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1828



JOURNAL,

OF THE

LEGISLATIVE COUNCIL

OF

UPPER CANADA.



FOURTH SESSION, NINTH PROVINCIAL PARLIAMENT,

HIS EXCELLENCY SIR PEREGRINE MAITLAND, K. C. B.

LIEUTENANT GOVERNOR.



BY ORDER OF THE HONORABLE THE LEGISLATIVE COUNCIL.

PRINTED AT THE U. C. GAZETTE OFFICE YORK,

By ROBERT STANTON, Printer to the King's Most Excellent Majesty.

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SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

LEGISLATIVE COUNCIL.

UPPER CANADA.

PROCLAMATION.

UPPER CANADA.

P. MAITLAND,
Lieut. Governor.

GEORGE the FOURTH, by the Grace of GOD of the United Kingdom of Great Britain and Ireland, King Defender of the Faith, &c. &c. &c.

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens, and Burgesses, of our said Province, to our Provincial Parliament at our Town of York, on Wednesday, the Twenty Eighth day of March instant, to be commenced, held, called, elected, and to every of you.

GREETING :

WHEREAS on the Seventeenth day of February last, we thought fit to prorogue our Provincial Parliament to the Twenty Eighth day of March instant, at which time, at our Town of York, you were held and constrained to appear.

NOW KNOW YE, that we taking into our Royal consideration, the ease and convenience of our loving subjects, 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 Friday the Fourth day of May next ensuing, you meet us in our Provincial Parliament at our Town of York, there to take into consideration the state and welfare of our Province of Upper Canada, and therein to do as may seem necessary, and 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 PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of our said Province, and Major General commanding our Forces therein, at York, this Nineteenth day of March, in the Year of Our Lord One Thousand Eight Hundred and Twenty-seven, and in the Eighth year of our Reign.

P. M.

By His Excellency's Command.

JOHN B. ROBINSON,
Attorney General.

D. CAMERON,
Secretary.

By a further Proclamation of His Excellency SIR PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the First day of May, One Thousand Eight Hundred and Twenty-seven, the Meeting of the Legislative Council and House of Assembly stands further Prorogued to the Twelfth day of June next ensuing.

By a further Proclamation of His Excellency SIR PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the Seventh day of June, One Thousand Eight Hundred and Twenty-seven, the Meeting of the Legislative Council and House of Assembly, stands further Prorogued to the Twenty-first day of July next ensuing.

FOURTH SESSION, OF THE 9th PROVINCIAL PARLIAMENT. 8th GEO. IV.

By a further Proclamation of His Excellency SIR PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the Seventeenth day of July, One Thousand Eight Hundred and Twenty-seven, the Meeting of the Legislative Council and House of Assembly, stands further Prorogued to the Thirtieth day of August next ensuing.

By a further Proclamation of His Excellency SIR PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the Twentieth day of August, One Thousand Eight Hundred and Twenty-seven, the Meeting of the Legislative Council and House of Assembly, stands further Prorogued to the Eighth day of October next ensuing.

By a further Proclamation of His Excellency SIR PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the Twenty-ninth day of September, One Thousand Eight Hundred and Twenty-seven, the Meeting of the Legislative Council and House of Assembly, stands further Prorogued to the Seventeenth day of November next ensuing.

By a further Proclamation of His Excellency SIR PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the Seventeenth day of November, One Thousand Eight Hundred and Twenty-seven, the Meeting of the Legislative Council and House of Assembly, stands further Prorogued to the Twenty-sixth day of December next ensuing.

PROCLAMATION.

UPPER CANADA.

P. MAITLAND,
Lieut. Governor.

GEORGE the FOURTH by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c. &c. &c.

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens, and Burgesses of our said Province, to our Provincial Parliament at our Town of York, on Wednesday the Twenty-sixth day of December instant, to menced, held, called, elected, and to every of you.

GREETING :

WHEREAS by our Proclamation bearing date the Seventeenth day of November last, we thought fit to Prorogue our Provincial Parliament to the Twenty-sixth day of December instant, at which time, at our Town of York, you were held and constained to appear.

NOW KNOW YE, That we taking into our Royal consideration the ease and convenience of our loving subjects, 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 Fifteenth day of January next ensuing, you meet us in our Provincial Parliament, at our Town of York, for the Actual Dispatch of Public Business, there to take into consideration the state and welfare of our Province of Upper Canada, and therein to do as may may seem necessary,—and 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 PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of our said Province, and Major General commanding our Forces therein, at York, this Fourteenth day of December, in the Year of Our Lord One thousand Eight Hundred and Twenty-seven, and in the Eighth year of our Reign.

P. M.

By His Excellency's command.

D. CAMERON:
Secretary.

JOHN B. ROBINSON,
Attorney General.

Tuesday, 15th January, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*



LEGISLATIVE COUNCIL.

UPPER CANADA.

York, 15th January, 1828.

THE Provincial Legislature having been, by Proclamation, Prorogued to this day, several Members assembled accordingly, at half past twelve o'clock.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
 “ “ JAMES BABY,
 “ “ THOMAS CLARK,
 “ “ DUNCAN CAMERON,
 “ “ JOHN HENRY DUNN,
 “ “ WILLIAM ALLAN,
 “ “ THOMAS RIDGUT,

His Honor the Speaker informed the House that Grant Powell, Esquire, had been appointed by His EXCELLENCY the LIEUTENANT GOVERNOR by commission under the Great Seal of the Province to fill the Office of Clerk to this Honorable House, vacated by the decease of their late Clerk John Powell, Esquire.

The Commission was then read as follows:—

P. MAITLAND.

UPPER CANADA.

GEORGE the FOURTH, by the Grace of GOD of the United Kingdom of Great Britain and Ireland, King Defender of the Faith, &c. &c. &c.

To our Trusty and well beloved Grant Powell, Esquire.

Commission of Grant
Powell, Esquire.

GREETING:

KNOW YE, that being well assured of the loyalty, prudence, and integrity, of you, the said Grant Powell; and having had experience of your capacity and abilities, We have thought fit to constitute and appoint, and by these presents, do constitute and appoint, you, the said Grant Powell, to be Clerk of our Legislative Council, in and for our said Province of Upper Canada, in the room and place of the late John Powell, Esquire, deceased, to have, hold, exercise, and enjoy, the said Office of Clerk of our Legislative Council aforesaid, to you the said Grant Powell, for and during our pleasure, together with such fees as shall hereafter be allowed or appointed.

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 PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of our said Province, and Major General, Commanding our Forces therein, at York, this Fourth day of May, in the year of our Lord one thousand eight hundred and twenty-seven, and in the eight year of our Reign.

P. M.

By His Excellency's command.

JOHN B. ROBINSON,
Attorney General.

D. CAMERON,
Secretary.

B.

Tuesday, 15th January, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 8th GEO. IV.

The Clerk then took and subscribed the following Oath:—

Oath administered to
Grant Powell, Esq.

Ye shall be faithful, and truth you shall bear to our Sovereign Lord, George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and to His Heirs and Successors: Ye shall nothing know that shall be prejudicial to His Majesty, His Crown Estate, and dignity Royal, but that you shall resist it to your power; and with all speed, ye shall advertise His Majesty thereof, or at least, some of His Council, in such wise as the same may come to His knowledge: Ye shall, also, well and truly serve His Majesty in the Office of Clerk of the Legislative Council, for the Province of Upper Canada, making true Entries, Remembrances, and Journals of the things done and passed in the same: Ye shall keep secret all such matters as shall be treated in his said Provincial Parliament, and not disclose the same before they shall be published, but to such as it ought to be disclosed unto; and generally, ye shall well and truly do and execute all things belonging to you to be done, appertaining to the said Office of Clerk of the Legislative Council, aforesaid—As God you help, and by the contents of this Book.

GRANT POWELL.

Sworn before the Honorable the Speaker of the Legislative Council, this fifteenth day of January, in the year of our Lord, one thousand, eight hundred and twenty-eight, and in the eighth year of our Reign.

WILLIAM CAMPBELL,
Speaker.

At one o'clock, His Excellency the Lieutenant Governor having come to the Legislative Council Chamber, and being seated on the Throne, the Gentleman Usher of the Black Rod was directed to command the attendance of the Speaker and Members of the Commons House of Assembly at the Bar of this House; and they being come thereto, His Excellency was pleased to open the Session by a gracious Speech to both Houses.

His Excellency the
Lieutenant Governor
opens the Session.

The House of Assembly having withdrawn, His Excellency was pleased to retire.

His Excellency
retires.

Prayers were read.

The Honorable the Speaker informed the House that he was in possession of a copy of His Excellency's Speech, which he read, and it was again read (*pro forma*) by the Clerk, and is as follows:—

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

His Excellency's
speech.

Under the excellent Constitution derived from the wisdom and liberality of our Parent State, you are again convened for the purpose of promoting, by your counsels, the prosperity of this Province. I shall have great satisfaction in witnessing your exertions for that end, as it must always be most gratifying to me to concur with you in any measures tending to advance the general welfare. The works in progress for improving the Internal Navigation, will, doubtless, be regarded by you with undiminished interest.

I confidently trust that the advantages derived from their successful accomplishment, will at no distant period, afford the most gratifying proof that you have been guided by good policy, in advancing them by great and extraordinary exertions.

I have much pleasure in announcing to you, that his Majesty has very graciously provided for the establishment of an University in this Province, and has bestowed means which will ensure the early accomplishment of an object long regarded by me, as among those most to be desired for the welfare of the Colony.

Gentlemen of the House of Assembly,

I have ordered the accounts and estimates, to be laid before you: I rely with confidence upon your making the necessary provisions for the public service.

Although the past year has not been particularly favorable to the Commerce of Canada, I have reason to believe, that no diminution of our Revenue is to be apprehended.

15th 16th & 17th *January*, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

I have again solicited the attention of His Majesty's Government to an Address of both Houses of the Legislature, presented in a former Session, convinced that some of the measures prayed for would very materially tend to the increase of our recourses.

Honorable Gentlemen and Gentlemen,

You will of course direct your attention to such Provincial Acts as are about to expire.

The enactments authorising the Sale of Lands for the payment of Assessments, which have fallen into arrear, will in a few months begin to take effect.

My own opinion of their expediency and even of their necessity remains unchanged: I believe they will be found to afford a certain though gradual remedy for very great evils, and that their beneficial consequences will soon be too evident to admit of question.

These benefits however, it cannot be your wish to attain by any unnecessary rigour, and still less by any degree of injustice: and if upon an attentive consideration of the details of the system, and their probable effects when reduced to practice, you find that any apprehended inconvenience can be prevented or remedied, I shall be happy to unite with you in any measure for that purpose.

The improvement of the Highways throughout the Province, cannot but be ensured and hastened by the means which the collection of the Assessments will inevitably furnish, but I am unwilling to think that you will find it necessary to wait for the gradual application of these means.

There are other subjects affecting the happiness and welfare of the people, upon some of which I shall have occasion to communicate with you by message; and it is with much satisfaction, I reflect upon the harmony and good understanding which has prevailed between the different branches of this Legislature, as affording the best assurance that public measures will receive deliberate and effectual attention.

On motion made and seconded it was—

Ordered, that a Committee be appointed, to prepare the draft of an Address of thanks to His Excellency, for his gracious Speech from the Throne. Whereupon the Honorable the Speaker, named Messrs. Baby, Ridout, and Allan, to be the said Committee. Committee to prepare Address in answer to Speech.

On motion made and seconded, the House adjourned until To-morrow at One o'clock.

Wednesday, 16th January 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. BABY.

“ “ CLARK,

“ “ CAMERON,

“ “ DUNN,

“ “ RIDOUT.

Prayers were read.

The Minutes of Yesterday were read.

On Motion made and seconded, the House adjourned until To-morrow at Two o'clock, P. M.

Thursday, 17th January, 1828.

The House met pursuant to adjournment.

Thursday, 17th January, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 8th GEO. IV.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY,

“ “ **CLARK,**

THE HONORABLE THE ARCHDEACON OF YORK,

THE HONORABLE MESSRS. CAMERON,

“ “ **RIDOUT,**

“ “ **ALLAN.**

Prayers were read.

The Minutes of Yesterday were read.

Answer to His Excellency's Speech reported.

Mr. Baby, from the select Committee appointed to prepare an Address of thanks for the Speech of His Excellency the Lieutenant Governor, reported a draft of an Address prepared by the said Committee, which he read in his place.

Ordered that the report be received.

And the draft was again read by the Clerk.

On motion made and seconded, that the House go into Committee of the whole, to take the same into consideration, it was so ordered.

Committed.

And the House was put into a Committee of the whole.

Mr. Baby in the Chair.

Reported

After some time the House resumed, and the Honorable Mr. Baby, reported that the Committee agreed to the Address, with some amendments which were recommended to be adopted by the House.

Adopted.

The Address as amended by the Committee was then read by the Clerk, and adopted by the House:—

Address read 2d time.

To HIS EXCELLENCY SIR PEREGRINE MAITLAND, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY.

We, His Majesty's most dutiful and Loyal Subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, beg leave most respectfully, to present to your Excellency our warmest acknowledgments for your very gracious Speech at the opening of this Session.

It is most pleasing to us to be assured that Your Excellency will have great satisfaction in witnessing our exertions, and that it will be gratifying to Your Excellency to concur with us in any measures tending to advance the general welfare of the Province, under the excellent Constitution we have received from the wisdom and liberality of our Parent State.

We shall regard with undiminished interest the works in progress for improving the Internal Navigation, and we confidently trust, that the advantages derived from their successful accomplishment, will at no distant period, afford the most gratifying proofs of the good policy of advancing them by great and extraordinary exertions.

We learn with grateful feelings, that His Majesty has very graciously provided for the establishment of an University in this Province, and has bestowed means which will ensure the early accomplishment of an object long regarded by your Excellency, as among those most to be desired for the welfare of the Colony.

We will not fail to pay due attention to such Provincial Acts as are about to expire.

It is believed that under the enactments authorising the sale of Lands, for the payment of Assessments which have been suffered to fall into arrear, and which will in a few months begin to take effect, will be found to afford a certain though gradual remedy for very great evils, and that their beneficial consequences will soon be too evident to admit of question.

It cannot be our wish, however, to attain these benefits by any unnecessary rigour, and still

17th & 18th *January*, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

less by any degree of injustice, and we feel grateful to learn, that if upon an attentive consideration of the details of the system, and their probable effects when reduced to practice, it be found that any apprehended inconvenience can be prevented or remedied, Your Excellency will be happy to unite with us in any measure for that purpose.

We entertain the hope that the improvement of the Highways throughout the Province, cannot but be ensured and hastened by the means which the collection of the Assessments will inevitably furnish, but we shall be happy to concur in any measure that may render it unnecessary to wait for their gradual application.

We shall ever receive with due attention any communication from Your Excellency that will affect the happiness and welfare of the people, and it is highly gratifying to us to find that Your Excellency has viewed with much satisfaction, the harmony and good understanding which has prevailed between the different branches of the Legislature, as affording the best assurance that public measures will receive deliberate and effectual attention.

On motion made and seconded it was—

Ordered to be engrossed and read a third time to-morrow.

To be engrossed and read a third time.

On motion made and seconded, the House adjourned until to-morrow at Three o'clock, P. M.

Friday, 18th January 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. BABY.

“ “ CLARK,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK,

THE HONORABLE MESSRS. DUNN,

“ “ RIDOUT.

“ “ ALLAN.

Prayers were read.

The Minutes of yesterday were read,

On motion made and seconded, that the House be again put into Committee, to consider the Address to His Excellency the Lieutenant Governor, it was so ordered and Mr. Baby took the Chair.

Committee to re-consider Address.

After some time the House again formed and—

Committed.

The Honorable Mr. Baby reported, that the Committee had made some further amendments to the Address.

Reported.

It was then ordered that the Address as amended be received, and it was as engrossed read a third time by the Clerk, and passed as follows:—

Read 3d time, and passed.

To HIS EXCELLENCY SIR PEREGRINE MAITLAND, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY.

Address.

We, His Majesty's most dutiful and loyal subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, beg leave most respectfully, to present to Your Excellency, our warmest acknowledgments for your very gracious Speech, at the opening of this Session.

It is most pleasing to us to be assured that Your Excellency will have great satisfaction in witnessing our exertions, and that it will be gratifying to Your Excellency, to concur with us in any measure tending to advance the general welfare of the Province, under the excellent constitution we have received from the wisdom and liberality of our Parent State.

We shall regard, with undiminished interest, the works in progress for improving the In-

C.

18th & 21st *January*, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 5th GEO. IV.

ternal Navigation; and we confidently trust, that the advantages derived from their successful accomplishment, will, at no distant period, afford the most gratifying proof of the good policy of advancing them by great and extraordinary exertions.

We learn, with grateful feelings, that His Majesty has very graciously provided for the establishment of an University in this Province, and has bestowed means which will ensure the early accomplishment of an object long regarded by Your Excellency as among those most to be desired for the welfare of the Colony.

We will not fail to pay our attention to such Provincial Acts as are about to expire.

It is believed, that the enactments authorizing the sale of Lands for the payment of Assessments which have been suffered to fall into arrear, and which will, in a few months, begin to take effect, will be found to afford a certain, though gradual, remedy for very great evils; and that their beneficial consequences will soon be too evident to admit of question.

It cannot be our wish, however, to attain these benefits by any unnecessary rigour, and still less, by any degree of injustice; and we feel grateful to learn that, if, upon an attentive consideration of the details of the system, and their probable effects when reduced to practice, it be found that any apprehended inconvenience can be prevented or remedied, Your Excellency will be happy to unite with us in any measure for that purpose.

We entertain the hope, that the improvement of the Highways, throughout the Province, cannot but be ensured and hastened by the means which the collection of the Assessments will inevitably furnish; but we shall be happy to concur in any measure that may render it unnecessary to wait for their gradual application.

We shall ever receive, with due attention, any communication from Your Excellency that will affect the happiness and welfare of the people; and it is highly gratifying to us to find that Your Excellency has viewed with much satisfaction the harmony and good understanding which has prevailed between the different branches of the Legislature, as affording the best assurance that public measures will receive deliberate and affectual attention.

On motion made and seconded, it was—

Committee to know when the Address should be received.

Ordered, that Messrs. Baby, Allan, and Ridout, be a Committee to wait on His Excellency the Lieutenant Governor, to know when he will be pleased to receive this House with their Address.

On motion made and seconded, the House adjourned until Monday next at two o'clock, P.M.

Monday, 21st January, 1828.

The House met, pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY,

“ “ CLARK,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK,

THE HONORABLE MESSRS. CAMERON,

“ “ DUNN,

“ “ RIDOUT,

“ “ ALLAN.

Prayers were read.

The Minutes of Yesterday were read.

To be presented at Two o'clock, P. M. to-day.

The Honorable Mr. Ridout from the Committee appointed to wait upon His Excellency the Lieutenant Governor to know when he would be pleased to receive this House with their Address, reported that they had done so, and that His Excellency had appointed this day at two o'clock, P.M. for that purpose.

Presented,

The House accordingly proceeded to the Government House, and having returned the Speaker reported to the House that His Excellency had been pleased to receive their Ad-

21st & 23d January, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

dress, and to return an answer thereto, of which he had obtained a copy, which he read, and it was again read by the Clerk as follows :—

Honorable Gentlemen,

I thank you for this cordial Address, and for the assurance that you will give your ready attention to those communications which I may have occasion to submit to you by Message. His Excellency's reply.

Your deliberations will, I doubt not, be distinguished by your accustomed judgment and public spirit which have been so frequently productive of happy consequences to the Province.

On Motion made and seconded, the House adjourned until Wednesday next at Two o'clock, P. M.

Wednesday, 23d January, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
 THE HONORABLE MESSRS. CLARK,
 THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK,
 THE HONORABLE MESSRS. WELLS,
 “ “ CAMERON,
 “ “ DUNN,
 “ “ RIDOUT,
 “ “ ALLAN,

Prayers were read.

The Minutes of Monday were read.

Two Messages from His Excellency the Lieutenant Governor were delivered by Mr. Secretary Hillier, who being retired the Speaker read the same, and they were again read by the Clerk, together with the document accompanying, as follows :—

P. MAITLAND,

The Lieutenant Governor thinks proper to inform the Legislative Council that he has received a Despatch from the Under Secretary of State for the Colonies, signifying that the leave of absence to Mr. Powell, a Member of the Legislative Council, has been renewed for the space of twelve months, from the fifth of November last. Message from His Excellency, respecting a renewal of leave of absence to Mr. Powell.

Government House, }
23, January 1828. }

P. MAITLAND,

The Lieutenant Governor transmits to the Legislative Council the copy of a Despatch addressed to him by Lord Viscount Goderich, and he deems it necessary to acquaint the Legislative Council, that until the King's Instructions, transmitted by Earl Bathurst, on the thirty-first of August, 1826, were received in this Colony, the nature of the provisions they recommended, and the intention to transmit instructions were equally unknown to the Lieutenant Governor.

The Lieutenant Governor desires further to acquaint the Legislative Council, that although when those instructions were received, it appeared to him, as it did to both branches of the Legislature, that the measure which His Majesty recommended was well calculated to afford protection to those for whose relief it was intended; the Lieutenant Governor was not so unmindful of the efforts made to excite a groundless alarm among the Inhabitants of this happy and peaceful Colony, as ever to have conveyed an assurance to His Majesty's Government, that either that measure, or any other the most indulgent that could be devised, might not by industrious misrepresentations, be made the occasion of exciting a partial discontent. Message from His Excellency, relative to a despatch from Lord Viscount Goderich.

Government House, }
10th July, 1827. }

Wednesday, 23d January, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 8th GEO. IV.

DOWNING STREET,
10th July, 1827.

SIR,

His Majesty's Government have had under their consideration the two Bills passed by the Legislative Council and Assembly of Upper Canada, in the month of February last, and which were reserved by you for the signification of His Majesty's pleasure, entitled—

“An Act to provide for the Naturalization of such persons resident in this Province at the period therein mentioned, as may not now be entitled by Law to be regarded as Natural born Subjects.”

“An Act to confirm British Subjects in their Titles to Real Estates in this Province, derived through Aliens.”

You are aware, that a Petition, signed by a large number of persons resident in the Province, has been presented to the House of Commons, objecting on various grounds to the confirmation of these Bills by His Majesty. The Petitions represent that the Bills which have been transmitted do not really express the sense of the Legislative body. The views of the House of Assembly of Lower Canada, can of course, however be collected only from the Acts and recorded Resolutions of the House itself, and His Majesty cannot attach any authority to the statement which has been made by others of the wishes and opinions of individual Members of this body. The Petition, however, sufficiently establishes the fact, that a numerous class of the Inhabitants of the Province are dissatisfied with the measures recommended by His Majesty's Government in the year 1826, and subsequently adopted by the Provincial Legislature.

I cannot too distinctly acknowledge that your Excellency and the Legislative Council and Assembly, are not responsible for any misconception which may have been entertained upon this subject.—The Bills which you have transmitted are in general framed in conformity with the Instructions you have received, or deviate from those Instructions only on the side of indulgence towards the parties whom it was proposed to relieve. It rests with His Majesty's Government alone to vindicate the propriety of the measures which have been already taken, and of such alterations in them as I am now about to suggest.

It is fit, however, to observe, that before Lord Bathurst's Instructions of the Thirty-first of August, 1826, were written, His Lordship had adopted every means in his power to ascertain whether the improvements which he then projected in the Law, would satisfy the Inhabitants of Upper Canada; nor were there wanting sufficient grounds to justify the conclusion that all classes of Society in the Province would cordially acquiesce in them.—If these expectations have been disappointed the result is to be attributed to circumstances of which Lord Bathurst was unavoidably ignorant, and over which he could exercise no controul.

His Majesty's decision upon the Bills which you have transmitted, will be suspended until it shall appear whether the Council and Assembly are disposed to pass other Bills better adapted to produce general satisfaction throughout the Province, and if any such Bills should be received in this Country, His Majesty in Council, will disallow those which are at present before him.

I proceed to state the general principles which upon a mature consideration of the subject, it has appeared to His Majesty's Government desirable to embody in the Bills so to be passed.

All persons who have at any time received Grants of Land from the Provincial Government, or who have held any Public Office in the Province, or who have at any time been admitted by the Provincial Government or its Officers, to take the Oath of Allegiance, or who had their settled place of abode in the Province before the year 1820, and are still resident there, should be admitted to the privileges of English birth without any consideration or qualification.

The children or more remote descendants of any persons who may now be dead, should be admitted to the same privileges which their parents or ancestors, if living, could claim.—Any person claiming to exercise any privilege of a British subject, who has not yet taken the Oath of Allegiance, should be required to take the Oath; or if he be one of the persons

Wednesday, 23d January, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

whom the Provincial Law relieves from the obligation of taking Oaths, should be required to make the corresponding affirmation.

Persons not falling within any of the preceding descriptions, but who have at present their domicile in Upper Canada, having first resorted in or subsequently to the year 1820, should, if such be their wish, be also admitted to the privileges of English birth, subject to the following conditions:—First, That before they enjoy the privileges in question, they should have completed a residence of Seven years.—Secondly, They should take the Oath of Allegiance, or make the corresponding affirmation.—Thirdly, That their names should be registered in some Public Office, by some time to be fixed for that purpose, in order that it may be known what particular persons have availed themselves of the proposed indulgence.

It will be distinctly understood that the Law should contain no provision whatever, respecting the renunciation of any allegiance or supposed allegiance to any Foreign State. That question must be decided by the general Law of nations, without being made the subject of any enactment either remedial or declaratory.

The proposed Bills must be entirely retrospective. The terms upon which it may be proper to naturalize persons hereafter resorting to Upper Canada, or to any other of His Majesty's Foreign Possessions, will probably at an early period engage the distinct attention of His Majesty's Government.

The Bills consequently will not interfere with the operation in future of the British Acts of Parliament, for the naturalization of certain Foreigners in His Majesty's Plantations. Neither should they have the effect of repealing certain Provincial Statutes respecting a particular class of Aliens which were passed in the years 1816 and 1817.

It remains to advert to certain questions respecting the property of Aliens which may be affected by the proposed enactments.

There would be no objection to a provision declaring that Lands acquired by any person, or by the ancestor of any person naturalized under this Act, should not hereafter be claimed by His Majesty, on the ground of any such person having been an Alien. It is possible that cases may exist in which the title of private persons to Lands depends upon the foreign birth of some other persons. In all such cases, it would seem fit, that the title in future should depend upon, and follow the actual possession of the property in past times. No person naturalized under the proposed Bill should hereafter be dispossessed of his Lands on the ground of his own, or his ancestors foreign birth; on the other hand, no person who has been actually dispossessed on that ground, should now have his title restored. It would be equitable that these Rules should take effect from the —— of May, 1826, the date of the last Act of Parliament upon this subject.—It would be highly convenient if such should be the pleasure of the Council and Assembly, to make the questions of property the subject of a distinct Bill, since it is unnecessary to incur the question of naturalization with discussions which might impede if they did not prevent the success of that measure.

The Inhabitants of Upper Canada, will I trust, recognise in these Instructions, His Majesty's desire to promote the welfare of every class of Society in the Province, and the Legislative Council and Assembly will understand, that His Majesty fully appreciates the industry and zeal for the public good manifested, by their compliance with the Instructions which in the last year Lord Bathurst conveyed to Your Excellency, by His Majesty's Commands.

I have the honor to be,

Sir,

Your most Obedient

Humble Servant,

(Signed)

GODERICH.

MAJOR GENERAL,
SIR PEREGRINE MAITLAND, K. C. B.

(Certified.)

G. HILLIER.

D.

23d & 24th *January*, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 8th GEO. IV.

On motion made and seconded it was—

Ordered that the House be put into a Committee of the whole, to take into consideration the Messages and Documents transmitted by His Excellency.

Committed.

Mr. Clark took the chair.

Reported.

After some time the Committee rose, and the House resumed. The Honorable Mr. Clark reported, that the Committee had taken into their consideration the Messages and Documents referred to them, and recommended that a select Committee be appointed to prepare an Address, thanking His Excellency for his several Messages.—The report was adopted and the Committee ordered accordingly.

Committee to prepare Answers to the said Messages.

On motion made and seconded, Messrs. Baby and Ridout, were appointed that Committee.

Addition to said Committee. Petition of Alexander Wood.

On motion made and seconded, Mr. Clark, was added to the Committee.

The Venerable the Archdeacon of York, brought up the Petition of Alexander Wood, and it was laid on the table.

Committee to revise Rules of the House.

On motion made and seconded, a Committee to revise the Rules of the House was ordered.

On motion made and seconded, the Honorable Messrs. Clark, the Honorable and Venerable the Archdeacon of York, Wells and Cameron, were appointed a Committee for that purpose.

On motion made and seconded, the House adjourned till to-morrow at Two o'clock, P. M.

Thursday, 24th January, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY,

“ “ CLARK,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK,

THE HONORABLE MESSRS. WELLS,

“ “ DUNN,

“ “ RIDOUT,

“ “ ALLAN.

Prayers were read.

The Minutes of Yesterday were read.

Address to His Excellency in answer to his Message of yesterday, reported.

Mr. Baby, from the Committee appointed for that purpose, reported the draft of an Address, thanking His Excellency for his Messages of Yesterday, which he read in his place, and delivered to the Speaker, when it was again read by the Clerk.

Committed.

On motion made and seconded, the House was put into Committee of the whole, to take the same into consideration.

The Honorable and Venerable the Archdeacon of York, took the Chair.

A Message being announced, the Chairman left the Chair and the House formed.

Sedition Bill.

A deputation from the Assembly, brought up a Bill, entitled, “An Act to repeal an Act passed in the Forty-fourth Year of His late Majesty’s Reign, entitled, ‘an Act for the better securing this Province against all seditious attempts or designs to disturb the tranquillity thereof.’” which was presented at the Bar and the deputation withdrew.

Committed.

The House was again put into Committee on the Address, thanking his Excellency for his Messages of Yesterday.

The Honorable and Venerable the Archdeacon of York took the Chair.

After some time the House resumed,—

Reported.

And the Chairman reported that the Committee had considered the Address, and recommended the adoption of it without amendment to the House.

Adopted.

The report was ordered to be received and the Address adopted.

On motion made and seconded, it was—

Ordered to be engrossed and read a third time to-morrow.

Petition of George Chisholm, and others.

Mr. Clark brought up the Petition of George Chisholm, Senior, and others,—which was laid on the Table.

Petition of Thomas Dalton.

Mr. Dunn brought up the Petition of Thomas Dalton, which was laid on the Table.

Petition of J. J. Williams, and others.

Mr. Wells brought up the Petition of J. J. Williams and others, which was laid on the Table.

24th & 25th *January*, 1828.SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

Mr. Clark brought up the Petition of Henry Murney, which was laid on the Table.
On motion made and seconded, the House adjourned until to-morrow at Two o'clock, P. M.

Petition of Henry
Murney.

Friday, 25th January, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
THE HONORABLE MESSRS. BABY,
" " CLARK,
THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK,
THE HONORABLE MESSRS. RIDOUT,
" " ALLAN,

Prayers were read.

The Minutes of Yesterday were read.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor as engrossed, was read a third time and—

On motion made and seconded, passed, and was signed by the Speaker as follows:—

Read 3d time, and
passed.

To His Excellency Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY.

The Legislative Council return their respectful thanks for Your Excellency's Messages, conveying the information of Mr. Powell's extended leave of absence, and transmitting a Despatch from the Right Honorable Lord Goderich, relative to the Naturalization of Aliens.

Answer to His Excel-
lency's Message of
the 23d inst.

(Signed)

WILLIAM CAMPBELL,
SPEAKER.

*Legislative Council Chamber, }
25th January, 1828. }*

On motion made and seconded, Messrs. Clark and Ridout, were ordered to present the same. Presented.

A Deputation from the Commons House of Assembly, brought up a Bill, entitled, "An Act for the more equal distribution of the property of persons dying intestate," to which they requested the concurrence of this House, and withdrew.

Intestate distribution
Bill.

The Bill, entitled, "An Act for the more equal distribution of the property of persons dying intestate" was read a first time, and ordered to be read a second time on Monday next.

Read 1st time.

Pursuant to the standing Order of the House—the House was called.

Call of the House.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,	- -	Present.
" " WILLIAM DUMMER POWELL,	- -	Absent on leave.
" " JAMES BABY,	- - - - -	Present.
" " JOHN M'GILL,	- - - - -	Absent from ill health.
" " THOMAS CLARK,	- - - - -	Present.
" " WILLIAM DICKSON,	- - - - -	{ Absent, detained by the state of the Roads.
" " NEIL M'LEAN,	- - - - -	Absent.
" " GEORGE CROOKSHANKS,	- - -	Absent on leave.
" " AND VENERABLE THE ARCHDEACON OF YORK,		Present.
" " ANGUS M'INTOSH,	- - - - -	Absent on leave.
" " JOSEPH WELLS,	- - - - -	Absent.
" " DUNCAN CAMERON,	- - - - -	Absent.
" " GEORGE H. MARKLAND,	- - - - -	Absent.

Apology made by the Venerable the Archdeacon, on account of imperious engagements.

THE HONORABLE JOHN HENRY DUNN,	- - - - -	Absent.
" " THOMAS RIDOUT,	- - - - -	Present.
" " WILLIAM ALLAN,	- - - - -	Present.

25th 28th & 29th *January*, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 8th GEO. IV.

Petition of Peter M-Gill, presented.

The Honorable and Venerable the Archdeacon of York brought up the Petition of Peter M-Gill, which was laid on the Table.

On motion made and seconded, the House adjourned until Monday next, at two o'clock, P.M.

Monday, 23th January, 1828.

At two o'clock, P.M.—

PRESENT.

THE HONORABLE MESSRS. BABY,

“ “ CLARK,

THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK.

Further adjournment of the House, from the ill health of the Speaker.

The Clerk informed the Members present, that he had received a Note from the Honorable the Speaker, stating, that ill health would prevent his attendance to-day, but that he hoped to be able to meet them at the usual hour to-morrow.

The House stood further adjourned until two o'clock, P. M. to-morrow.

Tuesday, 29th January, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. BABY.

“ “ CLARK,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. WELLS,

“ “ CAMERON,

“ “ DUNN,

“ “ RIDOUT.

“ “ ALLAN.

Prayers were read.

The minutes of Friday and yesterday were read.

Jury Bill brought up.

Felons Council Bill brought up.

A Deputation from the Commons House of Assembly brought up two Bills, the one entitled, “An Act to repeal part of and amend the Law now in force for the regulation of Juries,” and the other entitled, “An Act allowing persons tried for Felony the benefit of full defence by Counsel,” to which they requested the concurrence of this House, and withdrew.

1st Reading Jury Bill.

The Bill entitled, “An Act to repeal part of and amend the Law now in force for the regulation of Juries”—was read a first time, and ordered for a second reading on Thursday next.

Alien Bill brought up.

A Deputation from the Commons House of Assembly brought up a Bill, entitled, “An Act to limit to a certain period, the proceedings under an Act of the Parliament of this Province, passed in the Fifty-fourth Year of His late Majesty's Reign, entitled, ‘an Act to declare certain persons therein described Aliens, and to vest their Estates in His Majesty, and to afford certain facilities to claimants of Estates forfeited under the said Act in certain cases,” to which they requested the concurrence of this House, and withdrew.

Members excused from attending at the call of the House.

Mr. Wells excused himself for not attending on Friday last, on account of indisposition.

Mr. Cameron excused himself on account of the order for the call, having escaped his recollection.

Mr. Dunn, by being detained by official business.

Which excuses were received by the House.

1st Reading of Felons Council Bill.

The Bill, entitled, “An Act allowing persons tried for Felony, the benefit of full defence by Counsel,” was read, and ordered to be read a second time to-morrow.

1st Reading of Alien Bill.

The Bill, entitled, “An Act to limit to a certain period, the proceedings under an Act of the Parliament of this Province, passed in the Fifty-fourth Year of His late Majesty's Reign, entitled, an Act to declare certain persons therein described Aliens, and to vest their Estates in His Majesty, and to afford certain facilities to claimants of Estates forfeited under the said Act, in certain cases,” was read, and ordered to be read a second time on Thursday next.

2nd Reading of Intes-

Pursuant to the order of the day, the Bill, entitled, “An Act for the more equal distribu-

29th, 30th, & 31st, *January*, 1828.SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

tion of the property of persons dying intestate," was read a second time, and—

tate Distribution Bill.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Committed.

Mr. Wells took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had made some progress in the Bill.

Progress reported.

Mr. Wells brought up the Petition of Thomas Turner Orton, and others, which was laid on the Table.

Petition presented.

The Honorable and Venerable the Archdeacon of York, brought up the Petitions of Madame St. George, and Jordan Post, which were laid on the Table.

2 Petitions presented.

Mr. Clark gave notice, that on Thursday next, he will move that an Address be sent to His Excellency the Lieutenant Governor, requesting that the Surveyor General may be instructed to furnish to this House, a Statement, as nearly as he conveniently can, of the Lands in this Province granted to individuals, including such of the Crown and Clergy Reserves as may have been leased or granted.

Notice respecting an Address to the Lieut. Governor, on the subject of Lands granted.

On motion made and seconded, the House adjourned until to-morrow at Two o'clock, P. M.

Wednesday, 30th January 1828.

The House met, pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. BABY,

" " CLARK,

THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK,

THE HONORABLE MESSRS. WELLS,

" " CAMERON,

" " RIDOUT,

" " ALLAN,

Prayers were read.

The Minutes of yesterday were read.

Mr. Wells brought up the Petition of Joseph Thompson and others, which was laid on the table.

Petition presented.

Pursuant to the order of the day the Bill entitled, "An Act allowing persons tried for Felony the benefit of full defence by Counsel," was read a second time, and

2d Reading of Felons Council Bill.

On motion made and seconded the House was put into Committee of the whole to take the same into consideration.

Committed.

Mr. Ridout took the Chair.

After some time, the House resumed.

The Chairman reported that the Committee had made some progress in the Bill.

Progress reported.

On motion made and seconded it was—

Ordered that the hour of one o'clock, P.M. be the standing hour of daily meeting, unless otherwise named by previous adjournment.

Order of the House for daily meeting.

On motion made and seconded the House adjourned.

Thursday, 31st January, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY,

" " CLARK,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK,

THE HONORABLE MESSRS. WELLS,

" " CAMERON,

" " DUNN,

" " RIDOUT,

" " ALLAN.

E.

Thursday, 31st January, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Prayers were read.

The Minutes of yesterday were read,

2d Reading of Jury Bill.

Pursuant to the Order of the day, the Bill, entitled, "An Act to repeal part of, and amend the Law now in force for the regulation of Juries," was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Mr. Dunn took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

Road Surveyors Bill brought up.

A Deputation from the Assembly brought up a Bill, entitled, "An Act to make valid the Acts of Road Surveyors, and to make further provisions for the same;" and a Bill, entitled,

Eliza Thompson, and others, relief Bill, brought up.

"An Act for the relief of Eliza Thompson, and Eliza Ann Eleanor Clute;" also, a Bill, entitled, "An Act for making and maintaining a Road between Ernestown and the Gore of Fredericksburgh;" to which they requested the concurrence of this House, and withdrew.

Ernestown and Gore of Fredericksburgh Road Bill brought up.

The House was again put into Committee on the Bill, entitled, "An Act to repeal part of, and amend, the Law now in force for the regulation of Juries."

Jury Bill committed.

Mr. Dunn took the Chair.

After some time, the House resumed, and—

Progress reported, and leave given to sit again.

The Chairman reported, that the Committee had taken the Bill into consideration, had made some progress therein, and asked leave to sit again on Tuesday next.

Ordered, that the Report be received and leave granted accordingly.

1st reading of Road Surveyor's Bill.

The Bill, entitled, "An Act to make valid the Acts of Road Surveyors, and to make further provision for the same," was read, and—

Ordered to be read a second time to-morrow.

Eliza Thompson, and others, relief Bill, read 1st time.

The Bill, entitled, "An Act for the relief of Eliza Thompson and Eliza Ann Eleanor Clute," was read, and—

Ordered to be read a second time on Monday next.

Ernestown and Gore of Fredericksburgh Road Bill, read 1st time. Alien Bill, read 2d time.

The Bill, entitled, "An Act for the making and maintaining a Road between Ernestown and the Gore of Fredericksburgh," was read.

Pursuant to the order of the day, the Bill, entitled, "An Act to limit, to a certain period, the proceedings, under an Act of the Parliament of this Province, passed in the fifty-fourth year of His late Majesty's Reign, entitled, "An Act to declare certain persons therein described, Aliens, and to vest their Estates in His Majesty, and to afford certain facilities to claimants of Estates forfeited under the said Act, in certain cases," was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Cameron took the Chair.

After some time, the House resumed, and—

Progress reported

The Chairman reported, that the Committee had taken the Bill into consideration, and recommended it, without amendment, to the adoption of the House.

Ordered, that the Report be received, and—

On motion made and seconded, the Bill was ordered to be read a third time on Monday next.

Motion that an Address be sent to the Lieutenant Governor on the subject of Lands granted.

Pursuant to notice, Mr. Clark moved that an Address be sent to His Excellency the Lieutenant Governor, requesting, that the Surveyor General may be instructed to furnish to this House a Statement, as nearly as he conveniently can, of the Lands in this Province granted to individuals, including such of the Crown and Clergy Reserves as may have been leased or granted.

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Allan took the Chair.

After some time, the House resumed.

Reported.

The Chairman reported, that the Committee had taken the motion into consideration, and recommended it to the adoption of the House.

The Report was ordered to be received.

Select Committee, appointed to prepare Address.

On motion made and seconded, Messrs. Clark and Wells were appointed a Committee to prepare the said Address.

On motion made and seconded, the House adjourned.

1st & 4th *February*, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

Friday, 1st *February*, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
 THE HONORABLE MESSRS. BABY,
 " " CLARK.
 THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK,
 THE HONORABLE MESSRS. CAMERON,
 " " DUNN,
 " " RIDOUT,
 " " ALLAN.

Prayers were read.

The Minutes of Yesterday were read.

Pursuant to the Order of the day, the Bill, entitled, "An Act to make valid the Acts of Road Surveyors, and to make further provisions for the same," was read a second time, and

2d reading of Road Surveyors Bill,

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Committed.

Mr. Baby took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

A Deputation from the Commons House of Assembly brought up a Bill, entitled, "An Act for the relief of Religious Societies therein mentioned;" also, a Bill, entitled, "An Act for the more easy recovery of Dower;" and also, a Bill, entitled, "An Act respecting the appointment of Overseers of Highways and Pound Keepers," to which they requested the concurrence of this House, and withdrew.

Religious Societies relief Bill brought up.
 Dower Bill, brought up.
 Overseers of Highways and Pound Keepers Bill, brought up.

The House was again put into Committee on the Bill, entitled, "An Act to make valid the Acts of Road Surveyors, and to make further provision for the same."

Road Surveyors Bill, Committed:

Mr. Baby took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had taken the Bill into consideration, and recommended it, without amendment, to the adoption of the House.

Progress reported.

Ordered, that the Report be received, and—

On motion made and seconded, the Bill was ordered to be read a third time on Tuesday next.

The Bill, entitled, "An Act for the relief of the Religious Societies therein mentioned," was read, and ordered to be read a second time on Tuesday next.

1st reading of Religious Societies relief Bill.

The Bill, entitled, "An Act for the more easy recovery of Dower," was read, and ordered to be read a second time on Friday next, and—

1st reading of Dower Bill.

On motion made and seconded, One Hundred Copies were ordered to be Printed.

Ordered to be printed.

The Bill, entitled, "An Act to amend the Laws respecting the appointment of Overseers of Highways and Pound Keepers," was read, and ordered to be read a second time on Tuesday next.

1st reading of Overseers of Highways and Pound Keepers Bill.

Mr. Dunn brought up the Petition of John Covert, and others, which was laid on the Table.

Petition presented.

On motion made and seconded, the House adjourned until Monday next.

Monday, 4th *February*, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
 THE HONORABLE Mr. CLARK,
 THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK,
 THE HONORABLE MESSRS. CAMERON,
 " " MARKLAND,
 " " DUNN,
 " " RIDOUT,
 " " ALLAN.

4th & 5th February, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Prayers were read.

The minutes of Friday were read.

Eliza Thompson, and
others, relief Bill,
read 2d time.

Pursuant to the order of the day, the Bill, entitled, "An Act for the relief of Eliza Thompson and Eliza Ann Eleanor Clute," was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Mr. Clark took the Chair.

After some time, the House resumed.

Reported.

The Chairman reported, that the Committee had taken the Bill into consideration, and recommended it, without amendment, to the adoption of the House.

Ordered, that the Report be received, and—

On motion made and seconded, the Bill was ordered to be read a third time to-morrow.

Alien Bill, read 3d
time and passed.

Pursuant to the order of the day, the Bill, entitled, "An Act to limit to a certain period, the proceedings under an Act of the Parliament of this Province, passed in the Fifty-fourth year of His late Majesty's Reign, entitled, 'An Act to declare certain persons therein described, Aliens, and to vest their Estates in His Majesty,' and to afford certain facilities to claimants of Estates forfeited under the said Act in certain cases," was read a third time and passed.

Addition to Select
Committee for drafting
Address to Lieuten-
ant Governor
respecting Lands
granted
The draft of an Ad-
dress reported.

On motion made and seconded, Mr. Allan was added to the Committee to draft an Address to His Excellency the Lieutenant Governor respecting Lands granted to individuals.

Mr. Clark, from the said Committee, reported the draft of an Address and submitted it to the consideration of the House.

Ordered, that the Report be received, and—

Committed.

On motion made and seconded, the House resolved itself into a Committee of the whole to take the same into consideration.

The Venerable the Archdeacon of York took the Chair.

After some time, the House resumed.

Report amended.

The Chairman reported, that the Committee had taken the said Address into consideration, and had made some amendments thereto, which they recommended to the adoption of the House.

Ordered that the report be received, and—

On motion made and seconded, the Address as amended was ordered to be engrossed and read a third time to-morrow.

On motion made and seconded, the House adjourned.

Tuesday, 5th February, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY.

" " CLARK,

THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. CAMERON,

" " MARKLAND,

" " DUNN,

" " RIDOUT,

" " ALLAN.

Prayers were read.

The minutes of yesterday were read.

Jury Bill,
recommitted.

Pursuant to the order of the day, the House was put into a Committee of the whole to take into consideration the Bill, entitled, "An Act to repeal part of, and amend, the Law now in force for the regulation of Juries."

Mr. Dunn took the Chair.

After some time the House resumed,—

Progress reported—
referred to Special
Committee.

The Chairman reported, that the Committee recommended that the Bill be referred to a Special Committee, to report by amendment, or otherwise.

Tuesday, 5th February, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

Ordered, that the report be received, and—

On motion made and seconded, Messrs. Dickson, Markland and Dunn, were appointed that Committee. Committee for that purpose.

Pursuant to the order of the day, the Bill, entitled, "An Act to make valid the Acts of Road Surveyors, and to make further provision for the same," was read a third time, and passed. Road Surveyors Bill read 3d time and passed.

Pursuant to the order of the day, the Bill, entitled, "An Act for the relief of the Religious Societies therein-mentioned," was read a second time, and— Religious Societies relief Bill read 2d time.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration. Committed.

Mr. Markland took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

A Deputation from the Assembly brought up a Bill, entitled, "An Act to alter the Law of Imprisonment for Debt," to which they requested the concurrence of this House, and withdrew. Imprisonment for Debt Bill brought up.

The House was again put into Committee, on the Bill, entitled, "An Act for the relief of the Religious Societies therein-mentioned." Religious Societies relief Bill committed.

Mr. Markland took the Chair.

After some time the House resumed.—

The Chairman reported, that the Committee had taken the Bill into consideration, had made some Amendments thereto, which they recommended to the adoption of the House. Reported and amended.

Ordered, that the Report be received, and the Amendments adopted, as follows:—

Press 1, Line 14.—Expunge "Presbyterians, Roman Catholics." Amendments adopted

On motion made and seconded, the said Amendments were ordered to be Engrossed, and read a third time to-morrow.

The Bill entitled, "An act to alter the Law of Imprisonment for Debt," was then read, and— 1st reading of Imprisonment for Debt Bill.

On motion made and seconded, it was—

Ordered, to be read a second time this day se'night, and in the mean time, that it be Printed.

Pursuant to the order of the day, the Bill, entitled, "An Act to amend the Laws respecting the appointment of Overseers of Highways and Pound-keepers," was read a second time, and— 2d reading of Overseers of Highways and Pound Keepers Bill.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration. Committed.

Mr. Cameron took the Chair.

After some time the House resumed.—

The Chairman reported, that the Committee had made some progress in the Bill, and asked leave to sit again on Tuesday next. Progress reported.

Ordered, that the Report be received, and leave granted accordingly.

Pursuant to the order of the day, the Bill, entitled, "An Act for the relief of Eliza Thompson, and Eliza Ann Eleanor Clute," was read a third time, and passed. Eliza Thompson, and another's relief Bill, read 3d time & passed

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, as Engrossed, was read a third time, and passed as follows:— Address to the Lieutenant Governor, on the subject of Lands granted, read 3d time and passed.

To HIS EXCELLENCY SIR PEREGRINE MAITLAND, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY.

The Legislative Council request, that Your Excellency will be pleased to direct the proper Officer to lay before this House, a return, as nearly as he conveniently can, of the Lands in this Province granted and under patent to individuals, including such of the Crown and Clergy Reserves as have been leased.

On motion made and seconded, it was—

Ordered, that Messrs. Baby and Dunn, be a Committee to present the same.

Mr. Markland brought up the Petition of Abraham Barker and others, which was laid on the Table. Committee to present the same. Petition brought up.

F.

5th, 6th, & 7th, *February*, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Petition brought up. Mr. Baby brought up the Petition of James Stoors and others, which was laid on the Table. On motion made and seconded, the House adjourned until to-morrow at Three o'clock, P.M.

Wednesday, 6th February, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY.

“ “ CLARK,

“ “ DICKSON,

THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. MARKLAND,

“ “ DUNN,

“ “ ALLAN.

Prayers were read.

The Minutes of Yesterday were read.

3d reading of amendments to Religious Societies' relief Bill postponed.

On motion made and seconded, the third reading of the Amendments in and to the Bill, entitled, “An Act for the relief of the Religious Societies therein-mentioned,” was ordered to be postponed till to-morrow.

On motion made and seconded, the House adjourned.

Thursday, 7th February, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY,

“ “ CLARK,

“ “ DICKSON,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK,

THE HONORABLE MESSRS. CAMERON,

“ “ MARKLAND,

“ “ DUNN,

“ “ RIDOUT,

“ “ ALLAN.

Prayers were read.

The minutes of yesterday were read.

Religious Societies' relief Bill, as amended, read third time and passed.

Pursuant to the order of the day, the Bill, entitled, “An Act for the relief of the Religious Societies therein-mentioned,” was read the third time, and the question whether this Bill, as amended, should pass, it was carried in the affirmative, and the Amendments were signed by the Speaker.

Carried down to Assembly.

Ordered, that the Master in Chancery go down to the Assembly, and acquaint that House, that the Legislative Council have passed this Bill with Amendment, to which they desire the concurrence of the Assembly.

Alien Bill, Road Surveyors Bill, and Eliza Thompson and another's relief Bill, carried down to Assembly.

Ordered, that the Master in Chancery go down to the Assembly, and acquaint that House, that the Legislative Council have passed the Bill, entitled, “An Act to limit to a certain period, the proceedings under an Act of the Parliament of this Province, passed in the Fifty-fourth Year of His late Majesty's Reign, entitled, “An Act to declare certain persons therein-described Aliens, and to vest their Estates in His Majesty, and to afford certain facilities to claimants of Estates forfeited under the said Act, in certain cases.”—Also the Bill, entitled, “An Act to make valid the Acts of Road Surveyors, and to make further provision for the same;” and also the Bill, entitled, “An Act for the relief of Eliza Thompson and Eliza Ann Eleanor Clute,” without amendment.

Civil and Political Rights bill brought up

A Deputation from the Assembly brought up a Bill, entitled, “An Act to secure the civil and political rights of certain Inhabitants of this Province,” to which they requested the concurrence of this House, and withdrew.

8th & 11th *February*, 1828.SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

The said Bill was read, and—

Read 1st time.

On motion made and seconded, it was—

Ordered to be Printed, and read a second time this day se'night.

To be Printed.

Mr. Dickson brought up the Petition of Robert Addison, and others, which was laid on the Table.

On motion made and seconded, the House adjourned.

Friday, 8th February, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. BABY,

“ “ CLARK,

“ “ DICKSON,

THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK,

THE HONORABLE MESSRS. CAMERON,

“ “ MARKLAND,

“ “ RIDOUT,

“ “ ALLAN,

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill, entitled, “An Act for the more easy recovery of Dower,” was read a second time, and—

2d reading of Dower Bill.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Committed,

Mr. Dickson took the Chair.

After some time the House resumed.—

The Chairman reported, that the Committee had taken the Bill into consideration, had made some progress therein, and asked leave to sit again on Tuesday next.

Progress reported.

Ordered, that the Report be received, and leave granted accordingly.

Mr. Dickson brought up the Petition of John Young, Senr., and others, which was ordered to lie on the Table.

Petition presented.

Mr. Baby from the Committee appointed for that purpose reported, that they had waited upon His Excellency with the Address on the subject of Lands granted to individuals; to which His Excellency was pleased to make the following reply:—

Report of Select Committee.

Honorable Gentlemen,

I shall immediately give the necessary directions to the proper Officer, in compliance with the request contained in the Address of the Legislative Council.

Lieut. Governor's reply to Address respecting Lands granted.

On motion made and seconded, the House adjourned until Monday next.

Monday, 11th February, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. CLARK,

“ “ DICKSON,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. CAMERON,

“ “ MARKLAND,

“ “ DUNN,

“ “ RIDOUT,

“ “ ALLAN.

Prayers were read.

The minutes of Friday were read.

Tuesday, 12th February, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

On motion made and seconded, the House adjourned.

Tuesday, 12th February, 1828.

The House met pursuant to adjournment.

PRESENT.

- THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
 THE HONORABLE MESSRS. BABY,
 " " CLARK,
 " " DICKSON,
 THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK,
 THE HONORABLE MESSRS. CAMERON,
 " " MARKLAND,
 " " DUNN,
 " " RIDOUT,
 " " ALLAN.

Prayers were read.

The Minutes of Yesterday were read.

Statement of Lands granted.

The Honorable the Surveyor General, in his place informed the House, that he had received the Commands of His Excellency the Lieutenant Governor, to lay before it, a statement of granted Lands, in compliance with the Address to that effect; which was laid on the Table.

Estimating the quantity of Land granted, at about Eight Million One Hundred and Eleven Thousand Acres, and supposing that about Seven-eighths of the same, may have been described for patent.—

The Lands granted and under patent to individuals, would amount to	} <i>Acres.</i>
about, - - - - -	} 7,097,125
Adding to which, such of the Crown and Clergy Reserves as have been	}
leased, at about, - - - - -	} 0,350,000
The whole would amount to about, - - - - -	} 7,447,125

(Signed)

THOMAS RIDOUT,
Surveyor General,

*Surveyor General's Office, }
York, 11th February, 1828. }*

N. B. Of the Six Nation Indian Lands on the Grand River, descriptions appear to have issued to individuals for 356,707 Acres, which are not included in the above Statement.

(Signed)

THOMAS RIDOUT,
Surveyor General.

Petition presented.

Mr. Dunn brought up the Petition of Grant Powell, and others, which was laid on the Table.

Petitions presented.

Mr. Markland brought up the Petition of Joshua B. Lockwood, and others, and also the Petition of John Galt, which were laid on the Table.

Petition presented.

Mr. Dickson brought up the Petition of Terrence Smyth, and others, which was laid on the Table.

Public Accounts presented.

The Honorable Mr. Secretary Cameron, by command of His Excellency, laid the Public Accounts on the Table, according to the following Schedule.

—◆—

UPPER CANADA.

Schedule.

Schedule of Accounts prepared to be laid before the Fourth Session of the 9th Provincial Parliament.

No. 1. Statement of Monies paid to the Receiver General of Lower Canada, between 1st July 1826, and 1st January 1827; arising from Duties collected at the Port of Quebec.

Tuesday, 12th February, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

- No. 2. Ditto ditto between 1st January and 1st July, 1827.
3. Ditto ditto between 1st July 1827, and 1st January 1828.
4. Statement of the Receiver General's Receipts, and payments of Provincial Revenue, from 1st July, to the 31st of December 1826, with an Abstract of Warrants annexed.
5. Statement of the Receiver General's Receipts, and payments of Provincial Revenue, from 1st of January, to 30th June 1827.
6. Abstract of Warrants issued on the Receiver General, under the several Provincial Enactments, from the 1st January, to the 30th June 1826.
7. Statement of the Receiver General's Receipts, and payments of the Provincial Revenue, from 1st July, to 31st December 1827.
8. Abstract of Warrants issued on the Receiver General, under the several Provincial Enactments, from the 1st July, to the 31st December 1827.
9. Statement of Receipts and Payments on account of the Civil List appropriations, for the year 1826, with an Abstract of Warrants annexed.
10. Statement of Receipts and payments on account of the Civil List appropriations for the year 1827, with an Abstract of Warrants annexed.
11. Statement of Receipts and payments on account of the appropriations of £2,500 annually, by Statute 56th Geo. III. ch. 26, with an Abstract of Warrants annexed.
12. Account of Revenue from Shop, Tavern, Still, and Wholesale Dealers Licences, 5th January 1827, to 5th January 1828.
13. Account of Revenue from Duties on Merchandize, imported from the United States, between the 1st October, and 31st December 1826.
14. Account of Revenue from Duties on Merchandize, imported from the United States, between the 1st January, and 31st of December 1827.
15. Account of Revenue from Licences issued to Hawkers and Pedlars, from 6th of December 1826, to 31st December 1827.
16. Account of Revenue from Licences issued to Auctioneers, and on Sales at Auction, from 6th December 1826, to the 31st December 1827.
17. Account of Revenue from Light House Tonnage Duty, from 1st January, to the 31st December 1827.
18. Estimate for the Civil List, for the year 1828.
19. General Estimate of the expenditure and recourses of the Province, for the year 1828.
20. Account of Monies outstanding in the hands of Collectors and Inspectors, on the 31st of December 1827.
21. Account of Monies paid to the Receiver General, by Collectors and Inspectors, since the 31st of December 1827.

(Signed)

J. BABY,

Inspector General.

*Inspector General's Office, }
15th January, 1828. }*

Two Messages from His Excellency the Lieutenant Governor, were delivered by Mr. Secretary Hillier, who being returned, the Speaker read the same, and they were again read by the Clerk as follows:—

P. MAITLAND,

The Lieutenant Governor transmits for the information of the Legislative Council, a copy of the Survey, Report, and Estimate of the Works at Burlington Bay, made by the Civil Engineers, under the Act of last Session; as also, all communications had with the Commissioners and Contractor, since that period.

The Lieutenant Governor has learnt with much regret, by the last Report of the Commissioners, the very serious damage that has been occasioned to the Works, by a heavy storm in the last month.

The Lieutenant Governor will have much satisfaction in concurring, in any measures that can be devised by the Legislature, for overcoming the obstacles which have hitherto retarded the progress of this desirable improvement.

*Government House, }
12th February 1828. }*

G.

Two Messages from His Excellency the Lieutenant Governor, with report of the works at Burlington Bay, and statement of Government Debentures.

12th & 13th February, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

P. MAITLAND,

The Lieutenant Governor transmits for the information of the Legislative Council, Statements furnished by the Receiver General, of Government Debentures, issued and outstanding for Loans of Money obtained for various Public objects, under the authority of the several Acts of the Provincial Legislature to that effect.

Government House,
12th February, 1828. }

Imprisonment for
Debt Bill, read 2nd
time.

Pursuant to the order of the day, the Bill, entitled, "An Act to alter the Law of Imprisonment for Debt, was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Markland took the Chair.

After some time, the House resumed.

Progress reported.

The Chairman informed the House, that the Committee had made some progress in the Bill.

Ordered, that the Report be received.

Overseers of High-
ways and Pound
Keepers Bill re-com-
mitted.

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into consideration, the Bill, entitled, "An Act to amend the Laws respecting the appointment of Overseers of Highways and Pound-keepers."

Mr. Cameron took the Chair.

After some time, the House resumed.

Progress reported.

The Chairman reported, that the Committee had made some progress in the Bill.

Ordered, that the Report be received.

Dower Bill re-com-
mitted.

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into consideration, the Bill, entitled, "An Act for the more easy recovery of Dower."

Mr. Dickson took the Chair.

After some time, the House resumed.

Progress reported.

The Chairman reported, that the Committee had made some progress in the Bill, and asked leave to sit again, on Monday next.

Ordered, that the Report be received and leave granted accordingly.

On motion made and seconded, the House adjourned until Three o'clock to-morrow, P. M.

Wednesday, 13th February 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. CLARK,

" " DICKSON,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. MARKLAND,

" " RIDOUT.

" " ALLAN.

Prayers were read.

The minutes of yesterday were read.

Mr. Dickson from the select Committee appointed, to take into consideration, the Bill, entitled, "An Act to repeal part of, and amend the Law now in force, for the regulation of Juries," presented their Report thereon.

Ordered, that the Report be received, and it was read as follows:—

Report of select Com-
mittee on Jury Bill.

Report of the select Committee appointed, to take into consideration, the Bill, entitled, "An Act to repeal part of, and amend the Law now in force, for the regulation of Juries."

Your Committee appointed, to take into consideration, "An Act for the regulation of Juries," beg leave to report,—

That they are fully impressed with the necessity of preserving so important a branch of the Judicature, from being left to the selection of any individual, however, much he may be

13th & 14th *February*, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

placed above suspicion. They are aware, that although not the slightest blame has been imputed to the conduct of any of the Sheriffs in the Province, it is desirable for their sakes, as well as for the due administration of Justice, that even the possibility of a partial interference should be removed.

With this view of the subject; they regret that they have not found the provisions of the Bill, placed under their consideration, such as to enable them to recommend its adoption.

In the first clause, it is made the duty of the Assessors, to take a list Alphabetically, of all the Male-inhabitant Householders; and in the second, after subscribing the same, they shall transmit it to the Sheriff, before a certain period.

Now in the first place, an Assessor, is frequently, a person not much to be relied on for extreme accuracy and punctuality, which on this occasion, would be necessary; in the next place, he accepts Office at will, for he may relieve himself by paying a penalty, or he may find a substitute, while according to the present enactment, the administration of Justice must depend in some degree, on those contingencies.

The fourth and fifth clauses, impose on the Sheriff, a very troublesome and intricate duty; such as may open a door for dispute and quibbling, and by embarrassing Law proceedings, frequently protract the ends of Justice; besides increasing his duty much beyond the remuneration offered him.

Your Committee do not dwell upon that part of the Bill, which precludes persons from serving after they arrive at the age of Fifty years; a period of life, which they consider, well fitted to judge between right and wrong, with less partiality and prejudice, than any other.

This if considered a defect, might be remedied by your Honorable House, but on mature consideration, your Committee beg leave, to recommend the postponement of any measure on this subject, until a general Act be passed; founded on some fixed principle, with more easy details, and embracing the several enactments relative to Juries, in order that an accumulation of laws on the same subject may be avoided, and the whole consolidated in one Statute.

On motion made and seconded, the said Report was—

Ordered for consideration to-morrow.

On motion made and seconded, the Petition of Robert Addison and others, was read, and—

On motion made and seconded, the same was ordered to be printed.

Mr. Markland brought up the Petition of George Carscallan and others, which was laid on the Table.

On motion made and seconded, the House adjourned.

Petition of Robert Addison and others, was read, and ordered to be Printed. Petition presented.

Thursday, 14th February, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. CLARK,

“ “ **DICKSON,**

“ “ **MARKLAND,**

“ “ **DUNN,**

“ “ **ALLAN.**

Prayers were read.

The Minutes of Yesterday were read.

On motion made and seconded, the House adjourned until Three o'clock, P. M. this day.

At Three o'clock, P. M. the House met.

14th, & 18th, *February*, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. CLARK,

“ “ DICKSON,

THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. CAMERON,

“ “ MARKLAND,

“ “ ALLAN.

Civil and Political
rights Bill, read 2nd
time.

Pursuant to the order of the day, the Bill, entitled, “An Act to secure the Civil and Political Rights of certain Inhabitants of this Province,” was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Allan took the Chair.

After some time the House resumed.—

Progress reported and
referred to select
Committee.

The Chairman reported progress, and recommended the reference of the Bill to a select Committee, to report on Monday next, by Bill, or otherwise.

Ordered, that the Report be received, and—

Committee appointed.

On motion made and seconded. Messrs. Clark, Dickson, Cameron, Markland and Allan, were appointed that Committee.

On motion made and seconded, it was—

Order to summons the
House.

Ordered that the Members of this House be summoned to attend on Monday next.

Report of Jury Bill.

Pursuant to the order of the day for the consideration of the Report on the Bill entitled, “An Act to repeal part of, and amend the Law now in force for the regulation of Juries.”

On motion made and seconded, the House was put into a Committee of the whole.

Mr. Clark took the Chair.

After some time, the House resumed.

Reported.

The Chairman reported that the Committee had taken the Report of the Select Committee into consideration, and recommended it to the adoption of the House.

Ordered, that the Report be received.

Petition presented.

Mr. Clark brought up the Petition of Allan McPherson and others, which was laid on the table.

On motion made and seconded, the House adjourned until Monday next.

Monday, 18th February, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY,

“ “ CLARK,

“ “ DICKSON,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK,

THE HONORABLE MESSRS. CAMERON,

“ “ MARKLAND,

“ “ RIDOUT,

“ “ ALLAN,

Prayers were read.

The Minutes of Thursday were read.

Members excused.

The absence of Messrs. Wells, McGill and Dunn, was excused on account of indisposition.

Dower Bill,
Re-committed.

Pursuant to the order of the day, the House was put into Committee of the whole on the the Bill entitled, “An Act for the more easy recovery of Dower.”

Mr. Dickson took the Chair.

A Message being announced, the Chairman left the Chair, and

18th, & 19th, *February*, 1828.SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.**The House formed.*

A Deputation from the House of Assembly brought up a Bill entitled, "An Act for enabling William Warren Baldwin, Esquire, to carry into effect the Will of the late Laurent Quetton Saint George, and for other purposes relating to the Real and Personal Estates which were of the said Laurent Quetton Saint George," and also a Bill entitled, "An Act granting to His Majesty a sum of money to be applied in defraying the expense of drafting and Engraving a Map of the Rideau Canal," to which they requested the concurrence of this House, and withdrew.

W. W. Baldwin's relief Bill, and Rideau Canal Map Bill brought up.

The House was again put into Committee of the whole on the Bill entitled, "An Act for the more easy recovery of Dower."

Dower Bill. Re-committed.

Mr. Dickson took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the Bill into consideration, had made some progress therein, and asked leave to sit again on Friday next.

Progress reported.

Ordered that the Report be received, and leave given accordingly.

The Bill entitled, "An Act for enabling William Warren Baldwin, Esquire, to carry into effect the Will of the late Laurent Quetton Saint George, and for other purposes relating to the Real and Personal Estates which were of the said Laurent Quetton Saint George," was read, and—

W. W. Baldwin's relief Bill, read 1st time.

Ordered to be read a second time to-morrow.

The Bill, entitled, "An Act granting to His Majesty a sum of money to be applied in defraying the expence of Drafting and Engraving a Map of the Rideau Canal," was read, and—

Rideau Canal Map Bill, read 1st time.

Ordered to be read a second time on Thursday next.

Mr. Clark from the select Committee appointed to take into consideration the Bill, entitled, "An Act to secure the Civil and Political Rights of certain Inhabitants of this Province," reported, that they were not prepared to report in full, and asked further time for that purpose.

Report of the select Committee on Civil and Political Rights Bill.

Ordered, that the Report be received, and further time granted accordingly.

Mr. Clark brought up the Petition of Jacob Smith, Junr., and others, which was laid on the Table.

Petition presented.

Mr. Clark brought up the Petition of Lewis Gardineer, and others, which was laid on the Table.

Petition presented.

Mr. Allan brought up the Petition of W. Chisholm, which was laid on the Table.

Petition presented.

Mr. Ridout brought up the Petition of John Fitch, and others, which was laid on the Table.

Petition presented.

On motion made and seconded, the House adjourned.

Tuesday, 19th *February*, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. BABY.

" " CLARK,
" " DICKSON,
" " CAMERON,
" " RIDOUT,
" " ALLAN.

Prayers were read.

The Minutes of yesterday were read.

Two Messages from His Excellency the Lieutenant Governor, were delivered by Mr. Secretary Hillier, who being retired, the Speaker read the same, and they were again read by the Clerk, together with the Documents accompanying them, as follows:—

Two Messages from His Excellency the Lieut. Governor, respecting the establishment of a Court of Equity in this Province, and on the subject of a Petition from the Clerks, and the Officers of both branches of the Legislature.

P. MAITLAND.

The Lieutenant Governor transmits for the information of the Legislative Council, Copies of three Despatches which he has received from His Majesty's Secretary of State for the Colonies; dated the 9th April, the 19th July, and the 25th November last, respecting the provision for an equitable jurisdiction in this Province.

H.

Tuesday, 19th February, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

To these are annexed, conformably to His Majesty's Instructions, the Reports of the Judges and Crown Officers on the subject.

The manifest importance of the object to which they refer, induces the Lieutenant Governor to recommend these Documents to the early and attentive consideration of the Council.

Government House,
19th February, 1828. }

P. MAITLAND.

The Lieutenant Governor transmits for the consideration of the Legislative Council, the Copy of a Petition addressed to him by the Officers of the two branches of the Provincial Legislature, and acquaints the House, that he will concur in an enactment for granting to those Officers, adequate remuneration for their increased duties and responsibility.

Government House,
18th February 1828. }

To HIS EXCELLENCY SIR PEREGRINE MAITLAND, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

The Memorial of the Clerks, and other Officers of the Honorable the Legislative Council, and House of Assembly.

HUMBLY SHEWETH,

That in the year 1816, the Legislature seeing the inadequacy of the allowances then by Law established, as a recompense for the increased and growing duties incident to your Memorialists respective Offices, declared by the Statute 56, Geo. III. ch. 22, that they were not sufficient, "and that it was expedient the Salaries of the said Officers should be increased," and accordingly, by the said Statute, doubled the allowances of all the Officers of the two Houses, except the Clerks, to whose an addition of £100 per annum was made; to the former £200. The Act, however, being limited to Four years, expired on the First of April, 1820; since which, your Memorialists with Salaries Twelve years ago declared insufficient, have continued to fulfil their official duties augmented to an extent partly shewn by a comparative sketch, which they humbly beg to submit to your Excellency's notice.

From the year 1801 to 1816, a period when the Salaries remained as they were fixed in the former years, (with the exception of £75 per annum, added to the more laborious and responsible office of Clerk of either House in 1803,) the average duration of the Sessions was about 35 days, and the average number of Laws passed in each Session, 11.

From 1816, the Sessions have upon the same average lasted 63 days, and the number of Laws passed as taken from the Statute Book, 24 yearly, besides a prodigious increase of the business necessarily arising out of the rapid growth of population since that period, a growth which has in point of fact doubled the representation, and justifies your Memorialists in foreseeing a further augmentation of the labours of their stations from a continuance of that which so eminently constitutes the prosperity of the Colony; namely, an encreasing and thriving population.

Your Memorialists would further beg leave to remark, that it hardly accords with equity, that while the protracted sittings of Parliament increase the labor without adding to the emoluments of those Officers and Servants of the two Houses, whose allowances are fixed by Law, a number of persons employed about the establishment as writers and labourers, who are paid by daily wages, are on the contrary, benefitted by the increased length of the Sessions.

Your Memorialists therefore fully relying on the justice and liberality of the Legislature, humbly entreat the support of your Excellency's countenance, and that your Excellency will

19th & 21st February, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

give to their case, your most favourable consideration.

And as in duty bound, will ever pray.

JAMES FITZGIBBON,

Clerk of Assembly.

SAMUEL P. JARVIS,

Clerk of Crown in Chancery.

A. McNAB,

Sergeant-at-Arms.

(Signed,)

GRANT POWELL,

Clerk of Legislative Council.

W. MACAULY,

Chaplain to ditto.

D. BOULTON, JUNR.

Master in Chancery.

WM. LEE,

Gent. Usher, Black Rod.

A Deputation from the Commons House of Assembly brought up a Bill, entitled, "An Act to provide for a Police in the Town of Bellville," to which they requested the concurrence of this House and withdrew.

Bellville Police Bill brought up.

The Bill entitled "An Act to provide for a Police in the Town of Bellville," was read, and—

Read 1st time.

Ordered to be read a second time on Friday next.

On motion made and seconded, it was—

Ordered, that Messrs. Markland and Ridout, be a Committee to prepare an Address to His Excellency the Lieutenant Governor, thanking him for his Messages of this day.

Select Committee to prepare Addresses to Lieutenant Governor.

Pursuant to the order of the day, the Bill, entitled, "An Act for enabling William Warren Baldwin, Esquire, to carry into effect the Will of the late Laurent Quetton St. George, and for other purposes relating to the real and personal Estates which were of the said Laurent Quetton Staint George," was read a second time, and—

W. W. Baldwin's relief Bill, read 2nd time.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Ridout took the Chair.

Committed.

After some time, the House resumed.

The Chairman reported, that the Committee had made some progress in the Bill, and asked leave to sit again, on Monday next.

Progress reported.

Ordered, that the Report be received and leave granted accordingly.

On motion made and seconded, the House adjourned until Thursday next, at Eleven o'clock, A. M.

Thursday, 21st February, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. BABY,

" " CLARK,

" " DICKSON,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. CAMERON,

" " MARKLAND,

" " RIDOUT.

" " ALLAN.

Prayers were read.

The minutes of yesterday were read.

The Select Committee to whom was referred the Bill, entitled, "An Act to secure the Civil and Political Rights of certain Inhabitants of this Province," presented their Report.

Report of select Committee on the Civil and Political Rights Bill.

The Select Committee appointed to take into consideration the Bill sent up from the House of Assembly, entitled, "An Act to secure the Civil and Political Rights of certain Inhabitants of this Province," have given it their utmost attention, and examined it in connection with the Despatch from Lord Viscount Goderich to His Excellency the Lieutenant Governor, of which a Copy has been transmitted by His Excellency to the Legislative Council, and they most respectfully submit the following Report upon its several Provisions:—

Thursday, 21st February, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

In the first place, your Committee deem it proper to suggest to your Honorable House, whether it would not render the Preamble of the Bill more complete, to recite the Act of the Imperial Parliament, passed on the 26th May, 1826. It seems to be assumed by that Act, that without it such a Bill as is now proposed, would be repugnant to the 31st Geo. III. ch. 31, which is, nevertheless, the only Act to which the Preamble, as it now stands, refers. Such a change, whatever view may be taken of the subject, has the undoubted advantage of shewing additional authority for the enactment.

In the second place, your Committee beg leave to call the attention of your Honorable House to the first clause of the Bill, in which is used the expression, "All persons who have at any time received Grants of Land from the Crown," which, besides being indefinite, is directly at variance with the instruction, which clearly expresses, "Grants of Land from the Provincial Government." However much it may be contended by some of your Committee, that all Provincial Grants are Grants from the Crown, it is quite indisputable, that there are Grants from the Crown wholly unconnected with the Provincial Government; and it is scarcely to be supposed, that, while attempting to remove doubts relating to this Province only, and conferring privileges sought for by its inhabitants, His Majesty's Government would recommend a measure having reference to Van Deman's Land, New South Wales, or any other Colony. Besides it is the opinion of your Committee, that this expression would include all persons in or out of His Majesty's Dominions, who had at any time received Grants of Land from the Crown, although they might not at present be Landholders, nor even residents; for instance, might not a question arise whether a Grant of Land from the Crown to an inhabitant of the United States before the Revolution, would bring him within the class thus designated? For these reasons, your Committee cannot recommend a departure in this instance from the express words of the Despatch.

Thirdly.—The expression, "All persons who have held any Public Office in the Province," seems so indefinite, that your Committee, while they themselves remain in doubt as to its precise meaning, deem it to be their duty to point it out for the consideration of your Honorable House. Particularly, as the consequence might be, that many persons considering themselves Public Officers, would omit to qualify themselves agreeably to the form prescribed for some other class; and when a question arose, it might be decided, that theirs was not the kind of Public Office which the Law contemplated, and that therefore they were not in possession of the rights which may be conferred by this Law. Besides your Committee would refer it to your Honorable House, whether it may not be fairly presumed that His Majesty's Government chiefly intended such Public Officers as were appointed under the control of Government, reasonably concluding, that with respect to such, the Government was satisfied as to their Loyal principles, whereas many situations may be called Public Offices, to which the parties are appointed without the knowledge or consent of the Government.

In the fourth place, your Committee beg leave to call the attention of your Honorable House to the particular provisions of this clause, by which all persons therein described shall be admitted to all the privileges of British Birth, and shall be deemed His Majesty's Natural Born Subjects to all intents and purposes, as if they had been born in His Majesty's United Kingdom of Great Britain and Ireland, and professing also to confirm their right to hold, convey, and devise any Real Estate in His Majesty's Dominions. If the Bill had confined itself to the expression, "English Birth," perhaps your Committee might have forborne to comment on this part of it, but when it goes so far beyond the letter of the Despatch, as to particularize those rights in the most minute manner, they feel themselves called upon, in obedience to their instructions, to bring the matter fairly before your Honorable House.

In the first place, it became a question with your Committee, whether an act passed in this or in any other Colony could legally accomplish what this affects to do. It would be giving to Foreigners naturalized in this Colony privileges in the United Kingdom which it is expressly declared, by British Acts, that no Naturalized Foreigner shall be admitted to, not even those made subjects by Imperial Acts. If, therefore, many of the privileges of British Birth are such as no Foreigner can enjoy, it seems worse than useless for us to pretend to place a Naturalized Foreigner on the same footing as if he had been born in the United Kingdom, when the latter condition implies rights which the laws of the British Empire deny them, and which, if it were otherwise, we have no right to confer.

Thursday, 21st February, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Licutenant Governor.*

With respect to the second clause your Committee beg leave to call the attention of your Honorable House to the provision which confers upon Foreigners now resident in the Province, on completing a residence of seven years hereafter in any part of His Majesty's Dominions, certain rights and privileges which it enumerates—your Committee particularly notice this in order that your Honorable House may decide whether it can be considered within the spirit of Lord Goderich's instructions, which expressly say, that the proposed Bill must be entirely retrospective, whereas by this provision it is made prospective for a period of seven years.

They beg to point out to your Honorable House also, that the persons to be naturalized by this clause are to be regarded as being capable of Holding, Devising, &c. Real Estate in this Province only; not as in the first clause, in His Majesty's Dominions. That part of Lord Goderich's Despatch on which this clause is founded uses the terms, English Birth, as expressly as in the preceding part, and why such extensive import should have been given to it in the former portion, and not in the latter, your Committee are at a loss to decide.

Upon the clauses which relate to Registry, your Committee observe that they impose the duty upon the County Registers and their Deputies, instead of providing for the appointment of Officers for that specific purpose as was formerly proposed. Your Honorable House will of course consider the propriety, of imposing an additional duty upon persons without their consent, and enforcing the performance by a heavy penalty, when they have already highly important public services to render.

Your Committee in the next place call the attention of your Honorable House to a direct variation from the course recommended in Lord Goderich's Despatch, in which it is strongly urged, that each measure should be "the subject of a distinct Bill, lest the discussions upon one might impede, if they did not prevent, the other." Your Committee fear, that from pursuing this course, it will happen, that if the legal advisers of His Majesty's Government in England should detect any omission which ought to be supplied, or observe that any inconvenience will be occasioned by the Provisions which we may make for securing titles to Estates, no alternative will be left but to assent to a Bill in an imperfect or improper shape, or to arrest its passing, although its provisions, with respect to the other measure, may be unexceptionable, and although the relief they offer is urgently called for. There is every reason to believe, that the remedy, in respect to Estates, will involve many important considerations, relative to vested rights; it is, therefore, quite unsafe to assume that we are in no danger of falling into error from inadvertency, which would produce great embarrassment, solely through our unnecessary departure from the strongly urged advice of His Majesty's Secretary of State for the Colonies.

Your Committee beg leave in the next place to call the attention of your Honorable House to the marked difference between the 14th clause of the present Bill, and the corresponding clause of the one sent up from the House of Assembly during the last Session. A question has arisen with them, whether from the omission of the proviso contained in the former Bill the Statutes relative to the Election of Members to the House of Assembly, and the qualifications of Candidates and Voters at such Elections, are not virtually repealed. While your Committee doubt the propriety of interfering with the precautions which former Parliaments deliberately provided, they have thought best to leave the decision to the wisdom of your Honorable House.

Your Committee have also thought that it would be advisable to admit persons to entry on the Registry whom the Bill exempts, because they conceive it reasonable that such persons as wish to take advantage of a provision which was solely meant for their security and convenience, should, if they chose, have the power of placing their title to the most important rights on record, and thus obtain a ready and conclusive proof, which this Bill seems to provide for another description of persons only.

Your Committee having gone through the provisions of the Bill, agreeably to the course pursued in this Honorable House, next adverted to the Title. On this subject, they beg leave to state, that it is not by any means in accordance with the Enactments. The term, "To secure Rights," presupposes, that they have been long enjoyed, and are in danger; whereas,

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the Preamble expressly states one of the objects of the Bill is "to Naturalize such persons as are not by Law entitled to be regarded as subjects." If the Bill were to pass the Legislature in this shape, it would convey an impression, that nothing was intended to be conferred, but merely secured—an impression which would be erroneous; and which, so long as the question remains unsettled, is calculated to induce a belief, that the civil and political rights of all persons not Naturalized are suffered to remain without confirmation. Whereas there are many persons now in this Province, who, having come in without any intention of residing permanently, neither have, nor supposed themselves to have, any claim to the political rights of natural born subjects, which, when thus liberally conferred, should be plainly bestowed and so received as to leave no doubt of the gracious intentions of His Majesty's Government. Your Committee in thus offering their opinions and suggestions to Your Honorable House, beg leave most respectfully to remark, that if they have been less conclusive than is usual it has arisen from the importance of the measure, and the difficulty of reconciling some apparent inconsistencies, they have, therefore, after going through the Bill with much care, thought it best fully to lay before your Honorable House its different provisions, with their different bearings, trusting that their attentive consideration will have enabled them to assist your Honorable House in coming more readily to a decision.

All which they respectfully submit.

February 21, 1828.

- Committed. On motion made and seconded, the House was put into a Committee of the whole, on the same.
Mr. Markland took the Chair.
After some time, the House resumed.
- Reported. The Chairman reported, that the Committee had taken into consideration the Report of the Select Committee, and recommended it to the adoption of the House.
- Ordered to be printed. Ordered, that the Report be received and Printed.
- Rideau Canal Map
Bill read 2d time. Pursuant to the order of the day, the Bill entitled, "An Act granting to His Majesty a sum of Money to be applied in defraying the expense of drafting and engraving a Map of the Rideau Canal," was read a second time, and—
- Committed. On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.
Mr. Dickson took the Chair.
After some time the House resumed.
- Reported. The Chairman reported that the Committee had taken the said Bill into consideration, and recommended it without amendment to the adoption of the House.
Ordered, that the report be received, and—
On motion made and seconded, the Bill was ordered to be read a third time to-morrow.
On motion made and seconded, the Bill entitled, "An Act to secure the Civil and Political Rights of certain Inhabitants of this Province," was ordered to be referred to Committee of the whole on Monday next.
On motion made and seconded, the House adjourned.

Friday, 22nd February, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. BABY,

" " CLARK,

" " DICKSON,

" " CAMERON,

" " MARKLAND,

" " RIDOUT.

" " ALLAN.

Prayers were read.

22nd, & 25th, *February*, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

The minutes of yesterday were read.

Pursuant to the order of the day, the Bill entitled, "An Act granting to His Majesty a sum of Money to be applied in defraying the expense of Drafting and Engraving a Map of the Rideau Canal," was read a third time and passed without amendment, whereupon the Speaker signed the same, and it was—

Rideau Canal Map Bill read 3d time, passed, signed, and returned to Assembly.

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill entitled, "An Act for the more easy recovery of Dower."

Dower Bill re-committed.

Mr. Dickson took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said Bill into consideration, and had made some progress therein.

Progress reported.

On motion made and seconded, the House adjourned until Monday next.

Monday, 25th February, 1828.

The House met pursuant to adjournment.

PRESENT:

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY,

" " CLARK,

" " DICKSON,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK,

THE HONORABLE MESSRS. CAMERON,

" " MARKLAND,

" " RIDOUT,

" " ALLAN,

Prayers were read.

The Minutes of Friday were read.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill entitled, "An Act for enabling William Warren Baldwin, Esquire, to carry into effect the Will of the late Laurent Quetton Saint George, and for other purposes relating to the Real and Personal Estates which were of the said Laurent Quetton Saint George."

W. W. Baldwin's Relief Bill re-committed

Mr. Ridout took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the Bill into consideration, and recommended it without amendment to the adoption of the House.

Progress reported.

Ordered that the report be received, and—

On motion made and seconded, it was—

Ordered to be read a third time to-morrow.

Mr. Markland brought up the Petition of James G. Strowbridge, which was laid on the table.

Petition presented.

Mr. Markland brought up the Petition of John Turnbull, and others, which was laid on the Table.

Petition presented.

Mr. Markland brought up the Petition of Henry H. Sager, and others, which was laid on the table.

Petition presented.

On motion made and seconded, the House was again put into a Committee of the whole on the Bill entitled, "An Act for the more easy recovery of Dower."

Dower Bill recommitted.

Mr. Dickson took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had made some further progress in the consideration of the Bill, and asked leave to sit again on Thursday next.

Progress reported.

Ordered that the report be received, and leave granted accordingly.

On motion made and seconded, the House adjourned.

Tuesday, 26th February, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Tuesday, 26th February, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
 THE HONORABLE MESSRS. BABY.
 “ “ CLARK,
 “ “ DICKSON,
 THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK.
 THE HONORABLE MESSRS. CAMERON,
 “ “ MARKLAND,
 “ “ RIDOUT,
 “ “ ALLAN.

Prayers were read.

The Minutes of yesterday were read.

W. W. Baldwin's
Relief Bill read 3rd
time, passed, signed,
and sent to Assembly.

Pursuant to the order of the day the Bill entitled, “An Act for enabling William Warren Baldwin, Esquire, to carry into effect the Will of the late Laurent Quetton Saint George, and for other purposes relating to the Real and Personal Estates which were of the late Laurent Quetton Saint George,” was read a third time and passed without amendment, whereupon the Speaker signed the same, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

Civil and Political
Rights Bill re-com-
mitted.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill entitled, “An Act to secure the Civil and Political Rights of certain Inhabitants of this Province.”

Mr. Allan took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported that the Committee had gone through the Bill, had made some amendments thereto, and recommended them to the adoption of the House.

Ordered that the report be received.

Amendments

The said amendments were read by the Clerk as follows:—

In the Title—after the word “Secure” insert “and Confer,”

Press. 1. Line 15—after the word “Land” insert “in this Province.”

Line 16—After the word “Province” insert “under the Great Seal, or Privy Seal of the Province, or under the Sign Manual of the Governor, Lieutenant Governor, or Person administering the Government of the Province.”

Press. 9. Expunge the fourteenth clause and in lieu thereof insert, “and be it further enacted by the authority aforesaid, That nothing in this Act contained shall be taken to repeal or in any manner alter or affect any Statute passed by the Legislature of this Province, respecting the qualification of Voters for Members to serve in the Assembly of this Province, or the eligibility of Members to serve in the said Assembly, or in any manner to affect or interfere with a certain Act of the Legislature of this Province, passed in the Fifty-fourth Year of His late Majesty's Reign, entitled, ‘An Act to declare certain persons therein described Aliens, and to vest their Estates in His Majesty,’ or with any proceedings had thereupon, or to repeal any Laws now in force in this Province, for the Naturalization of Foreigners.”

Severally put and
carried.

And the said amendments being read a second time, and the question of concurrence being put on each of them, they were severally agreed to by the House.

On motion made and seconded, the said amendments were—

Ordered to be Engrossed, and read a third time to-morrow.

On motion made and seconded, the House adjourned.

Wednesday, 27th February, 1828.

SIR PEREGRINE MAITLAND, K. C. B. Lieutenant Governor.

Wednesday, 27th February, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. CLARK,

“ “ **DICKSON,**

THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK,

THE HONORABLE MESSRS. CAMERON,

“ “ **MARKLAND,**

“ “ **DUNN,**

“ “ **RIDOUT,**

Prayers were read.

The Minutes of yesterday were read,

The order of the day being read for the third reading of the Bill, as amended, entitled, “An Act to secure the Civil and Political Rights of certain Inhabitants of this Province.”

On motion made and seconded, it was—

Ordered, that the order of the day be discharged, and that the Bill be now recommitted to a Committee of the whole. Order of the day discharged.

Thereupon the House was put into a Committee of the whole for that purpose.

Mr. Dunn took the Chair. Recommitted.

After some time the House resumed.

The Chairman reported that the Committee had made some further amendment to the Bill, and recommended the same to the adoption of the House. Progress reported.

Ordered that the report be received, and—

The said amendment was read by the Clerk as follows:—

Expunge the Title, and insert in lieu thereof “An Act to secure to and confer upon certain Inhabitants of this Province the Civil and Political Rights of natural born British Subjects.” Further amendment.

The question of concurrence being put, the said amendment was agreed to by the House. Adopted.

On motion made and seconded, the Forty fourth Rule of this House was ordered to be suspended, as regards this Bill. Forty-fourth rule of the House suspended.

On motion made and seconded, the said Bill as amended was,

Ordered to be read a third time this day.

Pursuant to the order of the day the Bill entitled, “An Act to provide for a Police in the Town of Bellville,” was read a second time, and— Second Reading Bellville Police Bill.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration. Committed.

The Honorable Messrs. Baby and Allan now enter.

Mr. Dickson took the Chair.

After some time the House resumed.

The Chairman reported progress, and recommended the reference of the Bill to a Select Committee to report thereon by Bill or otherwise on Friday next. Progress reported.

Ordered that the report be received.

On motion made and seconded, Messrs. Dickson and Markland were appointed that Committee. Referred to Select Committee.

Pursuant to the order of the House the Bill entitled, “An Act to secure the Civil and Political Rights of certain Inhabitants of this Province,” was read a third time, and the question, whether the Bill as amended should pass it was agreed to, whereupon the Speaker signed the amendments, and it was— Civil and Political Rights Bill as amended, read 3rd time.

Ordered that the Master in Chancery go down to the Assembly and acquaint that House that the Legislative Council have passed this Bill, with amendment, to which they desire the concurrence of the Assembly. Passed, signed, and sent to Assembly.

On motion made and seconded, the House adjourned until 2 o'clock to-morrow, P.M.

K.

28th, & 29th, *February*, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Thursday, 28th *February*, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. BABY.

" " CLARK,

" " DICKSON,

THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. CAMERON,

" " MARKLAND,

" " DUNN,

" " RIDOUT,

" " ALLAN,

Prayers were read.

The Minutes of yesterday were read.

Dower Bill re-com-
mitted.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill entitled, "An Act for the more easy recovery of Dower."

Mr. Dickson took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported that the Committee had gone through the Bill, had made some amendments thereto, and recommended the same to the adoption of the House.

Ordered that the Report be received.

Amended.

The said amendments were read by the Clerk as follows:—

Press. 3, Line 1,—After the word "District" insert "one"

" " After the word "appointed" expunge "by the said Sheriff or Coroner" and insert "by each of the Parties, and the third by the said Freeholders so chosen, either party refusing or neglecting to make such appointment, then the Sheriff or Coroner, as the case may require, shall and may make it for them, or either of them."

Line 9—After the word "Hereditaments" expunge the remainder of the Clause and in lieu thereof insert, "according to the state of the said Buildings, or other improvements, at the time her Husband shall or may have entered into any written agreement, contract or bargaing, for the absolute purchase of the fee simple of any Lands, Tenements, or Hereditaments, thereon, with any person or persons whatever, such person or persons, his or their heirs or assigns, being actually in occupancy and possession thereof, under such agreement, contract or bargain, notwithstanding the Husband may have died seized thereof."

Press. 6, Expunge the tenth and eleventh clauses.

Line 21—Expunge "12" and insert "10"

Amendments read
2nd time.

And the said amendments being read a second time, and the question of concurrence being put on each of them, they were severally agreed to by the House.

On motion made and seconded, the said amendments were ordered to be engrossed and read a third time tomorrow.

On motion made and seconded, the House adjourned.

Friday, 29th *February*, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. CLARK,

" " DICKSON,

THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. MARKLAND,

" " RIDOUT.

" " ALLAN.

29th February, & 3rd March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Licutenant Governor.*

Prayers were read.

The Minutes of yesterday were read.

The Select Committee to whom was referred the Bill, entitled, "An Act to provide for a Police in the Town of Bellville," reported that they were not prepared to report in full and asked further time for that purpose.

Report of Select Committee on Bellville Police Bill, and further time granted to report in full.

Ordered, that the report be received and further time granted accordingly.

Pursuant to the order of the day the Bill, entitled, "An Act for the more easy recovery of Dower," was read a third time, and the question whether this Bill as amended should pass, it was agreed to, whereupon the Speaker signed the amendments, and it was—

3rd Reading Dower Bill as amended, passed, signed, and sent to Assembly.

Ordered, that the Master in Chancery go down to the Assembly, and acquaint that House, that the Legislative Council have passed this Bill with amendments, to which they desire the concurrence of the Assembly.

A Deputation from the Commons House of Assembly brought up and delivered at the Bar of this House a Message in the following words:—

Message from Assembly requesting leave for the Honorable and Venerable Archdeacon Strachan to attend a Select Committee of that House.

MR. SPEAKER,

The Commons House of Assembly requests that the Honorable the Legislative Council will permit the Honorable and Venerable Archdeacon Strachan, a Member of your Honorable House, to attend a Select Committee appointed by this House, to examine and report upon the Petition of Buckley Waters, and others, praying this House to inquire into the truth of certain representations in an Ecclesiastical Chart and Letter, addressed by the Honorable and Venerable Doctor Strachan to His Majesty's under Secretary of State for the Colonies, and into the principle upon which an University is to be established in this Province.

(Signed)

JOHN WILLSON,
Speaker.

Commons House of Assembly, }
February, 20, 1828. }

On motion made and seconded, it was—

Ordered, that the Honorable and Venerable Archdeacon Strachan may have leave to attend a Select Committee of the House of Assembly, as desired by that House in their Message of this day for that purpose, if he thinks fit.

Leave granted.

On motion made and seconded, it was—

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Honorable the Legislative Council do give to the Honorable and Venerable Archdeacon Strachan leave to attend a Select Committee appointed by the House of Assembly, to examine and report upon the Petition of Buckley Waters, and others, praying that House to inquire into the truth of certain representations in an Ecclesiastical Chart and Letter, addressed by the Honorable and Venerable Doctor Strachan, to His Majesty's under Secretary of State for the Colonies, and into the principle upon which an University is to be established in this Province, if he thinks fit.

Assembly acquainted thereof.

On motion made and seconded, the House adjourned until Monday next.

Monday, 3rd March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. CLARK,

“ “ DICKSON,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. MARKLAND,

“ “ DUNN,

“ “ RIDOUT,

“ “ ALLAN.

Prayers were read.

3rd & 4th *March*, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

The Minutes of Friday were read.

Petition presented. Mr. Clark brought up the Petition of Samuel Smith, and others, which was laid on the Table.

Petition presented. Mr. Allan brought up the Petition of Allan McNabb, which was laid on the Table.

Message from Assembly concurring in the amendments made in the Civil and Political Rights Bill. A Deputation from the Commons House of Assembly brought up and delivered at the Bar of this House, a Message in the following words:—

MR. SPEAKER,

The Commons House of Assembly has concurred in the amendments made by the Honorable the Legislative Council, in and to the Bill, entitled, "An Act to secure the Civil and Political Rights of certain Inhabitants of this Province."

(Signed)

JOHN WILLSON,
Speaker,

Commons House of Assembly, }
1st March, 1828.

Three Petitions presented.

Mr. Clark brought up the Petition of Donald Ross, and others, the Petition of Alexander McPherson, and others, and also, the Petition of John Curry, and others, which were laid on the Table.

Petition presented.

Mr. Dickson brought up the Petition of the Desjardin's Canal Company, which was laid on the Table.

On motion made and seconded, the House adjourned until to-morrow at half past Eleven o'clock, A. M.

Tuesday, 4th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. BABY,

" " CLARK,

" " DICKSON,

" " CAMERON,

" " MARKLAND,

" " RIDOUT,

" " ALLAN.

Prayers were read.

The Minutes of yesterday were read.

His Excellency the Lieut. Governor came to the Legislative Council Chamber in State,

At twelve o'clock His Excellency the Lieutenant Governor came in state to the Legislative Council Chamber, and being seated in the Chair upon the Throne, his Honor, the Speaker, directed the Gentleman Usher of the Black Rod to proceed to the House of Assembly, and to convey the Commands of His Excellency for the immediate attendance of that House at the Bar of the Legislative Council.

And reserved the Civil and Political Rights Bill for the signification of His Majesty's pleasure thereon.

The House of Assembly, with the Speaker, having come to the Bar of this House, the Clerk of the Crown in Chancery read aloud the Title of the Bill entitled, "An Act to Secure to and confer upon certain Inhabitants of this Province the Civil and Political Rights of Natural Born British Subjects," which Bill was then presented to His Excellency by the Clerk of the House, who having received His Excellency's commands to that effect, declared that His Excellency the Lieutenant Governor reserved the same for the signification of His Majesty's pleasure thereon.

Deputation brought up, Mill Dam Apron Bill.

Then the House of Assembly retired from the Bar, and His Excellency and Suite withdrew. A Deputation from the Commons House of Assembly brought up a Bill entitled, "An Act to provide for the construction of Aprons to Mill Dams on certain Streams in this Province," to which they requested the concurrence of this House, and withdrew.

Read 1st time.

The said Bill was read, and—

On motion made and seconded, it was—

Ordered to be read a second time tomorrow.

Petition presented.

Mr. Dunn brought up the Petition of J. Muirhead and others, which was laid on the Table.

On motion made and seconded the House adjourned until tomorrow at two o'clock P. M.

5th & 6th *March*, 1828.SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.**Wednesday, 5th March, 1828.*

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
 THE HONORABLE MESSRS. BABY,
 " " CLARK,
 " " DICKSON,
 THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK,
 THE HONORABLE MESSRS. MARKLAND,
 " " RIDOUT,

Prayers were read.

The Minutes of yesterday were read,

Pursuant to the order of the day the Bill entitled, "An Act to provide for the construction of Aprons to Mill Dams on certain streams in this Province" was read a second time, and—

Second Reading of Mill Dam Apron Bill.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Committed.

Mr. Ridout took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

A Deputation from the Commons House of Assembly brought up a Bill entitled, "An Act to erect the County of Prince Edward into a separate District," to which they requested the concurrence of this House, and withdrew.

A Deputation brought up, County Prince Edward Division Bill.

The House was again put into a Committee of the whole upon the Bill entitled, "An Act to provide for the construction of Aprons to Mill Dams over certain Streams in this Province."

Mill Dam Apron Bill re-committed.

Mr. Ridout took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said Bill into consideration, and recommended that the same be referred to a Special Committee, to Report by Bill or otherwise.

Progress reported.

Ordered that the Report be received, and—

On motion made and seconded, Messrs. Clark and Dickson were appointed a Committee for that purpose.

Referred to a Select Committee.

The Bill entitled, "An Act to erect the County of Prince Edward into a separate District," was read, and—

County Prince Edward Division Bill read first time.

On motion made and seconded, it was—

Ordered, to be read a second time on Friday next.

On motion made and seconded, the House adjourned.

Thursday, 6th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
 THE HONORABLE MESSRS. BABY,
 " " CLARK,
 " " DICKSON,
 THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK,
 THE HONORABLE MESSRS. RIDOUT,
 " " ALLAN,

Prayers were read.

The Minutes of yesterday were read.

Mr. Clark brought up the Petition of William Kirkpatrick, Junior, and others, which was laid on the Table.

Petition presented.

On motion made and seconded, the House adjourned.

L.

Friday, 7th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Friday, 7th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY,

“ “ CLARK,
“ “ DICKSON,
“ “ MARKLAND,
“ “ DUNN,
“ “ RIDOUT,
“ “ ALLAN.

Prayers were read.

The Minutes of yesterday were read.

Second reading County Prince Edward Division Bill.

Pursuant to the order of the day the Bill entitled, “ An Act to erect the County of Prince Edward into a separate District,” was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Dickson took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported, that the Committee had made some progress in the Bill, and asked leave to sit again on Monday next.

Ordered, that the report be received, and leave granted accordingly.

Overseers of Highways and Pound Keepers Bill re-committed.

On motion made and seconded, the House was put into a Committee of the whole, on the Bill entitled, “ An Act to amend the laws respecting the appointment of Overseers of Highways and Pound Keepers.”

Mr. Dunn took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported, that the Committee had gone through the Bill, had made some amendments thereto, and recommended the same to the adoption of the House.

Ordered that the report be received.

Amended.

The said amendments were read by the Clerk as follows:—

Press. 1. Line 1. After the word “Whereas” expunge the remainder of the Bill excepting the third clause, and insert “by law it is now established, that there cannot be more than fifteen Overseers of Highways, and not more than two Pound Keepers appointed in any one year, for any one Township in this Province: And whereas from the great extent of many of the Townships within this Province, it is expedient in certain cases to augment the number of Overseers of Highways and Pound Keepers within the same: Be it therefore enacted, by the King’s Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, entitled, “An Act to repeal certain parts of an Act passed in the Fourteenth Year of His Majesty’s Reign, entitled, ‘An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,’” and by the authority of the same, that when and so often as it may appear to His Majesty’s Justices of the Peace in General Quarter Sessions assembled for any District within this Province, or to the majority of them, that more than fifteen Overseers of Highways or more than two Pound Keepers are necessary for any one Township within such District, it shall and may be lawful to and for the said Justices so assembled, or for the majority of them, to nominate and appoint such further or additional Overseers of Highways and Pound Keepers as to them may seem meet, provided always that the said Justices shall in no one year appoint a

7th, 10th & 11th *March*, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

greater number than ten additional Overseers of Highways, nor more than two additional Pound Keepers for any particular Township."

The question of concurrence being put the said amendment was agreed to by the House, and— Amendment read 2nd time.

On motion made and seconded, the same was—

Ordered to be engrossed, and read a third time on Monday next.

The Select Committee to whom was referred the Bill entitled, "An Act to provide for the construction of Aprons to Mill Dams over certain Streams in this Province," presented their Report. Select Committee on Mill Dam Apron Bill reported.

Ordered, that the Report be received and lie on the Table.

On motion made and seconded, it was—

RESOLVED—*Nemine contradicente.*

That the Honorable and Venerable Archdeacon Strachan, having been called upon in his place as a Member of this House, to repel the charges against his conduct in relation to a certain Letter and Ecclesiastical Chart said to have been addressed by him to the Under Secretary of State for the Colonies, and in his Agency in procuring the Charter for the University of King's College, for many months past circulated in the Public Journals, hath explained his conduct in relation to the same to the satisfaction of this House. Resolutions of the House, concerning Honorable and Venerable the Archdeacon Strachan.

RESOLVED—*Nemine contradicente.*

That his honor the Speaker, do request a copy of the Speech delivered by the Honorable and Venerable Member, for publication.

On motion made and seconded, the House adjourned until Monday next.

Monday, 10th March, 1828.

At One o'clock, P. M.

PRESENT.

THE HONORABLE MR. DICKSON,
THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK,
THE HONORABLE MESSRS. MARKLAND,
" " RIDOUT.

The Clerk informed the Members present that he had received a note from the Honorable the Speaker stating, that ill-health would prevent his attendance to-day, but that he hoped to be able to meet them at the usual hour to-morrow. Further adjournment of the House from ill health of Speaker.

The House stood further adjourned until to-morrow.

Tuesday, 11th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.
THE HONORABLE MESSRS. BABY,
" " CLARK,
" " MARKLAND,
" " ALLAN.

Prayers were read.

The Minutes of yesterday and Friday were read.

A Deputation from the Commons House of Assembly brought up a Bill entitled, "An Act for the Relief of Daniel Erb, and other persons whose names are therein mentioned,"—and also a Bill entitled, "An Act to make valid certain Marriages heretofore contracted, and to provide for the future Solemnization of Matrimony in this Province," to which they requested the concurrence of this House, and withdrew. Erb and others, Relief Bill and Marriage Bill brought up.

A Deputation from the Commons House of Assembly brought up and delivered at the bar of this House three Messages in the following words:— Three Messages from Assembly brought up.

MR. SPEAKER,

The Commons House of Assembly requests a conference with the Honorable the Legislative Council on the subject matters of the amendments made by that Honorable House in and Conference requested by Assembly on Reli-

Tuesday, 11th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

gious Societies Relief Bill. to the Bill sent up from this House, entitled, "An Act for the Relief of the Religious Societies therein mentioned."

(Signed)

JOHN WILLSON,
Speaker,

*Commons House of Assembly, }
10th March, 1828. }*

MR. SPEAKER,

Permission requested by Assembly for Messieurs Clark and Dickson, to attend a Select Committee of that House.

The Commons House of Assembly requests that the Honorable the Legislative Council will please permit the Honorable Thomas Clark and the Honorable William Dickson, Members of your Honorable House, to attend and give evidence before a Select Committee appointed by this House to examine and report upon the Petition of John Button, and others, of the Home District, praying for alteration in the Wild Land Assessment Law.

(Signed)

JOHN WILLSON,
Speaker.

*Commons House of Assembly, }
10th March, 1828. }*

MR. SPEAKER,

Permission requested by Assembly, for Messieurs Baby, Clark, and Dickson, to attend a Select Committee of that House.

The Commons House of Assembly request that the Honorable the Legislative Council will please permit the Honorable James Baby, the Honorable Thomas Clark, and the Honorable William Dickson, Members of your Honorable House, to attend a Select Committee appointed by this House, to inquire into and report upon the petition of Buckley Waters and others.

(Signed.)

JOHN WILLSON,
Speaker.

*Commons House of Assembly, }
10th March, 1828. }*

Letter read from the Honorable and Venerable Archdeacon Strachan, on the subject of certain resolutions.

His Honor the Speaker informed this House, that he had received a letter from the Honorable and Venerable Archdeacon Strachan in reply to his transmitting to that Member a copy of the resolutions of this House on Friday last, which was read as follows:—

YORK, 10th March, 1828.

SIR.

I have the Honor to acknowledge your letter of the 7th instant transmitting a copy of certain resolutions unanimously adopted by the Legislative Council, and requesting a copy of the Speech for publication which I delivered before that Honorable Body.

In complying with commands so agreeable, I request you to convey my grateful thanks to the Legislative Council for their kind consideration, and to accept my acknowledgments yourself, for the handsome manner in which you have been pleased to make the communication.

I have the honor to be,

Sir,

Your most Obedt. Servt.

(Signed.)

JOHN STRACHAN.

The Honble.
WM. CAMPBELL,
Speaker, L. C.

Erb and others, Relief Bill read 1st time.

The Bill entitled, "An Act for the relief of Daniel Erb, and other persons whose names are therein mentioned," was read, and—

On motion made and seconded, it was—

Ordered to be read a second time on Thursday next.

The Honorable Mr. Ridout enters.

Marriage Bill read 1st time.

The Bill entitled, "An Act to make valid certain Marriages heretofore contracted, and to provide for the future solemnization of Matrimony in this Province," was read, and—

On motion made and seconded, it was—

Ordered to be read a second time on Thursday next.

11th & 12th *March*, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

Ordered, that the House doth concur in the conference asked by the House of Assembly on the subject matter of the amendments made by this House, in and to the Bill entitled, "An Act for the relief of the Religious Societies therein mentioned, and—

Conference agreed to by the Legislative Council, on Religious Societies Relief Bill.

On motion made and seconded, Messieurs Clark and Baby, were appointed a Committee for that purpose.

Conferees appointed.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council agrees to the conference desired on the amendments sent down to the Assembly to the Bill entitled, "An Act for the relief of the Religious Societies therein mentioned," and have appointed a Committee of two Members who will be ready to meet a Committee of the Commons House of Assembly for that purpose, in the joint Committee Room, at Three o'clock, P. M. to-day.

Master in Chancery ordered to acquaint Assembly, that a conference is agreed to by the Legislative Council.

It was observed, that the Honorable Mr. Dickson was not in his seat, and—

Mr. Dickson not in his seat.

Ordered, that a copy of the Messages of the House of Assembly, requiring leave for the Honorable William Dickson to attend and give evidence before a Select Committee appointed by that House, to examine and report, upon the Petition of John Button, and others, praying for alteration in the Wild Land Assessment Law, and also a Select Committee appointed by that House, to enquire into and report, upon the Petition of Buckley Waters, and others, be transmitted to him by the Clerk of this House,—it was afterwards—

Ordered, that a copy of Messages requiring him to attend a Select Committee of Assembly be transmitted to him by the Clerk.

Ordered, that the Honorable Messieurs Baby, Clark and Dickson, may have leave to go to the Special Committee of the House of Assembly, as desired by that House in their Messages of this day, if they think fit.

Leave given to Messieurs Baby, Clark and Dickson, to attend a Special Committee of Assembly.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Honorable Messieurs Baby, Clark and Dickson, may have leave to go to the Special Committees of the House of Assembly, as desired by that House in their Messages of this day, if they think fit.

Master in Chancery to acquaint Assembly of same.

Pursuant to the order of the day, the Bill entitled, "An Act to amend the Laws respecting the appointment of Overseers of Highways and Pound Keepers was read a third time, and the question whether this Bill as amended should pass, it was agreed to, whereupon the Speaker signed the Amendments, and it was—

Overseers of Highways and Pound Keepers Bill read 3rd time as amended, and passed.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have passed this Bill with amendment, to which they desire the concurrence of the Assembly.

Amendments signed and the Bill sent to Assembly.

Pursuant to the order of the day, the House was again put into a Committee of the whole, on the Bill entitled, "An Act to erect the County of Prince Edward into a separate District."

County Prince Edward Separation Bill re-committed.

Mr. Ridout took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the Bill into consideration, had made some further progress therein, and asked leave to sit again to-morrow.

Progress reported.

Ordered, that the report be received, and leave granted accordingly.

On motion made and seconded, the House adjourned until to-morrow at Two o'clock, P. M.

Wednesday, 12th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. CLARK,

“ “ DICKSON,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. WELLS,

“ “ DUNN,

“ “ RIDOUT.

Prayers were read.

The Minutes of yesterday were read.

M.

12th & 13th *March*, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

County Prince Edward Separation Bill re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, on the Bill entitled, "An Act to erect the County of Prince Edward into a separate District."

Mr. Dickson took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported that the Committee had taken the same into consideration, and had made some further progress therein.

On motion made and seconded, it was—

Ordered, that to-morrow the House be put into a Committee of the whole, to take into consideration the report of the Select Committee on the Bill entitled, "An Act to provide for the construction of Aprons to Mill Dams over certain Streams in this Province."

On motion made and seconded, the House adjourned.

Thursday, 13th *March*, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. CLARK,

" " DICKSON,

THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. MARKLAND,

" " RIDOUT.

" " ALLAN,

Prayers were read.

Erb and others, Relief Bill read 2nd time.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill entitled, "An Act for the relief of Daniel Erb, and other persons, whose names are therein mentioned," was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Clark took the Chair.

After some time the House resumed.

Progress reported and referred to a Select Committee.

The Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, to report by Bill, or otherwise.

Ordered that the Report be received, and—

On motion made and seconded, Messieurs Dickson and Markland, were appointed that Committee.

The Honorable Mr. Baby enters.

Marriage Bill read 2nd time.

Pursuant to the order of the day, the Bill entitled, "An Act to make valid certain Marriages heretofore contracted, and to provide for the future Solemnization of Matrimony in this Province," was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Mr. Dickson took the Chair.

A Message being announced the Chairman left the Chair, and the House formed.

Three Messages from His Excellency the Lieutenant Governor.

Three Messages from His Excellency the Lieutenant Governor were delivered by Mr. Secretary Hillier, who being retired the Speaker read the same, and they were again read by the Clerk, together with the Documents accompanying them as follows:—

P. MAITLAND.

On the subject of a representation made by the Magistrates of the Home District.

The Lieutenant Governor transmits for the consideration of the Legislative Council a representation which has been made to him by the Magistrates of the Home District, and informs the House, that he will be found disposed to concur in any measure that may be presented to him by the Legislature, that shall appear calculated to meet the object desired.

Government House,
11th *March*, 1828. }

Thursday, 13th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

To HIS EXCELLENCY SIR PEREGRINE MAITLAND, Knight, Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, &c. &c.

The Memorial of the undersigned Justices of the Peace, in and for the Home District, residing in and acting for the division of York.

RESPECTFULLY SHEWETH,

That owing to the encreasing population of this Metropolis, and the consequent demand of something in the shape of a regular Police Establishment, your Memorialists did last year all that lay in their power to organize a Police Office, at which they respectively engaged to give their daily attendance at fixed hours in weekly rotation, and appointed a Clerk whose services were to be paid by the fees authorised by Law if sufficient, otherwise the deficit to be supplied from the Town Treasury.

The benefits to the public resulting from this arrangement in the facilities afforded to the administration of Justice and the conservation of the King's Peace, must be too obvious to your Excellency to need comment, they are generally felt and acknowledged, and it is with pain we are constrained to express a fear that without your Excellency's aid a measure so honestly intended and eminently adapted to further the public good, must from causes not within the controul of your Memorialists, and as far as they can judge without remedy fail.

Among the Residents of York who have the honor of being in the Commission of the Peace and who do not wholly decline acting, with one exception, all are in fact prevented by the paramount calls of official or professional duties from giving their attendance with the regularity they would otherwise cheerfully do, thus in effect throwing upon that Gentleman the much greater part of the burden of a gratuitous duty originally designed to be equally divided, and which it is too much to expect of any person to continue to bear.

Your Memorialists would therefore beg most respectfully to submit to your Excellency's consideration the expediency if practicable, of the appointment as in the Sister Province of a Chairman of the Quarter Sessions with a Salary equal to a recompence for his daily attendance on the duties of Police Magistrate.

And as in duty bound.

(Signed.)

W. ALLAN, J. P.
GRANT POWELL, J. P.
C. WIDMER, J. P.
D. BOULTON, JUNR. J. P.

*Special Sessions of the Peace, holden }
at the Office of Clerk of the Peace. }
York, 27th February, 1828. }*

P. MAITLAND.

The Lieutenant Governor transmits to the Legislative Council the copy of a Memorial presented to him by the Adjutant General of Militia, and acquaints the House that if they deem it expedient to unite in affording the relief prayed for he will be found disposed to concur therein.

On the subject of a Memorial from the Adjutant General of Militia.

*Government House, }
March, 1828. }*

To HIS EXCELLENCY SIR PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

The Memorial of Colonel N. Coffin, Adjutant General of Militia, in the Province of Upper Canada.

MOST HUMBLY SHEWETH,

That your Excellency's Memorialist was appointed Adjutant General of Militia, and filled that office with a Salary of £365 a year, until the 21st March 1820, when an Act granting a part of that Salary expired.

Thursday, 13th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

That in the Month of January 1822, a Bill passed both Houses of the Legislature, again increasing his Salary to £365, but which Bill being temporary, was on the 7th of the said Month reserved for His Majesty's consideration.

That on the 19th March 1823, a permanent Act was passed which restored to your Memorialist his former Salary; and further, your Excellency was pleased to make good to him the difference between the increased and reduced Salaries from the 17th of January 1822, to the 19th of March 1823, by special warrant; leaving however, a period of one year and 304 days, viz. from the 21st day of March 1820, to the 16th January 1822, during which period your Memorialist received a Salary of only £180 Sterling, per annum.

That during this period, he had in addition to the ordinary duties of his department, to carry into effect your Excellency's Order in Council of the 19th January 1820, to investigate Militia Claims for Lands, and to give Certificates of Service to such of the Militia and others therein named, who served in the late War with the United States of America.

That during the performance of this duty which more than doubled the business of his office, and with no temporary aid afforded him, he was on this reduced Salary occasionally obliged to employ additional assistance at his own expence; yet nevertheless, much of the business of his department was obliged to be left to accumulate.

That your Memorialist is led to make this application from the known facts that every consideration is exercised towards other departments when extra duties are performed by them, and when the heads of such departments are at their full Salary Emoluments and Fees, while no Fee or Emolument is taken or received in this office.

That your Memorialist has investigated Claims for Lands of upwards of four thousand Claimants, and issued Certificates to upwards of three thousand, besides Duplicates.

That the sum which remains unpaid for the period, when on a reduced Salary is £300 19s. the payment of which your Memorialist humbly prays your Excellency may be pleased to authorise; and also, that your Excellency will be pleased to take into your favorable consideration your Memorialist's claim for the extra service performed by him as aforesaid.

And your Memorialist,

As in duty bound,

Will ever pray.

(Signed)

N. COFFIN,

Adj. Genl. Militia, U. C.

*Adjutant General's Office, }
York, March 6th 1823. }*

P. MAITLAND,

The Lieutenant Governor transmits for the information of the Legislative Council, copies of the plan, report and estimate, submitted by the Engineer appointed to inspect the Mouth of Kettle Creek, in the London District, with a view to the erection of a Harbour under the authority of the Act of last Session.

The Lieutenant Governor further acquaints the House, that as the sum estimated falls within the amount contemplated, he has directed the work to be proceeded with.

(Signed)

P. MAITLAND.

*Government House, }
11th March, 1828. }*

The Honorable Mr. Wells enters.

The House was again put into a Committee of the whole, on the Bill entitled, "An Act to make valid certain Marriages heretofore contracted, and to provide for the future Solemnization of Matrimony in this Province."

Mr. Dickson took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again.

On the subject of the
Kettle Creek Har-
bour.

Marriage Bill re-com-
mitted.

Progress reported.

13th & 14th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

Ordered, that the report be received, and leave granted accordingly.

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into consideration the report of the Select Committee, on the Bill entitled, "An Act to provide for the construction of Aprons to Mill Dams over certain Streams in this Province." Report of Select Committee on Mill Dam Apron Bill Committed.

Mr. Ridout took the Chair.

A message being announced the Chairman left the Chair, and the House formed.

A Deputation from the Commons House of Assembly brought up a Bill entitled, "An Act to enable William Chisholm, Esq., to erect a Harbour at the Sixteen Mile Creek, in the Township of Trafalgar, in the Gore District," to which they requested the concurrence of this House, and withdrew. Sixteen Mile Creek Harbour Bill brought up.

The House was again put into a Committee of the whole, to take into consideration the report of the Select Committee on the Bill entitled, "An Act to provide for the construction of Aprons to Mill Dams over certain Streams in this Province." Report on Mill Dam Apron Bill re-committed.

Mr. Ridout took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said report into consideration, and recommended the Bill without amendment to the adoption of the House. Progress reported.

Ordered that the Report be received, and—

On motion made and seconded, the Bill was—

Ordered to be read a third time to-morrow.

The Bill entitled, "An Act to enable William Chisholm, Esq., to erect a Harbour at the Sixteen Mile Creek, in the Township of Trafalgar, in the Gore District," was read; and— Sixteen Mile Creek Harbour Bill read 1st time.

On motion made and seconded, it was—

Ordered to be read a second time to-morrow.

Mr. Dickson presented a Bill for the attaching of the goods and effects of absent and absconding Debtors, which was read, and— Mr. Dickson presented a Bill for attaching goods, &c of absent and absconding Debtors, which was read first time.

On motion made and seconded, it was—

Ordered to be read a second time to-morrow.

On motion made and seconded, the Bill entitled, "An Act for the making and maintaining a Road between Ernestown and the Gore of Fredericksburgh," was—

Ordered to be read a second time to-morrow.

On motion made and seconded, the House adjourned.

Friday, 14th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY,

“ “ CLARK,

“ “ DICKSON,

“ “ MARKLAND,

“ “ RIDOUT,

“ “ ALLAN.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill entitled, "An Act to provide for the construction of Aprons to Mill Dams over certain Streams in this Province," was read a third time, and passed without amendment, whereupon the Speaker signed the same, and it was— Mill Dam Apron Bill read third time, passed, signed, and sent to Assembly.

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

Pursuant to the order of the day, the Bill entitled, "An Act to enable William Chisholm, Esq., to erect a Harbour at the Sixteen Mile Creek, in the Township of Trafalgar, in the Gore District," was read a second time, and— Sixteen Mile Creek Harbour Bill read a second time.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration. Committed.

Mr. Allan took the Chair.

After some time the House resumed.

N.

Friday, 14th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Progress reported.

The Chairman reported that the Committee had taken the said Bill into consideration, and recommended it without amendment to the adoption of the House.

Ordered, that the report be received, and—

On motion made and seconded, the same was—

Ordered to be read a third time on Monday next.

Bill for attaching goods of absent and absconding Debtors read second time. Committed.

Pursuant to the order of the day, the Bill for the attaching of the goods and effects of absent and absconding Debtors, was read a second time, and—

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Baby took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported that the Committee had considered the said Bill, and recommended the same without amendment to the adoption of the House.

Ordered, that the report be received, and—

On motion made and seconded, it was—

Ordered to be read a third time on Monday next.

Ernestown and Fredericksburgh road Bill read second time. Committed.

Pursuant to the order of the day, the Bill entitled, "An Act for the making and maintaining a road between Ernestown and the Gore of Fredericksburgh," was read a second time, and—

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Markland took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported that the Committee had gone through the Bill, had made some amendments thereto, and recommended the same to the adoption of the House.

Amended.

Ordered, that the report be received.

The said amendments were read by the Clerk as follows:—

Press. 1. Line 6 from the bottom.—Expunge "communicating" and insert "commencing."

Press. 2. Line 4.—Expunge "communicating" and insert "commencing."

Amendments read second time, and agreed to.

The said amendments being read a second time, and the question of concurrence being put on each of them, they were severally agreed to by the House.

On motion made and seconded, the said amendments were—

Ordered to be engrossed, and read a third time on Monday next.

Report of conferees on Religious Societies relief Bill.

The Honorable Mr. Baby reported, that the Honorable Mr. Clark and himself, had attended the conference desired by the Assembly on the amendments made by this House, (to which the Assembly have not agreed) to the Bill entitled, "An Act for the relief of the Religious Societies therein mentioned," and met the conferees of the House of Assembly who delivered a writing, and received for answer by the conferees of this House, that they would report it to the Council—which being read was in the words following:—

The House of Assembly does not see the expediency of omitting the Roman Catholics and Presbyterians in the Bill entitled, "An Act for the relief of the Religious Societies therein mentioned," inasmuch as it appears to the House of Assembly, that they would thereby be excluded from reasonable and important privileges conferred upon the other religious denominations mentioned in the Bill.

The House of Assembly therefore trusts, that the Honorable the Legislative Council will recede from their amendments to the Bill.

Report committed.

On motion made and seconded; the House was put into a Committee of the whole, to take the same into consideration.

Mr. Dickson took the Chair.

After some time the House resumed.

Progress reported, and a further conference desired—with reasons to be delivered at the same.

The Chairman reported, that the Committee recommended that a further conference be desired on the amendments to this Bill, and that the Committee of the whole, had prepared reasons to be delivered at the same, which he was directed to recommend to the adoption of the House.

Ordered, that the report be received, and—

The reasons were then read by the Clerk, and on the question being put were agreed to by the House, and are as follows:—

Friday, 14th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

The Legislative Council having taken into consideration the reasons given by the Assembly at the last conference, for their disagreeing with the amendments made by them, to the Bill entitled, "An Act for the relief of the Religious Societies therein mentioned," do recede from the amendments as far as it extends to expunging the word "Presbyterians" from the Bill, but do insist on the same as regards the words "Roman Catholics," because they consider that Church in the enjoyment of the privileges to be conferred by that Bill.

Reasons of Legislative Council for receding from their amendments to the Religious Societies relief Bill, so far as it regards "Presbyterians."

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that a further conference is desired upon the amendments sent down to this Bill, to which the Assembly did not agree, and that this House has appointed the same Members who held the last conference, for the further conference desired; and this at the same place, at the rising of this House to-day.

Master in Chancery to acquaint Assembly that a further conference is desired upon amendments made to Religious Societies relief Bill.

The select Committee to whom was referred the Bill entitled, "An Act to provide for a Police in the Town of Belville," presented their report as follows:—

Report of Select Committee on Belville Police Bill.

The Select Committee appointed to take into consideration "An Act to provide for a Police in the Town of Belville," beg leave to report for the information of this House.

That upon inquiry they have ascertained that a notice agreeably to the rule of this Honorable House has been inserted in the Upper Canada Gazette, during the necessary period; in which was also publicly made known, the intention to annex the strip of Land lying on the east bank of the River Moira to the Town of Belville.

Your Committee in adverting to the provisions of the Bill discover a material departure from the usual course on such occasions, as the Police Officers are to be appointed by the Inhabitant Householders instead of by the Magistrates, as in all other places in this Province.

The change is considered by your Committee as involving many important consequences which might be productive of much inconvenience.

As the Inhabitant Householders are the persons to be affected by the Police Regulations, which usually require the performance of certain duties, under a penalty; if they appoint the Police Officers to make those Regulations, and enforce their Execution, there is reason to fear it will be done in a very imperfect manner; for being parties interested, they will be less desirous of having the duty performed by vigilant and active Officers.

Besides your Committee are not aware of any reason for making so important a change, and believing as they do, that it will have an injurious tendency, they cannot recommend the Bill to the adoption of your Honorable House.

Ordered, that the report be received and lie on the Table.

To lie on the Table. Petition presented.

Mr. Markland brought up the Petition of E. W. Armstrong, and others, which was laid on the Table.

On motion made and seconded, it was—

Ordered, that Messrs. Markland and Allan, be appointed a Committee to prepare an Address to His Excellency the Lieutenant Governor, thanking him for his several Messages of yesterday.

Committee to prepare Address to Lieutenant Governor, thanking him for his Messages of yesterday.

A Deputation from the Commons House of Assembly brought up, and delivered at the bar of this House, a Message in the following words:—

Message from the Commons House of Assembly acceding to request of Legislative Council, for a further conference on amendments to Religious Societies relief Bill.

MR. SPEAKER,

The Commons House of Assembly has acceded to the request of the Honorable the Legislative Council, for a further conference on the amendments made by that Honorable House, in and to the Bill sent up from this House, entitled, "An Act for the relief of the Religious Societies therein mentioned," and has appointed the same conferees as were appointed on the last conference, on the same subject, who will be ready to meet the conferees on the part of the Honorable the Legislative Council, at the time and place appointed.

(Signed.)

JOHN WILLSON,
Speaker.

Commons House of Assembly, }
14th March, 1828. }

On motion made and seconded, the House adjourned until Monday next.

Monday 17th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Monday, 17th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
 THE HONORABLE MESSRS. BABY,
 THE HONORABLE MESSRS. CLARK,
 “ “ DICKSON,
 THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK.
 THE HONORABLE MESSRS. WELLS,
 “ “ MARKLAND,
 “ “ DUNN,
 “ “ RIDOUT.
 “ “ ALLAN,

Prayers were read.

The Minutes of Friday were read.

Pursuant to the order of the day, the Bill entitled, “An Act to enable William Chisholm, Esq. to erect a Harbour at the Sixteen Mile Creek, in the Township of Trafalgar, in the Gore District,” was read a third time and passed, whereupon the Speaker signed the same, and it was—

Ordered, to be sent to the Commons House of Assembly by the Master in Chancery.

Pursuant to the order of the day, the Bill for attaching of the goods and effects of absent and absconding Debtors, was read a third time and passed.

On motion made and seconded, it was—

Ordered, that the title be “An Act to enable Creditors to receive their just debts out of the effects of their absent and absconding Debtors,” whereupon the Speaker signed the Bill, and it was—

Ordered, to be sent to the Commons House of Assembly by the Master in Chancery, for the concurrence of that House.

Pursuant to the order of the day, the Bill entitled, “An Act for making and maintaining a Road between Ernestown and the Gore of Fredericksburgh,” was read a third time, and the question whether this Bill as amended should pass, it was agreed to, whereupon the Speaker signed the amendments, and it was—

Ordered, that the Master in Chancery go down to the Assembly, and acquaint that House, that the Legislative Council have passed this Bill, with amendment, to which they desire the concurrence of the Assembly.

Mr. Markland presented a Bill respecting the Survey of the several Lots in the Townships of Lancaster and Lochiel, which was read, and—

On motion made and seconded, it was—

Ordered to be read a second time to-morrow.

Mr. Clark presented a Bill respecting the formation of Companies of Militia Riflemen in this Province, which was read, and—

On motion made and seconded, it was—

Ordered to be read a second time to-morrow.

Mr. Dickson presented a Bill respecting the providing against forcible entry and detainer of Lands, Houses, and Tenements, which was read, and—

On motion made and seconded, it was—

Ordered to be read a second time to-morrow.

A Deputation from the Commons House of Assembly brought up a Bill entitled, “An Act to ascertain the numbers of the different Religious denominations within this Province,” to which they requested the concurrence of this House, and withdrew.

The said Bill was read, and—

On motion made and seconded, it was—

Ordered to be read a second time to-morrow.

Mr. Dickson presented a Bill respecting the compelling the attendance of the Justices of the Peace, at the several General and Quarter Sessions of the Peace, for the respective Districts of this Province, which was read, and—

Sixteen Mile Creek Harbour Bill read third time, passed, signed, and sent to Assembly.

Bill for attaching goods, &c. of absent and absconding Debtors, read third time, passed, signed, and sent to Assembly for concurrence.

Ernestown and Fredericksburgh road Bill as amended, read third time, passed, amendments signed, and sent to Assembly for concurrence.

Mr. Markland presented a Bill respecting the survey of Lots in the Townships of Lancaster & Lochiel, which was read first time.

Mr. Clark presented a Bill respecting the formation of Companies of Militia Riflemen, which was read first time.

Mr. Dickson presented a Bill for providing against forcible entry and detainer, which was read first time.

Bill for ascertaining numbers of Religious denominations in this Province, brought up, and read first time.

Bill presented by Mr. Dickson, for compelling Justices to attend at General and Quarter Sessions of the Peace, which was read first time.

17th & 18th *March*, 1828.SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

On motion made and seconded, it was—

Ordered to be read a second time to-morrow.

On motion made and seconded, it was—

Ordered, that to-morrow the House be again put into a Committee of the whole, on the Bill entitled, "An Act to make valid certain Marriages heretofore contracted, and to provide for the future Solemnization of Matrimony in this Province."

A Deputation from the Commons House of Assembly brought up and delivered at the bar of this House, a Message in the following words:—

Mr. SPEAKER,

The Commons House of Assembly request the Honorable the Legislative Council to permit the Honorable James Baby, to attend a Select Committee appointed to examine and report upon the Petition of John Button, and others, praying for amelioration of the Wild Land Assessment Law, at the Committee Room of this House, at Eleven o'clock on Tuesday next.

Message from Assembly requesting leave for the Honorable Mr. Baby, to attend a Select Committee of that House.

(Signed.)

JOHN WILLSON,
Speaker.

Commons House of Assembly, }
17th March, 1828. }

A Message from His Excellency the Lieutenant Governor was delivered by Mr. Secretary Hillier, who being retired the Speaker read the same, and it was again read by the Clerk as follows:—

P. MAITLAND,

The Lieutenant Governor transmits for the information of the Legislative Council, copies of such reports respecting District and common Schools as have been received.

Message from Lieut. Governor, transmitting copies of Reports respecting District and Common Schools

Government House, }
17th March, 1828. }

Ordered, that the Honorable James Baby may have leave to attend a Select Committee of the House of Assembly, as desired by that House in their Message of this day, if he thinks fit.

Leave given to the Hon. Mr. Baby to attend a Select Committee of the Assembly.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Honorable James Baby may have leave to attend a Select Committee of the House of Assembly, as desired by that House in their Message of this day, if he thinks fit.

Master in Chancery ordered to acquaint Assembly thereof.

On motion made and seconded, it was—

Ordered, that a conference be desired on the subject of the Library, and—

On motion made and seconded, Messieurs Clark, Wells and Markland were—

Ordered to be of the conferees for that purpose.

Conference desired with Assembly on the subject of Library. Messrs. Clark, Wells, and Markland, appointed the Conferees for that purpose.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Honorable the Legislative Council request a conference with the Commons House of Assembly, on the subject of the Library, and have appointed a Committee of three Members who will be ready to meet a Committee of the Commons House of Assembly, for that purpose, in the Library at Two o'clock, P. M. to-morrow.

Master in Chancery ordered to acquaint Assembly of same.

On motion made and seconded, the House adjourned.

Tuesday, 18th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. BABY,

" " CLARK,

" " DICKSON,

" " WELLS,

" " MARKLAND,

" " RIDOUT,

" " ALLAN.

Tuesday, 18th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Prayers were read.

The Minutes of yesterday were read.

Bill respecting the Survey of Lots in the Townships of Lancaster and Lochiel, read 2d time.

Pursuant to the order of the day, the Bill respecting the Survey of the Townships of Lancaster and Lochiel, was read a second time.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Committed.

Mr. Wells took the Chair.

A Message being announced the Chairman left the Chair and the House formed.

A Deputation from the Assembly brought up and delivered at the bar of this House, a Message in the following words:—

Mr. SPEAKER,

Message from Assembly, concurring in amendments made to Ernestown and Fredericksburgh Road Bill.

The Commons House of Assembly has concurred in the amendments made by the Honorable the Legislative Council, in and to the Bill entitled, "An Act for making and maintaining a Road between Ernestown and the Gore of Fredericksburgh."

(Signed)

JOHN WILLSON,

Speaker.

*Commons House of Assembly, }
18th March, 1828. }*

Bill respecting survey of Lots in the Townships of Lancaster and Lochiel re-committed.

The House was again put into a Committee of the whole on the Bill respecting the Survey of the Townships of Lancaster and Lochiel.

Mr. Wells took the Chair.

After some time the House resumed.

Progress reported, and leave given to sit again in 3 months.

The Chairman reported, that the Committee had taken the said Bill into consideration; had made some progress therein, and asked leave to sit again this day three months.

Ordered, that the report be received, and leave granted accordingly.

Bill respecting the formation of Companies of Militia Riflemen, read 2d time.

Pursuant to the order of the day, the Bill respecting the formation of Companies of Militia Riflemen in this Province, was read a second time, and—

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Committed.

Mr. Markland took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported, that the Committee had taken the said Bill into consideration, and recommended it, without amendment, to the adoption of the House.

Ordered, that the report be received, and—

On motion made and seconded, it was—

Ordered to be engrossed and read a third time to-morrow.

Mr. Markland, from Committee, reported 2 Addresses to Lieut. Governor, thanking him for Messages of Thursday last.

Mr. Markland, from the Select Committee appointed for that purpose, reported two Addresses, thanking His Excellency for His several Messages of Thursday last.

Ordered, that the report be received, and the said Addresses were adopted as follows:—

Address.

To HIS EXCELLENCY SIR PEREGRINE MAITLAND, Knight, Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The Legislative Council return their respectful thanks for your Excellency's Messages of the 13th of March, transmitting the Report of the Kettle Creek Harbour and the Memorial of the Adjutant General of Militia, and will not fail to give the to latter all due attention.

(Signed,)

WILLIAM CAMPBELL,

Speaker.

*Legislative Council Chamber, }
18th day of March, 1828. }*

Tuesday, 18th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

To HIS EXCELLENCY SIR PEREGRINE MAITLAND, *Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.* Address.

MAY IT PLEASE YOUR EXCELLENCY,

The Legislative Council return their respectful thanks to your Excellency, for transmitting to them a representation made by the Justices of the Home District, relative to the appointment of a person to perform the duties of a Police Magistrate. They have no doubt of the importance of such a measure to the Inhabitants of the Metropolis, and will readily concur in such appropriation as may be considered a sufficient recompense for the attendance on the duties of that office.

(Signed,)

WILLIAM CAMPBELL,
Speaker.

*Legislative Council Chamber, }
18th day of March, 1828. }*

Mr. Dickson, from the Select Committee to whom was referred the Bill, entitled, "An Act for the relief of Daniel Erb, and other persons, whose names are therein mentioned," presented their Report.

Report of select Committee on Erb, and others, relief Bill.

The Select Committee, to whom was referred the Bill, entitled, "An Act for the relief of Daniel Erb, and other persons, whose names are therein mentioned,"—

RESPECTFULLY REPORT,

That the persons therein mentioned are descendants of Germans who emigrated to Pennsylvania before the Revolution.

That their associates in the original purchase are settled on part of the Lands in the Townships of Waterloo and Woolwich; are quiet, industrious, and inoffensive, inhabitants; and having examined into the truth of the allegations set forth in their Petition, do recommend, that the relief prayed should be extended to them, and the Bill be adopted without amendment.

Ordered, that the Report be adopted, and the Bill read a third time to-morrow.

Adopted.

Ordered, that an Address be presented to His Excellency the Lieutenant Governor, respectfully thanking His Excellency for His Message of yesterday, transmitting Reports of District and Common Schools.

Address to be presented to Lieut. Governor, thanking him for his Message of yesterday.

Ordered, that Messrs. Markland and Allan present the same.

Committee for that purpose.

Pursuant to the order of the day, the Bill respecting the providing against forcible entry and detainer of Lands, Houses, and Tenements, was read a second time, and—

Bill for providing against forcible entry and detainer, read 2d time.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Committed.

Mr. Clark took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

A Deputation from the Commons House of Assembly brought up and delivered at the Bar of this House three Messages, in the following words:—

Mr. SPEAKER,

The Commons House of Assembly has agreed to the request of the Honorable the Legislative Council for a Conference on the subject of the Library, and have appointed a Committee of six Members who will repair to the joint Committee Room at the time appointed.

Message from Assembly agreeing to a conference on the subject of the Library.

(Signed,)

JOHN WILLSON,
Speaker.

*Commons House of Assembly, }
March 17th, 1828. }*

Mr. SPEAKER,

The Commons House of Assembly, without expressing any opinion as to the legal rights of the Roman Catholics to the privileges intended to be conferred by the Bill, entitled, "An

Message from Assembly, adopting amendments to Religious Societies relief Bill.

Tuesday 18th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

under the several conferences had upon them.

Act for the relief of the Religious Societies therein mentioned," has deemed it expedient to adopt the amendments made to that Bill by the Legislative Council, as modified under the several Conferences had upon them.

(Signed,)

JOHN WILLSON,
Speaker.

*Commons House of Assembly, }
March 15th, 1828.*

Mr. SPEAKER,

Message from Assembly, reminding the Legislative Council of Marriage Bill, and recommending same to their consideration.

The Commons House of Assembly respectfully reminds the Honorable the Legislative Council of a Bill passed by this House, and sent up to your Honorable House for concurrence, entitled, "An Act to make valid certain Marriages heretofore contracted, and to provide for the future solemnization of Marriage within this Province," and recommends the same to the consideration of the Honorable the Legislative Council, as a Bill of great importance to this Province.

(Signed,)

JOHN WILLSON,
Speaker.

*Commons House of Assembly, }
March 18th, 1828.*

Last Message referred to Select Committee to search for precedents and report thereon.

On motion made and seconded, it was—

Committee appointed for that purpose.

Ordered, that the latter Message of the Assembly be referred to a Committee of two Members, to search for precedents and report with all convenient speed, and—

Bill for providing against forcible entry and detainer recommitted.

On motion made and seconded, Messieurs Markland and Dunn were appointed that Committee.

Progress reported.

The House was again put into a Committee of the whole respecting the providing against forcible entry and detainer of Lands, Houses, and Tenements.

Adopted.

Mr. Clark took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill into consideration, and recommended it to the adoption of the House.

Bill to ascertain the numbers of the different Religious denominations within this Province, read 2d time.

Ordered, that the report be received, and—

On motion made and seconded, the Bill was—

Ordered to be engrossed and read a third time to-morrow.

Committed.

Pursuant to the order of the day, the Bill, entitled, "An Act to ascertain the numbers of the different Religious Denominations within this Province," was read a second time, and—

Progress reported.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Dickson took the Chair.

After some time the House resumed.

Bill to compel Justices to attend at Sessions of the Peace, read 2d time.
Committed.

The Chairman reported, that the Committee had made some progress in the Bill, and asked leave to sit again to-morrow.

Ordered, that the Report be received, and leave granted accordingly.

Pursuant to the order of the day, the Bill respecting the compelling Justices of the Peace to attend at General and Quarter Sessions, was read a second time, and—

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Mr. Wells took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported, that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again tomorrow.

Ordered, that the Report be received, and leave granted accordingly.

On motion made and seconded, the House adjourned until to-morrow at two o'clock, P.M.

Wednesday, 19th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

Wednesday, 19th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
 THE HONORABLE MESSRS. CLARK,
 “ “ DICKSON,
 THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK.
 THE HONORABLE MESSRS. WELLS,
 “ “ MARKLAND,
 “ “ DUNN,
 “ “ RIDOUT.
 “ “ ALLAN,

Prayers were read.

The Minutes of yesterday were read.

Mr. Markland, from the Select Committee appointed to search for precedents respecting a Message on the subject of the Marriage Bill sent up from the House of Assembly, presented their Report as follows:—

Report of Select Committee appointed to search for precedents respecting a Message received from the Assembly yesterday on the subject of Marriage Bill.

Your Committee, appointed to search for precedents relative to the Message sent up to this Honorable House by the House of Assembly, putting it in mind of a Bill which had been some time in its possession, beg leave to Report,—

That they find it mentioned by Hatsell, as having sometimes happened, that when a Bill has been sent to the Lords, and it has been neglected there, the Commons have sent to remind them of it.

They also find, that it has been the uniform practice of the House of Commons, if they have occasion to know formally, what the Lords have done with respect to any Bill, or other measure then depending, to appoint a Committee to search the Lords' Journals on the matter, and to report the proceedings to the House.

Your Committee, therefore, beg leave to suggest, that as such a Message directly implies neglect on the part of this Honorable House, it does not accord strictly with the courtesy due to it from the House of Assembly, to call its attention repeatedly to the performance of its duty, before they have ascertained, by the exercise of their privilege in searching the Journals of this Honorable House, that inadvertancy or some other cause has prevented this Honorable House from paying all due attention to any measure offered for its concurrence.

Ordered, that the Report be received.

A Deputation from the Commons House of Assembly brought up a Bill, entitled, “An Act to provide for the erection of the County of Norfolk into a separate District, and to re-annex the Townships of Walpole and Rainham to said County, and to establish the limits of the said County,” to which they requested the concurrence of this House and withdrew—the said Bill was read, and—

County of Norfolk separation Bill brought up and read 1st time.

On motion made and seconded, it was—

Ordered to be read a second time to-morrow.

On motion made and seconded, the House was put into a Committee of the whole to take into consideration the Report of the Select Committee appointed to search for precedents respecting a Message on the subject of the Marriage Bill sent up from the House of Assembly.

Report of Select Committee appointed to search for precedents respecting a Message on the subject of Marriage Bill,

The Honorable and Venerable Archdeacon Strachan took the Chair.

Committed.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Report of the Select Committee into consideration, and recommended it to the adoption of the House.

Reported.

Ordered, that the report be received, and—

Adopted.

On motion made and seconded, it was—

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Council, in reference to the Message of the Assembly of yesterday, re-

Master in Chancery to acquaint Assembly with remarks of the

Wednesday 19th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Legislative Council
on said Message.

minding this House of a Bill, entitled, "An Act to make valid certain Marriages heretofore contracted, and to provide for the future solemnization of Matrimony in this Province," now in possession of the Council, take occasion to remark,—

That if the House of Assembly had conformed to the uniform practice of the House of Commons, by appointing a Committee to search the Journals of the Honorable the Legislative Council, they would have discovered that the Bill alluded to was in progress; and, therefore, that there was no reason for departing from the usual course.

Marriage Bill,
recommitted.

Pursuant to the order of the day, the House was put into a Committee of the whole on the Bill, entitled, "An Act to make valid certain Marriages heretofore contracted, and to provide for the future solemnization of Matrimony in this Province."

Mr. Dickson took the Chair.

After some time the House resumed.

Progress reported.
Amended.

The Chairman reported, that the Committee had gone through the Bill, had made some amendments thereto, and recommended the same to the adoption of the House.

Ordered, that the Report be received.

Amendments read
1st time.

The said amendments were read by the Clerk as follows:—

Press. 3.—After the first line—insert, "Provided always, that nothing in this Act contained shall extend, or be construed to extend, to make valid any Marriage illegally solemnized, when the parties to such illegal Marriage, or either of them, shall have subsequently contracted Matrimony according to Law."

Press. 3.—Line 2 from the bottom—After the word "present," insert "expedient and proper and"—

Read 2d time, and
carried.

The said amendments being read a second time, and the question of concurrence being put on each of them, they were severally agreed to by the House, and—

On motion made and seconded, the same were—

Ordered to be engrossed and read a third time to-morrow.

Bill to ascertain the
numbers of Religious
Denominations within
this Province,

Pursuant to the order of the day, the House was put into a Committee of the whole on the Bill, entitled, "An Act to ascertain the numbers of the different Religious Denominations within this Province."

Committed.

Mr. Dickson took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported, that the Committee had taken the said Bill into consideration; had made some progress therein, and recommended, that it be referred to a Select Committee to report by Bill or otherwise.

Referred to a Select
Committee.

Ordered, that the report be received, and—

On motion made and seconded, it was—

Committee for that
purpose.

Ordered, that Messieurs Wells and Allan be a Committee for that purpose.

Erb and others relief
Bill, read 3d time,
passed, signed, and
sent to the Assembly.

Pursuant to the order of the day, the Bill, entitled, "An Act for the relief of Daniel Erb, and other persons whose names are therein mentioned," was read a third time and passed, whereupon the Speaker signed the same, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

Bill providing against
forcible entry and de-
tainer, read 3d time
and passed.

Pursuant to the order of the day, the Bill respecting the providing against forcible entry and detainer of Lands, Houses, and Tenements, was read a third time and passed.

On motion made and seconded, it was—

Order for title.

Ordered, that the title be "An Act directing the proceedings against forcible entry and detainer, and providing a more speedy remedy for Landlords against obstinate Tenants," whereupon the Speaker signed the Bill, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery, for the concurrence of that House.

Bill for formation of
Companies of Militia
Riflemen, read 3d
time and passed.

Pursuant to the order of the day, the Bill respecting the formation of Companies of Militia Riflemen in this Province, was read a third time and passed.

On motion made and seconded, it was—

Order for title.

Ordered, that the title be, "An Act authorizing the formation of Militia Rifle Companies," whereupon the Speaker signed the Bill, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery, for the concurrence of that House.

Bill signed and sent
to Commons House
of Assembly for con-
currence.

19th & 20th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to compel the attendance of Justices of the Peace at General and Quarter Sessions. Bill for compelling Justices to attend at Sessions of Peace, recommitted.

Mr. Wells took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill into consideration, and had made some progress therein. Progress reported.

Mr. Clark, from the Committee of Conference on the subject of the Library, presented their Report as follows:— Report of Conference on the subject of the Library.

The Joint Committee of Conference on the subject of the Library met in the apartment provided for the Library at 2 o'clock this day, and having referred to the Report of the Joint Committee upon the same subject during the last Session, they agreed to recommend that the Librarian appointed by the Speakers of the two Houses shall receive a Salary of £50 per annum, to be provided by an Act of the Legislature, and to take date from the first day of January, 1827: And further, that a Sum of £25 be given to Mr. Robert Sullivan, the present Librarian, to remunerate him for his trouble in attempting to collect the scattered Volumes of the Library, and in arranging the Books in their present order.

It is also recommended, that the resolutions adopted in the last Session be acted upon if possible during the present Session.

March 18th, 1818.

Ordered, that the report be received, and lie on the Table.

Mr. Dickson presented a Bill respecting the prevention of trespasses, which was read, and— Mr. Dickson presented a Bill for the prevention of Trespasses, which was read 1st time.

On motion made and seconded, it was—

Ordered to be read a second time to-morrow.

Mr. Dickson presented a Bill respecting Fences, which was read, and—

On motion made and seconded, it was—

Ordered to be read a second time to-morrow.

On motion made and seconded, the House adjourned. Mr. Dickson presented a Bill respecting Fences, which was read 1st time.

Thursday, 20th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. CLARK,
 “ “ DICKSON,
 “ “ WELLS,
 “ “ DUNN,
 “ “ RIDOUT,
 “ “ ALLAN.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill, entitled, “An Act to make valid certain Marriages heretofore contracted, and to provide for the future solemnization of Matrimony in this Province,” was read a third time, and the question whether this Bill, as amended, should pass, it was agreed to, whereupon the Speaker signed the amendments, and it was— Marriage Bill, as amended, read 3d time and passed.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have passed this Bill, with amendments, to which they desire the concurrence of the Assembly. Amendments signed, and Bill sent down to Assembly for concurrence.

Pursuant to the order of the day, the Bill, entitled, “An Act to provide for the erection of the County of Norfolk into a separate District, and to re-annex the Townships of Walpole and Rainham to the said County, and the better to establish the limits of the said County,” was read a second time, and— County of Norfolk separation Bill, read 2d time.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration. Committed.

Thursday, 20th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Mr. Dunn took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported, that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Bill for the prevention of Trespasses, read 2d time.

Ordered, that the Report be received, and leave granted accordingly.

Pursuant to the order of the day, the Bill, respecting the prevention of Trespasses, was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Mr. Dickson took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

A Deputation from the Commons House of Assembly brought up and delivered at the Bar of this House a Message, in the following words:—

Mr. SPEAKER,

Message from Assembly, requesting leave for G. Powell, Esq. to attend a Select Committee of that House.

The Commons House of Assembly requests that the Honorable the Legislative Council will be pleased to permit Grant Powell, Esquire, the Clerk of your Honorable House, to attend a Select Committee of the House of Assembly, to which is referred the matter of redeeming votes of the House upon the contingencies in the first and second Sessions of the present Parliament.

(Signed,)

JOHN WILLSON,
Speaker.

*Commons House of Assembly, }
March 19th, 1828.*

Leave given.

Ordered, that Grant Powell, Esquire, have leave to attend a Select Committee of the House of Assembly, agreeably to their Message of this day.

Master in Chancery to acquaint Assembly thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council do give leave to Grant Powell, Esquire, to attend a Select Committee of the House of Assembly, agreeably to their Message of this day.

The Honorable and Venerable Archdeacon Strachan, and the Honorable Mr. Markland, enter.

Bill for the prevention of Trespasses, re-committed.

The House was again put into a Committee of the whole on the Bill respecting the prevention of Trespasses.

Mr. Dickson took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported, that the Committee had taken the said Bill into consideration, and had made some amendments thereto, which they recommended to the adoption of the House.

Amended.

Adopted.

Ordered, that the report be received, and—

On motion made and seconded, the said Bill was—

Ordered to be engrossed and read a third time to-morrow.

Bill respecting the Fencing of Land, read 2d time.

Pursuant to the order of the day, the Bill respecting the Fencing of Land was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

The Honorable and Venerable Archdeacon Strachan took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported, that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Ordered, that the Report be received, and leave granted accordingly.

Mr. Wells, from the Select Committee to whom was referred the Bill, entitled, "An Act to ascertain the numbers of the different Religious Denominations within this Province," presented their Report, as follows:

Report of Select Committee on Bill to ascertain Religious Denominations in this Province.

The Select Committee appointed by the Honorable the Legislative Council, to examine and report upon the Bill sent up from the House of Assembly, entitled, "An Act to ascertain the numbers of the different Religious Denominations within this Province," beg leave respectfully to report the result of their examination.

Thursday, 20th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

I. Your Committee notice an assumption in the Preamble of the Bill as the groundwork for its formation, without (as your Committee conceives) any data to justify such an assumption, as no despatch or message communicated by His Excellency to your Honorable House can, in the opinion of your Committee, warrant such an inference being drawn. Your Committee, therefore, recommends, that should your Honorable House be disposed to pass the Bill in question, with amendments, that the following Preamble be substituted for the existing one, "Whereas it is desirable, for the purpose of general information, to make enquiry into the state of Religion in this Province."

Be it enacted, &c.

II. Your Committee recommends the following addition to the first clause, "and in case any of the said Assessors, having performed their ordinary duties for the current year, shall have removed from any of the respective Townships, it shall and may be lawful for the Magistrates in General Quarter Sessions, to nominate and appoint a fit and proper person to perform the duty as aforesaid."

Your Committee, with reference to the form of return prescribed in this clause, and the penalty imposed for the non-observance of it in the second clause, beg leave to submit to the consideration of your Honorable House, how far in a land of freedom it is proper to encroach upon the rights of the subject, by introducing any thing of an inquisitorial tendency, such as your Committee conceive the second clause to be fraught with; for it there subjects an individual, who may have his private reasons for withholding a knowledge of the particular Church or Sect to which he of right and by inclination actually belongs, until a Minister of that persuasion may come to establish a congregation in his neighborhood, and then he must, either in conformity to the provisions of this clause, publicly make known that, which he, from family or other reasons, may wish for a while to be kept concealed, or be invidiously classed in the same column with Jews, Atheists, and Deists.

Your Committee therefore recommend, that *that* column in the form referred to in the clause in question, which is now headed, "*Not professing*," shall have those words expunged, and the words, "*Declined to give an answer, or neglected to send an answer*," substituted in their stead; or if your Honorable House should see fitting, the positive declining to give an answer, and the neglect in sending an answer, might form two distinct columns; and in case either of these suggestions should be adopted by your Honorable House, it will be necessary to alter the clause so as to correspond with the alteration in the form.

Your Committee feel it a duty to notice, that the next clause imposes an extra duty upon the Clerk of the Peace, without assigning any remuneration for the additional trouble.

Your Committee further beg leave to recommend, that the period named for the delivering in of the returns to the Clerks of the Peace by the Assessors, shall be the first day of November next, instead of August, lest the penalty imposed upon the latter for non-performance of the duty assigned, be unjustly inflicted, no provision being made in the Bill for relief being afforded by the Magistrates in Quarter Sessions, in the event of any Assessor being enabled satisfactorily to prove the impossibility of complying with the provisions of the Bill, between the time of his being apprized of it and the limit assigned.

Your Committee finally recommend to your Honorable House, the following addition to the last clause, as a necessary authority for the Treasurer to act upon, "upon their producing from the Clerk of the Peace a certificate that they have duly returned to him the said list."

All which is most respectfully submitted.

(Signed.)

JOSEPH WELLS,
Chairman.

Ordered, that the report be received, and lie on the table, and—

On motion made and seconded, it was—

Ordered, that to-morrow the House be put into a Committee of the whole to take the same into consideration.

On motion made and seconded, the House adjourned.

Friday, 21st March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Friday, 21st March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER.

THE HONORABLE MESSRS. CLARK,

“ “ DICKSON,

“ “ WELLS,

“ “ MARKLAND,

“ “ DUNN,

“ “ RIDOUT,

“ “ ALLAN.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill respecting the prevention of Trespasses was read a third time and passed.

On motion made and seconded, it was—

Ordered, that the title be, “An Act to provide for the more summary punishment of certain Trespasses,” whereupon the Speaker signed the Bill, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery, for the concurrence of that House.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill, entitled, “An Act to provide for the erection of the County of Norfolk into a separate District, and to re-annex the Townships of Walpole and Rainham to said County, and the better to establish the limits of said County.”

Mr. Dunn took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill into consideration, and had made some progress therein.

Ordered, that the Report be received.

A Message from His Excellency the Lieutenant Governor was delivered by Mr. Secretary Hillier, who being retired, the Speaker read the same, and it was again read by the Clerk, together with the Document accompanying, as follows:

P. MAITLAND,

The Lieutenant Governor, transmits for the consideration of the Legislative Council, the copy of a communication which he has just received from the Trustees of the Provincial Hospital.

Government House, }
21st March, 1828. }

To HIS EXCELLENCY SIR PEREGRINE MAITLAND, *Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein,*
&c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The Trustees of the Hospital beg leave respectfully to represent to your Excellency, that during the whole period in which the Building has been unavoidably occupied by the Legislature, the most urgent occasion has existed for its being applied to the purpose for which it was designed.

It is well known to your Excellency how great a number of poor Emigrants resort hither every Summer, and how many cases of extreme distress from sickness arise every year, for which no relief exists but in the charitable exertions of the humane inhabitants of this Town.

As Patron of the Society for their relief, your Excellency, in common with most of the Trustees, who are members of that Society, is well aware of the truth of the representa-

Bill respecting the prevention of Trespasses read third time. Passed.

Order for title. Bill signed, sent to Assembly for concurrence.

Norfolk separation Bill re-committed.

Progress reported.

A message from the Lieut. Governor, on the subject of a communication from the Trustees of the Provincial Hospital.

Communication.

Friday 21st March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

tions made by the Medical Gentlemen of the misery to which the sick are exposed in this Town, for want of a proper place for their reception, and of the great inconvenience and expense which from that circumstance attends the benevolent efforts to relieve them.

The Trustees are, from these circumstances, induced to beg that your Excellency will represent to the Legislature the necessity of making such provision for their future accommodation as may enable the Trustees speedily to apply the Hospital to its proper purpose; and that your Excellency will express to them the hope of the Trustees, that in consideration of the time for which the Building has been hitherto occupied, a sum may be granted to the Trustees to be applied in furtherance of the objects of their charitable institution.

(Signed,)

WILLIAM CAMPBELL,
Chairman of the Board of Trustees.

Dated at York, this }
20th March, 1828. }

Pursuant to the order of the day, the House was put into a Committee of the whole on the Bill respecting the regulation of Fences. Fence regulation Bill committed.

Mr. Markland took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had made some amendments thereto, which they recommended to the adoption of the House. Progress reported. Amended. Adopted.

Ordered, that the report be received, and—

On motion made and seconded, it was—

Ordered, that the Forty-fourth Rule of this House be suspended, as regards this Bill, and that it be engrossed and read a third time this day. Forty-fourth Rule suspended.

Pursuant to the order of the day, the House was put into a Committee of the whole, on the Report of the Select Committee appointed to take into consideration, the Bill, entitled, "An Act to ascertain the numbers of the different Religious denominations within this Province." Select Committee report on Bill for ascertaining the numbers of the different religious denominations.

Mr. Dickson took the Chair.

Committed.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Report of the Select Committee into consideration, and recommended, that the same be referred to the Committee of the whole House on the Bill. Progress reported, to be referred to Committee of the whole, on the Bill.

Ordered, that the report be received, and—

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Committed.

Mr. Dickson took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

A Deputation from the Commons House of Assembly brought up a Bill, entitled, "An Act to extend the limits of Gaols in this Province;" and also, a Bill, entitled, "An Act to provide for the erection of a Light-House on the False Duck Island in Lake Ontario," to which they requested the concurrence of this House, and withdrew. Gaol limits extension Bill, and Duck Island Light House Bill brought up.

The House was again put into a Committee of the whole on the Bill, entitled, "An Act to ascertain the numbers of the different Religious denominations within this Province." Bill to ascertain the numbers of different religious denominations.

Mr. Dickson took the Chair.

Re-committed.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, had made some amendments thereto, and recommended the same to the adoption of the House. Progress reported. Amended.

Ordered, that the report be received, and—

The said amendments were read by the Clerk as follows:—

Amendments read first time.

Press. 1.—Line 1. After the word "Whereas" expunge the remainder of the Preamble, and insert, "It is desirable, for the purpose of general information, to make inquiry into the state of Religion in this Province."

Press. 1.—Line 1, from the bottom, After the word "form," insert "and in case any of the said Assessors having performed their ordinary duties for the current year, shall have removed from any of their respective Townships, it shall and may be lawful for the Magistrates in their respec-

Friday 21st March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

tive Quarter Sessions, and they are hereby required to nominate and appoint a proper and fit person to perform the duties aforesaid."

Press. 2—Line 1. Expunge column, "Not professing."

Press. 3—Line 1. Expunge the second clause.

Press. 4—Line 13. After the word "Government," expunge the remainder of the clause.

Press. 5—Line 9. After the word "Act," insert "upon their producing from the Clerk of the Peace, a certificate that they have duly returned to him the said list."

Amendments read second time, and agreed to.

The said amendments being read a second time, and the question of concurrence being put on each of them, they were severally agreed to by the House; and—

On motion made and seconded, the same were—

Ordered to be engrossed and read a third time to-morrow.

Gaol limits extension Bill read first time.

The Bill, entitled, "An Act to extend the limits of Gaols in this Province," was read, and,

On motion made and seconded, it was—

Ordered to be read a second time to-morrow.

Duck Island Light-house, Bill read first time.

The Bill, entitled, "An Act to provide for the erection of a Light House on the False Duck Island in Lake Ontario," was read, and—

On motion made and seconded, the Forty-fourth Rule of this House was—

Ordered to be suspended, as regards this Bill, and, the same read a second time to-day.

Forty-fourth rule suspended.

Fence regulation Bill read third time and passed.

Pursuant to the order of the day, the Bill respecting the regulation of Fences, was read a third time and passed.

On motion made and seconded, it was—

Ordered, that the title be, "An Act to provide for the erection of Partition Fences,"

Order for title.

Bill signed and sent to Assembly for concurrence.

whereupon the Speaker signed the Bill, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery, for the concurrence of that House.

Duck Island Light House Bill read second time.

Pursuant to the order of the House, the Bill, entitled, "An Act to provide for the erection of a Light House on the False Duck Island, in Lake Ontario," was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Markland took the Chair.

After some time the House resumed.

Progress reported.

The Chairman reported that the Committee had taken the said Bill into consideration, and

Adopted.

recommended the same to the adoption of the House.

Ordered, that the Report be received, and—

On motion made and seconded, the Bill was—

Ordered to be read a third time to-morrow.

County of Norfolk separation Bill.

Pursuant to the order of the day, the House was again put into a committee of the whole, on the Bill entitled, "An Act to provide for the erection of the County of Norfolk into a separate District, and to re-annex the Townships of Walpole and Rainham to said County, and the better to establish the limits of said County."

Re-committed.

Mr. Dunn took the Chair.

After some time the House resumed.

Progress reported, and referred to a Select Committee.

The Chairman reported, that the Committee had taken the said Bill into consideration, and recommended that it be referred to a Select Committee to report by Bill or otherwise.

Ordered, that the Report be received, and—

Committee appointed for that purpose.

On motion made and seconded, Messieurs Clark and Dickson were appointed that Committee.

Contingent accounts to be laid on the table.

On motion made and seconded, the contingent accounts of this House for the present Session, were—

Ordered to be laid on the Table to-morrow.

Report of Select Committee appointed to present Address to Lieut Governor, thanking him for his Message of Monday. Committee appointed to present an Address

Mr. Markland from the Select Committee appointed to present an Address of this House, thanking His Excellency for his message of Monday last, reported that they had done so.

On motion made and seconded, it was—

Ordered that an Address be presented to His Excellency thanking him for his message of this day, and that Messrs. Wells and Markland be a Committee to present the same.

21st & 22nd March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

A Deputation from the Commons House of Assembly brought up a Bill, entitled, "An Act to continue an Act entitled, an Act to continue for a limited time an Act passed in fifty-eighth year of His late Majesty's Reign entitled, 'An Act to continue, repeal part of, and amend, an Act passed in the fifty sixth year of His Majesty's Reign entitled, 'An Act granting to His Majesty duties on Licences to Hawkers, Pedlers, and Petty Chapmen, and other trading persons therein mentioned, and to extend the provisions of the same,'"—and also a Bill entitled, "An Act to alter and amend the Wild Land Assessment Laws in this Province," to which they requested the concurrence of this House and withdrew.

Hawkers Licence Bill and Wild Land Assessment Bill brought up.

The said Bills were read—and,

Both Bills read first time.

On motion made and seconded, they were—

Ordered to be read a second time to-morrow.

On motion made and seconded, the House adjourned until to-morrow at Eleven o'clock. A. M.

Saturday, 22nd March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. CLARK,

" " DICKSON,

THE HONORABLE & VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. WELLS,

" " MARKLAND,

" " RIDOUT.

" " ALLAN,

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill entitled, "An Act to ascertain the numbers of the different religious denominations within this Province," was read a third time, and the question whether this Bill as amended should pass, it was agreed to, whereupon the Speaker signed the amendments, and it was—

Bill for ascertaining the numbers of the different religious denominations as amended, read third time and passed. Amendments signed and Bill sent to Assembly for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have passed this Bill with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the order of the day, the Bill entitled, "An Act to provide for the erection of a Light House on the False Duck Island, in Lake Ontario," was read a third time and passed, whereupon the Speaker signed the same, and it was—

Duck Island Light House Bill read third time, passed, signed, and sent to Assembly.

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

Pursuant to the order of the day, the Bill entitled, "An Act to extend the limits of Gaols in this Province,"—was read a second time, and—

Gaol limits extension Bill read second time.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Committed.

Mr. Ridout took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again this day three months.

Progress reported and leave to sit again in three months given.

Ordered, that the Report be received, and leave granted accordingly.

The Honorable Mr. Dunn enters.

Mr. Dunn enters.

Pursuant to the order of the day, the Bill entitled, "An Act to continue 'An Act entitled, an Act to continue for a limited time an Act passed in the fifty-eighth year of His late Majesty's Reign, entitled, an Act to continue, repeal part of, and amend, an Act passed in the fifty-sixth year of His Majesty's Reign, entitled, an Act granting to His Majesty duties on Licences to Hawkers, Pedlers, and Petty Chapmen, and other trading persons therein mentioned, and to extend the provisions of the same,'"—was read a second time, and—

Hawkers licence Bill read second time.

Saturday, 22nd March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

- Committed.** On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.
Mr. Allan took the Chair.
After some time the House resumed.
- Progress reported,** The Chairman reported, that the Committee had taken the said Bill into consideration,
Adopted. and recommended it without amendment to the adoption of the House.
Ordered, that the Report be received, and—
On motion made and seconded, it was—
- Forty-fourth Rule suspended.** Ordered, that the forty-fourth Rule of this House be suspended, as regards this Bill, and that it be read a third time this day.
- Wild Land Assessment Bill read second time.** Pursuant to the order of the day, the Bill entitled, "An Act to alter and amend the Wild Land Assessment Laws in this Province,"—was read a second time, and—
- Committed.** On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.
Mr. Markland took the Chair.
After some time the House resumed.
- Progress reported, and a conference recommended.** The Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and recommended that a conference be desired with the Commons House of Assembly on the same, and—
On motion made and seconded, it was—
- Conference desired.** Ordered, that a conference be desired for that purpose, and—
On motion made and seconded, it was—
Ordered, that Messieurs Wells and Markland, be the conferees on the part of this House.
- Master in Chancery to acquaint Assembly of same.** Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council desire a conference with the Commons House of Assembly, on the subject matter of the Bill entitled, "An Act to alter and amend the Wild Land Assessment Laws in this Province," and have appointed a Committee of two Members who will be ready to meet a Committee of the Commons House of Assembly for that purpose, in the joint Committee Room, at four o'clock, P. M. this day.
- A Deputation from the Commons House of Assembly brought up and delivered at the bar of this House, a Message in the following words:—
- Mr. SPEAKER,
- Message from Assembly agreeing to a conference on said Bill.** The Commons House of Assembly accedes to the request of the Honorable the Legislative Council, for a conference on the subject matter of the Bill entitled, "An Act to alter and amend the Wild Land Assessment Laws in this Province," and has appointed a Committee of four of its Members who will be ready to meet the conferees on the part of the Honorable the Legislative Council, at the time and place appointed.
- (Signed,) JOHN WILLSON,
Speaker.
- Commons House of Assembly, }
March 22nd, 1828. }*
- Instructions to Managers of conference.** Ordered, that the managers of the conference of the Council be instructed on meeting the conferees of the Assembly, on the subject matter of an Act to alter and amend the Wild Land Assessment Laws in this Province, to inform the conferees of the Assembly, that the present Bill, by repealing the first clause of the Act passed in the sixth year of George the Fourth, which rendered permanent an Act passed in the fifty-ninth year of His late Majesty, will in consequence leave the said Act of the fifty-ninth year of George the Third, to expire at the end of the present Session of Parliament.
- That the Council cannot accede to such a provision, and as the Bill is a Money Bill, have taken this mode of acquainting the Assembly with their objection.
- Hawkers licence Bill read third time, passed, signed, and sent to Assembly.** Pursuant to the order of the House, the Bill entitled, "An Act to continue an Act entitled, an Act to continue for a limited time an Act passed in the fifty-eighth year of His late Majesty's Reign, entitled, an Act to continue, repeal part of, and amend, an Act passed in the fifty-sixth year of His Majesty's reign, entitled, an Act granting to His Majesty duties on Licences to Hawkers, Pedlers, and Petty Chapmen, and other trading persons therein mentioned, and to extend the provisions of the same,"—was read a third time and passed, whereupon the Speaker signed the same, and it was—

22nd & 24th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

Ordered, that the contingent accounts of the present Session be referred to a Special Committee, and that Messieurs Markland, Dunn and Allan, form that Committee.

Contingent Accounts referred to a Special Committee.

Ordered, that it be an instruction to that Committee that they search for precedents, and report upon the propriety of this House, separately addressing the Lieutenant Governor for an advance in payment of its contingent expences.

Instructions to said Committee that they search for precedents.

On motion made and seconded, the House adjourned until Monday next at Eleven o'clock, A. M.

Monday, 24th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,

THE HONORABLE MESSRS. BABY,

“ “ CLARK,

“ “ DICKSON,

THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK.

THE HONORABLE MESSRS. WELLS,

“ “ MARKLAND,

“ “ DUNN,

“ “ RIDOUT,

“ “ ALLAN.

Prayers were read.

The Minutes of Saturday were read.

A Deputation from the Commons House of Assembly brought up a Bill entitled “An Act to alter and amend the Assessment Laws of this Province,” to which they requested the concurrence of this House and withdrew—the said Bill was read, and,

Assessment alteration and amendment Bill brought up and read first time.

On motion made and seconded, it was

Ordered that the Forty-fourth Rule of this House be suspended as regards this Bill, and that it be read a second time to day.

Forty-fourth Rule suspended.

Pursuant to the order of the House the said Bill was read a second time—and

Said Bill read second time.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Committed.

Mr. Markland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and recommended that a conference be desired with the Assembly on the same.

Progress reported and a conference recommended.

Ordered that the report be received—and

On motion made and seconded, it was—

Ordered that a conference be desired with the Commons House of Assembly on the said Bill, and that Messrs. Wells and Markland be the conferees on the part of this House for that purpose.

Conference desired, and Conferees appointed.

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council desire a conference with the Assembly on the subject matter of a Bill sent up from that House entitled, “An Act to alter and amend the Assessment Laws of this Province,” and have appointed a Committee of two Members who will be ready to meet a Committee of the Assembly for that purpose in the joint Committee Room forthwith.

Master in Chancery to acquaint Assembly thereof.

A Deputation from the Assembly brought up and delivered at the bar of this House, a Message in the following words:—

Mr. SPEAKER,

The Commons House of Assembly accedes to the request of the Honorable the Legislative Council for a conference on the subject matter of the Bill entitled, “An Act to alter and amend the Assessment Laws of this Province,” and has appointed a Committee of four of its

Message from Assembly agreeing to a Conference on the said Bill.

Monday, 24th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Members who will be ready to meet the Conferees on the part of the Honorable the Legislative Council, at the time and place appointed.

(Signed,)

JOHN WILLSON,

Speaker.

*Commons House of Assembly, }
March 24th, 1828.*

Instructions to the Managers of said Conference.

Ordered that the Managers of the Conference on the part of the Legislative Council be instructed to acquaint the Conferees of the House of Assembly, that in the eighth clause of the Bill entitled, "An Act to alter and amend the Assessment Laws of this Province," there is a recital of an Act which has never been passed, and which appears to be merely a clerical error, but as the Bill is a money Bill, the Legislative Council take this mode of acquainting the House of Assembly.

Matthews relief Bill. A Bill granting to His Majesty a certain sum of money, and the covering Bill brought up from Assembly.

A Deputation from the Commons House of Assembly brought up a Bill entitled, "An Act for the relief of John Matthews,"—also a Bill entitled, "An Act to grant to His Majesty a certain sum of money for the purposes therein mentioned," and also a Bill entitled, "An Act to make good certain monies advanced by His Excellency the Lieutenant Governor pursuant to an address of the House of Assembly at the last Session of Parliament," to which they requested the concurrence of this House and withdrew.

Matthews relief Bill read first time.

The Bill entitled, "An Act for the relief of John Matthews" was read—and

Forty-fourth Rule dispensed with during the remainder of the session

On motion made and seconded, it was—

Bill granting to His Majesty a certain sum of money read first time.

Ordered that the Forty-fourth Rule of this House be dispensed with during the remainder of this Session, and that the said Bill be read a second time to day.

Covering Bill read first time.

The Bill entitled, "An Act to grant to His Majesty a certain sum of Money for the purposes therein mentioned" was read—and

On motion made and seconded, it was—

Ordered to be read a second time this day.

The Bill entitled, "An Act to make good certain Monies advanced by His Excellency the Lieutenant Governor pursuant to an address of the House of Assembly at the last Session of Parliament," was read—and

On motion made and seconded, it was—

Ordered to be read a second time to day.

Matthews relief Bill read second time.

Pursuant to the order of the House, the Bill entitled, "An Act for the relief of John Matthews," was read a second time—and

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Baby took the Chair.

Progress reported.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill into consideration, and recommended it without amendment to the adoption of the House.

Adopted.

Ordered, that the Report be received.

Bill granting to His Majesty a certain sum of money read second time.

Pursuant to the order of the House, the Bill entitled, "An Act to grant to His Majesty a certain sum of Money for the purposes therein mentioned," was read a second time—and

Committed.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Mr. Clark took the Chair.

Progress reported and a conference recommended.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill into consideration, had made some progress therein, and recommended that a conference be desired with the Assembly on the same.

Ordered, that the report be received, and—

On motion made and seconded, it was—

Conference desired. Conferees appointed.

Ordered, that a conference be desired with the Assembly on the said Bill, and that Messieurs Markland and Dunn, be the conferees on the part of this House for that purpose.

Master in Chancery to acquaint Assembly thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council desire a conference with the Assembly on the subject matter of a Bill sent up from that House entitled, "An Act to grant to His Majesty a certain sum of money for the purposes therein mentioned," and have appointed a Committee of two

Monday, 24th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. Lieutenant Governor.

Members who will be ready to meet a Committee of the Assembly for that purpose in the joint Committee Room forthwith.

Pursuant to the order of the House the Bill entitled, "An Act to make good certain Monies advanced by His Excellency the Lieutenant Governor pursuant to an address of the House of Assembly at the last Session of Parliament," was read a second time—and,

Covering Bill read second time.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Committed.

Mr. Dickson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill into consideration, and recommended it without amendment to the adoption of the House.

Progress reported.

Ordered, that the report be received, and—

Adopted.

On motion made and seconded, it was—

Ordered to be read a third time to day.

On motion made and seconded, the Bill entitled, "An Act for the relief of John Matthews," was read a third time and passed, whereupon the Speaker signed the same, and it was—

Matthews relief Bill read third time, passed, signed, and sent to Assembly.

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

Pursuant to the order of the House, the Bill entitled, "An Act to make good certain monies advanced by His Excellency the Lieutenant Governor, pursuant to an Address of the House of Assembly at the last Session of Parliament,"—was read a third time and passed, whereupon the Speaker signed the same, and it was—

Covering Bill read third time, passed, signed, and sent to Assembly.

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

A Deputation from the Commons House of Assembly brought up and delivered at the bar of this House, a Message in the following words :—

Mr. SPEAKER,

The Commons House of Assembly accedes to the request of the Honorable the Legislative Council for a conference on the subject matter of the Bill entitled, "An Act to grant to His Majesty a certain sum of money for the purposes therein mentioned," and has appointed a Committee of four of its Members who will be ready to meet the conferees on the part of the Honorable the Legislative Council forthwith at the place appointed.

Message from Assembly agreeing to a conference on the Bill granting to His Majesty a certain sum of Money.

(Signed;)

JOHN WILLSON,

Speaker.

Commons House of Assembly, }
March 24th, 1828.

Ordered that the Managers on the part of the Legislative Council be instructed to inform the conferees of the House of Assembly, that in the provision made in a Bill entitled, "An Act to grant to His Majesty a certain sum of money for the purposes therein mentioned;" there is an omission of the late Clerk of the Legislative Council, the Master in Chancery, and the Chaplain of the Legislative Council, whose services are not remunerated thereby. The Legislative Council see no reason why so partial a measure should be adopted, and cannot accede to the Bill in its present shape.—They also remark that a change is made in the Salary of the Usher of the Black Rod, and which is considered equally objectionable.

Instructions to the Managers of the conference.

On motion made and seconded, the House adjourned until to-morrow at Nine o'clock, A. M.

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Tuesday, 25th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

Tuesday, 25th March, 1828.

The House met pursuant to adjournment.

PRESENT.

THE HONORABLE WILLIAM CAMPBELL, SPEAKER,
THE HONORABLE MESSRS. BABY,
 “ “ **CLARK,**
 “ “ **DICKSON,**
THE HONORABLE AND VENERABLE THE ARCHDEACON OF YORK.
THE HONORABLE MESSRS. WELLS,
 “ “ **MARKLAND,**
 “ “ **DUNN,**
 “ “ **RIDOUT.**
 “ “ **ALLAN.**

Prayers were read.

The Minutes of yesterday were read.

Assessment alteration and amendment Bill; also pretended Bank of Upper Canada repeal Bill; also a Bill for valuing labour, &c. expended at Burlington Bay harbour; also Auction Duty Bill; also Still Duty Bill, and also Randal's relief Bill brought up from Assembly.

A Deputation from the Commons House of Assembly brought up a Bill entitled, “An Act to alter and amend the Assessment Laws of this Province;” also, a Bill entitled, “An Act to repeal the Laws now in force respecting the late pretended Bank of Upper Canada, and to make provision for settling the affairs of the said Institution;” also, a Bill entitled, “An Act to provide for the valuation of the labour and materials applied in constructing the Harbour at Burlington Bay, and for other purposes relating to the said Harbour;” also, a Bill entitled, “An Act to continue an Act imposing duties on goods sold by Auction;” also, a Bill entitled, “An Act to continue for a limited time the Laws imposing duties on Stills;” and also, a Bill entitled, “An Act for the relief of Robert Randal, and to give to the Honorable John Walpole Willis certain powers therein mentioned;” to which they requested the concurrence of this House and withdrew.

Assessment alteration and amendment Bill read first time.

The Bill entitled, “An Act to alter and amend the Assessment Laws of this Province,” was read, and—

On motion made and seconded, the same was—
 Ordered to be read a second time to-day.

Pretended Bank of Upper Canada repeal Bill read first time.

The Bill entitled, “An Act to repeal the Laws now in force respecting the late pretended Bank of Upper Canada, and to make provision for settling the affairs of the said Institution,” was read, and—

On motion made and seconded, the same was—
 Ordered to be read a second time to-day.

Bill for valuing labour &c. expended at Burlington Bay harbour read first time.

The Bill entitled, “An Act to provide for the valuation of the labour and materials applied in constructing the Harbour at Burlington Bay, and for other purposes relating to the said Harbour,” was read, and—

On motion made and seconded, the same was—
 Ordered to be read a second time to-day.

Auction Duty Bill read first time.

The Bill entitled, “An Act to continue an Act imposing duties on goods sold by Auction,” was read, and—

On motion made and seconded, the same was—
 Ordered to be read a second time to-day.

Still Duty Bill read first time.

The Bill entitled, “An Act to continue for a limited time the Laws imposing duties upon Stills,” was read, and—

On motion made and seconded, the same was—
 Ordered to be read a second time to-day.

Randal's relief Bill read first time.

The Bill entitled, “An Act for the relief of Robert Randal, and to give to the Honorable John Walpole Willis certain powers therein mentioned,” was read, and—

On motion made and seconded, the same was—
 Ordered to be read a second time to-day.

Report of Select Committee on Contingent Accounts.

Mr. Markland from the Select Committee to whom was referred the contingent accounts of the present Session, presented their Report as follows:—

The Committee of this Honorable House appointed to take into consideration its contingent account for the present Session—

Tuesday 25th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

BEG LEAVE TO REPORT,

That the account and vouchers of the Usher of the Black Rod, for his expenditure, amounting to £223 6s. 5½*d.* is correct, with the exception of £8 2s. 6*d.* being an overcharge for Wood, which when deducted, leaves the amount £215 3s. 11½*d.*

The items of expence are in conformity with the usage of this House, but your Committee deem it right to point out for its consideration, whether the attendance of three Messengers is required, besides the out-door Servants.

Your Committee have also examined the accounts of the Clerk which with various estimates, amount to £555 10s. 5*d.*—The most important item is the charge of Mr. Stanton for Printing the Journals of your Honorable House, say £185 13s. 4½*d.*—The account also includes an estimate of the same person for the like service to be rendered during the recess, at £112. 11s. 2*d.* and £100 to the Clerk, for bringing up the Journals and preparing them for the Printer.

The whole amount of both accounts is £778 16s. 10½*d.* which if reduced by a deduction of the sum alluded to, will leave the expence about the same as last year.

Your Committee cannot forbear calling the attention of your Honorable House to the very precarious and uncertain state in which the Salaries of its Officers remain, depending as they do, upon the vote of another branch of the Legislature.

They would not hesitate recommending an Address to His Excellency the Lieutenant Governor, praying him to issue his warrant for such amount as may be from time to time considered necessary to remunerate the services rendered to this Honorable House, but they fear that such a course might leave His Excellency no other alternative but that of refusing to grant the request of this Honorable House, or of authorising the payment of a sum which we could not cover by any act of ours.

Your Committee therefore beg leave to suggest whether it would not be a fair and candid course for this House, at an early period of the first Session of the next Parliament, to acquaint the Assembly that they consider it necessary to the dignity and independance of this Honorable House, that some course should be agreed upon by which it may be enabled not only to judge of the necessity of the services, but also to establish such Salaries as are equivalent for their attentive performance as your Honorable House may deem just and fit.

Ordered that the report be received, and—

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Mr. Wells took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

A Deputation from the Commons House of Assembly brought up a Bill, entitled, "An Act to enable the Canada Company the more conveniently to perfect titles to Lands sold by them," to which they requested the concurrence of this House and withdrew.

The House was again put into a Committee of the whole, on the Report of the Select Committee, to whom was referred the contingent accounts of the present Session.

Mr. Wells took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Report into consideration, recommended it to the adoption of the House, together with two resolutions which they had passed.

Ordered, that the Report be received, and the said resolutions were read and severally agreed to as follows:—

Ordered, that the Journals of this House with an Index of the present Session be printed for the use of Members, and that an allowance of One Hundred Pounds be made to the Clerk, for his extraordinary trouble in superintending the preparing the same, and other duties consequent thereon.

Ordered, that One Hundred Pounds be allowed to the Gentleman Usher of the Black Rod, to enable him to reward a Deputy for his attendance on this House during the indisposition of that Officer, in the past and present Sessions.

The Bill entitled, "An Act to enable the Canada Company the more conveniently to perfect titles to Lands sold by them,"—was read, and—

Report committed.

Canada Company's Bill brought up.

Report of Select Committee on Contingent Accounts recommitted.

Reported.

Adopted.

Resolutions Adopted.

Canada Company's Bill read first time.

Tuesday, 25th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

On motion made and seconded, the same was—

Ordered to be read a second time to-day.

Assessment alteration
and amendment Bill
read second time.

Pursuant to the order of the day, the Bill entitled, "An Act to alter and amend the Assessment Laws of this Province," was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Markland took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had taken the said Bill into consideration, and recommended it to the adoption of the House.

Adopted.

Ordered, that the Report be received, and—

Read third time,
passed, signed, and
sent to Assembly.

On motion made and seconded, the same was read a third time and passed, whereupon the Speaker signed the Bill, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

Still Duty Bill read
second time.

Pursuant to the order of the day, the Bill entitled, "An Act to continue for a limited time the Laws imposing duties upon Stills," was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration.

Mr. Dunn took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had taken the said Bill into consideration, and recommended it to the adoption of the House.

Adopted

Ordered, that the report be received, and—

Read third time,
Passed, signed, and
sent to Assembly.

On motion made and seconded, the said Bill was read a third time and passed, whereupon the Speaker signed the same, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

Auction Duty Bill
read second time.

Pursuant to the order of the day, the Bill entitled, "An Act to continue an Act imposing duties on goods sold by Auction," was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Ridout took the Chair.

After some time the House resumed.

Reported

The Chairman reported, that the Committee had taken the said Bill into consideration, and recommended it to the adoption of the House.

Adopted.

Ordered, that the report be received, and—

Read third time,
passed, signed, and
sent to Assembly.

On motion made and seconded, the said Bill was read a third time and passed, whereupon the Speaker signed the same, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

Pretended Bank of
Upper Canada re-
peal Bill read second
time.

Pursuant to the order of the day, the Bill entitled, "An Act to repeal the Laws now in force respecting the late pretended Bank of Upper Canada, and to make provision for settling the affairs of the said Institution," was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Allan took the Chair.

After some time the House resumed.

Reported.

The Chairman reported, that the Committee had taken the said Bill into consideration, and recommended the same to the adoption of the House.

Adopted.

Ordered, that the Report be received and—

Read third time,
passed, signed, and
sent to Assembly.

On motion made and seconded, the said Bill was read a third time and passed, whereupon the Speaker signed the same, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

Bill for valuing la-
bour &c. expended at
Burlington Bay har-
bour read second
time.

Pursuant to the order of the day, the Bill entitled, "An Act to provide for the valuation of the Labour and Materials applied in constructing the Harbour at Burlington Bay, and for other purposes relating to the said Harbour," was read a second time, and—

Committed.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration.

Mr. Markland took the Chair.

A Message being announced the Chairman left the Chair and the House formed.

Bill for borrowing a
sum of money brought
up.

A Deputation from the Commons House of Assembly brought up a Bill, entitled, "An

Tuesday, 25th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

Act to borrow a sum of Money from His Majesty's Government, and to make provision for the payment of the same," to which they requested the concurrence of this House and withdrew.

The House was again put into a Committee of the whole, on the Bill entitled, "An Act to provide for the valuation of the Labour and Materials applied in constructing the Harbour of Burlington Bay, and for other purposes relating to the said Harbour." Bill for valuing labour &c. expended at Burlington Bay harbour
Recommitted.

Mr. Markland took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill into consideration, and recommended it to the adoption of the House. Reported
Adopted.

Ordered, that the report be received, and—

On motion made and seconded, the said Bill was read a third time and passed, whereupon the Speaker signed the same, and it was— Read third time,
passed, signed, and
sent to Assembly.

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

The Bill entitled, "An Act to borrow a sum of Money from His Majesty's Government, and to make provision for the payment of the same," was read, and— Bill for borrowing a
sum of money read
first time.

On motion made and seconded, the same was—

Ordered to be read a second time to-day.

Pursuant to the order of the day, the Bill entitled, "An Act for the relief of Robert Randall, and to give to the Honorable John Walpole Willis certain powers therein mentioned," was read a second time, and— Randall's relief Bill
read second time.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration. Committed.

Mr. Dunn took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again this day three months. Progress reported
and leave given to
sit again in three
months.

Ordered, that the Report be received, and leave granted accordingly.

Pursuant to the order of the day, the Bill entitled, "An Act to enable the Canada Company the more conveniently to perfect titles to Lands sold by them," was read a second time, and— Canada Company's
Bill read second time.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration. Committed.

Mr. Baby took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill into consideration, and had made some progress therein. Progress reported.

Pursuant to the order of the day, the Bill entitled, "An Act to borrow a sum of Money from His Majesty's Government, and to make provision for the payment of the same." was read a second time—and Bill for borrowing a
sum of money, read a
second time.

On motion made and seconded, the House was put into a Committee of the whole to take the same into consideration. Committed.

Mr. Clark took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill into consideration, and recommended it to the adoption of the House. Reported.
Adopted.

Ordered, that the Report be received, and—

On motion made and seconded, the said Bill was read a third time and passed, whereupon the Speaker signed the same, and it was— Read third time,
passed, signed, and
sent to Assembly.

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

A Deputation from the Commons House of Assembly brought up a Bill entitled, "An Act for granting to His Majesty a supply for the support of the Civil Government, and the administration of Justice," to which they requested the concurrence of this House and withdrew. Supply Bill brought
up.

The said Bill was read, and— Read first time.

On motion made and seconded, it was read a second time, and— Read second time.

On motion made and seconded, the House was put into a Committee of the whole, to take the same into consideration. Committed.

Mr. Allan took the Chair.

T

Tuesday, 25th March, 1828.

FOURTH SESSION OF THE 9th PROVINCIAL PARLIAMENT, 9th GEO. IV.

After some time the House resumed.

Reported

The Chairman reported, that the Committee had taken the said Bill into consideration and recommended the same to the adoption of the House.

Adopted.

Ordered, that the Report be received, and—

Read third time, passed, signed, and sent to Assembly.

On motion made and seconded, the said Bill was read a third time and passed, whereupon the Speaker signed the same, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery.

His Excellency comes to Protogue the Parliament.

At four o'clock, P. M., His Excellency the Lieutenant Governor being come to the Legislative Council Chamber, and seated on the Throne, the Gentleman Usher of the Black Rod was—

Ordered to direct the immediate attendance of the House of Assembly at the Bar of this House; and they being come thereto, His Excellency was pleased in His Majesty's name to assent to the following Bills:—

Bills assented to.

I. "An Act to limit to a certain period the proceedings under an Act of the Parliament of this Province, passed in the fifty-fourth year of His late Majesty's reign, entitled, an Act to declare certain persons therein described Aliens, and to vest their Estates in His Majesty, and to afford certain facilities to claimants of Estates forfeited under the said Act, in certain cases."

II. "An Act to make valid the Acts of Road Surveyors, and to make further provision for the same."

III. "An Act for the relief of Eliza Thompson and Eliza Ann Eleanor Clute."

IV. "An Act for making and maintaining a Road between Ernestown and the Gore of Fredericksburgh."

V. "An Act for the relief of the Religious Societies therein mentioned."

VI. "An Act for enabling William Warren Baldwin, Esquire, to carry into effect the Will of the late Laurent Quetton Saint George, and for other purposes relating to the real and personal Estates which were of the said Laurent Quetton Saint George."

VII. "An Act granting to His Majesty a sum of Money to be applied in defraying the expence of drafting and engraving a Map of the Rideau Canal."

VIII. "An Act to provide for the construction of Aprons to Mill Dams over certain Streams in this Province."

IX. "An Act to enable William Chisholm, Esq., to erect a Harbour at the Sixteen Mile Creek, in the Township of Trafalgar, in the Gore District."

X. "An Act to provide for the erection of a Light House on the False Duck Island, in Lake Ontario."

XI. "An Act to continue an Act entitled, an Act to continue for a limited time an Act passed in the fifty-eighth year of His late Majesty's reign, entitled, an Act to continue, repeal part of, and amend, an Act passed in the fifty-sixth year of His Majesty's reign, entitled, an Act granting to His Majesty duties on Licences to Hawkers, Pedlars, and Petty Chapmen, and other trading persons therein mentioned, and to extend the provisions of the same."

XII. "An Act for the relief of John Matthews."

XIII. "An Act to make good certain Monies advanced by His Excellency the Lieutenant Governor, pursuant to an Address of the House of Assembly at the last Session of Parliament."

XIV. "An Act to alter and amend the Assessment Laws of this Province."

XV. "An Act to repeal the Laws now in force respecting the late pretended Bank of Upper Canada, and to make provision for settling the affairs of the said Institution."

XVI. "An Act to provide for the valuation of the Labour and Materials applied in constructing the Harbour at Burlington Bay, and for other purposes relating to the said Harbour."

XVII. "An Act to continue an Act imposing duties on Goods sold by Auction."

XVIII. "An Act to continue for a limited time the Laws imposing duties upon Stills."

XIX. "An Act to borrow a sum of Money from His Majesty's Government, and to make provision for the payment of the same."

XX. "An Act for granting to His Majesty a supply for the support of the Civil Government and the administration of Justice."

Tuesday 25th March, 1828.

SIR PEREGRINE MAITLAND, K. C. B. *Lieutenant Governor.*

And His Excellency was pleased to reserve the following Bill for the signification of His Majesty's pleasure.

"An Act for the relief of Daniel Erb, and other persons whose names are therein mentioned." Bill reserved.

After which, His Excellency was pleased to Address the two Houses of the Legislature in the following words:—

*Honorable Gentlemen of the Legislative Council,
And Gentlemen of the House of Assembly.*

His Excellency's
Speech at the Prorogation.

The period of your Session having been extended to its usual length, there are some measures of great and general interest to the people of this Province, which I had hoped might have been presented to me as the result of your labours.

Having recommended to you when you met, that some effectual provision for the improvement of the Roads should engage your attention; and being aware, from the Petitions presented to me, that measures for promoting other valuable objects would be proposed to your consideration: I have not suffered the prorogation of the Legislature to be hastened by any occurrences however unusual.

It is not in my power to do more than persevere in urging on future occasions an application to those objects which are so connected with the welfare of the people, that an earnest attention to them on the part of the Legislature, could not fail to be rewarded with the immediate attainment of great practical good.

Gentlemen of the House of Assembly,

I thank you in His Majesty's name, for the supplies which you have granted for the Public service.

Honorable Gentlemen and Gentlemen,

Among the Bills presented to me for the Royal assent, I am pleased to find that you have concurred in a measure providing for the convenient tenure of such parcels of Ground as the various denominations of Christians may have occasion to occupy for Religious purposes.

The Naturalization Bill which you have passed, remains to be decided upon by His Majesty's Government; after all the unnecessary excitement which has been produced by this question, I need only remind you, that no measure could be devised here or in England, which could ever place the desired relief upon a more indulgent footing than it would long ago have been, if the wishes of this Government had been seconded when they were first publicly expressed.

I take leave of you in the confident expectation, that among a people so particularly favoured as the Inhabitants of Upper Canada, no misapprehension as to their real interest, and the proper objects of all good Government can be either general or lasting, and that this season of peace and prosperity which we so happily enjoy, will hereafter be employed in a zealous and undivided application to objects of evident and acknowledged utility.

The Honorable the Speaker of the Legislative Council then said: It is His Excellency the Lieutenant Governor's will and pleasure, that this Provincial Parliament be Prorogued to Friday the second day of May next, to be then here holden, and this Provincial Parliament is Prorogued accordingly.

Parliament Pro-
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