWOOD, STEWART, THOMPSON, WILLIAMS, and WOODS.—(22.)

NAYS.

Messieurs ARMSTRONG, BALDWIN, BERTHELOT, BOUTILLIER, CHABOT, CHRISTIE, COOK, CRANE, DE WITT, FORBES, HALE, HINCKS, HOLMES, JOBIN, JONES, JUDAH, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, MERRITT, MORIN, PAPINEAU, PARKE, PRINCE, SIMPSON, HENRY SMITH, STEELE, TACHE, TURCOTTE, D. B. VIGER, L. M. VIGER, and WAKEFIELD.—(33.)

So it passed in the Negative.

Mr. *Murney* then moved, in amendment to the main motion, seconded by Mr. *Cartwright*, that all the words after "That" in the said motion, be struck out and the following substituted—"the said Bill be now re-committed for the purpose of inserting after the 24th line in the 3rd clause, the following words 'or if any person shall hunt or shoot or go out with a gun or rifle in quest or pursuit of any Deer or other wild animals, or game, or wild fowl, on the Lord's day (commonly called Sunday) within that part of the Province formerly called *Upper Canada*.'"

The Question being put upon the said motion, a division ensued, and the names being called for they were taken, as followeth:—

YEAS.

Messieurs ARMSTRONG, BOULTON, CARTWRIGHT, CHESLEY, DUGGAN, FORBES, FOSTER, HOPKINS, JOHNSTON, McLEAN, MURNEY, NEILSON, ROBLIN, SIMPSON, HENRY SMITH, HARMANNUS SMITH, GEORGE SHERWOOD, HENRY SHERWOOD, STEWART, THOMPSON, WAKEFIELD, WILLIAMS and WOODS, —(23.)

NAYS.

Messieurs BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOUTILLIER, CAMERON, CHABOT, CHRISTIE, COOK, DEWITT, HALE, HINCKS, HOLMES, JOBIN, JONES, JUDAH, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, MERRITT, MORIN, NOEL, PAPINEAU, PARKE, PRINCE, STEELE, TACHE, TURCOTTE, D. B. VIGER, and L. M. VIGER.—(31)

So it passed in the Negative.

The Question being then put on the main motion, it was agreed to by the House.

And the first to the eighth of the said amendments inclusively, being again severally read, and the Question of concurrence being separately put upon each, they were agreed to by the House.

The ninth of the said amendments being again read.

The Honourable Mr. *Jones* moved, in amendment, seconded by Mr. *Henry Smith*, That the words "two pounds ten shillings" in the said amendment, be struck out, and the following substituted, "ten shillings."

Game Bill.

The Question being put upon the said motion, it was agreed to by the House, and

The said Ninth amendment, as amended, being read, and the Question of concurrence being put thereon, it was agreed to unanimously;

And the tenth to the thirteenth, and last, of the said amendments, inclusively, being again severally read, and the Question of concurrence being separately put upon each, they were agreed to by the House.

*Ordered.* That the said Bill, as amended, be engrossed.

The Order of the day for the second reading of the Bill to establish a more equal and just system of Assessment in the several Townships, Towns, and Cities in *Upper Canada*, being read,

The Honourable Mr. *Hancks* moved, seconded by the Honourable Mr. Attorney General *Baldwin*, that the said Bill be now read a second time.

The Honourable Mr. *Sherwood* moved, seconded by Mr. *Cartwright*, that the said Bill be read a second time, on Thursday next.

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

Messieurs BERTHELOT, BOULTON, CARTWRIGHT, CHESLEY, DUGGAN, FORBES, JOHNSTON, McLEAN, MURNEY, NOEL, HENRY SMITH, GEORGE SHERWOOD, HENRY SHERWOOD, STEELE, STEWART, WILLIAMS, and WOODS.—(17.)

NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BOSWELL, BOUTILLIER, CAMERON, CHABOT, CHILD, CHRISTIE, COOK, CRANE, DALY, DERBISHIRE, DE WITT, FOSTER, HINCKS, HOLMES, HOPKINS, JOHN, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, MOORE, MORIN, PAPINEAU, PARKE, QUESNEL, ROBLIN, HARMANNUS SMITH, TACHE, TURCOTTE, D. B. VIGER, and L. M. VIGER—(34.)

So it passed in the Negative.

The Question being then put upon the main motion, the House divided thereon, and the names being called for, they were taken down, as followeth:

YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BERTHELOT, BOSWELL, BOULTON, BOUTILLIER, CAMERON, CHABOT, CHILD, CHRISTIE, COOK, DALY, DERBISHIRE, DE WITT, FOSTER, HINCKS, HOLMES, HOPKINS, JOHN, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, MOORE, MORIN, PAPINEAU, PARKE, QUESNEL, ROBLIN, HARMANNUS SMITH, TACHE, TURCOTTE, D. B. VIGER, and L. M. VIGER.—(35.)

NAYS.

Messieurs CARTWRIGHT, CHESLEY, DUGGAN, FORBES, JOHNSTON, McLEAN, MURNEY, NOEL, HENRY SMITH, GEORGE SHERWOOD, HENRY SHERWOOD, STEELE, STEWART, WILLIAMS and WOODS.—(15.)

So it was carried in the affirmative, and

The said Bill was, according to order, read a second time, and committed to a Committee of the whole House, on Thursday next.

*Ordered.* That the Order of the day for the House in Committee on the Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, and other articles of a like nature, be postponed until to-morrow, and that it be then the first Order of the day.

*Ordered.* That the remaining Orders of the day be postponed until to-morrow.

Then on motion of the Honourable Mr. Attorney General *Baldwin*, seconded by the Honourable Mr. Attorney General *Lafontaine*,  
The House adjourned.

Veneris 17<sup>o</sup> die Novembris.

Anno 7<sup>o</sup> Victorizæ Reginzæ, 1843.

THE following Petitions were severally brought up, and laid on the table:—

Two Petitions brought up.

By the Honourable Mr. *Jones*—The Petition of *P. P. Russell* and others, inhabitants of the Parish of *St. Armand*, West, and its vicinity.

By Mr. *Cartwright*—The Petition of the Reverend *John Cook* and others, Inhabitants of the City of *Quebec*, and its vicinity.

An Engrossed Bill to authorize the Mayor, Aldermen, and Citizens of *Montreal*, to purchase, acquire, and hold, the property now known as the *Montreal Water works*, was read for the third time.

Montreal Water Works.

*Resolved.* That the Bill do pass.

*Ordered.* That Mr. *Holmes* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to incorporate *Les Dames Religieuses du Sacré Cœur de Jésus*, of the Parish of *St. Jacques de L'Achigan*, in the District of *Montreal*, for the purposes of Education, was read for the third time.

Les Dames Religieuses &c. Bill.

*Resolved.* That the Bill do pass, and the title be:

"An Act to incorporate *Les Dames Religieuses du Sacré Cœur de Jésus*, of the Parish of *Saint Jacques de L'Achigan*, in the District of *Montreal*, for the purposes of Education."

*Ordered.* That Mr. *Quasnel* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill for the preservation of Deer, and other Game within this Province, was read for the third time.

Game Bill.

*Resolved.* That the Bill do pass, and the title be, "An Act to prohibit the hunting and killing of Deer and other Game within this Province, at certain seasons of the year."

*Ordered.* That Mr. *Prince* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to renew, and continue for a certain time, the privileges granted by a certain Act of *Lower Canada* therein mentioned, to *Alexis Gosselin* and his heirs or Assigns, with regard to a certain Bridge over the River *Boyer*, in the County of *Bellechasse*, was read for the third time.

River Boyer Bridge.

*Resolved.* That the Bill do pass, and the title be

"An Act to renew and continue for a certain time, the privileges granted by a certain Act of *Lower Canada* therein mentioned, to *Alexis Gosselin*, and his heirs and Assigns, with regard to a certain Bridge over the River *Boyer*, in the County of *Bellechasse*."

*Ordered.* That Mr. *Taché* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to render more summary, the means of enforcing the returns of process by Sheriffs and Coroners, in that part of this Province called *Upper Canada*, was read for the third time.

Returns of Process Bill.

*Resolved.* That the said Bill do pass.

*Ordered.* That Mr. *Price* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill, to repeal the Act now in force for the establishment and maintenance of Common Schools, and to grant an indemnity for the payment of certain portions of the School Monies, for the year one thousand eight hundred and forty-two, and further to provide for the apportionment

Common Schools Indemnity Bill.

Assessment Bill.

Timber Inspection Bill.

Orders postponed.





## SCHEDULE C.

Press 8. Lines 31 and 32.—After "Warden" insert "or professional man."

And the said amendments being again read, they were agreed to by the House.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine*, do carry back the said Bill to the Legislative Council, and acquaint their Honours, that this House hath agreed to their amendments.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine*, have leave to bring in a Bill to regulate the qualification and summoning of Jurors, in Civil and Criminal matters, in *Lower 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 Monday next.

*Ordered*, That the Honourable Mr. Attorney General *Lafontaine*, have leave to bring in a Bill to regulate the Notarial Profession, in *Lower 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 Monday next.

The Honourable Mr. *Sherwood* moved, seconded by Mr. *Murney*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House: Returns for the year 1842, of the aggregate amount levied by assessment and local taxation, levied on the inhabitants of *Upper Canada*, and expended for the local administration of Criminal justice, support of gaols, carrying prisoners to the Penitentiary, and other local purposes, as exhibited by the Assessment Bills for the year: Also returns for the year 1842, of the expenses of supporting Gaols, &c., of carrying prisoners to Gaol or to the Penitentiary, of sums paid to the Sheriffs, and other expenses (excepting the salaries of Judges) attending the administration of Justice, in *Lower Canada*, distinguishing those incurred in the several Courts of Supreme Jurisdiction, in the different Courts of Quarter Sessions, and upon proceedings before Justices of the Peace, not in Sessions in *Lower Canada*: and also returns of the sums expended out of the public Revenues, in *Lower Canada*, in the year 1842, on Highways and Bridges, Charitable establishments or uses, Hospitals or Lunatic Asylums, under the authority of any Law, Ordinance, or practice in force, before the Union of the Provinces: and also a Return of all sums raised by local taxation for any of the foregoing purposes, in *Lower Canada*, or paid, otherwise than raised, out of the General Revenues.

The Honourable Mr. Attorney General *Baldwin* moved in amendment, seconded by the Honourable Mr. *Hincks*, That all the words after "That" in the said motion, be struck out, and the following substituted, "An humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, Returns for the year 1842, of the aggregate amount levied for Assessment and local taxation on the inhabitants of *Upper Canada*, and expended for the local administration of Criminal Justice, support of Gaols, and carrying prisoners to the Penitentiary; also, Returns for the year 1842, of the expenses of supporting Gaols, and of carrying Prisoners to Gaol or to the Penitentiary—of sums paid to Sheriffs and other expenses (excepting the salaries of Judges) attending the Administration of Justice in *Lower Canada*; and also, Returns of the sums expended out of the public Revenues in both sec-

tions of the Province, in the year 1842, on Highways and Bridges, Literary or Charitable Establishments or uses, Hospitals or Lunatic Asylums; and also, a Return of the amount paid during the same year to make up the deficiency of the Salaries of Judges, and Clerks of District and Division Courts, in each of the Divisions of the Province; also, a Return of the Militia Pensions paid during the same year, in each of the divisions of the Province: also, the amount paid by the Imperial Government on account of Indian annuities in both Divisions of the Province; also, the amount paid for the support of Light Houses over and above the amount of Tonnage dues, out of the Public Revenue, in each of the divisions of the Province: and also, the names of all persons employed in the several Departments of the Executive Government, and paid out of the Civil List; and the names of all Officers in the Crown Lands and Surveyor General's Departments, specifying the amount of salary paid to each, and stating whether they are of British or French Canadian origin."

The question having been put upon the said motion of amendment, a division ensued, and it was carried in the affirmative.

The question being then put upon the main motion, as amended, it was agreed to unanimously, and *Resolved*, Accordingly.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Curtwright*, seconded by Mr. *Christie*.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a copy of the Minute or Minutes of the Honourable the Executive Council, on the Report of the Honourable the Inspector General, on the Marriage License Fee Fund, respecting its future disposition, or so much thereof, or such other information respecting the Fees on Marriage Licenses, as His Excellency may be disposed to communicate to this House.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

A Message from the Legislative Council, by *John Fenning's Taylor*, Esquire, one of the Masters in Chancery.

Mr. Speaker,

The Legislative Council have passed the Bill, intitled "An Act to incorporate the Members of the Mercantile Library Association of *Montreal*," without any amendment.

And then he withdrew.

*Ordered*, That the Honourable Mr. *Morin* have leave to bring in a Bill to confer certain powers on the Bishop of *Montreal*, in the transfer of certain Lands.

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 Wednesday next.

*Ordered*, That when this House doth adjourn, it will adjourn until to-morrow, at ten o'clock, A. M.

*Ordered*, That the Order of the day for the House in Committee on the Bill to relieve the Shareholders of the several Banks therein mentioned, from liability, beyond the amount of the

Address on Assessment and Local Taxation.

Marriage Licenses.

Message from Leg. Council.

Mercantile Library Association Bill.

Lands of Bishop of Montreal.

Adjournment.

Orders of Day postponed.

Jurors' Bill, Lower Canada.

Notarial Profession, L. C.

Address on Assessment and Local Taxation &c.

Orders of Day  
postponed.

Shares subscribed, and for that purpose to amend the several Acts creating such liabilities; The Order of the day for the House in Committee to consider the expediency of amending a certain Act of the Parliament of *Upper Canada*, passed in the 7th year of the Reign of His late Majesty *William IV*, intituled "An Act to provide for the permanent completion of the *Welland Canal*, and for other purposes therein mentioned:" and also a certain other Act of the Parliament of *Upper Canada*, passed in the 4th and 5th years of the Reign of Her present Majesty, intituled, "An Act to authorize the Stock held by private Parties in the *Welland Canal*, to be purchased on behalf of the Province;" and the Order of the Day for the House in Committee on the Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue, be postponed until to-morrow.—The Order of the Day for the Second Reading of the Bill for the better division of that part of this Province called *Upper Canada*, into Counties, for abolishing the Territorial Division thereof into Districts, and providing for the temporary unions of Counties, for Judicial and other purposes, and the future dissolution of such unions, as the increase of population may require. The Order of the Day for the House in Committee on the Bill to provide for the incorporation of Townships, Towns, Counties, and Cities, in *Upper Canada*, be postponed until Monday next. The Order of the Day for the Second Reading of the Engrossed Bill from the Legislative Council, intituled "An Act to repeal an Ordinance of *Lower Canada*, intituled "An Ordinance concerning Bankrupts, and the administration and distribution of their Estates and Effects," and to make provision for the same object throughout the Province of *Canada*;" and the Order of the Day for the Second Reading of the Bill to facilitate the proof of the Laws of *Upper and Lower Canada*, and to declare Protest of Notaries Public, Evidence in certain cases in *Upper Canada*: be postponed until Wednesday next. The Order of the Day for the House in Committee on the Bill, to afford relief in certain cases to Sellers of Real Estate in *Canada West*: and the Order of the Day for the further consideration of the motion "That two hundred copies of the of the Message of His Excellency, the Governor General, accompanied with Returns of Appointments in *Lower Canada*, from the division of the Province of *Quebec*, in 1791, into the Provinces of *Upper and Lower Canada*, to the Union of those Provinces, and other Documents relating thereto, presented to the House on the twenty-seventh of October last, in reply to an Address of the House of the twenty-seventh of September, 1842; and also, of the Tabular Return of the Departments of the Executive Government for the years 1840, 1841, and 1842, laid before the House on the same day, by command of His Excellency, the Governor General, in compliance with another Address of the twenty-seventh September, 1842, be printed in each of the English and French Languages, for the use of the Members of this House," be postponed until Friday next.

Ordered, That the Order of the day for the second reading of the Bill for the establishment of a better Court of Appeals in *Lower Canada*; the Order of the day for the second reading of the Bill to provide for the summary trial of Small Causes in *Lower Canada*; and the Order of the day for the second reading of the Bill to establish the District of *Gaspé*, and to provide

for the due administration of Justice therein, be postponed until to-morrow.

The Order of the day for the second reading of a Bill for the opening of a Road from *Coteau du Lac* to *Dundas street*, through the third Concession of *Lancaster*, being read,

Ordered, That the said Bill be read a second time on Tuesday next.

The Order of the day for the second reading of the Bill to authorize the Chairman of the Committee of the *Canada Inland Forwarding and Insurance Company*, to sue for and recover debts due to the said Company, being read,

Ordered, That the said Bill be read a second time to-morrow.

The Honourable Mr. *Daly*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Return to an Address from the House of Assembly to His Excellency, the Governor General, praying that His Excellency would be pleased to direct the proper Officer to communicate, for their information, copies of two Petitions filed in the office of the Executive Council,—the one from *James Little* and others, and the other from the Chiefs and Sachems of the Six Nations Indians, residing on the Grand River Tract,—both relating to Indian Lands.

By Command,

*D. Daly*,  
Secretary.

Secretary's Office,  
November, 1843.

(The said Return is printed in the Appendix to the Report of the Select Committee appointed to take into consideration the system of granting Indian Lands in the *Niagara and Gore Districts*.)

(See Appendix M. M.)

The Order of the day for the second reading of the Bill to Incorporate the Association called "*La Congregation de Notre Dame de Quebec*," being read,

The said Bill was, accordingly, read and ordered to be engrossed.

The Order of the day for the second reading of the Bill to Incorporate the Education Society of the District of *Quebec*, being read,

The said Bill was, accordingly read, and referred to a Select Committee, composed of Mr. *Chabot*, the Honourable Mr. *Neilson*, the Honourable Mr. *Black*, Mr. *Berthelot*, and Mr. *Taché*, to report thereon with all convenient speed with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to Incorporate the Church Society of the Diocese of *Quebec*, being read,

The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. *Hale*, the Honourable Mr. *Black*, the Honourable Mr. *Neilson*, Mr. *Stewart*, and Mr. *Christie*, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to confirm and make valid certain official Acts in the offices of Registrar, Clerk of the Peace, Clerk of the District Court, and Registrar of the Surrogate Court, in and for the District of *Ottawa*, being read,

The said Bill was accordingly read, and ordered to be engrossed.

The Order of the day for the House in Committee on the Bill to regulate the inspection and mea-

Orders of Day  
postponed.

Road, Coteau  
du Lac.

Canada Inland  
Insurance Com-  
pany.

Indian Lands.

La Congrega-  
tion de Notre  
Dame de Que-  
bec.

Education So-  
ciety Quebec.

Church Soci-  
ty Quebec.

Certain official  
Acts Bill.

Timber Bill.

surement of Timber, Masts, Spars, Deals, and other articles of a like nature, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Roblin reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

The Order of the day for the House in Committee to consider the expediency of repealing the Laws now in force in *Lower Canada*, for the construction and repairing of the Roman Catholic Churches, Church Yards, Parsonage Houses, and Dependencies thereof, and also for the erection and division of Parishes in *Lower Canada*, and of substituting new provisions in lieu thereof, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Wakefield reported that the Committee had come to a Resolution, 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 repeal the Laws now in force in *Lower Canada*, for the construction and repairing of Roman Catholic Churches, Church Yards, Parsonage Houses, and Dependencies thereof, and for the erection and division of Parishes in *Lower Canada*, and to substitute new provisions in lieu thereof.

Ordered, That Mr. Chabot have leave to bring in a Bill to repeal the Laws of *Lower Canada*, for the construction and repairing of Churches and Dependencies, and for the erection and division of Parishes, and to make new provisions in lieu thereof.

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 Friday next.

The Order of the day for the House in Committee on the fourth report of the Standing Committee on Contingencies, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. De Witt reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

The names of the Members present, were taken down as followeth :—

Mr. Speaker,

Messieurs Aylwin, Baldwin, Boutillier, Cameron, Chabot, Child, Christie, De Witt, Hale, Hincks, Holmes, Hopkins, Johnston, Prince, Simpson, Turcotte, and D. B. Viger.

And at twenty minutes to eleven o'clock at night, Mr. Speaker adjourned the House for want of a Quorum.

Sabbati, 18<sup>o</sup> die Novembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

10â horâ, A. M.

THE following Petitions were severally brought up, and laid on the Table :—

2 Petitions brought up.

By Mr. Roblin—The Petition of *Thomas McMahon* and others, Inhabitants of the District of *Prince Edward*.

University of King's College.

By the Honourable Mr. Attorney General *Baldwin*—The Petition of *Henry A. Croft* and *William C. Gwynne*, Professors of the University of King's College, setting forth : "That, by the original Charter, the Council of King's College was composed of nine members, including the Chancellor, five of whom formed a quorum : That the presiding member was endowed with the power of voting upon all questions, in addition to giving the casting vote in cases when an equality of votes existed on a division. That Your Petitioners are informed, by the Bishop, that it was intended that the Chancellor should preside upon all convenient occasions ; consequently in him generally lay the power of exercising the privilege of giving the second, or casting vote. That the Legislature in the year 1837, deemed it expedient to increase the number of members on the College Council, and by the amended Charter the Council made to consist of twelve members, five of whom are ex-officio members. That by the recent Act uniting the two Provinces, changes have been effected which necessarily require the Chancellor and four of the ex-officio members to reside at a distance from *Toronto*, thereby, virtually, reducing the number of members on the College Council to seven. That the presiding member, the Bishop, now wields the power conferred by the casting vote. That, in addition to the President, there are at present, two other Clergymen on the College Council, and the probabilities are, that a third will be added, in the person of the principal of Minor College, should the vacancy now existing be filled up. That the interests of the Episcopalian Church will then be represented, in a Council consisting of seven members, by five Clerical votes. That Your Petitioners are of opinion that such a preponderance cannot exist, on the side of any one interest, without seriously endangering the general welfare of the University. Your Petitioners therefore pray that Your Honourable House will take these matters into your most serious consideration, and adopt such measures as to Your Honourable House may appear just and reasonable in the premises."

On motion of the Honourable Mr. Attorney General *Baldwin*, seconded by Mr. *Cameron*,

Petition read.

Ordered, That the last preceding Petition be now read, and that the Rule of this House, of the 28th of June, 1841, be dispensed with as to the present Petition, and the said Petition was read accordingly.

Ordered, That fourteen hundred copies of the said Petition, be printed in the English Language, and four hundred in the French, for the use of the Members of this House.

An Engrossed Bill, to confirm and make valid certain official Acts, in the Offices of Registrar, Clerk of the Peace, Clerk of the District Court, and Registrar of the Surrogate Court, in and for the District of *Ottawa*, was read for the third time.

Official Acts Bill, Ottawa District.

Resolved, That the Bill do pass.

Ordered, That Mr. *D. McDonald*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the day, the following Petitions were read :—

Petitions read.

Of *E. Cartwright Thomas* and others, Inhabi-

Petitions read.

tants of the District of Gore, in Public Meeting assembled; praying for the completion of certain parts of the road between *Hamilton* and *Brantford*.

Of *Dugald Sinclair* and others, Members of the Baptist Church and Congregation, at *Lobo*, in the District of *London*; praying that the benefits of King's College, at *Toronto*, and of *McGill College*, at *Montreal*, be opened to all Religious Denominations.

Of *George Millar* and others, Inhabitants of the Township of *Toronto*, and neighbourhood; praying that the charter of King's College may be so amended, as to allow the erection of separate Colleges, on the site of the University of the said College, for the advantage of different Religious Denominations.

Of the Reverend *E. Payment* and others, Inhabitants of the parishes of *St. Geneviève* and *St. Anne*, in the Island of *Montreal*; praying that the road from *L'aberd à Plough*, to the upper end of the Island of *Montreal*, may be macadamized or otherwise improved.

Of *E. Cartwright Thomas* and others, Inhabitants of the District of *Gore* and *Wellington*; praying for the construction of a road between the Head Waters of *Lake Ontario*, and *Owen's Sound*, upon *Lake Huron*.

Of *William Sheppard*, Esquire, President of the Literary and Historical Society of *Quebec*; praying an aid in behalf of the said Institution.

*Ordered*, That the Petition of the Reverend *E. Payment* and others, Inhabitants of the Parishes of *St. Geneviève* and *St. Anne*, in the Island of *Montreal*, be referred to the Special Committee, to which was referred the Petition of *Simon Valois* and others, Inhabitants of *Côte St. Michel*, *Côte de la Visitation*, and of the *St. Mary's Current*, in the Parish of *Montreal*, and other References.

Petition of Rev. E. Payment &amp; others referred

Second Report on Printing.

*Mr. Morris* from the standing Committee on Printing, presented to the House the Second Report of the said Committee, which was again read at the Clerk's table, as followeth:—

"Your Committee having by Advertisement called for Tenders, for printing the Journals and Appendices of the present Session, in the English and French Languages, found, upon receiving the same, that of *Edward John Barker*, to be the lowest.

The Tender of *Mr. Barker*, is 1s. 6d. per 1000 Ms for composition, in both the English and French Languages; Press-work, 1s. 9d. per token; Paper, 20s per ream; and Binding, 4s. 10 1/2d. per volume, without reference to size; the work to be done in the same manner and form in every particular as that of last year.

Your Committee have required *Mr. Barker* to furnish two sufficient Sureties for the due performance of the work, and upon his doing so, they beg to recommend that a Contract be entered into with him upon the terms above stated."

*Ordered*, That the said Report be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair,

And *Mr. Cook* reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received on Monday next.

*Ordered*, That the Petition of *William Sheppard*, President of the Literary and Historical Society of *Quebec*, and the Report accompanying the same, be printed for the use of the Members of this House.

Petition of Wm. Sheppard

The Order of the day for the Second reading of the Bill, for the establishment of a better Court of Appeals, in *Lower Canada*, being read,

Court of Appeals, Lower Canada.

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

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

*Mr. Speaker* resumed the Chair,

And *Mr. Morris* 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.

The order of the day for the second reading of the Bill, to provide for the summary trial of Small Causes, in *Lower Canada*, being read,

Small Causes, L. Canada.

The said Bill was accordingly read and referred to a Special Committee, composed of the Honourable *Mr. Attorney General Lafontaine*, *Mr. Armstrong*, the Honourable *Mr. Viger*, *Mr. L. M. Viger*, and *Mr. Chabot*, to report thereon with all convenient speed; with power to send for persons, papers, and records.

*Ordered*, That the Petition of *George W. Fogg* and others, Inhabitants of the County of *Stanstead*, presented to the House on the third of October last—And the Petition of *Edmund Peel* and others, Inhabitants of the County of *Stanstead*, presented to the House, on the ninth of the same month, be referred to the said Committee.

Petitions of G. W. Fogg and others, and Edmund Peel and others, referred.

The Order of the day for the Second reading of the Bill to establish the District of *Gaspé*, and to provide for the due administration of Justice, being read,

District of Gaspé Bill.

The said Bill was accordingly read and referred to a Special Committee, composed of the Honourable *Mr. Attorney General Lafontaine*, *Mr. Hamilton*, *Mr. Christie*, the Honourable *Mr. Black*, and *Mr. Quesnel*, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the House in Committee, on the Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue, being read,

Customs and Revenue.

The House accordingly resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair,

And *Mr. Taché* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received on Monday next.

The Order of the day for the House in Committee, to consider the expediency of amending a certain Act of the Parliament, of *Upper Canada*, passed in the 7th year of the Reign of His late Majesty *William 4th.*, intituled, "An Act to provide for the permanent completion of the *Welland Canal*, and for other purposes therein mentioned"—And also a certain other Act of the Parliament of *Upper Canada*, passed in the 4th and 5th years of the Reign

Welland Canal

Welland Canal.

of Her present Majesty, intituled, "An Act to authorize the Stock held by private parties, in the *Welland Canal*, to be purchased on behalf of the Province," being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Durand* reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received on Monday next.

Shareholders of Banks.

The Order of the Day for the House in Committee on the Bill to relieve the Shareholders of the several Banks therein mentioned, from liability beyond the amount of the Shares subscribed, and for that purpose to amend the several Acts creating such liabilities, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Christie* reported that the Committee had gone through the Bill without making any amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received on Monday next.

John T. Caldwell &amp; others.

The Order of the Day for the House in Committee on the Report of the Special Committee to which was referred the Petition of *John T. Caldwell* and others, Proprietors of Vessels navigating the *Gulf of St. Lawrence*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Thompson* reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received on Monday next.

Contingencies.

The Order of the Day for the House in Committee on the Third Report of the Standing Committee on Contingencies, being read,

*Resolved*, That this House will, on Wednesday next, resolve itself into the said Committee.

La Banque du Peuple.

The Order of the day for the House in Committee on the Bill to incorporate certain persons carrying on the business of Banking, in the City of *Montreal*, under the name of *La Banque du Peuple*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Hale* reported that the Committee had gone through the Bill without making any amendment thereto, and the Report was again read at the Clerk's table.

*Ordered*, That the said Bill be engrossed.

Protestant Episcopal College Quebec.

The Order of the day for the House in Committee on the Bill to incorporate the Diocesan College of the Protestant Episcopal Diocese of *Quebec*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Noël* reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received on Monday next.

The Order of the Day for the House in Committee on the Bill for the better preservation of certain species of Fish, in the Rivers and Waters of the Counties of *Stanstead*, *Sherbrooke*, *Missisquoi* and *Shefford*, being read,

Preservation of Fish in Stanstead &amp;c.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *McLean* reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received on Monday next.

The Order of the Day for the House in Committee to consider the expediency of amending the *Tay Navigation Act*, being read,

Tay Navigation.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Johnston* reported that the Committee had come to a Resolution; 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 of the Provincial Parliament of *Upper Canada*, 1st *William IV*: Cap. 10, incorporating the *Tay Navigation Company*, in so far as relates to the settlement of claims by arbitration, and to continue that part of the said Act which provides for the settlement of such claims by Juries.

*Ordered*, That Mr. *Cameron* have leave to bring in a Bill to amend the Act incorporating the *Tay Navigation Company*.

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 Friday the twenty-fourth Instant.

Then on motion of Mr. *Noël*, seconded by Mr. *Simpson*,

The House adjourned until Monday next.

*Lunæ*, 20<sup>o</sup> die *Novembris*.

Anno 7<sup>o</sup>, *Victoriae Reginae*, 1843.

THE following Petitions were severally brought up and laid on the Table:—

9 Petitions brought up.

By Mr. *Cameron*—The Petition of *Robert Hodgins* and others, Inhabitants of the Township of *McGillivray*, in the District of *Huron*; the Petition of *James Murray* and others, Inhabitants of the Township of *Hay*, in the District of *Huron*; and the Petition of *William Elder* and others, Inhabitants of the Township of *Usborne*, in the District of *Huron*.

By Mr. *Thompson*—The Petition of the Congregation of the Trinity Church at *Chippewa*, in the District of *Niagara*.

By Mr. *Harmannus Smith*—The Petition of *William Walker* and others, a Committee appointed to consider the necessity of improving the Road between *Brantford* and *Hamilton*.

By Mr. *Lacoste*—The Petition of *John Morris* and others, Inhabitants of the Parish of *St. Jérôme*, and other places.

By the Honourable Mr. *Sherwood*—The Petition of the Board of Trade, of the City of *Toronto*; and the Petition of *Henry Smith*, of the City of *Toronto*.

By Mr. *Williams*—The Petition of the Presbyterian Church and Congregation of *Cavan*, in connexion with the Synod of *Canada*.

By Mr. *Roblin*—The Petition of *Thomas Moore* and others, Inhabitants of the District of *Prince Edward*.

La Banque du Peuple.

An Engrossed Bill to Incorporate certain persons carrying on the business of Banking in the City of *Montreal* under the name of *La Banque du Peuple*, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Quesnel* do carry the said Bill to the Legislative Council and desire their concurrence.

Court of Appeals, Lower Canada.

An Engrossed Bill for the establishment of a better Court of Appeals, in *Lower Canada*, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General *Lafontaine* do carry the said Bill to the Legislative Council, and desire their concurrence.

La Congrégation de Notre Dame de Québec.

An Engrossed Bill to Incorporate the Association called *La Congrégation de Notre Dame de Québec*, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Solicitor General *Aylwin* do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the day, the following Petitions, were read:—

Of *P. P. Russell* and others, Inhabitants of the Parish of *St. Armand*, West, and its vicinity; praying that the Bill for the establishment of Commissioners' Courts may be amended so that a small Fee Fund may be raised for the purpose of paying the Commissioners a reasonable compensation for their time and expenses.

Of the Reverend *John Cook* and others, Inhabitants of the City of *Quebec*, and its vicinity; praying for certain amendments to the Common School Act.

Of *Thomas McMalon* and others, Inhabitants of the District of *Prince Edward*; praying for the establishment of the Courts of Requests.

Small Causes, L. Canada.

The Honourable Mr. Attorney General *Lafontaine*, from the Special Committee to which was referred the Bill to provide for the summary trial of Small Causes in *Lower Canada*, 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.

Ordered, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Boutillier* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Mr. *Leslie* from the Select Committee to which was referred the Petition of Messieurs *Gillespie, Moffatt*, and Company, and other Merchants, of *Montreal*, and other References, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report on Petition of Gillespie, Moffatt & Company.

"Your Committee have examined the different Documents submitted to them, and looked into the different Statutes imposing Duties upon Sugars, from which it appears that by the Act 35 Geo. III, cap. 9, a Duty of one penny per pound was ordered to be collected upon Loaf and Lump, and a half-penny on Muscovado and clayed Sugars; by the Act 53 Geo. III, cap. 1, the first description of Sugars were designated as *Refined*, and the second as Muscovado or Clayed, and the same classification was continued until the 4 & 5 Vic. cap. 14, when an alteration was made on the second quality, which was designated as *Raw*, but the first retained its previous denomination. Bastard Sugars were invariably classed under the second designation, and paid the same Duty until the year 1842, when, in consequence of a Minute of the Executive Council, of the 22d March of that year, the Collectors of Customs were directed to levy upon a certain description of Bastards, the same Duty as on Refined.

Your Committee cannot conceive that it was the intention of the Legislature to alter the classification of Sugars, that had existed since 1813, and thereby subject one description to a higher rate of Duty than had been previously paid, without distinctly expressing it in the Statute; and are, therefore, of opinion that the extra penny, per pound, which has been levied upon Bastard Sugars, should be refunded to the parties by whom it had been paid."

Messrs. *Harrison* and *Hincks* dissentient.

PORT OF QUEBEC.

A Return shewing the names of the Importers, and the quantity of all descriptions of Bastard and Clayed or other Sugar on which the Duty has been exacted as Refined, but with respect to which there may be a doubt whether it might be considered as Refined or as Raw Sugar, and the amount of Duty paid thereon by each Importer since the 1st January, 1842.

Bastard Sugars.

IMPORTERS.	QUANTITY.	AMOUNT OF DUTY.
<i>Shaw &amp; Torrance</i> ,...	40627 lbs. a 2d.	338 11 2
<i>J. G. Heath &amp; Co.</i> ...	61854 "	540 9 0
do. ...	59229 "	493 11 6
do. ...	26534 "	221 2 4
do. ...	35731 "	297 15 2
do. ...	75047 "	625 7 10
do. ...	63544 "	529 10 8
<i>S. Macaulay</i> ,.....	11727 "	97 14 6
do. ....	10300 "	85 16 8
	387593 "	3229 18 10

N. B. With reference to the above importations, it is submitted that under the Report of Council, dated 23rd March, 1842, the whole thereof ought to be considered "Refined" and not "Raw Sugar," and therefore subject to the Duty which has been paid thereon, it having been "improved in purity and in value by means of a process of refinement." A separate Return of Bastard and Clayed Sugar, which though "Refined," payed as Raw Sugar, is annexed.

H. Jessopp, Collector.

Customs, Quebec, 2nd November, 1843.

PORT OF QUEBEC.

A Return of Bastard and Clayed Sugar, which, though "Refined Sugar," has been admitted at the Duty of "Raw Sugar," under the Report of Council, dated 23rd March, 1842; the same not having been "improved" by process of Refinement; Imported since the 1st January, 1842.

IMPORTERS.	QUANTITY.	AMOUNT OF DUTY.		
		£.	s.	d.
Smith & Provan,....	546 lbs. a 10.	2	5	6
Charles Stuart,.....	10512 "	43	6	0
J. G. Heath & Co... ..	64152 "	267	16	0
G. H. Parke & Co... ..	16542 "	68	18	6
J. G. Heath & Co... ..	22409 "	93	7	5
do. ....	17890 "	74	10	10
do. ....	19732 "	82	4	4
do. ....	24191 "	100	15	11
do. ....	25404 "	105	17	0
Charles Stuart,.....	35280 "	147	0	0
do. ....	17276 "	71	19	8
do. ....	17186 "	71	12	2
J. G. Heath & Co... ..	8477 "	35	6	5
do. ....	52815 "	220	1	3
do. ....	28864 "	120	5	4
Gillespie, Jamieson & Co.	61497 "	256	4	9
Charles Stuart,.....	34205 "	142	17	11
do. ....	17475 "	72	16	3
do. ....	31284 "	130	7	0
	505827 "	£2107	12	3

N. B. On a reference made to the Honourable Board of Customs to the description of "Refined Sugar," intended to be charged with Duty, under Section 9th. of the Act 5 & 6 Victoria, cap. 49, it was ordered that all Sugar refined in Bond in the United Kingdom, is liable to the Duty of ten per cent. without reference to the degree of Refinement it may have undergone.

Customs, Quebec, 2nd November, 1843.

H. Jessopp, Collector.

Return of the quantity of Bastard Sugar imported into the Port of Montreal since the 1st January, 1842, on which the Duty of two pence per pound as refined, has been levied under an order of His Excellency the Governor General, in Council, dated 28th March, 1842.

NAMES OF IMPORTERS.	QUANTITY.	RATE.	DUTY RECEIVED.		
			£.	s.	d.
Buchanan, Cunningham & Co,.....	46006 lbs.	2d.	383	7	8
Murray & Sanderson,.....	9841 "	"	82	0	2
William Muir, Junior,.....	44465 "	"	370	10	10
Millar, Edmonstone & Allan,.....	5522 "	"	46	0	4
Charles Phillips & Co,.....	9195 "	"	76	12	6
A. H. Vass,.....	86994 "	"	741	12	4
Jas. G. Heath & Co,.....	93312 "	"	777	12	0
Gillespie, Moffatt & Co,.....	21560 "	"	179	13	4
	318895 lbs.	St'g.	2657	9	2

Custom House, Montreal, 30th October, 1843.

W. Hall, Collector.

Ordered, That the said Report be referred to a Committee of the whole House, on Friday next.

Mr. Jobin from the Special Committee, to which was referred the Petition of Xavier Legault and others, of Isle Bizarre, in the Parish of St. Raphael, in the District of Montreal, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee are of opinion, that the prayer of the Petitioners, to be annexed to the County of

Montreal, for all purposes, legal or political, ought to be granted."

Ordered, That Mr. Jobin have leave to bring in a Bill to detach Isle Bizarre, from the County of Two Mountains, and to annex it to the County of Montreal.

Isle Bizarre 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 Wednesday next.

Ordered, That Mr. Cartwright have leave to bring in a Bill to incorporate the Kingston Mineral Wells Company.

Kingston Mineral Wells Company.

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 the twenty eighth instant.

Ordered. That Mr. Cook have leave of absence, until the fifth of December next, on urgent business.

Leave of absence to Mr. Cook.

Ordered, That the order of the day for the second reading of the Bill, to provide for the more equal distribution of the property of persons dying intestate, within that part of this Province, formerly Upper Canada; lost by the adjournment of the House of Wednesday last, be revived, and that the said Bill be read a second time, on Tuesday the twenty eighth instant.

Intestate Estates.

Ordered, That the Honourable Mr. Morin, have leave to bring in a Bill to provide more efficiently for Elementary Education, in Lower Canada.

Education Lower 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 Thursday next.

Ordered, That the Honourable Mr. Jones have leave to bring in a Bill to amend the Ordinance, providing for the Registration of Titles to Real Property, and Incumbrances thereon, in Lower Canada, and further to extend the time allowed, by the said Ordinance, for the registration of certain claims.

Registration Lower 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 Wednesday next.

Mr. Roblin, from the Committee of the whole House, on the Bill to regulate the inspection and measurement of Timber, Masts, Spars, Deals, and other articles of a like nature, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Timber Inspection, &c.

Mr. Cameron moved, seconded by Mr. Johnston, That the said Bill, as amended, be engrossed.

The Honourable Mr. Neilson moved, in amendment, That all the words after "That" in the said motion be struck out, and the following substituted, "the said Bill be re-committed with an instruction to amend the same, that all compulsory inspection, cutting or measurement of Timber, or Lumber, previous to the shipment or exportation, be omitted, unless with the consent or at the request of the owner or some person interested therein."

The Question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS:

Messieurs BERTHELOT, BLACK, BOUTILLIER,

Report on Petition of X. Lé. gault & others

CARTWRIGHT, CHRISTIE, DUGGAN, DUNLOP, DURAND, FORBES, HOPKINS, LACOSTE, MERRITT, MURNEY, NEILSON, ROBLIN, SIMPSON, STEELE, D. B. VIGER, and WILLIAMS.—(19.)

## NAYS.

Messieurs ARMSTRONG, BARTHE, BOSWELL, BOULTON, CAMERON, CHABOT, CHILD, COOK, DALY, DE WITT, DUNN, FOSTER, HARRISON, HINCKS, HOLMES, JOBIN, JOHNSTON, JUDAH, LAFONTAINE, LESLIE, SIR ALLAN N. MACNAB, D. McDONALD, J. S. MACDONALD, McLEAN, MOORE, MORRIS, NOEL, PAPINEAU, PRINCE, SMALL, HENRY SMITH, HARMANNUS SMITH, HENRY SHERWOOD, STEWART, TURCOTTE, L. M. VIGER, WAKEFIELD, WATTS, and WOODS.—(39.)

So it passed in the Negative.

The Question being then put upon the main motion, it was agreed to by the House, and

*Ordered* accordingly.

Contingencies.

The Order of the day for receiving the Report of the Committee of the whole House, on the fourth Report of the Standing Committee of Contingencies, being read,

*Ordered*, That the said Report be re-committed to a Committee of the whole House, on Wednesday next.

Printing.

Mr. Cook from the Committee of the whole House on the second Report of the Standing Committee on Printing, 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 the second Report of the Standing Committee on the subject of the Printing of the Journals of this House, for the present Session, be adopted.

Management of Customs.

Mr. Taché from the Committee of the whole House, on the Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table.

The Honourable Mr. Hincks moved, seconded by the Honourable Mr. Solicitor General Small, that the Question of Concurrence be now separately put upon each of the said amendments.

Mr. Morris moved, in amendment, seconded by Mr. Merritt, that all the words after "That" in the said motion be struck out, and the following substituted, "the said Bill and Report be now re-committed to a Committee of the whole House, for the purpose of amending the same, by striking out the words 'five hundred pounds' in the sixth Clause, and inserting the words 'four hundred pounds' in lieu thereof."

The Question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:—

## YEAS.

Messieurs BOUTILLIER, CHILD, COOK, DUGGAN, DUNLOP, DURAND, FOSTER, HOPKINS, JOHNSTON, J. S. MACDONALD, McLEAN, MERRITT, MORRIS, MURNEY, PAPINEAU, ROBLIN, HENRY SMITH, HARMANNUS SMITH, HENRY SHERWOOD, STEELE, WATTS, and WILLIAMS.—(22.)

## NAYS.

Messieurs BALDWIN, BARTHE, BERTHELOT, BLACK, BOULTON, CAMERON, CARTWRIGHT, CHABOT, CHRISTIE, DE WITT, FORBES, HARRISON, HINCKS, HOLMES, JOBIN, JUDAH, LACOSTE, LAFONTAINE, LESLIE, SIR

ALLAN N. MACNAB, MORIN, NEILSON, NOEL, PRINCE, SIMPSON, SMALL, STEWART, D. B. VIGER, and L. M. VIGER.—(29.)

So it passed in the Negative.

The Question being then put on the main motion, it was agreed to by the House.

And the said amendments being again severally read, the Question of concurrence being separately put upon each, they were agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

Mr. Durand from the Committee of the whole House, to consider the expediency of amending a certain Act of the Parliament of *Upper Canada*, passed in the seventh year of the Reign of His late Majesty, *William IV*, intituled, "An Act to provide for the permanent completion of the *Welland Canal*, and for other purposes therein mentioned;" and also a certain other Act of the Parliament of *Upper Canada*, passed in the fourth and fifth years of the Reign of Her present Majesty, intituled "An Act to authorize the stock held by Private Parties, in the *Welland Canal*, to be purchased on behalf of the Province;" reported, according to order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:—

Welland Canal

*Resolved*, That it is expedient to repeal so much of an Act of the Parliament of *Upper Canada*, passed in the seventh year of the Reign of His late Majesty, *William IV*, intituled, "An Act to provide for the permanent completion of the *Welland Canal*, and for other purposes therein mentioned," as provides for the income of the said Canal or any part thereof, being divided amongst the Private Stockholders.

*Resolved*, That it is expedient to repeal a certain Act of the Parliament of this Province, passed in the 4th & 5th years of the Reign of Her present Majesty, intituled, "An Act to authorize the Stock held by Private Parties, in the *Welland Canal*, to be purchased on behalf of the Province," and to provide for the immediate issue of Debentures to the private shareholders, redeemable in twenty years from this date, and bearing interest from the first day of January, 1843, which interest may, at the option of the shareholders, be payable in *London*, at the rate of five per cent, per annum; or in this Province at the rate of six per cent per annum; and further to provide, that so soon after the completion of the Canal, as the toll shall amount, in any one year to £15,000 Currency, other Debentures shall be issued to the private Stockholders, for the interest on their stock, for the time that the same had been paid in, such Debentures, to be payable either in *London*, at the rate of five per cent, per annum, interest, or in *Canada*, at six per cent, at the option of the Shareholders.

*Ordered*, That the Honourable Mr. Hincks have leave to bring in a Bill, to repeal a certain Act therein mentioned, and to make further provision for enabling the Provincial Government, to purchase the stock held by private Parties, in the *Welland Canal*.

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.

Mr. Christie from the Committee of the whole House, on the Bill to relieve the shareholders of the several Banks therein mentioned, from liability beyond the amount of the shares subscribed, and, for that purpose, to amend the several Acts creating

Banking liability.



such liabilities, reported, according to order, the said Bill without any amendment, and the Report was again read, at the Clerk's table.

The Honourable Mr. *Hincks* moved, seconded by Mr. *Derbshire*, That the said Bill be engrossed.

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

Messieurs ARMSTRONG, BOSWELL, BOULTON, CAMERON, CHRISTIE, DALY, DERBISHIRE, DEWITT, HARRISON, HINCKS, JOBIN, LACOSTE, LAFONTAINE, SIR ALLAN N. McNAB, D. McDONALD, MERRITT, MORIN, PAPINEAU, PARKE, PRINCE, QUESNEL, ROBLIN, STEELE, TACHE, TURCOTTE, D. B. VIGER, L. M. VIGER, and WAKEFIELD—(28.)

NAYS.

Messieurs BARTHE, BERTHELOT, BLACK, BOUTILIER, CHABOT, CHILD, COOK, DUGGAN, DUNLOP, DURAND, FOSTER, HAMILTON, HOLMES, HOPKINS, JOHNSTON, JUDAH, LESLIE, J. S. McDONALD, McLEAN, MOORE, MURNEY, NEILSON, NOEL, SIMPSON, HENRY SMITH, HARMANNUS SMITH, and STEWART.—(27.)

So it was carried in the affirmative.  
*Ordered*, That the said Bill be engrossed.

Mr. *Thompson* from the Committee of the whole House, on the Report of the Special Committee, to which was referred the Petition of *John C. Caldwell* and others, Proprietors of Vessels, navigating the Gulf of *St. Lawrence*, 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 this House doth concur with the Special Committee, in the said Report.

*Ordered*. That Mr. *Christie* have leave to bring in a Bill to alter and amend certain Acts therein mentioned, relating to the navigation of the River *St. Lawrence*, in so far as the same relates to the Port of *Quebec*.

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 Wednesday next.

Mr. *Noel* from the Committee of the whole House, on the Bill to incorporate the Diocesan College, of the Protestant Episcopal Diocese of *Quebec*, reported, according to order, the amendment made by the Committee to the said Bill; which amendment was again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

Mr. *McLean*, from the Committee of the whole House, on the Bill for the better preservation of certain species of Fish in the Rivers and Waters of the Counties of *Stanstead*, *Sherbrooke*, *Missisquoi*, and *Shefford*, reported, according to order, the amendment made by the Committee to the said Bill; which amendment was again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

The Order of the Day for the Second Reading of the Bill to repeal certain Acts therein mentioned, and to make better provision respecting the admission of Land Surveyors, and the Survey of Lands 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 made some progress, and had directed him to move for leave to sit again.

*Ordered*, That the said Committee have leave to sit again, on Thursday next.

The Order of the Day for the Second Reading of the Bill to regulate the qualification and summoning of Jurors, in civil and criminal matters, in *Lower Canada*, being read,

The said Bill was accordingly read, and referred to a Special Committee composed of the Honourable Mr. Attorney General *Lafontaine*, Mr. *Quesnel*, the Honourable Mr. *Black*, Mr. *Chabot*, and the Honourable Mr. *Jones*, to report thereon, with all convenient speed, with power to send for persons, papers, and records.

The Order of the Day for the Second Reading of the Bill to regulate the Notarial Profession in *Lower Canada*, being read,

The said Bill was accordingly read, and referred to a Special Committee, composed of the Honourable Mr. Attorney General *Lafontaine*, Mr. *Lacoste*, Mr. *Jobin*, Mr. *Christie*, and the Honourable Mr. *Black*, to report thereon, with all convenient speed; with power to send for persons, papers, and records.

The Order of the Day for the Second Reading of the Bill for the better division of that part of the Province called *Upper Canada*, into Counties; for abolishing the Territorial division thereof into Districts; and providing for temporary unions of Counties for Judicial and other purposes, and the future dissolution of such unions, as the increase of the population may require, being read,

*Ordered*, That the said Bill be read a Second time, on Thursday next.

The Order of the Day for the House in Committee, on the Bill for the consolidation and amendment of the Laws, relative to Jurors, Juries, and Inquests, in that part of this Province called *Upper Canada*, being read,

*Resolved*, That this House will, on Thursday next, resolve itself into the said Committee.

The Order of the Day for the House in Committee, on the Report of the Select Committee to which was referred the Petition of *Thomas McLean*, and other Inhabitants of the Township of *Zorra East*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *D. McDonald* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair, And Mr. *D. McDonald* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

*Resolved*, That this House doth concur in the recommendation of the Select Committee.

*Ordered*, That the Honourable Mr. *Hincks* have leave to bring in a Bill to divide the Township of *Zorra*, in the *Brock* District, into two Townships.

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.

The Order of the Day for the House in Committee, on the Bill to provide for the incorporation of Townships, Towns, Counties, and Cities in *Upper Canada*, being read,

Jurors Lower Canada.

Notarial Profession Lower Canada.

Upper Canada Division Bill.

Jurors &c. Upper Canada.

Petition of Thomas McLean & others.

Zorra Division Bill.

Towns Incorporation &c. Upper Canada.

Banking liability.

Petition of John C. Caldwell & others.

Navigation St. Lawrence.

Protestant Episcopal College of Quebec.

Preservation of Fish in waters of Stanstead &c.

Land Surveyors.

Towns &c. In-  
corporation.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Johnston reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again, on Thursday next.

Canada Inland  
Assurance  
Company.

Ordered, That the Order of the Day for the Second Reading of the Bill to authorize the Chairman of the Committee of the Canada Inland Forwarding and Insurance Company to sue for and recover debts due to the Company; lost by the adjournment of the House of Saturday last, be received, and that the said Bill be read a second time tomorrow.

Then on motion of Mr. DeWitt, seconded by Mr. Johnston,  
The House adjourned.

Martis 21<sup>o</sup> die Novembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

THE following Petition was brought up, and laid on the table:—

Petition of Josiah Hebbart.

By Mr. Turcotte—The Petition of Josiah Hebbart and others, *Censitaires* of the Fief *Mary Ann*, in the Seigniorie of *De Lanaudière*, District of *Three Rivers*.

Episcopal Col-  
lege Quebec.

An Engrossed Bill, to incorporate the Diocesan College of the Protestant Episcopal Diocese of Quebec, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to incorporate Bishop's College, in the Diocese of Quebec."

Ordered, That Mr. Hale do carry the said Bill to the Legislative Council, and desire their concurrence.

Preservation of  
Fish in waters  
of Stanstead,  
&c.

An Engrossed Bill for the better preservation of certain species of Fish, in the Rivers and Waters of the Counties of *Stanstead*, *Sherbrooke*, *Misiquoi*, and *Shefford*, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act for the better preservation of certain species of Fish, in the Rivers and Waters, of the Counties therein mentioned."

Ordered, That Mr. Child do carry the said Bill to the Legislative Council, and desire their concurrence.

Indian Lands.

Ordered, That the Return to the address of this House, of the tenth instant, for copies of two Petitions relating to Indian Lands, laid before the House on the seventeenth instant, by command of His Excellency the Governor General, be referred to the Select Committee appointed to take into consideration the system of granting Indian Lands, in the Districts of *Niagara* and *Gore*.

Message from  
Leg. Council.

A Message from the Legislative Council, by *John Fenning Taylor*, Esquire, one of the Masters in Chancery.

Mr. Speaker,

The Legislative Council have passed the following Bills, without any amendment:

Montreal Wa-  
ter Works.

"An Act to authorize the Mayor, Aldermen and Citizens, of *Montreal*, to purchase, acquire, and

hold, the property now known as the *Montreal Water Works*."

Returns of Pro-  
cess.

"An Act to render more summary the means of enforcing the Returns of Process by Sheriffs and Coroners, in that part of the Province called *Upper Canada*."

"An Act to Incorporate "*Les Dames Religieuses du Sacré Cœur de Jésus*," of the Parish of *St. Jacques de L'Achigan*, in the District of *Montreal*, for the purposes of Education."

Les Dames Re-  
ligieuses. &c.

"An Act to renew and continue for a certain time, the privileges granted by a certain Act of *Lower Canada* therein mentioned, to *Alexis Gosselin* and his heirs and Assigns, with regard to a certain Bridge over the River *Boyer*, in the County of *Bellechasse*."

Boyer Bridge

"An Act to prohibit the hunting and killing of Deer and other game, within this Province, at certain seasons of the year."

Game Bill.

And also,

The Legislative Council have passed the following Bills, with amendments, to which they desire the concurrence of the Assembly:—

"An Act to Incorporate *Charles Cunningham*, *Richard Norman*, *Samuel Amory*, and others, forming a Joint Stock Company for carrying on the Fishery in the *Gaspé* District and Gulf of *St. Lawrence*, and Coal Mining, in the said District."

Gaspé Fishery.

"An Act to enable Religious Societies, of all Denominations of Christians, (in that part of the Province called *Upper Canada*) to hold Lands requisite for certain purposes therein mentioned."

Religious Soci-  
eties Lands.

And then he withdrew.

Mr. Merrill moved, seconded by Mr. Thompson, that the Petition of the *Niagara* Municipal District Council, praying that the moneys arising from Licenses raised within the District from the sale of Spirituous Liquors and otherwise, be retained within the said District, for District purposes, including the local administration of Justice; and also the Petition that the said Council may have the power to impose a Tax upon Dogs within their District, the proceeds to be also appropriated for District purposes; be referred to the Committee of the whole House on the Bill to provide for the Incorporation of Townships, Towns, Counties, and Cities, in *Upper Canada*.

Petitions Ni-  
agara Municipal  
District.

The Honourable Mr. Sherwood moved, in amendment, seconded by Sir Allan N. McNab, that all the words after "be referred to," in the said motion; be struck out, and the following substituted, "a Select Committee of five Members; with power to send for persons, papers, and records, and to report thereon."

The Honourable Mr. Hincks moved, seconded by the Honourable Mr. Solicitor General Small, that the further consideration of the said motion and amendment be postponed.

The Question having been put upon the said motion, the House divided thereon, and the names being called for, they were taken down as followeth:—

YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BLACK, BOSWELL, BOUTILLIER, CAMERON, CHABOT, CHILD, CHRISTIE, COOK, DALY, DE WITT, DURAND, FORBES, FOSTER, HAMILTON, HINCKES, HOLMES, JOBIN, JOHNSTON, JONES, JUDAE, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, MOORE, MORIN, MORRIS, NEILSON, NOEL, PAPINEAU, PARKE, PRINCE, QUESNEL, SIMPSON, SMALL, HAEMANNUS SMITH, TACHE, TURCOTTE, D. B. VIGER, L. M. VIGER, WAKEFIELD, and WATTS.—(47.)

NAYS.

Messieurs BOULTON, CARTWRIGHT, CHESLEY, DUGGAN, HOPKINS, SIR ALLAN N. MACNAB, J. S. MACDONALD, MCLEAN, MERRITT, MURNEY, ROBLIN, HENRY SMITH, GEORGE SHERWOOD, HENRY SHERWOOD, and THOMPSON.—(15.)

So it was carried in the Affirmative, and Ordered accordingly.

The Honourable Mr. *Daly*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Return to an Address of the Legislative Assembly, to the Governor General, bearing date the 27th ult. praying that His Excellency will be pleased to cause to be laid before the House, a Tabular Return of the several Agents and other persons employed by the Commissioner of Crown Lands, during and subsequent to 1840, and who are accountable to the Government for the receipt of moneys in that Department; designating the name of the Agent or other person employed, the date of his appointment, whether on the permanent establishment or for a temporary occasion, the amount outstanding in the hands of such Agent on the 1st September of each year inclusive, and the reason of the detention thereof, the Salary, per centage, or other emolument receivable by such persons.

(For the said Return see Appendix H. II.)

And also,

Return to an Address from the House of Assembly to His Excellency, the Governor General, praying that His Excellency would be pleased to cause to be laid before them, a copy of the Minute or Minutes of the Honourable the Executive Council, on the Report of the Honourable the Inspector General, on the *Marriage License Fee Fund*, respecting its future disposition, or so much thereof, or such other information respecting the Fees on Marriage Licenses, as His Excellency may be disposed to communicate to them.

By Command,

*D. Daly*,  
Secretary.

Secretary's Office,  
Kingston, November, 1843.

(Copy.)

To His Excellency, the Right Honourable Sir *Charles T. Metcalfe*, Baronet, and G. C. B., Governor General of *British North America*, &c. &c. &c.

[In Council, Report of a Committee of the 4th Oct. 1843, Approved. Executive Council. Present: (Signed,) C. T. M.] The Honourable Mr. *Dunn*: in the Chair, Mr. *Daly*, Mr. *Lafontaine*, Mr. *Aylwin*, Mr. *Baldwin*, and Mr. *Morin*, on the Report of the Inspector General on the Accounts of *T. D. Harrington*, Esquire, of Fees received by him on Marriage Licenses, from 10th February, 1841, to 31st Dec. 1842.

MAY IT PLEASE YOUR EXCELLENCY :

The Committee of Council concur in the opinion expressed by the Inspector General in relation to the disposal of the funds arising from the sale of Marriage Licenses.

The subject has repeatedly occasioned discussion in the popular branch of the Legislature, and has given rise to great complaints, which the Committee of Council are compelled to acknowledge to be well founded. The proceeds of this Fund are Public Moneys, which can be appropriated only by Parliament.

The Committee, however, considering that the express sanction of Your Excellency's Predecessors has been given to the general items of expenditure in Mr. *Harrington's* account, would recommend that the same be allowed and passed.

With reference to the future, the Committee respectfully suggest that the whole amount of this fund be accounted for by the Provincial Secretary, without any deduction whatever, either by Commission or otherwise, and that the proceeds be paid over quarterly by him to the Receiver General for the public service.

All which is respectfully submitted

By order,

(Signed,) *John H. Dunn*,  
Chairman.

Council Chamber,  
Kingston, 20th Sept., 1843. }

Marriage License Fee Fund,

GOVERNOR GENERAL :

I have approved the Report of a Committee of the Executive Council, suggesting that in future the whole amount of the Fund, arising from the Fees on Marriage Licenses be accounted for by the Provincial Secretary, and that the proceeds be paid over quarterly to the Receiver General for the Public Service, because I am decidedly of opinion that there is no reason for regarding that Fund otherwise than as Public Revenue to be appropriated only by Parliament.

It appears, however, that allowances have been paid from this fund, with the express sanction, and by orders of my predecessors, Lord *Sydenham* and Sir *Charles Bagot*, to the Provincial Secretaries, as a remuneration for losses sustained by the alienation of the Fees, and to Mr. *Harrington* as a commission for the expenses and trouble of collection, and a request that the Committee of the Executive Council will consider and report, (Mr. *Harrison's* claim having ceased by his resignation of office,) on the claims of Mr. *Daly* and Mr. *Harrington* respectively, as incumbents, to a continuance of the allowances hitherto received by them from the Fund in question.

The claims of incumbents are generally treated with consideration, and although the reduction of expenditure is obviously a public benefit, if that consideration alone were to operate to the exclusion of equitable regard to the claims of individuals, no one could be safe as to the continuance of any grant of public money, however legitimately obtained.

(Signed,) *C. T. Metcalfe*.

Ordered, That the said Return on the subject of the Marriage License Fee Fund, be printed for the use of the Members of this House.

On motion of the Honourable Mr. Solicitor General *Smull*, seconded by the Honourable Mr. Solicitor General *Aylwin*.

Resolved. That this House do now resolve itself into a Committee of the whole House, to consider the propriety of repealing certain parts of, and to amend an Act of the Parliament of *Upper Canada*, passed in the second year of the Reign of His late Majesty, King *George the Fourth*, intituled, "An Act to reduce into one Act, the several Laws now in force establishing District Courts, and regulating the practice thereof; and also to extend the powers of the said District Courts;"—and also to repeal certain parts of, and to amend a certain

District Courts

Crown Lands.

Marriage License Fee Fund.

District Courts.

Act of the Parliament of this Province, passed in the Session held in the fourth and fifth years of the Reign of Her present Majesty, intituled, "An Act to alter and amend the Laws now in force, in that part of this Province formerly *Upper Canada*, regulating the District Courts," and to alter the name and extend the Jurisdiction of the said Courts, and to provide for the payment of the Clerks of the said Courts by Fees instead of fixed Salaries.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Chesley* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerks table, and agreed to by the House, and is as followeth:

*Resolved*. That it is expedient to repeal certain parts of and to amend an Act of the Parliament of *Upper Canada*, passed in the second year of the Reign of His late Majesty, King *George* the Fourth, and entitled, "An Act to reduce into one Act the several Laws now in force establishing District Courts, and regulating the practice thereof, and also to extend the powers of the said District Courts," and also to repeal certain parts of, and to amend a certain Act of the Parliament of this Province, passed in the Session held in the fourth and fifth years of the Reign of Her present Majesty, intituled, "An Act to alter and amend the Laws now in force in that part of this Province formerly *Upper Canada*, regulating the District Courts," and to alter the name and extend the Jurisdiction of the said Courts, and to provide for the payment of the Clerks of the said Courts, by Fees instead of fixed Salaries.

*Ordered*, That the Honourable Mr. Solicitor General *Small*, have leave to bring in a Bill to repeal certain parts of, and to amend the Acts establishing and regulating the District Courts in *Upper Canada*, and to change the name of the said Courts.

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 Monday next.

On motion of Mr. *Christie*, seconded by Mr. *DeWitt*.

Gaspé Fishery.

*Ordered*. That the amendment made by the Legislative Council to the Bill, intituled, "An Act to incorporate *Charles Cunningham*, *Richard Norman*, *Samuel Amory* and others, forming a Joint Stock Company, for carrying on the Fishery in the *Gaspé* District and Gulf of *St. Lawrence*, and Coal Mining in the said District; be now taken into consideration.

The House proceeded, accordingly, to take the said amendment into consideration.

And the said amendment was read, and is as followeth:—

Press 12. Line 3.—After the twenty-sixth clause, insert the following clause. "Provided always, and be it enacted, that nothing in this Act contained shall be held to authorise or warrant the said Corporation to act as Bankers, or to issue or keep in circulation Notes in the nature of Bank Notes, or to make such Notes valid in law, if issued by or in the name of the said Corporation.

And the said amendment being again read, it was agreed to by the House.

*Ordered*. That Mr. *Christie* do carry back the said Bill to the Legislative Council, and ac-

quaint their Honours, that this House hath agreed to their amendment.

Mr. *Boutillier*, from the Committee of the whole House, on the Bill to provide for the summary trial of small Causes in *Lower Canada*, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerks Table, and agreed to by the House.

Small Causes, Lower Canada.

*Ordered*. That the said Bill as amended, be engrossed.

The Order of the day for the second reading of the Bill to declare a debt contracted by the Committee of Magistrates, of the *Johnstown* District, to enable them to complete the new Gaol and Court House of said District, to be a debt payable by the District Council, being read.

Johnstown District Gaol and Court House.

The said Bill was accordingly read, and ordered to be engrossed.

The Order of the day, for the second reading of the Bill, to authorise the chartered Banks of the Province to open books in the United Kingdom for the transfer of their Stock, being read,

Chartered Banks.

*Ordered*, That the said Bill be read a second time, on Tuesday next,

The Order of the day for the second reading of the Bill, to detach the Township of *Gore* from the County of *Terrebonne*, and to annex it to the County of *Two Mountains*, being read,

Township of Gore Bill.

The said Bill was accordingly read, and referred to a select Committee composed of Mr. *Forbes*, the Honourable Mr. *Morin*, and Mr. *Simpson*, to report thereon with all convenient speed; with power to send for persons papers and records.

The Order of the day for the second reading of the Bill, for the opening of a road from *Coteau du Lac* to *Dundas* Street, through the third concession of *Lancaster*, being read,

Lancaster Road.

*Ordered*. That the said Bill be read a second time, on Tuesday next.

The Order of the day for the second reading of the Bill, to authorise the Chairman of the Committee of the *Canada* Inland Forwarding and Insurance Company, to sue for and recover debts due to the Company, being read,

Canada Inland Assurance Co.

The said Bill was accordingly read.

*Ordered*, That the following amendment be made to the said Bill;

At the end of the first Clause, add the words:—  
"and that any judgment rendered against such Chairman, acting as aforesaid, shall be deemed to be a judgment binding against the Members of the said Company, and upon which Execution may issue against all or any of the Members of the said Company, or upon a judgment against him or them in his or their private capacity."

*Ordered*, That the said Bill, as amended, be engrossed.

The Order of the day for taking into consideration the first Report of the Standing Committee of Privileges and Elections, being read,

Privileges and Elections.

The House proceeded accordingly to take the said Report into consideration; and the said Report being again read,

*Resolved*, That this House doth concur with the Committee in the said Report.

The Order of the day for the House in Committee on the Bill to give further powers to the *North American Colonial Association of Ireland*, being read,

N. A. Colonial Association of Ireland.

Resolved, That this House will, on Friday next, resolve itself into the said Committee.

Upper Canada Loan & Trust Company.

The Order of the day for the House in Committee on the Bill for incorporating and granting certain powers to the *Upper Canada Trust and Loan Company*, being read,

Resolved, That this House will, on Friday next, resolve itself into the said Committee.

Private Bills.

Ordered, That the fourth Report of the Standing Committee on Private Bills, which has reference to the Petitions of *Eden Colville*, and *Thomas Corbett*, together with the evidence taken on the same, be printed for the use of the Members of this House.

Report on Petition of J. H. Lambe and others.

The Order of the day for the House in Committee on the Report of the Special Committee to which was referred the Petition of *J. Henry Lambe* and others, of the City and Parish of *Montreal*, (relating to the commutation with the Censitaires of *Nazareth* and other Fiefs) and another Reference, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Wakefield* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Tuesday next.

Then on motion of the Honourable Mr. *Viger*, seconded by Mr. *Chabot*,

The House adjourned.

*Mercurii, 22<sup>o</sup> die Novembris.*

Anno 7<sup>o</sup> Victoriæ Reginæ, 1843.

THE following Petitions were severally brought up and laid on the Table:—

By Mr. *Christie*—The Petition of *Alexander Joseph Wolf*, of the settlement of *Valcartier*, in the County and District of *Quebec*.

By Mr. *Henry Smith*—The Petition of *John Waldron*, and others, Inhabitants of the Township of *Loborough*, and other places.

An engrossed Bill, to relieve the Shareholders of the several Banks therein mentioned from liability beyond the amount of the Shares subscribed, and for that purpose to amend the several Acts creating such liabilities, being read.

The Honourable Mr. *Hincks* moved, seconded by the Honourable Mr. Attorney General *Baldwin*, that the said Bill be read for the third time upon this day six months.

Sir *Allan N. MacNab* moved in amendment, seconded by Mr. *Henry Smith*, that all the words after "time," in the said motion be struck out, and the word "tomorrow" substituted.

The question having been put upon the motion of amendment, a division ensued; and it passed in the negative.

The question being then put upon the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:—

YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BERTHELOT, BLACK, CHABOT, CHESLEY, CRELD, CHRISTIE, COOK, DERBISHIRE, DE WITT, DUGGAN, DURAND, FORBES, HAMILTON, HINCKS, HOLMES, HOP-

KINS, JOBIN, JOHNSTON, JUDAH, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, J. S. MACDONALD, McLEAN, MORIN, MURNEY, NEILSON, NOEL, PARKE, PRICE, PRINCE, QUESNEL, ROBLIN, SIMPSON, HENRY SMITH, HARMANNUS SMITH, HENRY SHERWOOD, TACHE, TURCOTTE, D. B. VIGER, L. M. VIGER, WAKEFIELD, and WOODS.—(47.)

Banking liabilities.

NAYS.

Messieurs BOSWELL, SIR ALLAN N. MACNAB, MERRITT, and WILLIAMS.—(4.)

So it was carried in the Affirmative, and Ordered accordingly.

An Engrossed Bill to provide for the summary trial of Small Causes in *Lower Canada*, was read for the third time.

Small Causes, Lower Canada.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General *Lafontaine* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, and other articles of a like nature, was read for the third time.

Timber Inspection &c.

Resolved, That the Bill do pass, and the Title be "An Act to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature."

Ordered, That Mr. *Cameron* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to authorize the Chairman of the Committee of the *Canada Inland Forwarding and Insurance Company* to sue for and recover debts due to the Company, was read for the third time.

Canada Inland Assurance Co.

Resolved, That the Bill do pass.

Ordered, That Mr. *Cameron* do carry the said Bill to the Legislative Council, and desire their concurrence.

An Engrossed Bill to provide for the management of the Customs, and of matters relative to the Collection of the Provincial Revenue, being read for the third time.

Management of Customs.

Mr. *Simpson* moved, seconded by Mr. *Forbes*, that the following Engrossed Proviso be added, by way of *Ryder*, at the end of the fifth Clause of the said Bill, and make part thereof:

"Provided nevertheless that this Section shall not apply to any person or persons holding office at the passing of this Act, to whom special permission shall have been or shall be given by the Governor or the Commissioners of Revenue, to exercise any such other calling, profession or employment, but that such special permission shall exempt such officer or person from the provisions of this Section."

The Question being put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

Messieurs CARTWRIGHT, CHESLEY, DUGGAN, FORBES, HAMILTON, SIR ALLAN N. MACNAB, J. S. MACDONALD, McLEAN, MURNEY, SIMPSON, HENRY SMITH, GEORGE SHERWOOD, HENRY SHERWOOD, and TACHE.—(14.)

NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOULTON, BOUTILLIER, CAMERON, CHABOT, CHRISTIE, COOK, DE WITT, DURAN, DURAND, HARRISON, HINCKS, HOLMES,

Management of Customs.

HOPKINS, JOHN, JOHNSTON, JONES, JUDAH, LACOSTE, LAFONTAINE, LESLIE, MOORE, MORIN, MORRIS, NEILSON, NOEL, PAPINEAU, PARKE, PRICE, PRINCE, ROBLIN, HARMANNUS SMITH, STEWART, D. B. VIGER, L. M. VIGER, WAKEFIELD, WATTS, WILLIAMS, and WOODS.—(44.)

So it passed in the Negative.

The Honourable Mr. Hincks moved, seconded by Mr. Cameron. That the Bill do pass, and the Title be "An Act to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue."

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BLACK, BOSWELL, BOULTON, BOUTILLIER, CAMERON, CHABOT, CHESLEY, CHILD, CHRISTIE, COOK, DERBISHIRE, DE WITT, DUGGAN, DURAND, FORBES, HAMILTON, HARRISON, HINCKS, HOLMES, HOPKINS, JOHN, JOHNSTON, JUDAH, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, J. S. MACDONALD, McLEAN, MOORE, MORIN, MORRIS, NEILSON, NOEL, PAPINEAU, PARKE, PRICE, PRINCE, QUESNEL, ROBLIN, SIMPSON, HARMANNUS SMITH, STEWART, TACHE, TURCOTTE, D. B. VIGER, L. M. VIGER, WAKEFIELD, WATTS, and WILLIAMS —(56.)

NAYS.

Messieurs SIR ALLAN N. MACNAE, MURNEY, HENRY SMITH, GEORGE SHERWOOD, and HENRY SHERWOOD.—(5.)

So it was carried in the Affirmative and, Resolved. Accordingly.

Ordered. That the Honourable Mr. Hincks do carry the said Bill to the Legislative Council, and desire their concurrence.

Gaol and Court House Johnstown District.

An engrossed Bill to declare a debt contracted by the Committee of Magistrates of the Johnstown District, to enable them to complete the new Gaol and Court House of said District, to be a debt payable by the District Council, was read for the third time.

Resolved. That the Bill do pass.

Ordered. That Mr. Morris do carry the said Bill to the Legislative Council, and desire their concurrence.

Message from Leg Council.

A Message from the Legislative Council, by John Fenning Taylor, Esquire, one of the Masters in Chancery.

Mr. Speaker.

The Legislative Council have passed the following Bills, without any amendment.

La Banque du Peuple.

"An Act to incorporate certain persons carrying on the business of Banking in the City of Montreal, under the name of "La Banque du Peuple."

La Congrégation de Notre Dame de Québec.

"An Act to incorporate the Association called "La Congrégation de Notre Dame de Québec."

Official Acts, Ottawa District.

"An Act to confirm and make valid certain Official Acts in the Offices of Registrar, Clerk of the Peace, Clerk of the District Court, and Registrar of the Surrogate Court, in and for the District of Ottawa."

And then he withdrew.

Petitions read.

Pursuant to the Order of the day, the following Petitions were read:—

Of Robert Hodgins and others, Inhabitants of the Township of McGillivray, in the District of Huron; praying that the Township of Williams may not be detached from the said District.

Petitions read.

Of James Murray and others, Inhabitants of the Township of Hay, in the District of Huron; praying that the Township of Williams may not be detached from the said District.

Of William Elder and others, Inhabitants of the Township of Usborne, in the District of Huron; praying that the Township of Williams may not be detached from the said District.

Of the Congregation of the Trinity Church at Chippewa, in the District of Niagara; praying to be indemnified for the loss of their Church, occasioned by incendiarism.

Of William Walker and others, a Committee appointed to consider the necessity of improving the road between Brantford and Hamilton; praying an aid for the completion of the said road.

Of John Morris and others, Inhabitants of the Parish of St. Jérôme and other places; praying that the Circuit Court for the said Parishes may be held at St. Thérèse rather than at Terrebonne.

Of the Board of Trade of the City of Toronto; praying that the Assessment Bill now before the Legislature may not be passed.

Of Henry Smith of the City of Toronto; complaining of his dismissal from the situation of Keeper of the Queen's Wharf and Light House, at Toronto, and praying relief.

Of the Presbyterian Church and Congregation of Cawan, in connection with the Synod of Canada; praying that the Bill now before the Legislature, to provide for the Temporalities of the Presbyterian Church, in Canada, may not pass into a Law.

Of Thomas Moore and others, Inhabitants of the District of Prince Ednard; praying that all Religious Denominations may have equal rights in the management of the affairs of the Universities of King's College, at Toronto, and McGill College, at Montreal.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Return to an Address from the House of Assembly to His Excellency, the Governor General, praying His Excellency to cause to be laid before them, copies of all papers, documents and communications, relating in any way to the dismissal of William Moore Kelly, Esquire, from the situation of Collector of Customs, at the Port of Toronto.

Wm. Moore Kelly.

(For the said Return see Appendix I. I.)

Ordered. That the Petition of the Board of Trade of the City of Toronto, be referred to the Committee of the whole House, on the Bill to establish a more equal and just system of Assessment, in the several Townships, Towns and Cities, in Upper Canada,

Petition from Board of Trade Toronto referred.

Mr. Cartwright, from the Select Committee to which was referred the Bill, to naturalize Jacques Adrian, Pierre Barbier and Euphrasie Barbier, his wife, reported that the Committee had gone through the Bill, and had made an amendment thereto; which amendment was again read at the Clerks table, and agreed to by the House.

Barbier Naturalization.

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

The Honourable Mr. Attorney General Lafontaine from the Special Committee to which was referred the Bill to establish the District of Gaspé,

District of Gaspé.

District of  
Gaspé.

and to provide for the due administration of Justice therein, 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.

*Ordered*, That the said Bill be referred to a Committee of the whole House, tomorrow.

Imprisonment  
for Debt.

The Honourable Mr. *Boulton* from the Special Committee, to which was referred the Bill to abolish imprisonment on Execution for Debt, and for the punishment of fraudulent Debtors, 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.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Tuesday next.

Report on Petition of the  
Inhabitants of  
Indian Reservation,  
Eastern District.

Mr. *Chesley* from the Select Committee, to which was referred the Petition of *Alexander McDonald* and others, Inhabitants of the Indian Reservation, in the Eastern District, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"That they proceeded in the enquiry referred to them, and took certain Evidence in the matter, which is hereunto appended.

"By this evidence it is established, that the Indian Tract was set apart as an Indian Reservation in 1785; that the Settlers thereon have been there since 1794, and that they are as industrious, loyal, intelligent, and well conducted as any other class of persons in the Province; and are all of Canadian French origin, or from the Mother Country. The evidence further proves, that although the nature of the tenure be leasehold of ninety-nine years, yet those leases have been recognized by the Government and a Superintendent appointed by the Governor, in order that the rents might be properly collected for the benefit of the Indians, for whose advantage the Tract was set apart. That the Inhabitants of this Tract have been assessed the same as in other parts of the Province, and whilst they have contributed their portion of the wages of Members of Parliament, the privilege of electing them has hitherto been denied them,—whilst Settlers, exactly under similar circumstances, on the Indian Tract in the County of *Beauharnois*, settled at a far more recent date, viz., since 1819, and holding their leases only for thirty years, and not called on to contribute their portion to the payment of wages of Members, have been and are allowed, the full and free exercise of the Elective Franchise.

"That before the Act of Union, the peculiar Constitution given to the Province of *Upper Canada* by the Imperial Act 31 *George III*, precluded the extension of the Elective Franchise to this description of title, but by the Act of Union this disability is now removed, and the Province has liberty to grant, fully and fairly to all, one of the most invaluable rights of the subjects of *Great Britain*,—that of electing their own Representatives.

"They therefore, most respectfully recommend that the prayer of the Petition be granted, and that a Bill be introduced to carry this recommendation into effect.

#### "MINUTES OF EVIDENCE.

"Friday, 10th November, 1842.

"Colonel *Donald McDonald* called in, and examined:

"Will you be pleased to state your name, profession or calling?—*Donald McDonald*, Colonel of the *Glengarry Regiment*, and formerly Member for the County of *Glengarry*.

"Are you acquainted with the Settlement upon

the Indian Reservation in the County of *Glengarry*,—if so, how long?—what is the description of Settlers generally upon that Reservation?—are they such as in your opinion, would use a sound discretion in the exercise of the Elective Franchise?—I am, and have been acquainted with the Settlement for the last forty years—indeed nearly from its commencement; I look upon the Settlers to be a most respectable class of Farmers, principally Highlanders, of great industry; there are also many Canadian families, loyal, industrious and well behaved, to whom the Elective Franchise might safely, and should justly, be extended.

"Were you present at a meeting held at *Martintown*, in the month of January last, by the Inhabitants on said Reservation,—If so, please state what took place at that Meeting, and your opinion thereon?—I was present at that Meeting; it was a fair representation of the intelligence and respectability of the Tract.—A Petition was presented at that Meeting, asking for the Elective Franchise, and was most fully and generally concurred in, indeed without one dissenting voice.

"Are the Inhabitants on the Indian Reservation, in wealth, influence, enterprize and loyalty, equal to those in the surrounding Townships of the *Eastern District*?—Fully so, in every qualification equal to any part of the Province of *Upper Canada*, or that of *Lower Canada*, in which I have been.

"Are you aware that they are, and have been, since their earliest settlement on said Indian Reservation, rated and assessed alike with the other Inhabitants of the District?—Certainly they are, and always have been, even to the tax for the wages of Members of Parliament, though they were excluded from voting for and against, which they have long and loudly complained of.

"What is your opinion as to the propriety of conferring on those inhabitants the right to exercise the elective franchise, and the best mode to effect that object?—The first part of that question I have answered before; I cannot see why a distinction should have been made with persons similarly situated in other Provinces; those residing within the former limits of *Lower Canada*, have always exercised their elective rights, whereas those occupying lands under the same tenure in *Upper Canada*, have been denied that right; further I am informed that by a Provincial Act of *Lower Canada*, settlers under location tickets now, are entitled to vote for Members of the Provincial Parliament.

"Would the annexation of the Indian Reservation to the present constituency of *Glengarry*, tend to produce any political change or bias at future elections, or in other words, do they differ in any material points from the other inhabitants of the County?—Certainly not, the composition of the people of that tract is the same as that of the County of *Glengarry*.

"Monday, 20th November, 1843.

"Lieutenant-Colonel *Duncan McDonald*, called in and examined:

"Be pleased to state your name, place of residence, profession and additions?—*Duncan McDonald*, Lieutenant-Colonel in the Militia, J. P., and Surveyor of Land:

"Are you acquainted with a tract of Land in the Eastern District of *Western Canada*, known as the *Saint Régis Indians' Reservation*?—if so, state its position, length, breadth, and area of acres?—I am; upwards of 30,000 acres of land, twenty-five miles long, nearly two broad; bounded on the East by the Townships of *Charlottenburg* and *Kenyon*, on the West by *Cornwall* and *Roxborough*, in the rear by the *Ottawa District* in front of the River *Saint Lawrence*.

Report on Petition of the  
Inhabitants of  
Indian Reservation,  
Eastern District.

Report on Pe-  
tition of the  
Inhabitants of  
Indian Reserva-  
tion, Eastern  
District.

"Did you ever assist, professionally, in running out and establishing the boundaries of said Reservation, and dividing it into Concessions and Lots—if so, please state the time?—It was in 1809; I was practising with Mr. *McCarty*, Surveyor, when employed by the Indians to run the side-lines of the Indian Tract in question, that is the boundary side-lines. I did not assist in the division of lots and concessions, which had been done by previous Surveyors fifteen years before.

"Are you intimately acquainted with the inhabitants settled upon said Reservation; if so, please state your opinion of them with reference to their loyalty, industry, influence and wealth, compared with the other inhabitants generally of that District?—I am intimately acquainted with the settlers on the Tract, and have been so for the last forty years; their loyalty is unexceptionable, and they are a religious, moral people, as industrious also as in any part of the Province.

"Are you aware under what tenure the said inhabitants hold their several lots of land, if so, please state it?—Yes, under leases from the Indians of 99 years, renewable—I beg leave to offer to the Committee one of those leases (marked No. 1.)—witnessed by *C. C. Farren*, dated 16th February, 1805.

"Are you aware that they are, and have been since your earliest acquaintance with them, rated and assessed alike with the other inhabitants of the District?—Yes, I have often heard them complain of the payment of Members' wages, without a voice in their election.

"Have you reason to know that those inhabitants consider it a grievous hardship that they are not allowed to vote at Elections?—They deem it a great hardship.

"Are they, in your opinion, such as would use a sound discretion in the exercise of the Elective Franchise?—No people more so.

"Would the annexation of the Indian Reservation to the present electoral division of *Glengarry*, tend to produce any political change or bias at future Elections?—Certainly not, they would use sound and proper discretion."

"No. 1."

"[This was an Indenture or Lease by six Indian Chiefs and their Agent *William Gray*, to *Peter Campbell*, of two hundred Acres of Land, being Lots No. One and Two, in the Tenth concession of *Nutfield*, for the term of ninety-nine years.—The lessors obliging themselves to renew the lease at the expiration of the ninety-nine years, and every succeeding ninety-ninth year, until the period of one thousand years shall be completed and ended.

"Signed by the six Chiefs, *William Gray*, and *Peter Campbell*, in the presence of *Charles C. Farren*, dated tenth day of February, 1805.]"

"No. 2."

"Copy of a letter from Colonel *Darling*, Military Secretary, to Sir *John Johnson*, Baronet:—

"Military Secretary's Office,  
Quebec, 12th February, 1822.

"Sir,

"I have to acknowledge the receipt of Mr. *Archibald K. Johnson's* letter of the 23rd ultimo, transmitting the extract of a letter from Mr. *Solomon Chesley*, with an account of the distribution of the rents collected for the Indians of *St. Régis*, during the last year, both of which documents I have submitted to the Commander of the Forces.

"In reply to Mr. *Chesley's* inquiries how far His Lordship's determination not to extend the term of Leases beyond thirty years, is intended to affect those persons who have taken lands for the term of ninety-nine years, of which, he states, not less than one hundred Leases have been given by the Chiefs prior to his appointment as Agent, and some as far back as the year 1810, I am directed to acquaint you that however consistent with a due attention to the interests of the Indians, His Lordship might deem it not to confirm any Lease that may have been obtained under terms of disadvantage to them, he is of opinion that there would be some objection to too close an investigation of what has already taken place in this particular, as great difficulties might present themselves in the adjustment of the differences that might probably arise, and which perhaps could not be ultimately effected without recourse to law, and some degree of injustice to the Lessees, who might plead the consent of the parties interested, and the implied, if not avowed approbation of those who were charged with the superintendance and direction of their affairs at the time of these Leases being obtained or promised.

"For these reasons his Lordship will not interfere with the past, particularly as Mr. *Chesley* reports that the persons holding leases under these circumstances, are, with very few exceptions, regular in the payment of their respective rents; but on the contrary, I am to convey to you his authority for confirming all such existing leases as shall appear to you, upon minute investigation, to have been obtained with the consent of the Chiefs from persons duly empowered on their parts to grant the same.

"I have the honour to be, Sir,  
Your most obedient humble Servant,

"(Signed,) *H. C. Darling*,  
Mil. Secretary.

"Sir *John Johnson*, Bt.  
"Sup. Gen. Ind. Affairs,  
"Montreal."

"No. 3"

"Commission appointing *Solomon Chesley*, Gentleman, agent to the Tribe of Indians occupying or having an interest in the Indian Territories of *St. Régis*, dated *Quebec*, 11th May, 1821."

"No. 4."

"Is a printed paper, intituled, "The British Indians of *St. Régis*, in account current with *S. Y. Chesley*, for the transactions in conducting the Agency of their Reservation of Land situate upon either side of the River *St. Lawrence*, in *Canada*, for the year ending 31st December, 1830."

Ordered, That the said Report be referred to a Committee of the whole House, on Tuesday next.

Mr. *Chabot* from the Special Committee, to which was referred the Bill to incorporate the Education Society of the District of *Quebec*, reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table.

Resolved, That the said Bill be now committed to a Committee of the whole House.

The House, accordingly, resolved itself into the said Committee.

Mr. *Berthelot*, took the Chair of the Committee, and after some time spent therein,  
Mr. Speaker resumed the Chair;

Report on Po-  
tition of the  
Inhabitants of  
Indian Reserva-  
tion, Eastern  
District.

Education So-  
ciety Quebec.



And Mr. Berthelot reported, that the Committee had gone through the Bill, without making any amendment thereto, and the report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

U. C. College.

Ordered, That the Order of the Day, for the second reading of the Bill, to provide for the separate exercise of the Collegiate and University Functions, of the College established at the City of Toronto, in Upper Canada; for incorporating certain other Colleges and Collegiate Institutions of that division of the Province, with the University; and for the more efficient establishment and satisfactory Government of the same, be postponed until Friday next, and that it be then the first Order of the day.

Adjournment.

Ordered, That this House, at its rising, do stand adjourned until tomorrow at ten o'clock A. M.

Leave of absence to Mr. Boutillier.

Ordered, That leave of absence be granted to Mr. Boutillier, from the first of December until the fifteenth of January next, on urgent business.

Hawkesbury Division.

The Order of the Day for the second reading of the Bill, to divide the Township of Hawkesbury, in the Ottawa District, into two Townships, being read,

The said Bill was accordingly read, and ordered to be engrossed.

Niagara District Bank.

The Order of the Day for the second reading of the Bill, to amend the Act incorporating the Bank of the Niagara District, by providing for the extension of the time limited for the paying up of the stock of the said Bank, being read.

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

Ordered, That it be an instruction to the said Committee, to take into consideration the expediency of repealing the clause requiring security to double the amount of the stock paid in.

Transfer of Lands by Bishop of Montreal.

The Order of the Day for the second reading of the Bill, to confer certain Powers on the Bishop of Montreal, in the transfer of certain Lands, being read.

The said Bill was accordingly read, and referred to a Select Committee composed of the Honourable Mr. Morin, the Honourable Mr. Solicitor General Aylwin, the Honourable Mr. Viger, the Honourable Mr. Jones, and Mr. Christie, to report thereon with all convenient speed; with power to send for persons, papers and records.

Estates of Bankrupts.

The Order of the Day for the second reading of the Engrossed Bill from the Legislative Council, intitled "An Act to repeal an Ordinance of Lower Canada, intitled, "An Ordinance concerning Bankrupts, and the administration and distribution of their Estates and Effects" and to make provision for the same object throughout the Province of Canada," being read.

The said Engrossed Bill was accordingly read, and referred to a Select Committee, composed of the Honourable Mr. Solicitor General Aylwin, Mr. De Witt, Mr. Morris, the Honourable Mr. Black, the Honourable Mr. Viger, Mr. Cartwright, the Honourable Mr. Neilson, Mr. Prince, Mr. Leslie, Mr. Merritt, and Mr. Quesnel, to report thereon with all convenient speed, with power to send for persons, papers and records.

Protest of Notaries Public, Evidence.

The Order of the Day for the second reading of the Bill to facilitate the proof of the Laws of Upper and Lower Canada, and to declare the Protest of Notaries Public, evidence in certain cases in Upper Canada, being read.

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

The Order of the Day for the second reading of the Bill to detach Isle Bizarre from the County of the Two Mountains, and to annex it to the County of Montreal, being read.

The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. Jobin, the Honourable Mr. Viger, Mr. Papineau, Mr. Barthe, and Mr. Lacoste, to report thereon with all convenient speed; with power to send for persons, papers and records.

The Order of the Day for the second reading of the Bill to amend the Ordinance providing for the Registration of Titles to Real Property, or Incumbrances thereon, in Lower Canada, and further to extend the time allowed by the said Ordinance for the Registration of certain claims being read.

Ordered, That the said Bill be read a second time tomorrow, and that it be then the first order of the day.

The Order of the Day for the second reading of the Bill to alter and amend certain Acts therein mentioned, relating to the navigation of the River St. Lawrence, in so far as the same relates to the Port of Quebec, being read,

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

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

Mr. Speaker resumed the Chair, And Mr. Williams reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received tomorrow.

The Order of the Day for the House in Committee on the engrossed Bill to prevent obstructions in Rivers and Rivulets in Upper Canada, being read,

The House accordingly resolved itself into the said Committee.

Mr. J. S. Macdonald took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. J. S. Macdonald 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.

The Order of the Day for the House in Committee on the third Report of the Standing Committee on Contingencies, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Child reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received tomorrow.

The Order of the day for the House in Committee on the Fourth Report of the Standing Committee on Contingencies, being read,

Resolved, That this House will, on Tuesday next, resolve itself into the said Committee.

Then on motion of the Honourable Mr. *Viger*, seconded by Mr. *De Witt*,  
The House adjourned.

*Jovis, 23<sup>o</sup> die Novembris.*

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

Two Petitions brought up.

THE following Petitions were severally brought up, and laid on the table:—

By Mr. *Price*—The Petition of the Municipal Council of the *Home District* (relating to the Gaol of the said District); and the Petition of the Municipal Council of the *Home District* (relating to Assessment and other matters.)

Education Society Quebec.

An engrossed Bill to incorporate the Education Society of the District of *Quebec*, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Chabot* do carry the said Bill to the Legislative Council, and desire their concurrence.

J. A. P. Barbier.

An engrossed Bill, to naturalize *Jacques Adrien Pierre Barbier*, and *Euphrasie Barbier*, his wife, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Cartwright* do carry the said Bill to the Legislative Council, and desire their concurrence.

Obstructions in Rivers.

An engrossed Bill to prevent obstructions in Rivers and Rivulets in *Upper Canada*, as amended, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Thompson* do carry the said Bill to the Legislative Council, and desire their concurrence.

Hawkesbury Division.

An engrossed Bill to divide the Township of *Hawkesbury*, in the *Ottawa District*, into two Townships, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *D. McDonald* do carry the said Bill to the Legislative Council, and desire their concurrence.

Religious Societies' Lands

On motion of Mr. *Williams*, seconded by Mr. *Merritt*.

*Resolved*, That the amendments made by the Legislative Council, to the Bill intituled, "An Act to enable Religious Societies of all Denominations of Christians. (in that part of the Province called *Upper Canada*), to hold the Lands requisite for certain purposes therein mentioned" be committed to a Committee of the whole House tomorrow.

Industrial Farm.

*Ordered*, That the Honourable Mr. *Boulton* have leave to bring in a Bill to authorize the Court of Wardens for the County of *York*, or the Mayor, Aldermen, and Commonalty of the City of *Toronto*, to purchase an Industrial Farm in the neighborhood thereof, and for other purposes relating thereto.

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 Wednesday next.

Leave of absence to Mr. Judah.

*Ordered*, That Mr. *Judah* have leave of absence until the twenty-fifth of December next, on account of illness in his family.

Navigation St. Lawrence.

Mr. *Williams* from the Committee of the whole House on the Bill to alter and amend certain Acts

therein mentioned, relating to the navigation of the River *St. Lawrence*, in so far as the same relates to the Port of *Quebec*, reported, according to order, the amendments made by the Committee to the said Bill.

Mr. *Christie* moved, seconded by Mr. *De Witt*, that the question of concurrence be now separately put upon the said amendments.

The Honourable Mr. Solicitor General *Aylwin* moved, seconded by Mr. *Chabot*, that the further consideration of the said motion be postponed until Tuesday next.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

*Ordered* accordingly.

Mr. *Child* from the Committee of the whole House on the third report of the Standing Committee on Contingencies, 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 this House doth concur in the recommendation contained in the said third report of the Standing Committee of Contingencies.

The Order of the Day for the second reading of the Bill to amend and consolidate the Laws and Ordinances now in force relating to the powers and duties of the Corporation of the Trinity House of *Quebec*, to Pilots and Pilotage in the Port of *Quebec*, and to the *Quebec Decayed Pilot Fund*, and for other purposes, being read,

The said Bill was accordingly read and referred to a Special Committee, composed of the Honourable Mr. Solicitor General *Aylwin*, the Honourable Mr. *Black*, Mr. *Leslie*, Mr. *Chabot*, Mr. *Christie*, Mr. *Williams*, Mr. *Taché*, Mr. *Merritt*, and the Honourable Mr. *Neilson*, to report thereon from time to time; with power to send for persons, papers, and records.

The Order of the Day for the second reading of the Bill to amend the Ordinance providing for the Registration of Titles to real property or incumbrances thereon, in *Lower Canada*, and further to extend the time allowed by the said Ordinance for the Registration of certain claims, being read,

The said Bill was accordingly read, and referred to a Select Committee composed of the Honourable Mr. *Jones*, the Honourable Mr. Attorney General *Lafontaine*, the Honourable Mr. *Morin*, Mr. *Quesnel*, the Honourable Mr. *Black*, the Honourable Mr. *Harrison*, and Mr. *Christie*, to report thereon with all convenient speed, with power to send for persons, papers and records.

The Order of the Day for the second reading of the Bill to enable Creditors to attach the personal Estate of absconding Debtors where the bodies cannot now, by Law, be detained, being read,

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

The Order of the day for the second reading of the Bill to repeal certain parts of, and to amend an Act of the Parliament of the Province passed in the fourth and fifth years of the Reign of Her present Majesty, intituled "An Act to repeal the Laws now in force in that part of this Province formerly *Upper Canada*, for the recovery of small debts, and to make other provision therefor," and to provide for the payment of the Clerks of the several Division Courts in *Upper Canada*, by Fees in lieu of a fixed salary, being read,

The said Bill was accordingly read, and committed

Navigation St. Lawrence.

Contingencies.

Trinity House Quebec.

Registration of Titles.

Absconding Debtors.

Small Debts, Upper Canada.

ted to a Committee of the whole House, on Thursday next.

Common Schools U. C.

The Order of the Day for the Second reading of the Bill, to provide for the establishment and maintenance of Common Schools in that part of this Province called *Upper Canada*, being read,

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

Elementary Education, L. C.

The Order of the Day for the Second reading of the Bill, to provide more efficiently for elementary Education in *Lower Canada*, being read,

The said Bill was accordingly read; and referred to a Select Committee, composed of the Honourable Mr. *Morin*, the Honourable Mr. *Viger*, Mr. *Bartholot*, the Honourable Mr. *Hincks*, the Honourable Mr. *Boulton*, Mr. *Christie*, the Honourable Mr. *Jones*, Mr. *Taché*, and Mr. *Armstrong*, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Counties division, U. C.

The Order of the Day for the Second reading of the Bill, for the better division of that part of this Province called *Upper Canada*, into Counties—for abolishing the Territorial division thereof into Districts, and providing for the temporary Unions of Counties, for judicial and other purposes, and the future dissolution of such Unions, as the increase of population may require, being read,

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

Private Stock, Welland Canal.

The Order of the Day for the Second Reading of the Bill, to repeal a certain Act therein mentioned, and to make further provision for enabling the Provincial Government to purchase the Stock held by private parties in the *Welland Canal*, being read,

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

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

The Speaker resumed the Chair,

And Mr. *Stewart* reported that the Committee had gone through the Bill without making any amendment thereto.

Ordered. That the Report be received to-morrow.

Township, &c. Assessment.

The Order of the Day for the House in Committee on the Bill, to establish a more equal and just system of Assessment in the several Townships, Towns, and Cities, in *Upper Canada*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Simpson* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Resolved, That this House will on Monday next again resolve itself into the said Committee.

Jurors, Juries, &c.

Ordered, That the Order of the Day for the House in Committee on the Bill, for the Consolidation and amendment of the Laws relative to Jurors, Juries, and Inquests, in that part of this Province called *Upper Canada*, be postponed until Monday next.

Townships, &c. Corporation.

Ordered, That the Order of the Day for the House in Committee on the Bill, to provide for the Incorporation of Townships, Towns, Counties, and Cities in *Upper Canada*, be postponed until Monday next.

Ordered, That the Order of the Day for the House in Committee on the Bill, to repeal certain Acts therein mentioned, and to make better provision respecting the admission of Land Surveyors and the Survey of Lands in *Upper Canada*, be postponed, until Monday next.

Land Surveyors.

Ordered, That the Order of the Day, for the House in Committee on the Bill, to establish the District of *Gaspé*, and to provide for the due administration of Justice therein, be postponed until Monday next.

District of Gaspé

Then on motion of Mr. *De Witt*, seconded by Mr. *Christie*, The House adjourned.

Veneris, 24° die Novembris.

Anno 7° Victoriae Reginae, 1843.

THE following Petitions were severally brought up and laid on the Table:—

10 Petitions brought up.

By Mr. *Cartwright*—The Petition of the Right Reverend the Lord Bishop of *Toronto*.

By Mr. *Cameron*—The Petition of *H. Graham* and others, Merchants, Traders, and Inhabitants of the Town of *Perth*, in the District of *Bathurst*; the Petition of *H. Glass* and other Presbyterians, Members of *St. Andrew's Church, Perth*; the Petition of the Reverend *John Gemmell*, of the Town of *Lanark*, in the District of *Bathurst*; and the Petition of *James Wylie* and others, Inhabitants of the Township of *Ramsay*, in the *Bathurst* District.

By Mr. *Boswell*—The Petition of *Thomas Scott* and others, Members and Adherents of the Presbyterian Church at *Cobourg*.

By Mr. *Harmannus Smith*—The Petition of *William Hill* and others, Freeholders of the Township of *Barton*, in the District of *Gore*.

By Mr. *Morris*—The Petition of *Matthew Snyder* and others, Inhabitants of *Elizabethtown*.

By Mr. *Wakefield*—The Petition of *John Fitz-William Berford*, of the City of *Toronto*.

By Mr. *Forbes*—The Petition of *John Rogers* and others, Inhabitants of the Gore of *Chatham*.

By Mr. *Stuart*—The Petition of the Venerable Archdeacon, *George Okill Stuart*, and others, Vice Presidents of the Church Society of the Diocese of *Toronto*; praying for an Act to Incorporate the said Society.

On motion of Mr. *Hale*, seconded by Mr. *Cartwright*.

Petition read.

Ordered, That the said Petition be now read, and that the Rule of this House of the 28th of June, be dispensed with as to the present Petition. The said Petition was read accordingly.

Pursuant to the Order of the Day, the following Petitions were read:—

Petitions read.

Of *Josiah Hebbard* and others, Censitaires of the Fief *Mary Ann*, in the Seignory of *Lanaudière*, in the District of *Three Rivers*; praying for the abolition of *Lods et Ventes*.

Of *Alexander Joseph Wolff*, of the settlement of *Val Cartier*, in the County and District of *Quebec*; praying remuneration for services performed by him as Superintendent of Works, in opening the *Metis or Kempi Road*.

Of *John Waldron* and others, Inhabitants of the Township of *Loborough*, and other places; praying that certain parts of the Townships of *Loborough*, *Pittsburgh* and *Kingston*, be set apart as a distinct Township.

Petitions referred.  
Ven. Archdeacon Stuart and others.

*Ordered.* That the Petition of the Venerable Archdeacon, *George Okill Stuart*, and others, Vice Presidents of the Church Society of the Diocese of *Toronto*, be referred to the Special Committee to which was referred the Bill to Incorporate the Church Society of the Diocese of *Quebec*.

R. J. Hopkins, and others.  
John Rose, and others.

*Ordered.* That the Petition of *R. J. Hopkins* and others, Inhabitants of the District of *Prince Edward*; and the Petition of *John Rose* and others, Inhabitants of the Township of *Marysburgh*, presented to the House on the thirtieth of October last; and the Petition of *Thomas McMahon* and others, Inhabitants of the District of *Prince Edward*, presented to the House on the eighteenth Instant, be referred to the Committee of the whole House on the Bill to repeal certain parts of, and to amend an Act of the Parliament of the Province passed in the Fourth and Fifth years of the Reign of Her present Majesty, intituled "An Act to repeal the Laws now in force in that part of this Province formerly *Upper Canada*, for the recovery of Small Debts, and to make other provision therefor"; and to provide for the payment of the Clerks of the several Division Courts in *Upper Canada*, by Fees in lieu of a fixed Salary.

Report on Petition of Montreal Medical Board.

Mr. *Boutillier* from the Select Committee to which was referred the Petition of the *Montreal Medical Board*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"The Select Committee to which was referred the Petition of the *Montreal Medical Board*, praying for the passing of a Law to regulate the course of study to be undergone by persons intending to practise as Physicians and Surgeons in the Province of *Canada*, have the honour to Report:—

"That, by the existing Laws in *Lower* and *Upper Canada*, the study of Medicine is not subject to any fixed regulations; that even the period of study required to be gone through, by the aspirant to the Medical profession, is not limited.

"That, in all those countries where the science is most cultivated, it has been recognized that the well-being of society, as well as the interest of science and the honor of the profession, require more time and application on the part of the aspirants than they generally appear disposed to give before commencing practice.

"Your Committee are consequently of opinion that the existing laws should be repealed, and that an Act should be passed common to both sections of the Province, and which should subject the Study and Practice of Medicine to such regulations as may elevate both to that degree of respectability and usefulness, which they have acquired in the most civilized countries; Your Committee would believe themselves to be only performing a duty by proposing to your Honourable House the immediate passing of a Law to the hereinbefore mentioned effect, if there did not exist some doubt as to the right of the Provincial Legislature to affect, by a Legislative Act, the regulations of the *McGill College*, an institution endowed and maintained by private donations, and legally established by a Charter emanating from Royal authority.

"To justify this doubt, it will be sufficient for your Committee to mention that by the Act of the first year of King *William IV.*, chap. 27 (expired in 1837), no aspirant to the practice of Medicine could obtain his license, except after studying at least five years, and that this law recognized no exception; that the *McGill College* having then instituted a School of Medicine, granted, by virtue of its Charter, to Students in Medicine, a Diploma, after only three years study.

"That the Medical Board of the District of *Montreal*, appointed by virtue of the Act above cited, refused to give a certificate for admission to practise to a Graduate of the said College, pretending that a Diploma, granted in accordance with the regulations of the said College, (that is to say, after three years of study,) should be considered only as a certificate of the time the candidate had studied, and could not in anywise establish a right to a license to practise under the law requiring five years of study.

"The question being brought before the Court of King's Bench, in 1833, the ground taken by the Medical Board of *Montreal* was declared to be untenable, as appears by the Documents which accompany the present Report.

"The Act of the 1st Wm. IV. chap. 27, being therefore not susceptible of general application, has been regarded as inefficient; and, being temporary, it expired without any apparent desire, on the part of the Members of the profession, that it should be renewed,

"Your Committee feel bound to express their desire of seeing, for the future, every School of Medicine submit to the control of the Laws of the Country, believing that the interest of the Medical profession and that of the public would gain by it considerably, inasmuch as these institutions would have then one claim the more to the protection and assistance of the Legislature, and this would give rise to a hope that they would become even more useful than they are at present.

"In case this happy result should be attained, your Committee would be of opinion that the following Regulations should form the chief provisions of a Law relative to the Study and Practice of Medicine:—

#### REGULATIONS.

"1st. That a Board of Examiners at *Quebec Montreal* and *Toronto*, of at least twelve members' five of whom shall be a *quorum*, shall be appointed by the Executive.

"2nd. That no Member of a College or University connected with a School of Medicine, nor any Professor of such School, nor any Lecturer, shall be a member of the said Board of Examiners.

"3rd. That every Student shall give proof of his having received a liberal Education.

"4th. That every Candidate who shall have studied five years with a licensed Practitioner, shall be entitled, after an examination, to a License.

"5th. That every Candidate in possession of a Diploma, obtained in a Provincial University or School of Medicine, shall be entitled to a License without examination, provided such Diploma be preceded by at least four years of study; during the two last of which the Candidate shall have attended the courses prescribed by the Rules of such University or School.

"6th. That every Candidate who shall have studied four years under a Licensed Practitioner, and who shall moreover have attended two courses on the different branches of the Medical Profession, given in public by an approved Physician, shall be entitled after examination, to be admitted to practise.

"7th. That every possessor of a Diploma obtained in a University or Medical School, situate out of the Province, may be admitted to practise, without being examined, by going through a course in a Provincial University or School, to the satisfaction of the Professors of the same, otherwise he must be examined.

"8th. That no person shall sell Medicines without having obtained a license for that purpose, nor without having studied three years under a licensed Apothecary, practising the sale of Medicines, nor without having undergone an examination.

"9th. That no Physician or Practitioner shall be considered to be a Public Lecturer without a re-

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commendation given by the Board of Examiners of his District and confirmed by His Excellency, the Governor of the Province.

"10th. That no Candidate shall present himself before any other Board than that of the District in which he may be considered as resident.

T. Boutillier,  
Chairman.

24th November, 1843.

APPENDIX.

Province of Lower Canada,  
District of Montreal.

Court of King's Bench,  
October Term, 1833.

Exparte. William L. Logie, Esquire.

Motion on behalf of William L. Logie, of the City of Montreal, Esquire, inasmuch as Daniel Arnoldi, Robert Nelson, Pierre Beaubien, Guillaume J. Vallée, Wolfred Nelson, Thimothé Kimber, Jean Baptiste Meilleur, Jean Baptiste Lebourdais, Olivier Théophile Bruneau, Albigense Waldo Robinson, Louis Marié Ralph Barber, and Thomas Bouthillier, being the Board of Examiners for the District of Montreal, chosen, elected and appointed according to Law for examining persons applying for a License or Commission to practise as a Physician, Surgeon, Man Midwife, Apothecary, Chemist, Druggist, Vender or Retailer of Medicines, within the said Province, did on the first day of July now last past and do still refuse to give and grant to the said William L. Logie their Certificate to enable him to obtain from the Governor in Chief of the said Province a License or Commission to practise in the said Province as a Physician, Surgeon and Apothecary, and Man Midwife, the said William L. Logie having produced and verified before the said Board of Examiners his Diploma or License constituting him a Doctor in Medicine and Surgery, fit and qualified to practise Medicine and Surgery in all their branches, to him granted by the Principal and Professors of the University of McGill College, at Montreal, in the said Province, bearing date under the Common Seal of the said University of McGill College, the twenty-fourth day of May, in the present year of our Lord one thousand eight hundred and thirty-three, the said University of McGill College then and there being a body corporate, erected and constituted by His Majesty King George the Fourth, by Letters Patent, bearing date at Westminster, the thirty-first day of March, in the second year of His Reign, which Diploma or License was by him, the said William L. Logie, obtained after a course of Medical study in the Medical Faculty of the said University of McGill College, being a Medical Institution, in conformity to the Rules thereof, and after having studied the Science of Medicine during five successive years, and he the said William L. Logie having at the time aforesaid, before the said Board of Examiners, proved that he was a fit and proper person to obtain a License in the behalf aforesaid, that the said Daniel Arnoldi, Robert Nelson, Pierre Beaubien, Guillaume J. Vallée, Wolfred Nelson, Thimothé Kimber, Jean Baptiste Meilleur, Jean Baptiste Lebourdais, Olivier Théophile Bruneau, Albigense Waldo Robinson, Louis Marié Ralph Barber, and Thomas Bouthillier, being such Board of Examiners as aforesaid for the District of Montreal, or their successors for the time being, do appear in this Honourable Court, on the first day of February, now next ensuing, at ten of the clock in the forenoon, to show cause, if any they

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have, why His Majesty's Writ of Mandamus should not issue, to them addressed, commanding them to give and grant to the said William L. Logie, their Certificate whereby the said William L. Logie shall be enabled to obtain from the Governor in Chief of the said Province a License or Commission to practise as a Physician, Surgeon, Apothecary, and Man Midwife in the said Province.

(Signed.) Buchanan & Andrews,  
For said Logie.

Montreal, 12th October, 1833,

(True Copy.)

Monk & Morrogh, Proth'y.

Province of Lower Canada,  
District of Montreal.

Court of King's Bench, 1833.

William L. Logie, of the City of Montreal in the said District, Esquire, being duly sworn maketh oath and saith, that this Deponent holds a Diploma, constituting your Deponent Doctor in Medicine and Surgery, fit and qualified to practise Medicine and Surgery in all their branches, granted to this Deponent and not to any other person by the principal and Professors of the University of McGill College, at the said City of Montreal, under the Common Seal of the said University of McGill College, bearing date the twenty-fourth day of May in the present year of Our Lord, one thousand eight hundred and thirty-three, the said University of McGill College, then and there being a body Corporate, erected and constituted by His Majesty King George the Fourth, by Letters Patent, bearing date at Westminster the thirty-first day of March in the second year of His Reign, and that this Deponent obtained the said Diploma after having studied the science of Medicine during five successive years, and after having pursued and performed a course of Medical study in the Medical Faculty of the said University of McGill College, being a Medical Institution, in conformity to the Rules thereof. And this Deponent further saith, that he being desirous of practising as a Physician, Surgeon, Man-midwife and Apothecary in this Province, and of obtaining from His Excellency, the Governor-in-Chief of this Province, a License or Commission in that behalf, under the provisions of the Twenty-seventh Chapter of the Statutes, passed in the first year of the Reign of our Sovereign Lord the now King, did on Monday, the first day of July last past, go and attend upon the Board of Examiners of and for the said District of Montreal for examining persons applying for a License or Commission as a Physician, Surgeon, Man-Midwife, Apothecary, Chemist, Druggist, vender or retailer of Medicines, chosen, elected and approved, under and by virtue of the said Act of the said Provincial Parliament, which said Board of Examiners was on the day and year last aforesaid, and yet is composed of the following persons, in manner as aforesaid chosen, elected and approved: that is to say, Daniel Arnoldi, Robert Nelson, Pierre Beaubien, Guillaume J. Vallée, Wolfred Nelson, Thimothé Kimber, Jean Baptiste Meilleur, Jean Baptiste Lebourdais, Olivier Théophile Bruneau, Albigense Waldo Robinson, Louis Marié Ralph Barbier, and Thomas Bouthillier.

And this Deponent then and there before the said Board of Examiners did produce and exhibit his said Diploma for examination, and that the same was then and there seen and examined by the said Board of Examiners, and that the said Deponent was then and there willing to pay to the said Board

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of Examiners the sum of twenty shillings for a certificate, and was then and there willing to make oath, and did make oath that the said Diploma was granted to him the Deponent, and not to any other person, and that he obtained the same after having studied the science of Medicine during five successive years. And the Deponent further saith, that said Board of Examiners, on the day and year last aforesaid, after having seen and examined the said Diploma, and administered an oath to the Deponent in the behalf aforesaid, did refuse and doth yet refuse to give and grant to the Deponent a Certificate by means whereof he might be enabled to obtain from the Governor-in-Chief of this Province, a License or Commission to practise as a Physician, Surgeon, Man-midwife, and Apothecary within the said Province, and that *Thomas Huguet Latour*, being the Secretary of the said Board of Examiners, did deliver to this Deponent the extract from the Register of proceedings of the said Board of Examiners hereunto annexed, the Deponent is aggrieved and cannot obtain from the Governor-in-Chief of the said Province a License or Commission to practise as a Physician, Surgeon, Man-midwife and Apothecary in the said Province in virtue of the said Act of Parliament of the said Province.

(Signed,) *William L. Logie.*

Sworn before me at the said City  
of *Montreal*, this eleventh day  
of October, 1833.  
(Signed) *J. R. Rolland, J. B. R.*

(True Copy.)

*Monk & Morrogh, Proth'y.*

(Translation.)

Medical Board, *Montreal*,  
1st July, 1833.

Mr. *William Logie* presented a Diploma of Doctor of Medicine from *McGill College*. His Diploma was unanimously rejected as not being conformable to Law, and as being unsupported by the documents necessary for the satisfaction of the Board. All which was communicated to him, and it was proposed to him to submit to an examination.

Extracted from the Register of the Medical Board, page 61.)

(Signed,) *Th. Huguet Latour, S. B. M. B.*

(True Copy.)

*Monk & Morrogh, P. B. R.*

Province of *Lower Canada*,  
District of *Montreal*.

Court of King's Bench.

[No. 1880.] Ex parte. *William L. Logie, Esq.*

Motion on behalf of the said *William L. Logie*, that the rule to show cause in the said cause granted by this Honourable Court on the nineteenth day of October last past, be revived and extended to the second day of April now next ensuing, and that *Daniel Arnoldi, Robert Nelson, Pierre Beaubien, Guillaume J. Vallée, Wolfred Nelson, Thimothé Kimber, Jean Baptiste Meilleur, Jean Baptiste Lebourdais, Olivier Théophile Bruncau, Albigense Waldo Robinson, Louis Marie Ralph Barbier, and Thomas Bouthillier*, being the Board of Examiners in the said rule mentioned, do accordingly appear in this

Honourable Court on the said second day of April next, at ten of the clock in the forenoon, to show cause, if any they have, why the said rule granted by this Honourable Court on the nineteenth day of October last past, should not be made absolute.

*Montreal*, 10th February, 1834.

(Signed,) *Buchanan & Andrews,*  
For said *Logie.*

(A True Copy,)

*Monk & Morrough, Proth'y.*

Province of *Lower Canada*,  
District of *Montreal*.

*William the Fourth*, by the Grace of God, of the United Kingdom of *Great Britain and Ireland*, King, Defender of the Faith.

[L. S.]

To *Daniel Arnoldi, Robert Nelson, Pierre Beaubien, Guillaume J. Vallée, Wolfred Nelson, Thimothé Kimber, Jean Baptiste Meilleur, Jean Baptiste Le Bourdais, Olivier Théophile Bruncau, Albigense Waldo Robinson, Louis Marie Ralph Barbier, and Thomas Bouthillier*, being the Board of Examiners for the District of *Montreal*, chosen, elected, and approved according to law, for examining persons applying for a license or commission to practise as a Physician, Surgeon, Man-midwife, Apothecary, Chemist, Druggist, vender or retailer of Medicines within the said Province, and to their successor for the time being. Greeting:—Whereas *William L. Logie* of the City of *Montreal*, Esquire, after having studied the science of Medicine during five successive years, and after a course of Medical study in the University of *McGill College*, in the Parish of *Montreal*, in the said District of *Montreal*, in conformity to the rules of the said University, did obtain a Diploma or License, constituting him a Doctor in Medicine and Surgery, fit and qualified to practise Medicine and Surgery in all their branches, to him granted by the Principal and Professors of the said University of the *McGill College*, bearing date under the Common Seal of the said University of *McGill College* the twenty-fourth day of May, in the year of our Lord one thousand eight hundred and thirty three, the said University of *McGill College*, then and there being a body corporate, erected and constituted by Our Royal Brother, His late Majesty King *George the Fourth*, by Letters Patent bearing date at *Westminster*, the thirty first day of March, in the second year of His Reign: And whereas by reason of the premises the said *William L. Logie*, became and was lawfully entitled to have and receive from you a certificate whereby he might have obtained from the Governor-in-Chief, Lieutenant Governor or person administering the Government of our said Province, a license or commission to practise as a Physician and Surgeon, in the said Province; And whereas in consideration of the premises, you the said Board of Examiners for the said District of *Montreal*, ought to have given and granted to the said *William L. Logie*, your certificate in that behalf; And whereas the said *William L. Logie*, after having studied in manner aforesaid, and after having obtained from the said University of *McGill College*, the diploma or license in behalf aforesaid, did on the first day of July, now last past, tender and present himself to you the said Board of Examiners for the said District of *Montreal*, in order to have and receive from you a certificate whereby he should be enabled to obtain from the Governor-in-Chief, Lieutenant

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Governor, or person administering the Government of our said Province, a license or commission to practise as a Physician and Surgeon in our said Province; and did then and there before you produce, exhibit and verify his said diploma or license obtained from the said University of McGill College to be examined by you, when and where the same was by you seen and examined, and did then and there before you make oath that the said diploma or license was granted to him the said *William L. Logie*, and not to any other person, and that he had obtained the same after having studied the science of Medicine during five successive years, and the said *William L. Logie*, being then and there willing to pay to you the sum of twenty shillings for your certificate in the behalf aforesaid, did then and there require and demand of and from you, the said Board of Examiners for the said District of *Montreal*, your certificate whereby he should be enabled to obtain from the Governor-in-Chief, Lieutenant Governor or person administering the Government of our said Province, a license or commission to practise as a Physician and Surgeon in the said Province, yet you the said Board of Examiners for the said District of *Montreal*, well knowing the premises but having no regard for the duty of your office in that behalf, did then and there, without any reasonable cause, absolutely refuse, and yet do refuse, to give and grant to the said *William L. Logie*, your certificate in the behalf aforesaid, in manifest contempt of us, and to the great damage and grievance of the said *William L. Logie*, as we have been informed from the complaint of the said *William L. Logie*, made to us in that behalf. We therefore being willing that due and speedy justice may be done to the said *William L. Logie*, in this behalf as it is reasonable, do command you, firmly enjoining you, that immediately after the receipt of this our writ, you do without delay give and grant to the said *William L. Logie* your certificate in due and proper form according to Law, whereby the said *William L. Logie* shall be enabled to have and obtain of and from the Governor-in-Chief, Lieutenant Governor, or person administering the Government of our said Province, a license or commission to practise as a Physician and Surgeon in our said Province, or shew us cause to the contrary thereof, that the same complaint may not by your default, be again repeated to us, and how you shall have executed this our writ, make it known to us, in our Court of King's Bench, for the said District of *Montreal*, at the City of *Montreal*, in the said District, on Monday the second day of June, now next ensuing, at the hour of ten of the Clock in the forenoon, then returning to our said Court, this our writ; upon peril, that may fall thereon.

Witness the Honourable *James Reid*, Esquire Chief Justice of our said Court of King's Bench, for the said District of *Montreal*, at the said City of *Montreal*, this twelfth day of May, in the fourth year of our Reign.

(Signed.) *Monk & Morrogh*, Proth'y.

(A True Copy.)

*Monk & Morrogh*, J. K. B.

Rule to shew cause made absolute, the nineteenth day of April, in the year one thousand eight hundred and thirty four.

(Signed.) *George Pyke*, P. K. B.

(A true Copy.)

*Monk & Morrogh*, Proth'y.

(Translation.)

District of *Montreal*

Court of King's Bench,  
June Term, 1834.

We, *Daniel Arnoldi*, *Robert Nelson*, *Pierre Beau-bien*, *Guillaume J. Vallée*, *Wolfred Nelson*, *Thimothé Kimber*, *Jean Baptiste Meilleur*, *Jean Baptiste Le Bourdais*, *Olivier Théophile Bruneau*, *Albigense Waldo Robinson*, *Louis Marie Ralph Barbier* and *Thomas Bouthillier*, mentioned in the writ of Mandamus hereunto annexed, as composing the Board of Examiners chosen, elected and approved, according to Law, to examine persons desirous of obtaining a license or commission to practise as a Physician, Surgeon, and Man-Midwife, Apothecary, Chemist, Druggist, or Vendor or retailer of Medicines, in this Province, humbly certify and return to this Honourable Court, in obedience to the said writ of Mandamus served upon one of us, the said *Daniel Arnoldi*, President of the Board—That we have refused to grant to the said *William L. Logie*, in the said writ mentioned, the certificate required to enable him to obtain from the Governor, Lieutenant Governor, or person administering the Government of this Province, a license or commission to practise as a Physician and Surgeon in this Province. And in obedience to the said writ, whereby we are commanded to assign our reasons for so doing, we hereby give and assign the following as our reasons for refusing as aforesaid:

1stly. Because when the said *William L. Logie* came before the Board of Examiners, to obtain a certificate, he did not produce and verify to the satisfaction of the said Board any Diploma which could, by law, exempt him from the examination, to which he refused to submit.

2ndly. Because the said *William L. Logie* did not shew that the said Diploma was granted to him after five years of study even in the College in which the said Diploma was obtained.

3dly. Because the said *William L. Logie* did not shew that, according to the rules and regulations of the College in which he graduated and received the Diploma by him produced, such Diploma could not be obtained except after five years of study in the said College.

4thly. Because the said *William L. Logie* did not think proper to answer the questions proposed to him by the Medical Board, nor to produce the documents required of him in order to enable the said Board to judge whether the obtaining of the said Diploma had been accompanied by those formalities required by the Law, before it could produce, in favour of the Graduate, an exemption from examination.

5thly. Because the Rules, Statutes, and Ordinances of the said McGill College, as published and sanctioned, do not require of the Students desirous of obtaining a Degree or Diploma of a Doctor of Medicine, five consecutive years of study in the said College.

6thly. Because the said *William L. Logie*, not having produced a Diploma exempting him from undergoing an examination, refused to submit to the examination which he was bound to undergo, in order to obtain the certificate in question.

7thly. Because, independently of the matters above set forth; and even if the said *William L. Logie* were entitled to obtain the certificate in question, it has not been possible for the said Board to give such certificate to the said *William L. Logie*, because, before the service of the said writ of Mandamus on the President of the Board, to wit, for several months past, the said *William L. Logie* had been absent from the Province.

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Report on Pe-  
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Which said Return we humbly submit to this Honourable Court.

Given under the hand and seal of the undersigned President of the said Board of Examiners at *Montreal*, the 12th day of June, 1834, in the fourth year of the Reign of His Majesty King *William the Fourth*,

(Signed,) *D. Arnoldi, P. M. M. B.*

[L. S.]

(True Copy.)

*Monk & Morrogh, P. B. M.*

Court of King's Bench, *Montreal*.

[No. 1880.] *Exparte. William L. Logie, Esq.*

I, the undersigned Bailiff, do hereby return and certify, that on the first day of March, 1834, I did serve a copy of the annexed orders on the following Members of the Medical Board for the District of *Montreal*, viz: *Louis Marié Ralph Barbier*, of the Parish of *Berthier*, by delivering the same to himself in person, about eight o'clock in the forenoon; and I further certify that on the seventh day of March, between the hours of three and five o'clock in the afternoon, I did serve a copy of the same on each of the following named persons, by delivering the same to themselves in person, at their domiciles in the City of *Montreal*, viz: *Daniel Arnoldi, Robert Nelson, Pierre Beaubien*, and *Guillaume J. Vallée*; and also I did serve a copy of the same on *Jean Baptiste Le Bourdais*, by leaving the same at his domicile at *Montreal*, on the said last mentioned day and time, speaking to a grown person of his family; and I further certify that on the eighth day of March, 1834, about one o'clock in the afternoon, I did serve a copy of the same on *Olivier Théophile Bruneau*, by delivering the same to himself in person at his domicile at *Montreal*.

(Signed,) *J. Murphy, Bailiff.*

I, the subscribing Bailiff, do hereby return and certify that on the tenth day of March, 1834, at twelve o'clock, noon, at the Parish of *Chambly*, I did serve a copy of the annexed orders on *Thimothé Kimber*, one of the Medical Board of Examiners of the District of *Montreal*, by leaving the same at his domicile, speaking to a grown person of his family.

(Signed,) *William Coates, Bailiff.*

I, the undersigned Bailiff, do hereby return and certify that on the tenth day of March, 1834, at 3 o'clock in the afternoon, in the Parish of *L'Assomption*, I did serve a copy of the annexed orders on *Jean Baptiste Meilleur*, one of the Medical Board of Examiners of the District of *Montreal*, by leaving the same at his domicile, speaking to himself in person.

(Signed,) *Jos. Tison, B. K. B.*

I, the subscribing Bailiff, do hereby return and certify, that on the eighth day of March, 1834, at 3 o'clock in the afternoon, at the Parish of *St. Dennis*, I did serve a copy of the annexed orders on *Wolfred Nelson*, one of the Medical Board of

Examiners of the District of *Montreal*, by leaving the same at his domicile, speaking to a grown person of his family. And I also further certify and return that on the tenth day of March, 1834, at one o'clock in the afternoon, at the Parish of *St. Hyacinthe*, I did serve a copy of the annexed orders on *Thomas Boutillier*, one of the Medical Board of Examiners of the District of *Montreal*, by leaving the same at his domicile, speaking to himself in person.

(Signed,) *W. E. Ball, Bailiff.*

I, the subscribing Bailiff, do hereby return and certify, that on the tenth day of March, 1834, at twelve o'clock in the day, at the Parish of *St. Thérèse*, I did serve a copy of the annexed orders on *Albigense Waldo Robinson*, one of the Medical Board of Examiners of the District of *Montreal*, by leaving the same at his domicile, speaking to a grown person of his family.

(Signed,) *F. L. Gerraud, Bailiff.*

Province of *Lower Canada*,  
District of *Montreal*,

Court of King's Bench,  
Saturday, 19th of October, 1833.

PRESENT :

The Honourable *James Reil*, Chief Justice,  
" *Mr. Justice Pyke*,  
" *Mr. Justice Rolland*.

[1880.] *Exparte. William L. Logie, Esquire.*

It is ordered on the motion on behalf of *William L. Logie*, of the City of *Montreal*, Esquire, inasmuch as *Daniel Arnoldi, Robert Nelson, Pierre Beaubien, Guillaume J. Vallée, Wolfred Nelson, Thimothé Kimber, Jean Baptiste Meilleur, Jean Baptiste Lebourdais, Olivier Théophile Bruneau, Albigense Waldo Robinson, Louis Marié Ralph Barbier*, and *Thomas Bouthillier*, being the Board of Examiners for the District of *Montreal*, chosen, elected and approved according to Law for examining persons applying for a License or permission to practise as a Physician, Surgeon, Man-midwife, Apothecary, Chymist, Druggist, Vender or Retailer of Medicines within the said Province, did on the first day of July, now last past, and do still refuse to give and grant to the said *William L. Logie*, their certificate to enable him to obtain from the Governor-in-Chief of the said Province, a License or Commission to practise in the said Province as a Physician, Surgeon, Apothecary and Man-midwife, the said *William L. Logie* having produced and verified before the said Board of Examiners his Diploma or License constituting him a Doctor in Medicine and Surgery, fit and qualified to practise Medicine and Surgery in all their branches, to him granted by the Principal and Professors of the University of *McGill College* at *Montreal*, in the said Province, bearing date under the Common Seal of the said University of *McGill College*, the twenty-fourth day of May, in the present year of our Lord one thousand eight hundred and thirty-three, the said University of *McGill College* then and there being a Body Corporate, erected and constituted by His Majesty King *George the Fourth* by Letters Patent, bearing date at *Westminster*, the thirty-first day of March, in the second year of His Reign, which Diploma or License was by him; the said *William L. Logie*, ob-

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tained after a course of Medical Study in the Medical Faculty of the said University of McGill College, being a Medical Institution, in conformity to the Rules thereof, and after having studied the Science of Medicine five successive years, and he the said *William L. Logie* having at the time aforesaid, before the said Board of Examiners proved that he was a fit and proper person to obtain a License in the behalf aforesaid, that the said *Daniel Arnoldi, Robert Nelson, Pierre Beaubien, Guillaume J. Vallée, Wolfred Nelson, Thimothé Kimber, Jean Baptiste Meillieur, Jean Baptiste Labourdais, Olivier Théophile Bruneau, Albigense Waldo Robinson, Louis Marié Ralph Barbier, and Thomas Bouthillier*, being such Board of Examiners as aforesaid for the District of Montreal, or their successors for the time being, do appear in this Honourable Court, on the first day of February now next ensuing, at ten of the clock in the forenoon, to show cause, if any they have, why His Majesty's Writ of Mandamus should not issue, to them addressed, commanding them to give and grant to the said *William L. Logie*, their Certificate whereby the said *William L. Logie* shall be enabled to obtain from the Governor in Chief of the said Province a License or Commission to practise as a Physician, Surgeon, Apothecary, and Man Midwife in the said Province.

By the Court,

(Signed,) *Monk & Morrogh, P. K. B.*

Wednesday, 19th February 1834.

PRESENT :

The Honourable *James Reil*, Chief Justice.

" *Mr. Justice Pike*,

" *Mr. Justice Rolland*,

[No. 1880.] Exparte.—*William L. Logie, Esq.*

It is ordered on the motion on behalf of the said *William L. Logie*, that the Rule to shew cause, in the said cause granted by this Honourable Court on the nineteenth day of October last past, be revived and extended to the second day of April now next ensuing, and that *Daniel Arnoldi, Robert Nelson, Pierre Beaubien, Guillaume J. Vallée, Wolfred Nelson, Thimothé Kimber, Jean Baptiste Meillieur, Jean Baptiste Le Bourdais, Olivier Théophile Bruneau, Albigense Waldo Robinson, Louis Marié Ralph Barbier, and Thomas Bouthillier*, being the Board of Examiners in the said Rule mentioned, do accordingly appear in this Honourable Court on the said second day of April next, at ten of the clock in the forenoon, to shew cause, if any they have, why the said Rule granted by this Honourable Court, on the nineteenth day of October last past, should not be made absolute.

By the Court,

(Signed,) *Monk & Morrogh, P. K. B.*

(True Copy)

*Monk & Morrogh, Proth'y*

District of Montreal.

Court of King's Bench.

[No. 1890] Exparte.—*William L. Logie, Esq.*

*Thomas Walter Jones*, of the City of Montreal, Esquire, Doctor of Medicine, being duly sworn, maketh oath and saith, that after having pursued part of his Medical studies in the University of McGill College, at Montreal, aforesaid, he did repair to *Edinburgh, in Scotland* to complete his said

studies, in the year one thousand eight hundred and thirty-one, and having arrived, was entered of the University of *Edinburgh*, being one of the most distinguished Medical Faculties or Schools in *Europe*; that, after a residence at *Edinburgh* aforesaid, of a space between eighteen months and two years, and having there pursued his studies during two winter courses, each of six months, and one summer course, of three months, he was admitted to the degree of Doctor of Medicine by the said University of *Edinburgh*, and received, from that body a Diploma of Doctor of Medicine; that, by the Statutes of the said University of *Edinburgh*, the study of Medicine, during four years, either in that University or in some other Institution, where students are promoted to the highest honors in Medicine, after studying during six months, at least in each year, entitled to the degree of Doctor of Medicine, and that the Principal and Professors of the said University of *Edinburgh*, in completion of the said four years period of study, received and reckoned the tickets or certificate of study of this Deponent in the said University of McGill College, as they usually have done since the Medical Faculty in the said University of McGill College, began to grant degrees. That the Diploma granted by the said University of *Edinburgh* to this Deponent and others, in the Latin language, is of the following import:—"We, the Principal and Professors of the University of *Edinburgh* hereby certify or attest that *A. B.*, after he had proved his progress in Medical science, and shown his worthiness before the Medical Faculty, and on that account had been recommended to us by the said Medical Faculty, did attain the highest honor in Medicine, that is the degree of Doctor, having first publicly submitted his inaugural dissertation on

to the censure of the Professors, taken the oath, and observed the other formalities; and that the amplest power of reading, teaching and practising Medicine all over the world was granted to him, as well as all other privileges, rights and immunities which here or elsewhere are usually granted to those who have been promoted to the eminence of Doctor." That this Deponent obtained his said Diploma on the twelfth day of July, one thousand eight hundred and thirty-three, and having returned to this province this Deponent applied in January last past, to the Board of Examiners for the District of Montreal, appointed under the Provincial Act of Parliament for granting to Candidates their Certificate to enable them to obtain a License to practise Physic and Surgery in the said Province; that the said Board of Examiners granted to this Deponent their certificate in that behalf (under which he has been since licensed), upon his production of his said Diploma, and upon his making oath before the said Board that the said Diploma had been granted to himself after five years study of Medicine; and that the said Board did not require the Deponent to make oath that the said five years study of Medicine had been performed in the said University of *Edinburgh*; that this Deponent knows that the late *James Robinson, Esq.* Doctor of Medicine, of the said University of Medicine, obtained a certificate from the said Board of Examiners, upon production of his Diploma, granted by that University, although the said *James Robinson* had resided at *Edinburgh* no more than three years, and consequently, could not have studied a longer period in that University.

Sworn, in open Court, 11th April, 1834.

(Signed) *Thomas Walter Jones, M. D.*

(Signed) *Monk & Morrogh, P. K. B.*

(True Copy)

*Monk & Morrogh, Proth'y.*

Report on Petition of Montreal Medical Board.

Report on Petition of Montreal Medical Board.

The President of the *Montreal Medical Board*, being deputed to lay its resolutions before the Court, takes the liberty of presenting them in this form. At the same time begs leave to intimate, that he is in hourly expectation of receiving intelligence from His Excellency the Governor, relative to having Council appointed to maintain the interest and dignity of the Board. Hoping the Honourable Court would, if it thinks proper, defer taking any further steps for the present, till somebody can be legally appointed to advocate the cause of the Board, as the Members never conceived it was in the contemplation of the Legislature that the Members were to see Counsel to defend their judgments, whenever it suits the caprice or interests of any individual to impeach them, especially as their duties are performed gratuitously, and by members scattered in the most distant parts of the District, that are called upon to leave their homes and business, and to incur expense in maintaining the decisions that they are called upon by the Law to award.

All which is humbly submitted, by

(Signed.) Daniel Arnoldi, P. M. M. B.

Montreal, April 9th, 1834.

At the 10th Trimestral Session of the Medical Board of the District of *Montreal*, held on the 7th April, 1834. The Rule of the Court of King's Bench for the District of *Montreal*, dated October, 1833. The Board came to the following determinations.

We, the President and Members of the Medical Board for the District of *Montreal* through our President, by us hereby authorised, in this behalf reply. Firstly, to that part of this Rule of the Court which calls on us "To show cause why His Majesty's Writ of Mandamus should not issue to us, commanding us to give unto *Wm. L. Logie* our Certificate that it always has been and is yet the opinion of the Board that it is the Interpreter of the Law, and that appeal can be had from the decision of the Board in those cases only where a Candidate for the Certificate of the Board may deem himself aggrieved by any thing done under the authority of the Rules and Regulations to be made by the Board." (*Will. IV* : Chap. 27; Art. xii.)

By this Clause of the Law the Board is specially appointed. It is therefore manifest that no general appeal can be had, but on the contrary only in those cases which come within the provision of the Law as before referred to. Now the Board denies that *Mr. Logie* has suffered in any way from any thing done by any authority of the Rules and Regulations of the Board, and the Board further denies the assertion contained in the Rule of the Court in these words, "And that the said *W. L. Logie* before the said Board proved that he was a fit and proper person to obtain a License in that behalf, &c." and declares that assertion to be untrue, as may be seen from the following extract of the Register of the Board, page 61: "*Mr. W. Logie* presenta un Diploma de Docteur en Médecine de l'Université de *McGill* College, son Diplome fut unanimement rejecté, n'étant pas conform à la loi ni supporté es documents nécessaires à la satisfaction du Bureau ce que lui fut annoncé et Offre de les examiners lui fut faite." From this extract of the register it will appear that the Diploma of *Mr. Logie* is not conformable to the Law, which it is the duty of the Board to administer, the said Diploma being a mere certificate of the knowledge and ability of the Candidate, *W. Logie*, to practice Physic and Surgery, in the opinion of those who granted the same. From this Diploma the Board could glean no knowledge of the period of study required in the

College, which in any case cannot be less than five years, nor is it in the power of any other authority than that of the Legislature to cancel.

In the Act (*William IV* : Chap. 27 : Art. 6.) it is expressly declared that the person desirous of availing himself of the privilege of a decree, and from a University, shall have obtained "the said degree after a due course of Medical study performed in such University, and in conformity to the Rules thereof, and after five years study at least, and not otherwise."

*Mr. Logie* was asked for other Documents besides his Diploma in order to verify this fact to the satisfaction of the Board, (*Guil. IV* : Chap. 27.) whether he really had studied conformably to the Rules of such University, which documents he refused to lay before the Board—and in order to afford him time to reconsider his refusal, and produce the said documents required on the part of the Board, he was informed by the President that the Board would adjourn its Sessions until the next day, to which offer he declined acceding; he was next offered an examination, and this also he refused to accept of.

When the Charter of a University requires a course of study of five consecutive years previous, to enable a person to obtain his degree, and that a degree conformably to this Rule be granted, the possessor of such degree on verifying the same to the satisfaction of the Board, undoubtedly would receive the Certificate of the Board. But if the Rule and Regulations of the University stipulate a less time than that stated in the Law, which this Board administers in that case, the Board feels itself bound to refuse every degree that may emanate from such University, inasmuch as the degree is nothing more than a special certificate, and cannot imply under any circumstances a period of study either longer or shorter than the period stipulated in its Charter.

This opinion of the Board has already been acted upon, and on the same day that *Mr. Logie*, claimed an exemption from examination in the supposed ground of right that his degree conferred, *Mr. G. W. Campbell* also presented a degree from the University of *Glasgow*, which degree was also refused as may be seen from the following extract from the Register of the Board, page 61:—"Mr. G. W. Campbell presents un Diploma de Docteur en Médecine de l'Université de *Glasgow* obtenu après quatre années d'études ce qui fut rejeté." *Mr. Campbell* then suffered an Examination and obtained his Certificate.

(True Copy from the Register, p. 60.)

(Signed) Th. Huguet Latour, Sec.

(True Copy.)

Monk & Morrogh, Proth'y.

Castle St. Lewis,  
Quebec, 8th April, 1834.

Sir,

Your Petition, of the tenth of March last, praying, on behalf of the Board of Medical Examiners at *Montreal*, with reference to a suit instituted against them by *Mr. William Logie*, that Council might be appointed to maintain the dignity of the Board, and prevent a judgment being given against them by default, having been referred to the Attorney General for his opinion thereon, I am directed by His Excellency the Governor in Chief, to acquaint you, for the

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information of the Board, that that Officer has reported that they are not entitled, as a right, to the services of the Officers of the Crown, and that it ought not, in the present instance, to be granted as an indulgence, as it would be both highly inexpedient and unjust towards Mr. Logie (who it must be presumed, prosecutes his rights at his own expense) to arm the Board with the gratuitous services of the Officer of the Crown; that besides, the Board can have nothing to apprehend, for should it appear to the Court of King's Bench that they acted in conformity to the law, the Court will, most assuredly, allow them their expenses of defence. Under these circumstances, His Lordship has directed me to express his regret that he cannot comply with the prayer of the Board.

His Lordship further directs me to state, that had the Attorney General reported differently on the subject, still he has no funds at his disposal for defraying the law expenses of maintaining the suit against the Board.

I have the honour to be, Sir,  
Your most obedient Servant,

(Signed.) *H. Craig*, Secretary.

To  
Dr. *Arnoldi*, President of the Board of Medical Examiners, at *Montreal*.

(A True Copy.)

*Monk & Morrogh*, Proth'y.

Castle of *St. Lewis*,  
*Quebec*, 21st January, 1832.

SIR.

The case submitted on the part of the Medical Board at *Montreal*, respecting Diplomas from the College of *Vermont*, in the *United States*, obtained by Students in medicine, who have or may present themselves before the Board to obtain admission to practise, having been referred to the Solicitor General for his opinion on the subject, I have received the commands of His Excellency the Governor in Chief, to transmit to you the enclosed copy of the opinion given by that Officer, for the information of the Board—by which you will perceive that the Board will be justified in refusing certificates to candidates who have not complied with the provisions of the Acts referred to.

I have the honour to be, Sir,  
Your most obedient humble Servant,

*H. Craig*,  
Secretary.

To  
*J. B. Le Bourdais*, Esquire, Secretary to the Board of Medical Examiners, *Montreal*,

(True Copy.)

*Monk & Morrogh*, Proth'y.

Province of *Lower Canada*, }  
District of *Montreal*. }

Court of King's Bench, 1834.

[No 1890.] *Exparte. William L. Logie*, Esquire.

We hereby, on behalf of the said *William L. Logie*, inscribe the said cause on the *Rôle de droit*, for bearing on the merits thereof, on the sixteenth day

of April, instant, to the end that the Rules in the said cause obtained may be declared absolute.

*Montreal*, 14th April, 1834.

(Signed,) *Buchanan & Andrews*,  
For said *W. L. Logie*.

(A True Copy.)

*Monk & Morrogh*, Proth'y.

District of *Montreal*.

{ Court of King's Bench.  
{ April Term, 1834.

[No. 1880.] *Exparte. William L. Logie*

*Daniel Arnoldi, Robert Nelson, Pierre Beaubien, Guillaume J. Vallée, Wolfred Nelson, Thimothé Kimber, Jean Baptiste Meilleur, Jean Baptiste Le Bourdais, Olivier Théophile Bruneau, Albigense Waldo Robinson, Louis Marie Ralph Barbier, and Thomas Bouthillier*, being the Board of Examiners for the said District of *Montreal*, for examining persons applying for a license or commission to practise as a Physician, Surgeon, Man-midwife, &c.

Take notice, that we have this day, on behalf of the said *William L. Logie*, inscribed the said cause on the *Rôle de droit* for hearing on the merits thereof, on the sixteenth day of April, instant, to the end that the Rules in the said cause obtained may be declared absolute.

(Signed,) *Buchanan & Andrews*,  
For said *W. L. Logie*.

*Montreal*, 14th April, 1834.

(A True Copy.)

*Monk & Morrogh*, Proth'y.

Received a true copy of the within notice, this 14th day of April, 1834.

(Signed,) *Monk & Morrogh*, Proth'y.

*Samuel Cornwallis Monk*, of the City of *Montreal*, Gentleman, maketh oath and saith, that on the 14th day of April, instant, between the hours of eleven and twelve of the clock in the forenoon, he served a true copy of the within notice upon the within named *Daniel Arnoldi*, by delivering the same to him in person at his domicile in *St. James-street*, and hath signed.

(Signed,) *S. C. Monk*.

Sworn before me this fifteenth day of April, 1834.

(Signed,) *George Pyke, J. K. B.*

(True Copy.)

*Monk & Morrogh*, Proth'y.

*Montreal*.

In the King's Bench, June Term, 1834.

[No. 1890.]

*Dominus Rex*,  
vs.

} Motion on the part of *Daniel Arnoldi* and others,  
} that delay be granted  
} them until the ninth day of June instant, to make

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their return to the writ of *Mandamus* issued and served upon them.

Montreal, 2d June, 1834.

(Signed,) *Cherrier & Laberge*, Attornies.  
For the said *Arnoldi*, et. al.  
We consent.

(Signed,) *Buchanan & Andrews*.

(True Copy.) *Monk & Morrogh*,  
Proth'y.

Province of *Lower Canada*,  
District of *Montreal*.

In the King's Bench, Monday, the second day of June, 1834.

PRESENT :

The Honourable Chief Justice *Reid*,  
" Mr. Justice *Pyke*,  
" Mr. Justice *Rolland*.

[1880.]

*Dominus Rex*. } The Court on consent of  
vs. } the parties by their res-  
*Daniel Arnoldi*, et. al. } pective Attornies, orders  
that delay be granted to the said *Daniel Arnoldi*  
and others, until the ninth day of June instant, to  
make their Return to the writ of *Mandamus* issued  
and served upon them.

By the Court,

*Monk & Morrogh*,  
Proth'y.

District of *Montreal*.

Court of King's Bench.

[No. 1880.]

Our Sovereign Lord the King, Plaintiff,  
vs.

*Daniel Arnoldi*, and others, Defendants.

To the said *Daniel Arnoldi*, Esquire, and others,  
Defendants, and to Messieurs *Cherrier* and *La Berge*,  
Advocates and Counsel for the said *Daniel Arnoldi*  
and others in the said cause.

Take notice, that on Tuesday next, the seven-  
teenth day of June instant, as soon as Counsel can  
be heard, we shall move on behalf of *William L. Logie*,  
mentioned in the writ of *Mandamus*, in the  
said cause issued, that the return of the said De-  
fendants to the said writ of *Mandamus* made and  
filed by the Defendants in the said cause, be  
quashed.

1st. Because the said Return does not answer the  
said writ nor deny the facts in the said writ set  
forth and alleged.

2nd. Because the said return is argumentative  
and contains conclusions of law or legal deductions.

3rd. Because the said return is wholly insuffi-  
cient: and that we shall then and there further there-  
upon move that a peremptory writ of *Mandamus*  
do issue, addressed to the Defendants, and their  
successors in office, commanding them to give and  
grant to the said *William L. Logie*, their certificate

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as by the said writ of *Mandamus* already issued,  
they were commanded, the whole with costs.

Montreal, 14th June, 1834.

(Signed,) *Buchanan & Andrews*.

(True Copy.)

*Monk & Morrogh*, Proth'y

I the subscribing Bailiff, do hereby certify and  
return, that on the fourteenth day of June, 1834, at  
the hour of four o'clock in the afternoon, I served  
a true copy of this notice, on the within named  
*Cherrier* and *La Berge*, Esquires, by delivering the  
same with the aforesaid *La Berge* at his Office, in  
the City of *Montreal*, and I further certify that on  
the same day and at the same hour, I served a true  
copy of this notice on the within named *Daniel Ar-  
noldi*, Esquire, by leaving the same with and speak-  
ing to himself in person, at his domicile in the City  
of *Montreal*.

[Fees 3s. 9d.]

(Signed,) *Robert Lovell*, B. K. B.

(True Copy.)

*Monk & Morrogh*, Proth'y.

District of *Montreal*, Court of King's Bench,

Our Sovereign Lord the King,  
vs.  
*Daniel Arnoldi*, and others.

Motion on behalf of the said *William L. Logie*,  
named in the writ of *Mandamus* in the said cause  
issued, that the return of the said Defendants, made  
to the writ of *Mandamus* in the said cause issued  
and filed by the said Defendants be quashed.

1st. Because the said return does not answer the  
said Writ, nor deny the facts in the said Writ set  
forth and alleged.

2nd. Because the said return is argumentative,  
and contains conclusions of Law or Legal Deduc-  
tions.

3rd. Because the said Return is wholly insuffi-  
cient.

And motion further thereupon that a peremptory  
Writ of *Mandamus* do issue, addressed to the De-  
fendants and their successors in office, commanding  
them to grant to the said *William L. Logie* their  
certificate, as by the said Writ of *Mandamus* al-  
ready issued, they were commanded.

The whole with costs.

Montreal, 17th June, 1834.

(Signed,) *Buchanan & Andrews*,  
Att'ys for said *W. L. Logie*.

(A true Copy.)

*Monk & Morrogh*, Proth'y.

District of *Montreal*, Court of King's Bench,

The King, vs. *D. Arnoldi*, et. al.

We hereby inscribe the said cause for hearing on  
the motion made in the said cause on the 17th day

Report on Pe-  
tition of Mon-  
tral Medical  
Board.

of June last past by *William L. Logie*, on Tuesday  
the 7th day of October, instant.

*Montreal*, 4th October, 1834.

(Signed,) *Buchanan & Andrews,*  
For *W. L. Logie*.

By consent.

(Signed,) *Cherrier & La Berge*, Attorneys.

(True Copy.)

*Monk & Morrogh*, Proth'y.

Province of *Lower Canada*, }  
District of *Montreal*. }

Court of King's Bench.

Saturday the Eighteenth day of October, One  
thousand eight hundred and thirty four.

PRESENT :

The Honourable Chief Justice *Reid*,  
" Mr. Justice *Pyke*,  
" Mr. Justice *Rolland*  
" Mr. Justice *Gale*.

[No. 1880.]

Exparte. *William L. Logie* of the City of  
*Montreal*, Esquire.

The Court having heard the parties, upon the  
rule obtained by *William L. Logie*, to quash the  
return to the writ of *Mandamus* in this cause, is-  
sued at the instance of the said *William L. Logie*,  
and thereon deliberated ; It is considered and ad-  
judged that the said rule be and the same is hereby  
declared absolute, and that the said return be and  
the same is hereby quashed. and it is ordered that  
a peremptory *Mandamus* do issue, addressed to the  
said Defendants and their successors in office, com-  
manding them to grant the certificate required by  
the said *William L. Logie*, on his making the De-  
claration on oath, and paying the fee of twenty  
shillings, in conformity to the Statute in such case  
made and provided.

(A True Copy.) *Monk & Morrogh*, Proth'y.

Province of *Canada*, }  
District of *Montreal*. }

[No. 1880.]

Exparte on the application of *William L. Logie*.

We hereby certify the foregoing to be true  
copies of the legal proceedings and judgment and  
documents filed in the said Exparte application of  
*Logie versus*. The *Montreal Medical Board*, given  
at *Montreal*, this fourteenth day of November, one  
thousand eight hundred and forty-three.

(Signed,) *Monk & Morrogh*, Proth'y.

Ordered, That two hundred copies of the said  
Report be printed in each of the English and  
French Languages; for the use of the Members  
of this House.

Mr. *McLean* from the Select Committee to which  
was recomitted the Report on the Petition of  
*Adam Johnston* and other Inhabitants of the third  
Concession of the Township of *Cornwall*, in the  
*Eastern District*, presented to the House the second  
Report of the said Committee, which was again  
read at the Clerk's table, and is as followeth :—

Petition of A  
*Johnston* and  
others.

"In obedience to the order of Your Honourable  
House, your Committee have reconsidered their  
First Report, and obtained further evidence, and  
and also a plan, illustrative of the prayer of the Pe-  
titioners."

Ordered, That Mr. *McLean* have leave to bring  
in a Bill for better defining and establishing  
the Eastern Boundary Line of the third Conces-  
sion of the Township of *Cornwall*, in the *East-  
ern District*.

Third Conces-  
sion Boundary  
Line, Cornwall

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.

Ordered, That Mr. *Hale* have leave to bring in a  
Bill to alter the Terms of the General Sessions  
of the Peace in and for the District of *Saint  
Francis*.

General Sessi-  
ons of the  
Peace, Saint  
Francis.

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.

Ordered, That Mr. *Hale* have leave to bring in a  
Bill to afford protection and encouragement to  
Friendly Societies.

Friendly Soci-  
eties.

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.

Ordered, That it be an Instruction to the Com-  
mittee of the whole House on the Bill, to en-  
able Creditors to attach the personal Estate of  
absconding Debtors, where the Bodies of such  
Debtors cannot now, by Law, be detained—to  
consider the same, and to provide that the pro-  
visions of the said Bill be extended, and made  
applicable to that part of the Province hereto-  
fore *Lower Canada*.

Absconding  
Debtors.

Ordered, That Mr. *Watts* have leave of absence  
for a fortnight from this day, on urgent business.

Leave of ab-  
sence to Mr.  
*Watts*.

Mr. *Stewart* from the Committee of the whole  
House on the Bill to repeal a certain Act therein  
mentioned, and to make further provision for en-  
abling the Provincial Government to purchase the  
Stock held by private parties in the *Welland Canal*,  
reported, according to order, that the Committee  
had gone through the Bill without making any  
amendment thereto.

Private Stock  
*Welland Canal*

Ordered, That the said Bill be engrossed.

A Message from the Legislative Council, by *John  
Fennings Taylor*, Esq, one of the Masters in Chan-  
cery.

Message from  
Legislative  
Council.

Mr. Speaker.

The Legislative Council have passed the follow-  
ing Bills, without any amendment:—

"An Act for the better preservation of certain  
species of Fish in the Rivers and Waters of the  
Counties therein mentioned."

Preservation of  
Fish.

"An Act to incorporate "Bishop's College," in  
the Diocese of *Quebec*."

Bishops' Col-  
lege, Quebec.

And also,

The Legislative Council have passed the Bill, in-  
titled, "An Act for the establishment of a better  
Court of Appeals in *Lower Canada*," with several

Court of Ap-  
peals Lower  
*Canada*.

amendments, to which they desire the concurrence of the Legislative Assembly.

And then he withdrew.

University  
Toronto.

The Order of the day for the second reading of the Bill to provide for the separate exercise of the Collegiate and University Functions of the College established at the City of *Toronto*, in *Upper Canada*: for incorporating certain other Colleges and Collegiate Institutions of that Division of the Province with the University: and for the more efficient establishment and satisfactory Government of the same, being read.

*Ordered*, That the said Bill be now read a second time.

Then Counsel was called in, and the Bill was read a second time.

Petition, Bi-  
shop of Toron-  
to, read.

And the Petition of the Right Reverend the Lord Bishop of *Toronto*, against the Bill, which was presented to the House on Monday, the sixth instant, was read.

Counsel heard.

And the Counsel was heard: and then he was directed to withdraw.

*Ordered*, That the debate on the said Bill be adjourned until Monday next, and that it be then the first Order of the day.

Adjournment.

*Ordered*, That this House at its rising do stand adjourned until Monday next, at ten o'clock, A. M.

Churches and  
Parishes Lower  
Canada.

The Order of the day for the second reading of the Bill to repeal the Laws of *Lower Canada* for the construction and repairing of Churches and dependencies, and for the erection and division of Parishes, and to make new provisions in lieu thereof, being read.

The said Bill was accordingly read, and referred to a Select Committee composed of Mr. *Chabot*, the Honourable Mr. Solicitor General *Aylwin*, the Honourable Mr. *Black*, Mr. *Quesnel*, the Honourable Mr. *Morin*, the Honourable Mr. *Viger*, and Mr. *Poullier*, to report thereon with all convenient speed: with power to send for persons, papers, and records.

Tay Naviga-  
tion.

The Order of the day for the second reading of the Bill to amend the Act incorporating the *Tay* Navigation Company, being read.

The said Bill was accordingly read, and ordered to be engrossed.

Real Estate,  
Canada West.

The Order of the day for the House in Committee on the Bill to afford relief in certain cases to Sellers of Real Estate in *Canada West*, being read.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Cameron* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Mr. Speaker having put the question,

Shall the Committee have leave to sit again?

It passed in the Negative.

The Honourable Mr. *Sherwood* moved, seconded by Sir *Alban N. MacNab*, that the Bill to afford relief in certain cases to Sellers of Real Estate, in *Canada West*, be referred to a Select Committee composed of Mr. *Prince*, Mr. *Boswell*, Mr. *Cartwright* and Mr. *Boulton*, to report thereon with all convenient speed: with power to send for persons, papers, and records.

Mr. *Johnston* moved an amendment, seconded by Mr. *Hamilton*, that all the words after "referred" in the said motion, be struck out, and the following inserted "to a Special Committee of five Members, to report thereon, with all convenient speed; with

power to send for persons, papers and records."

The question having been put upon the said motion of amendment, a division ensued, and it passed in the negative.

The question being then put on the main motion, it was agreed to by the House, and

*Resolved*, accordingly.

The Order of the Day for the House in Committee, on the Report of the Select Committee, to which was referred the Petition of Messieurs *Gillespie*, *Moffatt*, and Company, and other Merchants of *Montreal*, and other references being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

The Order of the Day for the House in Committee on the Bill, to give further powers to the *North American Colonial Association of Ireland* being read.

*Resolved*, That this House will, on Wednesday next, resolve itself into the said Committee.

The Order of the Day for the House in Committee on the Bill for incorporating and granting certain powers to the *Upper Canada Trust and Loan Company*, being read.

The Honourable Mr. *Viger* moved, seconded by Mr. *Boswell*, That this House will on Wednesday next, resolve itself into the said Committee.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

*Resolved*, accordingly.

The Order of the day for the House in Committee on the amendments made by the Legislative Council to the Bill, intitled, "An Act to enable Religious Societies of all Denominations of Christians, (in that part of the Province called *Upper Canada*.) to hold the Lands requisite for certain purposes, therein mentioned," being read.

The said amendments were then read, and are as followeth:—

Press 1. Line 16.—After "that" leave out all the words to "be" in the thirty-seventh line, inclusively, and insert in lieu thereof, "from and after the passing of this Act, it shall and may be lawful for the Chancellor, Vice-Chancellor or other the person administering the duties of the Judge of the High Court of Chancery in this Province, upon the Petition of the Minister, Wardens, Deacons, or other the Parties holding office in any Congregation of professing Christians of any denomination, setting forth the peculiar tenets of Society, to which they respectively belong; together with the number of the Congregation composing the said Society, and the Township or place in which they intend respectively to congregate, and upon proof of the several facts contained in such Petition, to grant unto such Minister, Wardens, Deacons, or other, the parties holding office in any such Congregation, not being fewer than three in number, a License or permission under the

Report on Pe-  
tition of Gilles-  
pie, Moffatt &  
Co.

North Ameri-  
can Colonial  
Association of  
Ireland.

U. C. Trust  
and Loan  
Company.

Religious So-  
cieties Lands  
Bill.

Amendments.

Seal of the said Court, to hold to them and their Successors in perpetual succession, for ever, in mortmain, by the name expressed in such License or permission, any quantity of land requisite for the site of a Church, Meeting House, Chapel, Burying Ground, residence for the Minister, Priest or Religious Teacher, or other person administering Religious duties of such Congregation and School Houses, and the appurtenances thereunto which may be necessary for the said several purposes, to be specified in such Petition, provided there shall not be held in trust for the purposes aforesaid, under any such License or permission, as aforesaid, more than ten acres of land for any one Congregation."

Ibid. Line 38.—Before the third Clause of the Bill, insert the following Clauses:

## A.

"And be it enacted, that under and by virtue of such License or permission, it shall and may be lawful for such Trustees, to accept and take a conveyance to them and their successors in mortmain of the lands to be mentioned and set forth in such Petition as aforesaid, and they and their successors in perpetual succession, by the name expressed in such License or permission, be capable of holding and possessing such land in mortmain for ever, and of commencing and maintaining any action or actions at Law or in Equity for the protection thereof, and of their right thereto. Provided always, and be it enacted, that it shall not be lawful for the Chancellor, Vice Chancellor, or other the person administering the duties of the Judge of the High Court of Chancery, in this Province, to grant any such License or permission for the benefit of any such Society as aforesaid, whose Members at the time of the application to the said Court, shall not amount at least, to fifty heads of families.

## B.

"And be it enacted that the Ministers, Wardens, Deacons, or other parties holding office, in any such Congregation, to whom any such License or permission shall be granted as aforesaid, shall within twelve months after execution of any Deed, whereby such lands shall be conveyed to them under and by virtue of such License or permission, cause the same to be registered in the office of the Registrar of the County in which the land shall happen to be."

Press 2, Line 10.—After the fourth clause of the Bill, insert the following clause:

"And be it enacted that this Act shall be in force and effect and extend only to that part of the Province of *Canada*, formerly known as *Upper Canada*."

Preamble, Line 1.—After "whereas" leave out all the words to "case" in the 8th Line, inclusively; and insert, "by an Act of the Parliament of that part of the Province of *Canada*, heretofore called *Upper Canada*, passed in the ninth year of the Reign of His late Majesty, King George the Fourth, intituled, "An Act for the relief of the Religious Societies therein mentioned," after

reciting, that Religious Societies of various Denominations of Christians have found difficulty in securing the titles of lands requisite for the site of a Church, Meeting House, or Chapel, or Burying Ground, for want of a corporate capacity, to take and hold the same, in perpetual succession, and that it was expedient to provide some safe and adequate relief in such cases, it was enacted, that whenever any Religious Congregation or Society of Presbyterians, Lutherans, Calvinists, Methodists, Congregationalists, Independents, Anabaptists, Quakers, Menonists, Tunkers or Moravians, should have occasion to take a conveyance of land for any of the uses aforesaid, it should and might be lawful for them to appoint Trustees, to whom and their Successors, to be appointed in such manner as should be specified in the deed, the land requisite for all or any of the purposes aforesaid might be conveyed, and such Trustees and their Successors in perpetual succession, by the name expressed in such deed, should be capable of taking, holding, and possessing such land, and of commencing and maintaining any Action or Actions in Law or Equity, for the protection thereof and of their right thereto; and it was further enacted, that there should not be held in trust for the purposes aforesaid, more than five acres of land for any one Congregation; and whereas it is expedient to extend the relief afforded by the said recited Act as well to the Societies therein named, as to all other Societies of professing Christians of every denomination."

Title, Line 1.—After "to" leave out the remainder of the Title, and insert "provide for the relief of certain Religious Societies."

After which the House resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Morris* reported, that the Committee had gone through the amendments, and had unanimously disagreed to the same, and the Report was again read at the Clerk's table, and agreed to by the House.

Resolved, That a Select Committee of five Members be appointed, to draw up reasons to be offered to the Legislative Council at a conference, for disagreeing to the amendments made by their Honours to the Bill, intituled "An Act to enable Religious Societies of all Denominations of Christians (in that part of the Province called *Upper-Canada*,) to hold the lands requisite for certain purposes therein mentioned," and that the said Committee be composed of Mr. *Williams*, the Honourable Mr. *Hincks*, the Honourable Mr. Solicitor General *Small*, Mr. *Boswell*, and the Honourable Mr. *Neilson*.

Then on motion of Mr. *Boswell*, seconded by the Honourable Mr. *Viger*,  
The House adjourned until Monday next, at ten o'clock, A. M.

*Luncæ, 27<sup>o</sup> die Novembris.*

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

10<sup>a</sup> hora A. M.

Member for Montreal.

MR. SPEAKER informed the House, that the Clerk of this House had received from the Clerk of the Crown in Chancery, a Certificate of the election of a Member for the City of *Montreal*, in the room of the Honourable *George Moffatt*, who had resigned his seat.

And the said Certificate was read, and is as followeth:—

Province of *Canada*, }  
TO WIT. }

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

This is to certify, that in virtue of a writ of Election, dated the Second day of November, instant, issued by His Excellency the Governor in Chief, and directed to the Returning Officer for the City of *Montreal* (*Jacques Viger*, Esq.) for the election of one Member to represent the City of *Montreal* in the present Parliament, in the room of the Honourable *George Moffatt*, who had resigned his seat, *Pierre Beaubien*, Esquire, has been returned as duly elected accordingly, as appears by the return of the said writ, dated the twenty-second day of November, instant, which is lodged of record in my office.

P. Beaubien, Esquire.

*Felix Fortier*,  
Clerk of the Crown in Chancery.

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

6 Petitions brought up.

The following Petitions were severally brought up and laid on the table:—

By Mr. *Leslie*—The Petition of the Reverend *H. Esson*, and others, the Committee of the Management of the Temporalities of *St. Gabriel-street Church, Montreal*.

By Mr. *Thorburn*—The Petition of *John Scofield*, and others, Inhabitants of the District of *Niagara*; and the Petition of the Municipal Council of the *Niagara District*, (relating to the District Town.)

By Mr. *Gilchrist*—The Petition of the Rev. *John M. Rogers*, and others, Inhabitants of the District of *Colborne*.

By Mr. *Thompson*—The Petition of *John Dr. Cox*, and others, Inhabitants of the County of *Hullimand*.

By the Honourable Mr. *Neilson*—The Petition of *Thomas Proulx*, and others, Inhabitants of the Parish of *St. Omer*, County of the *Lake of Two Mountains*.

Tay Navigation.

An engrossed Bill, to amend the Act Incorporating the *Tay Navigation Company*, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Cameron* carry the said Bill to the Legislative Council, and desire their concurrence.

Private Stock, Wel. Canal.

An engrossed Bill to repeal a certain Act therein mentioned, and to make further provision for enabling the Provincial Government to purchase

the stock held by Private parties in the *Welland Canal*, was read for the third time. Private Stock, Wel. Canal.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. *Boulton* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the Day, the following Petitions were read:— Petitions read.

Of the Municipal Council of the *Home District*; praying for the passing of a Law to compel the Corporation of the City of *Toronto* to pay a proportion of the expenses of the District Gaol, erected within the said City.

Of the Municipal Council of the *Home District*; praying that certain amendments be made to the Bills now before the Legislature, relating to Assessment, and to the management of the local affairs of Townships, Counties, &c.

Of the Right Reverend the Lord Bishop of *Toronto*; praying that the monies appropriated for School purposes be placed at the disposal of the several denominations of Christians, in proportion to their numbers.

Of *H. Graham* and others, Merchants, Traders, and Inhabitants of the Town of *Perth*, in the District of *Bathurst*; praying that a Tax be imposed upon certain Merchants who carry on the Trade of Auctioneers, in the sale of their own Merchandize.

Of *H. Glass* and other Presbyterians, Members of *St. Andrew's Church, Perth*; praying that the passing of the Bill to provide for the management of the Temporalities of the Presbyterian Church in *Canada*, may be postponed until the next Session of Parliament.

Of the Reverend *John Gemmill*, of the town of *Lanark*, in the District of *Bathurst*; stating that previous to the present mode of disposing of Public Lands, he received an order for 300 acres, which he lost in consequence of not having located the same, and praying to be allowed the usual quantity of Script in consideration of the said claim.

Of *James Wylie* and others, Inhabitants of the Township of *Ramsay*, in the *Bathurst District*; praying that the benefits of King's College, at *Toronto*, and *McGill College*, at *Montreal*, may be equally extended to all Religious Denominations.

Of *Thomas Scott* and others, Members and adherents of the Presbyterian Church at *Cobourg*; praying that the Bill to provide for the management of the Temporalities of the Presbyterian Church in *Canada*, be not passed.

Of *William Hill* and others, Freeholders of the Township of *Barton*, in the District of *Gore*; praying that the limits of the Town of *Hamilton* be not extended.

Of *Matthew Snyder* and others, Inhabitants of *Elizabethtown*; complaining of the unjust exaction of Tolls on the Macadamized Road from *Brockville* to *Beverly*, and praying relief.

Of *John Fitzwilliam Berford*, of the City of *Toronto*; praying for a modification of the Laws relating to the occupation of the soil in the Province of *Canada*.

Of *John Rogers* and others, Inhabitants of the Gore of *Chatham*; praying that the said Gore be attached to the County of *Two Mountains*.



**Resolved,** That the Petition of *R. Young* and others, Inhabitants of *Goderich*, in the District of *Huron*, presented to the House on the fourteenth instant, be referred to a Select Committee, composed of *Mr. Cameron*, *Mr. Thorburn*, *Mr. Boswell*, Captain *Steele*, and *Mr. Merritt*, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Petition referred, *R. Young* and others.

Church Society Quebec.

*Mr. Hale*, from the Special Committee to which was referred the Bill to incorporate the Church Society of the Diocese of *Quebec*, and another Reference, 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.

**Resolved,** That the said Bill be committed to a Committee of the whole House, on Wednesday next.

Isle Bizarro.

*Mr. Jobin*, from the Select Committee to which was referred the Bill to detach *Isle Bizarro* from the County of the *Two Mountains*, and to annex it to the County of *Montreal*, 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.

**Resolved,** That the said Bill be committed to a Committee of the whole House, on Wednesday next.

Township of Gore.

*Mr. Forbes*, from the Select Committee to which was referred the Bill to detach the Township of *Gore* from the County of *Terrebonne*, and to annex it to the County of *Two Mountains*, reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

**Ordered,** That the said Bill, as amended, be engrossed.

Registration, Lower Canada.

The Honourable *Mr. Jones*, from the Select Committee to which was referred the Bill to amend the Ordinance providing for the Registration of Titles to Real property or incumbrances thereon in *Lower Canada*, and further to extend the time allowed by the said Ordinances for the Registration of certain Claims, 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.

**Resolved,** That the said Bill be committed to a Committee of the whole House, tomorrow.

University of King's College.

The Order of the day being read, for resuming the adjourned Debate on the Bill to provide for the separate exercise of the Collegiate and University Functions of the College, established at the City of *Toronto*, in *Upper Canada*; for incorporating certain other Colleges and Collegiate Institutions of that division of the Province with the University; and for the more efficient establishment and satisfactory government of the same.

**Ordered,** That the Debate on the said Bill be adjourned until Thursday next.

Land Surveyors, U. Canada.

The Order of the day for the House in Committee on the Bill to repeal certain Acts therein mentioned, and to make better provision respecting the admission of Land Surveyors and the Survey of Lands in *Upper Canada*, being read.

The House accordingly resolved itself into the said Committee.

Captain *Steele* took the Chair of the Committee, and after some time spent therein;

*Mr. Speaker* resumed the Chair,

And *Captain Steele* reported that the Committee

had made some progress, and had directed him to move for leave to sit again.

**Ordered,** That the Committee have leave to sit again on Thursday next.

Land Surveyors, U. Canada.

The Order of the day for the House in Committee on the Bill to establish the District of *Gaspé*, and to provide for the due Administration of Justice therein, being read,

Administration, Justice, Gaspé.

The House accordingly resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair,

And *Mr. Armstrong* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

**Ordered,** That the Report be received tomorrow.

Then on motion of *Mr. Simpson*, seconded by the Honourable *Mr. Viger*,

The House adjourned.

*Martis*, 28° die Novembris.

Anno 7° Victoriae Reginae, 1843.

THE following Petitions were severally brought up, and laid on the Table:—

2 Petitions brought up.

By the Honourable *Mr. Dunn*—The Petition of the Board of Trade of the City of *Toronto*. (relating to Insolvent Debtors.)

By *Mr. Wakefield*—The Petition of *Robert Fleming Gourlay*.

An Engrossed Bill to detach the Township of *Gore* from the County of *Terrebonne*, and to annex it to the County of *Two Mountains*, was read for the third time.

Township of Gore.

**Resolved,** That the Bill do pass, and the Title be, "An Act to detach the Township of *Chatham Gore*, otherwise called the Gore of *Chatham*, from the County of *Terrebonne*, and to annex it to the County of *Two Mountains*."

**Ordered,** That *Mr. Forbes* do carry the said Bill to the Legislative Council, and desire their concurrence.

A Message from the Legislative Council by *John Fenning Taylor*, Esquire, one of the Masters in Chancery.

Message from Leg. Council.

*Mr. Speaker*,

The Legislative Council have passed the following Bills without any amendment,

"An Act to authorise the Chairman of the Committee of the *Canada* Inland Forwarding and Insurance Company, to sue for and recover debts due to the Company."

Canada Inland Forwarding and Insurance Company.

"An Act to divide the Township of *Lawkesbury*, in the *Ottawa* District, into two Townships."

Hawkesbury division.

"An Act to prevent obstructions in Rivers and Rivulets in *Upper Canada*."

Obstructions in Rivers, &c.

"An Act to explain an Act passed in that part of this Province called *Upper Canada*, in the third year of the Reign of Her Majesty, intituled; "An Act to confirm and regulate certain Sales of Lands, for taxes in the *Ottawa* District."

Ottawa Lands sale.

"An Act to incorporate the Education Society of the District of *Quebec*."

Education Society, Quebec.

"An Act to declare a Debt contracted by the Committee of Magistrates of the *Johnstown* District, to enable them to complete the new Gaol and Court House of the said District, to be a Debt payable by the District Council."

Johnstown Gaol and Court House.

Also,  
The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly:

Administration Jus. Lower Canada.  
Small causes, Lower Canada.

"An Act to amend the Law relative to the Administration of Justice in *Lower Canada*."  
"An Act to provide for the Summary trial of Small causes in *Lower Canada*."

Also,  
Legislative Council.  
Friday, 24th November, 1843.

Cyprian Morgan.

Ordered, That one of the Masters in Chancery, do go down to the Legislative Assembly, to request that they will communicate to this House the Documents, Evidence, and Proofs, upon which is founded the Bill, intitled "An Act to naturalize *Cyprian Morgan* and others.

Attest,  
*Charles DeLéry*,  
Deputy Clerk Legislative Council.

And also,  
Legislative Council,  
Friday, 24th November, 1843.

J. A. P. Barbier and wife.

Ordered, That one of the Masters in Chancery, do go down to the Legislative Assembly, to request that they will communicate to this House the Documents, Evidence, and Proofs, upon which is founded the Bill, intitled "An Act to naturalize *Jacques Adrien Pierre Barbier*, and *Euphrasie Barbier*, his wife."

Attest,  
*Charles DeLéry*,  
Deputy Clerk, Legislative Council.

And then he withdrew—

The Master in Chancery was then called in, and informed by Mr. Speaker, that this House will send an answer by Message.

On motion of Mr. *Christie*, seconded by Mr. *De Witt*.

Court of Appeals, Lower Canada.

Ordered, That the amendments made by the Legislative Council to the Bill, intitled "An Act for the establishment of a better Court of Appeals in *Lower Canada*," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read are as followeth:—

Press. 1. Line 6.—After "had" insert "Provided always that the Person so appointed, shall be of at least eight years standing at the Bar of *Lower Canada*."

Press 5. Line 28.—Leave out "on pain of nullity."  
" Line 32.—Leave out from "and" to "established" in the 41st line inclusively.

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. *Christie* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Administration of Justice, L. Canada.

Mr. *Christie* moved, seconded by Mr. *Papineau*, that the amendments made by the Legislative Council to the Bill, intitled, "An Act to amend the Law relative to the administration of Justice in *Lower Canada*," be now taken into consideration.

The Honourable Mr. *Black* moved, seconded by Mr. *Turcotte*, that the consideration of the said motion be postponed until tomorrow.

The question having been put upon the said motion a division ensued, and the names being called for, they were taken down as followeth:—

Administration of Justice, L. Canada.

YEAS.

Messieurs BLACK, BOSWELL, CAMERON, CARTWRIGHT, CHABOT, CHESLEY, CRANE, DALY, DUGGAN, DUNLOP, FORBES, HAMILTON, HINCKS, HOPKINS, McLEAN, MURNEY, PARKE, PRICE, SIMPSON, GEORGE SHERWOOD, HENRY SHERWOOD, TACHE, TURCOTTE, and WOODS. (24.)

NAYS.

Messieurs ARMSTRONG, AYLWIN, BARTHE, BERTHELOT, BOUTILLIER, CHILD, CHRISTIE, DERBISHIRE, DE WITT, DUNN, DURAND, FOSTER, GILCHRIST, HALE, HARRISON, HOLMES, JOHN, JONES, LACOSTE, LAFONTAINE, MOORE, MORIN, NOEL, PAPINEAU, PRINCE, QUESNEL, ROBLIN, SMALL, HENRY SMITH, HARMANNUS SMITH, THOMPSON, THORBURN, L. M. VIGER, and WILLIAMS. (31)

So it passed in the negative.

The Question being then put on the main motion, it was agreed to.

And the House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:—

Press 2, Line 37.—After "District" insert "Provided also that such Commissioners of Bankrupts shall be Advocates of at least five years standing at the Bar of *Lower Canada*."

Press 3, Line 24.—After "appoint" insert "some Advocate of at least five years standing at the Bar of *Lower Canada*."

*Ibid.* Line 40.—Leave out "on pain of nullity."

*Ibid.* Line 44.—Leave out from "and" to the end of the clause, inclusively.

Press 38, Schedule B.—Leave out from "on all proceedings" inclusively to Press 39, line 23, to "to the Clerk" exclusively, and insert the following:

	£	s.	d.	s.	d.	s.	d.
"On all proceedings in actions settled before return (except those on which additional fees are hereinafter allowed) to the Plaintiff's Attorney .....	1	0	0	5	0	3	4
On all proceedings (except as aforesaid) in actions settled after return and before contestation, or in which judgment shall be given on confession or by default or <i>ex parte</i> without <i>enquête</i> (that is to say, without the examination in Court of any witness or party) to the Plaintiff's Attorney.....	1	5	0	7	6	5	0
And to the Defendant's Attorney .....	10	0	5	0	2	6	
On the same, if the Judgment be given by default or <i>ex parte</i> , but with <i>enquête</i> , to the Plaintiff's Attorney...	1	10	0	10	0	7	6
And to the Defendant's Attorney.....	10	0	5	0	2	6	
On the same in actions discontinued, after contestation, to the Plaintiff's Attorney.	2	0	0	10	0	5	0
And to the Defendant's Attorney.....	1	0	0	10	0	5	0

Administra-  
tion of Justice,  
L. Canada.

	£.	s.	D.	s.	D.	s.	D.
On the same, where the Judgment shd. be given after contestation, to the Plaintiff's Attorney.....	3	10	0	12	6	7	6
And to the Defendant's Attorney.....	3	0	0	10	0	5	0
In all Hypothecary actions, mixed actions, or actions for personal wrongs, the same fees as in first class actions.							
On all oppositions, except oppositions <i>afin de conserver</i> , interventions, and <i>requêtes civiles</i> when contested; and also, on contestations of <i>saisie arrêt</i> , after Judgment, or of declarations made by Garnishees, the same fees as in the original actions to which the same shall be incident.....							
In all incidental cross <i>demandes</i> , half the fees allowed in original actions for a like sum.....							
Additional fees on certain proceedings.							
On each opposition <i>afin de distraire</i> or <i>afin d'annuller</i> , intervention, or <i>requête civile</i> not contested.....	1	0	0	10	0	5	0
On each opposition <i>afin de conserver</i> .....	1	0	0	10	0	5	0
On a <i>saisie arrêt</i> after Judgment, when there is no contestation.....	10	0	5	0	2	6	
On suing out any writ of <i>Saisie Gagerie</i> , <i>Saisie Revendication</i> , or <i>Saisie arrêt</i> , before Judgment, or on any special declaration, acquired by the Court.....	7	6	5	0	2	6	
For each copy more than one, of any declaration, Petition, intervention, or opposition.	2	6	2	0	1	3	
For each Plea in writing, ordered by the Court, including copy.....			2	6			
On each Rule to take up the instance, or to declare a Judgment executory or for <i>contrainte par corps</i> , or other Rule of a like nature, when declared absolute, to the attorney prosecuting the same.	15	0	10	0	5	0	
And when over ruled, to the Attorney resisting the application.....	10	0	5	0	2	6	
On a <i>Commission Rogatoire</i> and all proceedings relative thereto, to the Attorney suing out the same.....	10	0	5	0	2	6	
And to the Attorney of the opposite party.....	5	0	2	6			
To the Attorney employed by either Party to attend to the execution of such Commission.....	10	0	10	0	10	0	
For every copy of a Rule or Order of Court.....	1	0					
For suing out any Writ of Execution.....	2	6					
For Bill of Costs and attendance at taxation.....	2	6					

Ordered, That the question of concurrence be now separately put upon each of the said amendments.

And the first to the third of the said amendments being severally read and the question of concur-

rence being separately put upon each, they were unanimously agreed to.

The fourth and last of the said amendments being read.

Ordered, That the consideration of the said amendment be postponed until tomorrow.

On motion of Mr. Christie, seconded by Mr. Child.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to provide for the summary trial of Small Causes in Lower Canada," be now taken into consideration.

The House proceeded accordingly, to take the said amendments into consideration.

And the said amendments were read, and are as followeth:

Press 5, Line 14.—Leave out "for either" and insert "by consent."

" " 15—Leave out "Plaintiff or Defendant."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Christie do carry back the said Bill to the Legislative Council, and acquaint their Honours, that this House hath agreed to their amendments.

Mr. Armstrong from the Committee of the whole House, on the Bill to establish the District of Gaspé, and to provide for the due administration of Justice therein, reported according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's Table.

Ordered, That the question of concurrence be now separately put upon each of the said amendments.

And the first and second of the said amendments being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

The third of the said amendments being again read, and the question of concurrence being put thereon, a division ensued, and it was carried in the affirmative.

The fourth to the sixth and last of the said amendments being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

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

The order of the day for the second reading of the Bill, to incorporate the Kingston Mineral Wells Company, being read.

The said Bill was accordingly read, and referred to a Select Committee composed of Mr. Cartwright, Mr. Henry Smith, the Honourable Mr. Harrison, Mr. Roblin, and Mr. Murney, to report thereon with all convenient speed, with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill, to provide for the more equal distribution of the property of persons dying intestate, within that part of this Province formerly Upper Canada, being read.

Ordered, That the further consideration of the said Bill, be postponed.

The Order of the day for the second reading of the Bill, to authorise the Chartered Banks of this Province to open books in the United Kingdom, for the transfer of their Stock, being read.

Administra-  
tion of Justice,  
Lower Canada.

Small Causes,  
Lower Canada.

Administra-  
tion of Justice,  
District of  
Gaspé.

Kingston Mi-  
neral Wells  
Company.

Intestate Es-  
tates.

Chartered  
Banks.

Ordered, That the said Bill be read a second time, on Thursday next.

Coteau du Lac Road.

The Order of the day for the second reading of the Bill, for the opening of a road from Coteau du Lac to Dundas Street through the third concession of Lancaster, being read.

Ordered, That the said Bill be read a second time, on Friday next.

Third Concession, Cornwall.

The Order of the day for the second reading of the Bill, for better defining and establishing the Eastern boundary line of the third concession of the Township of Cornwall, in the Eastern District, being read.

The said Bill was accordingly read, and ordered to be engrossed.

Sess. of Peace, District of St. Francis.

The Order of the day for the second reading of the Bill, to alter the terms of the General Sessions of the Peace, in and for the District of St. Francis, being read,

The said Bill was accordingly read, and ordered to be engrossed.

Friendly Societies.

The Order of the day for the second reading of the Bill, to afford protection and encouragement to Friendly Societies, being read.

The said Bill was accordingly read, and referred to a Special Committee, composed of Mr. Hale, Mr. Foster, Mr. Child, Mr. Durand, and Mr. Dunlop, to report thereon with all convenient speed, with power to send for persons, papers, and records.

Report of Committee on petition of J. H. Lambe and others.

The Order of the day for the House in Committee on the Report of the Special Committee, to which was referred the Petition of J. Henry Lambe and others, of the City and Parish of Montreal, (relating to the commutation with the Censitaires, of Nazareth, and other Fiefs,) being read.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Johnston reported that the Committee, had come to a Resolution, 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 authorize the Proprietors of Fiefs Nazareth, St. Augustin, and St. Joseph, to commute with their Censitaires upon such terms as may be mutually agreed upon between the Parties, and that the said authority do continue in force until a general Law be passed to authorize the Seignors of the late Province of Lower Canada, to commute with their Censitaires, and that Legislative enactment be made to that effect.

Fief Nazareth.

Ordered, That Mr. DeWitt have leave to bring in a Bill to empower the Seignors of the Fiefs Nazareth, St. Augustin, and St. Joseph, in the City and County of Montreal to commute the Tenure of the Lands, now held en censive in the said Fiefs respectively.

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 tomorrow.

Improvement of the

The Order of the day for the House in Committee on the Bill, to abolish imprisonment on execution for Debt, and for the punishment of fraudulent Debtors, being read,

The House accordingly resolved itself into the said committee,

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

Mr. Speaker resumed the Chair.

And Mr. Roblin reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

The order of the day for the House in Committee on the Report of the Select Committee, to which was referred the Petition of Alexander McDonald and others, Inhabitants of the Indian Reservation, in the Eastern District, being read,

Indian Reservation, Eastern District.

The House accordingly resolved itself into the said Committee,

Mr. Williams took the Chair of the Committee, and after sometime spent therein,

Mr. Speaker resumed the Chair,

And Mr. Williams reported that the Committee had come to a Resolution which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Mr. Speaker having put the question,

Shall the Report be received?

The House divided on the question, and the names being called for, they were taken down as followeth:—

YEAS.

Messieurs BOUTILLIER, CHESLEY, CHRISTIE, DE WITT, FORBES, LESLIE, D. McDONALD, J. S. McDONALD, McLEAN, MERRITT, MOORE, NOEL, PRINCE, SIMPSON, THORBURN, and WILLIAMS.—(16.)

NAYS.

Messieurs ARMSTRONG, BALDWIN, BERTHELOT, BOSWELL, BOULTON, CAMERON, GILCHRIST, HALE, JONES, LAFONTAINE, MORIN, QUESNEL, ROBLIN, TACON, TURCOTTE, and D. B. VIGER.—(16.)

As the Votes being equally divided, Mr. Speaker gave his casting vote in the Negative.

Casting vote.

The Order of the day for the House in Committee on the Bill to amend the Act incorporating the Bank of the Niagara District, by providing for the extension of the time limited for the paying up of the Stock of the said Bank, with an Instruction to take into consideration the expediency of repealing the clause requiring security to double the amount of the Stock paid in, being read.

Niagara Bank.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Thorburn reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received tomorrow.

The Order of the day for the House in Committee on the fourth Report of the Standing Committee of Contingencies, being read.

Contingencies.

Resolved, That this House will, tomorrow, resolve itself into the said Committee.

The Order of the day for taking into consideration a motion made by Mr. Christie, on the twenty-third instant, "That the question of concurrence be now separately put upon the amendments made by the Committee of the whole House to the Bill, to alter and amend certain Acts therein mentioned relating to the navigation of the River St. Lawrence, in so far as the same relates to the Port of Quebec," being read,

Navigation of the St. Lawrence.

The said amendments were accordingly read, and the question of concurrence being separately put upon each, they were agreed to by the House.

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

Registration, Lower Canada.

The Order of the day for the House in Committee on the Bill to amend the Ordinance, providing for the Registration of Titles to Real Property or Incumbrances thereon in Lower Canada, and further to extend the time allowed by the said Ordinance for the Registration of certain Claims, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. Forbes reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received tomorrow.

Then on motion of the Honourable Mr. Viger, seconded by Mr. De Witt,

The House adjourned.

Mercurii, 29<sup>o</sup> die Novembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

M. Beaubien.

PIERRE BEAUBIEN, Esquire, Member for the City of Montreal, having previously taken the oath according to Law and subscribed before the Commissioners the Roll containing the same, took his seat in the House.

4 Petitions brought up.

The following Petitions were severally brought up and laid on the table :—

By the Honourable Mr. Black—The Petition of the Members of the Bar of Lower Canada, resident in the District of Quebec; and the Petition of John Young on behalf of himself and other sufferers by the fall of the Cape Rock at Quebec.

By Sir Allan N. McNab—The Petition of William Kerrot and others, Inhabitants of Caledonia, and other places in Canada West.

By the Honourable Mr. Attorney General Baldwin—The Petition of Charles Smith and others, Freeholders of the village of Dundas in the District of Gore.

Third Concession Cornwall.

An engrossed Bill, for better defining and establishing the Eastern Boundary line of the third Concession of the township of Cornwall, in the Eastern District, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. McLean do carry the said Bill to the Legislative Council, and desire their concurrence.

Sessions of Peace, St. Francis.

An engrossed Bill, to alter the Terms of the General Sessions of the Peace in and for the District of Saint Francis, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Hale do carry the said Bill to the Legislative Council, and desire their concurrence.

Navigation of St. Lawrence.

An engrossed Bill, to alter and amend certain Acts therein mentioned relating to the navigation of the River St. Lawrence, in so far as the same relates to the Port of Quebec, was read for the third time.

Resolved, That the Bill do pass and the Title be, "An Act to alter and amend certain parts of an Act therein mentioned relating to the navigation of the River St. Lawrence in so far as the same relates to the Port of Quebec.

St. Lawrence.

Ordered, That Mr. Christie do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill, to establish the District of Gaspé, and to provide for the due Administration of Justice therein, was read for the third time.

Administration of Justice, Gaspé.

Resolved, That the Bill do pass.

Ordered, That Mr. Christie do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the day, the following Petitions were read :—

Petitions read.

Of the Reverend H. Esson and others, the Committee of the management of the temporalities of St. Gabriel Street Church, Montreal, praying that the Bill to provide for the management of the Temporalities of the Presbyterian Church in Canada, be not passed.

Of John Scholfield and others, inhabitants of the District of Niagara; praying that the Charter of the University of King's College may be so amended that all classes of Her Majesty's subjects may participate equally in its benefits.

Of the Municipal Council of the District of Niagara; praying that the site of the new District Town may be fixed at the village of Port Robinson, in the Township of Thorald.

Of the Reverend John M. Rogers and others, Inhabitants of the District of Colborne; praying that the Charter of the University of King's College, at Toronto, may be so amended, as to give to all classes of Her Majesty's subjects full and equal benefits from the said Institution.

Of John DeCaw and others, Inhabitants of the County of Haldimand; praying for the erection of the said County into a separate District.

Mr. Williams from the Select Committee appointed to draw up reasons to be offered to the Legislative Council at a conference for disagreeing to the amendments made by their Honors to the Bill intituled, "An Act to enable Religious Societies of all denominations of Christians (in that part of the Province called Upper Canada) to hold the Lands requisite for certain purposes therein mentioned," reported that the Committee had prepared the said reasons, which said reasons were again read at the Clerk's table, and are as followeth :—

Religious Societies' Lands.

1st. Because the free exercise of conscientious scruples in matters of religious opinion, ought not to subject the persons or Denominational Bodies, exercising the same to any civil disqualification, or disability of their natural and inherent rights.

2nd. Because it would have a tendency to maintain and perpetuate an unjust and invidious distinction, to deny to any body of professing Christians in that part of the Province called Upper Canada, the same rights, privileges, and immunities, that similar Bodies enjoy in that part of the Province called Lower Canada.

And lastly, because the said Amendments expressly abridge and restrict the rights and powers of those Denominations of Christians recognized by the Statutes of Upper Canada, although it appears, the intent is apparently to extend and enlarge the same.

Report on Petition of Billa Flint.

Mr. Taché from the Special Committee, to which was referred the Petition of *Billa Flint* and others, Inhabitants of the District of *Johnstown*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee after having carefully examined the said Petition, and the arguments therein contained, have come to the conclusion that the prayer of the Petitioners should not be granted for the following reasons:—

Because in all civilised countries, the Science of Medicine is only intrusted in practice to those who having first received a liberal education, are obliged to go through certain prescribed studies, follow courses of Lectures, and undergo a severe examination, by which means all necessary precautions are taken to prevent the life and health of mankind from being exposed to the inexperience of the unskilful and uneducated:—

Because under the name of "Simples and roots of our woods" are comprised at the same time the most energetic remedies and the most noxious substances, the vegetable Kingdom affording to the man of Science the most efficacious Agents, according to their good or bad applications:

Because it is as necessary to make a particular study of the substances furnished by the vegetable kingdom, with reference to their application to disease, as it is of mineral and pharmaceutic substances, and other preparations:

Because lastly the study of *Materia Medica* itself, can be of no avail in the cure of diseases, if he who wishes to make use of it is not previously initiated in the Secrets of the organization of the human frame, of its functions in the state of health, and the changes which it experiences when in a diseased state.

Your Committee would therefore strongly urge the necessity of refusing the prayer of the said Petitioners."

Report on Limits and divisions of City of Toronto, &c.

The Honourable Mr. Attorney General *Baldwin*, from the Select Committee, appointed to enquire into the present limits and divisions of the City of *Toronto*, and the different towns and villages having police regulations in *Upper Canada*; and into the expediency of altering them or any of them, to report from time to time as to the limits and divisions which it may, in their opinion, be expedient to establish for the said City, and the said Towns and Villages respectively, or for any of them, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee beg leave most respectfully to report that they have inquired into the subject referred to them, and have prepared descriptions of the Boundaries, which in their opinion it is the most expedient to establish for the City, Towns, and Villages, included in the reference; and also of the divisions into Wards which in their opinion will be most convenient for the City of *Toronto*, and the Towns of *Kingston* and *Hamilton* respectively.

In most instances the Committee have come to the conclusion that no alteration need be made in the Boundaries referred to them; in some however, they have felt it to be their duty to recommend alterations, and they have arranged the names of the places referred to in three Schedules marked respectively, A. B. and C. corresponding with the three Schedules appended to the Bill now pending before your Honourable House, intituled, "An Act to provide for the incorporation of Townships, Towns, Counties, and Cities, in *Upper Canada*, in which Schedule will be found the descriptions and divisions which they respectfully recommend to be established for those places respectively.

#### SCHEDULE A.

##### Towns not divided into Wards.

Report on Limits and divisions of City of Toronto, &c.

1. *Niagara*, comprising all that part of this Province situate in the County of *Lincoln*, and lying within the following limits, that is to say:—Commencing at *Mississauga Point*, thence westerly along *Lake Ontario* to *Crookston*:—thence along the rear or Town line of *Niagara* to the *Black Swamp road*:—thence along the Eastern limit of the lands of the late *Thomas Butler*, Esquire deceased, and the lands of *Garret Slingerland*, to the North-West angle of the lands of *John Eccleston*:—thence Easterly to where the lands formerly owned by the Honourable *William Dickson*, and the late *Martin McLennan*, deceased, come in contact:—thence East along the Northern Boundary of the lands of the said *Martin McLennan*, deceased, to the *River Niagara*:—thence Northerly down the said *Niagara* river to the place of beginning.

2. *Brockville*, comprising all that part of this Province situate in the County of *Leeds*, and composed of the front halves of lots numbers ten, eleven, twelve, and thirteen, in the first concession of the Township of *Elizabethtown*, in the County of *Leeds* aforesaid, together with *Block House Island*, and the waters of the *St. Lawrence* to the distance of thirty rods from the shore in front of the Town.

3. *Cornwall*, comprising all that part of this Province situate in the County of *Stormont* and lying within the following limits, that is to say:—commencing at the foot of *Cumberland Street* at the water's edge of the *River St. Lawrence*, and following the line which divides the said street of lot number twelve of the first concession of the Township of *Cornwall*, North sixteen degrees West, ninety chains more or less to the limit between Ninth Street of the said Town and the *Globe lot*:—thence following the said limit East sixteen degrees North, eighty chains more or less, to the limit between *Marlborough Street*, and lot number seven in the first concession in the said Township of *Cornwall*:—thence following the said limit South sixteen degrees East, eighty two chains more or less to the limit between the Town plot of *Cornwall* and *Petite Pointe Maligne* or *Pot ash Point*:—thence following the said limit West sixteen degrees South, twenty seven chains, to the Western side limit of *Amelia Street*:—thence following the direction of the said Street South sixteen degrees East, twelve chains more or less to the water's edge of the *River St. Lawrence*, and thence following the said water's edge upwards to the place of beginning.

4. *Port Hope*, comprising all that part of this Province, situate in the County of *Durham*, and lying within the following limits, that is to say: Lots numbers four, five, six, seven, and eight, in the first Concession of the Township of *Hope*, and the broken fronts of the said lots.

5. *Prescott*, comprising all that part of this Province situate in the County of *Grenville*, and lying within the following limits, that is to say: commencing at the South East corner of lot number one in the first concession of the Township of *Augusta*:—thence running North twenty four degrees West, one mile:—thence South sixty six degrees West to the Boundary line which divides the East from the West half of lot number five in the first concession of the aforesaid Township of *Augusta*:—thence South twenty four degrees East to the *River St. Lawrence*:—thence along the water's edge to the place of beginning, including the harbour in front of the said Town of *Prescott*.

6. *Belleville*, comprising all that part of this Province situate in the County of *Hastings*, and lying within the following limits, that is to say:—commencing at the limits between lots numbers five and six, in the first concession of the Township of *Thurlow*.

Report on limits and divisions of City of Toronto, &c. &c.

so as a line at right angles, with a boundary line between the said lots numbers twenty five and twenty six, will run on the Northerly side of *Wonnocott's bridge*; thence South seventy four degrees West to the limits between lots numbers two and three; thence South sixteen degrees East to the Bay of *Quinté*; thence Easterly following the winding of the Bay to the limit between lots numbers five and six aforesaid; thence North sixteen degrees West to the place of beginning; together with the Island opposite *Mr. Balhain's wharf*, and the wharf.

7. *Cobourg*, comprising all that part of this Province situate in the County of *Northumberland*, and lying within the following limits, that is to say: commencing on *Lake Ontario* at the water's edge, at the South East angle of lot number fourteen, in concession B. of the Township of *Hamilton*; thence North sixteen degrees West to the centre of the first concession; thence South seventy four degrees West to the centre of lot number twenty one in the said concession; thence South sixteen degrees East to the said Lake; thence along the water's edge to the place of beginning, together with the harbour and piers in front of the said Town.

8. *Pictou*, comprising all that part of the Province situate in the County of *Prince Edward*, and lying within the following limits, that is to say: commencing on the side line on the South side of lot letter A. fifty chains from the front; thence at a right angle across lot letter A. and lot number one in the first concession, North of the carrying place in the Township of *Hallowell*; thence in a South-Easterly direction along the side line between lots numbers one and two, twenty five chains; thence at a right angle across the said lot number two and lots numbers three and four; thence on the side line between the said lot number four and lot number five to the water's edge; thence across the Bay to the line between lots numbers seventeen and eighteen, in the concession South-East of the carrying place; thence along the water's edge to the limits between lots numbers nineteen and twenty in the said concession; thence along the line between the said lots numbers nineteen and twenty, fifty five chains; thence at right angles across lots numbers twenty, twenty one, and twenty two, in the last mentioned concession; thence along the line of the South-West side of the said lot number twenty two to the front of the lot; thence along the line on the East side of lot number twenty four in the third concession of the Military tract in a Southerly direction twenty five chains; thence at a right angle across the said lot number twenty four and lots numbers twenty three and twenty two; thence along the westerly side of the said lot number twenty two to lot letter A. including the harbour in the above mentioned boundaries.

9. *London*, comprising all that part of the Province situate in the County of *Middlesex*, and lying within the following limits, that is to say; commencing where *Adelaide street* intersects the River *Thames*; thence along the Eastern side of the said street North-westerly until it intersects *Huron street*; thence along the northern side of *Huron street* to the north branch of the said river; thence down the middle of the said branch to the allowance for road on the proof line; thence along the Western side of the same, Southerly to the river *Thames*; thence across the said River to *Wharnclyffe Highway*; thence along the Western side of the said highway Southerly, to the limits between lots numbers two and three west of the same; thence in the direction of the said limit, and the limit between lots numbers two and three West of *Wortley road*, and the limit between lots, numbers four and five East thereof, Easterly to the rear lines of the lot East of *Wortley road*; thence along the said rear line Southerly, to the limit between the North and South parts of lot number twenty five, in concession B. of the Town-

ship of *Westminster*; thence along the said limit Easterly, to the east side of the allowance for road between lots, numbers twenty four and twenty five in the said concession; thence along the Eastern side of the said allowance for road, northerly, to the river *Thames*, thence up the middle of the said river to the place of beginning.

#### SCHEDULE B.

##### Towns divided into Wards.

1. *Kingston*, to consist of all that part of this Province, situate in the County of *Frontenac*, and lying within the following limits, that is to say; commencing at a point of five hundred feet in the direction of the Westerly side line of the road running from the front through or near the centre of lot number twenty, in the first concession of the Township of *Kingston*, in the said County of *Frontenac*; thence in a direct line to the said Westerly side of the said road, and along the said side to the North-side of *Union Street*; thence East to the centre of the said lot, number twenty; thence north along the said centre, to the front of the second concession of the said Township; thence on the Northerly side of the concession road, to the South-easterly angle of lot number twenty four in the said second concession; thence North on the westerly side of the road to a point directly opposite the Boundary line, dividing lots number two and three on the West side of the Great River *Cataragui*; thence along the said division line, to the water's edge on the Easterly side of the Great River *Cataragui*, and along the water's edge at low water mark, to the extreme South-westerly point of *Point Frederick*, in the Township of *Pittsburgh*; thence Southerly, parallel to the Westerly Boundary line of the said Town, as hereinbefore set forth, to the distance of five hundred feet from the said South-westerly point of *Point Frederick*; thence Westerly, in a right line to the place of beginning; and divided into five Wards, to be called respectively, *Parliament Ward*, *Ontario Ward*, *St. Lawrence Ward*, *Cataragui Ward*, and *Frontenac Ward*.

The said *Parliament Ward*, comprising all that part of the said Town lying within the following limits, that is to say; Westward and Southward of a line drawn from the foot of *Gore Street* through the said street to *Bayot Street*; thence in a direct line to the continuation of *Union Street* or lot number twenty four; thence through the said street to the Western Boundary line of the Town.

The said *Ontario Ward* comprising all that part of the said Town lying within the following limits, that is to say: Between the said Boundary Line of *Parliament Ward*, and a line extending from the foot of *Johnston Street* through the said Street and its continuation to the Westerly Boundary of the said Lot number twenty four; thence in a line with the said continuation to the Boundary Line of the Town.

The said *Saint Lawrence Ward* comprising all that part of the said Town lying within the following limits, that is to say: Between the said Northerly line of *Ontario Ward* and a line extending from the foot of *Princess Street* through the said Street and its continuation to the Boundary Line of the Town.

The said *Cataragui Ward* comprising all that part of the said Town, lying within the following limits, that is to say: Northward and Eastward of a line extending from the foot of *Princess Street* to *Sydenham Street*; thence through *Sydenham Street* to *North Street*, thence to the North Easterly corner of the Church of *Scotland* burying ground, thence in a direct line to *Patrick Street*, as laid out by *William H. Kilborn*, Deputy Provincial Surveyor; thence through the said Street, and in a direct line therewith to the Northerly Boundary Line of the Town.

Report on limits and divisions of City of Toronto, &c. &c.

Report on limits and divisions of City of Toronto, &c. &c.

The said *Frontenac* Ward comprising all that part of the said Town lying within the following limits, that is to say:—Westward of that part of the line of *Cataraqui* Ward, which extends through *Sydenham* Street to the Town limits, and Northward of a line running from the intersection of *Sydenham* and *Princess* Streets up the latter Street, and its continuation to the Boundary Line of the Town.

2. *Hamilton*, comprising all that part of this Province situate in the County of *Wentworth*, and lying within the following limits, that is to say:—Commencing at the North East corner of lot number thirteen, in the first Concession of the Township of *Barton*, at the water's edge of *Burlington Bay*, thence along the shore of the said Bay Westward and Northward to the marsh; thence along the edge of the said marsh in its windings in a Westward and South Westward course or courses at the foot of *Burlington Heights* to where the said marsh leaves the foot of the said Heights; thence following the foot of the said Heights Southward to the intersection of the Macadamized road from *Hamilton* to *Dundas*; thence along the said road Easterly until it intersects the allowance for road between lots numbers sixteen and seventeen; thence following the last mentioned road allowance South Westward to the road allowance in the rear of the third Concession; thence along the said last mentioned road allowance Easterly to the road allowance between lots numbers thirteen and twelve; thence along the said last mentioned road allowance North Easterly to *Burlington Bay* and to the place of beginning; including the whole of the aforesaid allowance for roads, and the harbour in front of the said Town, and shall be divided into five Wards, in the following manner, that is to say:—all that part of the present Town of *Hamilton* lying West of *John* or *Mountain* Street and South of *King* Street, shall comprise the first Ward, to be called *St. Andrew's* Ward.

All that part of the Town lying West of *John* Street, and North of *King* Street, shall comprise the second Ward, to be called *St. George's* Ward.

All that part of the Town East of *John* Street and North of *King* Street, shall comprise the third Ward, to be called *St. David's* Ward.

All that part of the Town lying East of *John* or *Mountain* Street and South of *King* Street shall comprise the fourth Ward, to be called *St. Patrick's* Ward.

And all that part of the Town which did not comprise part of the said Town before the passing of this Act, shall comprise the fifth Ward, to be called *St. Mary's* Ward.

#### SCHEDULE C.

##### City.

*Toronto*, to consist of all that part of this Province situate within the County of *York* and lying within the following limits: that is to say:—Commencing at the distance of one chain, on a course South, sixteen degrees East, from the South Westwardly corner of lot number two, in the first Concession from the Bay in the Township of *York*, in the County of *York*; thence Southward, in the direction of the said line between lot numbers two and three in that Concession to the distance of five hundred feet from the point at which the said line intersects the margin of the water on *Lake Ontario*; thence Westwardly through the waters of *Lake Ontario*, following the direction of the curvatures of the shore, and keeping always at the distance of five hundred feet from the margin of the water, till the point is attained, which is five hundred feet from the North-westmost point of the Island or Peninsula forming the Harbour; thence crossing the Bay or Har-

bour of *York* to a point where a line drawn Southwardly from the North Easterly corner of *Park* lot number twenty in the said Township of *York*, in the direction of the Easterly Boundary line of the said *Park* lot intersects the margin of the water on the shore of the *Lake Ontario*; thence Northwardly in the direction of the line so drawn from the corner of the said *Park* lot, through the said corner to the point at which the line so drawn through the said corner intersects the Northernly Boundary line of the allowance for road between the *Park* lots and the second Concession of the Bay in the said Township of *York*; thence Easterly along the Northernly Boundary line of the said allowance for road, to the Easterly shore or waters' edge of the *River Don*; thence Southwardly along the waters' edge on the Eastern side of the said *River* to the point where the said waters' edge intersects the Southernly Boundary line of the allowance for road in front of the said first Concession; thence Easterly along the Southernly Boundary line of the allowance for road in part of the said first Concession to the place of beginning; and divided into eight wards to be called, respectively—the ward of *St. Lawrence*, the ward of *St. James*, the ward of *St. David*, the ward of *St. George*, the ward of *St. Andrew*, the ward of *St. John*, the ward of *St. Patrick*, and the ward of *St. Paul*.

The said ward of *St. Lawrence* comprising all that part of the said City lying within the following limits, that is to say:—Between the Northernly Boundary line of *King* Street, the Westwardly Boundary line of *Berkley* Street, the Westwardly Boundary line of *Yonge* Street, and the Southernly Boundary line of the said City.

The said ward of *St. James* comprising all that part of the said City, lying between the following limits, that is to say:—Between the Northernly Boundary line of *King* Street, the Westwardly Boundary line of *Berkley* Street, the Westwardly Boundary line of *Church* Street, and the Northernly Boundary line of the said City.

The said ward of *St. David*, comprising all that part of the said City, lying between the following limits, that is to say:—Between the Northernly Boundary line of *King* Street, the Westwardly Boundary line of *Church* Street, the Westwardly Boundary line of *Yonge* Street, and the Northernly Boundary line of the said City.

The said ward of *St. George*, comprising all that part of the said City, lying within the following limits, that is to say:—Between the Northernly Boundary line of *King* Street, the Westwardly Boundary line of *Yonge* Street, and the Westwardly and Southernly Boundary lines of the said City.

The said ward of *St. Andrew*, comprising all that part of the said City, lying within the following limits, that is to say:—Between the Northernly Boundary line of *King* Street, the Northernly Boundary line of *Lot* Street, the Westwardly Boundary line of *Yonge* Street, and the Westwardly Boundary line of the said City.

The said ward of *St. John*, comprising all that part of the said City, lying within the following limits, that is to say:—Between the Northernly Boundary line of *Lot* Street, the Westwardly Boundary line of *Yonge* Street, the Westwardly Boundary line of the *College Avenue* to the West of *Osgoode* Hall, and the Northernly Boundary line of the said City.

The said ward of *St. Patrick*, comprising all that part of the said City, lying between the following limits, that is to say:—Between the Northernly Boundary line of *Lot* Street, the Westwardly Boundary line of the *College Avenue* West of *Osgoode* Hall, and the Westwardly and Northernly Boundary lines of the said City.

And the said ward of *St. Paul*, comprising all that part of the said City, lying between the follow-

Report on limits and divisions of City of Toronto, &c. &c.



Report on limits and divisions of City of Toronto, &c. &c.

ing limits, that is to say:—Between the Westery Boundary line of *Berkley Street* and a line continued in the same direction Northerly to the Northerly Boundary line of the said City, and the Northerly, Easterly, and Southerly, Boundary lines of the said City.

Report on Petition of George Rykert and others.

Mr. *Thorburn* from the Special Committee to which was referred the Petition of *George Rykert* and others, late Boundary Line Commissioners for the *Niagara District*, and the Petition of *William Ketchison, Junior*, and others, late Boundary Line Commissioners for the District of *Victoria*, and other References, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee are of opinion that an Act should be passed giving relief to the Petitioners in the following cases, that is to say: when judgment have been given by the Boundary Line Commissioners and no appeal therefrom before the expiration of the Statute 1st *Vict. cap. 19*; and also in cases where appeals have been made to the Court of Queen's Bench or Court of Chancery, and judgments given thereon.

"Your Committee would recommend as the detail of the Act above suggested, that the late Boundary Line Commissioners do petition the Judge of the District Court, setting forth their decision, together with the costs and expenses incurred, and the apportionment thereof—and the several parties interested, to be duly notified in writing of such application at least eight days previous—and the Judge upon hearing the parties interested and their witnesses, on oath, if required, or if no defence be made by any of the said parties, to order and direct that execution do issue against goods and chattels, and levy from each of the parties by whom such sums are due, the several amounts respectively, together with or without the costs of such application, as to such Judge may seem just and equitable."

On motion of Mr. *Cartwright*, seconded by Mr. *Henry Smith*.

J. A. P. Barbier.

*Resolved*, That the Documents, Evidence, and Proofs, upon which is founded the Bill, intituled "An Act to naturalize *Jacques Adrien Pierre Barbier*, and *Euphrasie Barbier*, his wife," be communicated by Message to the Legislative Council.

*Ordered*, That Mr. *Cartwright* do carry the said Message to the Legislative Council.

*Ordered*, That Mr. *Christie* have leave to bring in a Bill to repeal certain Acts and Ordinances therein mentioned, and to make better provision for the Administration of Justice in *Lower Canada*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

*Ordered*, That the said Bill be now read a second time.

The said Bill was accordingly read a second time.

Mr. *Christie* moved, seconded by Mr. *Dr. Witt*, That the said Bill be now committed to a Committee of the whole House.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Bossell* 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.

Mr. *Hale* moved, seconded by Mr. *Christie*, that this House do now resolve itself into a Committee of the whole House, to consider the expediency of further continuing an Act past during the present Session, to impose duties on Agricultural Products imported into this Province.

Duties on Agricultural Products.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

#### YEAS.

MESSIEURS ARMSTRONG, AYLWIN, BALDWIN, BERTHELLOT, BOSWELL, BOULTON, BOUTILLIER, BEAUDIN, CAMERON, CARTWRIGHT, CHABOT, CHESLEY, CHILD, CHRISTIE, CRAIG, DALY, DERBISHIRE, DE WITT, DUNN, DURAND, FOSTER, GILCHRIST, HALE, HARRISON, HINCKS, HOLMES, HOPKINS, JONES, LAFONTAINE, SIR ALLAN N. MACNAB, D. McDONALD, J. S. MACDONALD, MCLEAN, MERRITT, MOORE, MORIN, MORRIS, MURNEY, NOEL, PAPINEAU, PARKE, PRICE, PRINCE, QUENNEL, ROBLIN, SMALL, HENRY SMITH, HARMANNUS SMITH, GEORGE SHERWOOD, STEELE, STEWART, TACHE, THOMPSON, THORBURN, TURCOTTE, WAKEFIELD, WILLIAMS, and WOODS. —(58.)

#### NAYS.

MESSIEURS BARTHE, BLACK, FORBES, HAMILTON, JOHN, LACOSTE, LESLIE, NELSON, SIMPSON, D. B. VIGER, and L. M. VIGER.—(11.)

So it was carried in the affirmative.

The House accordingly resolved itself into the said Committee.

Mr. *Barthe* took the Chair of the said Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Barthe* reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received tomorrow.

A Message from the Legislative Council by *John Feunings Taylor*, Esquire, one of the Masters in Chancery.

Message from Leg. Council.

Mr. Speaker,

The Legislative Council have passed a Bill, intituled, "An Act for the better securing the Independence of the Legislative Council of this Province," to which they desire the concurrence of the Legislative Assembly.

Independence Leg. Council.

And then he withdrew.

An engrossed Bill from the Legislative Council, intituled, "An Act for the better securing the Independence of the Legislative Council of this Province" was read for the first time.

On Motion of Mr. *Morris*, seconded by Mr. *Merrill*,

*Resolved*, That the Documents, Evidence and Proofs, upon which is founded the Bill, intituled, "An Act to naturalize *Cyprian Morgan* and others," be communicated by Message to the Legislative Council.

Cyprian Morgan.

*Ordered*, That Mr. *Morris* do carry the said Message to the Legislative Council,

*Resolved*, That an humble address be presented to His Excellency, the Governor General, praying

Resignation of Ex. Council.

Resignation of  
Executive  
Council.

that His Excellency will be pleased to cause to be laid before this House, copies of all communications that have passed between His Excellency and those Members of the late Executive Council, who have tendered him their resignations, on the subject of those resignations.  
*Ordered.* That *Sir Allan N. MacNab*, *Mr. Murray*, *Mr. Forbes*, and *Mr. Boswell*, do present the said address to His Excellency, the Governor General.

Abolition of  
Imprisonment  
for Debt.

*Mr. Roblin* from the Committee of the whole House on the Bill to abolish imprisonment on Execution for debt, and for the punishment of fraudulent Debtors, reported, according to order, the amendments made by the Committee to the said Bill, 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.

Niagara Bank.

*Mr. Thorburn* from the Committee of the whole House on the Bill, to amend the Act incorporating the Bank of the *Niagara* District, by providing for the extension of the time limited for the paying up of the Stock of the said Bank, with an Instruction to take into consideration the expediency of repealing the clause requiring security to double the amount of the Stock paid in, reported, according to order, the amendments made by the Committee to the said Bill; 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.

Registration  
Lower Canada

*Mr. Forbes* from the Committee of the whole House on the Bill, to amend the Ordinance providing for the Registration of Titles to Real Property or Incumbrances thereon, in *Lower Canada*, and further to extend the time allowed by the said Ordinance for the Registration of certain claims, reported, according to order, the amendments made by the Committee to the said Bill; 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.

Niagara Mar-  
ket.

The Order of the day for the second reading of the Bill, for vesting the Market Block in the Town of *Niagara* in the Council of the said Town, and for other purposes, being read,

The said Bill was accordingly read, and ordered to be engrossed.

Justice  
Farm.

The Order of the Day for the second reading of the Bill, to authorize the Court of Wardens for the County of *York*, or the Mayor, Aldermen, and Commonality of the City of *Toronto*, to purchase an Industrial Farm in the neighborhood thereof, and for other purposes relating thereto, being read,

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

Powers to  
Seigniors of  
certain Fiefs.

The Order of the Day for the second reading of the Bill, to empower the Seigniors of the Fiefs, *Nazareth*, *St. Augustin*, and *St. Joseph*, in the City and County of *Montreal*, to commute the Tenure of the Lands now held *en censive* in the said Fiefs respectively, being read,

The said Bill was accordingly read, and ordered to be engrossed.

To facilitate  
proof of laws.

The Order of the Day for the House in Committee on the Bill, to facilitate the proof of the Laws of *Upper* and *Lower Canada*, and to declare Protests of Notaries Public Evidence in certain cases in *Upper Canada*, being read,

The House accordingly resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair,

And *Mr. Hale* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered.* That the Report be received tomorrow.

The Order of the Day for the House in Committee on the Bill, to give further powers to the *North American Colonial Association of Ireland*, being read,

N. A. Colonial  
Association of  
Ireland.

*Resolved.* That this House will, on Friday next, resolve itself into the said Committee.

The Order of the Day for the House in Committee on the Bill for incorporating and granting certain powers to the *Upper Canada Trust and Loan Company*, being read,

U. C. Trust &  
Loan Comp'y.

*Resolved.* That this House will, on Friday next, resolve itself into the said Committee.

The Order of the Day for the House in Committee on the Bill, to incorporate the Church Society of the Diocese of *Quebec*, being read,

Church Society

The House accordingly resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair.

And *Mr. Thorburn* reported that the Committee had gone through the Bill, without making any amendment thereto; and the Report was again read at the Clerk's table.

*Ordered.* That the said Bill be engrossed.

The Order of the Day for the House in Committee on the Bill, to detach *Isle Bizarre* from the County of *Two Mountains*, and to annex it to the County of *Montreal*, being read,

Isle Bizarre.

The House accordingly resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair,

And *Mr. Stewart* reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

*Ordered.* That the said Bill, as amended, be engrossed.

The Order of the day for taking into consideration the fourth amendment made by the Legislative Council to the Bill, intitled "An Act to amend the Law relative to the Administration of Justice in *Lower Canada*," being read,

Administra-  
tion of Justice,  
Lower Canada.

*Ordered.* That the said order of the day be postponed to this day three months.

The Order of the day for the House in Committee on the fourth Report of the Standing Committee of Contingencies, being read,

Contingencies.

The House accordingly resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair,

And *Mr. Leslie* reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered.* That the Report be received tomorrow.

Then on motion of *Mr. DeWitt*, seconded by *Mr. Thorburn*,

The House adjourned.

Jovis, 30° die Novembris.

Anno 7° Victoriae Reginae, 1843.

Two Petitions brought up.

THE following Petitions were severally brought up, and laid on the Table:—

By Mr. Cameron—The Petition of *James Hodgins* and others, Inhabitants of the Township of *Bidulph*, in the District of *Huron*; and the Petition of *George McLeod* and others, Inhabitants of the Township of *Stephen*, in the District of *Huron*.

Administration of Justice, L. Canada.

An engrossed Bill, to repeal certain Acts and Ordinances therein mentioned, and to make better provision for the administration of Justice in *Lower Canada*, was read for the third time.

Resolved, That the Bill do pass,

Ordered, That Mr. *Christie* do carry the said Bill to the Legislative Council, and desire their concurrence.

Registration L. Canada.

An engrossed Bill, to amend the Ordinance, providing for the registration of Titles, to Real Property or Incumbrances thereon in *Lower Canada*, and further to extend the time allowed by the said Ordinance for the Registration of certain claims, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. *Jones* do carry the said Bill to the Legislative Council, and desire their concurrence.

Abolition of Imprisonment for debt.

An engrossed Bill, to abolish imprisonment in Execution for Debt, and for the punishment of fraudulent Debtors, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to abolish imprisonment in Execution for debt, and for other purposes therein mentioned."

Ordered, That the Honourable Mr. *Boulton*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Market, Niagara.

An Engrossed Bill for vesting the Market Block in the Town of *Niagara*, in the Council of the said Town, and for other purposes, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. *Boulton* do carry the said Bill to the Legislative Council, and desire their concurrence.

Isle Bizarre.

An Engrossed Bill to detach *Isle Bizarre* from the County of the *Two Mountains*, and to annex it to the County of *Montreal*, was read for the third time.

Resolved, That the Bill do pass, and the Title be "An Act to detach *Isle Bizarre* from the Registration District of the *Lake of the Two Mountains*, and to annex it to the Island and County of *Montreal*, for the purposes of Registration."

Ordered, That Mr. *Jobin* do carry the said Bill to the Legislative Council, and desire their concurrence.

Church Society Quebec.

An Engrossed Bill to incorporate the Church Society of the Diocese of *Quebec*, was read for the third time.

Resolved, That the Bill do pass, and the Title be "An Act to incorporate the Church Societies of the United Church of *England* and *Ireland*, in the Dioceses of *Quebec* and *Toronto*."

Ordered, That Mr. *Hale* do carry the said Bill to the Legislative Council, and desire their concurrence.

Seigniors of certain Fiefs.

An Engrossed Bill to empower the Seigniors of the Fiefs *Nazareth*, *St. Augustin*, and *St. Joseph*, in the City and County of *Montreal*, to commute the

tenure of the Lands now held *en censive* in the said Fiefs respectively, being read,

Ordered, That the Proviso at the end of the said Bill be struck out.

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

The said Engrossed Bill, as amended, was then read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *De Witt* do carry the said Bill to the Legislative Council, and desire their concurrence.

Seigniors of certain Fiefs.

An Engrossed Bill to amend the Act incorporating the Bank of the *Niagara* District, by providing for the extension of the time limited for the paying up of the Stock of the said Bank, being read,

Ordered, That the words "and exclusive thereof," in the forty-sixth line of the first Press, be struck out.

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

The said Engrossed Bill, as amended, was then read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Merritt* do carry the said Bill to the Legislative Council, and desire their concurrence.

Niagara Bank.

Sir *Allan N. MacNab*, accompanied by the other Messengers, reported to the House that their Address of yesterday to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all communications that have passed between His Excellency and those Members of the late Executive Council, who have tendered him their resignations, on the subject of those resignations, had been presented to His Excellency, and that he was pleased to say, he will send an answer by Message.

Resignation of Ex. Council.

Pursuant to the Order of the Day, the following Petitions were read:—

Petitions read.

Of the Board of Trade of the City of *Toronto*; praying for the passing of an Insolvent Debtor's Act.

Of *Robert Fleming Gourlay*; praying for the redress of certain personal grievances.

Ordered, That the Petition of the Reverend *H. Esson* and others, the Committee of the management of the Temporalities of *St. Gabriel* Street Church, *Montreal*, presented to the House on the twenty-seventh instant, be referred to the Special Committee to which was referred the Bill to provide for the management of the Presbyterian Church of *Canada* in connexion with the Church of *Scotland*, and other References.

Petitions referred. Rev. H. Esson, and others.

Ordered, That the Petition of the Municipal Council of the District of *Niagara*, praying that the site of the District Town be placed at the village of *Port Robinson*, be referred to the Select Committee to which was referred the Petition of *John Harris* and others, inhabitants of *Grimsby*, and other Townships, in the District of *Niagara*, and other References.

Municipal Council Niagara.

Ordered, That the said Committee have leave to report by Bill or otherwise.

Resolved, That the Petition of *Robert Fleming Gourlay*, be referred to a Special Committee, composed of Mr. *Wakefield*, the Honourable Mr. *Neilson*, the Honourable Mr. *Morin*, Mr. *Simpson*, Mr. *Prince*, Mr. *Thorburn*, and Mr. *Dunlop*, to examine the contents thereof, and

R. F. Gourlay.

Petitions referred.

to report thereon with all convenient speed, with power to send for persons, papers, and records.

John DeCow and others

*Ordered*, That the Petition of *John DeCow* and others, Inhabitants of the County of *Haldimand*, presented to the House on the twenty seventh instant, be referred to the Select Committee, to which was referred the Petition of *John Harris* and others, Inhabitants of *Grimsby* and other Townships, in the District of *Niagara* and other References.

Board of Trade Toronto.

*Ordered*, That the Petition of the Board of Trade of the City of *Toronto*, relating to Insolvent Debtors, be referred to the Select Committee to which was referred the engrossed Bill from the Legislative Council, intituled, "An Act to repeal an Ordinance of *Lower Canada*, intituled, 'An Ordinance concerning Bankrupts and the administration and distribution of their Estates and Effects,' and to make provision for the same object throughout the Province of *Canada*."

Mr. Killaly vacates his Seat,

The Honourable *Hamilton Hartly Killaly*, rose in his place, and informed Mr. Speaker and the House, that it was his intention to vacate his Seat as a Member of this House, for the town of *London*, and that in consequence of the Provisions of the Act of the 4th and 5th *Victoria* Cap. 4, he now vacated his Seat accordingly.

Study of Anatomy.

Mr. *Simpson* from the Special Committee to which was referred the Bill, to regulate and facilitate the Study of Anatomy, 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.

*Resolved*, That the said Bill and Report be committed to a Committee of the whole House, tomorrow.

Lower Canada Elections.

*Ordered*, That the Special Committee appointed to investigate and report on the outrages alleged to have been committed at the General Election, in the Counties of *Terrebonne*, *Montreal*, *Vaudreuil*, *Beauharnois*, *Chambly*, and *Rouville*, have power to report from time to time.

The Honourable Mr. *Neilson* from the Special Committee appointed to investigate and report on the outrages alleged to have been committed at the General Election, in the Counties of *Terrebonne*, *Montreal*, *Vaudreuil*, *Beauharnois*, *Chambly*, and *Rouville*, with power to report from time to time, presented to the House the first Report of the said Committee, which was again read at the Clerk's table.

(For the said Report see Appendix JJ.)

*Ordered*, That the said Report and the evidence accompanying the same, be printed for the use of the Members of this House.

*Resolved*, That in the event of a prorogation of the present Session of the Legislature, before the aforesaid investigation can be brought to a close, and the House has pronounced its decision thereon, this House will continue the investigation and decide thereon at the next ensuing Session, in such manner as may be consistent with the facts, its privileges, the freedom of Election, and the rights and liberties of British subjects, as declared and established by the fundamental Laws of the Monarchy.

Registry Laws, Upper Canada.

Mr. *Prince* from the Select Committee to which was referred the Bill, to alter and amend the Registry Laws of that part of this Province which was formerly *Upper Canada*, 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.

*Resolved*, That the said Bill and Report be committed to a Committee of the whole House, tomorrow.

*Ordered*, That Mr. *Thorburn* have leave to bring in a Bill, to afford to persons having been Boundary Line Commissioners, a more easy and less expensive mode of recovering costs still due on Judgments by them rendered in that capacity.

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 Monday next.

On motion of Mr. *Williams*, seconded by the Honourable Mr. *Boulton*,

*Ordered*, That the question of concurrence be now separately put upon each of the Reasons prepared and reported by the Select Committee, appointed to draw up the said Reasons to be offered to the Legislative Council, at a Conference, for disagreeing to the amendments made by their Honours to the Bill, intituled "An Act to enable Religious Societies of all Denominations of Christians (in that part of the Province called *Upper Canada*,) to hold the lands requisite for certain purposes therein mentioned."

The said Reasons being severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

On motion of Mr. *Hamilton*, seconded by Mr. *George Sherwood*,

*Ordered*, That the engrossed Bill from the Legislative Council, intituled "An Act for the better securing the Independence of the Legislative Council of this Province," be read a second time tomorrow.

Mr. *Hale* from the Committee of the whole House on the Bill, to facilitate the proof of the Laws of *Upper* and *Lower Canada*, and to declare Protest of Notaries Public, Evidence in certain cases in *Upper Canada*, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table.

*Ordered*, That the question of concurrence be now separately put upon each of the said amendments.

And the said amendments being again severally read, and the question of concurrence being separately put upon each, they were unanimously disagreed to by the House.

*Ordered*, That the said Bill be engrossed.

Mr. *Barthe* from the Committee of the whole House to consider the expediency of further continuing an Act, passed during the present Session to impose Duties on Agricultural Products imported into this Province, 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 continue further for a limited time, a certain Act passed during the present Session, intituled "An Act to impose Duties on Agricultural Products and Live Stock imported into this Province."

*Ordered*, That Mr. *Hale* have leave to bring in a Bill, to continue further for a limited time, a certain Act passed during the present Session, intituled, "An Act to impose Duties on Agricultural Products and Live Stock imported into this Province".

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Boundary Line Commissioners

Religious Societies Lands.

Independence Legislative Council.

To facilitate proof of Lands.

Duties on agricultural Produce.

Ordered, That the said Bill be now read a second time.

The said Bill was accordingly read a second time.

Mr. *Hale* moved, seconded by Mr. *Moore*, that the said Bill be engrossed.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative and,

Ordered, Accordingly.

Contingencies Mr. *Leslie*, from the Committee of the whole House on the fourth Report of the Standing Committee of Contingencies, reported, according to order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and are as followeth:—

1. Resolved, As the opinion of this Committee, that the Order of this House of the eighth September, 1841, authorising the Honourable the Speaker, to direct the Clerk to make advances out of the Contingent Funds on account of expenses incurred in forming Indices to the Journals of the Houses of Assembly, of the late Provinces of *Lower* and *Upper Canada*, be rescinded.
2. Resolved, As the opinion of this Committee, that the said Indices be prosecuted to completion, by *Alfred Todd* and *Alpheus Todd*, and that the same in Manuscript, when completed, be neatly bound and deposited in the Library of this House, for reference, in accordance with the recommendation of the Standing Committee of Contingencies.
3. Resolved, That *Alfred Todd* and *Alpheus Todd* be paid for their past services in preparing the said Indices: at the rate of fifteen shillings, each, per diem, for the days actually employed, up to the opening of the present Session, and that the said *Alfred Todd* be allowed for the future a salary of two hundred pounds per annum, as a Junior Clerk.
4. Resolved, As the opinion of this Committee, that the Assistant Librarian, *Alpheus Todd*, be employed by the Clerk of this House as a Clerk in his office during the Recess, and that his salary be two hundred pounds, per annum, from the commencement of the present Session.
5. Resolved, As the opinion of this Committee, that by the eighty-ninth Rule, the hours of attendance are defined, and that no charges for extra hours be allowed to be made by any person employed by, or who are in attendance on the same, after the present Session.
6. Resolved, As the opinion of this Committee, that the Order of this House which provides that the Extra Writers in the service thereof, be paid at the rate of ten shillings per day of six hours, be rescinded after the present Session, and that they in future be paid the sum of fifteen shillings, per diem, for their services during the Session, and ten shillings, per diem, for any time their services may be required during the recess—and that any temporary Writers occasionally employed be paid at the rate of ten shillings, per diem.
7. Resolved, As the opinion of this Committee, that the maximum allowance to any temporary Clerks shall not, after the present Session, exceed ten shillings per diem; and that no extra Clerk employed by the Clerk of this House, shall at any Session of Parliament be considered as in such employ or receive any allowance, per diem, until he shall have been called upon by the Clerk or by such Officer of the House as the said Clerk shall authorise, to appear and attend to his duty as such extra Clerk.
8. Resolved, As the opinion of this Committee, that two additional Clerks be employed in the Clerk's Office, viz: *Jean Baptiste Moraud* and

*Thaddeus Patrick*, at a Salary of one hundred and fifty pounds, per annum, each, from the close of the present Session.

Contingencies.

9. Resolved, As the opinion of this Committee, that the Clerk of this House do pay all witnesses, summoned before any Committee of this House, five shillings, *per diem*, for every day's attendance, and five shillings for every twenty miles' travel.

Ordered, That the question of concurrence be now separately put upon each of the said Resolutions.

And the first to the eighth of the said Resolutions being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

The Ninth and last of the said Resolutions being again read.

Mr. *Thorburn* moved in amendment, seconded by Mr. *Roblin*, That all the words after "That" in the said Resolution be struck out and the following substituted, "the Clerk of this House be authorised to pay out of the Contingent Fund to Witnesses summoned to attend before any Select Committee of the House, the sum of ten shillings per diem, during their attendance, and a reasonable allowance for travelling expenses, upon any certificate or order of the Chairman of the Committee, before which such witnesses have been summoned."

The question having been put upon the motion of amendment, a division ensued and it was carried in the affirmative.

And the said ninth and last Resolution, as amended, being again read, and the question of concurrence being put thereon, it was agreed to by the House.

The Order of the day for the second reading of the Bill, to authorise the Chartered Banks of this Province to open Books in the United Kingdom, for the transfer of their Stock, being read.

Chartered Banks.

The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. *Morris*, Mr. *Leslie*, Mr. *DeWitt*, Mr. *Merritt*, and Mr. *Crane*, to report thereon with all convenient speed, with power to send for persons, papers, and records.

The Order of the day for the House in Committee on the Bill, to repeal certain Acts therein mentioned, and to make better provision respecting the admission of Land Surveyors and the Survey of Lands in *Upper Canada*, being read.

Survey of Lands, U. C.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Forbes* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received tomorrow.

The Order of the Day for the House in Committee on the Bill, to authorise the Court of Wardens of the County of *York*, or the Mayor, Aldermen, and Commonalty of the City of *Toronto*, to purchase an Industrial Farm in the neighborhood thereof, and for other purposes relating thereto, being read,

Industrial farm

The House accordingly resolved itself into the said Committee.

Mr. *Harmannus Smith* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Harmannus Smith* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received tomorrow.

Message from  
Leg. Council.

A Message from the Legislative Council, by *John Fenwings Taylor*, Esquire, one of the Masters in Chancery.

Mr. Speaker,

The Legislative Council have passed the following Bills, without any amendment:

Private Stock,  
Welland Canal

"An Act to repeal a certain Act therein mentioned, and to make further provision for enabling the Provincial Government to purchase the Stock held by private parties in the *Welland Canal*."

Tay Naviga-  
tion Company.

"An Act to amend the Act incorporating the *Tay Navigation Company*."

Chatham Gore

"An Act to attach the Township of *Chatham Gore*, otherwise called the *Gore of Chatham*, from the County of *Terrebonne*, and to annex it to the County of *Two Mountains*."

Timber Inspec-  
tion.

"An Act to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature."

And also,

General Law.

The Legislative Council have passed a Bill, intituled, "An Act to supply by a General Law certain forms of enactment in certain use, which may render it unnecessary to repeal the same in Acts to be hereafter passed, and for other purposes," to which they desire the concurrence of the Assembly.

And then he withdrew.

An Engrossed Bill from the Legislative Council, intituled, "An Act to supply by a General Law certain forms of enactment in certain use which may render it unnecessary to repeal the same in Acts to be hereafter passed, and for other purposes," was read for the first time.

On motion of the Honourable Mr. *Boulton*, seconded by Mr. *Simpson*,

Ordered, That the said Bill be read a second time tomorrow,

Then on motion of Mr. *De Witt*, seconded by Mr. *Christie*.

The House adjourned.

Veneris, 1<sup>o</sup> die Decembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

Adjournment.

ORDERED, That this House, at its rising, do stand adjourned until tomorrow at ten o'clock A. M.

Two Petitions  
brought up.

The following Petitions were severally brought up, and laid on the Table:—

By Mr. *Foster*—The Petition of *Isaac Helliker*, of the Township of *Bolton*, in the District of *Montreal*.

By Mr. *Morris*—The Petition of the Presbyterian Congregation at *Smith's Falls*.

Duties on agri-  
cultural pro-  
duce.

An engrossed Bill, to continue further for a limited time, a certain Act passed during the present Session, intituled, "An Act to impose duties on Agricultural Produce and Live Stock imported into this Province," was read for the third time.

Mr. *Hale* moved, seconded by Mr. *J. S. Macdonald*, that the Bill do pass and the Title be, "An Act to continue for a limited time the Duties imposed on Agricultural Produce and Live Stock, imported into this Province."

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BOUTILLIER, BEAUBIEN, CAMERON, CHABOT, CHILD, CHRISTIE, DEWITT, DURAND, FOSTER, GILCHRIST, HALE, HINCKS, HOLMES, HOPKINS, JOBIN, JONES, LACOSTE, LAFONTAINE, J. S. McDONALD, MORIN, MORRIS, MURNEY, PAPINEAU, PRICE, QUESNEL, ROBLIN, HENRY SMITH, HARMANNUS SMITH, TACHE, THOMPSON, THORBURN, and WILLIAMS.—(35.)

NAYS.

Messieurs HAMILTON, LESLIE, NEILSON, SIMPSON, D. B. VIGER, and L. M. VIGER.—(6.)

So it was carried in the affirmative, and Resolved, Accordingly.

Ordered, That Mr. *Hale* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill, to facilitate the proof of the Laws of *Upper and Lower Canada*, and to declare Protests of Notaries Public, Evidence in certain cases in *Upper Canada*, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *George Sherwood*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the day, the following Petitions were read:—

Of the Members of the Bar of *Lower Canada* resident in the District of *Quebec*, praying for certain amendments to the Bill of Judicature for *Lower Canada*, now before the House.

Of *John Young*, on behalf of himself and other sufferers, by the fall of the *Cape Rock* at *Quebec*: praying indemnification for the loss sustained by them in consequence of the said accident.

Of *William Kerroott* and others, Inhabitants of the Village of *Caledonia*, and other places in *Canada West*; praying that the Indian Surrender adjoining the said Village, be parcelled into Farm Lots of five or ten acres each.

Of *Charles Smith* and others, Freeholders of the Village of *Dundas*, in the District of *Gore*; praying that the said Village be included in the List of Towns to enjoy the benefits of the Municipal Corporation Bill now before the Legislature.

*Rauson W. Rauson*, Esquire, Chief Secretary to His Excellency, the Governor General, was admitted within the Bar, and delivered to Mr. Speaker three Messages from His Excellency, the Governor General, signed by His Excellency.

And then he withdrew.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:—

*C. T. Metcalfe*.

The Governor General submits to the House of Assembly, that in order to enable Her Majesty to meet the necessary and indispensable expenses of the Government of this Province from the first of January to the thirty first day of March, 1844, not otherwise provided for, there be advanced a sum of twenty five thousand pounds, Sterling, to be accounted for in detail at the opening of the ensuing Session of the Legislature.

Government House,  
Kingston, 1st December, 1843.

Proof of Law  
by Notaries  
Public.

Petitions read.

Message from  
His Exl'y. the  
Gov. General.

Advance for  
necessary ex-  
penses of Gov't.

**C. T. Metcalfe.**

The Governor General recommends to the House of Assembly, the accompanying Supplementary Estimate of sums required for the service of the present year.

Government House,  
Kingston, 1st December, 1843.

Supplementary Estimate of certain Items of Expenses of the Civil Government of the Province of *Canada* for the year 1843, for which a Supply is required.

	Sterling.		
	£	s	d.
Expenses likely to be incurred in the Survey of the Boundary line, between this Province and New Brunswick.....	450	0	0
Expenses likely to be incurred, attending the Commission of Enquiry into the Riots at the Beauharnois Canal.....	181	14	11
Expenses likely to be incurred for Transport of Troops on the same occasion.....	135	8	1
Expenses of Doctor <i>J. B. Meilleur</i> , as Assistant Superintendent of Education in 1842.....	90	14	9
Further, towards liquidating the claims of <i>Upper Canada</i> , for services rendered previous to the Union of the Provinces.....	50	0	0
Contingencies of the Legislative Council, over and above the amount in the General Estimate.....	500	0	0
<b>Total amount Sterling.....</b>	<b>£1407</b>	<b>17</b>	<b>9</b>

Inspector General's Office,  
Kingston, 1st. December, 1843.

*Jos. Cary.*  
Deputy Inspector General.

**C. T. Metcalfe.**

The GOVERNOR GENERAL transmits to the Legislative Assembly, in reply to their Address of yesterday's date, Copies of all communications that have passed between him, and those Members of the late Executive Council who have tendered their resignation, on the subject of those resignations,

Government House,  
Kingston, 30th November, 1843.

Mr. *Lafontaine*, in compliance with the request of the Governor General, and in behalf of himself and his late colleagues, who have felt it to be their duty to tender a resignation of office, states, for His Excellency's information, the substance of the explanation which they propose to offer in their places in Parliament.

They have avowedly taken Office upon the principle of responsibility to the Representatives of the People in Parliament, and with a full recognition on their parts of the following resolutions, introduced into the Legislative Assembly with the knowledge and sanction of Her Majesty's Representative in this Province, on the 3d September, 1841.

"That the head of the Executive Government of the Province, being within the limits of his Government the Representative of the Sovereign, is responsible to the Imperial authority alone, but that, nevertheless, the management of our local affairs can only be conducted by him, by and with the assistance, counsel and information of subordinate officers in the Province," and, "that in order to

preserve between the different branches of the Provincial Parliament that harmony, which is essential to the peace, welfare, and good government of the Province, the chief advisers of the Representative of the Sovereign, constituting a Provincial Administration under him, ought to be men possessed of the confidence of the Representatives of the People, thus affording a guarantee that the well understood wishes and interests of the People, which Our Gracious Sovereign has declared shall be the rule of the Provincial Government, will on all occasions be faithfully represented and advocated."

They have lately understood that His Excellency took a widely different view of the position, duties and responsibilities of the Executive Council, from that under which they accepted office, and through which they have been enabled to conduct the Parliamentary business of the Government, sustained by a large majority of the Popular branch of the Legislature.

Had the difference of opinion between His Excellency and themselves, and, as they have reason to believe, between His Excellency and the Parliament and People of *Canada* generally, been merely theoretical, the Members of the late Executive Council might, and would, have felt it to be their duty to avoid any possibility of collision, which might have a tendency to disturb the tranquil and amicable relations which apparently subsisted between the Executive Government and the Provincial Parliament. But that difference of opinion has led not merely to appointments to office against their advice, but to appointments, and proposals to make appointments, of which they were not informed in any manner, until all opportunity of offering advice respecting them had passed by, and to a determination on the part of His Excellency to reserve for the expression of Her Majesty's Pleasure thereon a Bill, introduced into the Provincial Parliament with His Excellency's knowledge and consent as a Government measure, without an opportunity being given to the Members of the Executive Council to state the probability of such a reservation. They therefore felt themselves in the anomalous position of being, according to their own avowals and solemn public pledges, responsible for all the acts of the Executive Government to Parliament, and at the same time not only without the opportunity of offering advice respecting these Acts, but without the knowledge of their existence, until informed of them from private and unofficial sources.

When the Members of the late Executive Council offered their humble remonstrances to His Excellency on this condition of public affairs, His Excellency not only frankly explained the difference of opinion existing between him and the Council, but stated that from the time of his arrival in the country he had observed an antagonism between him and them on the subject, and notwithstanding that the Members of Council repeatedly and distinctly explained to His Excellency, that they considered him free to act contrary to their advice, and only claimed an opportunity of giving such advice, and of knowing, before others, His Excellency's intentions, His Excellency did not in any manner remove the impression left upon their minds by his avowal, that there was an antagonism between him and them, and a want of that cordiality and confidence, which would enable them, in their respective stations, to carry on public business to the satisfaction of His Excellency or of the Country.

The want of this cordiality and confidence had already become a matter of public rumour; and public opinion not only extended it to acts, upon which there were apparent grounds for difference of opinion, but to all measures of Government involving political principles. His Excellency, on the one hand, was supposed to be coerced by his

Communication on resignation of Executive Council.

Supplementary Estimate.

Communication on resignation of Executive Council.

Communica-  
tion on resigna-  
tion of Execu-  
tive Council.

Council into a course of policy which he did not approve of, and the Council were made liable to the accusation of assuming the tone and position of Responsible Advisers of the Government, without, in fact, asserting the right of being consulted thereupon.

While His Excellency disavowed any intention of altering the course of administration of public affairs which he found on his arrival in *Canada*, he did not disguise his opinion that these affairs would be more satisfactorily managed by and through the Governor himself, without any necessity of concord amongst the Members of the Executive Council, or obligation on their part to defend, or support in Parliament the Acts of the Governor. To this opinion of His Excellency, as one of theory, the Members of the Executive Council might not have objected; but when, on Saturday last, they discovered that it was the real ground of all their differences with His Excellency, and of the want of confidence and cordiality between His Excellency and the Council since his arrival, they felt it impossible to continue to serve Her Majesty as Executive Councillors for the affairs of this Province, consistently with their duty to Her Majesty, or to His Excellency, or with their public and often repeated pledges in the Provincial Parliament, if His Excellency should see fit to act upon his opinion of their functions and responsibilities.

*Daly's Hotel,*  
27th November, 1843. }

The Governor General observes with regret, in the explanation which the Gentlemen who have resigned their Seats in the Executive Council, propose to offer in their places in Parliament, a total omission of the circumstances which he regards as forming the real grounds of their resignation; and as this omission may have proceeded from their not considering themselves at liberty to disclose those circumstances, it becomes necessary that he should state them.

On Friday, Mr. *Lafontaine* and Mr. *Baldwin* came to the Government House, and after some other matters of business, and some preliminary remarks as to the cause of their proceeding, demanded of the Governor General that he should agree to make no appointment, and no offer of an appointment, without previously taking the advice of the Council; that the lists of Candidates should, in every instance, be laid before the Council; that they should recommend any others at discretion, and that the Governor General, in deciding after taking their advice, should not make any appointment prejudicial to their influence. In other words, that the patronage of the Crown should be surrendered to the Council for the purchase of Parliamentary support; for, if the demand did not mean that, it meant nothing, as it cannot be imagined that the mere form of taking advice without regarding it was the process contemplated.

The Governor General replied, that he would not make any such stipulation, and could not degrade the character of his office, nor violate his duty, by such a surrender of the Prerogative of the Crown.

He appealed to the number of appointments made by him on the recommendation of the Council, or the members of it in their departmental capacity, and to instances in which he had abstained from conferring appointments on their opponents, as furnishing proofs of the great consideration which he had evinced towards the Council, in the distribution of the Patronage of the Crown.

He at the same time objected, as he always had done, to the exclusive distribution of Patronage with party views, and maintained the principle that Office ought, in every instance, to be given to the man best qualified to render efficient service to the

State; and where there was no such pre-eminence, he asserted his right to exercise his discretion.

He understood from Messrs. *Lafontaine* and *Baldwin*, that their continuance in office depended on his final decision with regard to their demand; and it was agreed that at the Council to be assembled the next day, that subject should be fully discussed.

He accordingly met the Council on Saturday, convinced that they would resign, as he could not recede from the resolution which he had formed, and same subject became the principal topic of discussion.

Three or more distinct propositions were made to him, over and over again, sometimes in different terms, but always aiming at the same purpose, which, in his opinion, if accomplished, would have been a virtual surrender into the hands of the Council of the Prerogative of the Crown; and on his uniformly replying to those propositions in the negative, his refusal was each time followed by "then we must resign," or words to that purport from one or more of the Council.

After the discussion of this question at so much length, being, as he has hitherto conceived, the one on which the resignation of the Council rested, he is astonished at finding that it is now ascribed to an alleged difference of opinion on the theory of Responsible Government.

In the course of the conversations which, both on Friday and Saturday, followed the explicit demand made by the Council regarding the Patronage of the Crown, that demand being based on the construction put by some of the Gentlemen on the meaning of Responsible Government, different opinions were elicited on the abstract theory of that still undefined question, as applicable to a Colony,—a subject on which considerable difference of opinion is known everywhere to prevail; but the Governor General during those conversations protested against its being supposed, that he is practically adverse to the working of the system of Responsible Government, which has been here established, which he has hitherto pursued without deviation, and to which it is fully his intention to adhere.

The Governor General subscribes entirely to the Resolution of the Legislative Assembly of the 3rd September, 1841, and considers any other system of Government but that which recognises Responsibility to the People and to the Representative Assembly, as impracticable in this Province.

No man is more satisfied, that all Government exists solely for the benefit of the people; and he appeals confidently to his uniform conduct here and elsewhere in support of this assertion.

If, indeed, by Responsible Government the Gentlemen of the late Council, mean that the Council is to be Supreme, and the Authority of the Governor a Nullity, then he cannot agree with them, and must declare his dissent from that perversion of the acknowledged principle.

But if they mean that Responsible Government, as established in this Colony, is to be worked out with an earnest desire to ensure success, he must then express his surprise at their arriving at conclusions, which he does not consider to be justified by any part of his conduct, and which he conceives his repeated declarations ought to have prevented.

Allusion is made in the proposed explanation of the Gentlemen of the late Council, to the Governor General's having determined to reserve for the consideration of Her Majesty's Government, one of the Bills passed by the two Legislative Houses. That is the Secret Societies Bill. If there is any part of the functions of the Governor in which he is more than any other bound to exercise an independent judgment, it must be in giving the Royal Assent to Acts of Parliament. With regard to this duty he has special instructions from Her Majesty to re-

Communica-  
tion on resigna-  
tion of Execu-  
tive Council.



Communica-  
tions on resigna-  
tion of Ex.  
Council.

serve every Act of an unusual or extraordinary character. Undoubtedly the Secret Societies Bill answers that description, being unexampled in British Legislation. The Gentlemen of the late Council heard his sentiments on it expressed to them. He told them that it was an arbitrary and unwise measure, and not even calculated to effect the object it had in view. He had given his consent to its being introduced into Parliament, because he had promised soon after his assumption of the Government, that he would sanction Legislation on the subject, as a substitute for Executive Measures, which he refused to adopt on account of their proscriptive character: although he deprecates the existence of Societies which tend to foment Religious and Civil discord. The Gentlemen of the late Council cannot fail to remember with what pertinacity those measures were pressed on him, and can hardly be unaware of what would have followed at that time, if, in addition to rejecting the proscriptive Measures urged, he had refused to permit any Legislation on the subject.

Permission to introduce a Bill cannot be properly assumed as fettering the judgment of the Governor with regard to the Royal Assent, for much may happen during the passage of the Bill through the Legislature to influence his decision. In this case the Bill was strongly opposed and reprobated in the Assembly, but when it went to the Legislative Council, many of the Members had seceded, and it did not come up from that House with the advantage of having been passed in a full meeting. Taking these circumstances into consideration, together with the precise Instructions of Her Majesty, and the uncertainty of Her Majesty's allowing such a Bill to go into operation, the Governor General considered it to be his duty to reserve it for Her Majesty's consideration; as it was much better that it should not go into operation until confirmed by Her Majesty's Government, than that it should be discontinued after its operation had commenced.

In conclusion, the Governor General protests against the explanation which these Gentlemen propose to offer to Parliament, as omitting entirely the actual and prominent circumstances which led to their resignation, and as conveying to Parliament a misapprehension of his sentiments and intentions, which has no foundation in any part of his conduct, unless his refusal to make a virtual surrender of the Prerogative of the Crown to the Council for party purposes, and his anxiety to do justice to those who were injured by the arrangements attending the Union, can be regarded as warranting a representation, which is calculated to injure him, without just cause, in the opinion of the Parliament and the People, on whose confidence he places his sole reliance for the successful administration of the Government.

Government House, }  
28th November, 1843. }

*Ordered*, That two thousand copies of the Message of His Excellency, the Governor General, together with the Documents accompanying the same, on the subject of the Resignation of the late Members of the Executive Council, be printed in each of the English and French Languages, for the use of the Members of this House.

Mr. *Holmes* from the Special Committee to which was referred the Petition of the Mayor, Aldermen, and Citizens, of the City of *Montreal*, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report see Appendix K. K.)

Mr. *Thorburn*, from the Standing Committee on Contingencies, presented to the House the fifth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Fifth Report on  
Contingencies.

"Your Committee have, after a minute examination of the Estimate referred to in their first Report, for the necessary Disbursements of the present Session and the Recess, (say to thirty first December, 1844) find that the sum estimated, will fall short by the sum of two thousand six hundred and seventy seven pounds, five shillings. They therefore recommend that Your Honourable House would move an humble Address to His Excellency, the Governor General, praying that His Excellency would be pleased to grant his Warrant, in favour of the Clerk of Your Honourable House, for the sum of nine thousand one hundred and seventy seven pounds, five shillings, which with the sum of five thousand pounds, already received, will be sufficient to complete the service for the period mentioned."

*Resolved*, That the said Report be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. *Speaker* resumed the chair,

And Mr. *Cameron* reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received tomorrow.

The Honourable Mr. *Neilson*, from the Special Committee to which was referred the Bill, to exempt vehicles conveying Manure from the Cities and Towns of this Province, from the payment of Tolls on Turnpike Roads, reported that the Committee had gone through the Bill, and had made some amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Manure con-  
veyed free from  
Toll.

*Ordered*, That the following clause be added to the said Bill, and do follow the second clause:

"And be it enacted, that no vehicle, laden or unladen, horses or cattle, belonging to the proprietor or occupier of any lands divided by such Turnpike Road, as aforesaid, shall be liable to Toll on passing through any toll gate on such road. (at whatever distance the same may be from any City or Town.) for the sole purpose of going from one part of the Lands of such Proprietor or occupier to another part of the same; provided such vehicle, horses, or cattle, do not proceed more than half a mile along such Turnpike Road, either in going or returning, for farming or domestic purposes only."

*Ordered*, That the said Bill, as amended, be engrossed.

Mr. *Hamilton* from the Special Committee, to which were referred the Entries in the Journals of this House of the 5th October, 1842, relating to the Salmon Fisheries in the Inferior District of *Gaspé*, with an instruction to continue the Enquiry relative to the said Fisheries, with power to report by Bill or otherwise, presented to the House the Report of the said Committee, which was again read at the Clerk's Table.

Salmon Fish-  
eries Gaspé.

(For the said Report see Appendix L. L.)

*Resolved*, That the said Report be committed to a Committee of the whole House, tomorrow.

A Message from the Legislative Council, by *John Fenning's Taylor*, Esquire, one of the Masters in Chancery:

Message from  
Leg. Council.

Mr. *Speaker*,

The Legislative Council have passed the following Bills without any amendment:

Report on Pe-  
tition of Mon-  
tréal Corpora-  
tion.

Administration of Justice Lower Canada.  
Boundary Line Cornwall.

Niagara Market.

Church Societies, Quebec and Toronto.

Isle Bizarre.

Niagara District Bank.

Commutation of Tenure by certain Fiefs.

Abolition of Imprisonment for debt.

Administration of Justice, Gaspé.

St. Lawrence Navigation.

Registration, Lower Canada.

Duties on Agricultural Produce.

Sessions of Peace, District of St. Francis.

To facilitate proofs of Law by Notaries Public.

Common Schools.

Cyprian Morgan.

Resignation of Ex. Council.

"An Act to repeal certain Acts and Ordinances therein mentioned, and to make better provision for the Administration of Justice in *Lower Canada*."

"An Act for better defining and establishing the Eastern Boundary line of the third Concession of the Township of *Cornwall*, in the Eastern District."

"An Act for vesting the Market Block in the Town of *Niagara*, in the Council of the said Town, and for other purposes."

"An Act to incorporate the Church Societies of the United Church of *England and Ireland*, in the Dioceses of *Quebec and Toronto*."

"An Act to detach *Isle Bizarre* from the Registration District of the *Lake of the Two Mountains*, and to annex it to the Island and County of *Montreal* for the purposes of Registration."

"An Act to amend the Act incorporating the Bank of the *Niagara* District, by providing for the extension of the time limited for the paying up of the Stock of the said Bank."

"An Act to empower the Seigniors of the Fiefs *Nazareth, St. Augustin and St. Joseph*, in the City and County of *Montreal* to commute the Tenure of the lands now held *en censive*, in the said Fiefs, respectively."

"An Act to abolish imprisonment in execution for Debt, and for other purposes therein mentioned."

"An Act to establish the District of *Gaspé*, and to provide for the due administration of Justice therein."

"An Act to alter and amend certain parts of an Act therein mentioned, relating to the navigation of the River *St. Lawrence*, in so far as the same relate to the Port of *Quebec*."

"An Act to amend the Ordinance providing for the Registration of Titles to Real property or incumbrances thereon in *Lower Canada*, and further to extend the time allowed by the said Ordinance for the Registration of certain claims."

"An Act to continue for a limited time the Duties imposed on Agricultural Produce and Live Stock, imported into this Province."

"An Act to alter the Terms of the General Sessions of the Peace, in and for the District of *Saint Francis*."

"An Act to facilitate the proof of the Laws of *Upper and Lower Canada*, and to declare Testaments of Notaries Public, evidence, in certain cases in *Upper Canada*."

And also,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly :

"An Act to repeal the Act now in force for the establishment and maintenance of Common Schools, and to establish a Fund for the support of the same, and also to grant an Indemnity for the payment of certain portions of the School moneys, for the year, one thousand eight hundred and forty-two; and further to provide for the apportionment and distribution of the balance of said moneys, for the years one thousand eight hundred and forty-two, and one thousand eight hundred and forty-three."

"An Act to naturalize *Cyprian Morgan*, and others."

And then he withdrew.

Mr. *Price* moved, seconded by Mr. *Holmes*, That an humble Address be presented to His Excellency, the Governor General, humbly representing to His Excellency, the deep regret felt by the House, at the retirement of certain Members of the Provincial Administration, on the question of their right to be consulted on what this House unhesitatingly avows to be the Prerogative of the Crown,—appointment to office; and further to assure His Excellency that their advocacy of this principle, entitles them to the confidence of this House, being in

strict accordance with the principles embraced in the Resolutions, adopted by this House on the 3rd of September, 1741.

And the House having continued to sit till after twelve o'clock, on Saturday morning.

Sabbati, 2<sup>o</sup> die Decembris, 1843.

Mr. *Henry Smith* moved, seconded by Mr. *Murphy*, that the Debate on the motion before the Chair be postponed until the next sitting of the House.

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth;—

YEAS.

Messieurs BOSWELL, BOULTON, CARTWRIGHT, CHESLEY, CHILD, FORBES, FOSTER, HALE, HAMILTON, HARRISON, SIR ALLAN N. MACNAB, D. McDONALD, J. S. MACDONALD, McLEAN, MERRITT, MORRIS, MURNEY, NOEL, PARRÉ, ROBLIN, SIMPSON, HENRY SMITH, HARMANNUS SMITH, GEORGE SHERWOOD, STEWART, THOMPSON, THORBURN, TURCOTTE, D. B. VIGER, WAKEFIELD, and WOODS.—(31.)

NAYS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOUTILLIER, BEAUBIEN, CAMERON, CHARLOT, CHRISTIE, CRANE, DERRISBIRE, DE WITT, DUNN, DURAND, GILCHRIST, HINCKS, HOLMES, HOPKINS, JOBIN, LACOSTE, LAFONTAINE, LESLIE, MOORE, MORIN, PAPINEAU, PRICE, PRINCE, QUESNEL, SMALL, TACHE, and L. M. VIGER.—(32.)

So it passed in the negative.

Mr. *George Sherwood* then moved, seconded by Mr. *Henry Smith*, that the Debate be postponed until the next sitting of the House.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and,

Ordered, accordingly.

Ordered, That the remaining orders of the day be postponed until the next sitting of the House.

Then on motion of Mr. *Simpson*, seconded by Mr. *J. S. Macdonald*,

The House adjourned.

Sabbati, 2<sup>o</sup> die Decembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

10<sup>a</sup> hora A. M.

THE following Petitions were severally brought up and laid on the table:—

By the Honourable Mr. Solicitor General *Small*—The Petition of *Thaddeus Patrick*, a junior Clerk, in the office of the Legislative Assembly.

By Mr. *Stewart*—The Petition of *Thomas Higginson* and others, Inhabitants of *Hawkesbury* and other townships, in the District of *Ottawa*.

By Mr. *J. S. MacDonald*—The Petition of the Elders, Trustees, and Members, of the Presbyterian Congregation of *Lochiel*.

By Mr. *Jobin*—The Petition of the Rev. *A. Duransaux*, and others of the Parish of *Lachine*, and other places.

By Mr. *Johnston*—The Petition of *John Chesser* and others, Inhabitants of the District of *Ottawa*...

An Engrossed Bill to exempt Vehicles conveying manure from the Cities and Towns of this Province, from the payment of Tolls on Turnpike Roads, was read for the third time:—

Vehicles conveying manure exempted from Toll.

Resignation of Ex. Council.

Orders postponed.

Five Petitions brought up.

Vehicles conveying manure exempt from Toll.

*Resolved*, That the Bill do pass, and the Title be "An Act to exempt Vehicles conveying manure from the Cities and Towns of this Province, from the payment of Tolls on Turnpike Roads, and for other purposes therein mentioned."

*Ordered*, That the Honourable Mr. Neilson, do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the day, the following Petitions were read:—

Of James Hodgins and others, Inhabitants of the Township of Bidulph, in the District of Huron; praying that the Township of Williams may not be detached from the District of Huron.

Of George McLeod and others, Inhabitants of the Township of Stephen, in the District of Huron; praying that the Township of Williams may not be detached from the District of Huron.

Bankrupts' Estates.

*Ordered*, That Mr. Boswell, the Honourable Mr. Morin, and Mr. Roblin, be added to the Select Committee, to which was referred the Engrossed Bill from the Legislative Council, intituled, "An Act to Repeal an Ordinance of Lower Canada, intituled "An Ordinance concerning Bankrupts and the Administration and distribution of their Estates and Effects," and to make provision for the same object throughout the Province of Canada," and another reference, and that the Quorum of the said Committee be five Members.

On motion of Mr. Morris, seconded by Mr. Williams,

*Ordered*, That the amendments made by the Legislative Council to the Bill, intituled "An Act to naturalize Cyprian Morgan and others," be now taken into consideration.

Cyprian Morgan and others.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:—

Press 1. Line 7—Leave out "and."

" 1 " 8—After "Yeoman" insert "*Jacques Adrien Pierre Barbier*, of the Town of Kingston, in the Midland District, Gentleman, and *Euphrasie Barbier*, his wife."

" " 25—Before "*Alexis*" leave out "and."  
" " " After "*Chandler*" insert "*Jacques Adrien Pierre Barbier*, and *Euphrasie Barbier*, his wife."

" " 35—After "to" leave out all the words to "office" in the fortieth line, inclusively, and insert "be entitled to the benefit of this Act, shall take and subscribe the oath hereafter inserted, or being of the persons allowed to affirm, have made the affirmation hereafter mentioned, before some person duly authorized to administer the oath contained in an Act of the Parliament of this Province, passed in the Session held in the fourth and fifth years of Her Majesty's Reign, and intituled "An Act to secure to and confer upon certain Inhabitants of this Province, the civil and political rights of natural born British Subjects," and that such oath or affirmation so taken and subscribed, shall be entered in the Book of Registry kept by

the person so authorized to administer such oath or affirmation under the provisions of the Act hereinbefore mentioned."

Bankrupts' Estates.

" " 40—After the first Clause, insert the following Clause: "And be it enacted, that the persons hereinbefore mentioned, shall severally take and subscribe the following oath:

"I, A. B., do sincerely promise and swear (or affirm, as the case may be), that I will be faithful and bear true allegiance to the Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province, as dependent thereon. So help me God."

And the said amendments being again read, they were agreed to by the House.

*Ordered*, That Mr. Morris do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

*Resolved*, That a Conference be desired with the Honourable the Legislative Council, for the purpose of communicating to them, the reasons which induced this House not to concur in the amendments made by their Honours to the Bill, intituled, "An Act to enable Religious Societies of all denominations of Christians (in that part of the Province called Upper Canada) to hold the Lands requisite for certain purposes therein mentioned."

Religious Societies' Land.

*Ordered*, That Mr. Williams do go to the Legislative Council, and desire the said Conference.

Mr. Forbes from the Committee of the whole House, on the Bill, to repeal certain Acts therein mentioned, and to make better provision respecting the admission of Land Surveyors and the Survey of Lands in Upper Canada, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Lands Surveyors U. Canada.

*Ordered*, That the said Bill, as amended, be engrossed.

An engrossed Bill to repeal certain Acts therein mentioned, and to make better provision respecting the admission of Land Surveyors and the Survey of Lands in Upper Canada, was read for the third time.

*Resolved*. That the Bill do pass.

*Ordered*, That Mr. Parke do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. Harmannus Smith, from the Committee of the whole House on the Bill, to authorize the Court of Wardens for the County of York, or the Mayor, Aldermen, and Commonalty, of the City of Toronto, to purchase an Industrial Farm in the neighbourhood thereof, and for other purposes relating thereto, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Industrial Farm.

*Ordered*, That the said Bill, as amended, be engrossed.

An engrossed Bill to authorize the Court of Wardens for the County of York, or the Mayor, Aldermen, and Commonalty, of the City of Toronto, to purchase an Industrial Farm in the neighbourhood thereof, and for other purposes relating thereto, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. Boulton do carry the said Bill to the Legislative Council, and desire their concurrence.

Contingencies.

Mr. Cameron, from the Committee of the whole House, on the fifth Report of the Standing Committee on Contingencies, 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 an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to issue his Warrant, in favor of William Burns Lindsay, Esquire, the Clerk of this House, for the sum of nine thousand one hundred and seventy-seven pounds, five shillings, currency, towards defraying the contingent expenses of this House, during the present Session, in such sums as occasion may require, and assuring His Excellency that this House will make good the same.

*Ordered*, That Mr. Thorburn, Mr. Cameron, Mr. Merritt, and Mr. Morris, do present the said Address to His Excellency, the Governor General.

Common Schools Indemnity.

*Ordered*, That the Honourable Mr. Morin have leave to bring in a Bill, further to provide for the establishment and maintenance of Common Schools, and also to grant an indemnity for the payment of certain portions of the School moneys for the year 1842, and further to provide for the apportionment and distribution of the balance of the said moneys for the years 1842 and 1843.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

*Ordered*, That the said Bill be now read a second time.

The said Bill was accordingly read a second time.

*Ordered*, That the said Bill be engrossed.

An engrossed Bill, further to provide for the establishment and maintenance of Common Schools, and also to grant an indemnity for the payment of certain portions of the School Moneys for the year 1842, and further to provide for the apportionment and distribution of the Balance of the said moneys for the years 1842 and 1843, was read for the third time.

*Resolved*, That the Bill do pass, and the Title be "An Act further to provide for the establishment and maintenance of Common Schools, and for apportioning the Fund for the support of the same, and also to grant an indemnity for the payment of certain portions of the School Moneys for the year one thousand eight hundred and forty-two; and further to provide for the apportionment and distribution of the balance of the said moneys for the years one thousand eight hundred and forty-two, and one thousand eight hundred and forty-three."

*Ordered*, That the Honourable Mr. Morin do carry the said Bill to the Legislative Council, and desire their concurrence.

Message from Leg. Council.

A Message from the Legislative Council by John Fennings Taylor, Esquire one of the Masters in Chancery.

Legislative Council,  
Saturday, 2nd December, 1843.

Religious Societies' Land Bill.

*Ordered*, That one of the Masters in Chancery do go down to the Legislative Assembly and acquaint that House, that the Legislative

Council agrees to the Conference desired, for the purpose of communicating the reasons which induced the Assembly not to concur in certain amendments made by this House to the Bill, intituled, "An Act to enable Religious Societies, of all Denominations of Christians in that part of the Province called Upper Canada, to hold the Lands requisite for certain purposes therein mentioned," and that the Managers on the part of this House are to be the Honourable Messieurs Sulliam and Fergusson, who are to meet the number as Managers, on the part of the Legislative Assembly required by Parliamentary usage, and that the time of the Conference be presently, and the place, the Committee Room of the Legislative Council.

Religious Societies' Lands Bill.

Attest,

Charles DeLéry,  
Deputy Clerk, Legislative Council.

*Resolved*, That four Managers be appointed to meet the Managers appointed by the Legislative Council, at the time and place appointed for the holding the Conference desired upon the amendments, made by their Honors to the Bill, intituled, "An Act to enable Religious Societies of all Denominations of Christians (in that part of the Province called Upper Canada), to hold the Lands requisite for certain purposes therein mentioned."

*Ordered*, That Mr. Williams, the Honourable Mr. Solicitor General Small, Mr. Boswell, and the Honourable Mr. Hincks, be appointed Managers, on the part of this House.

According to order, the House resumed the Adjourned Debate on a motion made by Mr. Price yesterday, viz:—

Resignation of Ex. Council.

"That an humble Address be presented to His Excellency the Governor General, humbly representing to His Excellency, the deep regret felt by this House, at the retirement of certain Members of the Provincial Administration, on the question of their right, to be consulted on what this House unhesitatingly avows to be the Prerogative of the Crown.—appointments to Office; and further to assure His Excellency that their advocacy of this principle entitles them to the confidence of this House; being in strict accordance with the principles embraced in the Resolutions adopted by this House on the 3rd September, 1841."

And the said motion being again read;

Mr. Wakefield moved in amendment thereto, seconded by Mr. Simpson, that all the words after "That" in the said motion, be struck out, and the following substituted:

"According to the principles of the British Constitution as declared to exist in this Province by the Resolutions of the House of Assembly, of the 3rd September 1841, the Members of the Executive Council are responsible to the People and to this House as the Representatives of the People, for the exercise of every Royal Prerogative within this Province, and that consequently inasmuch as it would be most unjust to subject any man to responsibility for acts in which he had not participated, it is indispensable that the Royal Prerogative be exercised by His Excellency the Governor General, with the advice of the Members of his Executive Council.

"That according to the aforesaid principles of the British Constitution, the Provincial Representative of the Sovereign, cannot be responsible, or in any way accountable, for the exercise of any branch of the Royal Prerogative to any Provincial Authority whatever; and therefore that he cannot constitutionally enter into any pledge, engagement or assurance with the Members of the Executive Council, or with any other person or persons in the Pro-

Resignation of  
Ex. Council.

vince, respecting the future exercise of the Prerogative.

"That the well known practice of the British Constitution recognizes one effectual means, and no other, of securing the observance of the aforesaid principles, namely, the Resignation of the Members of Executive Council, whenever, on an occasion of sufficient importance to warrant the application of that legitimate check upon the exercise of the Prerogative, the Governor General, shall have failed to ask, or refused to follow, their advice in some particular case or cases; but that if the Head of the Government were to enter into any general engagement with the Members of his Executive Council, or even with this House, binding himself in anywise, whether directly or by implication, as to the future exercise of any of his functions as the Representative of the Sovereign, he would openly divest the Crown of its acknowledged Prerogative, degrade the Royal Office into obvious and proclaimed subordination to the Executive Council, and most seriously impair the Constitution which it is the glory of this Province to possess."

And the question being put on the said motion of amendment, it passed unanimously in the negative.

The Honourable Mr. *Viger* then moved in amendment to the main motion, seconded by Mr. *Forbes*, that all the words after "That", be struck out, and the following substituted:

"This House adheres firmly to the principles embodied in the Resolutions of the 3rd September, 1841; but that no document or question, has on the present occasion, come before the House in a shape in which it can according to Parliamentary usage and practice, serve as the basis of an Address to the Governor General on the subject of Responsible Government."

And the question being put on the said motion of amendment, it passed in the negative.

The Honourable Mr. *Black* then moved in amendment to the main motion, seconded by the Honourable Mr. *Neilson*, that all the words after "That," be struck out, and the following substituted:

"An humble Address be presented to His Excellency the Governor General, humbly representing to His Excellency, that, understanding the claim of the late Executive Council to be solely that of being consulted and heard upon all questions of importance to the Province, and of being informed of His Excellency's determination upon any such question before it became public by any other channel, without any claim to control His Excellency in the exercise of the Prerogative of the Crown upon any such question, or to prevent his acting in such manner as he might see best after weighing their advice and hearing their reasons, this House, without feeling itself called upon to express any opinion on the policy of the late administration, are yet bound to declare their opinion, that there is nothing in the said claim of the Executive which may not be held to be the necessary consequence of the principles of Responsible Government, embodied in the Resolutions of the 3rd of September, 1841, to which this House firmly adheres."

And the question being put on the said motion of amendment, it passed in the negative.

The question been then put on the main motion, the House divided thereon; and the names being called for, they were taken down, as followeth:—

## YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOULTON, BOUTILLIER, BEAUBIEN, CAMERON, CHABOT, CHILD, CHRISTIE, CRANE, DEBISHIRE, DEWITT, DUNN, DURAND, GILCHRIST, HARRISON, HINCKS, HOPKINS, JOBIN, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, J. S. McDONALD,

Resignation of  
Ex. Council.

MERRITT, MOORE, MORIN, MORRIS, PAPINEAU, PARKE, POWELL, PRICE, PRINCE, QUENNEL, SMALL, HARMANNUS SMITH, STEELE, TACHE, THOMPSON, THORBURN, TURCOTTE, and L. M. VIGER.—(46.)

## NAYS.

Messieurs BLACK, CARTWRIGHT, CHESLEY, DUNLOP, FORBES, FOSTER, HALE, HAMILTON, JOHNSTON, Sir A. N. MACNAB, McLEAN, MURNEY, NEILSON, NOEL, ROBLIN, SIMPSON, HENRY SMITH, GEORGE SHERWOOD, STEWART, D. B. VIGER, WAKEFIELD, WILLIAMS, and WOODS.—(23.)

So it was carried in the affirmative.

The Honourable Mr. *Boulton* moved, seconded by the Honourable Mr. *LaFontaine*, that the following be added to the Resolution now adopted, and make part thereof:—

"That this House, in dutiful submission to their Gracious Sovereign, and with the utmost respect for the exalted station and high character of His Excellency, is most anxious to guard against any misconstruction, which possibly might be placed upon the affirmative declaration of their opinion, upon this delicate and most vitally important constitutional question, and therefore most humbly beg leave to disclaim, in a negative form, any desire that the Head of the Government should be called upon to enter into any stipulation, as to the terms upon which a Provincial Administration may deem it prudent either to accept of or continue in office; that mutual confidence, which is essential to the well being of any Government, necessarily presumes that they are understood, while a due respect for the Prerogative of the Crown, and proper constitutional delicacy towards Her Majesty's Representative, forbid their being expressed."

Mr. *Chesley* moved, seconded by Mr. *George Sherwood*, that the House do now adjourn.

The question being put on the said motion, it passed in the negative.

The Honourable Mr. *Boulton's* motion being then again read:—

Mr. Speaker objected to the said motion as being unparliamentary and out of order.

And an appeal being made to the House from Mr. Speaker's decision, the House divided thereon: and the names being called for they were taken down as followeth:—

For Mr. Speaker's decision:—

## YEAS.

Messieurs CARTWRIGHT, CHESLEY, CHILD, CHRISTIE, CRANE, DEWITT, DUNLOP, FORBES, FOSTER, HAMILTON, JOHNSTON, LESLIE, Sir A. N. MACNAB, McLEAN, MURNEY, NEILSON, NOEL, ROBLIN, SIMPSON, HENRY SMITH, GEORGE SHERWOOD, STEWART, WILLIAMS, and WOODS.—(24.)

Against Mr. Speaker's decision:—

## NAYS.

Messieurs ARMSTRONG, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOULTON, BOUTILLIER, BEAUBIEN, CHABOT, DUNN, DURAND, GILCHRIST, HALE, HARRISON, HINCKS, HOPKINS, JOBIN, LACOSTE, LAFONTAINE, D. McDONALD, MERRITT, MOORE, MORIN, PAPINEAU, PARKE, POWELL, PRICE, PRINCE, QUENNEL, SMALL, HARMANNUS SMITH, STEELE, TACHE, THOMPSON, THORBORN, TURCOTTE, D. B. VIGER, L. M. VIGER, and WAKEFIELD.—(39.)

The question being then put on the Honourable Mr. *Boulton's* motion, the House divided thereon; and the names being called for, they were taken down as followeth:—

Resignation of  
Ex. Council.

## YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOULTON, BOUTILLIER, BEAUBIEN, CAMERON, CARTWRIGHT, CHABOT, CHILD, CHRISTIE, CRANE, DERBISHIRE, DEWITT, DUNN, DURAND, FORBES, GILCHRIST, HALE, HAMILTON, HARRISON, HOPKINS, JOBIN, JOHNSTON, LACOSTE, LAFONTAINE, LESLIE, SIR ALLAN N. MACNAB, D. McDONALD, J. S. McDONALD, MERRITT, MOORE, MORIN, MORRIS, NEILSON, NOEL, PAPINEAU, PARKE, POWELL, PRICE, PRINCE, QUESNEL, ROBLIN, SIMPSON, SMALL, HARMANNUS SMITH, GEORGE SHERWOOD, STEELE, STEWART, TACHE, THOMPSON, THORBURN, TURCOTTE, D. B. VIGER, L. M. VIGER, WAKEFIELD, and WILLIAMS.—(60.)

## NAYS.

Messieurs CHESLEY, DUNLOP, FOSTER, McLEAN, MURNEY, HENRY SMITH, and WOODS.—(7.)

So it was carried in the affirmative.

*Resolved.* That a select Committee, composed of the Honorable Mr. Boulton, Mr. Price, and Mr. Leslie, be appointed to prepare an humble Address to His Excellency, the Governor General, in conformity to the foregoing Resolution.

Mr. Price, from the Select Committee, appointed to prepare the draught of an humble Address to His Excellency, the Governor General, in conformity to the Resolution adopted by the House, this day, presented to the House the draught of the said Address; which address was again read at the Clerk's table, and a reed to by the House; and is as followeth:

*To His Excellency the Right Honourable SIR CHARLES THEOPHILUS METCALFE, Baronet, Knight Grand Cross of the Most Honourable Order of the Bath, One of Her Majesty's Most Honourable Privy Council, Governor General of British North America, and Captain General and Governor in Chief, in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c.*

## MAY IT PLEASE YOUR EXCELLENCY:—

We, Her Majesty's dutiful and loyal subjects the Commons of Canada, in Provincial Parliament assembled, humbly beg leave to represent to Your Excellency, the deep regret we feel at the retirement of certain Members of the Provincial Administration on the question of their right to be consulted, on what we unhesitatingly avow to be the Prerogative of the Crown, appointments to office; and further to assure Your Excellency that their advocacy of this principle, entitles them to our confidence, being in strict accordance with the principles embraced in the Resolutions, adopted by the Legislative Assembly on the third day of September, one thousand eight hundred and forty-one.

That this House, in dutiful submission to their Gracious Sovereign, and with the utmost respect for the exalted station and high character of Your Excellency, is most anxious to guard against any misconception which possibly might be placed upon the affirmative declaration of their opinion, upon this delicate and most vitally important constitutional question, and therefore most humbly beg leave to disclaim in a negative form, any desire that the Head of the Government should be called upon to enter into any stipulation, as to the terms upon which a Provincial Administration may deem it prudent either to accept of or continue in office; that mutual confidence, which is essential to the well being of any Government, necessarily presumes that they are understood, while a due respect for the Prerogative of the Crown and proper constitutional delicacy towards Her Majesty's Representative, forbid their being expressed.

Mr. Price moved, seconded by Mr. Durand, that the said Address be engrossed.

Resignation of  
Ex. Council.

The question having been put on the said motion, a division ensued; and the names being called for, they were taken down as followeth:—

## YEAS.

Messrs. ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BOSWELL, BOULTON, BOUTILLIER, BEAUBIEN, CAMERON, CHABOT, CHILD, CHRISTIE, CRANE, DERBISHIRE, DE WITT, DUNN, DURAND, GILCHRIST, HARRISON, HINCKS, HOPKINS, JOBIN, LACOSTE, LAFONTAINE, LESLIE, D. McDONALD, J. S. McDONALD, MERRITT, MORIN, MORRIS, PAPINEAU, PARKE, POWELL, PRICE, PRINCE, QUESNEL, ROBLIN, SMALL, HARMANNUS SMITH, STEELE, STEWART, TACHE, THOMPSON, THORBURN, TURCOTTE, D. B. VIGER, and L. M. VIGER.—(49.)

## NAYS.

Messrs. CARTWRIGHT, CHESLEY, FORBES, FOSTER, HALE, SIR ALLAN N. MACNAB, McLEAN, MURNEY, GEORGE SHERWOOD, WILLIAMS, and WOODS, (11.)

So it was carried in the affirmative, and

*Ordered,* accordingly.

*Ordered,* That Mr. Price, the Honourable Mr. Boulton, Mr. Child, and Mr. Berthelot do present the said Address to His Excellency, the Governor General.

*Ordered,* That the remaining Orders of the day be postponed until Monday next.

Orders  
Postponed.

Then on motion of Mr. De Witt, seconded by Mr. Thompson,

The House adjourned until Monday next, at ten o'clock, A. M.

*Lunæ, 4<sup>o</sup> die Decembris.*

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

10 horâ A. M.

The following Petitions were severally brought up and laid on the table:—

Two Petitions  
brought up.

By Mr. Powell—The Petition of *Geoffrey B. Hall* and others, Inhabitants of the Township of *Walpole*; and the Petition of the Municipal Council of the District of *Talbot*.

Pursuant to the Order of the day, the following Petitions were read:—

Petitions read.

Of *Isaac Heliker*, of the Township of *Boulton*, in the District of *Montreal*; praying for an increase of the pension now received by him.

Of *Thaddæus Patrick*, a junior Clerk in the Office of the Legislative Assembly; praying for additional remuneration for his past services.

Of *Thomas Higginson* and others, Inhabitants of *Hawkesbury*, and other Townships in the District of *Ottawa*; praying aid for a road.

Of the Reverend *A. Duransaux* and others, of the Parish of *Lachine* and other places; complaining of certain grievances resulting from the erection of Toll Bars in the Island of *Montreal*, and praying relief.

Petition of T. Patrick referred.

**Ordered,** That the Petition of *Thaddeus Patrick*, a junior Clerk in the Office of the Legislative Assembly, be referred to the Standing Committee of Contingencies.

Petition of the Rev. A. Duransaux & others, referred.

**Ordered,** That the Petition of the Reverend A. *Duransaux*, and others, of the Parish of *Lachine*, and other places, be referred to the Special Committee to which was referred the Petition of *Simon Vulois*, and others, inhabitants of *Côte St. Michel*, *Côte de la Visitation*, and of the *St. Mary's Current*, in the Parish of *Montreal*, and other references.

Report on system of granting Indian Lands.

Mr. *Thompson*, from the Select Committee appointed to take into consideration the system of granting Indian Lands in the Districts of *Niagara* and *Gore*, and another reference, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report see Appendix M. M.)

Sixth Report on Contingencies.

Mr. *Thorburn*, from the Standing Committee of Contingencies, presented to the House the Sixth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:

Your Committee having taken into their consideration the Petition of the Serjeant at Arms, agreeably to the Order of reference, forbear making any Special recommendation on his Petition, but beg to report that during the first Session the sum of £50 was granted that officer in addition to his fixed salary, by a resolution of your Honourable House.

Your Committee find that the cases of the Assistant Clerk, and Door Keeper are similar; the former was granted £60 and the latter £20, as addition to their fixed salaries—and as a reason, your Committee believe for withholding the same from those officers at the last Session, was its shortness. However, your Committee having reported the above facts, would beg leave to submit the various claims to the decision of your Honourable House.

**Resolved,** That the said Report be Committed to a Committee of the whole House to-morrow.

Resignation of Ex. Council.

**Ordered,** That two thousand copies of the Proceedings of this House, on the subject of the resignation of the Members of the late Executive Council, be printed in each of the English and French Languages, for the use of the Members of this House.

On the motion of the Honourable Mr. *Black*, seconded by Mr. *Hamilton*.

Estates and property held by Ordnance Department.

**Resolved,** That this House do now resolve itself into a Committee of the whole House, to consider the expediency of repealing certain Ordinances of the Governor and Special Council, for the affairs of the late Province of *Lower Canada*, relative to the Estates and Property in *Lower Canada*, occupied by the Ordnance service, and an Act of the Legislature, of the late Province of *Upper Canada*, to authorize Her Majesty to take possession of Lands for the erection of Fortifications.

The House accordingly resolved itself into the said Committee.

Mr. *J. S. Macdonald* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *J. S. Macdonald* reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's table, and agreed to by the House and are as followeth:—

1. **Resolved,** That it is expedient to repeal the Ordinance of the Governor and Special Council, for the affairs of the late Province of *Lower Canada*, passed in the second year of Her Majesty's Reign, and intituled, "An Ordinance for vesting all the Estates and Property in the Pro-

vince of *Lower Canada*, occupied for the Ordnance service, in the principal Officers of Her Majesty's Ordnance, and for granting certain powers to the said Principal Officers, and for other purposes therein mentioned.

Estates and property held by Ordnance Department.

2. **Resolved,** That it is expedient to repeal the Ordinance of the Governor and Special Council, for the affairs of the said late Province, passed in the Session held in the third and fourth years of Her Majesty's Reign, and intituled, "An Ordinance to render permanent the Ordinance therein mentioned relative to the Estates and Property in this Province, occupied for the Ordnance service."

3. **Resolved,** That it is expedient to repeal the Act of the Legislature of the late Province of *Upper Canada*, passed in the third year of Her Majesty's Reign, and intituled, "An Act to authorise Her Majesty to take possession of lands for the erection of fortifications in this Province, under certain restrictions."

**Ordered,** That the Honourable Mr. *Black* have leave to bring in a Bill, for vesting in the Principal Officers of Her Majesty's Ordnance, the Estates and Property therein described, for granting certain powers to the said Officers, and for other purposes therein mentioned.

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, tomorrow.

On motion of the Honourable Mr. Solicitor General *Aylwin*, seconded by the Honourable Mr. *Black*.

Quebec and Montreal Police.

**Resolved,** That this House do now resolve itself into a Committee of the whole House, to consider the expediency of altering and amending the Ordinance of the Governor and Special Council of *Lower Canada*, of the Second *Victoria*, Chapter two, respecting the Police of the Cities of *Quebec* and *Montreal*.

The House accordingly resolved itself into the said Committee,

Mr. *Beaubien* took the Chair of the Committee, and after sometime spent therein,

Mr. Speaker resumed the Chair.

And Mr. *Beaubien* reported that the Committee had come to a Resolution, 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 alter and amend certain parts of the Ordinance of the Governor and Special Council of the late Province of *Lower Canada*, intituled, "An Ordinance for establishing an efficient system of Police in the Cities of *Quebec* and *Montreal*."

**Ordered,** That the Honourable Mr. Solicitor General *Aylwin*, have leave to bring in a Bill, to alter and amend certain provisions of the Ordinance of the Governor and Council of *Lower Canada*, of the second year of Her Majesty's Reign, intituled, "An Ordinance for establishing an efficient system of Police in the Cities of *Quebec* and *Montreal*."

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, tomorrow.

On motion of the Honourable Mr. *Neilson*, seconded by the Honourable Mr. Attorney General *Lafontaine*,

Supply.

**Resolved,** That this House do now resolve itself into a Committee of Supply.

**Ordered,** That the Estimate of the Supply required for the year 1843, transmitted to this House on the tenth of October last, and the Message of His Excellency, the Governor General, of the first instant, be referred to the said Committee.

Supply

*Resolved*, That this House renews its Resolutions passed on the 8th September, 1841, before entering into a Committee of Supply, and repeated on the 4th October, 1842.

Mr. *Christie* moved, seconded by Mr. *Thompson*. That no appropriation of any moneys levied upon Her Majesty's subjects in this Province, ought to be made without the free consent of their Representatives in the Legislative Assembly thereof.

Mr. *Morris* moved, seconded by the Honourable Mr. *Viger*, That the consideration of the said motion be postponed until to-morrow.

The question having been put upon the said motion, a division ensued; and the names being called for, they were taken down as followeth:

## YEAS.

Messieurs ARMSTRONG, BALDWIN, BARTHE, BLACK, BOSWELL, BOUTILLIEN, BEAUBIEN, DUNN, FORBES, FOSTER, HAMILTON, HARRISON, HOPKINS, LAFONTAINE, SIR ALLAN N. MACNAB, McLEAN, MOORE, MORIN, MORRIS, MURNEY, NEILSON, PAPINEAU, PRINCE, QUESNEL, ROBLIN, SIMPSON, SMALL, HARMANNUS SMITH, GEORGE SHERWOOD, STEELE, STEWART, TURCOTTE, D. B. VIGER, L. M. VIGER, WAKEFIELD, and WOODS.—(36.)

## NAYS.

Messieurs AYLWIN, CHRISTIE, DE WITT, DURAND, GILCHRIST, HINCKS, LESLIE, J. S. MACDONALD, POWELL, and THOMPSON.—(10.)

So it was carried in the affirmative.

Mr. *Christie* then moved, seconded by Mr. *De Witt*. That the appropriation by the Act of the Imperial Parliament, commonly called "The Union Act," of Seventy-five thousand pounds, annually, of the monies levied upon Her Majesty's subjects in Canada, towards defraying the Administration of Justice and support of the Civil Government therein, that is to say:—the annual sum of Forty-five thousand pounds permanently, for salaries and pensions to the Judges, Attorneys General and Solicitors General, and other expenses of the Judicial Establishment, and Thirty-thousand pounds annually, during Her Majesty's Reign, and for five years next thereafter, to defray a Civil List and certain expenses of the Civil Government, however expedient such appropriation, by Act of the Imperial Legislature, may have been, under the peculiar circumstances of the *Canadas*, at the period when the Act was passed, now that those circumstances happily have passed away which may have rendered it a measure of necessity, is unsatisfactory to Her Majesty's loyal subjects in this Province, inasmuch as it withdraws from the control of their Representatives a large proportion of the Public Revenue raised upon them, and is of a tendency to create, foster, and perpetuate abuses in the misapplication of the public moneys: and also is in contravention to the Declaratory Act of the Parliament of *Great Britain*, in 1778, by which it is declared that "the King and Parliament of *Great Britain* will not impose any Duty, Tax, or Assessment, whatever, payable in any of His Majesty's Colonies, Provinces and Plantations in *North America*, except only such duties as it may be expedient to impose for the regulation of Commerce, the nett produce of such Duties to be always paid and applied to and for the Colony, Province, or Plantation in which the same shall be respectively levied, in such manner as other duties collected by the respective General Courts or General Assemblies of such Colonies, Provinces or Plantations, are ordinarily paid and applied."

Mr. *Morris* moved, seconded by the Honourable Mr. *Viger*, That the consideration of the said motion be postponed until tomorrow.

The question having been put upon the said motion, a division ensued; and the names being

called for, they were taken down as in the last preceding division. Supply.

Mr. *Christie* then moved, seconded by Mr. *McLean*, That, in the opinion of this House, the repeal of the aforesaid appropriation would be conducive to the general contentment of Her Majesty's loyal subjects in this Province, and to the peace, welfare and good government thereof, and tend to strengthen and perpetuate the bonds which happily unite it with the Parent Kingdom.

Mr. *Morris* moved, seconded by the Honourable Mr. *Viger*, That the consideration of the said motion be postponed until to-morrow.

The Question having been put upon the said motion, a division ensued; and the names being called for, they were taken down as in the last preceding division.

Mr. *Christie* then moved, seconded by Mr. *Barthe*. That this House, not less mindful of its duty towards Her Majesty Our Most Gracious Sovereign, than of the trust reposed in it by Her Majesty's dutiful and loyal Subjects in this Province, is of opinion that the necessary provision for the support of Her Majesty's Civil Government and the Administration of Justice therein, in a manner suited to the honour and dignity of Her Crown, ought to proceed solely from the free and voluntary vote of Her Majesty's faithful Subjects, the Commons of the Province, in Parliament assembled, to whom also the right of controlling the outlay and application of all moneys levied in the Province, and of defining and fixing the Civil List thereof, and of setting limits to the same, constitutionally belongs.

Mr. *Morris* moved, seconded by the Honourable Mr. *Viger*, that the consideration of the said motion be postponed until tomorrow.

The question having been put upon the said motion, a division ensued: and the names being called for, they were taken down as in the last preceding division.

Mr. *Christie* then moved, seconded by Mr. *J. S. Macdonald*, That in the opinion of this House, the existing Salaries, those of the Judges excepted, upon the Civil List of the Province, and generally the expenses of the Civil Government in all departments thereof, are exorbitant, and ought to be reduced on a scale corresponding to the resources and liabilities of the Province.

Mr. *Morris* moved, seconded by the Honourable Mr. *Viger*. That the consideration of the said motion be postponed until to-morrow.

The question having been put upon the said motion, a division ensued; and the names being called for, they were taken down as in the last preceding division.

Mr. *Christie* then moved, seconded by Mr. *Barthe*. That, in the opinion of this House, it is expedient to reduce upon the following scale, the existing Salaries paid from the Treasury of the Province, or other Public moneys, that is to say: all Salaries exceeding £1000 Currency, one third of the total; exceeding £750, and not over £1000 Currency, one fourth of the total; exceeding £500, and not over £750 Currency, one fifth of the total; exceeding £400, and not over £500 Currency, one sixth of the total; Provided always, that no Salary included in the last mentioned class be reduced below £400 Currency.

Mr. *Morris* moved, seconded by the Honourable Mr. *Viger*. That the consideration of the said motion be postponed until to-morrow.

The question having been put upon the said motion, a division ensued; and the names being called for, they were taken down as in the last preceding division.

Mr. *Christie* then moved, seconded by Mr. *Leslie*, That this House is prepared, and will, when thereunto called upon by Her Majesty, make, in conformity with the well understood wishes of Her



Supply.

Majesty's faithful Canadian subjects, a constitutional and permanent provision for the salaries to the Judges in this Province, and for suitable retiring Pensions to such of them as from age, infirmity, or accident, shall become incapacitated for duty, and generally for such other permanent salaries and charges as are indispensable to the due administration of Justice therein, as well as a provision during Her Majesty's Reign for a Civil List, agreeably with the usages of the Imperial Parliament in the like case; it being provided in the enactment to be passed on the subject, that the same shall only go into effect when the aforesaid appropriation of seventy five thousand pounds, Sterling, annually, by the Union Act, shall have been repealed by the Imperial Legislature, and the Public moneys levied upon Her Majesty's subjects in this Province, have been replaced at the free disposal of their Representatives in Parliament.

Mr. *Morris* moved, seconded by the Honourable Mr. *Viger*, That the consideration of the said motion be postponed until to-morrow.

The question having been put upon the said motion, a division ensued; and the names being called for, they were taken down as in the last preceding division.

Mr. *Christie* then moved, seconded by Mr. *Thompson*, That, in the opinion of this House, it is expedient that all fees of office of whatsoever description levied on the subject in this Province, by Officers or Public Functionaries, deriving their offices from the Crown, be funded, and that in lieu of such fees or perquisites of office, fixed salaries, graduated on the foregoing scale, be allowed the incumbents.

Mr. *Morris* moved, seconded by the Honourable Mr. *Viger*, That the consideration of the said motion be postponed until tomorrow.

The question having been put upon the said motion, a division ensued; and the names being called for, they were taken down as in the last preceding division.

The House then resolved itself into a Committee of Supply.

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

Mr. Speaker resumed the Chair.

And Mr. *Roblin* reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's table, and are as followeth. —

1. *Resolved*, As the opinion of this Committee, that in order to enable Her Majesty to meet the necessary and indispensable expenses of the Government of this Province, from the 1st January to the 31st March, 1844, not otherwise provided for, there be granted to Her Majesty, out of the consolidated Revenue of the Province, not otherwise appropriated, a sum not exceeding twenty-one thousand three hundred and sixty four pounds, twelve shillings and seven pence, Currency, to be accounted for in detail.
2. *Resolved*, As the opinion of this Committee, that a sum not exceeding one thousand, four hundred and seven pounds, seventeen shillings and nine pence, Sterling, be granted to Her Majesty, to defray certain Items of Expenses of the Civil Government of this Province for the year 1843, as recommended in the Message of His Excellency, the Governor General, dated the 1st Instant.
3. *Resolved*, That the Rule and Practice in this case be dispensed with, and that the Question of Concurrence be now separately put upon each of the said Resolutions.

And the said Resolutions being again severally read, and the Question of Concurrence being separately put upon each, they were unanimously agreed to.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, with a copy of the foregoing Resolutions, praying that His Excellency would be pleased to make the necessary advances to meet the same, and assuring His Excellency that should present circumstances prevent the House from passing a Bill to make good the same in this Session, this House holds itself pledged to pass such a Bill at the ensuing Session; and further praying His Excellency to direct that in all expenditures hereafter to be made, strict economy be observed, and such reductions made both as to the number of Officers and persons employed, and the amount of their Salaries, Emoluments, and Contingencies, as is required by the present state of the Revenue, and may be found consistent with the efficiency of the public service.

*Ordered*, That the Honourable Mr. *Neilson*, the Honourable Mr. *Viger*, the Honourable Mr. *Harrison*, and Mr. *Christie*, do present the said Address to His Excellency, the Governor General.

*Ordered*, That the Honourable Mr. *Neilson* have leave of absence for the remainder of the present Session.

*Ordered*, That the Order of the Day for the House in Committee on the Bill, to provide for the Incorporation of Townships, Towns, Counties, and Cities, in *Upper Canada*, lost by the adjournment of the House of the twenty-seventh of November last, be revived, and that this House will, tomorrow, resolve itself into the said Committee.

*Ordered*, That the Order of the Day for the House in Committee on the Bill, to provide for the better division of that part of this Province called *Upper Canada*, into Counties, for abolishing the territorial division thereof into Districts, and providing for temporary Unions of Counties for Judicial and other purposes, and the future dissolution of such Unions, as the increase of population may require, lost by the adjournment of the House of the twenty-seventh of November last, be revived, and that this House will, tomorrow, resolve itself into the said Committee.

*Ordered*, That the Order of the Day for the House in Committee on the Bill, to provide for the establishment and maintenance of Common Schools, in that part of this Province called *Upper Canada*, lost by the adjournment of the House on the twenty-seventh of November last, be revived, and that this House do now resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Price* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered*, That the said Committee have leave to sit again at the next sitting of the House.

Mr. *Price*, accompanied by the other Messengers, reported to the House, that their Address of the Second Instant, to His Excellency, the Governor General, on the subject of the retirement of certain Members of the Provincial Administration, had been presented to His Excellency, and that he was pleased to say; he will send an answer by Message.

Supply.

Leave of absence to Mr. Neilson.

Towns, &amp;c. incorporation.

Division of Province of Upper Canada.

Common Schools U. C.

Resignation of Ex. Council.

Message from  
Leg. Council.

A Message from the Legislative Council by *John Fennings Taylor*, Esquire, one of the Masters in Chancery.

Mr. Speaker,

The Legislative Council have passed the following Bills, without any amendment:—

Vehicles con-  
veying manure  
exempt from  
Toll.

“An Act to exempt Vehicles conveying manure from the Cities and Towns of this Province from the payment of Tolls on Turnpike Roads, and for other purposes therein mentioned.”

Land Survey-  
ors, U.C.

“An Act to repeal certain Acts therein mentioned, and to make better provision respecting the admission of Land Surveyors, and the Survey of Lands in *Upper Canada*.”

Common  
Schools.

“An Act further to provide for the establishment and maintenance of Common Schools, and for apportioning the Fund for the support of the same; and also to grant an indemnity for the payment of certain portions of the School moneys, for the year one thousand eight hundred and forty two; and further to provide for the apportionment and distribution of the balance of the said moneys, for the years one thousand, eight hundred and forty two, and one thousand, eight hundred and forty three.”

And then he withdrew.

Message from  
His Excellen-  
cy the Gov. Gen-  
eral.

*Rawson W. Rawson*, Esquire, Chief Secretary to his Excellency, the Governor General, was admitted within the Bar, and delivered to Mr. Speaker, a Message from His Excellency, the Governor General, signed by His Excellency.

And then he withdrew.

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

*C. T. Metcalf*,

Important  
Measures be-  
fore Parlia-  
ment.

The Governor General considers it to be his duty, in the existing state of Public affairs, to express to the Legislative Assembly, his anxious desire that those important measures now before the Parliament, which are calculated to promote the welfare of the Country, should be conducted to their proper completion or termination by the wisdom of Parliament without interruption, in order that the just wishes and expectations of the people may not be disappointed.

Government House,  
December 4th, 1843.

Contingencies.

Mr. *Thorburn* accompanied by the other Messengers, reported to the House, that their Address of the second instant, to His Excellency, the Governor General, on the subject of the Contingencies of this House, had been presented to His Excellency, and that He was pleased to say; he will take the said Address into his consideration.

Adjournment.

The House then adjourned until six o'clock, P. M. this day.

6â horâ P. M.

Church Soci-  
eties. Quebec  
and Toronto

Mr. *Hale*, accompanied by the other Messengers, reported to the House, that their Address of the second instant, to His Excellency, the Governor General, on the subject of the Bill to incorporate the Church Societies of the United Church of *England* and *Ireland*, in the Dioceses of *Quebec* and *Toronto*, had been presented to His Excellency, and that he was pleased to say; he will send an answer by Message.

On motion of the Honourable Mr. *Boulton*, seconded by Mr. *Powell*,

Ordered, That the Message of His Excellency, the Governor General, received this day, be now read.

Message on  
important  
measures.

The said Message was accordingly read.

The Honourable Mr. *Boulton* moved, seconded by Mr. *Price*, That the said Message be referred to a Committee, to search and consider such precedents as do concern any Messages from the Sovereign; touching any measures hanging in Parliament, and to report their opinion to this House, whether the Message of His Excellency be in accordance therewith.

Sir *Allan N. MacNab* moved, in amendment, seconded by Mr. *Cartwright*, That the words “a Committee” in the said motion be struck out, and the following substituted: “the Standing Committee of Privileges and Elections.”

The question having been put on the motion of amendment a division ensued, and it was carried in the affirmative.

The question being then put on the main motion, as amended, the House divided thereon, and the names being called for, they were taken down as followeth:—

YEAS.

Messieurs ARMSTRONG, AYLWIN, BALDWIN, BERTHELOT, BOSWELL, BOULTON, BOUTILLIER, BEAUBIEN, CAMERON, CARTWRIGHT, CHILD, CHRISTIE, DERBISHIRE, DEWITT, DURAND, GILCHRIST, HAMILTON, HINCKS, HOPKINS, LAFONTAINE, LESLIE, SIR ALLAN N. MACNAB, D. MC DONALD, J. S. MACDONALD, MORIN, MORRIS, MURNEY, NOEL, PAPINEAU, POWELL, PRICE, PRINCE, QUESNEL, ROBLIN, SIMPSON, STEWART, TACHE, THOMPSON, THORBURN, TURCOTTE, D. B. VIGER, L. M. VIGER, and WAKEFIELD.—(43.)

NAYS.

Messieurs HALE, and STEELE.—(2.)

So it was carried in the affirmative, and Ordered accordingly.

Ordered, That the Honourable Mr. *Boulton* be added to the Standing Committee of Privileges and Elections.

Message on  
important  
measures.

Privileges and  
Elections.

The House again went into Committee on the Bill, to provide for the establishment and maintenance of Common Schools in that part of this Province called *Upper Canada*.

Common  
Schools, U.C.

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

Mr. Speaker resumed the Chair,

And Mr. *Price* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received tomorrow.

The Order of the Day for the second reading of the Bill, to afford persons, having been Boundary Line Commissioners, a more easy and less expensive mode of recovering costs still due on judgments, by them rendered in that capacity, being read,

Boundary Line  
Commissioners

The said Bill was accordingly read, and ordered to be engrossed.

The Order of the day for the Second Reading of the Engrossed Bill, from the Legislative Council, intituled, “An Act for the better securing the independence of the Legislative Council of this Province,” being read,

Independence  
of Legislative  
Council.

The said Bill was accordingly read.

Ordered, That the said Bill be now read for the third time,

The said Bill was accordingly read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Hamilton*, do convey back the said bill to the Legislative Council, and ac-

quaint their Honors that this House hath passed the same, without any amendment.

Salmon Fisheries Gaspé.

The Order of the Day for the House in Committee on the Report of the Special Committee, to which were referred the Entries in the Journals of this House of the 5th October 1843, relating to the Salmon Fisheries in the Inferior District of Gaspé, with an Instruction to continue the inquiry relative to the said Fisheries being read.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Stewart reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

*Resolved*, That this House doth concur with the Special Committee in the said Report.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying His Excellency to appoint one or more Commissioners, residing at or near the River *Ristigouche*, to proceed to the said River *Ristigouche*, and other places at which the Salmon Fisheries are carried on in the District of *Gaspé*, and there to obtain such information as may be requisite to enable the Legislature of this Province to frame proper enactments, for preventing the destruction of the said Fisheries; and praying also that His Excellency will be pleased to communicate with the Government of *New Brunswick*, to the end that a Commissioner or Commissioners may be appointed on behalf of that Province, to meet those appointed on behalf of this Province, so that the Regulations which the said Commissioners shall find necessary, may be enacted by the Legislatures of *New Brunswick* and of this Province, in their next Sessions, respectively, and thus become common to the two Provinces.

*Ordered*, That Mr. Hamilton, Mr. Thorburn, Mr. Cameron, and Mr. Taché, do present the said Address to His Excellency, the Governor General.

General Law.

The Order of the Day for the second reading of the engrossed Bill, from the Legislative Council, intituled "An Act to supply by a General Law, certain forms of enactment in certain use, which may render it unnecessary to repeat the same in Acts to be hereafter passed, and for other purposes," being read.

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

Orders postponed.

*Ordered*, That the remaining Orders of the Day be postponed until tomorrow.

Then on motion of Mr. Cameron, seconded by Cartwright,

The House adjourned until tomorrow, at Noon.

Martis, 5<sup>o</sup> die Decembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

Meridie.

Four Petitions brought up.

THE following Petitions were severally brought up, and laid on the table:—

By Mr. Hamilton—The Petition of *George Rathman*, of the City of *Quebec*, Pork Seller and Sausage Maker.

D 3

By Mr. Stewart—The Petition of *Duncan McLeod* and others, Inhabitants of the *Eastern* and *Ottawa* Districts.

By the Honourable Mr. Black—The Petition of the President and Members of the Literary and Historical Society of *Quebec*.

By the Honourable Mr. Morin—The Petition of *William Ross*, Chief Clerk of the Committees; praying to be placed on the same footing as the Chief Office Clerk, in so far as respects Salary.

On motion of the Honourable Mr. Morin, seconded by the Honourable Mr. Viger,

*Ordered*, That the said Petition be now read, and that the Rule of this House of the twenty-eighth of June 1841, be dispensed with, as to the present Petition.

The said Petition was read accordingly.

*Ordered*, That the said Petition be referred to the Standing Committee of Contingencies.

Petition of W. Ross read and referred.

An Engrossed Bill to afford to persons, having been Boundary Line Commissioners, a more easy and less expensive mode of recovering costs still due on Judgments by them rendered in that capacity, was read for the third time.

Boundary Line Commissioners

Mr. Thorburn moved, seconded by Mr. Cartwright, that the Bill do pass, and the title be "An Act to afford to persons, having been Boundary Line Commissioners, a more easy and less expensive mode of recovering costs still due on Judgments rendered in that capacity."

The Question having been put upon the said motion, a division ensued, and the names being called for they were taken down as followeth:—

#### YEAS.

Messieurs ARMSTRONG, BALDWIN, BOULTON, CAMERON, CARTWRIGHT, CRISTIE, DUNLOP, DUNN, FORBES, GILCHRIST, HARRISON, SIR ALLAN N. MACNAB, MCLEAN, MERRITT, MORRIS, MURNEY, PAPINEAU, POWELL, SIMPSON, HARMANNUS SMITH, GEORGE SHERWOOD, STEWART, THOMPSON, THORBURN, and WILLIAMS.—(25.)

#### NAYS.

Messieurs FOSTER, HAMILTON, HINCKS, HOPKINS, LAFONTAINE, LESLIE, MORIN, PRICE, and TACHE.—(9.)

So it was carried in the affirmative, and,

*Resolved*, Accordingly.

*Ordered*, That Mr. Thorburn, do carry the said Bill to the Legislative Council, and desire their concurrence.

*Resolved*, That the Petition of the Reverend *Francis Evans*, and others, of the town of *Simcoe*, in the District of *Talbot*, presented to the House on the twenty-fifth of October last, be referred to a Select Committee, composed of Mr. Powell, Mr. Hale, Captain Steele, Mr. Williams, and Mr. Thorburn, to examine the contents thereof, and to report thereon, by Bill or otherwise, with power to send for persons, papers and records.

Petition of Rev. Francis Evans and others, referred.

Mr. Wakefield, from the Special Committee to which was referred the Petition of *Robert Fleming Gourlay*, presented to the House the Report of the said Committee, which was again read at the Clerk's table and agreed to by the House, and is as followeth:—

Report of Committee on Petition of Robert F. Gourlay.

"Your Committee, having enquired into the matter referred to them, have ascertained that Mr. Gourlay has declined availing himself of the proceedings of this House in his case, of the fifth October, 1842, because he is unwilling to accept a pecuniary grant from the Executive on any other

Report of Com-  
mittee on Peti-  
tion Robt. F.  
Gourlay

ground than that of the injuries sustained by him from the Government of *Upper Canada*, in former times.

Your Committee, themselves, take this view of the subject, and therefore in consideration of Mr. *Gourlay's* patriotic exertions, for the benefit of this Province, and of the wrongs which he thereby incurred, recommended that an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to adopt some means of conveying to the Petitioner the opinion of this House on his case, in the terms of the Report made to the House by a Select Committee, dated 11th September 1841, and adopted by the House on the 16th of the same Month.

*Resolved*, That an humble Address be presented to His Excellency the Governor General, praying that his Excellency will be pleased to adopt some means of conveying to *Robert Fleming Gourlay*, the opinion of this House on his case, in the terms of the Report, made to this House by a Select Committee, dated 11th September 1841, and adopted by the House on the sixteenth of the same month.

*Ordered*, That Mr. *Wakefield*, Mr. *Thorburn*, Mr. *Merritt*, and Mr. *Cameron*, do present the said Address to His Excellency the Governor General,

Chartered  
Banks.

Mr. *Morris*, from the Select Committee to which was referred the Bill, to authorize the Chartered Banks of this Province, to open Books in the United Kingdom, for the transfer of their Stock, 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.

*Resolved*, That the said Bill and Report be committed to a Committee of the whole House, to-morrow.

Report on Peti-  
tion of Effy  
McCuaig.

Mr. *Simpson* from the Select Committee to which was referred the Petition of *Effy McCuaig*, widow of the late *John McCuaig*, of the Seignior of *New Longueuil*, presented to the House the report of the said Committee, which was again read at the Clerk's table.

(For the said Report see Appendix Q. Q.)

Mr. *Simpson* moved, seconded by Mr. *McLean*, that this House doth concur with the Select Committee in the said Report.

The Question having been put upon the said motion, a division ensued, and it passed in the negative.

Mr. *Simpson* moved, seconded by Mr. *Dunlop*, that an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of the Report made by *Alphonso Wells*, Esquire, on the line of division between the two sections of this Province, which formerly constituted the Provinces of *Upper and Lower Canada*, respectively: with such information as His Excellency may think proper to communicate, with regard to the steps taken by the Provincial Government, in consequence of the said Report.

The Question having been put upon the said motion, a division ensued, and it passed in the negative.

Report on Pri-  
vileges and  
Elections.

The Honourable Mr. *Balwin* from the standing Committee of Privileges and Elections, presented to the House the second Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee have considered the Message of His Excellency, the Governor General, which was yesterday referred to them, and after a diligent search have not discovered any precedent of a Message from the Crown to Parliament, of a similar character; but they are of opinion that the fundamental, ancient, and undoubted liberty and privi-

lege of Parliament, by which the Rights and Liberties of the People of *Canada*, represented in the Legislative Assembly of the Province are guarded and maintained, establish the constitutional principle, that each of the three branches of the Legislature is thoroughly independent on the other, and that neither branch ought to notice any thing hanging before the other, but by their information or agreement: and especially that it is essential to the free action of the Assembly, that the Representative of Her Majesty, should not express to Your Honourable House any opinion either of approbation or disapprobation, upon the course to be pursued in relation to any Questions, Bills, or Measures in agitation, Debate, or Preparation, before them.

That while your Committee wholly exonerate His Excellency, the Governor General, from any intention to infringe upon the Privileges of Your Honourable House, they are of opinion that under the difficulties in which the affairs of the Province are placed, by reason of no Administration having as yet been formed, responsible to Your Honourable House, for the advice they may give to His Excellency, it will be sufficient, upon the present occasion to enter upon Your Journals, Your opinion that the Message in question shall not be drawn into Precedent."

The Honourable Mr. Attorney General *Balwin* moved, seconded by the Honourable Mr. *Boulton*, that this House doth concur with the standing Committee of Privileges and Elections in the said Report.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:

#### YEAS.

MESSIEURS ARMSTRONG, AYLWIN, BALDWIN, BARTHE, BERTHELOT, BLACK, BOULTON, BOUTILLIER, BEAUBIEN, CAMERON, CHRISTIE, DEWITT, DUNN, DURAND, GILCHRIST, HARRISON, HINCKS, LAFONTAINE, LESLIE, SIR ALLAN N. MACNAB, MERRITT, MORIN, MORRIS, MURNEY, PAPINEAU, POWELL, PRICE, PRINCE, QUESNEL, ROBLIN, SIMPSON, HENRY SMITH, HARMANNUS SMITH, GEORGE SHERWOOD, STEWART, TURCOTTE, D. B. VIGER, and L. M. VIGER.—(38.)

#### NAYS.

MESSIEURS CHESLEY, DUNLOP, FOSTER, HALE, JOBIN, McLEAN, and STEELE.—(7.)

So it was carried in the affirmative, and *Resolved*, accordingly.

The Honourable Mr. Solicitor General *Aylwin*, from the Select Committee, to which was referred the engrossed Bill from the Legislative Council, intituled, "An Act to repeal an Ordinance of *Lower Canada*, intituled, 'An Ordinance concerning Bankrupts and the Administration and distribution of their Estates and Effects,' and to make provision for the same object throughout the Province of *Canada*," and another Reference, reported that the Committee had gone through the said Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House, and are as followeth:—

Bankrupts' Es-  
tates.

Press 11, Line 8.—After "place" insert "And provided always, that no person shall be a Judge or Commissioner, as aforesaid, in this Province, unless he be a Barrister at Law, of at least five years standing."

Press 35, Line 31.—Leave out from "and" to "Act" in line 33, and insert Clause (A.)

## CLAUSE (A.)

"And be it enacted, that in all questions not otherwise provided for, the Laws of *Upper Canada* and of *Lower Canada*, respectively, shall be resorted to as the Rule of decision on all questions respecting Bankrupts, as the said Laws now respectively obtain in each Section of the Province, and in cases unprovided for in the existing Laws above mentioned, then resort shall be had to the Laws of *England*, as such Rule of decision in that part of this Province heretofore *Upper Canada*, and in that only."

Press 40, Line 29.—After "intended" insert Clause (B.)

## CLAUSE (B.)

"And be it enacted, that this Act shall be and continue in force for, and during the term of two years, and from thence to the end of the then next ensuing Session of Parliament, and no longer."

Ordered, That the said Amendments be engrossed.

The Honourable Mr. *Morin* from the Select Committee, to which was referred the Bill, to confer certain powers on the Bishop of *Montreal*, in the transfer of certain lands, reported that the Committee had gone through the Bill, without making any amendments thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

An engrossed Bill, to confer certain powers on the Bishop of *Montreal*, in the transfer of certain lands, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. *Morin*, do carry the said Bill to the Legislative Council, and desire their concurrence.

The Honourable Mr. *Harrison*, accompanied by the other Messengers, reported to the House, that their Address of yesterday, to His Excellency, the Governor General, on the subject of the Resolutions of this House, on supply, had been presented to His Excellency, and that he was pleased to say, He will send an answer by Message.

Ordered, That Mr. *Cameron* have leave to bring in a Bill, to ascertain and define the character of all vessels engaged in the navigation of the inland waters and Lakes of this Province, and to distinguish those, the Property of British Subjects from those, the Property of Foreigners; and to regulate the Forms and Proceedings to be observed in carrying on such Trade; and to prevent the fraudulent assignment of any property in such Vessels.

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 this day week.

Ordered, That Mr. *Dunlop* have leave of absence during the remainder of the present Session.

Ordered, That the Report of the Select Committee appointed to enquire into the present limits and divisions of the City of *Toronto*, and the different Towns and Villages having police regulations in *Upper Canada*; and into the expediency of altering them, or any of them; be referred to the Committee of the whole House, on the Bill, to provide for the Incorporation of Townships, Towns, Counties, and Cities, in *Upper Canada*,

Mr. *Hamilton*, accompanied by the other Messengers, reported to the House, that their Address of yesterday, to His Excellency, the Governor General, on the subject of the Salmon Fisheries, in the District of *Gaspé*, had been presented to His Excellency, and that He was pleased to say, He will take the same into His most serious consideration.

*Rawson W. Rawson*, Esquire, Chief Secretary to His Excellency, the Governor General, was admitted within the Bar, and delivered to Mr. Speaker two Messages from His Excellency, the Governor General, signed by His Excellency.

And then he withdrew.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:—

C. T. Metcalfe.

The Governor General informs the House of Assembly that, in compliance with their Address of the 2d instant, he will issue his Warrants in favour of *Wm. Burns Lindsay*, Esquire, for the amount of nine thousand, one hundred and seventy seven pounds, five shillings, Currency, towards defraying the Contingent Expenses of the House during the present Session, in such sums as occasion may require.

Government House,  
5th December, 1843.

C. T. Metcalfe.

The Governor General observes with concern from the first portion of the Address of the Legislative Assembly of the 2d instant, that an impression has been made on the House, which has led to a misapprehension of his sentiments and views.

While it is his bounden duty to maintain unimpaired the Prerogative of the Crown, he recognizes the Resolutions adopted by the Legislative Assembly on the 3rd day of September, 1841, as constituting the guide, according to which the administration of the Government of this Province has since been, and is to be conducted.

In expressing his entire concurrence in the second and concluding portion of the Address, he is happy to perceive that the House of Assembly disapprove and discountenance any attempt, to require the Head of the Government to enter into any stipulation as to his exercise of the Prerogative of the Crown.

Government House,  
Kingston, 4th December, 1843.

Ordered, That Mr. *Merritt* have leave to bring in a Bill to appropriate the proceeds of the waste Lands of the Crown and the Casual and Territorial Revenue, for the purposes of Common Schools, and to limit the time for calling in Scrip under a certain Act therein mentioned.

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 Wednesday the thirteenth Instant.

Ordered, That two thousand five hundred copies of the Message of His Excellency, the Governor General, of this day, on the subject of the resignation of the late Executive Councillors, be printed in each of the English and French Languages, for the use of the Members of this House.

Mr. *Thompson* moved, seconded by Mr. *Simpson*, for leave to bring in a Bill, to enable the Provisional Court of Wardens to be appointed for the County of *Haldimand*, to borrow money for the purpose of building a Court House and Gaol in the said County.

The question having been put upon the said motion, a division ensued, and it passed in the Negative.

Mr. *Price*, from the Committee of the whole House on the Bill, to provide for the establishment

Message from His Excellency the Governor General.

Contingencie s.

Resignation of Ex. Council.

Common Schools.

Resignation of Ex. Council.

Gaol and Court House, County of Haldimand.

Common Schools U. C.

Bankrupts' Estates.

Certain powers conferred on Bishop of Montreal.

Supply.

To define the character of Vessels navigating Inland Waters of Canada.

Leave of absence to Mr. Dunlop.

Report on Limits and divisions of City of Toronto, &c.

Salmon Fisheries, Gaspé.

Common  
Schools.  
U. C.

and maintenance of Common Schools, in that part of this Province called *Upper Canada*, reported according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the following Clause be added to the said Bill after the last Clause :

"And be it enacted, that an Act of the Parliament of this Province passed in the Session held in the 4th and 5th years of Her Majesty's Reign, and intituled 'An Act to repeal certain Acts therein mentioned, and to make further provision for the establishment and maintenance of Common Schools throughout this Province,' shall upon, from, and after, the day last aforesaid, be repealed in so far as relates to that part of this Province called *Upper Canada*, in and with regard to which, it shall upon, from, and after, the said day have no force or effect, excepting always the first, second, and third sections of the said Act; and so much of the twenty-first section as provides for the due accounting for the application of the moneys appropriated by the second and third sections of the said Act."

*Ordered*, That the said Bill, as amended, be engrossed.

An Engrossed Bill to provide for the establishment and maintenance of Common Schools in that part of this Province called *Upper Canada*, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. *Hincks* do carry the said Bill to the Legislative Council, and desire their concurrence.

Estates & Pro-  
perty Ordinance  
Department.

The Order of the Day for the second reading of the Bill, for vesting in the Principal Officers of Her Majesty's Ordinance, the estates and property therein described; for granting certain powers to the said Officers; and for other purposes therein mentioned, being read,

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

Quebec and  
Montreal Police

The Order of the Day for the second reading of the Bill, to alter and amend certain provisions of the Ordinance of the Governor and Council of *Lower Canada*, of the second year of Her Majesty's Reign, intituled, "An Ordinance for establishing an efficient system of Police in the Cities of *Quebec* and *Montreal*," being read,

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

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

Mr. Speaker resumed the Chair,

And Mr. *Simpson* reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table.

*Resolved*, That the Rule and Practice in this case be dispensed with, and that the Question of Concurrence be now put upon the said amendment.

And the said amendment being again read, and the Question of Concurrence being put thereon, it was unanimously agreed to.

*Ordered*, That the said Bill, as amended, be engrossed.

Towns &c. In-  
corporations.

The Order of the Day for the House in Committee on the Bill, to provide for the incorporation of Townships, Towns, Counties, and Cities, in *Upper Canada*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Johnston* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

*Ordered*, That the said Committee have leave to sit again, at the next sitting of the House.

An Engrossed Bill, from the Legislative Council, intituled, "An act to repeal an Ordinance of *Lower Canada*, intituled 'An Ordinance concerning Bankrupts and the Administration and distribution of their Estates and Effects, and to make provision for the same object throughout the Province of *Canada*,'" as amended was read for the third time.

*Resolved*, That the Bill as amended, do pass

*Ordered*, That the Honourable Mr. Solicitor General *Aylwin* do carry back the said Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same with several Amendments, to which they desire the concurrence of their Honors.

The House then adjourned until six o'clock P. M. this Day.

6a hora P. M.

*Resolved*, That a Message be sent to the Honourable the Legislative Council, to acquaint their Honors, that the Engrossed Bill, intituled, "An Act to repeal an Ordinance of *Lower Canada*, concerning Bankrupts, and the Administration and distribution of their Estates and Effects," and to make provision for the same object throughout the Province of *Canada*," had been carried to their Honors by mistake, and to request that their Honors will be pleased to return the same to this House.

*Ordered* That Mr. *Boswell* do carry the said Message to the Legislative Council.

The House again went into Committee on the Bill, to provide for the Incorporation of Townships, Towns, Counties, and Cities, in *Upper Canada*.

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

Mr. Speaker resumed the Chair,

And Mr. *Johnston* 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.

The order of the day for the House on Committee on the Bill, for the better division of that part of this Province called *Upper Canada*, into Counties; for abolishing the territorial division thereof into Districts, and providing for temporary unions of Counties for judicial and other purposes, and the future dissolution of such Unions, as the increase of population may require, being read.

Mr. *Stewart* moved, seconded by Mr. *Thompson*, that the Petition of *Duncan McLeod* and others, Inhabitants of the *Eastern* and *Ottawa* Districts, praying that the five northern concessions of *Lochiel*, and the four northern concessions of *Kenyon*, in the *Eastern* District, be formed into one Township, and added to the County of *Prescott*; in the District of *Ottawa*, be referred to the said Committee, and that the Rules of this House be dispensed with, in so far as they relate to the present Petition.

The Question having been put upon the said motion, a division ensued, and it passed in the Negative.

The House then resolved itself into the said Committee.

Bankrupts' Es-  
tates.

Bankrupts' Es-  
tates.

Towns &c. In-  
corporation.

Territorial di-  
vision of Upper  
Canada.

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

Mr. Speaker resumed the Chair,

And Mr. *Simpson* 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.

An Engrossed Bill to alter and amend certain Provisions of the Ordinance of the Governor and Council of *Lower Canada*, of the second year of Her Majesty's Reign, intituled "An Ordinance for establishing an efficient system of Police in the Cities of *Quebec* and *Montreal*, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. Solicitor General *Aylwin*, do carry the said Bill to the Legislative Council, and desire their concurrence.

The Honourable Mr. *Boulton* moved, seconded by Mr. *Christie*, that the Message of His Excellency, the Governor General, in answer to the Address of this House, on the retirement of certain Members of the late Administration, be now read.

*Ordered*, That this House do now proceed on the Orders of the Day.

The Order of the Day for the House in Committee on the sixth Report of the Standing Committee of Contingencies, being read,

*Resolved*, That this House will, tomorrow, resolve itself into the said Committee.

The order of the day for taking into consideration a series of Resolutions proposed by Mr. *Christie*, yesterday, on the subject of the Civil List, being read;

The House proceeded accordingly to take the said Resolutions into consideration.

And the first to the fourth of the said Resolutions being again severally read, and the Question of concurrence being separately put upon each, they were agreed to by the House.

The fifth of the said Resolutions being again read;

The Honourable Mr. *Hincks* moved in amendment, seconded by Mr. *Thorburn*, that the word "Puisne" be inserted before the word "Judges" in the said Resolution.

The Question having been put on the motion of amendment, a division ensued; and the names being called for, they were taken down as followeth;

#### YEAS.

Messieurs AYLWIN, BOSWELL, CHILD, DEWITT, DUNN, DURAND, GILCHRIST, HINCKS, HOPKINS, MERRITT, MORIN, MORRIS, POWELL, ROBLIN, THOMPSON, THORBURN, D. B. VIGER, and WILLIAMS.—(18.)

#### NAYS.

Messieurs BALDWIN, BERTHELOT, BLACK, BOULTON, BOUTILLIER, BEAUBIEN, CARTWRIGHT, CHESLEY, CHRISTIE, FORBES, FOSTER, HAMILTON, JOHNSTON, LAFONTAINE, LESLIE, SIR ALLAN N. MACNAB, J. S. MACDONALD, McLEAN, MOORE, MURNEY, NOEL, QUESNEL, SMALL, HARMANNUS SMITH, GEORGE SHERWOOD, TACHE, TURCOTTE, L. M. VIGER, and WOODS.—(29.)

So it passed in the negative.

The Question being then put on the said fifth Resolution, it was agreed to by the House.

The sixth of the said Resolutions being again read, and the Question being put thereon, it passed unanimously in the negative.

The seventh of the said Resolutions being again read, and the Question being put thereon, it was agreed to by the House.

The eighth and last of the said Resolutions being again read, and the Question of concurrence being put thereon, it passed unanimously in the negative.

Mr. *Christie* moved, seconded by Mr. *Thompson*, that it is the opinion of this House, that the Office of Chief or Civil Secretary, to which is annexed a salary (£1620 Sterling) exceeding considerably any of those by law appertaining to the highest and most important offices in the Province, including those of the Chief Justices in *Lower Canada*, the Chief Justice of *Upper Canada*, and the Vice Chancellor thereof, respectively, and next to that of the Governor General, is an unnecessary and burdensome charge on the Civil List of the Province, and ought forthwith to be abolished, and the duties thereof transferred to the Provincial Secretary, responsible to this House, as a Member of Her Majesty's Executive Council in this Province, and in that quality a responsible adviser of His Excellency the Governor General.

Sir *Allan N. MacNab* moved, seconded by Mr. *Cartwright*, that the further consideration of the said motion be postponed, until this House shall take further action on the foregoing Resolutions.

The Question having been put upon the said motion, a division ensued; and the names being called for, they were taken down, as followeth:—

#### YEAS.

Messieurs CARTWRIGHT, FORBES, FOSTER, SIR ALLAN N. MACNAB, McLEAN, MURNEY, and GEORGE SHERWOOD.—(7.)

#### NAYS.

Messieurs AYLWIN, BALDWIN, BERTHELOT, BLACK, BOSWELL, BOULTON, BOUTILLIER, BEAUBIEN, CAMERON, CHRISTIE, DEWITT, DUNN, DURAND, GILCHRIST, HINCKS, HOPKINS, LAFONTAINE, LESLIE, D. McDONALD, J. S. MACDONALD, MERRITT, MORIN, MORRIS, POWELL, QUESNEL, ROBLIN, SMALL, HARMANNUS SMITH, THOMPSON, THORBURN, and L. M. VIGER.—(31.)

So it passed in the negative.

The Question being then put on the main motion, the House divided thereon; and the names being called for, they were taken down, as followeth:

#### YEAS.

Messieurs AYLWIN, BALDWIN, BERTHELOT, BLACK, BOSWELL, BOULTON, BOUTILLIER, BEAUBIEN, CAMERON, CHRISTIE, DEWITT, DUNN, DURAND, GILCHRIST, HINCKS, HOPKINS, LAFONTAINE, LESLIE, D. McDONALD, J. S. MACDONALD, MERRITT, MORIN, MORRIS, MURNEY, POWELL, QUESNEL, ROBLIN, SMALL, HARMANNUS SMITH, GEORGE SHERWOOD, THOMPSON, THORBURN, and L. M. VIGER.—(33.)

#### NAYS.

Messieurs CARTWRIGHT, FORBES, FOSTER, SIR ALLAN N. MACNAB, and McLEAN.—(5.)

So it was carried in the affirmative, and

*Resolved*, accordingly.

*Resolved*, That a Special Committee, composed of Mr. *Christie*, the Honourable Mr. *Boulton*, Sir *Allan N. MacNab*, the Honourable Mr. Attorney General *Baldwin*, and Mr. *Boswell*, be appointed to prepare and report the draught of an humble Address to Her Majesty, in con-

Civil List

Quebec and Montreal Police

Resignation of Ex. Council.

Orders of the day.

Contingencies

Civil List.

Civil List.

formity with the foregoing Resolutions, together with an humble Address to His Excellency, the Governor General, praying His Excellency will be pleased to cause the said Address to Her Majesty, to be laid at the foot of the Throne.

N. A. Colonial Association of Ireland.

The Order of the day for the House in Committee on the Bill, to give further powers to the North American Colonial Association of Ireland, being read.

The Honourable Mr. Solicitor General *Aylwin*, moved, seconded by the Honourable Mr. *Boulton*, that the said order of the day be discharged.

Sir *Allan N. McNab* moved, in amendment, seconded by Mr. *Cartwright*; that all the words after "That" in the said motion, be struck out, and the following substituted, "the remaining orders of the day be postponed until to-morrow."

The Question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:—

## YEAS.

Messieurs BOSWELL, CAMERON, CARTWRIGHT, CHRISTIE, FOSTER, JOHNSTON, SIR ALLAN McNAB, MORRIS, MURNEY, POWELL, GEORGE SHERWOOD, THOMPSON, THORBURN, and WOODS.—(14.)

## NAYS.

Messieurs AYLWIN, BALDWIN, BOULTON, BOUTILLIER, BEAUBIEN, DEWITT, DUNN, DURAND, GILCHRIST, HINCKS, HOPKINS, LAFONTAINE, LESLIE, MOORE, MORIN, and SMALL. (16.)

So it passed in the Negative.

And the House having continued to sit, till after twelve of the clock, on Wednesday morning.

*Mercurii, 6<sup>o</sup> die Decembris 1843.*

The question being then put on the main motion, it passed unanimously in the Negative.

Orders Postponed

*Ordered*, That the remaining Orders of the day be postponed until the next sitting of the House.

Leave of absence to Mr. Berthelot

*Ordered*, That Mr. *Berthelot* have leave of absence during the remainder of the Session, on urgent business.

Then on motion of Mr. *Morris*, seconded by Mr. *Cartwright*.

The House adjourned until ten o'clock, A. M. this day.

*Mercurii, 6<sup>o</sup> die Decembris.*

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

10<sup>a</sup> hora A. M.

Two Petitions brought up.

THE following Petitions were severally brought up and laid on the table:—

By the Honourable Mr. *Black*—The Petition of *Thomas Simard* and other Pilots, for and below the Harbour of *Quebec*; and the Petition of *T. A. Stagner*, Esquire, and others, Officers of the *Quebec* British and Canadian School Society.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:—

Of *Geoffrey B. Hall* and others, Inhabitants of the Township of *Walpole*; praying for the annexation of that Township to the County of *Norfolk*.

Of the Municipal Council of the District of *Talbot*; praying for certain amendments to the Assessment Bill now before the Legislature.

Petitions read.

*Ordered*, That the Petition of the Municipal Council of the District of *Talbot*, be referred to the Committee of the whole House on the Bill, to establish a more equal and just system of Assessment in the several Townships, Towns, and Cities, in *Upper Canada*.

Petition of Municipal Council, District of Talbot, referred.

The Honourable Mr. *Boulton* moved, seconded by Mr. *Taché*.

Address to His Excellency on formation of a new Administration.

That an humble Address be presented to His Excellency the Governor General, expressing the deep anxiety of this House at the delay which has taken place in the formation of a new Administration, since the resignation of the late advisers of his Excellency, the Governor General, communicated to this House on the twenty-seventh day of November last. That His Excellency having fully concurred in the Resolutions of this House, of the 3d September, 1841, whereby it is, amongst other things, declared that, in order "to preserve between the different Branches of the Provincial Parliament, that harmony which is essential to the peace, welfare and good Government of the Province, the Chief Advisers of the Representative of the Sovereign, constituting a Provincial Administration under him, ought to be men possessed of the confidence of the Representatives of the People," and that "the management of our local affairs can only be conducted by the Head of the Executive Government, by and with the assistance, counsel, and information of such Provincial Administration." That in full reliance upon the oft expressed intentions of His Excellency to carry on the Government upon these sound constitutional principles so clearly enunciated by this House, and concurred in by His Excellency, this House, with an earnest desire not to offer any unnecessary obstruction to the progress of Public affairs, during a period which might reasonably have been regarded as sufficient for the formation of a new Administration, has consented to the passing of several important measures eagerly looked for by the People of this Province, in the absence of any one representing the Government within the walls of Parliament. But feeling the increasing difficulties which every day's experience has warned us of in thus proceeding, under a suspension of those principles to which the People of this great Country look, for the maintenance and preservation of their Rights and Liberties, this House has come to the determination, humbly to tender to His Excellency their advice, that His Excellency will be graciously pleased to take such measures, as are best calculated for the formation of a strong and efficient administration, and thus "affording a guarantee that the well understood wishes of the People, which our Gracious Sovereign has declared shall be the rule of the Provincial Government, will on all occasions be faithfully represented and advocated."

On motion of Mr. *Hamilton*, seconded by Mr. *Williams*,

*Ordered*, That the consideration of the said motion be postponed until tomorrow.

*Ordered*, That the said proposed Address be printed for the use of the Members of this House.

Mr. *D. McDonald*, moved, seconded by Mr. *Stewart*, for leave to bring in a Bill for the annexation of the Townships of *Alfred* and *Plantagenet* to the County of *Russell*, and for other purposes therein mentioned.

Alfred &amp; Plantagenet.

The Question having been put upon the said motion, a division ensued, and it passed in the negative.

Mr. *Boswell* reported to the House that their Message to the Legislative Council of yesterday, on

Bankrupts Bill.



Bankrupts' Bill.

the subject of the Engrossed Bill, intituled, "An Act to repeal an Ordinance of Lower Canada, intituled, An Ordinance concerning Bankrupts and the administration and distribution of their Estates and Effects, and to make provision for the same object throughout the Province of Canada," which had been sent to their Honors by mistake, had been carried to the Legislative Council, and that their Honors had returned the said Bill.

Resolved, That the said Bill be now re-committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Taché reported that the Committee had gone through the Bill and had made further Amendments thereto, which amendments were again read at the Clerk's table, and are as followeth:—

- In the eighty-first Clause, fill up the first blank with the words....." forty shillings."
- " Second blank with the words "ten shillings."
- " Third blank with the words "one shilling."
- " Fourth blank with the words "one shilling."
- " Fifth blank with the words "one shilling and three pence."

Resolved, That the rule and Practice in this case be dispensed with, and that the Question of Concurrence be now separately put upon each of the said Amendments.

And the said Amendments being again severally read, and the Question of Concurrence being separately put upon each, they were agreed to by the House.

Ordered, That the said Amendments be engrossed.

Mr. Merritt from the Select Committee to which was referred the Petition of John Harris and others, Inhabitants of Grimsby and other Townships, in the District of Niagara, and other References, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee have carefully examined the Petition of John Harris and others, and the Map of the Counties of Lincoln and Haldimand, in the said District.

It appears to your Committee by reference to the said Map, that attaching the Townships of Walpole and the Indian Lands on the West side of the Grand River, to the County of Norfolk, and the remaining portion of the Indian Lands on the East side of the Grand River, in a line between Binbrook and Caistor, running South until it intersects the Township Line of Cayuga, and thence Westwardly, up to the Grand River, to the District of Gore: and dividing the District of Niagara by a line drawn from Lake Ontario, between Louth and Clinton, Gainsborough and Pelham; and thence South through Wainfleet to Lake Erie; would render access to the nearest County Towns most convenient to the Inhabitants residing therein.

But your Committee have no desire to urge any decision which may not meet the approbation of the majority of the Inhabitants, residing in the said District.

Your Committee having also taken into consideration the Entries in the Journals of this House, of the 26th September, 1842, relating to the Petition of Richard Brown and others, of the County of Haldimand, praying that the said County may be erected into a separate District, under the name of "Manchester," beg to report:

That feeling desirous that the division of the District of Niagara, should meet the approbation of the majority of the Inhabitants, who are to be affected by it, they cannot devise a more satisfactory

arrangement, than leaving the decision of the boundaries to a majority of the District Council, at which every Township will be represented, and the locality as well as convenience and interest of the Inhabitants best understood."

A Message from the Legislative Council, by John Jennings Taylor, Esquire, one of the Masters in Chancery.

Message from Legislative Council.

Mr. Speaker,

The Legislative Council have passed the following Bills without any amendment.

"An Act for the establishment and maintenance of Common Schools in that part of this Province called Upper Canada."

Common Schools, U. C.

"An Act to afford to persons having been Boundary Line Commissioners, a more easy and less expensive mode of recovering costs still due on Judgments rendered in that capacity."

Boundary line Commissioners

And then he withdrew.

Ordered, That Mr. Merritt have leave to bring in a Bill to prescribe the manner in which the Public Accounts shall be annually laid before the Legislature.

Public Accounts.

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 Wednesday next.

The Order of the day for the House in Committee on the Bill, to authorize the Chartered Banks of this Province to open Books in the United Kingdom for the transfer of their Stock, being read,

Chartered Banks.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Beaubien reported that the Committee had gone through the Bill without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

The Order of the day for the House in Committee on the Bill, for vesting in the Principal Officers of Her Majesty's Ordinance, the Estates and Property therein described; for granting certain powers to the said Officers; and for other purposes therein mentioned, being read,

Vesting Estates and Property in Ordinance Department.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Harmannus Smith 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.

Ordered, That the Question of Concurrence be now separately put upon each of the said amendments.

And the first to the fifth of the said amendments, inclusively, being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

The sixth and last of the said amendments being again read.

Mr. George Sherwood moved, in amendment, seconded by Mr. Cartwright, that the words "at Bytown," be struck out of the said amendment.

The Question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:—

## YEAS.

Vesting Es-  
tates & Proper-  
ty in Ordinance  
Department.

Messieurs CARTWRIGHT, CHRISTIE, FOSTER, MUR-  
NEY, PRICE, SMALL, HENRY SMITH, HARMANNUS  
SMITH, GEORGE SHERWOOD, and L. M. VIGER.—(10)

## NAYS.

Messieurs BLACK, BEAUBIEN, DERBISHIRE, HINCEN,  
JOHNSTON, LAFONTAINE, SIR ALLAN N. MACNAB,  
J. S. MACDONALD, MORIN, PARKE, PRINCE, STEW-  
ART, THORBURN, and D. B. VIGER.—(14.)

So it passed in the Negative.

The said sixth amendment being then again read,  
and the Question of Concurrence being put there-  
on, it was agreed to by the House.

*Ordered.* That the said Bill, as amended, be en-  
grossed.

Contingencies.

The Order of the day for the House in Commit-  
tee on the sixth Report of the Standing Committee  
of Contingencies, being read.

The House accordingly resolved itself into the  
said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Durand* reported, that the Committee  
had come to several Resolutions, which he was di-  
rected to submit to the House, whenever it shall be  
pleased to receive the same.

*Ordered.* That the Report be received tomorrow.

Estate &c. of  
Bankrupts.

An Engrossed Bill from the Legislative Council,  
intituled, "An Act to repeal an Ordinance of *Lower*  
*Canada*, intituled "An Ordinance concerning Bank-  
rupts and the administration and distribution of  
their Estates and Effects," and to make provision for  
the same object throughout the Province of *Can-  
ada*," as further amended, was again read.

*Resolved.* That the said Bill, as further amended,  
do pass.

*Ordered.* That the Honourable Mr. Solicitor  
General *Aylwin* do carry back the said Bill to  
the Legislative Council, and acquaint their  
Honours that this House hath agreed to the  
same, with further amendments, to which they  
desire the concurrence of their Honours.

Address to Her  
Majesty on  
Subject of the  
Civil List.

Mr. *Christie*, from the Special Committee ap-  
pointed to prepare and report the draught of an  
humble Address to Her Majesty, in conformity with  
the Resolutions of this House, of yesterday, on the  
subject of the Civil List, together with an humble  
Address to His Excellency, the Governor General,  
praying His Excellency will be pleased to cause the  
said Address to Her Majesty to be laid at the foot  
of the Throne, presented to the House the Address-  
es prepared by the said Committee, which Address-  
es were again severally read at the Clerk's table,  
and agreed to by the House; and are as followeth:

*To the Queen's Most Excellent Majesty.*

**MOST GRACIOUS SOVEREIGN :**

We, Your Majesty's dutiful and loyal Subjects,  
the Commons of Canada in Provincial Parliament  
assembled, actuated by a consideration of the heavy  
and increasing liabilities of the Province, the de-  
crease of the Revenue, and a just regard for econ-  
omy, humbly beg leave to approach Your Majesty,  
and to lay at the foot of the Throne, certain Res-  
olutions we have at the present Session deemed it  
our duty to adopt, in reference to the expenses of  
Your Majesty's Civil Government in this Province,  
and other matters in connection therewith.

We are humbly of opinion that no appropriation  
of any moneys levied upon Your Majesty's Subjects

in this Province, ought to be made without the free  
consent of their Representatives in the Legislative  
Assembly thereof.

That the appropriation by the Act of the Impe-  
rial Parliament, commonly called in this Province  
"The Union Act", of Seventy five thousand pounds,  
annually, of the monies levied upon Your Majesty's  
Subjects in *Canada*, towards defraying the Admin-  
istration of Justice, and support of Your Majesty's  
Civil Government therein, that is to say, the annual  
sum of Forty five thousand pounds, permanently, for  
Salaries and Pensions to the Judges, Attornies-  
General, and Solicitors General, and other expen-  
ses of the Judicial Establishment, and Thirty thou-  
sand pounds annually, during the Reign of Your  
Majesty, (whom God long preserve,) and for five  
years next thereafter, to defray a Civil List and cer-  
tain expenses of the Civil Government, however  
expedient such appropriation by Act of the Impe-  
rial Legislature, may have been under the peculiar  
circumstances of the *Canadas* at the period when  
the Act was passed, now that those circumstances,  
happily, have passed away, which may have ren-  
dered it a measure of necessity, is unsatisfactory to  
Your Majesty's loyal Subjects in this Province, inas-  
much as it withdraws from the control of their Re-  
presentatives, a large proportion of the Public Re-  
venue, raised upon them, and is of a tendency to  
create, foster, and perpetuate abuses in the misap-  
plication of the public moneys; and also, is in con-  
travention to the Declaratory Act of the Parliament  
of *Great Britain* in 1778, by which it is declared  
that "the King and Parliament of *Great Britain*  
will not impose any Duty, Tax, or Assessment,  
whatever, payable in any of His Majesty's Colonies,  
Provinces and Plantations in *North America*, or the  
*West Indies*, except only such duties as it may be  
expedient to impose for the regulation of Com-  
merce, the net produce of such Duties to be always  
paid and applied to and for the use of the Colony,  
Province or Plantation in which the same shall be  
respectively levied, in such manner as other Duties  
collected by the authority of the respective General  
Courts or General Assemblies of such Colonies,  
Provinces or Plantations are ordinarily paid and ap-  
plied."

That the repeal of the aforesaid appropriation  
would be conducive to the general contentment of  
Your Majesty's loyal Subjects in this Province, and  
to the peace, welfare and good government thereof,  
and tend to strengthen and perpetuate the bonds  
which happily unite it with the Parent State.

That Your Majesty's faithful Subjects, the Com-  
mons of Canada in Provincial Parliament assem-  
bled, not less mindful of their duty towards Your  
Majesty, our Most Gracious Sovereign, than of the  
trust reposed in them by Your Majesty's dutiful and  
loyal Subjects in this Province, are of opinion that  
the necessary provision for the support of Your  
Majesty's Civil Government, and the Administra-  
tion of Justice therein, in a manner suited to the  
honor and dignity of Your Majesty's Crown, ought  
to proceed solely from the free and voluntary vote  
of Your Majesty's faithful Subjects, the Commons  
aforesaid, to whom also the right of controlling the  
outlay and application of all monies levied in the  
Province, and of defining and fixing the Civil List  
thereof, and of setting limits to the same, constitu-  
tionally belongs.

That the existing Salaries, those of the Judges  
excepted, upon the Civil List of the Province, and  
generally the expenses of the Civil Government in  
all Departments thereof, are exorbitant, and ought  
to be reduced on a scale corresponding to the re-  
sources and liabilities of the Province.

That Your Majesty's faithful Subjects, the Com-  
mons of *Canada*, are prepared, and will, when  
thereunto called upon by Your Majesty, make, in  
conformity with the well understood wishes of

Address to Her  
Majesty on the  
Subject of  
Civil List.

Address to Her Majesty on the Subject of the Civil List.

Your Majesty's dutiful and loyal Canadian Subjects, a constitutional and permanent provision for the Salaries to the Judges in this Province, and for suitable retiring Pensions to such of them as from age, infirmity, or accident, shall become incapacitated for duty, and generally for such other permanent Salaries and charges, as are indispensable to the due administration of Justice therein, as well as a provision, during Your Majesty's Reign, (which God prolong), for a Civil List, agreeably with the usages of the Imperial Parliament in the like case, it being provided in the enactments to be passed on the subject, that the same shall only go into effect when the aforesaid appropriation of Seventy-five thousand pounds Sterling, annually, by the Union Act, shall have been repealed, by the said Imperial Parliament, and the public moneys levied upon Your Majesty's Subjects in this Province have been replaced at the free disposal of their Representatives.

That the office of Chief or Civil Secretary, to which is annexed a salary (One thousand six hundred and twenty pounds Sterling), exceeding considerably any of those appertaining to the highest and most important offices in the Province, including those of the Chief Justices in *Lower Canada*, the Chief Justice of *Upper Canada*, and the Vice Chancellor thereof, respectively, and next to Your Majesty's Representative in this Province, the Governor General thereof, is an unnecessary and burdensome charge on the Civil List of the Province, and ought, in the opinion of Your Majesty's faithful Commons, to be forthwith abolished, and the duties thereof transferred to the Provincial Secretary, responsible to Your Majesty's faithful Commons, as a Member of Your Majesty's Executive Council in this Province, and in that quality a responsible adviser of His Excellency, Your Majesty's Representative the Governor General aforesaid.

All which Your Majesty's faithful Commons humbly beseech Your Majesty graciously to receive.

To His Excellency the Right Honourable SIR CHARLES THEOPHILUS METCALFE, *Baronet, Knight Grand Cross of the Most Honourable Order of the Bath, One of Her Majesty's Most Honourable Privy Council, Governor General of British North America, and Captain General and Governor in Chief, in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c.*

We, Her Majesty's dutiful and loyal Subjects, the Commons of *Canada*, in Provincial Parliament assembled, actuated by a consideration of the heavy and increasing liabilities of the Province, the decrease of the Revenue, and a just regard for economy, having agreed to address Her Majesty, relative to the expenses of Her Majesty's Civil Government in this Province, and other matters in connection therewith, humbly request Your Excellency will be graciously pleased to transmit the same, to be laid at the foot of the Throne.

Ordered, That the said addresses be engrossed.

Ordered, That Mr. Christie, Mr. Thompson, Mr. J. S. Macdonald, and Mr. Beaubien, do present the said Addresses to His Excellency, the Governor General.

Ordered, That two hundred and fifty copies of the said Address to Her Majesty, and of the Proceedings of this House relating to the same subject, be printed in each of the English and French languages, for the use of the Members of this House.

An Engrossed Bill for the better division of that part of this Province called *Upper Canada*, into Counties; for abolishing the territorial division thereof into Districts, and providing for temporary unions of Counties for judicial and other purposes; and the future dissolution of such unions as the increase of population may require, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Thompson do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. Thorburn, from the Standing Committee of Contingencies, presented to the House the seventh Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Seventh Report on Contingencies.

"Your Committee have taken into their consideration the Petition of *Thaddus Patrick*, one of the Junior Clerks in the Office of the Clerk of Your Honourable House, and refrain from recommending any addition to his allowance, as they conceive his being placed on an annual Salary, as recommended in the fourth Report of Your Committee, a sufficient equivalent for his past services.

"They have also considered the Petition of *William Ross*, Chief Clerk of Committees, praying to be placed, in point of annual Salary, on the same footing as *William P. Patrick*, Chief Office Clerk: Your Committee are fully aware of the competency of the services of Mr. Ross, nevertheless they cannot recommend, under existing circumstances, that any addition be made to his present Salary.

"They also abstain from recommending any extra allowance to any of the Messengers, who have made application to Your Committee for that purpose."

An Engrossed Bill, to authorize the Chartered Banks of this Province to open Books in the United Kingdom for the transfer of their Stock, was read for the third time.

Chartered Banks.

Resolved, That the Bill do pass, and the Title be,

"An Act to authorize the Commercial Bank of the *Midland District*, and the Bank of the *Niagara District*, to open Books for the transfer of their Stock in the City of *London*, and to set aside certain portions of their Stock for that purpose."

Ordered, That Mr. Morris do carry the said Bill to the Legislative Council, and desire their concurrence.

The Order of the Day for the House in Committee on the Bill, for incorporating and granting certain powers to the *Upper Canada Trust and Loan Company*, being read.

Upper Canada Loan & Trust Company.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Christie reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

The Honourable Mr. Hincks moved, seconded by the Honourable Mr. Morin, that the Order of this House, that the Bill, intitled, "An Act to repeal the Acts, Ordinances, and provisions of Law therein mentioned, relative to the management and regulation of the Provincial Customs, and to Duties of Customs, and other Duties imposed by Provincial Laws, and to the licensing of Tavern Keepers and Venders of Spirituous and other Liquors, Auctioneers, Distillers, Hawkers and Pedlars, and Keepers of Billiard Tables," and also that the Bill, intitled, "An Act to provide for the management of the Customs and of matters relative to the collection of the Provincial Revenue," be taken to the Honourable the Legislative Council, be rescinded.

Management and regulation of Provincial Customs.

The Question being put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

Address to His Excellency to transmit the above Address.

Counties division Bill, U. C.

YEAS.

Messieurs AYLWIN, BALDWIN, BLACK, BOSWELL, BOULTON, BEAUBIEN, CAMERON, CHRISTIE, DURAND, FORBES, GILCHRIST, HINCKS, LAFONTAINE, MORIN, POWELL, PRICE, PRINCE, ROBLIN, SIMPSON, SMALL, TACHE, THOMPSON, THORBURN, and D. B. VIGER.—(21.)

NAYS.

Messieurs CARTWRIGHT, CHESLEY, JOHNSTON, SIR ALLAN N. MACNAB, McLEAN, GEORGE SHERWOOD, and STEWART.—(7.)

So it was carried in the affirmative, and *Ordered*, accordingly.

Mr. Parke laid before the House, by command of His Excellency, the Governor General,

Return to an Address of the Legislative Assembly, bearing date the fifth of October last, to His Excellency, the Governor General, for Statements of the Official business done by the Commissioners of Bankrupts, appointed in *Lower Canada*, under the Ordinance, intituled, "An Ordinance concerning Bankrupts, and the administration and distribution of their Estates and Effects."

(For the said Return, see Appendix N. N.)

An engrossed Bill, for vesting in the Principal Officers, of Her Majesty's Ordinance, the Estates and Property therein described; for granting certain powers to the said Officers; and for other purposes therein mentioned, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. Black do carry the said Bill, to the Legislative Council, and desire their concurrence.

The Order of the day, for the House in Committee on the Bill, to regulate and facilitate the Study of Anatomy, being read.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. Roblin reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read, at the Clerk's table.

*Resolved*, That the Rule and Practice in this case be dispensed with, and that the Question of concurrence be now put upon the said amendment.

And the said amendment being again read, and the Question of concurrence being put thereon, it was agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

*Ordered*, That Mr. Parke have leave to bring in a Bill, to repeal an Ordinance and Act therein mentioned, and to make better provision respecting the admission of Land Surveyors, and the Survey of Lands, in *Lower 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 Friday next.

*Ordered*, That Mr. Parke have leave to bring in a Bill, to establish the Boundaries of the Lots and Gores of Land in the sixth, seventh, eighth, ninth, and tenth Concessions of the Township of *Beverly*, in the County of *Halton*.

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 Friday next.

The Order of the day, for the House in Committee on the Bill, to alter and amend the Registry Laws, of that part of this Province, which was formerly *Upper Canada*, being read.

The House accordingly resolved itself into the said Committee.

Mr. J. S. Macdonald took the Chair of the Committee, and after some time spent therein, Mr. Speaker resumed the Chair.

The House then adjourned until six o'clock, P. M. this day.

6<sup>h</sup> horà P. M.

A Message from the Legislative Council by *John Fenwings Taylor*, Esquire, one of the Masters in Chancery.

Mr. Speaker.

The Legislative Council have passed the following Bills with amendments, to which they desire the concurrence of the Assembly.

"An Act for vesting in the Principal Officers of Her Majesty's Ordinance, the Estates and Property therein described; for granting certain powers to the said Officers; and for other purposes therein mentioned."

"An Act to confer certain powers on the Bishop of *Montreal*, in the transfer of certain Lands."

And also.

The Legislative Council have agreed to the amendments made by the Legislative Assembly to the Bill, intituled, "An Act to repeal An Ordinance of *Lower Canada* intituled, 'An Ordinance concerning Bankrupts and the administration and distribution of their Estates and Effects: and to make provision for the same object throughout the Province of *Canada*'" without any amendment, And then he withdrew.

On motion of the Honourable Mr. Black, seconded by Mr. Johnston,

*Ordered*, That the Amendment made by the Legislative Council to the Bill, intituled, "An Act for vesting in the Principal Officers of Her Majesty's Ordinance, the Estates and Property therein described; for granting certain powers to the said Officers; and for other purposes therein mentioned," be now taken into consideration.

The House proceeded accordingly to take the said Amendment into consideration.

And the said Amendment was read, and is as followeth:—

Press 20. Line 9. Leave out "tenth" and insert "fifth."

And the said Amendment being again read, it was agreed to by the House.

*Ordered*, That the Honourable Mr. Black do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

On motion of Mr. Christie, seconded by Mr. Henry Smith,

*Resolved*, That this House do now resolve itself into a Committee of the whole House, to consider of the Sessional Allowance to Members for their attendance during the present Session.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

Management and regulation of Provincial Customs.

Registry Laws Upper Canada.

Adjournment this day.

Commissioners of Bankrupts.

Message from Leg. Council.

Vesting Estates and property in hands of Ordinance Department.

Estates and property vested in Ordinance department.

Anatomy.

Transfer of Lands by Bishop of Montreal.

Bankrupts Estates.

Land Surveyors.

Vesting Estates &c. in Ordinance Department.

Lots and Gores of Land in Beverly.

Sessional Allowance to Members.

Sessional allowance to Members.

And Mr. *Simpson* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and is as followeth:—

*Resolved*, As the opinion of this Committee, that the Sessional allowance for the present Session to Members, be the same as allowed them by the Act passed in the first Session of the present Parliament, and on the like conditions, that is to say:—to Members attending since the commencement of the Session and not absent, without leave, more than twenty days, sixty five pounds, Currency; and mileage at the rate of ten shillings per twenty miles, in coming to Parliament, and thence in returning home; and to Members elected during the present Session, at the rate of fifteen shillings per day, from the day of their attendance, and mileage as aforesaid.

*Resolved*, That the Rule and Practice in this case be dispensed with, and that the Question of Concurrence be now put upon the said Resolution.

And the said Resolution being again read, and the Question of Concurrence being put thereon, it was agreed to by the House.

An Engrossed Bill to regulate and facilitate the study of Anatomy, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Simpson* do carry the said Bill to the Legislative Council, and desire their concurrence.

Then on motion of Mr. *Johnston*, seconded by Mr. *Williams*,

The House adjourned until to-morrow, at ten o'clock, A. M.

Jovis, 7<sup>o</sup> die Decembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

10<sup>a</sup> hora A. M.

PETITIONS read. PURSUANT to the Order of the Day, the following Petitions were read:—

Of *George Ruthman*, of the City of *Quebec*, Pork Seller and Sausage Maker; praying for certain amendments to the Ordinance 17th Geo. III. cap. 14, relating to Market Regulations.

Of the President and Members of the Literary and Historical Society of *Quebec*; praying for an aid in support of the said Society.

An Engrossed Bill to provide for the Incorporation of Townships, Towns, Counties, and Cities, in *Upper Canada*, was read for the third time.

The Honourable Mr. *Boulton* moved, seconded by Mr. *Price*,

That the following engrossed Clause, marked A., be added to the said Bill, by way of *Ryder*, and do make part thereof:

CLAUSE (A.)

“Provided always, and be it further enacted, that nothing herein contained shall extend or be construed to extend to repeal, alter, or vary, the jurisdiction, power, or authority, of the Mayor's Court of the City of *Toronto*; but that the same shall subsist and continue to exercise the same jurisdiction, power, and authority that the said Court could, might, and would, have done, had this Act not been passed, any Law to the contrary in any wise notwithstanding.”

The said Clause being thrice read, and the question being put thereon, it was agreed to by the House.

Mr. *Henry Smith* moved, seconded by Mr. *Thompson*, that the following engrossed Clause marked (B), be added to the said Bill by way of *Ryder*, and do make part thereof:

CLAUSE (B.)

“Provided always, that each and every new Township, formed by any Act passed during the present Session, shall, for the purposes of this Act, be deemed to be a Township, in which a Township meeting shall have been held before the passing thereof; and the District Councillor for the Township out of which the greater part of such new Township shall be formed, or in case of his refusal or neglect, the District Councillor for the Township out of which the lesser part of such new Township shall be formed, shall, for the purposes of this Act, be deemed to be the District Councillor for such new Township, and the persons entitled to vote or be elected at such Election, shall be those whose names are upon the Assessment Roll or Rolls of the Township or Townships from which such new Township shall be formed, and shall continue at the time of the Election to be resident in such new Township; and the Collector or Collectors of the Township or Townships out of which such new Township shall be formed, shall furnish the Returning Officer thereof with a fair copy of that part of the Collector's Roll of their Townships, respectively, which relates to persons resident within such new Township.”

The said clause being thrice read, and the Question being put thereon, it was agreed to by the House.

Mr. *Thompson* moved, seconded by Mr. *Henry Smith*, that the following engrossed Clause marked (C), be added to the said Bill, by way of *Ryder*, and do make part thereof.

CLAUSE (C.)

“And be it enacted, that all Acts or parts of Acts, or provisions of Law in force in *Upper Canada*, immediately before the time when this Act shall come into force, which shall be inconsistent with or contradictory to this Act, or which make any provision in any matter provided for by this Act, other than such as is hereby made in such matter, shall be and they are hereby repealed, and shall cease to be in force upon, from, and after, the day when this Act shall come into effect.”

The said Clause being thrice read, and the Question being put thereon, it was agreed to by the House.

The Honourable Mr. *Hincks* moved, seconded by the Honourable Mr. *Boulton*, that the following engrossed Clause, marked (D), be added to the said Bill, by way of *Ryder*, and do make part thereof:

CLAUSE (D.)

“Provided always, and be it enacted, that no provision in the foregoing enactments of this Act, which requires that any person be possessed of any property qualification, or be assessed for any particular amount, in order to his being elected, or serving as a Councillor in any Township Council, or as Assessor, or as Councillor or Assessor for any Town not divided into Wards, shall have any force or effect, unless or until some Act be passed by the Parliament of this Province, in the present or some future Session thereof, to provide for the regulation of Assessments, and the levying and collecting of local taxes in *Upper Canada*, and to repeal the Acts heretofore in force for that purpose.”

The said Clause being thrice read, and the Question being put thereon, it was agreed to by the House.

Mr. *Boswell* moved, seconded by the Honourable Mr. *Boulton*, that the Bill do pass, and the Title be, “An Act to provide for the incorporation of Towns In-

Towns Incorporation &c.

Anatomy.

Petitions read.

Towns Incorporation &c.

Towns Incorporation, &c.

ships, Towns, Counties, and Cities, in *Upper Canada*."

The Question having been put upon the said motion, a division ensued, and the names being called for, they were as followeth:—

## YEAS.

Messieurs AYLWIN, BALDWIN, BARTHE, BOSWELL, BOULTON, BEAUBIEN, CAMERON, CHESLEY, CHRISTIE, DUNN, DURAND, FOSTER, GILCHRIST, HALE, HINCKS, LAFONTAINE, D. McDONALD, J. S. MACDONALD, MORIN, PARKE, POWELL, PRICE, ROBLIN, SIMPSON, STEELE, TACHE, THOMPSON, THORBURN, D. B. VIGER, L. M. VIGER, and WILLIAMS.—(31.)

## NAYS.

Messieurs CARTWRIGHT, FORBES, JOHNSTON, McLEAN, MURNEY, GEORGE SHERWOOD, and STEWART.—(7.)

So it was carried in the affirmative, and Resolved, accordingly.

Ordered, That Mr. *Boswell* do carry the said Bill, to the Legislative Council, and desire their concurrence.

Kingston Mineral Wells Company

Mr. *Cartwright* from the Select Committee, to which was referred the Bill, to incorporate the *Kingston Mineral Wells Company*, 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.

Resolved, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Barthé* 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.

On motion of Mr. *Hale*, seconded by Mr. *Williams*,

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to confer certain powers on the Bishop of *Montreal*, in the transfer of certain Lands," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:—

Press 2. Line 2.—After "Act" insert "or by any other Act or Acts, or by any other authority whatsoever."

Ibid. Line 6.—After "*Quebec*" insert "and all Acts whatsoever on the part of the said Bishop of *Montreal*, executed in his official capacity of Bishop, as aforesaid, shall be valid and effectual, in as full and ample a manner as if he were Bishop of *Quebec* aforesaid."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. *Hale* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Resignation of Executive Council

The Order of the day being read, for taking into consideration, a motion made yesterday, by the Honourable Mr. *Boulton*, viz:—"That an humble

Address be presented to His Excellency the Governor General, expressing the deep anxiety of this House at the delay which has taken place in the formation of a new Administration, since the resignation of the late Advisers of His Excellency, the Governor General, communicated to this House on the twenty-seventh day of November last. That His Excellency having fully concurred in the Resolutions of this House, of the 3<sup>rd</sup> September, 1841, whereby it is, amongst other things, declared that, in order to preserve between the different Branches of the Provincial Parliament, that harmony which is essential to the peace, welfare and good Government of the Province, the Chief Advisers of the Representative of the Sovereign constituting a Provincial Administration under him, ought to be men possessed of the confidence of the Representatives of the People, and that the management of our local affairs can only be conducted by the Head of the Executive Government, by and with the assistance, counsel, and information of such Provincial Administration. That in full reliance upon the oft expressed intentions of His Excellency to carry on the Government upon these sound constitutional principles, so clearly enunciated by this House, and concurred in by His Excellency: this House, with an earnest desire not to offer any unnecessary obstruction to the progress of Public affairs, during a period which might reasonably have been regarded as sufficient for the formation of a new Administration, has consented to the passing of several important measures eagerly looked for by the People of this Province, in the absence of any one representing the Government within the walls of Parliament. But feeling the increasing difficulties which every day's experience has warned us of in thus proceeding, under a suspension of those principles to which the People of this great Country look, for the maintenance and preservation of their Rights and Liberties, this House has come to the determination, humbly to tender to His Excellency their advice, that His Excellency will be graciously pleased to take such measures, as are best calculated for the formation of a strong and efficient administration, and thus affording a guarantee, that the well understood wishes of the People, which our Gracious Sovereign has declared shall be the rule of the Provincial Government, will on all occasions be faithfully represented and advocated."

The House proceeded accordingly to take the said motion into consideration.

And the said motion being read,

On motion of the Honourable Mr. *Boulton*, seconded by Mr. *Christie*,

Ordered, That the said proposed Address (p. 198) be corrected, as follows:—To strike out, in the seventh line, the words "twenty-seventh day of of November last," and insert "first instant." To strike out the word "that," in the twenty-second line, and insert the words "this House." To strike out the words "consented to the passing of," in the thirty-first line, and insert "passed." And before the word "Government," in the thirty-fourth line, to insert "to represent the views of." And to strike out "a suspension," in the thirty-seventh line, and insert "suspended operation."

Mr. *Cartwright* moved, in amendment to the main motion, seconded by Mr. *McLean*, that all the words after "That," in the said motion, be struck out, and the following substituted, "this House will be, as it ever ought to be, anxiously attentive to the inclinations and interests of their Constituents, and that they will proceed to the proper completion and termination of those important measures which are calculated to promote the welfare of the Country, in order that the just wishes and expectations of the People may not be disappointed."

Resignation of Ex. Council.

Address to Her Majesty on Subject of the Civil List.

"That if the endeavour to perfect and mature those important measures now before Parliament, which are calculated to promote the welfare of the Province should be defeated, the responsibility will rest with those who may be the cause of exciting a contest between this House and Her Majesty's Representative, which can end in nothing but injury to our Constituents; and the destruction of the peace and tranquillity of the Province."

The Question having been put upon the said motion of amendment, a division ensued, and it passed in the Negative.

Mr. Wakefield then moved, in amendment to the main motion, seconded by Mr. Chesley, that all the words after "That," in the said motion, be struck out, and the following substituted. "it is inexpedient to present an Address to the Governor General, calling upon His Excellency to form a Provincial Administration; because the Governor General's recent and most emphatic declarations in favor of Responsible Government, according to the Resolutions passed by this House, on the third of September, 1841, leave no reason to doubt that His Excellency is at present engaged in forming an Administration: because this House, by calling upon the Governor General to take a course which there is every ground for believing that His Excellency has spontaneously contemplated, and is now taking, would seem to display towards the Head of the Government a spirit of exaction, calculated to retard the accomplishment of the object in view, and to aggravate the present difficulties of the Country."

The Question having been put upon the said motion of amendment, the House divided thereon, and the names being called for, they were taken down, as followeth:—

## YEAS.

Messieurs CARTWRIGHT, CHESLEY, FOSTER, HALE, JOHNSTON, McLEAN, MURNEY, HENRY SMITH, GEORGE SHERWOOD, D. B. VIGER, WAKEFIELD and WOODS.—(12.)

## NAYS.

Messieurs AYLWIN, BALDWIN, BARTHE, BOSWELL, BEAUBIEN, CAMERON, DUNN, DURAND, GILCHRIST, HARRISON, HINCKS, HOPKINS, LAFONTAINE, D. McDONALD, MERRITT, MOORE, MORIN, MORRIS, PARKE, POWELL, PRICE, ROBLEN, SMALL, HARMANNUS SMITH, STEELE, TACHE, THORBURN, TURCOTTE, and L. M. VIGER.—(29.)

So it passed in the negative.

Mr. Morris then moved, in amendment to the main motion, seconded by Mr. Chesley, that all the words after "That" in the said motion, be struck out, and the following substituted "this House in full reliance upon the oft expressed intentions of His Excellency, the Governor General, to carry on the Government upon the sound constitutional principles so clearly enunciated by this House, in the Resolutions of the third September, 1841, have, with a strong desire to pass several important measures, which are anxiously looked for by the People of this Province, been induced to proceed for the last ten days with the business of the Country in the absence of a Provincial Administration, representing the Government within the walls of Parliament"

The Question having been put upon the said motion of amendment, it was agreed to unanimously.

The Question being then put on the main motion, as amended, it was also agreed to, and

*Resolved*, accordingly.

Assessment in Townships &c.

Mr. Thompson moved, seconded by Mr. Hamilton, that the Order of the day for the House in Committee on the Bill, to establish a more equal and just system of Assessment, in the several Townships, Towns, and Cities, in Upper Canada, lost by the adjournment of the House, of the twenty seventh

of November last, be revived, and that this House do now resolve itself into the said Committee.

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

## YEAS.

Messieurs HINCKS, J. S. MACDONALD, PARKE, HARMANNUS SMITH, STEELE, and THOMPSON.—(6.)

## NAYS.

Messieurs AYLWIN, BALDWIN, CAMERON, CHESLEY, CHRISTIE, DURAND, FORBES, HALE, HAMILTON, HOPKINS, JOHNSTON, LAFONTAINE, D. McDONALD, McLEAN, MORRIS, MURNEY, POWELL, PRICE, ROBLEN, SIMPSON, SMALL, HENRY SMITH, GEORGE SHERWOOD, STEWART, TACHE, and L. M. VIGER.—(26.)

So it passed in the negative.

Mr. Durand from the Committee of the whole House, on the Sixth Report of the Standing Committee of Contingencies, reported according to order, the Resolutions of the said Committee, which Resolutions were again read, at the Clerk's table, and agreed to by the House, and are as followeth:—

1. *Resolved*, That there be allowed to the Sergeant at Arms attending this House, the sum of one hundred pounds, currency, in addition to his salary, for the present and past year.
2. *Resolved*, That there be allowed to the Clerk Assistant of this House, the sum of one hundred and twenty pounds, currency, in addition to his salary, for the present and past year.
3. *Resolved*, That there be allowed to the Doorkeeper of this House, the sum of forty pounds, in addition to his salary, for the present and past year.

Then on motion of the Honourable Mr. Solicitor General Aylwin, seconded by the Honourable Mr. Solicitor General Small,

The House adjourned until seven o'clock, P. M., this day.

7<sup>à</sup> hora, P. M.

Mr. Christie, accompanied by the other messengers, reported to the House that their Addresses, of yesterday, to Her Majesty, on the subject of the Civil List, and to His Excellency the Governor General, praying His Excellency will be pleased to cause the said Address to Her Majesty to be laid at the foot of the Throne, had been presented to His Excellency; and that he was pleased to say he will send an answer by Message.

Mr. Thorburn, accompanied by the other Messengers, reported to the House, that their Address of the fifth Instant, to His Excellency, the Governor General, relating to Robert Fleming Gourlay, had been presented to His Excellency, and that he was pleased to say, that the wishes of the House will be complied with.

A Message from the Legislative Council, by John Fenning's Taylor, Esquire, one of the Masters in Chancery.

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act to alter and amend certain provisions of the Ordinance of the Governor and Council of Lower Canada, of the second year of Her Majesty's Reign, intituled, An Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal," without any amendment.

And also,

Assessment in Townships &c.

Contingencies.

Adjournment.

Civil List.

Rob't F. Gourlay.

Message from Leg. Council.

Quebec and Montreal Police.

Transfer of Stock by Midland District and Niagara Banks.

The Legislative Council have passed the Bill, intituled, "An Act to authorize the Commercial Bank of the *Midland* District, and the Bank of the *Niagara* District, to open books for the transfer of their stock in the City of *London*, and to set aside certain portions of their stock for that purpose." with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

Upper Canada Loan and Trust Company.

An Engrossed Bill for incorporating and granting certain powers to the *Upper Canada* Trust and Loan Company, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Cartwright* do carry the said Bill to the Legislative Council, and desire their concurrence.

Message from His Excellency, the Governor General.

*Rawson W. Rawson*, Esquire, Chief Secretary to His Excellency, the Governor General, was admitted within the Bar, and delivered to Mr. Speaker, four Messages from His Excellency, the Governor General, signed by His Excellency,

And then he withdrew.

And the said Messages were read by Mr. Speaker, all the members of the House being uncovered, and are as followeth:—

*C. T. Metcalfe*.

Church Societies in Quebec and Toronto.

The Governor General, in compliance with the Address of the House of Assembly, of the second instant, will transmit without delay to the Secretary of State a Bill, which has been passed by the Legislature during the present Session, intituled, "An Act to incorporate the Church Societies of the United Church of *England* and *Ireland*, in the Dioceses of *Quebec* and *Toronto*," in order that if the same come within the scope of the forty second section of the Act of Union, it may be duly laid before Parliament previous to the signification of Her Majesty's assent thereto.

Government House,  
5th December, 1843.

*C. T. Metcalfe*.

Speakers' Salary.

The Governor General recommends to the consideration of the House of Assembly, the expediency of remunerating the Speaker of the Honourable the Legislative Council, by an annual salary, for the arduous and important Duties attached to his high office.

Government House,  
7th December, 1843.

*C. T. Metcalfe*.

Supplies.

The Governor General thanks the House of Assembly for the supplies voted in their Resolutions of the fourth instant, to meet the necessary expenses of the Government of this Province, to the thirty-first March, 1844; and, in the event of no Bill being passed during the present Session to make good the same, he will, in compliance with the wish expressed in the Address of the same date, make the necessary advances for that purpose, observing in all expenditures the strictest economy, consistent with the efficiency of the public service.

Government House,  
7th December, 1843.

*C. T. Metcalfe*.

Acts and Ordinances.

The Governor General transmits, for the information of the House of Assembly, the first and second Report of the Commissioners for revising the Acts and Ordinances of *Lower Canada*.

Government House,  
*Kingston*, 7th December, 1843.

(For the Reports referred to in the last preceding Message, see Appendix O. O.)

On motion of Mr. *Morris*, seconded by Mr. *Cartwright*,

*Ordered*, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to authorize the Commercial Bank of the *Midland* District, and the Bank of the *Niagara* District to open Books for the transfer of their Stock in the City of *London*, and to set aside certain portions of their Stock for that purpose." be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:—

Press 1. Line 19.—After the word "District" insert "and for the Bank of *Upper Canada*."

*Ibid.* same Line.—Leave out "Corporation" and insert "Corporations respectively."

*Ibid.* Line 21.—Leave out "thereof" and insert "each of the said Banks."

*Ibid.* Line 23.—Leave out "Bank" and insert "Banks respectively."

*Ibid.* Line 32.—Leave out "such Bank" and insert "each of the said Banks respectively."

*Ibid.* Lines 35 & 36. Leave out "office of such Bank" and insert "in the respective offices of such Bank."

*Ibid.* Line 38.—After "Bank" insert "of the shares or stock of which any such transfer shall be made."

Press 2. Line 3.—After "Stock" insert "or of an Act passed in the sixth year of Her Majesty's Reign, intituled, "An Act to extend the Charter of the Bank of *Upper Canada*, and to increase the Capital Stock thereof."

Preamble. Line 1.—After "the" insert "President, Directors, and Company of the."

*Ibid.* Line 2.—After "*Midland* District" insert "the Bank of *Upper Canada*."

*Ibid.* same Line.—After "and the" insert "President, Directors, and Company of the."

Title. After the word "authorize" leave out the remainder of the Title, and insert, "the several Banks therein mentioned to open Books for the transfer of certain portions of their Stock in the City of *London*."

And the said amendments being again read, they were agreed to by the House.

*Ordered*, That Mr. *Morris* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Mr. *Hule* moved, seconded by Mr. *J. S. Macdonald*, that the Message of His Excellency, the Governor General, of this day, recommending to the consideration of the Legislative Assembly, the expediency of remunerating the Speaker of the Legislative Council, by an annual Salary, be now committed to a Committee of the whole House.

Transfer of Stock by Midland District and Niagara Banks.

Salary to Speaker of Leg. Council.



Salary to  
Speaker of  
Leg. Council.

The Question having been put upon the said motion a division ensued, and the names being called for, they were taken down, as followeth:—

## YEAS.

Messieurs BALDWIN, BOSWELL, BOULTON, BEAUBIEN, CARTWRIGHT, CHESLEY, DUNN, FORBES, GILCHRIST, HALE, HARRISON, HOPKINS, LAFONTAINE, D. McDONALD, J. S. MACDONALD, McLEAN, MORRIS, PARKE, POWELL, SIMPSON, HARMANNUS SMITH, GEORGE SHERWOOD, STEELE, TACHE, THORBURN, TURCOTTE, D. B. VIGER, L. M. VIGER, WILLIAMS, and WOODS.—(30.)

## NAYS.

Messieurs AYLWIN, BARTHE, CHRISTIE, DURAND, JOHNSTON, MERRITT, MORIN, ROBLIN, and SMALL.—(9.)

So it was carried in the affirmative.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Johnston reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and is as followeth:

*Resolved*, As the opinion of this Committee, that it is expedient that the present Speaker of the Legislative Council should be remunerated for his arduous and important duties, by a Sessional allowance of two hundred and fifty pounds, Currency, for the present Session only.

*Resolved*, That the Rule and Practice in this case be dispensed with, and that the Question of concurrence be now put upon the said Resolution.

And the said Resolution being again read, and the Question of Concurrence being put thereon, it was agreed to by the House.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, to thank His Excellency for His Message of this day, in relation to a pecuniary allowance, to the present Speaker of the Legislative Council, to acquaint His Excellency with the Resolution passed by this House, and to pray that His Excellency will direct that a Warrant do issue in favor of the Speaker of the Legislative Council, for the sum of Two hundred and fifty pounds, Currency, pursuant to the said Resolution.

*Ordered*, That Mr. Christie, Mr. Hale, Mr. Simpson, and the Honourable Mr. Viger, do present the said Address to His Excellency, the Governor General.

Adjournment.

Then on motion of the Honorable Mr. Viger, seconded by Mr. Boswell,

The House adjourned until Saturday next at ten o'clock, A. M.

Sabbati, 9<sup>o</sup> die Decembris.

Anno 7<sup>o</sup> Victoriae Reginae, 1843.

10<sup>a</sup> hora A. M.

8 Petitions brought up.

THE following Petitions were severally brought up and laid on the table:

By Mr. Prince—The Petition of William Austerberry, of Dunnville, in the District of Niagara.

By Mr. Cameron—The Petition of John Cawston, and others, Inhabitants of the Township of Ellice, in the District of Huron;—The Petition of

W. F. McCulloch and others, Inhabitants of the Township of North Easthope, in the District of Huron;—the Petition of George Morris and others, Inhabitants of the Township of Stanley, in the District of Huron;—The Petition of George Williams and others, Inhabitants of the Township of Blanchard, in the District of Huron;—The Petition of John C. W. Daley and others, Inhabitants of the Township of Downie, in the District of Huron;—the Petition of George Watson and others, Inhabitants of the Township of South Easthope, in the District of Huron.

By the Honourable Mr. Attorney General Baldwin—The Petition of Adam Kerr and Company, Soap and Candle Manufacturers, in the town of Dundas, in the District of Gore.

Rawson W. Rawson, Esquire, Chief Secretary to His Excellency, the Governor General, was admitted within the Bar, and delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

And then he withdrew.

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

C. T. Metcalfe.

The Governor General informs the Legislative Assembly, with reference to their Address of the 6th instant, that he will transmit their Address of the same date to Her Majesty's Secretary of State, to be laid at the foot of the Throne. It is his duty at the same time to state, that he is not enabled to make any declaration which should have the effect of fettering the discretion of Her Majesty's Ministers, as to the view which may be taken of the subject by them, or by the Imperial Parliament, whose intervention is absolutely necessary to enable any alteration to be made in the existing Civil List, or in the authority by which it is granted.

Government House,  
7th December, 1843.

Mr. Hale, accompanied by the other Messengers, reported to the House that their Address, of the seventh instant, to His Excellency, the Governor General, on the subject of the Salary of the Speaker of the Legislative Council, had been presented to His Excellency, and that he was pleased to say, the same shall be fully attended to, according to the request of the House.

An Engrossed Bill to incorporate the Kingston Mineral Wells Company, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Cartwright do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the Day, the following Petitions were read:—

Of Thomas Simard and other Pilots for and below the Harbour of Quebec; praying that no alteration be made in the present Tariff of Fees to Pilots.

Of T. A. Stayner, Esquire, and others, Officers of the Quebec, British and Canadian School Society; praying for the passing of an Act to incorporate the said Society.

Mr. Simpson, from the Select Committee appointed to inquire into the effect of the English Copy Right Act; the consequent exclusion of American

Petitions brought up.

Message from His Excellency, the Governor General.

Civil List.

Salary of Speaker, Leg. Council.

Kingston Mineral Wells Company.

Petitions read.

Report on effect of English Copy Right Act.

Report on effect of English Copy Right Act.

Reprints: the policy of that exclusion, as connected with the probable influence on the minds of the rising generation of the Province, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report see Appendix P. P.)

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

Decrease in Revenue.

Mr. Simpson moved to resolve, seconded by Mr. Cartwright, that there is a decrease in the Revenue at the Ports of Quebec and Montreal, in the sum of ninety thousand pounds.

That in order to supply that deficiency, it has been deemed expedient to impose new and additional imposts on articles imported from the United States of America.

That on the Union of the Provinces, the debt, amounting to the sum of £1,293,812 Currency, became the debt of the Province, and the interest thereon payable out of its Revenue.

That in the face of that decline in the Revenue, the necessity of those new and additional imposts, and the amount of that debt, it is unwise, dishonest, and unjust to invest large sums of money, borrowed on the credit and guaranty of the Parent State, in the construction of works of speculative advantage and doubtful remuneration.

That to enforce with premature haste, improvements however desirable, but uncertain in their result, by a pledge of the future resources of the Province, cannot but end in crippling its energies, and in the inflicting of lasting misery in the direct taxation of Her Majesty's Canadian Subjects.

That the welfare of the People is the first and most sacred trust reposed in its Representatives,—that new and burdensome impositions, uncalled for either for the safety of the State or the exigencies of the Government, become a cruel, criminal, and unjust violation of the sacred trust reposed in us by the People.

That when the Province appropriated these large sums for the improvement of the Navigation of the River St. Lawrence, the staple products of the United States were free of all imposts,—that the manufacture of some of these products made them Colonial, and admissible in the home markets as the produce of Canada,—that since then these staple products have become subject to heavy duties, both under the Imperial and Provincial Statutes, in so much as to affect, control, and check the great commercial intercourse formerly existing between the United States and this Province, as well as the trade contemplated in manufactured articles of American produce with Great Britain,—that these great alterations must tend to diminish the trade with the neighboring States, thereby lessening the prospective advantages derivable by tolls on that produce, to facilitate the transport of which that great expenditure was incurred.

That with impaired resources, additional necessary imposts, large Debt and probable decline in the imports from the Western States of America, it is, in the opinion of this House, wise, prudent and safe, not to proceed at present with the contemplated enlargement of the Lachine Canal, or the construction of the projected Canal between Dickenson's Landing and Prescott, but in preference, to apply the balance of the sums appropriated to those Improvements, to the reduction of the existing Debt of the Province, beginning by the redemption of Loans bearing the highest interest; and that if any Funds remain at the disposal of the Legislature, they shall be applied to the Improvement of Inland Communications to the River St. Lawrence.

Mr. Merritt moved, seconded by the Honourable Mr. Viger, the previous Question, viz.—

Shall the Question be now put?

The House divided thereon, and it passed, in the negative.

Mr. Johnston moved, seconded by Mr. Wakefield, that the Clerk be directed to read from the Journals of this House, the order directing the Member for Oxford, to carry up to the Honourable the Legislative Council, the Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue, and desiring the concurrence of that Honourable Body thereto.

The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

YEA.

Mr. JOHNSTON.

NAYS.

Messieurs AYLWIN, BALDWIN, BARTHE, BOSWELL, CAMERON, CARTWRIGHT, CHRISTIE, DURAND, FOSTER, GILCHRIST, HALE, HARRISON, HINCKS, LAFONTAINE, SIR ALLAN N. MACNAB, D. McDONALD, J. S. MACDONALD, MERRITT, MORIN, NOEL, PARKE, POWELL, PRINCE, SIMPSON, SMALL, GEORGE SHERWOOD, TURCOTTE, D. B. VIGER, L. M. VIGER, and WAREFIELD—(30.)

So it passed in the negative.

A Message from the Legislative Council, by John Fenning's Taylor, Esquire, one of the Masters in Chancery.

Message from Leg. Council.

Mr. Speaker.

The Legislative Council have passed the following Bills, without any amendment:

"An Act to regulate and facilitate the study of Anatomy."

Anatomy.

"An Act for incorporating and granting certain powers to the Upper Canada Trust and Loan Company."

Upper Canada Loan & Trust Company.

"An Act to incorporate the Kingston Mineral Wells Company."

Kingston Mineral Wells Company.

And then he withdrew.

A Message from His Excellency, the Governor General, by Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod:

Black Rod.

Mr. Speaker,

I am commanded by His Excellency, the Governor General, to acquaint this Honourable House, that it is the pleasure of His Excellency, that the Members thereof do forthwith attend him in the Legislative Council Chamber.

Accordingly Mr. Speaker and the House went up to attend His Excellency, when His Excellency was pleased to give in Her Majesty's name the Royal Assent to the following Public and Private Bills:

House attends His Excellency.

Royal Assent to Bills.

An Act to repeal an Ordinance of Lower Canada, intitled, "An Ordinance concerning Bankrupts and the administration and distribution of their Estates and Effects," and to make provision for the same object, throughout the Province of Canada.

An Act to abolish Imprisonment in Execution for Debt, and for other purposes therein mentioned.

An Act to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature.

An Act to facilitate the proof of the Laws of Upper and Lower Canada, and to declare protests of Notaries Public Evidence in certain cases in Upper Canada.

An Act to regulate and facilitate the study of Anatomy.

An Act to continue for a limited time the duties imposed on Agricultural Produce and Live Stock imported into this Province.

An Act further to provide for the establishment and maintenance of Common Schools, and for apportioning the fund for the support of the same, and

also to grant an indemnity for the payment of certain portions of the School moneys, for the year one thousand eight hundred and forty two, and further to provide for the apportionment and distribution of the balance of the said moneys for the years one thousand eight hundred and forty-two, and one thousand eight hundred and forty-three.

An Act to repeal a certain Act therein mentioned, and to make further provision for enabling the Provincial Government to purchase the Stock held by private persons in the *Welland Canal*.

An Act for vesting in the Principal Officers of Her Majesty's Ordnance the Estates and property therein described, for granting certain powers to the said Officers, and for other purposes therein mentioned.

An Act to restrain Party Processions in certain cases.

An Act to provide for the calling and orderly holding of Public Meetings in this Province, and for the better preservation of the public peace thereat.

An Act to exempt Public Officers from the expense of new Commissions on the demise of the Crown.

An Act to prohibit the hunting and killing of Deer and other Game within this Province at certain seasons of the year.

An Act for the better preservation of certain species of Fish in the Rivers and Waters of the Counties therein mentioned.

An Act to exempt Vehicles conveying Manure from the Cities and Towns of this Province, from the payment of Tolls on Turnpike Roads, and for other purposes therein mentioned.

An Act to provide for the summary trial of Small Causes in *Lower Canada*.

An Act to repeal certain Acts and Ordinances therein mentioned, and to make better provision for the Administration of Justice in *Lower Canada*.

An Act for the establishment of a better Court of Appeals in *Lower Canada*.

An Act to establish the District of *Gaspé*, and to provide for the due Administration of Justice therein.

An Act to alter the terms of the General Sessions of the Peace in and for the District of *St. Francis*.

An Act to amend the Ordinance providing for the Registration of Titles to Real Property, or Incumbrances thereon, in *Lower Canada*; and further, to extend the time allowed by the said Ordinance for the Registration of certain claims.

An Act for taking the Census of the Inhabitants of *Lower Canada*, and for obtaining certain statistical information therein mentioned.

An Act to alter and amend certain provisions of the Ordinance of the Governor and Council of *Lower Canada*, of the second year of Her Majesty's Reign, intituled, "An Ordinance for establishing an efficient Police in the Cities of *Quebec* and *Montreal*."

An Act to detach *Ile Bizarre* from the Registration District of *the Lake of the Two Mountains*, and to annex it to the Island and County of *Montreal*, for the purposes of Registration.

An Act to empower the *Seigneurs* of the *Fiefs Nazareth, Saint Augustin, and Saint Joseph*, in the City and County of *Montreal*, to commute the tenure of the Lands now held *en censive* in the said *Fiefs* respectively.

An Act to detach the Township of *Chatham Gore*, otherwise called the Gore of *Chatham*, from the County of *Terrebonne*, and to annex it to the County of *the Two Mountains*.

An Act for the establishment and maintenance of Common Schools in *Upper Canada*.

An Act to enable Courts of Law in that part of this Province called *Upper Canada*, to give relief against adverse claims made, upon persons having an interest in the subject of such claims.

An Act to fix the period for holding the Courts of General Quarter Sessions of the Peace, in that part of the Province formerly *Upper Canada*.

An Act to render more summary the means of enforcing the returns of process by Sheriffs and Coroners in that part of this Province, called *Upper Canada*.

An Act to afford to persons having been Boundary Line Commissioners, a more easy and less expensive mode of recovering Costs still due on Judgments rendered in that capacity.

An Act to prevent obstructions in Rivers and Rivulets in *Upper Canada*.

An Act to explain an Act passed in that part of this province called *Upper Canada*, in the third year of the Reign of Her Majesty, intituled "An Act to confirm and regulate certain sales of Lands for Taxes in the *Ottawa District*."

An Act to confirm and make valid certain Official Acts in the Offices of Registrar, Clerk of the Peace, Clerk of the District Court, and Registrar of the Surrogate Court, in and for the District of *Ottawa*.

An Act to divide the Township of *Hawkesbury*, in the *Ottawa District*, into two Townships.

An Act to amend the Act relating to the Boundary Line between the *Niagara* and *Gore* Districts.

An Act to declare a debt contracted by the Committee of Magistrates of the *Johnstown District*, to enable them to complete the New Gaol and Court House of said District, to be a debt payable by the District Council.

An Act for better defining and establishing the Eastern Boundary line, of the third concession of the Township of *Cornwall*, in the *Eastern District*.

An Act to naturalize *Cyprian Morgan* and others.

An Act to authorize the Mayor, Aldermen and Citizens of *Montreal*, to purchase, acquire, and hold the property now known as the *Montreal Water Works*.

An Act to Incorporate *Charles Cunningham, Richard Norman, Samuel Amory*, and others, forming a Joint Stock Company for carrying on the Fishery in the *Gaspé District* and Gulph of *St. Lawrence*, and Coal Mining in the said District.

An Act to incorporate the Members of the Mercantile Library Association of *Montreal*.

An Act to confer certain powers on the Bishop of *Montreal*, in the transfer of certain Lands.

An Act to Incorporate Bishop's College, in the Diocese of *Quebec*.

An Act to Incorporate the Education Society of the District of *Quebec*.

An Act to Incorporate the Association called, "*La Congrégation de Notre Dame de Québec*."

An Act to Incorporate *Les Dames Religieuses du Sacré Cœur de Jésus*, of the Parish of *St. Jacques de l'Achigan*, in the District of *Montreal*, for the purposes of Education.

An Act to renew and continue for a certain time, the privileges granted by a certain Act of *Lower Canada* therein mentioned, to *Alexis Gosselin*, and his heirs and assigns, with regard to a certain Bridge over the River *Boyer*, in the County of *Bellechase*.

An Act to amend the Act incorporating the *Tay Navigation Company*.

An Act to authorize the Court of Queen's Bench and the High Court of Chancery, at their discretion, to admit *Samuel Bealey Harrison* to practise as an Attorney and Solicitor thereof respectively.

An Act to authorize the Chairman of the Committee of the *Canada Inland Forwarding and Insurance Company* to sue for, and receiver debts due to the Company.

An Act to amend the Charter of the *Cataraqui Bridge Company*.

An Act to alter and amend the Act of Incorporation of the *Kingston Marine Railway Company*.

Royal Assent

to Bills.

Royal Assent

to Bills.

Royal Assent  
to Bills.

An Act to authorize the Commercial Bank of the *Midland* District, and the Bank of the *Niagara* District, to open Books for the transfer of their Stock in the City of *London*, and to set aside certain portions of their Stock for that purpose.

An Act for Incorporating and granting certain powers to the *Upper Canada* Trust and Loan Company.

An Act to Incorporate the *Kingston* Mineral Wells Company.

The Titles of the following Bills were then read :

Bills reserved  
for the Signifi-  
cation of Her  
Majesty's plea-  
sure thereon.

An Act for the better securing the Independence of the Legislative Council of this Province.

An Act for better securing the Independence of the Legislative Assembly of this Province.

An Act for the discouragement of Secret Societies.

An Act to Incorporate the Church Societies of the United Church of *England* and *Ireland*, in the Dioceses of *Quebec* and *Toronto*.

An Act to Incorporate certain persons carrying on the business of Banking in the City of *Montreal*, under the name of "*La Banque du Peuple*."

An Act to amend the Act Incorporating the Bank of the *Niagara* District by providing for the extension of the time limited for the paying up of the Stock of the said Bank.

An Act to repeal certain Acts therein mentioned and to make better provision respecting the admission of Land Surveyors, and the Survey of Lands in *Upper Canada*.

An Act for vesting the Market Block in the Town of *Niagara*, in the Council of the said Town, and for other purposes.

An Act to alter and amend certain parts of an Act therein mentioned, relating to the Navigation of the River *St. Lawrence*, in so far as the same relates to the Port of *Quebec*.

To each of which it was His Excellency, the Governor General's pleasure to say, that He reserved the Bill for the signification of Her Majesty's pleasure thereon.

And then His Excellency was pleased to make the following Speech to both Houses :

Honourable Gentlemen of the Legislative Council ;  
and Gentlemen of the House of Assembly :

Speech of His  
Excellency, the  
Gov. General,  
at Prorogation.

In consequence of the interruption which our joint labours have undergone, entirely against my inclination, and from causes over which I have had no control, I now meet you for the purpose of relieving you from further attendance in Parliament. I am sensible of your unremitting application to your arduous duties during the Session which has been so unexpectedly shortened, and I trust that the Measures which you have passed, and to which I have given the Royal Assent in Her Majesty's Name, will prove beneficial to the Country. Some Bills I have been under the necessity of reserving for the consideration of Her Majesty's Government, either from the impracticability of their being carried into execution, owing to their depending on other measures which have not passed into Laws, or from their affecting the Prerogative of the Crown, or being of a character that, under the Royal Instructions, render that proceeding imperative.

Gentlemen of the House of Assembly :

I thank you for the readiness with which you have voted the necessary Supplies. It will be my Duty to take care that they be disbursed with the utmost economy consistent with the efficiency of the Public Service.

Speech of His  
Excellency the  
Gov. General,  
at Prorogation.

Honourable Gentlemen and Gentlemen :

I trust that on your return to your Homes you will, by precept and example, endeavor to secure the blessings of harmony and brotherly love among all classes of the community. Peace and happiness will render our country a desirable place of refuge for the superfluous population of the Parent State, whose settling here is fraught with benefit to the selves and the Colony ; while discord and strife must have the opposite effect of deterring them from connecting their destinies with those of a country unceasingly troubled ; I humbly hope that the Blessing of the Almighty will render this a prosperous and happy Land, reaping the fruits of its own Industry, and enjoying the powerful protection of our Gracious Sovereign as an integral portion of the British Empire. I will now, Gentlemen, say Farewell ; and I trust that we shall meet again to renew our efforts for the public good with greater success.

After which, the Honourable Speaker of the Legislative Council said :

Honourable Gentlemen of the Legislative Council ;  
and Gentlemen of the Legislative Assembly :

House Pro-  
rogued 'till 15th  
Jan'y, 1844.

It is the will and pleasure of His Excellency, the Governor General, that this Provincial Parliament be prorogued until Monday, the fifteenth day of January next, and this Provincial Parliament is accordingly prorogued until Monday, the fifteenth day of January next, to be then holden.

(Omitted in page 188—2nd December.)

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, under the Provisions of the forty-second Section of the Imperial Act to re-unite the Provinces of *Upper* and *Lower Canada*, specifying that a certain Bill passed by this House during the present Session, intituled, "An Act to Incorporate the Church Societies of the United Church of *England* and *Ireland*, in the Dioceses of *Quebec* and *Toronto*, contains provisions respecting some of the purposes in the said Section specially described, and respectfully desiring that in order to give effect to the said Bill, such Bill may be transmitted to *England* without delay, for the purpose of being laid before Parliament previously to the signification of Her Majesty's Assent thereto.

*Ordered*, That Mr. *Hale*, Mr. *Williams*, Mr. *Boswell*, and Mr. *J. S. Macdonald*, do present the said Address to His Excellency, the Governor General.

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FOR WHAT PLACE.	IN THE ROOM OF.	ON WHAT ACCOUNT.
Fourth Riding, County of York.....	Louis Hypolite Lafontaine, Esquire.....	Attorney General, Lower Canada, 1.
County of Port Neuf.....	Thomas Cushing Aylwin, Esquire.....	Solicitor General, Lower Canada, 1.
Third Riding, County of York.....	James Edward Small, Esquire.....	Solicitor General, Upper Canada, 1.
Second Riding, County of York.....	George Duggan, Esquire.....	Void Election, 1.
County of Beauharnois.....	John Williams Dunscombe, Esquire.....	Vacated his Seat, 2.
County of Saguenay.....	Etienne Parent, Esquire.....	Office of Profit, 2.
County of Rimouski.....	Michael Borne, Esquire.....	Vacated his Seat, 2.
City of Toronto.....	Isaac Buchanan, Esquire.....	Vacated his Seat, 2.
County of Champlain.....	Réné Joseph Kimber, Esquire.....	Called to the Legislative Council, 2.
County of Russell.....	William Henry Draper, Esquire.....	Called to the Legislative Council, 3.
County of Hastings.....	Robert Baldwin, Esquire.....	Attorney General, Upper Canada, 3.
County of Rouville.....	William Walker, Esquire.....	Vacated his Seat, 7.

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