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JOURNAL
OF THE
House of Assembly
OF
UPPER CANADA.

FROM THE 7TH NOVEMBER, 1825, TO
THE 30TH JANUARY, 1826.

IN THE SIXTH AND SEVENTH YEARS OF THE REIGN OF
KING GEORGE the FOURTH.

BEING THE SECOND SESSION OF THE NINTH PROVINCIAL PARLIAMENT OF THIS
PROVINCE.

Sess. 1825--26.



Sir P. Maitland, K. C. B. Lieutenant Governor.

YORK, U. C.

PRINTED BY WILLIAM LYON MACKENZIE,
AT THE OFFICE OF THE COLONIAL ADVOCATE.
By Order of the House of Assembly.

1826.

SIR P. MAITLAND, K. C. B. Lieut. Governor.

PROCLAMATION.

UPPER CANADA.

P. MAITLAND,

LIEUTENANT GOVERNOR.

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

TO our beloved and faithful Legislative Counsellors 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 Monday the 23d day of May instant, to be held, called and elected, and to every of you---GREETING :

WHEREAS, on the thirteenth day of April last, WE thought fit to prorogue our Provincial Parliament to the twenty-third day of May instant, at which time, at our Town of York, you are 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 Wednesday the 15th day of June, 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**, Knight, Commander of the most Honourable Military order of the Bath, Lieutenant Governor of our said Province, and Major General Commanding our Forces in North America, at Stamford, this eleventh day of May, in the year of our Lord one thousand eight hundred and twenty-five, and in the Sixth year of our Reign.

P. M.

By His Excellency's Command,

D. CAMERON, Secretary.

H. I. BOULTON, Solicitor General.

By a further Proclamation of His Excellency Sir Peregrine Maitland, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the ninth day of June, one thousand eight hundred and twenty-five, the meeting of the Legislative Council and House of Assembly stands further prorogued to the sixteenth day of July, 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 sixteenth day of July, one thousand eight hundred and twenty-five, the meeting of the Legislative Council and House of Assembly stands further prorogued to the nineteenth day of August, next ensuing.

2d Session, 9th Parliament, 6th 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 August, one thousand eight hundred and twenty-five, the meeting of the Legislative Council and House of Assembly stands further prorogued to the twenty-second day of September, 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 nineteenth day of September, one thousand eight hundred and twenty-five, the meeting of the Legislative Council and House of Assembly stands further prorogued to the thirty-first day of October, next ensuing.

UPPER CANADA.**P. MAITLAND,***LIEUTENANT GOVERNOR.***PROCLAMATION.**

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

TO our beloved and faithful Legislative Counsellors 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 Monday the thirty-first day of October instant, to be commenced, held, called and elected, and to every of you---GREETING :

WHEREAS, by our Proclamation, bearing date the nineteenth day of September last, WE thought fit to Prorogue our Provincial Parliament to the thirty-first day of October instant, at which time, at our town of York, you are 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 Monday the seventh day of November, now next ensuing, you meet us in our Provincial Parliament, at our town of York, FOR THE ACTUAL DESPATCH OF PUBLIC BUSINESS, 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, Knight, Commander of the most Honourable Military order of the Bath, Lieutenant Governor of our said Province, and Major General Commanding our Forces therein, at York, this fourth day of October, in the year of our Lord, one thousand eight hundred and twenty-five, and in the Sixth Year of our Reign.

P. M.*By His Excellency's Command,***D. CAMERON, Secretary.****J. B. ROBINSON, Attorney General.***Monday, 7th November, 1825.*

The House met.

At two o'clock, the Gentleman Usher of the Black Rod came to the Bar of the House, and delivered the commands of His Excellency the Lieutenant Governor for the immediate attendance of the House at the Bar of the Legislative Council Chamber; and having withdrawn, the Speaker and Members present proceeded without delay to the Legislative Council Chamber, and returned.

Members present.—Messrs. Attorney General, Beasley, Bidwell, Burke, Burnham, Fothergill, Hamilton, Hornor, Lyons, Matthews, McCall, McDonell, Playter, Randal, Rolph, Scollick, Thompson, Thomson, and White.—19.

The Speaker declared the House adjourned for want of a quorum.

Sir P. Maitland, K. C. B. Lieutenant Governor.*Tuesday, 8th November, 1825.*

The House met.

Present.—Messrs. Attorney General, Beasley, Bidwell, Burke, Burnham, Hamilton, Hornor, Lyons, Matthews, McBride, McCall, McDonell, Randal, Rolph, Scollick, Thomson, and White.—17.

The Speaker declared the House adjourned for want of a quorum.

Wednesday, 9th November, 1825.

Present.—Messrs. Beasley, Bidwell, Burke, Burnham, Fothergill, Hamilton, Hornor, Ingersol, Lyons, Matthews, McBride, McCall, Playter, Randal, Rolph, Scollick, Thompson, Thomson, and White.—19.

At half past ten o'clock, A. M. the Speaker declared the House adjourned for want of a quorum.

Thursday, 10th November, 1825.

The Minutes of Monday, Tuesday, and Wednesday were read.

The Speaker then informed the House that His Excellency the Lieutenant Governor had been pleased to open the present session with a most gracious speech from the Throne, of which, to prevent mistakes, he had obtained a copy.

The speech was then read as follows :

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

I feel much pleasure in being able to congratulate you on the continuance of the general tranquility which has been so propitious to the happiness and prosperity of the British Empire.

In this season of peace, the Councils of the Imperial Government have been occupied in measures which can scarcely fail to excite, throughout the dominions of the crown, an emulation of that spirit of industry and enterprise so eminently conspicuous in the Parent State.

We cannot but anticipate a material advancement of our Public Interests from the change, which has recently been made, in the commercial system of our mother country, as it respects her Colonies; a change, which has avowedly for its object, to constitute them, in fact, integral parts of the Empire, and to give to their ports the character and privileges of ports of the United Kingdom.

The value of these measures, proceeding from a policy, liberal and generous beyond example, need not be enlarged upon: they have been received in the Colonies with feelings of the deepest gratitude, and it is not too much to say of them, that their tendency is to confer upon us all the commercial privileges of subjects of the United Kingdom, while we are exempt from those burthens by which the fleets and armies are maintained, which protect our trade and defend our soil.

The exceptions which have been admitted in the several enactments to which I have alluded, in order to regulate our intercourse with the United States of America, and to adjust more conveniently the navigation laws of the Empire to the trade upon our inland waters, are additional proofs of the attention of His Majesty's Government to the situation and interests of these Colonies.

We are also directly and most deeply concerned in the act which has been recently passed for admitting the Wheat of the North American Provinces into the United Kingdom. In the limited duration of that measure, and in the circumstance of its provisions being confined to the importation of grain, we cannot but perceive proofs of an apprehension on the part of the Imperial Parliament, that this indulgence which they are evidently desirous of extending to the Colonies, may be injurious to those great domestic interests which it is their care to protect. It is left to us, however, to hope that this act is the beginning of a system, which experience may prove to be as reconcilable with the general interests of the Empire, as it would be advantageous to these Provinces. If such shall happily be the result of the experiment, we may be assured that the indulgence will be readily placed upon a more permanent and more beneficial footing.

The good consequences which it was hoped would follow the permission of a direct importation of Tea from China, have been already in a great degree realized; and it is most satisfactory to find that there no longer exists a temptation to that illicit trade which has been so deeply prejudicial to the public welfare.

Gentlemen of the House of Assembly,

The Public Accounts and Estimates shall be laid before you; and I trust that you will make the necessary provision for the public service.

Honourable Gentlemen and Gentlemen,

You will direct your attention to such laws as are about to expire: among these is the act under which the Militia Pensions are at present paid—a provision which, I am persuaded, you will feel it an agreeable duty to renew.

When it is considered how much every description of improvement may be accelerated by the diligent and judicious aid of the Legislature, it is most satisfactory to reflect upon the rapid increase of our revenue, which cannot fail to accrue from several great and obvious causes.

The duties, which will henceforth be paid upon the one principal article of consumption which I have already noticed; and the expansion of trade which must necessarily attend the increase of population, would of themselves justify such an expectation. In addition to these grounds of hope, the Arbitrators appointed under the statute of the Imperial Parliament have awarded to us a larger proportion of the duties received at Quebec than we have hitherto enjoyed—a decision which must directly and considerably augment our resources.

Under these advantages it is hoped that the existing pressure upon our Revenue will not much longer be felt, and it is most satisfactory that the prospect of more abundant means should present itself at a moment when an ardor for public improvement appears so generally to prevail.

It will be interesting to you to learn that within the present year His Majesty has caused a survey to be made of the British North American Provinces, by officers of eminent military skill, in order to ascertain the state of their defences, and by what means their security can most effectually be provided for. You will naturally rejoice in every such demonstration that the safety and welfare of this Colony are objects constantly present to the attention of the Parent State.

The several branches of the Legislature cannot but feel how much is due, on their part, towards the advancement of a Colony, which, under the blessing of Providence, enjoys so many advantages. By a zealous and cordial application to the public interests, much may be effected, and it will, at all times, be my pleasure, as it is my duty, to concur in such enactments as may appear to me to promise benefit to the country.

I am happy to have it at length in my power, by the consent of his Majesty's Government, to propose for your consideration, as I shall do by message, one measure which has long appeared to me extremely desirable, and which has for its object to set at rest the just apprehensions with respect to their civil rights which affect a very considerable portion of the population of this Province.

Mr. Hamilton gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal an act of the 44th of the late King, chap. 1st, entitled, "An act for the better securing this Province against all seditious attempts or designs to disturb the tranquillity thereof."

Mr. Attorney General, seconded by Mr. Thompson, moves that this House will on to-morrow take into consideration the speech of His Excellency the Lieutenant Governor at the opening of this Session.

Which was carried.

Mr. McBride gives notice that he will, on Wednesday next, move for leave to bring in a bill to promote the progress of useful arts in this Province.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Thomson gives notice that he will, on Tuesday next, move for the appointment of a Select Committee, to revise and consolidate the Provincial Statutes.

Mr. Rolph gives notice that he shall, on Monday next, move for leave to bring in a bill to provide the same allowance for the Representatives of Towns, as of Counties and Ridings in this Province.

Mr. Bidwell gives notice that he will, to-morrow, move for leave to bring in a bill allowing persons tried for felony the benefit of full defence by counsel.

Mr. Rolph gives notice that he will, on Wednesday next, move for leave to bring in a bill for the relief of Religious Societies.

Mr. Hamilton gives notice that he will, on Monday next, move certain resolutions respecting the losses sustained by the inhabitants of this Province, during the late war with the United States of America.

Mr. Rolph gives notice that he will, on Tuesday next, move for leave to bring in a bill for the more ready recovery of dower in this Province.

Mr. Bidwell gives notice that he will, on Monday next, move for leave to bring in a bill for the more equal distribution of the property of persons dying intestate within the Province.

Mr. Attorney General gives notice that he will move, on Tuesday the twenty-second day of November, inst. for leave to bring in a bill for the opening and amendment of the principal Highway leading through this Province.

Mr. Attorney General gives notice that he will, on Wednesday the twenty-third day of November inst. move for leave to bring in a bill for the dispensing with the actual pronouncing of sentence of death in certain cases of conviction of capital offenders.

Mr. Attorney General gives notice that he will move, on Tuesday next, that this House do resolve itself into a committee of the whole to take into consideration the laws of this Province regulating the allowance and payment of Militia Pensions.

Mr. Fothergill, seconded by Mr. Ingersol, moves that it be resolved, that a select committee be appointed to superintend the printing necessary to be done for this House during the present Session, and that Messrs. Rolph, H. C. Thomson, Scollick, Burnham, and Beasley, do compose the same.

Which was carried.

Mr. Rolph, seconded by Mr. Ingersol, moves that the postage upon all letters, to and from members during the present Session, be paid by the Clerk and charged in the contingent accounts.

Which was carried.

Mr. Thomson, seconded by Mr. McBride, moves that a select committee be appointed to examine and report to this House, whether any and what reductions may be made in the contingent expenses of the House, and that Messrs. Attorney General, Rolph, and Hamilton, do compose the same committee.

Which was carried.

The House then adjourned.

Friday, 11th November, 1825.

Agreeably to notice, Mr. Hamilton, seconded by Captain Matthews, moves for leave to bring in a bill to repeal an act passed in the 44th 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 tranquility thereof."

Which was granted and the bill read.

Mr. Hamilton, seconded by Captain Matthews, moves that the Sedition Law Repeal Bill be read a second time on Tuesday next.

Which was ordered.

Agreeably to notice, Mr. Bidwell, seconded by Mr. Rolph, moves for leave to bring in a bill allowing persons tried for felony the benefit of full defence by counsel.

Which was granted and the bill read.

Mr. Bidwell, seconded by Mr. Rolph, moves that the bill allowing persons tried for felony the benefit of full defence by counsel, be read a second time on Tuesday next.

Which was ordered.

Agreeably to the order of the day, the House prepared to consider the speech of His Excellency the Lieutenant Governor at the opening of the present Session, and the speech was read.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Thompson, moves that this House do now resolve itself into a Committee of the whole to take into consideration the speech of His Excellency the Lieutenant Governor at the opening of this present Session.

Which was carried, and Mr. Thomson was called to the chair.

The House resumed.

Mr. Thomson reported that the Committee had agreed to several resolutions which he was directed to submit for the adoption of the House. The report was ordered to be received, and the resolutions were severally put and carried as follows:

RESOLVED—That an humble address be presented to His Excellency the Lieutenant Governor, to thank His Excellency for his most gracious Speech from the Throne at the opening of this Session.

That in the said address this House do assure His Excellency that they sincerely participate in that satisfaction which His Excellency has expressed at the continuance of the general tranquility which has been so propitious to the happiness and prosperity of the British Empire. That they have rejoiced to observe the Councils of the Imperial Government occupied during this season of peace in measures which have particularly for their object to promote the welfare of the Colonial possessions of the Crown, and to excite in them that spirit of industry and enterprise of which the Parent State exhibits so glorious an example.

That this House does anticipate a very material and almost immediate advancement of the public interests of this Province, from those great and liberal measures which have been recently passed by the Imperial Parliament for regulating the Colonial trade, measures which have proceeded upon the avowed principle of constituting the Colonies integral portions of the Empire; and of giving to their ports the character and privileges of ports of the United Kingdom.

That this House, with the most sincere satisfaction, avail themselves of this early opportunity of assuring His Excellency, as the Representative of the most gracious Sovereign under whose benign and glorious rule these advantages are extended, that the people of this Province feel and acknowledge most gratefully, as becomes them, these invaluable proofs of the protecting care of their Parent State, and that they cannot fail to recognize a policy liberal and generous beyond example, in a system which tends to confer upon them all the commercial privileges of subjects of the United Kingdom; while they are exempt from those burthens by which the fleets and armies are supported, which could alone effectually protect their trade and defend their soil.

That this House thankfully acknowledges, as additional proofs of the gracious consideration of His Majesty's Government those modifications of the general Colonial system which apply to the regulation of our commercial intercourse with the United States of America, and of the navigation upon our inland waters.

That this House receives, with the most lively interest, the communication which His Excellency has been graciously pleased to make of his sentiments and anticipation with respect to the relaxation of the British Corn Laws in favor of the British North American Colonies.

That in this Province, more perhaps than in any other, the relaxation in question and every consideration attending it, claims peculiar interest; that this House of Assembly hails the measure which has recently passed as the most convincing proof of a desire to promote the welfare of the Colonies by establishing a system of which some apprehension appears still to be entertained, that it may be found prejudicial to the great domestic interests of the Empire. That it is upon their conviction of the soundness of these principles which His Majesty's

Sir P. Maitland, K. C. B. Lieutenant Governor.

- Ministers have avowed, that the people of this Province would alone desire to rest their hope of this great measure being placed upon a system more permanent and more beneficial, since they can neither be so ungrateful, nor so insensible to their own interest, as not to feel that nothing ought to be desired by them which would be inconsistent with the vital interests of that great and glorious Empire, from which they have descended, and to which they owe the great blessings of security and freedom.
- That this House learns with much satisfaction, that the direct importation of Tea from China has been attended with those very desirable consequences which it was hoped would result from it.
- That this House will bestow their attention upon the Public Accounts and Estimates which His Excellency will cause to be laid before them, and that they beg to assure His Excellency of their readiness to make the necessary provision for the Public Service.
- That this House will direct its attention to the laws which are about to expire, and will not fail to take into their early consideration the act which governs the payment of Militia Pensions, as it concerns an object for which it must be equally grateful to all branches of the Legislature to provide.
- That this House, sensible how much it is in the power of the Legislature to advance the improvement of the Colony by a judicious application of public aid, entertains with great satisfaction the expectation of a rapid increase of revenue from the causes to which His Excellency has adverted. And that they are much gratified to learn that the Arbitrators appointed under the statute of the Imperial Parliament have awarded to this Province a share of the duties, which are received at Quebec, more in proportion to the consumption of our people than that which we have hitherto received.
- That under these circumstances we may confidently expect that our revenue will be soon relieved from those incumbrances which, in less prosperous times, it was found necessary to incur, and that we rejoice particularly in this prospect of more abundant means at a moment when a prevailing ardor for public improvement cannot fail to present ample opportunities for their beneficial employment.
- That His Excellency does this House justice in supposing that they should learn with much pleasure that His Majesty has, within the present year, directed a survey to be made of the British North American Provinces; for the purpose of ascertaining the state of their defences, and by what means their security can be most effectually provided for.
- That this House does very greatly rejoice in every such demonstration that the safety and welfare of this Colony are objects constantly present to the attention of our most Gracious Sovereign, and more particularly in those measures which are calculated to impress upon the people of this Province that entire conviction which this House entertains, that their interests, as a portion of the British Empire, will never be abandoned in compliance with the suggestions of an ungenerous policy; but that so long as they and their posterity continue to exhibit that loyal attachment to the Crown, which has already been proved on the part of this Province, the strength of the British Empire will constitute their security, and they will be allowed to the latest times to share in the glories of the British name.
- That as one branch of the Legislature, this House readily and fully avows its obligation to contribute their best exertions towards the advancement of a Colony which, under the blessing of Providence, enjoys so many advantages, and they trust they will evince their sense of that obligation by a zealous and cordial application to the public interests; that experience of his Excellency's administration will not permit us to doubt of His Excellency's desire to give effect to all such Enactments as may appear to His Excellency to promise benefit to the country.
- That this House will await, with much interest, the communication which His Excellency intends to make to the Legislature respecting a measure so important in its character as that to which His Excellency alluded to in his most Gracious Speech at the opening of this Session.
- Mr. Attorney General, seconded by Mr. Burnham, moves that a Committee be appointed to prepare an address in conformity to the Resolutions of the Committee of the whole House upon the Speech of His Excellency the Lieutenant Governor at the opening of this Session, and that Messrs. Rolph, McDonell, and Ingersol, be a Committee to prepare the same.
- Which was ordered.
- Mr. Fothergill gives notice that he will, on Wednesday next, move for leave to bring in a bill for the gradual augmentation and preservation of the Library belonging to this House, and for the appointment of a Librarian.
- Mr. Fothergill gives notice that he will move, on Monday the twenty-first of November, instant, for a Committee to take into consideration the expediency of addressing His Excellency the Lieutenant Governor relative to a consolidation, or bringing nearer together, the various Offices connected with the Land Granting Department, and to report by address, or otherwise.
- Mr. Fothergill gives notice that he will move, on Monday the twenty-eighth of November, instant, for leave to bring in a bill for the purpose of establishing a Turnpike Road from York to the mouth of the River Trent, and to the carrying place in the Bay of Quinte, and for the incorporation of a joint Stock Company, to carry the same into effect.
- Mr. Rolph gives notice that he shall, on Thursday next, move for leave to bring in a bill to continue and amend an act, entitled, "An Act for assigning Limits to the respective Gaols in this Province."
- Mr. Rolph gives notice that he shall, on Monday next, move for leave to bring in a bill to grant a sum of money to the Sufferers in New Brunswick.
- The House adjourned.

Saturday, 12th November, 1825.

- Mr. Attorney General, from the Committee appointed to draft an address to His Excellency the Lieutenant Governor in answer to His Excellency's Speech from the Throne at the opening of the present Session, reported that the Committee had agreed to an address, which he was ready to submit to the House whenever it would be pleased to receive the same.
- The Report was ordered to be received, and the address was read the first time.
- Mr. Attorney General, seconded by Mr. Thompson, moves that the address of this House in answer to the speech of His Excellency the Lieutenant Governor at the opening of the present Session be read a second time this day.
- Which was carried, and the address was read a second time.
- Mr. Attorney General, seconded by Mr. Thompson, moves that the address to His Excellency the Lieutenant Governor, in answer to His Excellency's speech, be engrossed and read a third time this day.
- Which was carried.
- Mr. Rolph gives notice that he will, on Friday next, move for leave to bring in a bill for the punishment of open and common adultery in certain cases.
- Mr. Scollick gives notice that he shall, on Thursday next, move that an humble address be presented to His Excellency the Lieutenant Governor respecting the importation of Flour, as well as Wheat, into the ports of Great Britain from this Province.
- Mr. Hamilton gives notice that he will, on Monday next, move that on Monday the 23th instant, there be a call of the House.
- Mr. Thompson gives notice that he will, on Thursday the seventeenth instant, move for leave to bring in a bill to encourage the destruction of Wolves in this Province; and to repeal the law now in force for that purpose.
- Mr. Matthews, seconded by Mr. Hornor, moves that the Clerk of this House be directed to furnish to every member of this House, during the present Session, one copy of each of the periodical or weekly newspapers, published in this town, and to charge the same in his Contingent Account.
- Which was carried.
- The House adjourned till three o'clock, P. M.
- The House met pursuant to adjournment.
- Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, in answer to His Excellency's Speech at the opening of the present Session, was read the third time, passed, and signed by the Speaker, and is as follows:

2d Session, 9th Parliament, 5th Geo: IV.

*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 dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to thank your Excellency for your most gracious Speech from the Throne at the opening of the present Session.
- We sincerely participate in the satisfaction expressed by your Excellency at the continuance of the general tranquillity which has been so propitious to the happiness and prosperity of the British Empire.
- We have rejoiced to observe the Councils of the Imperial Parliament occupied, during this season of Peace, in measures which have particularly for their object, to promote the welfare of the Colonial possessions of the Crown, and to excite in them that spirit of industry and enterprize, of which the Parent State exhibits so glorious an example.
- We anticipate a very material and almost immediate advancement of the public interests of this Province, from those great and liberal measures which have been recently passed by the Imperial Parliament for regulating the Colonial trade, and which have proceeded upon the avowed principle of constituting the Colonies integral portions of the Empire; and of giving to their ports the character and privileges of ports of the United Kingdom.
- We avail ourselves with the most sincere satisfaction, of this early opportunity of assuring your Excellency, as the Representative of our most gracious Sovereign, under whose benign and glorious rule these advantages have been extended to us, that, in common with the people of this Province, we feel and acknowledge most gratefully, as becomes us, these invaluable proofs of the protecting care of our Parent State, and that we do not fail to recognize a policy liberal and generous beyond example, in a system which tends to confer upon His Majesty's Colonial Subjects all the commercial privileges of Subjects of the United Kingdom; while they are exempt from those burthens by which the fleets and armies are supported, which could alone effectually protect their trade and defend their soil.
- We thankfully acknowledge, as additional proofs of the gracious consideration of His Majesty's Government, those modifications of the general Colonial system which apply to the regulation of our commercial intercourse with the United States of America, and of the navigation upon our inland waters.
- We receive, with the most lively interest, the communication which Your Excellency has been graciously pleased to make with respect to the relaxation of the British Corn Laws in favor of the British North American Colonies. In this Province, more perhaps than in any other, that measure, and every consideration attending it, claims peculiar interest. We perceive, in the act which has been recently passed, the most convincing proof of a desire to promote the welfare of the Colonies by establishing a system of which some apprehension appears still to be entertained, that it may be found prejudicial to the great domestic interests of the Empire. It is, however, upon their conviction of the soundness of those principles which His Majesty's Ministers have avowed, that the people of this Province would alone desire to rest their hope of this great measure being placed upon a footing more permanent and more beneficial, since they can neither be so ungrateful, nor so insensible to their own interests, as not to feel that nothing ought to be desired by them which would be inconsistent with the vital interests of that great and glorious Empire, from which they have descended, and to which they owe the great blessings of security and freedom.
- We learn, with much satisfaction, that the direct importation of Tea from China has been attended with those very desirable consequences which it was hoped would result from it.
- We will bestow our attention upon the Public Accounts and Estimates which Your Excellency may be pleased to lay before us, and we beg to assure Your Excellency of our readiness to make the necessary provision for the Public Service.
- We will direct our attention to the laws which are about to expire, and will not fail to take into our early consideration the act which governs the payment of Militia Pensions, as it concerns an object for which it must be equally grateful to all branches of the Legislature to provide.
- Sensible how much it is in the power of the Legislature to advance the improvement of the Colony by a judicious application of public aid, we entertain, with great satisfaction, the expectation of a rapid increase of revenue from the causes to which Your Excellency has adverted.
- We are much gratified to learn that the Arbitrators, appointed under the statute of the Imperial Parliament, have awarded to this Province a share of the duties, which are received at Quebec, more in proportion to its increase in trade and population than that which we have hitherto received.
- Under these circumstances we may confidently expect that our revenue will be soon relieved from those incumbrances which, in less prosperous times, it was found necessary to incur, and we rejoice particularly in this prospect of more abundant means at a moment when a prevailing ardor for public improvement cannot fail to present ample opportunities for their beneficial employment.
- Your Excellency did us justice in supposing that we should learn with much pleasure that His Majesty has, within the present year, directed a survey to be made of the British North American Provinces, by officers of eminent military skill, for the purpose of ascertaining the state of their defences, and by what means their security can be most effectually provided for.
- We are gratified by every such demonstration, that the safety and welfare of this Colony are objects constantly present to the attention of our most Gracious Sovereign, and we rejoice more particularly in those measures which are calculated to impress upon the people of this Province the entire conviction, which we entertain, that their interests, as a portion of the British Empire, will never be abandoned; but that so long as they and their posterity continue to exhibit that loyal attachment to the Crown, which has already been proved on the part of this Province, the strength of the British Empire will constitute their security, and they will be allowed to the latest times to share in the glories of the British name.
- As one branch of the Legislature, we readily and fully avow our obligation to contribute our best exertions toward the advancement of a Colony which, under the blessing of Providence, enjoys so many advantages. We trust that we shall evince our sense of that obligation by a zealous and cordial application to the public interests; and our experience of Your Excellency's administration will not permit us to doubt of Your Excellency's desire to give effect to all such Enactments as may appear to Your Excellency to promise benefit to the country.
- We will await, with much interest, the communication which Your Excellency intends to make to the Legislature respecting a measure so important in its character as that to which Your Excellency alluded in Your most Gracious Speech at the opening of this Session.

JOHN WILLSON, Speaker.

Commons House of Assembly, 12th November, 1825.

Mr. Fothergill, seconded by Mr. Ingersol, moves that Messrs. McDonell and Burnham be a Committee to wait on His Excellency the Lieutenant Governor, to know when His Excellency will be pleased to receive this House with the address in answer to his gracious Speech from the Throne, at the opening of the present Session.

Which was carried.

Mr. Hamilton gives notice that he will, on Monday next, move that the Speaker do appoint some person to take charge of the Library during the sitting of the Legislature.

Sir P. Maitland, K. C. B. Lieutenant Governor.

Mr. Fothergill, seconded by Mr. Ingersol, moves that it be resolved, that the Honourable the Speaker, be authorised to instruct the Clerk of this House to furnish correct copies of the Votes of this House to the Editor of the Upper Canada Gazette for publication.

Which was carried.

The House adjourned.

Monday, 14th November, 1825.

Mr. McDonell, from the Committee to wait upon His Excellency the Lieutenant Governor to know when His Excellency will be pleased to receive this House with its Address in answer to His Excellency's gracious Speech from the Throne at the opening of the present Session, informed the House that His Excellency had been pleased to name the hour of one P. M. to-morrow.

Agreeably to notice, Mr. Rolph, seconded by Mr. Playter, moves for leave to bring in a bill to allow Representatives of Towns the same wages as Representatives of Counties in this Province.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. Playter, moves that the bill for allowing wages to the Representatives of Towns be read a second time on Thursday next.

Which was ordered.

Agreeably to notice, Mr. Hamilton, seconded by Mr. Rolph, moves that the consideration of the Losses do stand on the order of the day for Monday next.

Which was carried.

Agreeably to notice, Mr. Bidwell, seconded by Mr. Thomson, moves for leave to bring in a bill for the more equal distribution of the property of persons dying intestate within this Province.

Which was granted and the bill read.

Mr. Bidwell, seconded by Mr. Thomson, moves that the bill for the more equal distribution of the property of persons dying intestate within this Province, be read a second time on Thursday next.

Which was ordered.

Agreeably to notice, Mr. Rolph, seconded by Mr. Playter, moves for leave to bring in a bill for the relief of the Sufferers in New-Brunswick, by the late fire.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. Playter, moves that the bill for the relief of the Sufferers in New-Brunswick be read a second time on Thursday next.

Which was ordered.

Agreeably to notice, Mr. Hamilton, seconded by Mr. Rolph, moves that the Honourable the Speaker do appoint some person to take charge of the Library during the sitting of the Legislature, and make such regulations as to him may seem proper.

In amendment, Mr. Thomson, seconded by Mr. Lyons, moves that after the word "that," the whole be expunged, and the following inserted: "that a conference be requested with the Legislative Council on the subject of the Library."

Which was carried.

The original motion, as amended, was then put and carried.

Messrs. Hamilton and Thomson were ordered, by the Speaker, to carry up to the Honourable the Legislative Council a message requesting a conference on that subject.

Mr. Hamilton, seconded by Captain Matthews, moves that there be a call of the House on Monday the twenty-eighth instant, at the hour of twelve o'clock.

Which was ordered.

Mr. Rolph gives notice that he shall, on Monday next, move for leave to bring in a bill for the attachment of the property of absconding debtors.

Mr. Rolph gives notice that he shall, on Tuesday the twenty-second day of November instant, move for leave to bring in a bill for the arrest of offenders escaping into this Province from the United States of America.

The House adjourned.

Tuesday, 15th November, 1825.

Agreeably to notice, Mr. Thomson, seconded by Mr. Lefferty, moves that a Committee be appointed to revise and consolidate the Provincial Statutes, and that Messrs. Attorney General, Rolph, Bidwell, and McBride, do compose the said Committee.

On which the House divided, and the Yeas and Nays being taken, were as follows:—

YEAS—Messrs. Beardsley, Beasley, Burnham, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Scollick, Thompson, Thomson, Wilkinson, and White—22.

NAYS—Messrs. Burke, and Gordon—2.

The question was carried in the affirmative, by a majority of twenty, and ordered accordingly.

Mr. Bidwell, seconded by Mr. Thomson, moves that the order of the day respecting Dower, be postponed till Tuesday next.

Which was ordered.

Mr. Thompson, seconded by Mr. McDonell, moves that the House do now resolve itself into a Committee of the whole, on the subject of Militia Pensions.

Which was carried, and Mr. Ingersol was called to the Chair.

The House resumed.

Mr. Ingersol reported that the Committee had agreed to a resolution which he was directed to submit for the adoption of the House.

The report was ordered to be received, and it was Resolved, that the Chairman be directed to move that a Committee be appointed to take into consideration the Militia Pension Law, with leave to report by bill or otherwise.

Mr. Ingersol, seconded by Mr. Hamilton, moves that a Committee be appointed to take into consideration the Militia Pension Law, with leave to report by bill or otherwise, and that Messrs. Attorney General, Thompson of York, Thomson of Frontenac, and Matthews, do compose the same.

Which was carried.

Agreeably to the order of the day, the Sedition Law Repeal Bill was read the second time.

Mr. Hamilton, seconded by Captain Matthews, moves that the House do now resolve itself into a Committee of the whole on the Sedition Law Repeal Bill.

Which was carried, and Mr. Beasley was called to the Chair.

The House resumed.

Mr. Beasley reported the bill without amendment.

The report was ordered to be received, nem. con.

Present—Messrs. Baby, Beardsley, Beasley, Bidwell, Burnham, Burke, Clark, Fothergill, Gordon, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, McDonell, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Wilkinson, and White.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Hamilton, seconded by Captain Matthews, moves that the Sedition Law Repeal Bill be engrossed and read a third time, on Friday next.

Which was ordered.

Agreeably to the order of the day, the Felon's Counsel Bill was read the second time.

Mr. Bidwell, seconded by Mr. Perry, moves that the House do now resolve itself into Committee on the bill allowing persons tried for felony the benefit of full defence by counsel.

Which was carried, and Mr. Burnham was called to the Chair.

The House resumed.

Mr. Burnham reported the bill without amendment.

The report was ordered to be received.

Mr. Bidwell, seconded by Mr. Perry, moves that the bill for allowing persons tried for Felony the benefit of full defence by counsel, be engrossed and read a third time on Friday next.

Which was ordered.

At one o'clock the House waited upon His Excellency the Lieutenant Governor with its Address in answer to His Excellency's Speech at the opening of the present Session, and having returned, the Speaker reported that His Excellency had been pleased to make the following reply :

Gentlemen of the House of Assembly,

I thank you for this assurance of faithful and generous attachment to the Mother Country, and to the King's paternal Government, which is conveyed in such grateful terms that I shall have particular satisfaction in transmitting your address to His Majesty.

The resolution you avow to apply with zeal and cordiality to the public affairs, and the belief you express of my readiness to give effect to all such enactments as shall appear to me to promise benefit to the country, are very acceptable to me; indeed, a just sense of the obedience due to my sovereign's wishes must permit me to yield to no branch of the Legislature in zeal for the advancement of the true and lasting interests of the Province, which is so much the object of His Majesty's Councils.

Mr. Beardsley gives notice that on Thursday the seventeenth instant he will move to bring in a bill to amend an act passed in the thirty fourth year of the reign of His late Majesty George the Third, entitled "An Act for the regulation of Juries."

Mr. Perry gives notice that he will, on Monday next, move that the House do resolve itself into a Committee of the whole, to take into consideration the propriety of regulating, by law, Races, Wire Dancers, Theatres, and certain Exhibitions.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor several messages, and having withdrawn, the Speaker read the messages as follows :

P. MAITLAND.

The Lieutenant Governor thinks proper to call the attention of the House of Assembly to a subject which he has long regarded as one of much importance to the Province, and of particular interest to a large portion of its inhabitants.

The House of Assembly is aware that of those persons who have come to this Province from foreign countries, and more especially at an early period of its settlement, many had been citizens of the United States of America, and subjects of that Government.

Whatever difference of opinion may have formerly prevailed with respect to the civil rights of persons so situated, from the circumstance of the United States of America having once been British Colonies, the solemn decision of the question in the Courts of the Mother Country, whose laws we have adopted, leaves no room for doubt, and these inhabitants of the Province are exposed to the inconvenience of finding those rights denied which they have hitherto enjoyed, but which, whenever they may be questioned, must be decided upon by those to whom the administration of justice is committed, according to law, and without regard to inconveniences which might be much regretted.

There are also in this Province a number of Emigrants from other foreign countries, and many discharged soldiers of foreign corps, who, not having strictly complied with the provisions of those British statutes under which they might have been entitled to the privileges of subjects, are equally, by law, exposed to the danger of being regarded as aliens.

Of all the persons thus situated, the greater part became inhabitants with the knowledge of the Government; between those and others it does not appear necessary to discriminate. In the persuasion that they might all be safely received and acknowledged as subjects with no other qualifications than those which the Legislature of this Province has, from time to time, thought it expedient to impose, the Lieutenant Governor has earnestly pressed the subject upon the consideration of His Majesty's Government, and has it now in his power to communicate to the House of Assembly that he has received His Majesty's express sanction to assent to an enactment which may afford relief to such persons as are now in the Province, and the Lieutenant Governor doubts not that a subject so important will receive the early and attentive consideration of the House of Assembly.

Government House, 15th November, 1825.

P. MAITLAND.

The Lieutenant Governor, feeling persuaded that the sympathy of the House of Assembly will have been excited by the distressing accounts which have very recently been published of the injury sustained by the inhabitants of New-Brunswick, from fires which have laid waste large tracts of country, and reduced the inhabitants of several towns and villages to great distress, is desirous to assure the House that he will be happy to concur in any measure that the Legislature may have it in their power to adopt for the purpose of alleviating, in some degree, the suffering of their fellow subjects who have been visited with so afflicting a calamity.

Government House, 15th November, 1825.

Mr. Gordon, seconded by Mr. Fothergill, moves that an humble address be sent to His Excellency the Lieutenant Governor, thanking His Excellency for his messages of this day, and assuring His Excellency that this House will not fail to give the same due consideration.

Mr. Rolph, in amendment, seconded by Mr. Bidwell, moves that after the word "that," in the original motion, all be expunged, and the following words inserted: "the thanks of this House be given to His Excellency for his message respecting aliens, and that his message respecting the sufferers in New-Brunswick be laid on the table till the final passage of the bill now before the House for their relief."

The House adjourned.

Wednesday, 16th November, 1825.

Mr. Attorney General, seconded by Mr. Thompson, moves for leave to bring up the petition of William Phair and others, inhabitants of the Town of York.

Which was granted, and the petition brought up.

Mr. Attorney General, seconded by Mr. Thompson, moves for leave to bring up the petition of the Agents of the Honourable East India Company, for the sale of their Tea in Canada.

Which was granted, and the petition brought up.

Mr. Attorney General, seconded by Mr. Thompson, moves for leave to bring up the petition of the President and Directors of the Welland Canal Company.

Which was granted, and the petition brought up.

Sir P. Maitland, K. C. B. Lieutenant Governor.

Mr. Rolph, seconded by Mr. Bidwell, moves that it be resolved, that Messrs. Attorney General and Hamilton do form a Committee to search into precedents, and report whether the message of his Excellency the Lieutenant Governor, respecting the Sufferers in New-Brunswick, while a bill for their relief is pending before the House, is consistent with its privileges.

Which was ordered.

Agreeably to notice, Mr. McBride, seconded by Mr. Beasley, moves for leave to bring in a bill to promote the progress of useful arts in this Province.

Which was granted and the bill read.

Mr. McBride, seconded by Mr. Beasley, moves that the bill to promote the progress of useful arts be read a second time on Saturday next.

Which was ordered.

Agreeably to notice, Mr. Rolph, seconded by Mr. Playter, moves for leave to bring in a bill for the relief of Religious Societies.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. Playter, moves that the bill for the relief of Religious Societies be read a second time on Saturday next.

Which was ordered.

Mr. Hamilton, seconded by Captain Matthews, moves that it be resolved, that an humble address be presented to His Excellency the Lieutenant Governor respectfully acknowledging the receipt of His Excellency's Message relative to the civil rights of certain of His Majesty's subjects in this Province, and to assure His Excellency that this House will not fail to take the matter into its serious consideration.

On which the House divided, and the Yeas and Nays being taken, were as follows.

YEAS—Messrs. Beasley, Bidwell, Hamilton, Lefferty, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, and Thomson—13.

NAYS—Messrs. Attorney General, Burke, Burnham, Clark, Fothergill, Gordon, Hornor, Ingersol, Lyons, McDonell, Thompson, and White—12.

The question was carried in the affirmative by a majority of one, and ordered accordingly.

Mr. Hamilton, seconded by Mr. Randal, moves that Messrs. Matthews and Thomson be a committee to draft an address pursuant to the resolution of this House, and report the same.

Which was carried.

Captain Matthews, from the committee appointed to draft an Address to His Excellency the Lieutenant Governor, respectfully acknowledging His Excellency's message relative to the civil rights of certain of His Majesty's subjects in this Province, reported a draft, which was received and read the first time.

Mr. Hamilton, seconded by Mr. Randal, moves that the Address to His Excellency the Lieutenant Governor, be read a second time to day.

In amendment, Mr. Attorney General, seconded by Mr. McDonell, moves that after the word "time," the remaining words be expunged, and the word "to-morrow" be inserted.

Which was lost.

The original question was then put, and carried, as follows:

Mr. Hamilton, seconded by Mr. Randal, moves that the Address to his Excellency the Lieutenant Governor be read a second time to-day.

The Address to his Excellency the Lieutenant Governor was then read a second time.

Mr. Hamilton, seconded by Mr. Randal, moves that the Address to his Excellency the Lieutenant Governor be engrossed and read a third time this day.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beardsley, Beasley, Bidwell, Hamilton, Hornor, Lefferty, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, and Thomson.—16.

NAYS—Messrs. Attorney General, Burke, Burnham, Clark, Fothergill, Gordon, Ingersol, Lyons, McDonell, Thompson, Wilkinson, and White.—12.

The question was carried in the affirmative by a majority of four, and ordered accordingly.

Mr. Lefferty gives notice that he will, on Thursday the twenty-fourth instant, move for leave to bring in a bill for the more easy arrest of absconding debtors.

Mr. Fothergill, seconded by Mr. Clark, moves that it be resolved, that the Honorable the Speaker be authorised to instruct the Clerk of this House to furnish a correct copy of the votes of this House, together with a copy of the order of the day, every evening, to be hung up in some public place in the Library belonging to the Legislature, for the benefit of such of the Editors of the Newspapers in York as may desire to publish them.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Burke, Burnham, Clark, Fothergill, Gordon, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, McDonell, Randal, Scollick, Thompson, Wilkinson, and White.—20.

NAYS—Messrs. Baby, Beardsley, Bidwell, Perry, Playter, and Rolph.—6.

The question was carried in the affirmative, by a majority of fourteen, and ordered accordingly.

Agreeably to the order of the day, the Address to his Excellency the Lieutenant Governor, respectfully acknowledging the receipt of his Excellency's message relative to the civil rights of certain of His Majesty's subjects in this Province, was read the third time, passed and signed by the Speaker, and is as follows:

*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 dutiful and loyal subjects, the Commons House of Assembly, in Provincial Parliament assembled, beg leave respectfully to acknowledge the receipt of your Excellency's message relative to the civil rights of certain of His Majesty's subjects in this Province, and to assure your Excellency that we shall not fail to take the matter into our serious consideration.

JOHN WILLSON, *Speaker.*

Commons House of Assembly, 16th November, 1825.

Mr. Hamilton, seconded by Mr. Randal, moves that Messrs. Matthews and Thomson be a Committee to wait on his Excellency the Lieutenant Governor to know when he will be pleased to receive the Address of this House, and to present the same.

Which was ordered.

Mr. Hamilton, seconded by Mr. Randal, moves that this House do resolve itself into a Committee of the whole, on to-morrow, to take into consideration his Excellency the Lieutenant Governor's message relative to the civil rights of certain of His Majesty's subjects in this Province.

2d Session, 9th Parliament, 5th Geo: IV.

In amendment, Mr. Gordon, seconded by Mr. Clark, moves that the words "to-morrow" be expunged, and "Monday next" be inserted. Which was lost.

The original question was put as follows:

Mr. Hamilton, seconded by Randal, moves that this House do resolve itself into a Committee of the whole, on to-morrow, to take into consideration his Excellency the Lieutenant Governor's Message, relative to the civil rights of certain of His Majesty's subjects in this Province.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Baby, Beardsley, Bidwell, Burnham, Burke, Clark, Fothergill, Gordon, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, McDonell, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Wilkinson, and White.—27.

NAY—Mr. Beasley.—1.

The question was carried in the affirmative, by a majority of twenty-six, and ordered accordingly.

Mr. Attorney General gives notice that he will move, on Monday next, that the House do resolve itself into a Committee of the whole upon Supply.

The House adjourned.

Thursday, 17th November, 1825.

Mr. Clark, seconded by Mr. Randal, moves for leave to bring up the petition of Samuel Wood and others, of the Township of Grantham. Which was granted and the petition brought up.

Mr. Lefferty, seconded by Mr. Scollick, moves for leave to bring up the petition of sundry inhabitants of the District of Niagara. Which was granted and the petition brought up.

Mr. McBride, seconded by Mr. Beardsley, moves for leave to bring up the petition of sundry inhabitants of the Town of Niagara and its vicinity.

Which was granted and the petition brought up.

Mr. Hamilton, seconded by Mr. Beasley, moves for leave to bring up the petition of John M. A. Cameron and others, respecting absconding debtors.

Which was granted and the petition brought up.

Mr. Fothergill, seconded by Mr. Burnham, moves for leave to bring up the petition of certain inhabitants of the County of Prince Edward, to set apart that County into a separate District.

Which was granted and the petition brought up.

Mr. Beardsley, seconded by Mr. McBride, moves that one thousand copies of the message of his Excellency the Lieutenant Governor, transmitted to this House, on the subject of the civil rights of certain persons that have emigrated to this Province from the United States of America, and other foreign countries, and become settlers therein, be printed for the use of Members.

Which was ordered.

Agreeably to notice Mr. Scollick, seconded by Captain Matthews, moves that it be resolved, that an humble Address be presented to his Excellency the Lieutenant Governor, representing to him the advantage this Colony would derive from being allowed to import Flour, as well as Wheat, into the ports of Great Britain; and requesting his Excellency to communicate the sentiment of this House to His Majesty.

Which was carried.

Mr. Scollick, seconded by Captain Matthews, moves that Messrs. Rolph and Hamilton be a Committee to draft an Address to his Excellency on the foregoing resolution.

Which was ordered.

Agreeably to the order of the day the House went into Committee for the consideration of his Excellency's message relative to civil rights.

Mr. Fothergill was called to the Chair.

The House resumed.

Mr. Fothergill reported that the Committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The Report was ordered to be received, and the resolution was adopted as follows: Resolved, that the Chairman be directed to move that a Committee be appointed to draft a bill pursuant to the message of his Excellency the Lieutenant Governor relative to the civil rights of certain of His Majesty's subjects, and that Messrs. Attorney General, Rolph, Bidwell, and Beardsley, do compose and report the same to the House.

Mr. Boulton, Master in Chancery, brought down, from the Honorable the Legislative Council, a message, and having retired, the Speaker read the same, as follows:

MR. SPEAKER,

The Honorable the Legislative Council have acceded to the request of the Commons House of Assembly for a conference on the subject of the Library, and have appointed a Committee of two members who will be ready to meet a Committee of that House in the joint Committee Room, on Friday next at one o'clock, P. M. for that purpose.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 16th November, 1825.

Mr. Fothergill, seconded by Mr. Burnham, moves that a Committee be appointed, to draft a bill pursuant to the message of his Excellency the Lieutenant Governor relative to the civil rights of certain of His Majesty's subjects, and that Messrs. Attorney General, Rolph, Bidwell, and Beardsley, do compose the same, and report to the House.

Which was ordered.

Mr. Thompson, seconded by Mr. Lyons, moves that Messrs. Fothergill, Clark, McDonell, and McBride, be a Committee to meet a Committee of the Honorable the Legislative Council on Friday next at one o'clock, on the subject of the Library.

Which was carried.

Agreeably to notice, Mr. Thompson, seconded by Mr. McCall, moves for leave to bring in a bill to encourage the destruction of Wolves in this Province, and to repeal the law now in force for that purpose.

Which was granted and the bill read.

Mr. Thompson, seconded by Mr. McCall, moves that the bill to encourage the destruction of Wolves in this Province, be read a second time on Monday next.

Which was ordered.

Agreeably to the order of the day, the Towns Representation bill was read the second time.

Mr. Rolph, seconded by Mr. Playter, moves that the House do go into Committee upon the bill for allowing wages to members representing Towns in this Province.

Which was carried, and Mr. Matthews was called to the Chair.

The House resumed.

Mr. Matthews reported the bill amended.

The Report was ordered to be received.

Sir P. Maitland, K. C. B. Lieutenant Governor.

Mr. Rolph, seconded by Mr. Playter, moves that the bill for paying members representing Towns in this Province, be engrossed and read a third time on Saturday next.

Which was ordered.

Agreeably to the order of the day the Intestate Estate bill was read the second time.

Mr. Bidwell, seconded by Mr. Lafferty, moves that the House do now resolve itself into Committee on the bill for the more equal distribution of the property of persons dying intestate within this Province.

Which was carried, and Mr. Hornor was called to the Chair.

The House resumed.

Mr. Hornor reported the bill without amendment.

The report was ordered to be received.

Mr. Bidwell, seconded by Mr. Perry, moves that the bill for the more equal distribution of the property of persons dying intestate within this Province, be engrossed and read a third time on Saturday next.

Which was ordered.

Mr. Rolph, from the Committee appointed to search into precedents, and report whether the message of his Excellency the Lieutenant Governor, respecting the sufferers in New-Brunswick, while a bill for their relief is pending before the House, is consistent with the privileges of the House, reported as follows :

The Committee appointed to report whether the message of his Excellency the Lieut. Governor, respecting the sufferers in New-Brunswick, while a bill for their relief is pending before the House, is consistent with its privileges, Report—that, having compared the circumstances of the case, out of which this question has arisen, with those cases which have been complained of as breaches of the privileges of the House of Commons in England, do not find reason to report that his Excellency the Lieutenant Governor, by his message respecting the relief of the sufferers in New-Brunswick, intended any violation of the privileges of this House.

JOHN ROLPH, *Chairman.*

17th November, 1825.

Mr. Rolph, seconded by Mr. Beardsley, moves that Messrs. Lafferty and Playter do form a Committee to draft an Address to his Excellency, acknowledging the receipt of his message respecting the sufferers in New-Brunswick, and informing him that it is a matter under our serious consideration.

Which was ordered.

Mr. Rolph, from the Committee to draft an address to his Excellency the Lieutenant Governor, respectfully acknowledging the receipt of his Excellency's message relative to the New-Brunswick sufferers, reported a draft, which was received and read the first time.

Mr. Rolph, seconded by Captain Matthews, moves that the address to his Excellency, thanking him for his message respecting the sufferers in New-Brunswick, be read a second time this day.

Which was carried and the address was read the second time.

Mr. Rolph, seconded by Mr. Randal, moves that this House do resolve itself into a Committee upon the address to his Excellency, acknowledging the receipt of his message respecting the sufferers in New-Brunswick.

Which was carried, and Mr. Gordon was called to the Chair.

The House resumed.

Mr. Gordon reported the address as amended.

The Report was ordered to be received.

Mr. Rolph, seconded by Mr. Lafferty, moves that the address to his Excellency, acknowledging his message respecting the sufferers in New-Brunswick, be engrossed and read a third time this day.

Which was ordered.

Agreeably to notice Mr. Beardsley, seconded by Mr. Playter, moves for leave to bring in a bill to amend an act passed in the thirty-fourth year of his late Majesty's reign, entitled "An Act for the regulation of Juries."

Which was granted and the bill read.

Mr. Beardsley, seconded by Mr. Playter, moves that the bill to amend an act passed in the thirty-fourth year of the reign of his late Majesty, be read a second time on Monday next.

Which was ordered.

Agreeably to the order of the day, the address to his Excellency the Lieutenant Governor, respectfully acknowledging his Excellency's message relative to the sufferers in New-Brunswick, was read the third time, passed, and signed by the Speaker, and is as follows :

*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 dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave respectfully to acknowledge the receipt of your Excellency's message, recommending to our favorable consideration the Sufferers in New-Brunswick by the late fire, and expressive of your Excellency's disposition to concur in any measure for their relief, and to acquaint your Excellency that the subject is under our serious consideration.

JOHN WILLSON, *Speaker.*

Commons House of Assembly, 17th November, 1825.

Mr. Rolph, seconded by Mr. Scollick, moves that Messrs. Thompson and McDonell be a Committee to wait upon his Excellency to know when he will be pleased to receive the address in answer to his message respecting the sufferers in New Brunswick, and to present the same.

Which was ordered.

Mr. Bidwell gives notice that he will, on to-morrow, move for leave to bring in a bill to confirm and make valid certain marriages heretofore contracted, and further to provide for the future solemnization of marriage within this Province.

Mr. Attorney General gives notice that he will move, on Thursday next, for leave to bring in a bill for the relief of persons in charge on execution for small debts.

Mr. Perry gives notice that he will, on to-morrow, move that the resolution of this House, ordering the Clerk to furnish the Editor of the Upper Canada Gazette with the votes of this House, be rescinded.

Mr. Lafferty gives notice that he will, on Wednesday the twenty-third instant, move for leave to bring in a bill for the better construction of mill dams over the river Credit, and other unnavigable streams.

The House adjourned.

2d Session, 9th Parliament, 5th Geo: IV.*Friday, 18th November, 1825.*

Agreeably to the order of the day, the Sedition Law Repeal Bill was read the third time.

Mr. Hamilton, seconded by Captain Matthews, moves that the Sedition Law Repeal Bill do now pass, and that it be entitled "An Act to repeal an act passed in the forty-fourth year of His late Majesty's Reign, chapter first, entitled "an act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof."

Which was carried. *nem. con.*

Present—Messrs. Beardsley, Beasley, Bidwell, Burke, Burnham, Clark, Fothergill, Gordon, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, McDonell, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, and White; and the bill was signed.

Agreeably to the order of the day the Felon's Counsel bill was read the third time.

Mr. Bidwell, seconded by Mr. Perry, moves that the bill do now pass, and that it be entitled "An Act for allowing persons tried for felony, the benefit of full defence by counsel."

Which was carried. *Nem. Con.*

Present—Messrs. Beardsley, Beasley, Bidwell, Burke, Burnham, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, McDonell, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, and White, and the bill was signed.

Messrs. Hamilton and Lefferty were ordered by the Speaker to carry up to the Honourable the Legislative Council the bill entitled "An Act to repeal an act passed in the forty-fourth year of His late Majesty's reign, chapter first, entitled an act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof," and to request their concurrence thereto.

Messrs. Bidwell and Rolph were ordered by the Speaker to carry up to the Honourable the Legislative Council the bill entitled "An Act for allowing persons tried for felony the benefit of full defence by counsel," and to request their concurrence thereto.

Agreeably to the order of the day the petition from William Phair and others, inhabitants of the Town of York, praying for authority to remunerate the services of firemen; the petition from the agents of the Honourable the East India Company, praying for drawbacks on Teas exported from Quebec, or unfit for sale; and the petition from the President and Directors of the Welland Canal Company, praying for a loan of twenty-five thousand pounds, were read.

Mr. Thompson, seconded by Mr. McDonell, moves that the petition of the President and Directors of the Welland Canal Company be referred to a select committee to be chosen by ballot, and that the said committee do consist of seven members, and have power to send for persons and papers, and to report by bill or otherwise.

In amendment, Mr. Hamilton, seconded by Mr. Randal, moves that the consideration of the petition of the President and Directors of the Welland Canal Company, be deferred until this day week.

Which was carried.

The original question, as amended, was then put and carried.

Mr. Lyons, seconded by Mr. McDonell, moves that the Petition of William Phair, and other inhabitants of the Town of York, be referred to Messrs. Thompson, Thomson, and Playter, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Agreeably to the order of the day, the New Brunswick relief bill was read the second time.

Mr. Playter, seconded by Mr. Rolph, moves that the House do now resolve itself into a Committee of the whole upon the bill for the relief of the sufferers in New-Brunswick.

Which was carried, and Mr. Clark was called to the chair.

The House resumed.

Mr. Clark reported the bill as amended.

The report was ordered to be received.

Mr. Playter, seconded by Mr. Rolph, moves that the bill for the relief of the sufferers in New-Brunswick be engrossed and read a third time on Tuesday next.

Which was ordered.

Mr. Playter gives notice that he will, on Tuesday next, move for leave to bring in a bill for the abolition of imprisonment for debt.

Mr. Playter gives notice that he will, on Wednesday next, move for leave to bring in a bill to remove certain disabilities affecting the people called Quakers, Menonists, Tunkers, and Moravians.

Mr. Fothergill, seconded by Mr. McDonell, moves that the resolution authorising the Speaker to instruct the Clerk of this House to furnish a correct copy of the votes of this House, together with a copy of the order of the day every evening to be hung up in some public place in the Library belonging to the Legislature, for the benefit of such of the Editors of the Newspapers in York, as may desire to publish them; be rescinded.

Which was carried.

Mr. Bidwell gives notice that he will, on Monday next, move that that part of the Journals of this House of the last session which contains the report of the Select Committee on the petition of sundry inhabitants of this Province on the subject of clergy reserves, be read and taken into consideration.

Mr. Perry gives notice that he will, on Monday next, move for leave to bring in a bill to enable persons holding lands in several Districts of this Province to pay the rates and taxes on the same to the treasurer of the District in which they may reside.

The House then adjourned till Monday.

Monday, 21st November, 1825.

Agreeably to the order of the day the Towns Representation bill was read the third time.

Mr. Rolph, seconded by Mr. McDonell, moves that the bill do now pass, and that it be entitled "An Act to provide for the payment of the Representatives of Towns in this Province."

Which was carried and the bill signed.

Messrs. Rolph and McBride were ordered by the Speaker to carry up to the Honourable the Legislative Council the bill entitled "An Act to provide for the payment of the Representatives of Towns in this Province," and to request their concurrence thereto.

Agreeably to the order of the day the Intestate Bill was read the third time.

Mr. Bidwell, seconded by Mr. Perry, moves that the bill do now pass, and that it be entitled "An Act for the more equal distribution of the property of persons dying intestate.

On which the House divided, and the Yeas and Nays being taken, were as follows:

YEAS—Messrs. Baby, Beardsley, Beasley, Bidwell, Burke, Burnham, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, McDonell, Perry, Playter, Randal, Scollick, Thompson, Thomson, Wilkinson, and White.—25.

NAYS—Messrs. Attorney General, Gordon, McDonald, and Walker.—4.

The question was carried in the affirmative by a majority of twenty-one and the bill was signed.

Messrs. Bidwell and Thompson were ordered by the Speaker to carry up to the Honourable the Legislative Council the bill entitled "An Act for the more equal distribution of the property of persons dying intestate," and to request their concurrence thereto.

Agreeably to the order of the day the petition of Samuel Wood and others, praying for amendment in the Welland Canal Bill; the pe-

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tion of sundry inhabitants of the District of Niagara, praying that the Welland Canal may be cut on the route already chartered; the petition of the inhabitants of the Town of Niagara, praying for an act of incorporation in favor of a company to be called the Niagara Canal Company, with leave to open a lateral cut from the Welland Canal, below the mountain ridge, to the Town of Niagara, sufficient for boat navigation; the petition of John M. A. Cameron and others, praying for an act for attaching the property of absconded debtors; and the petition of the inhabitants of the County of Prince Edward, praying to be set off into a separate District, were read.

Mr. Fothergill, seconded by Mr. Burnham, moves that the petition of certain inhabitants, from the County of Prince Edward, be referred to a select committee, and that Messrs. Lyons, Lefferty, McBride, and Gordon, do compose the same, with power to report by bill or otherwise.

Which was ordered.

Agreeably to notice, Mr. Rolph, seconded by Mr. McCall, moves for leave to bring in a bill for the punishment of open and common adultery.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. McBride, moves that the bill for the punishment of open and common adultery, be read a second time on Friday next.

Which was ordered.

Agreeably to notice, Mr. Bidwell, seconded by Mr. McBride, moves for leave to bring in a bill to confirm and make valid certain marriages heretofore contracted, and further to provide for the future solemnization of marriages within this Province.

Which was granted and the bill read.

Mr. Bidwell, seconded by Mr. McBride, moves that the bill to confirm and make valid certain marriages heretofore contracted, and further to provide for the future solemnization of marriages within this Province, be read a second time on Friday next.

Which was ordered.

Agreeably to the order of the day the Religious Society bill was read the second time.

Mr. Rolph, seconded by Mr. Bidwell, moves that the House do resolve itself into a Committee of the whole on the Religious Society relief bill.

Which was carried, and Mr. Beardsley was called to the Chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honourable the Legislative Council a message, and having retired, the Speaker read the same as follows:

MR. SPEAKER,

The Honourable the Legislative have received the Report of their Committee of Conference on the subject of the Library.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, November, 1825.

The House went again into committee on the Religious Society bill.

Mr. Beardsley in the Chair

The House resumed.

Mr. Beardsley reported the bill as amended.

The report was ordered to be received.

Mr. Rolph, seconded by Mr. McBride, moves that the bill for the relief of Religious Societies be engrossed, and read a third time on Thursday next.

Which was ordered.

The House then adjourned.

Tuesday, 22d November, 1825.

Agreeably to the order of the day the New-Brunswick relief bill was read the third time.

Mr. Playter, seconded by Mr. Beardsley, moves that the bill for the relief of the sufferers in New-Brunswick do now pass, and that it be entitled "An Act to raise a sum of money, by debentures, for the relief of the sufferers in New-Brunswick by the late fire.

Which was carried and the bill signed.

Messrs. Rolph and Playter were ordered by the Speaker to carry up to the Honourable the Legislative Council the bill entitled "An Act to raise a sum of money, by debentures, for the relief of the sufferers in New-Brunswick by the late fire, and to request their concurrence thereto.

Agreeably to notice, Mr. Rolph, seconded by Mr. McCall, moves for leave to bring in a bill to continue and amend an act assigning Limits to Gaols in this Province.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. McCall, moves that the bill for continuing and amending the act for assigning Limits to Gaols in this Province, be read a second time on Friday next.

Which was ordered.

Mr. Rolph, from the Committee to draft an address to his Excellency the Lieutenant Governor on importation of Flour to Great Britain, reported a draft which was received and read the first time.

Mr. Scollick, seconded by Mr. Matthews, moves that the address to his Excellency, respecting the importation of Flour, as well as Wheat, into the ports of Great Britain, be read a second time on Thursday next.

Which was ordered.

Agreeably to the order of the day, the bill for the encouragement of useful arts was read the second time.

Mr. McBride, seconded by Mr. McDonell, moves that the House do now resolve itself into a Committee of the whole on the bill to promote the progress of useful arts in this Province.

Which was carried, and Mr. Matthews was called to the Chair.

The House resumed.

Mr. Matthews reported progress, and obtained leave to sit again to-morrow.

Agreeably to the order of the day, the Wolf bill was read the second time.

Mr. Thompson, seconded by Mr. Lyons, moves that the House do now resolve itself into a Committee of the whole to take into consideration the Wolf bill.

Which was carried, and Mr. Lefferty was called to the Chair.

The House resumed to receive a message.

Mr. Secretary Hillier brought down from his Excellency the Lieutenant Governor a message, and having withdrawn, the Speaker read the same as follows:

2d Session, 9th Parliament, 5th Geo: IV.

P. MAITLAND.

The Lieutenant Governor thinks proper to transmit to the House of Assembly an Extract from Earl Bathurst's dispatch, as it may the more clearly shew the disposition of His Majesty's Government on a subject respecting which the Lieutenant Governor has already communicated with the House of Assembly by message.

Government House, 22d November, 1825.

Extract of a Dispatch from the Right Honourable the Earl Bathurst to His Excellency Major General Sir Peregrine Maitland, dated Downing Street, 22d July, 1825,

"I have had under my consideration the representations which I have had the honour of receiving from you on the subject of aliens, who have become settlers in the Province of Upper Canada, and I regret that it arrived at a period of the Session too late to admit of any measure being proposed to Parliament.

"I am of opinion that it will be advisable to confer, by a Legislative enactment, the civil rights and privileges of British subjects upon such citizens of the United States as, being heretofore settled in Canada, are declared by the judgment of the courts of law in England, and by the opinion of the law officers, to be aliens, and of including in the same enactment the disbanded officers and soldiers of foreign corps which were in the British service, and such other foreigners resident in Canada as are in truth aliens, although they have hitherto enjoyed, without question, the rights of British subjects.

"If, therefore, you should deem it expedient to submit to the Legislature of the Province, at its next session, a bill for the relief of such persons as are now in the Province, I have to convey to you His Majesty's sanction for assenting to it, notwithstanding the general Royal Instruction on that subject, and there is no necessity for you to withhold such bill for the signification of His Majesty's pleasure, unless it shall pass in such a shape as may make you doubtful of its expediency."

True Copy,

G. HILLIER.

The House went again into Committee on the Wolf bill.

The House resumed.

Mr. Lafferty reported the bill as amended.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. Jonas Jones, moves that the Wolf bill be referred to a select committee, to consist of Messrs. Hamilton, Beardsley, and Thompson.

Which was carried.

Agreeably to the order of the day the Jury Amendment bill was read the second time.

Mr. Beardsley, seconded by Mr. Playter, moves that the bill to amend an act passed in the thirty-fourth year of His late Majesty's reign entitled "An Act for the regulation of Juries," be referred to a Committee of the whole House.

Which was carried, and Mr. McBride was called to the Chair.

The House resumed.

Mr. McBride reported that the Committee had agreed to a resolution which he was directed to submit for the adoption of the House.

The report was ordered to be received, and the resolution adopted as follows: Resolved, that the Chairman be instructed to move that the bill be referred to a select Committee.

Mr. McBride, seconded by Mr. Bidwell, moves that the bill be referred to a Select Committee, and that Messrs. Beardsley, Attorney General, Rolph, and Jonas Jones, do compose the same.

Which was carried.

The House adjourned.

Wednesday, 23d November, 1825.

Mr. Hamilton, seconded by Mr. Randal, moves for leave to bring up the petition of James Gordon, Esquire, Stockholder in the Welland Canal Company.

Which was granted, and the petition brought up.

Agreeably to notice, Mr. Perry, seconded by Mr. Hornor, moves that the House do now resolve itself into a Committee of the whole on certain resolutions regulating races, theatrical and other exhibitions.

Which was carried, and Mr. Hamilton was called to the Chair.

The House resumed.

Mr. Hamilton reported that the Committee had risen.

Agreeably to notice, Mr. Perry, seconded by Mr. Bidwell, moves for leave to bring in a bill to enable persons holding lands in the several Districts of this Province, to pay rates and taxes on the same to the Treasurer of the District in which they may reside.

Which was granted and the bill read.

Mr. Secretary Cameron brought down from his Excellency the Lieutenant Governor the Public Accounts and Estimates for the ensuing year, which are as follows:

SCHEDULE OF ACCOUNTS prepared to be laid before the Second Session of the Ninth Provincial Parliament.

No. 1	Statement of Duties collected at the Port of Quebec, from the 6th April to the 10th October, 1824.
2	Statement of Duties collected at the Port of Quebec, from the 11th October 1824 to the 5th April, 1825.
3	General Statement of the Receiver General's Receipts and Payments of Provincial Revenue, from the 1st January to the 30th June, 1825, inclusive.
4	Abstract of Warrants issued on the Receiver General, under the several Provincial Enactments, from the 1st January to the 30th June, 1825, inclusive.
5	General Statement of the Receiver General's Receipts and Payments of Provincial Revenue, from the 1st July to the 7th November, 1825.
6	Abstract of Warrants issued on the Receiver General, under the several Provincial Enactments, from the 1st July to the 7th November, 1825.
7	Statement of Receipts and Payments on account of the Appropriation for the Civil Government, completing the service of the year 1824—with an abstract of the Warrants issued on account thereof, annexed.
8	Statement of Receipts and Payments on account of the Appropriation of £2,500 annually, by statute of 56 Geo. 3, cap. 26, from 1st January to 7th November, 1825—with an abstract of the Warrants issued on account thereof, annexed.
9	Account of Revenue from Shop, Tavern, Still, and Wholesale Dealers' Licences, from 5th January to 5th October, 1825, with the names of the persons licenced.

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- No. 10 | Account of Revenue from Duties on Merchandize, imported from the United States, from 1st January to 30th September, 1825.
 11 | Account of Revenue from Licences issued to Hawkers and Pedlars, from 1st January to 30th September, 1825.
 12 | Account of Revenue from Licences to Auctioneers, and on Sales at Auction, from 1st January to 30th September, 1825.
 13 | Estimate for the Civil List, for the year 1825.
 14 | Estimate for the Civil List, for the year 1826.
 15 | General Estimate of the Expenditure and Resources of the Province, for the year 1826.
 16 | Account of Monies outstanding in the hands of Inspectors and Collectors, on the 7th November, 1825.

(Signed)

J. BABY, *Inspector General.**Inspector General's Office, 7th November, 1825.*

See Appendix.

Mr. Perry, seconded by Mr. Beardsley, moves that the bill to enable persons holding lands in the several Districts of this Province, to pay rates and taxes on the same to the Treasurer of the District in which they may reside, be read a second time on Saturday next.

Which was carried.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Thompson, moves for leave to bring in a bill for the opening and amending the principal highway leading through this Province.

Which was granted and the bill read.

Mr. Attorney General, seconded by Mr. Thompson, moves that the Highway bill be read a second time on Monday next.

Which was carried.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Thompson, moves for leave to bring in a bill for dispensing with the actual pronouncing of sentence of death, in certain cases of capital convictions.

Which was granted and the bill read.

Mr. Attorney General, seconded by Mr. Thompson, moves that the bill for recording the sentence of death in certain cases of capital convictions, be read a second time on Monday next.

Which was ordered.

Agreeably to notice, Mr. Playter, seconded by Captain Matthews, moves for leave to bring in a bill for the relief of Quakers, Menonists, Tunkers and Moravians.

Which was granted and the bill read.

Mr. Playter, seconded by Mr. Beardsley, moves that the bill for the relief of Quakers, Menonists, Tunkers and Moravians, be read again on Saturday next.

Which was ordered.

Mr. Fothergill, from the committee to whom was referred the petition of the inhabitants of the County of Prince Edward, reported that the committee had agreed to a bill, which he was directed to submit whenever the House would please to accept the same.

The report was ordered to be received, and the bill was read the first time.

Mr. Fothergill, seconded by Mr. Burnham, moves that the bill for setting apart the County of Prince Edward as a separate District, be read a second time on Saturday next.

Which was ordered.

Agreeably to notice, Mr. Leferty, seconded by Mr. Thompson, moves for leave to bring in a bill for the better construction of mill-dams over the Rivers Credit and Humber.

Which was granted and the bill read.

Mr. Leferty, seconded by Mr. Ingersol, moves that the bill for the better construction of mill-dams over the Rivers Credit and Humber, be read a second time on Monday next.

Which was ordered.

Mr. Hamilton, seconded by Mr. Clark, moves that this House do, on to-morrow at 12 o'clock, proceed by ballot to appoint a committee of seven members to examine and report on the public accounts.

Which was ordered.

Mr. Fothergill gives notice that he will, on Monday next, move that this House do resolve itself into a Committee of the whole, to take into consideration the expediency of consolidating or bringing nearer together the various offices connected with the Land Granting Department.

Mr. Thomson gives notice that he will, on Friday next, move for leave to bring in a bill to impose a tax upon dogs in certain Towns in this Province.

The House adjourned.

Thursday, 24th November, 1825.

Mr. Thomson, seconded by Mr. McDonald, moves for leave to bring up the petition of Thomas Markland, Esq. and others, Inhabitants of the Town of Kingston.

Which was granted and the Petition brought up.

Mr. Matthews, seconded by Mr. Hamilton, moves for leave to bring up the Petition of James Edwards of the Township of Mosa.

Which was granted and the Petition brought up.

Agreeably to the order of the day, the Religious Society Bill was read the third time.

Mr. Playter, seconded by Mr. McBride, moves that the Bill do now pass, and that it be entitled "An Act to enable Societies professing Christianity to hold lands for certain purposes."

In amendment, Mr. Beardsley, seconded by Mr. Perry, moves that after the word "that" in the original motion, the remaining words be expunged, and the following inserted, "the Religious Society Bill be now re-committed."

On which the House divided, and the Yeas and Nays being taken, were as follows:—

YEAS—Messrs. Beardsley, Burke, Hamilton, C. Jones, Leferty, McDonald, Perry, Randal, and White—9.

NAYS—Messrs. Attorney General, Beasley, Baby, Burnham, Cameron, Clark, Fothergill, Hornor, Ingersol, Jonas Jones, Lyons, Matthews, McBride, McCall, McDonell, Playter, Rolph, Scollick, Thompson, Thomson, Walsh, and Wilkinson—22.

The question was decided in the negative by a majority of thirteen, and lost accordingly.

On the original question, the House divided, and the Yeas and Nays being taken, were as follows:—

YEAS—Messrs. Attorney General, Baby, Beardsley, Beasley, Burnham, Cameron, Clark, Fothergill, Gordon, Hornor, Ingersol, Jonas Jones, Leferty, Lyons, Matthews, McBride, McCall, McDonald, McDonell, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Walsh, and Wilkinson—28.

NAYS—Messrs. Burke, Hamilton, C. Jones, and White—4.

The question was carried in the affirmative, by a majority of twenty-four, and the bill was signed.

Messrs. Rolph and Playter, were ordered by the Speaker to carry up to the Honourable the Legislative Council the Bill entitled "An Act to enable Societies professing Christianity to hold lands for certain purposes," and to request their concurrence thereto.

Agreeably to the order of the day, at 12 o'clock, the House proceeded to ballot for Committee of Finance, when the following names were drawn: Messrs. Thomson, Matthews, Hamilton, Rolph, Bidwell, Gordon, and Hornor.

2d Session, 9th Parliament, 5th Geo: IV.

Agreeably to notice, Mr. Rolph, seconded by Mr. Playter, moves for leave to bring in a bill providing for the arrest of offenders escaping into this Province from the United States of America.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. Playter, moves that the bill providing for the arrest of offenders escaping into this Province from the United States of America, be read a second time on Monday next.

Which was ordered.

Agreeably to the order of the day, the House went into committee on the Improvement Bill.

Mr. Matthews was called to the chair.

The House resumed.

Mr. Matthews reported the bill as amended.

Mr. Walsh, seconded by Mr. Hamilton, moves that the report be not now received.

Which was carried, and the House went again into committee on the Improvement Bill.

Mr. Matthews in the chair.

The House resumed.

Mr. Matthews reported the bill as amended.

The report was ordered to be received.

Mr. McBride, seconded by Mr. Thomson, moves that the bill to promote the progress of useful arts in this Province, be referred to a select committee, and that Messrs. Attorney General, Rolph, and Jonas Jones, do compose the same.

Which was carried.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, relative to the importation of flour into the ports of Great Britain, was read the second time.

Mr. Scollick, seconded by Capt Matthews, moves that the House do resolve itself into a committee upon the address to His Excellency respecting the importation of flour, as well as wheat, into the ports of Great Britain.

Which was carried, and Mr. Perry was called to the chair.

The House resumed.

Mr. Perry reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House.

The report was ordered to be received and the resolution adopted as follows:—

Resolved—That it is the opinion of this committee, that it is expedient to refer the consideration of the Address to His Excellency the Lieutenant Governor, respecting the admission of Canadian Flour into England, to a committee of the whole House to be moved for in order to take into consideration the general effect of the late measures of the Imperial Parliament for regulating the Colonial Trade, upon the commercial and agricultural interests of this Province.

Mr. Attorney General, seconded by Mr. Scollick, moves that the House do on Wednesday next, resolve itself into a committee of the whole to take into consideration the effect of the late Acts of the Imperial Parliament for regulating the trade of the British Colonies upon the interests of this Province, and whether any representation shall be made to His Majesty's Government thereupon.

Which was carried.

Mr. Jonas Jones gives notice that he will, on to-morrow, move for the appointment of a select committee on the Administration of Justice in this Province.

Doors closed.

Doors opened.

The House adjourned.

Friday, 25th November, 1825.

Agreeably to the order of the day, the Petition of James Gordon, Esq. Stockholder in the Welland Canal, praying that the original Route of the Welland Canal might not be deviated from—was read.

Mr. Hamilton, seconded by Mr. Matthews, moves that the Petition of James Gordon, Esq. Stockholder in the Welland Canal, be referred to the committee (when appointed) to take into consideration the Welland Canal Petition.

Which was ordered.

Mr. McBride, seconded by Mr. Lefferty, moves that the Petition of sundry inhabitants of the Town of Niagara and its vicinity, be referred to the committee (when appointed) to take into consideration the Welland Canal Petition.

Which was ordered.

Mr. Lefferty, seconded by Mr. McBride, moves that the Petition of sundry inhabitants of the District of Niagara, be referred to the committee (when appointed) to whom may be referred the Petition of the President and Directors of the Welland Canal Company.

Which was ordered.

Agreeably to the order of the day, the House went into the consideration of the petition of the President and Directors of the Welland Canal Company

Mr. Thompson, seconded by Mr. Lyons, moves that the petition of the President and Directors of the Welland Canal Company be referred to a Committee to be forthwith chosen by ballot, and that the said committee do consist of seven members with power to send for persons and papers, and to report by bill or otherwise,

Which was carried, and the following names were drawn:

Messrs. Rolph, Attorney General, Gordon, Matthews, McBride, Beardsley, and Charles Jones.

Agreeably to the order of the day the Adultery bill was read the second time.

Mr. Rolph, seconded by Mr. Ingersol, moves that the House do go into committee on the Adultery bill.

Which was carried and Mr. McDonell was called to the chair.

The House resumed.

Mr. McDonell reported progress and asked leave to sit again to-morrow.

On the question for receiving the report the House divided and the Yeas and Nays being taken, were as follows:

YEAS—Messrs. Baby, Beardsley, Burnham, Burke, Cameron, Clark, Gordon, Ingersol, Jonas Jones, Lefferty, McBride, McCall, McDonald, McDonell, Playter, Rolph, Thompson, Thomson, Walker, Wilkinson, and White.—21.

NAYS—Messrs. Beasley, Hamilton, Hornor, Charles Jones, Matthews, Perry, Randal, and Scollick.—8.

The question was carried in the affirmative by a majority of thirteen, the report was received and leave was granted accordingly.

Agreeably to the order of the day, the Goal Limits bill was read the second time.

Mr. Rolph, seconded by Mr. Perry, moves that the House do go into committee on the Gaol Limits Amendment bill.

Which was carried, and Mr. C. Jones was called to the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honourable the Legislative Council a message, and the bill entitled "An Act to repeal the several laws now in force relating to the late pretended Bank of Upper Canada, and to make further provision for settling the affairs of the said institution," which the Honourable the Legislative Council had passed, and to which he was desired to request the concurrence of the House of Assembly, and having retired, the Speaker read the message as follows:

Sir P. Maitland, K. C. B. Lieutenant Governor.

MR. SPEAKER,

The Honourable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of the bill entitled "An Act to raise a sum of money by debentures for the relief of the sufferers in New-Brunswick, by the late fire," and have appointed a committee of two members, who will be ready to meet a committee of that House, in the joint Committee Room, this day at one o'clock, P. M.

WILLIAM CAMPBELL, *Speaker.**Legislative Council Chamber, 25th November, 1825.*

The bill sent down from the Honourable the Legislative Council entitled "An Act to repeal the several laws now in force relating to the late pretended Bank of Upper Canada, and to make further provision for settling the affairs of the said institution," was then read the first time.

Mr. Rolph, seconded by Mr. Thomson, moves that Messrs. Attorney General, Playter, McBride, and Hamilton, do form a committee to meet the conferees of the Honourable the Legislative Council on the subject of the bill entitled "An Act to raise a sum of money by debentures for the relief of the sufferers in New Brunswick, by the late fire," this day at the time and place appointed.

Mr. Attorney General, seconded by Mr. Thompson, moves that the bill entitled "An Act to repeal the several laws now in force relating to the late pretended Bank of Upper Canada, and to make further provision for settling the affairs of the said institution," sent down from the Honourable the Legislative Council, be read a second time on Tuesday next.

Which was ordered.

Mr. Rolph, seconded by Mr. Thomson, moves that a message be sent to the Honourable the Legislative Council, acquainting them that this House has appointed conferees to meet their conferees on the bill entitled "An Act to raise a sum of money by debentures for the relief of the sufferers in New-Brunswick, by the late fire," at the time and place appointed.

Which was ordered.

The House went again into Committee on the Goal Limits bill.

The House resumed.

Mr. Charles Jones reported progress and obtained leave to sit again to-day.

Mr. Attorney General, from the Committee of conference on the subject matter of the bill, entitled "An Act to raise a sum of money by debenture for the relief of the sufferers in New-Brunswick by the late fire," reported as follows :

The committee of conference on the part of the House of Assembly, met the committee of conference on the part of the Legislative Council, on the subject of a bill passed by the House of Assembly and sent up to the Honourable the Legislative Council, entitled "An Act to raise a sum of money by debentures for the relief of the sufferers in New-Brunswick by the late fire," and were informed by the said committee that the conference was requested for the purpose of representing to the House of Assembly, that it was recited in the preamble of the said bill, "that the people of Upper Canada were mindful of the contribution of the people of New-Brunswick to the sufferers of Upper Canada in the late war," and that it was not within the knowledge of the Legislative Council that the people of New-Brunswick had so contributed, but on the contrary, they had reason to believe that the contribution intended to be alluded to was made by Nova Scotia and not by New-Brunswick, which error, if it be an error, the Legislative Council conceives it would be expedient to correct.

Also, that in the fourth clause of the said bill the words, "or by the direction of the said House of Assembly," appear to have been inserted by mistake, and to have no connection with the subject matter of the said clause, and also that in the fifth clause of the said bill, in the fifth line thereof, the words "an account thereof," appear to have been omitted—and that it appears by error the words, "Commons House of Assembly" have been adopted instead of the words, "Legislature of this Province," in the sixth line of the last mentioned clause.

JOHN B. ROBINSON, *Chairman.*
Committee of Conference,
House of Assembly.

Joint Committee Room, 26th November, 1825.

Mr. Rolph gives notice that he shall, to-morrow move for leave to bring in a bill to contribute to the relief of the sufferers in New Brunswick.

Agreeably to the order of the day, the House went again into committee on the Goal Limits Bill.

Mr. Charles Jones in the chair.

The House resumed.

Mr. Jones reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House.

The report was ordered to be received and the resolution was adopted as follows :—

Resolved—That the chairman be instructed to move that the bill be referred to a select committee.

Mr. Charles Jones, seconded by Mr. Hornor, moves that Messrs. Clark, Hamilton, and Baby, be a committee to whom shall be referred the amendment and continuance of the act for assigning limits to Gaols.

Which was carried.

Agreeably to notice Mr. Jonas Jones, seconded by Mr. Walker, moves that Messrs. Attorney General, Rolph, Bidwell, and Gordon be a committee upon the Administration of Justice in this Province, with power to send for persons and papers, and have leave to report by bills or otherwise.

Which was carried.

Mr. Fothergill gives notice that he will, on Wednesday next, move leave to bring in a bill to regulate the outlay of all monies voted by this House for the purposes of Internal Improvement.

The House adjourned till Monday 10 o'clock A. M.

Monday, 28th November, 1825.

Mr. Hamilton, seconded by Mr. Beasley, moves for leave to bring up the Petition of the Magistrates, Grand Jury, and Inhabitants of the District of Gore.

Which was granted, and the petition brought up.

Mr. Rolph, seconded by Mr. Bidwell, moves for leave to bring up the Petition of John Matthews, respecting a case of confiscated estates.

Which was granted, and the petition brought up.

Mr. Thomson, seconded by Mr. Bidwell, moves for leave to bring up the Petition of Henry Murney, Esq. of the Township of Kingston.

Which was granted, and the petition brought up.

Mr. Walsh, seconded by Mr. McCall, moves for leave to bring up the petition of sundry inhabitants of the Township of Townsend, in the London District, praying that an act may be passed to establish a line, run in the year one thousand eight hundred and twenty-three, between the twelfth and thirteenth concessions of the said Township.

Which was granted and the petition brought up.

Mr. Walsh, seconded, by Mr. Lafferty, moves for leave to bring up the petition of Michael Shaw and other inhabitants of the Township of Townsend, in the London District, praying that no act may be passed relative to the line between the twelfth and thirteenth concessions of the said Township.

2d Session, 9th Parliament, 5th Geo: IV.

Which was granted and the petition brought up.

Agreeably to the order of the day the petition of Thomas Markland, and others, of the Town of Kingston, praying for authority to make certain regulations as respects the said Town—and the petition of James Edwards, praying to be allowed to traverse a certain Inquisition, were read.

Mr. Clark, seconded by Mr. Randal, moves that the petition of Samuel Wood and others be referred to the committee to whom was referred the petition of the President and Directors of the Welland Canal Company.

Which was ordered.

Mr. Thomson, seconded by Mr. Rolph, moves that the Petition of Thomas Markland, Esq. and others be referred to a select committee, and that Messrs. Burke, Bidwell and McBride do compose the same.

Which was ordered.

Mr. Matthews, seconded by Mr. Hamilton, moves that the Petition of James Edwards be referred to a select committee, consisting of Messrs. Beardsley, Hamilton, and Lefferty.

Which was ordered.

Agreeably to the order of the day, at twelve o'clock the House was called.

The Members absent were :—

Messrs. Atkinson,—excused, ill health.

Burnham.

Coleman,—excused, ill health.

Crysler.

Cumming,—excused, ill health.

David Jones.

McDonald.

McLean.

Morris.

Peterson.

Vankoughnett, &

Wilson.

Agreeably to notice Mr. Rolph, seconded by Mr. Playter, moves for leave to bring in a bill for contributing to the relief of the sufferers in New Brunswick.

Which was granted, and the bill read.

Mr. Rolph, seconded by Mr. Playter, moves that the forty first rule be dispensed with as far as regards the same, and that the bill for relief to sufferers in New Brunswick, be read a second time this day.

Which was carried, and the bill read the second time.

Mr. Rolph, seconded by Mr. Playter, moves that the House do go into committee on the bill for contributing to the relief of the sufferers in New Brunswick.

Which was carried, and Mr. Scollick was called to the chair.

The House resumed.

Mr. Scollick reported the bill amended.

The report was ordered to be received.

Mr. Rolph, seconded by Mr. McBride, moves that the bill for relieving the New Brunswick sufferers be engrossed and read a third time this day.

Which was ordered.

Mr. Boulton Master in Chancery, brought down from the Honourable the Legislative Council, the bill entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned" which they had passed and to which he was directed to request the concurrence of this House, and having retired, the Bill sent down from the Honourable the Legislative Council entitled "An Act to confirm and quiet in the possession of their estates and to admit to the civil rights of subjects certain classes of persons therein mentioned" was read the first time.

Mr. Hamilton, seconded by Mr. Matthews, moves that one thousand copies of the bill entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned" with the several messages relative to the subject, be printed.

Which was carried.

Mr. Rolph, from the committee to whom was referred the message of His Excellency the Lieutenant Governor relative to the civil rights of certain of His Majesty's subjects in this Province, reported that the committee had agreed to report two bills which he was ready to submit to the House whenever it would please to receive the same.

The report was ordered to be received and the bills were read.

Mr. Perry, seconded by Mr. Thomson, moves that one thousand copies of the bills reported by the select committee appointed to take into consideration His Excellency's message relative to the civil rights of certain of the Inhabitants of this Province be printed for the use of Members.

On which the House divided and the Yeas and Nays being taken were as follows :—

YEAS—Messrs. Atty General, Baby, Beardsley, Beasley, Bidwell, Burke, Cameron, Clark, Fothergill, Hamilton, Hornor, Ingersol, Charles Jones, Jonas Jones, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Wilkinson, and White—29.

NAYS.—Messrs. Gordon, McDonell, and Walsh—3.

The question was carried in the affirmative by a majority of twenty-six and ordered accordingly.

Mr. Attorney General, seconded by Mr. Charles Jones, moves that the bill entitled "An Act to confirm and quiet in the possession of their Estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," sent down from the Honourable the Legislative Council, be read a second time on Monday next.

Which was ordered.

Mr. Rolph, seconded by Mr. McBride, moves that the bill declaring the rights of certain Persons in this Province, be read a second time on Tuesday week.

Which was ordered.

Mr. Rolph, seconded by Mr. McBride, moves that the Bill respecting certain Foreigners in this Province be read a second time on Tuesday week.

Which was ordered.

Agreeably to notice Mr. Playter, seconded by Mr. Beardsley, moves for leave to bring in a bill for the abolition of imprisonment for debt in certain cases.

Which was granted and the bill read.

Mr. Playter, seconded by Mr. Beardsley, moves that the Bill for the abolition of imprisonment for debt in certain cases, be read a second time on Thursday next.

Which was ordered.

Sir P. Maitland, K. C. B. Lieutenant Governor.

Agreeably to notice Mr. Lefferty, seconded by Mr. Scollick, moves for leave to bring in a bill for the more easy arrest of absconding debtors.

Which was granted and the bill read.

Mr. Lefferty, seconded by Mr. Scollick, moves that the bill for the more easy arrest of absconding debtors may be read a second time on Friday next.

Which was ordered.

Agreeably to notice, Mr. Thomson, seconded by Mr. Bidwell, moves for leave to bring in a bill to impose a tax upon dogs in certain Towns of this Province.

Which was granted and the bill read.

Mr. Thomson, seconded by Mr. Bidwell, moves that the Dog tax bill be read a second time on Friday next.

Which was ordered.

Agreeably to the order of the day the Assessment amendment bill was read the second time.

Mr. Perry, seconded by Mr. McDonell, moves that the House do now resolve itself into a committee of the whole on the Assessment amendment bill.

Which was carried and Mr. Jonas Jones was called to the chair.

The House resumed.

Mr. Jones reported progress and obtained leave to sit again to-morrow.

Mr. Rolph gives notice that he shall to-morrow move that an address be presented to His Excellency requesting Him to lay before this House the correspondence and all other instructions and communications to and from His Majesty's Government in England, respecting the subject of His Excellency's message touching the civil rights of certain inhabitants in this Province.

Mr. Rolph gives notice that he shall to-morrow move for the appointment of a committee to inquire into the causes of the Statutes of the last Session being delayed in printing.

Mr. Attorney General, seconded by Mr. Cameron, moves that the petition of the Agents to the Honourable the East India Company for the sale of their Tea in Canada be referred to a committee of the whole House on Thursday next.

Which was carried.

The House adjourned.

Tuesday, 29th November, 1825.

Agreeably to the order of the day the New Brunswick relief Bill was read the third time.

Mr. Playter, seconded by Mr. Rolph, moves that the bill do now pass, and that it be entitled "An Act granting to His Majesty a sum of money for the relief of the sufferers in New Brunswick by the late fire."

Which was carried and the bill signed.

Messrs. Playter and Rolph were ordered by the Speaker to carry up to the Honourable the Legislative Council the bill entitled "An Act granting to His Majesty a sum of money for the relief of the sufferers in New Brunswick by the late fire," and to request their concurrence thereto.

Agreeably to notice Mr. Hamilton, seconded by Mr. Randal, moves that the House do now resolve itself into a committee of the whole to take into consideration the losses sustained by the inhabitants of this Province during the late war with the United States of America.

Which was carried and Mr. Burke was called to the chair.

The House resumed to receive a message.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor several messages and documents, and having retired the Speaker read the messages as follows:—

P. MAITLAND.

The Lieutenant Governor thinks proper to acquaint the House of Assembly that in consequence of their address presented to Him in the last Session he has solicited and obtained the permission of His Majesty's Government to lay before them in the ordinary detailed form, an account of the Receipts and expenditure of His Majesty's casual and territorial revenue for 1821, 1822, 1823 and 1824, which is transmitted herewith.

By this account it will appear that the total receipt arising from the Grant and Lease of the Crown Lands within that period has been £5754 19 8, and that the annual allowance of £1000 to the Lieutenant Governor instead of Fees has amounted to £4000, that the Fees to the officers employed in preparing the Land patents for U. E. Loyalists and other privileged persons have amounted to £1736 7 9½ (over and above £664 1 7 paid from the Military Chest), and that further payments have been recently made from this for fund similar patents issued within the period in question amounting to £1266 1 1½.

It will farther be seen that His Majesty's casual revenue arising from fines forfeitures and ferries, for the four years referred to, has amounted to £3634 3 1 and that all payments made therefrom have been for objects of public utility, sanctioned by his Majesty's Government.

The annual amount of presents to the Indian Tribes in Upper Canada, the greater part of which is on account of Cessions of Territory made at different times to the Crown, exceeds Twenty thousand pounds—and the Treasury of the Mother Country looks to His Majesty's casual and territorial revenue in this Province for relief from this charge.

Government House, 29th November, 1825.

See Appendix.

P. MAITLAND.

The Lieutenant Governor transmits, for the information of the House of Assembly, a statement of debentures issued under authority of the several Provincial Statutes of the 2nd and 4th years of His Majesty's Reign Chapters, 5, 8, 16 and 24.

Government House, 29th November, 1825.

See Appendix.

P. MAITLAND.

The Lieutenant Governor transmits to the House of Assembly a copy of the Report of the Arbitrators appointed under the Canada Trade Act for deciding the proportion of duties to be paid to this Province from Imports at Quebec.

The Lieutenant Governor has no doubt that the House of Assembly will recognize, in these documents, the zeal and ability with which the negotiation has been conducted on the part of this Province, and that the House will perceive the propriety of enabling Him to afford an adequate remuneration to the officers employed on that important duty by placing at his disposal for that purpose a sum not less than six hundred pounds.

Government House, 29th November, 1825.

See Appendix.

2d Session, 9th Parliament, 5th Geo: IV.**P. MAITLAND.**

The Lieutenant Governor transmits for the information of the House of Assembly an account and vouchers of the Commissioners of internal Navigation, of receipts and Disbursements by them to the 5th of February 1825.

Government House, November. 29th 1825.

See Appendix.

P. MAITLAND.

The Lieutenant Governor transmits for the information of the House of Assembly copies of returns of the population of the several Districts of this Province for the year 1825.

Government House, 29th November. 1825.

See Appendix.

Mr. Jonas Jones, seconded by Mr. McDonell, moves that an humble address be presented to His Excellency thanking him for his several messages of this day, and that Messrs. Gordon and Cameron be a committee to draft the said address.

Which was ordered.

Mr. Jonas Jones, seconded by Mr. Cameron, moves that that part of His Excellency's message of this day respecting the proceedings of the Arbitrators for settling the proportion of revenue to be paid by Lower Canada to this Province, which relates to the appropriation of a sum of money for the purposes therein mentioned, be referred to the committee of supply.

Which was ordered.

Mr. Jonas Jones, seconded by Mr. Cameron, moves that His Excellency's messages of this day, with the documents accompanying the same relating to debentures and the casual and territorial revenue of this Province, be referred to the committee of Finance.

Which was ordered.

The House went again into committee on losses.

Mr. Burke in the chair.

The House resumed.

Mr. Burke reported that the committee had agreed to the following resolutions and asked leave to sit again to-morrow.

Resolved,—That the sympathy expressed by the Legislature of Lower Canada for the great losses and sufferings which so many individuals, inhabitants of Upper Canada, sustained in the late contest with the United States of America, afford strong grounds to hope that the Legislature of Lower Canada will, as soon as the commercial circumstances of that Province render it practicable, concur in the imposition of new taxes for the relief of the sufferers.

Resolved,—That since the adoption of the before mentioned Resolution, it appears by the returns of the trade, and revenue of the Ports of Quebec and Montreal, that a great improvement has taken place in the commerce of Lower Canada. That it also appears by An Act of a late Session of the Imperial Parliament, a direct trade has been permitted between that Province and China, whereby still greater improvements may be reasonably expected.

The report was ordered to be received, leave was granted and it was Resolved, that the sympathy expressed by the Legislature of Lower Canada for the great losses and sufferings which so many individuals, inhabitants of Upper Canada, sustained in the late contest with the United States of America afford strong grounds to hope that the Legislature of Lower Canada will, as soon as the commercial circumstances of that Province render it practicable, concur in the imposition of new taxes for the relief of the sufferers.

Resolved,—That since the adoption of the before mentioned Resolution, it appears by the returns of the trade, and revenue of the Ports of Quebec and Montreal, that a great improvement has taken place in the commerce of Lower Canada. That it also appears by An Act of a late Session of the Imperial Parliament, a direct trade has been permitted between that Province and China, whereby still greater improvements may be reasonably expected.

And leave was granted accordingly.

Agreeably to notice Mr. Rolph, seconded by Mr. McBride, moves that an humble address be presented to His Excellency, requesting him to lay before this House the correspondence and other instructions and communications from His Majesty's Government in England respecting the subject of His Excellency's message, touching the civil rights of certain inhabitants in this Province, and that Messrs. Playter and McCall do form a committee to draft and report the same.

On which the House divided, and the Yeas and Nays being taken were as follows:—

YEAS—Messrs. Baby, Beardsley, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Walsh and White—23.

NAYS—Messrs. Burke, Cameron, Gordon, C. Jones, J. Jones, McDonell, Walker and Wilkinson—8.

The question was carried in the affirmative by a majority of fifteen and ordered accordingly.

Mr. Rolph, from the committee to draft an address to His Excellency the Lieutenant Governor, relative to communications to and from His Majesty's Government respecting Aliens, reported a draft which was received and read the first time.

Mr. Rolph, seconded by Mr. McBride, moves that the address to His Excellency requesting information respecting the civil rights of certain inhabitants in this Province, be read a second time this day.

Which was carried and the draft was read the second time.

Mr. Rolph, seconded by Mr. McBride, moves that the House do resolve itself into a committee upon the address to His Excellency, requesting him to lay before the House the correspondence and other communications to and from England on the subject of His Excellency's message respecting the civil rights of certain inhabitants in this Province.

Which was carried, and Mr. Playter was called to the chair.

The House resumed.

Mr. Playter reported the address without amendment.

The report was ordered to be received.

Mr. Rolph, seconded by Mr. McBride, moves that the address to His Excellency respecting his message relative to the civil rights of certain persons in this Province, be engrossed and read a third time this day.

Which was ordered.

Agreeably to notice Mr. Rolph, seconded by Mr. Bidwell, moves that a committee be appointed to inquire into and report upon the cause of the delay in printing the Statutes of last Session, and that Messrs. Baby and Thomson do form that committee with power to send for persons and papers.

Which was ordered.

Agreeably to the order of the day the Address to His Excellency the Lieutenant Governor, relative to communications to and from His Majesty's Government on the subject of Aliens was read the third time, as follows:

Sir P. Maitland, K. C. B. Lieutenant Governor.

*To His Excellency SIR PEREGRINE MAITLAND, Knight Commander of the Most Honourable 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 dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, having under our most serious consideration measures for affording relief to those classes of His Majesty's faithful subjects in this Province, mentioned in Your Excellency's message recommending to our particular attention the state of their Civil Rights, and being most anxious to have before us every information which relates to so very important a matter, humbly request your Excellency to direct the proper officer to lay before this House the correspondence, and all other communications to and from his Majesty's Government in England on that subject, as well as any past instructions relating to it.

On the question for passing the address, the House divided and the Yeas and Nays being taken were as follows :

Yeas—Messrs. Beardsley, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Wilkinson and White.—22.

Nays—Messrs. Burke and Walker.—2.

The question was carried in the affirmative by a majority of twenty and the address was signed.

Mr. Rolph, seconded by Mr. McCall, moves that Messrs. Lafferty and Perry do form a committee to wait upon his Excellency to know when he will be pleased to receive the address requesting information on the subject of his message relative to the civil rights of certain inhabitants of this Province and to present the same.

Which was carried.

Mr. Perry gives notice that he will on to-morrow move for leave to bring in a bill to repeal part of and amend the Laws now in being for raising and training the Militia of this Province.

The House adjourned.

Wednesday, 30th November, 1825.

Mr. Attorney General, seconded by Mr. Thompson, moves for leave to bring up the Petition of the Justices of the Home District, praying for assistance in the erection of a Gaol and Court House.

Which was granted and the petition brought up.

Agreeably to the order of the day the petition of certain Magistrates, gentlemen of the grand jury, & others, inhabitants of the District of Gore, praying for authority to borrow on the credit of the said District, the sum of five thousand pounds for the purpose of erecting a Gaol and Court House in the Town of Hamilton—the petition of John Matthews, Esq. praying that his case may be taken into consideration, and such proceedings adopted thereon, as may in the wisdom of the House seem good—the petition of Henry Murney of the Town of Kingston, praying that Lot No. 25 in the first Concession of Kingston may form a part of the said Town—and the petition of sundry inhabitants of the Township of Townsend, in the London District, praying that an act may be passed establishing a certain survey in said Township made in 1823—and the petition of certain inhabitants of the said Township of Townsend, praying that the above mentioned survey may not be established, were read.

Mr. Hamilton, seconded by Mr. McCall, moves that the petition of the Magistrates, Grand Jury, and Inhabitants of the District of Gore, be referred to a select committee, and that Messrs. Scollick, Beasley, Thomson of Frontenac, and Matthews, do compose the same.

Which was ordered.

Mr. Thomson, seconded by Mr. Rolph, moves that the Petition of Henry Murney be referred to the Committee appointed to take into consideration the Petition of Thomas Markland and others.

Which was ordered.

Mr. Rolph, seconded by Mr. Hamilton, moves that the Petition of John Matthews, Esq. complaining of the conduct of the Commissioners for the sale of confiscated Estates, be referred to a select committee to report thereon, and that Messrs. Attorney General and Bidwell do form such committee with power to send for persons and papers.

In amendment, Mr. McBride, seconded by Mr. Thomson moves that the name Attorney General be struck out, and the name Mr. Hamilton be inserted.

On which the House divided, and the Yeas and Nays being taken were as follows:—

Yeas—Messrs. Attorney General, Baby, Beasley, Burnham, Burke, Cameron, Clark, Gordon, Ingersol, C. Jones, J. Jones, Lyons, McBride, McDonald, McDonell, Thompson, Thomson, Walker, Walsh and Wilkinson—20

Nays—Messrs. Beardsley, Bidwell, Hamilton, Hornor, Lafferty, Matthews, Mc Call, Perry, Playter, Randal, Rolph and Scollick—12

The question was carried in the affirmative by a majority of eight and ordered accordingly.

The original question as amended was then put and carried.

Mr. Gordon, from the committee to draft an address to His Excellency the Lieutenant Governor, thanking His Excellency for his several messages of yesterday reported a draft which was received and read the first time.

Mr. J. Jones, seconded by Mr. Gordon, moves that the address to his Excellency, be read a second time this day.

Which was carried, and the address was read a second time.

Mr. J. Jones, seconded by Mr. Gordon, moves, that the House do on to-morrow, resolve itself into a Committee of the whole on the address to His Excellency.

Which was ordered.

Mr. J. Jones gives notice that he will on to-morrow move that a committee of seven be appointed to take into consideration all petitions upon divisions of districts, counties, or townships, and upon all surveys and lines.

Mr. Hamilton gives notice that he will on Monday next move for leave to bring in a bill to alter and amend the act now in force relative to Assessments.

Mr. Rolph gives notice that he shall to-morrow move for leave to strike the names of Rolph and Beardsley off the committee upon the Welland Canal and petitions connected with it or dissolve the committee.

The House adjourned.

Thursday, 1st December, 1825.

Mr. Lafferty, from the committee to wait upon his Excellency the Lieutenant Governor, with the address of this House relative to communications to and from his Majesty's Government respecting Aliens, reported delivering the same, and that his Excellency had been pleased to make thereto the following reply:—

2d Session, 9th Parliament, 5th Geo: IV.*Gentlemen of the House of Assembly,*

I feel much regret whenever the House of Assembly makes a request to me with which it is my duty not to comply. During the administrations of myself and my predecessors, there have been various communications with his Majesty's Government on the subject of your address—they have resulted in the final decision of his Majesty's Government to admit those citizens of the United States who are now in this Province, to all the civil rights of subjects.

The communication which contains this decision is the instruction by which, as one branch of the Legislature, I must govern my conduct in relation to the measure to which it refers, and it has already been unreservedly given to the House of Assembly.

Mr. Burnham, seconded by Mr. McDonald, moves for leave to bring up the petition of Thomas Alexander Stuart and others.

Which was granted and the petition brought up.

Mr. Perry, seconded by Mr. Bidwell, moves for leave to bring up the petition of George Seaman and others of Fredericksburgh.

Which was granted and the petition brought up.

Mr. Lefferty, seconded by Mr. Scollick, moves for leave to bring up the petition of sundry inhabitants of the District of Niagara, relative to the more easy arrest of absconding debtors. —

Which was granted and the petition brought up.

Agreeably to notice, Mr. Rolph seconded by Mr. Mc Call, moves for leave to bring in a bill to attach property of absconding debtors.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. McCall, moves that the bill for the attachment of property of absconding debtors be read a second time on Tuesday next.

Which was ordered.

Agreeably to notice, Mr. Attorney General seconded by Mr. Cameron, moves for leave to bring in a bill to afford relief in cases of imprisonment for small debts.

Which was granted and the bill read.

Mr. Attorney General, seconded by Mr. Thompson, moves that the bill for relief from imprisonment for small debts be read a second time on Monday next.

Which was ordered.

Mr. Attorney General, from the committee to whom was referred the petition of William Phair and others Inhabitants of the town of York, reported that the committee had agreed to report, by bill, a draft of which he was ready to submit to the House whenever it would be pleased to receive the same.

The report was ordered to be received and the bill was read the first time.

Mr. Attorney General, seconded by Mr. Thompson, moved that the York Fire Company bill be read a second time on Monday next.

Which was ordered.

Agreeably to the order of the day the religious sects relief bill was read the second time.

Mr. Playter, seconded by Mr. Rolph, moves that the House do now resolve itself into a committee of the whole on the bill for the relief of Quakers, Menonists, Tunkers and Moravians.

Which was carried, and Mr. Thomson was called to the chair.

The House resumed.

Mr. Thomson, reported the bill without amendment.

The report was ordered to be received.

Mr. Playter, seconded by Mr. McDonald, moves that the bill for the relief of certain religious sects be engrossed and read the third time on Monday next.

Which was ordered.

Agreeably to the order of the day the Prince Edward division bill was read the second time.

Mr. Fothergill, seconded by Mr. Burnham, moves that this House do now resolve itself into a committee of the whole on the Prince Edward division bill.

Which was carried and Mr. Walsh was called to the chair.

The House resumed.

Mr. Walsh reported progress and obtained leave to sit again to-morrow.

Agreeably to the order of the day the House went into committee on the adultery bill.

Mr. McDonell in the chair.

The House resumed.

Mr. McDonell reported progress and asked leave to sit again this day three months.

On the question for receiving the report the House divided and the Yeas and Nays being taken were as follows:—

YEAS—Messrs. Attorney General, Beasley, Burnham, Cameron, Fothergill, Hamilton, Hornor, Ingersol, C. Jones, J. Jones, Matthews, McCall, McDonell, Perry, Randall, Scollick and Walker—17.

NAYS—Messrs. Baby, Beardsley, Bidwell, Burke, Clark, Gordon, Lefferty, McDonald, Playter, Rolph, Thomson, Walsh, White and Wilkinson—14.

The question was decided in the affirmative by a majority of three and leave granted accordingly.

Mr. Thomson gives notice that he will to-morrow, move for the appointment of a select committee to ascertain what laws are about to expire and to report by bill or otherwise.

Mr. Rolph, seconded by Mr. Bidwell, moves that that part of the order of the day for striking off the names of Rolph and Beardsley from the committee upon the subject of the Welland Canal and petitions relating to it, or dissolving the same, be discharged from the order of the day.

Which was carried.

Mr. Speaker reported having received a letter from the Clerk of Assembly, with certain enclosures, and read the same as follows:—

SIR,

Clerk of Assembly's Office, 26th November, 1825.

I have the honour to enclose herewith a letter addressed to me from Major Hillier, private Secretary to his Excellency the Lieutenant Governor, accompanying the warrants for the payment of the contingent accounts of the last session. And at the same time a note from Messrs. McGillivray and Galt, two of the commissioners for valuing the Crown and Clergy Reserves, with a map of the Province, which I have caused to be mounted, and hung in the Assembly Chamber.

I have the honour to be your very obedient and devoted servant,

GRANT POWELL, Clerk of Assembly.

To the Honourable the Speaker of the House of Assembly.

Government House 9th June, 1825.

SIR,

I have received the commands of the Lieutenant Governor to transmit to you warrants for the discharge of the contingent expenses of the House of Assembly in its late session.

Sir P. Maitland, K. C. B. Lieutenant Governor.

H. 25.	
Extra Services	} £100
Clerk,	
Door Keeper L. C.	} £20
Additional Salary.	
I. 25.	
Serjeant-at-Arms,	} £50
Additional Salary.	
Door Keeper	} £40
Additional Salary.	

I am at the same time directed to observe to you that as His Excellency gathers from the report of the committee on the Contingent Accounts, inserted in the Journals of the House, that the Items named in the margin are included in the sums prayed for in the address of the 13th April, he has been pleased to direct that the warrants H. 25. and I. 25. shall issue for the sums of £1815 7 4, and £555 7 6½ instead of £1935 7 4, and £645 7 6½ respectively, as His Excellency does not feel himself authorised to direct the payment of any additions to salaries fixed by law, unless such addition shall be made by Legislative provision; or shall be commanded by His Majesty's Government.

I have the honour to be, Sir,

Your most obedient humble servant,

G. HILLIER.

Grant Powell, Esquire,
Clerk House of Assembly, &c. &c. &c. }

Mr. McGillivray and Mr. Galt send herewith to the Clerk of the House of Assembly, a proof etching of a new Map of Upper Canada, which, he will have the goodness to beg the House to accept.

York, 30th April, 1825.

Mr. Rolph gives notice that he shall, tomorrow, moves for leave to have the names of Rolph and Beardsley struck off all Committees upon which their names may stand except the Welland Canal Committee, and to insert other names in their stead.

Mr. Walsh gives notice that he will on Monday next, move for leave to bring in a bill to amend and extend the Registry Laws of this Province, and to provide for the preservation of the County Records.

Mr. Walsh, seconded by Mr. Wilkinson moves, that the petition of the Inhabitants of the Township of Townsend, praying that an Act be passed to establish a line in the said Township be referred to a select Committee, and that Messrs. Matthews, McCall, Lafferty and McBride, do compose the said Committee, with power to send for persons and papers, and with leave to report thereon by bill or otherwise.

Which was carried.

Mr. Walsh, seconded by Mr. Wilkinson, moves, that the petition of Michael Shaw and others be referred to the Committee to whom was referred the petition of the Inhabitants of the Township of Townsend relative to a concession line in that Township.—

Which was carried.

The House then adjourned till Monday next at ten o'clock, A. M.

Monday, 5th December, 1825.

Mr. Hamilton seconded by Mr. Scollick, moves for leave to bring up the petition of Matthew Crooks and others, praying that an Act might be passed, authorizing the magistrates of the District of Gore, to borrow a sum of money, not exceeding three thousand pounds, and against the situation of Hamilton as a County Town.

Which was granted and the petition brought up.

Mr. Beardsley, seconded by Mr. Perry, moves for leave to bring up the petition of John Carey of the Town of York, Printer.

Which was granted and the petition brought up.

Mr. Rolph, seconded by Mr. Hamilton, moves for leave to bring up the petition of Philo Hawley, requesting admission as an Attorney.

Which was granted and the petition brought up.

Agreeably to the order of the day the Religious Sects relief bill was read the third time.

Mr. Playter, seconded by Mr. Rolph, moves that the bill do now pass, and that it be entitled "An Act to remove certain disabilities affecting the people called Quakers, Menonists, Tunkers, and Moravians, so far as to enable them to hold places of honour and profit in this Province."

Which was carried Nem. Con. and the bill was signed.

Members present—Messrs. Atkinson, Atty. General, Baby, Beardsley, Beasley, Bidwell, Burnham, Burke, Cameron, Clarke, Fothergill, Gordon, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, McDonell, Morris, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, Wilkinson and White.

Messrs. Playter and Rolph were ordered by the Speaker to carry up to the Honourable the Legislative Council the bill entitled "An Act to remove certain disabilities affecting the people called Quakers, Menonists, Tunkers, and Moravians, so as to enable them to hold places of honour and profit in this province," and to request their concurrence thereto.

Agreeably to the order of the day the petition of the Justices of the Home District praying for a grant of money—the petition of Thomas Alexander Stewart and others, praying for public aid to assist them in building a bridge across the Otonabee River—the petition of George Seaman and others, praying for a special enactment to remove certain difficulties relative to lines—and the petition of sundry inhabitants of the District of Niagara, praying for an Act vesting in the magistrates the power of arresting debtors for small sums of money—were read.

Mr. Attorney General, seconded by Mr. Thompson, moves that the petition of the Justices of the Home District be referred to the Committee of supply.

Which was ordered.

Mr. Perry, seconded by Mr. Thomson, moves that the petition of George Seaman and others, of the Township of Fredericksburgh, be referred to a Select Committee, consisting of Messrs. Playter, Bidwell, and Randal, with power to send for persons and papers and leave to report by bill or otherwise.

Which was ordered.

Mr. Burnham, seconded by Mr. Beardsley, moves that the petition of Thomas Alexander Stewart and others be referred to the Committee of supply.

Which was ordered.

Agreeably to the order of the day the bill sent down from the Honourable the Legislative Council, entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," was read the second time.

Mr. Attorney General seconded by Mr. J. Jones, moves that the House do now resolve itself into a Committee of the whole upon the bill sent down from the Legislative Council, entitled, "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned.

Which was carried, and Mr. Walker was called to the Chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton master in chancery, brought down from the Honourable the Legislative Council, the bill, entitled "An Act granting to His Majesty a sum of money for the relief of the sufferers in New Brunswick by the late fire," which the Honourable the Legislative Council had passed without amendment, also the bill, entitled "An Act to prevent the operations in this Province of an Act of Parliament made in England in the twenty-first year of the reign of His late Majesty King James the First, entitled "An Act to prevent the destroying and murdering of bastard children," and to make other provision in lieu thereof, which they had passed and to which he was desired to request the concurrence of the House of Assembly, and having retired, the bill sent down from the Honourable the Legislative Council, entitled "An Act to

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prevent the operation in this Province of an Act of Parliament made in England in the twenty first year of the reign of His late Majesty King James the First, entitled "An Act to prevent the destroying and murdering of bastard children," and to make other provision in lieu thereof," was read the first time.

Mr. J. Jones, seconded by Mr. Burnham, moves that the Bill brought down from the Honourable the Legislative Council, entitled "An Act to prevent the operation in this Province of an Act of Parliament made in England in the twenty-first year of the reign of His late Majesty King James the First, entitled "An Act to prevent the destroying and murdering of bastard children," and to make other provision in lieu thereof, be read a second time on Thursday next.

Which was ordered.

The House went again into committee on the bill sent down from the Honourable the Legislative Council, entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned."

Mr. Walker in the Chair.

The House resumed.

Mr. Walker reported that the committee had risen and asked leave to sit again tomorrow.

The report was ordered to be received, and leave was granted accordingly.

The House adjourned.

Tuesday, 6th December, 1825.

Mr. Walker, seconded by Mr. McBride, moves for leave of absence after Friday next, during the remainder of the Session.

Which was granted.

Agreeably to the order of the day the House went into committee on the bill, sent down from the Honourable the Legislative Council entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned,"

Mr. Walker in the Chair.

The House resumed to receive a message.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor a message with the report of the Burlington Bay Commissioners and having retired the Speaker read the same as follows:—

P. MAITLAND.

The Lieutenant Governor transmits to the House of Assembly copies of reports and of the papers accompanying the same, made to him by the Commissioners of the Burlington Bay Canal.

Government House, 6th December, 1825.

See Appendix.

The Attorney General, seconded by Mr. Walker, moves that an address be presented to his Excellency the Lieutenant Governor, thanking his Excellency for his message of this day transmitting the report and accompanying documents delivered to His Excellency by the Commissioners for the Burlington Canal and that Messrs. Morris and D. Jones, be a committee to prepare the same.

Which was ordered.

The House went again into committee on the bill, entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned."

Mr. Walker in the chair.

The House resumed.

Mr. Walker reported that the committee had risen, and asked leave to sit again tomorrow.

The report was ordered to be received and leave was granted accordingly.

The House adjourned.

Wednesday, 7th December, 1825.

Agreeably to the order of the day the petition of Matthew Crooks and others of the District of Gore, praying for authority to borrow on the credit of the said district the sum of three thousand pounds for the purpose of erecting a new Gaol and Court House therein.—And for the appointment of a commission to determine the most suitable site for the same—the petition of John Carey of the town of York, Printer, praying against the before mentioned loan—and the petition of Philo Hawley, praying to be admitted to the practice of the Law in this Province—were read.

Mr. Hamilton, seconded by Mr. Scollick, moves that the petition of Matthew Crooks and others be referred to the same committee to whom was referred the petition of the Magistrates, Grand Jury and Inhabitants of the Gore District, with power to send for persons and papers and with leave to report by bill or otherwise.

Which was carried.

Mr. Rolph, seconded by Mr. Randal, moves that the petition of Philo Hawley be referred to a select committee consisting of Messrs. Bidwell, David Jones, Beardsley and Hamilton, with leave to send for persons and papers and to report by bill or otherwise.

Which was carried.

Mr. Scollick, seconded by Mr. Randal, moves that the petition of John Carey be referred to the committee to whom was referred the petition of the Magistrates of the Gore District.

Which was ordered.

Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that the report of the Commissioners for the Burlington Canal be referred to the committee of supply.

Which was ordered.

Mr. Attorney General from the committee to whom was referred the petition of the President and Directors of the Welland Canal Company and the several petitions on the subject of the said Canal, reported that the committee had agreed to a report which he was ready to present with several documents as an appendix to it, whenever the House would be pleased to receive the same.

The report was ordered to be received and was read, as follows:—

See Appendix.

Mr. Morris, seconded by Mr. McDonald, moves that 200 copies of the report with the appendix of the select committee on the subject of the Welland Canal be printed.

On which the House divided and the Yeas and Nays being taken were as follows:—

YEAS—Messrs. Atkinson, Attorney General, Beasley, Burnham, Burke, Cameron, Clark, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, McDonald, Morris, Scollick, Thompson, Walker and Wilkinson—22.

NAYS—Messrs. Baby, Beardsley, Bidwell, Hamilton, Lefferty, Lyons, McDonell, Perry, Playter, Randal, Rolph, Thomson, Walsh and White—14.

The question was carried in in the affirmative by a majority of eight and ordered accordingly.

Sir P. Maitland, K. C. B. Lieut. Governor.

The Attorney General, seconded by Mr. Gordon, moves that the first report of the select committee upon the petition of the President, and Directors, of the Welland Canal Company, and other petitions relative to the Welland Canal, be referred to the committee of supply.

Which was ordered.

Mr. Morris from the committee to draft an address to His Excellency the Lieutenant Governor thanking him for his gracious message communicating a copy of the Burlington Bay Commissioners' report, reported a draft which was received, and read the first time.

Mr. Morris, seconded by Mr. Walker, moves that the address to His Excellency the Lieutenant Governor be read a second time this day.

Which was carried, and the address was read a second time.

Mr. Morris, seconded by Mr. Walker moves that the House do now resolve itself into a committee of the whole on the address to His Excellency the Lieutenant Governor.

Which was carried, and Mr. D. Jones was called to the chair.

The House resumed.

Mr. Jones reported the address without amendment.

The report was ordered to be received.

Mr. Morris, seconded by Mr. Walker, moves that the address to His Excellency the Lieutenant Governor be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day the House went into committee on the bill entitled, "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned."

Mr. Walker in the chair.

The House resumed.

Mr. Walker reported that the committee had risen and asked leave to sit again to-morrow.

The report was ordered to be received and leave was granted accordingly.

The House adjourned.

Thursday, 8th December, 1825.

Mr. Scollick, seconded by Mr. White, moves for leave to bring up the petition of the magistrates, gentlemen of the grand jury, and inhabitants of the District of Gore.

Which was granted and the petition brought up.

Mr. Lafferty, seconded by Mr. Clark, moves for leave to bring up the petition of sundry inhabitants of the District of Niagara relative to the assessment bill.

Which was granted and the petition brought up.

Mr. Clark, seconded by Mr. Lafferty, moves for leave to bring up the petition of Chauncey Beedle of Grantham, Niagara District.

Which was granted and the petition brought up.

Mr. Matthews, seconded by Mr. McCall, moves for leave to bring up the petition of Manuel Overfield and others.

Which was granted and the petition brought up.

Mr. Rolph, seconded by Mr. Hamilton, moves for leave to bring up the petition of certain persons respecting the division of the London District.

Which was granted and the petition brought up.

Mr. Lyons, seconded by Mr. Burke, moves for leave to bring up the petition of sundry Inhabitants of the District of Newcastle.

Which was granted and the petition brought up.

Agreeably to the order of the day the address to His Excellency the Lieutenant Governor, thanking him for his message communicating the Burlington Bay Commissioners' report, was read the third time, passed and signed by the Speaker, and is as follows:—

*To His Excellency SIR PEREGRINE MAITLAND, Knight Commander of the Most Honourable 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 dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament Assembled, most humbly thank Your Excellency for your gracious message of yesterday transmitting the report and accompanying documents delivered to Your Excellency by the Commissioners for the Burlington Canal.

JOHN WILLSON, Speaker.

Commons' House of Assembly, 8th December, 1825.

Mr. Morris, seconded by Mr. J. Jones, moves that Messrs D. Jones and Walker be a committee to wait on His Excellency the Lieutenant Governor, with the address of this House, and to present the same.

Which was ordered.

Agreeably to the order of the day, the House went into committee on the bill sent down from the Hon. the Legislative Council, entitled, "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned."

Mr. Walker in the chair.

The House resumed.

Mr. Walker reported progress and asked leave to sit again on Monday next.

On the question for receiving the report the House divided and the yeas and nays being taken were as follows:—

YEAS.—Messrs. Baby, Beardsley, Beasley, Bidwell, Clark, Fothergill, Gordon, Hamilton, Hornor, Ingersol, Lafferty, Lyons, McBride, McCall, McDonald, Perry, Playter, Randal, Rolph, Scollick, Thomson, Walsh, Wilkinson, and White—24.

NAYS.—Messrs. Atkinson, Attorney General, Burke, Cameron, C. Jones, D. Jones, J. Jones, McDonell, Morris, Thompson, & Walker—11.

The Question was carried in the affirmative by a majority of thirteen, the report was received and leave was granted accordingly.

Mr. Fothergill gives notice that he will, on Monday next, move for leave to bring in a bill for the purpose of introducing the replevin laws of England into this country.

Mr. Fothergill gives notice that he will, on Wednesday next, move that the House do resolve itself into a committee of the whole for the purpose of inquiring into the state of the Province.

Mr. Bidwell gives notice that he will to-morrow, move for leave to bring in a bill to provide for the appointment of guardians in certain cases.

The House adjourned.

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Mr. Fothergill, seconded by Mr. Wilkinson, moves for leave to bring in the petition of Stephen Phelps and others, relative to the gaol and court house at Hamilton.

Which was granted and the petition brought up.

Mr. Scollick seconded by Mr. White, moves for leave to bring up the petition of the Commissioners of the Burlington Bay Canal.

Which was granted and the petition brought up.

Mr. Matthews, seconded by Mr. Hornor, moves for leave to bring up the petition of B. Brigham and others.

Which was granted and the petition brought up.

Agreeably to notice Mr. Bidwell, seconded by Mr. Perry, moves that that part of the journals of last session which contains the report of the select committee to whom was referred the petition of certain inhabitants of this Province respecting the clergy reserves, be read.

Which was carried and the Report was read as follows:—

The select committee to whom was referred the petitions of sundry inhabitants of this Province on the subject of the clergy reserves are of opinion that the lands set apart in this Province, "for the maintenance and support of a protestant clergy ought not to be enjoyed by any one denomination of protestants to the exclusion of their christian brethren of other denominations, equally conscientious in their respective modes of worshipping God, and equally entitled as dutiful subjects to the protection of His Majesty's government.

Entertaining this view of the subject and learning that a portion of the said reserves are to be sold, your committee beg leave to suggest to your honourable House the propriety of addressing His Majesty humbly praying that His Majesty will be pleased to cause an application of the proceeds of such sale to be made towards the support of the protestant clergy of every denomination throughout this Province.

H. C. THOMSON, Chairman.

Committee Room of Assembly, 18th March, 1825.

Mr. Bidwell, seconded by Mr. Perry, moves that this House do now go into committee of the whole on the report just read of the select committee on the petition of certain inhabitants of this Province respecting clergy reserves.

Which was carried, and Mr. Randal was called to the chair.

The House resumed.

Mr. Randal reported that the committee had agreed to a resolution and asked leave to sit again on Monday next.

The report was ordered to be received, leave was granted, and the resolution was adopted as follows:—

Resolved,—that the chairman be instructed to move the House for the appointment of a committee to draft a bill to authorise the sale of that part of the clergy reserves, not already sold to the Canada Land Company.

Mr. Randal, seconded by Mr. D. Jones, moves that Messrs. Bidwell, Rolph, Hamilton and Morris, be a committee to draft and report a bill pursuant to the resolution.

Which was ordered.

Mr. Thomson from the committee to whom was referred the several petitions from the inhabitants of the town of Kingston relative to the extension &c. of said town, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit to the House whenever it would be pleased to receive the same.

The report was ordered to be received and the bill was read the first time.

Mr. Thomson, seconded by Mr. Atkinson, moves that the Kingston police bill be read a second time, on Monday next.

Which was ordered.

Agreeably to the order of the day the marriage bill was read the second time.

Mr. Bidwell, seconded by Mr. McBride moves that the House do now go into committee of the whole on the marriage bill.

Which was carried and Mr. Atkinson was called to the chair.

The House resumed.

Mr. Atkinson reported the bill amended.

The report was ordered to be received.

Mr. Bidwell, seconded by Mr. Lyons, moves that the bill to confirm and make valid certain marriages heretofore contracted and further to provide for the future solemnization of marriages within this Province, be engrossed and read a third time on Monday next.

Which was ordered.

The House then adjourned till ten o'clock A. M. on Monday next.

Monday, 12th December, 1825.

Mr. Scollick, seconded by Mr. White, moves for leave to bring up the petition of Daniel O'Reilly and other inhabitants of the township of Nelson.

Which was granted and the petition brought up.

Agreeably to the order of the day, the marriage bill was read the third time.

Mr. Bidwell, seconded by Mr. Perry, moves that the bill do now pass, and that it be entitled, "An Act to confirm and make valid certain marriages heretofore contracted and further to provide for the future solemnization of marriages within this Province."

Which was carried and the bill signed.

Messrs. Bidwell and Perry, were ordered by the Speaker to carry up to the Hon. the Legislative Council the bill entitled, "An Act to confirm and make valid certain marriages heretofore contracted, and further to provide for the future solemnization of marriages within this Province," and to request their concurrence thereto.

Agreeably to the order of the day, the petition from the magistrates, grand jury, and other inhabitants of the District of Gore, relative to a loan for building a gaol and court house and removal of county town—the petition of sundry inhabitants of the District of Niagara praying for alteration in the assessment law—the petition of Chauncey Beedle praying for the exclusive privilege of forming and running a line of stages between York and Amherstburgh—the petition of Manuel Overfield praying for a grant of money to aid in building a bridge over the Grand River—the petition of the inhabitants of the townships of Malahide and Bayham praying not to be separated from the county of Middlesex—the petition of certain inhabitants of the District of Newcastle praying that the gaol and court house of said District may be removed to the village of Cobourg—the petition of Stephen Phelps and others, of the District of Newcastle, praying that the prayer of the petition last read may not be granted—the petition of the Burlington Canal Commissioners praying for authority to borrow money to enable them to connect the village of Coote's Paradise with Burlington Bay by means of a canal,—and the petition of B. Brigham and others, praying for pecuniary aid in building a bridge across the Thames and opening a road through the Long Woods—were read.

Mr. Scollick, seconded by Mr. White, moves that the petition of the magistrates, gentlemen of the grand jury, and inhabitants of the District of Gore, be referred to the committee to whom was referred the petition of the gentlemen of the grand jury &c. for building the gaol and court house at Hamilton, with power to report thereon by bill or otherwise.

Which was ordered.

Sir P. Maitland, K. C. B. Lieut. Governor.

Mr. Scollick, seconded by Mr. White, moves that the petition of the commissioners of the Burlington Bay Canal, be referred to the committee to whom was referred the petition of the president and directors of the Welland Canal Company, with power to report thereon by bill or otherwise.

Which was ordered.

Mr. Clark, seconded by Mr. Lefferty, moves that the petition of Chauncey Beadle be referred to a select committee, and that Messrs. Rolph, D. Jones, Gordon, and Matthews, do compose the same, to report by bill or otherwise, with power to send for persons and papers.

Which was ordered.

Mr. Lyons, seconded by Mr. Beasley, moves that the petition of sundry inhabitants of the District of Newcastle, be referred to Messrs. Bidwell, D. Jones, Burke, and McDonell, with power to send for persons and papers and to report by bill or otherwise.

Mr. Fothergill, seconded by Mr. Burnham moves, in amendment to the motion of Mr. Lyons, relative to the petition of sundry inhabitants of the District of Newcastle, that after the word "moves" in the original motion, the whole be expunged and the following inserted—"that a special committee of seven be chosen by ballot forthwith to whom both petitions from the Newcastle District, relative to the removal of the Gaol and Court House at Hamilton, be referred to report by bill or otherwise."

Which was carried.

The original question as amended, was then put and carried.

The House then proceeded in the ballot for said Committee, when the following names were chosen.

Messrs. Bidwell, Perry, Lyons, Beasley, Fothergill, Burke, and D. Jones.

Mr. Matthews, seconded by Mr. McCall, moves that the petition of Manual Overfield and others be submitted to the committee of supply.

Which was ordered.

Mr. Matthews, seconded by Mr. Hornor, moves that the petition of B. Brigham, Esq. and others, be referred to the committee of supply.

Which was ordered.

Agreeably to notice Mr. Attorney General, seconded by J. Jones, moves that this House do now resolve itself into a committee of the whole upon supply.

Which was carried, and Mr. Morris was called to the chair.

The House resumed, the Black Rod being at the door.

Mr. Lee, Gentleman Usher of the Black Rod, brought down His Excellency the Lieutenant Governor's commands for the immediate attendance of the House of Assembly at the bar of the Legislative Council chamber.

The Speaker and members present then proceeded to the bar of the Legislative Council chamber, and having returned, the Speaker informed the House that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the bill entitled "An Act granting to His Majesty a sum of money for the relief of the sufferers in New Brunswick, by the late fire."

The House then went again into committee of supply.

Mr. Morris in the chair.

The House resumed.

Mr. Morris reported progress and obtained leave to sit again to-morrow.

Agreeably to the order of the day, the House went into committee on the bill sent down from the Honourable the Legislative Council, entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned."

Mr. Lyons was called to the chair.

The House resumed.

Mr. Lyons reported the bill as amended.

On the question for receiving the report the House divided, and the yeas and nays being taken, were as follows:—

YEAS.—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Playter, Randal, Rolph, Scollick, Thomson, Walsh, Wilkinson and White—25.

NAYS.—Messrs. Attorney General, Burnham, Burke, Cameron, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Thompson, and VanKoughnett—12.

The question was carried in the affirmative by a majority of 13 and the report was accordingly received.

Mr. Bidwell, seconded by Mr. McBride, moves that the amendments to the bill sent down from the Hon. the Legislative Council, entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," be engrossed and read the third time on Wednesday next.

On which the House divided, and the yeas and nays being taken, were as follows:—

YEAS.—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Playter, Randal, Rolph, Scollick, Thomson, Walsh, Wilkinson, and White—25.

NAYS.—Messrs. Attorney General, Burnham, Burke, Cameron, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Thompson, and VanKoughnett—12.

The question was carried in the affirmative by a majority of 13 and ordered accordingly.

Mr. Attorney General, from the committee to whom was referred the pension laws of this Province, informed the House that the committee had prepared a report which he was ready to submit whenever the House would be pleased to receive the same.

The report was ordered to be received and it was read as follows:—

The select committee to whom was referred that part of the speech of His Excellency the Lieutenant Governor at the opening of the present session, which relates to the militia pensions payable in this Province, having duly considered the matter referred to them, beg to add to the report which they have agreed to make by bill accompanying this report, that they have compared the state of the militia pension list, as it stood on the 31st December, 1821, with its state on the 30th June last, and find that on the 31st December, 1821, it stood as follows, viz:—

Disabled by wounds, - - - - -	42
Widows, - - - - -	18
Guardians of Orphans, - - - - -	19
	<hr/>
	79

And on the 30th June, 1825, as follows, viz:—

Disabled by wounds, - - - - -	41
Widows, - - - - -	17
Guardians, - - - - -	19
	<hr/>
	77

Exhibiting a decrease of two pensions in three years and a half and no diminution within that period under the last head of pensions—a circumstance which could scarcely have been expected when it is considered that it is now nearly eleven years since the termination of the war, and that the particular class of pensions alluded to, must, according to the statutes, cease so soon as the youngest child

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then in being of those for whom the guardian receives the pension, shall attain the age of 16 years,—Your Committee considered that it might be a proper check in addition to the precautions already provided to direct the publication in the Gazette of the names of the pensioners from time to time.

With respect to the payment of the pensions, your committee beg to remark that it occasions at present a charge of £150 per annum, of which £50 is an allowance for contingencies—that the office of pension agent is concurrent with the temporary act, which it is proposed to continue, that the duties appear to be much the same at present, as they were when the pension act was last renewed—and whether, therefore, it is expedient to continue the office of pension agent, or to transfer the duty to His Majesty's Receiver General in case the House shall think that it can be properly imposed upon that officer, is respectfully submitted to the consideration of the House

J. B. ROBINSON, Chairman.

*House of Assembly, Committee }
Room, December 12, 1825. }*

The bill accompanying the report was then read the first time.

Mr. Morris, seconded by Mr. David Jones, moves that the pension law amendment bill, be read a second time on Friday next.

Which was ordered.

Agreeably to the order of the day the recording sentence bill was read the second time.

Mr. Attorney General, seconded by Mr. Thompson, moves that the House do now resolve itself into a committee of the whole on the recording sentence bill.

Which was carried, and Mr. McCall was called to the chair.

The House resumed.

Mr. McCall reported the bill as amended.

On the question for receiving the report the House divided, and the yeas and nays being taken, were as follows:—

YEAS—Messrs. Atkinson, Attorney General, Beasley, Bidwell, Burnham, Clark, Fothergill, Gordon, Ingersol, C. Jones, Lafferty, Lyons, McBride, McCall, McDonald, Morris, Scollick, Thompson, Thomson, VanKoughnett, Walsh, and White—22.

NAVS—Messrs. Beardsley, Perry, Playter, and Rolph—4.

The question was carried in the affirmative by a majority of eighteen and the report was received accordingly.

Mr. Attorney General, seconded by Mr. Morris, moves that the recording sentence bill, be engrossed and read a third time on Thursday next.

Which was ordered.

Mr. Morris gives notice that he will, on Wednesday next, move for the reading of that part of the journals of last session which contains the report of the joint committee on internal navigation, together with the resolutions annexed.

Mr. Attorney General gives notice that he will move, on Friday next, for leave to bring in a bill for reducing the punishment in certain cases of larceny.

Mr. Rolph gives notice that he will to-morrow move for leave to bring in a bill for the division of the London District.

Mr. VanKoughnett gives notice that he will, on Thursday next, move for leave to bring in a bill to repeal the laws now in force granting poundage to the Receiver General, and to provide a salary for that officer in lieu thereof.

The House adjourned.

Tuesday, 13th December, 1825.

Mr. D. Jones, seconded by Mr. Morris, moves for leave to bring up the petition of the inhabitants of the town of Brockville, praying for the establishment of a police in the said town, and also a petition of the same inhabitants praying for an extension of the limits of the said Town.

Which was granted, and the petition brought up.

Mr. Playter, seconded by Mr. Bidwell, moves for leave to bring up the petition of William Purdy, of the Township of Markham, of the Home District, Miller.

Which was granted, and the petition brought up.

Mr. David Jones, seconded by Mr. Morris, moves for leave to bring up the petition of certain inhabitants of Williamsburgh, in the Eastern District.

Which was granted, and the petition brought up.

Agreeably to the order of the day the mill dam bill was read the second time.

Mr. Lafferty, seconded by Mr. Thompson, moves that the House do now resolve itself into a committee of the whole on the bill relative to the construction of mill dams on the rivers Credit and Humber:

Which was granted and Mr. VanKoughnett was called to the chair.

The House resumed.

Mr. VanKoughnett reported progress and obtained leave to sit again to-morrow.

Agreeably to the order of the day the House went into committee on the Prince Edward division bill.

Mr. Baby in the chair.

The House resumed.

Mr. Baby reported the bill as amended.

The report was ordered to be received.

Mr. Fothergill, seconded by Mr. Burnham, moves that the Prince Edward division bill be engrossed and read a third time on Friday next.

Which was ordered.

Agreeably to the order of the day the offenders arrest bill was read a second time.

Mr. Rolph, seconded by Mr. Playter, moves that the House do now resolve itself into committee on the offenders, arrest bill.

Which was carried, and Mr. Bidwell was called to the chair.

The House resumed.

Mr. Bidwell reported progress and obtained leave to sit again to-morrow.

Agreeably to the order of the day the bill sent down from the Honourable the Legislative Council entitled "An Act to repeal the several laws now in force relating to the late pretended Bank of Upper Canada, and to make further provision for settling the affairs of the said institution," was read the second time.

Mr. Morris, seconded by Mr. Thompson, moves that the House do now resolve itself into a committee of the whole on the bill entitled, "An Act to repeal the several laws now in force relating to the late pretended Bank of Upper Canada, and to make further provision for settling the affairs of the said institution."

In amendment Mr. Bidwell, seconded by Mr. Thomson, moves that the words "this day six months" be inserted after the word "do."

On which the House divided and the yeas and nays being taken were as follows:—

YEAS—Messrs. Atkinson, Baby, Beasley, Bidwell, Fothergill, Hornor, Lyons, Matthews, McBride, McDonald, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, and White—18.

Sir P. Maitland, K. C. B. Lieut. Governor.

NAYS—Messrs. Attorney General, Burnham, Burke, Clark, Gordon, Ingersol, Charles Jones, Leftery, Morris, VanKoughnett, Walsh, and Wilkinson—12

The question was carried in the affirmative by a majority of six and ordered accordingly.

The original question as amended was then put and carried.

Mr. Boulton, Master-in-Chancery, brought down from the Honourable the Legislative Council the bill entitled "An Act to render justices of the peace more safe in the execution of their duty," which they had passed and to which he was desired to request the concurrence of the Commons House of Assembly, and the bill entitled "An Act to repeal an act passed in the forty fourth year of His late Majesty's Reign, Chap. the first, entitled "An Act for the better securing this Province against all seditious attempts or design to disturb the tranquility thereof," to which the Honourable the Legislative Council had made some amendments, and to which also he was desired to request the concurrence of this House, and having retired the bill sent down from the Honourable the Legislative Council entitled "An Act to render justices of the peace more safe in the execution of their duty," was read the first time.

Mr. Morris, seconded by Mr. Burnham, moves that the bill sent down from the Honourable the Legislative Council entitled "An Act to render justices of the peace more safe in the execution of their duty," be read a second time on Friday next.

In amendment Mr. Charles Jones, seconded by Mr. Clark, moves that after the word "that" in the original motion, the whole of the motion be expunged and that the following be inserted, "the bill be read a second time this day three months."

On which the House divided and the yeas and nays being taken were as follows :—

YEAS—Messrs. Atkinson, Bidwell, Clark, Fothergill, Hornor, C. Jones, Leftery, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thomson, VanKoughnett, Wilkinson, and White—20.

NAYS—Messrs. Attorney General, Beasley, Burnham, Burke, Gordon, Ingersol, McDonald, Morris, Thompson and Walsh—10.

The question was carried in the affirmative by a majority of ten, and ordered accordingly.

The original question as amended was then put and carried.

The amendments made by the Honourable the Legislative Council to the bill entitled "An Act to repeal an act passed in the forty fourth year of His late Majesty's Reign, Chap. the first, entitled "An Act for the better securing this Province against all seditious attempts or design to disturb the tranquility thereof," were then read the first time as follows :—

In the title expunge "repeal" and insert "alter and amend."

Press 1, line 1, expunge "repeal" and insert "alter and amend."

" " " 10. After "that" expunge the remainder of the bill and insert "from and after the passing of this act, it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province, for the members of the Legislative and Executive Councils, the Judges of His Majesty's Court of King's Bench, for the time being, respectively, or for any persons authorised in that behalf by an instrument under the hand and seal of the Governor, Lieutenant Governor, or person administering the Government for the time being, or any three or more of them on the oath of one or more credible witness or witnesses, by warrant or warrants under their hands and seals to arrest any person or persons, not having been an inhabitant or inhabitants of this Province for the space of six months next preceding the date of such warrant or warrants or not having taken the oath of allegiance to our Sovereign Lord the King, who by words, actions or other behaviour or conduct, hath or have endeavoured, or is or are endeavouring to alienate the minds of His Majesty's Subjects of this Province from His person or Government, or in anywise with a seditious intent to disturb the tranquility thereof, to the end that such person or persons shall forthwith be brought before the said persons so granting such warrant or warrants against him, her, or hem, or any other persons duly authorised to grant such warrant or warrants by virtue of this Act; and if such person or persons, not being such inhabitant or inhabitants aforesaid, or not having taken such oath of allegiance shall not give to the persons so granting such warrant or warrants or so authorised as aforesaid before whom he, she, or they shall be brought, full and complete satisfaction that his, her or their words, actions, conduct or behaviour had no such tendency, or were not intended to promote or encourage disaffection to His Majesty's person or Government, it shall and may be lawful for the said persons, so granting such warrant or warrants, or so authorised, as aforesaid and they are hereby required to deliver an order or orders in writing to such person or persons not being such inhabitant or inhabitants as aforesaid or not having taken such oath of allegiance, requiring of him, her or them to depart this Province within a time to be limited by such order or orders, or if it shall be deemed expedient that he, she, or they should be permitted to remain in this Province, to require from him, her, or them good and sufficient security, to the satisfaction of the persons acting under the authority hereby given, for his, her or their good behaviour, during his, her or their continuance therein.

II And be it further enacted by the authority aforesaid, that if any person or persons, not being such inhabitant or inhabitants as aforesaid, or not having taken such oath of allegiance, who by any order or orders so delivered to him, her or them, is or are required to depart this Province within a time limited by that order, should by sickness or other impediment be prevented from paying due obedience to the same, it shall and may be lawful for the persons who have issued such order or orders as aforesaid or for any persons as aforesaid authorised by this act so to do (the persons acting under the authority hereby given being first satisfied by such impediment by sickness or otherwise ought to be admitted as a reason for such order as aforesaid not having been obeyed) by an indorsement in writing upon the said order or orders, or otherwise in writing to enlarge the time specified in the said order or orders from time to time as occasion may require, and if any person or persons so having been required or ordered to quit this Province as aforesaid, and not having obtained an enlargement of such time, in manner hereinbefore specified, shall be found at large therein, or return thereunto after the time limited by any or either of such orders, without license from the Governor, Lieutenant Governor, or person administering the Government for the time being, in that behalf, or in case any person or persons who shall have been served with any or either of such order or orders as aforesaid, or who shall have been permitted to remain in this Province upon such security as aforesaid, shall by words, actions, or otherwise endeavour or give just cause to suspect that he, she or they, is or are about to endeavour to alienate the minds of His Majesty's Subjects of this Province from His person or Government, or in anywise with a seditious intent to disturb the tranquility thereof, it shall and may be lawful for any three or more of the said persons so authorised by this act as aforesaid, and they are hereby required by warrant or warrants, under their hands and seals to commit such person or persons so remaining at large or returning into this Province without such license as aforesaid, or so endeavouring, that he, she or they, is or are about to endeavour so to alienate the minds of His Majesty's Subjects of this Province, or in anywise with a seditious intent to disturb the tranquility thereof, to the common Gaol or to the custody of the Sheriff of the District in such Districts in which there shall be no Gaol at that time, there to remain without bail or mainprize, unless delivered therefrom by special order from the Governor, Lieutenant Governor or person administering the government for the time being, until he, she, or they, can be prosecuted for such offence in His Majesty's Court of King's Bench or of Oyer and Terminer and General Gaol Delivery, in this Province, or under any special commission of Oyer and Terminer to be issued by the Governor, Lieutenant Governor, or person administering the government of this Province for the time being; and if such person or persons not being such inhabitant or inhabitants as aforesaid, or not having taken such oath of allegiance, shall be duly convicted in either of the said courts respectively, he, she or they, shall be adjudged by such court, forthwith to depart the Province, or to be imprisoned in the commongaul or be delivered over to the custody of the Sheriff in such district in which there shall be no Gaol at that time, for a time to be limited by such judgement, and at the expiration of that time to depart this Province; and if such person or persons so convicted as aforesaid, shall remain in this Province, or return thereinto after the expiration of the time to be limited by the said judgement without licence from the Governor, Lieutenant Governor, or person administering the government for the time being, in that behalf first had and obtained, such person or persons on being convicted of so remaining or returning, before either of the said courts, shall be sentenced to such punishment, in their discretion.

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as in cases of misdemeanor. Provided always, that if in the execution of the powers hereby given, any question shall arise touching or concerning the space of time during which any person or persons shall have been an inhabitant or inhabitants of this Province previous to any warrant or warrants having been issued against him, her, or them, or touching or concerning the fact of any person or persons having taken such oath of allegiance, the proof shall in all such cases lay on the party or parties against whom any such warrant or warrants shall, in virtue of the powers hereby given, have been granted or issued.

III. And be it further enacted by the authority aforesaid, that if any person or persons at any time shall be sued or prosecuted for any thing by him or them done in pursuance or by colour of this Act, or of any matter or thing therein contained, such action or prosecution shall be commenced within three calendar months next after the offence shall have been committed, and such person or persons may plead the general issue, and give the special matter in evidence for his, her, or their defence, and if upon trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become non-suited, or shall discontinue his, her, or their suit or prosecution, or if judgement be given for the defendant or defendants upon demurrer or otherwise such defendant or defendants shall have treble costs to him or them awarded against the plaintiff or plaintiffs."

Agreeably to the order of the day the House went into committee on the assessment law.

Mr. Rolph was called to the chair.

The House resumed.

Mr. Rolph reported progress and asked leave to sit again to-morrow.

The report was ordered to be received and leave was granted accordingly.

The House adjourned.

Wednesday, 14th December, 1825.

Agreeably to the order of the day the amendments to the bill entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," were called for a third reading.

Mr. Bidwell, seconded by Mr. Perry, moves that the bill entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," be not now read a third time and that it be now re-committed.

Which was carried.

Mr. Lyons in the chair.

The House resumed.

Mr. Lyons reported further amendment.

The report was ordered to be received.

Mr. Bidwell, seconded by Mr. McBride, moves that the 39th rule of this House be dispensed with so far as respects the bill entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," sent down from the Honourable the Legislative Council, and that the amendments be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day the petition of Daniel O'Reilly and others, of the Township of Nelson, praying for pecuniary aid in building a bridge over the Twelve Mile Creek—was read.

Mr. Scollick, seconded by Mr. White moves that the petition of Daniel O'Reilly, and other inhabitants of the township of Nelson, be referred to the committee of supply.

Which was ordered.

Agreeably to the order of the day the highway bill was read the second time.

Mr. Attorney General, seconded by Mr. VanKoughnett, moves that the House do now resolve itself into a committee, on the highway bill.

In amendment Mr. Gordon, seconded by Mr. C. Jones, moves that the word "now" be expunged and the word "to-morrow" inserted in its stead.

Which was carried.

The original question as amended was then put and carried.

Agreeably to the order of the day the amendments made to the bill sent down from the Hon. the Legislative Council, entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," were read the third time.

Mr. Bidwell, seconded by Mr. McBride, moves that the bill as amended entitled, "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," do now pass.

On which the House divided, and the Yeas and Nays being taken were as follows:—

YEAS—Messrs. Atkinson, Baby, Beasley, Bidwell, Clark, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Playter, Randall, Scollick, Thomson, Wilkinson and White—21.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Gordon, C. Jones, J. Jones, McDonell, Morris, Thompson and VanKoughnett—11.

The question was carried in the affirmative by a majority of ten, and the amendments were signed.

Messrs. McBride and Thomson were ordered by the Speaker to carry up to the Honourable the Legislative Council the bill entitled "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," as amended by the House of Assembly and to request their concurrence thereto.

Agreeably to the order of the day the House went into committee of supply.

Mr. Morris in the chair.

The House resumed.

Mr. Morris reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House and asked leave to sit again to-morrow.

On the question for receiving the report the House divided and the Yeas and Nays being taken were as follows:—

YEAS—Messrs. Atkinson, Attorney General, Baby, Beasley, Burnham, Burke, Cameron, Clark, Fothergill, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McDonald, McDonell, Morris, Scollick, Thompson, Wilkinson and White—24.

NAYS—Messrs. Beardsley, Bidwell, Hamilton, Lafferty, Lyons, McCall, Perry, Playter, Randall, Rolph, Thomson, VanKoughnett and Walsh—13.

The question was carried in the affirmative by a majority of eleven, the report was received, and leave granted accordingly.

The resolution was then put, on which the tie was divided and the Yeas and Nays being taken were as follows:—

YEAS—Messrs. Atkinson, Attorney General, Baby, Beasley, Burnham, Burke, Cameron, Clark, Fothergill, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McDonald, McDonell, Morris, Scollick, Thompson, Wilkinson and White—24.

NAYS—Messrs. Beardsley, Bidwell, Hamilton, Lafferty, Lyons, McCall, Perry, Playter, Randall, Rolph, Thomson, VanKoughnett and Walsh—13.

Sir P. Maitland, K. C. B. Lieut. Governor.

The question was carried in the affirmative by a majority of eleven, and it was

Resolved,—That it is the opinion of this House, that the pledge given by the resolution passed by this House on the thirteenth day of April last, should be redeemed by the passing of an Act authorising the government to raise by debenture the sum of twenty-five thousand pounds to be immediately loaned to the company at the same rate of interest as shall be paid by the government to be repaid within the period of years.

Mr. Gordon, seconded by Mr. C. Jones, moves that Messrs. Att'y. General and Thompson, be a committee to draft and report a bill pursuant to the resolution of this House, for a loan to the Welland Canal Company.

Which was ordered.

Agreeably to notice Mr. Fothergill, seconded by Mr. Burnham, moves that this House do now resolve itself into a committee of the whole to take into consideration the expediency of consolidating or bringing nearer together, the various offices connected with the Land Granting Department.

Which was carried, and Mr. White was called to the chair.

The House resumed.

Mr. White reported that the committee had agreed to two resolutions which he was directed to submit for the adoption of the House.

The report was ordered to be received and the resolutions were adopted as follows:—

Resolved,—That it is the opinion of this House that it is expedient, if practicable, to concentrate or bring nearer together, the various offices connected with the Land Granting Department of this Province, for the greater convenience of the public.

Resolved,—That an humble address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to take the necessary steps for the accomplishment of so desirable and important a measure, by procuring plans and estimates of a fire proof building or buildings suitable for the above purposes and to cause the same to be laid before this House at the next session of the Legislature.

Mr. Morris, seconded by Mr. McBride, moves that Messrs. Fothergill and Lyons be a committee to draft and report an address to his Excellency the Lieutenant Governor, pursuant to the resolution of this House.

Which was ordered.

Agreeably to notice Mr. Fothergill, seconded by Mr. Matthews, moves that this House do now resolve itself into a committee of the whole, for the purpose of inquiring into the state of the Province.

Which was carried, and Mr. Burnham was called to the chair.

The House resumed.

Mr. Burnham reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow.

On the question for receiving the report, the House divided, and the yeas and nays were taken as follows:—

YEAS.—Messrs. Atkinson, Beardsley, Bidwell, Burnham, Clark, Fothergill, Hamilton, Hornor, Lyons, Matthews, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Walsh, Wilkinson, and White—21

NAYS.—Messrs. Att'y. General, Burke, Cameron, D. Jones, J. Jones, McDonell, Morris, and VanKoughnett.—8.

The question was carried in the affirmative by a majority of thirteen, the report was received, leave was granted, and it was

Resolved.—That it is expedient to inquire into the state of the post office department and the disposal of the funds arising from it.

Mr. Perry gives notice that he will, to-morrow, move for leave to bring in a bill for the more easy recovery of estrays.

The House adjourned.

Thursday, 15th December, 1825.

Mr. Morris, seconded by Mr. J. Jones, moves for leave to bring up the petition of Leonard Soper, in the Newcastle District.

Which was granted and the petition brought up.

Mr. Matthews, seconded by Mr. McBride, moves for leave to bring up the petition of the inhabitants of the County of Middlesex praying to be erected into a separate District.

Which was granted and the petition brought up.

Mr. Matthews, seconded by Mr. Beasley, moves for leave to bring up the petition of George Ward and others, residing in the Long Woods, London District.

Which was granted and the petition brought up.

Agreeably to the order of the day, the recording sentence bill was read the third time.

Mr. Attorney General, seconded by Mr. Thompson, moves that the bill do now pass, and that the title thereof be "An Act to dispense with the necessity of actually pronouncing sentence of death in certain cases of capital conviction."

Which was carried and the bill signed.

Messrs. Attorney General and Thompson were ordered by the Speaker to carry up to the Honourable the Legislative Council the bill entitled "An Act to dispense with the necessity of actually pronouncing sentence of death in certain cases of capital conviction," and to request their concurrence thereto.

Agreeably to the order of the day, the petition of the inhabitants of the town of Brockville, praying for a Police in said town—the petition from same place, praying for the extension of said town—the petition of William Purdy, of the township of Markham, Miller, praying for patent for a wheat cleaning machine—and the petition of the inhabitants of the township of Williamsburgh, praying that their lands may be secured to them, according to the government deeds for the same—were read.

Mr. D. Jones, seconded by Mr. McDonell, moves that the petition of the inhabitants of the town of Brockville be referred to a select committee, and that Messrs. Charles Jones, Thomson, Morris, and Jonas Jones do compose the same, to report thereon by bill or otherwise.

Which was ordered.

Mr. D. Jones, seconded by Mr. Morris, moves that the petition of the inhabitants of Williamsburgh, be referred to a select committee, and that Messrs. J. Jones, VanKoughnett, Wilkinson, and McDonell do compose the same to report thereon by bill or otherwise.

Which was ordered.

Mr. Playter, seconded by Mr. Thomson, moves that the petition of William Purdy, be referred to the committee to whom was referred the bill to promote the progress of useful arts in this Province.

Which was ordered.

Agreeably to the order of the day the House went into committee on the subject of losses sustained by the inhabitants of this Province during the late war.

Mr. Burke was called to the chair.

The House resumed.

Mr. Burke reported that the committee had agreed to two resolutions which he was directed to submit for the adoption of the House.

The report was ordered to be received and the resolutions were adopted as follows:—

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Resolved,—That it is expedient to address His Majesty, in behalf of the sufferers, within this Province, by the late war, praying that His Majesty will be graciously pleased to lay the subject before His Imperial Parliament, in order that that relief may be obtained, which the sufferers have long looked for in vain.

Resolved.—That the chairman be instructed to move the House, to have the resolutions of the 29th November relative to the sufferers by the late war, expunged from the journals.

Mr. Burke, seconded by Mr. Morris, moves that the resolutions of this House, relative to the sufferers by the late war, passed on the 29th of November be expunged from the journals.

Which was carried.

Mr. Morris, seconded by Mr. J. Jones, moves that the resolutions of this House, relative to the sufferers by the late war, be communicated to the Honourable the Legislative Council with a request for the concurrence of that Honourable House, thereto.

Which was ordered.

Messrs. Hamilton and Clark were ordered by the Speaker to carry up to the Honourable the Legislative Council, a message communicating the resolution of this House, of to-day, relative to the sufferers by the late war.

Mr. Attorney General, from the select committee to whom was referred the bill for improvement of arts in this Province, and the petition of William Purdy, of the township of Markham, Miller, submitted a report which was received and read as follows:—

The committee to whom was referred the bill for the encouragement of useful arts in this Province, and also the petition of William Purdy, praying that an act might be passed authorising His Excellency the Lieutenant Governor, to grant to the petitioner a patent for the discovery of a new mode of preparing wheat for grinding, has taken the same into their consideration, and beg leave to report certain amendments to the said bill.—Your committee think it necessary to report specially upon the said petition, as the adoption of the general bill will supercede the necessity of passing any private Act upon the same subject.

J. B. ROBINSON, *Chairman.*

*Committee Room, House of }
Assembly, December 15th, 1825. }*

Mr. Attorney General, seconded by Mr. J. Jones, moves that this House do, on to-morrow, resolve itself into a committee of the whole House upon the report of the select committee, to whom was referred the improvement bill,—and also the petition of William Purdy.

Which was ordered.

Mr. Attorney General from the committee to whom was referred the several petitions on the subject of the Welland Canal, informed the House that the committee had agreed to a second report which he was ready to submit whenever the House would please to receive the same.

The report was ordered to be received, and was read as follows:—

See appendix.

Mr. Morris, seconded by Mr. Attorney General, moves that 350 copies of the second report of the Welland Canal committee be printed.

Which was ordered.

Mr. Bidwell, from the committee, to whom was referred the several petitions from the District of Newcastle, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive it.

The report was ordered to be received, and the draft was read the first time.

Mr. Lyons, seconded by Mr. Bidwell, moves that the Newcastle court house bill be read a second time on Monday next.

Which was ordered.

Agreeably to notice Mr. Perry, seconded by Mr. Bidwell, moves for leave to bring in a bill to amend the laws now in force for raising and training the militia of this Province.

Which was granted and the bill read.

Mr. Perry, seconded by Mr. Bidwell, moves that the militia bill be read a second time on Monday next.

Which was ordered.

Agreeably to the order of the day, the abolition bill was read the second time.

Mr. Playter, seconded by Mr. Bidwell, moves that this House do on to-morrow, resolve itself into a committee of the whole on the bill for the abolition of imprisonment for debt in certain cases.

Which was ordered.

Mr. Attorney General, from the committee appointed to prepare a bill founded on the resolution of this House relative to loaning the Welland Canal Company the sum of twenty-five thousand pounds, reported a draft which was received and read the first time.

Mr. Attorney General, seconded by Mr. Thompson, moves that the Welland Canal loan bill be read a second time on Monday next.

On which the House divided and the yeas and nays being taken were as follows:—

YEAS.—Messrs. Atkinson, Atty. General, Baby, Beasley, Burnham, Clark, Fothergill, Gordon, Hornor, Ingersol, Charles Jones, Jonas Jones, McBride, McDonald, McDonell, Morris, Thompson, Scollick, and White—19.

NAYS.—Messrs. Beardsley, Bidwell, Hamilton, Lafferty, Lyons, Perry, Playter, Randal, Thomson, VanKoughnett, and Walsh—11.

The question was carried in the affirmative by a majority of eight and ordered accordingly.

Mr. Fothergill, from the committee to draft an address to His Excellency the Lieutenant Governor on the subject of the Land Granting Department reported a draft, which was received and read the first time.

Mr. Fothergill, seconded by Mr. Morris, moves that the address to His Excellency the Lieutenant Governor on the subject of the land granting department be read a second time to-morrow.

Which was ordered.

Mr. Attorney General gives notice that he will move to-morrow that the several reports of the select committee upon the petitions respecting the Welland Canal be referred to a committee of the whole House.

The House adjourned.

Friday, 16th December, 1825.

Mr. Rolph, seconded by Mr. Perry, moves for leave to bring up the petition of McDonell and other Roman Catholics, praying for liberty to hold land for religious purposes.

Which was granted, and the petition brought up.

Agreeably to the order of the day, the Prince Edward division bill was read the third time.

Mr. Thomson, seconded by Mr. Bidwell, moves that the bill do now pass, and that it be entitled "An Act to provide for the erection of the County of Prince Edward into a separate District."

Which was carried, and the bill signed.

Messrs. Thomson and Bidwell were ordered to carry up to the Honourable the Legislative Council, the bill entitled "An Act to provide for the erection of the County of Prince Edward into a separate District," and to request their concurrence thereto.

Sir P. Maitland, K. C. B. Lieut. Governor.

Mr. Rolph from the committee, appointed to inquire into the delay of printing the Statutes of the last Session, reported as follows:—

Committee Room, House of
Assembly, December 13th, 1825. }

The committee appointed to inquire into the causes of delay, in printing the Statutes of the last Session of this Parliament report, that the late Session was closed on the 13th day of April, 1825; and the titles of the only Acts which received the royal assent are hereunto annexed.

The Acts came duly into the possession of the proper officer; and as they were so few in number there could be little time required for preparing copies for publication. From some gentlemen of this town engaged in the press, we learn that the statutes might have been printed here at a fair and reasonable price without the inconvenience and delay of sending them to Kingston, a distance of nearly two hundred miles. It also appears before your committee that the copies of the statutes for publication were not even sent to the office of the Chronicle, in Kingston, till a short time before the commencement of the present session; a serious delay, for which your committee can find no excuse, and the censure for which they can attach only to those persons about His Excellency, intrusted with the very important duty of faithfully publishing the laws as early as possible after the public become subject to their operation.

All which is respectfully submitted.

JOHN ROLPH, *Chairman.*

“An Act for the better regulating the assize and fixing the price of bread in the several police towns throughout this Province.”

“An Act to make good certain monies advanced by His Majesty, pursuant to the address of the House of Assembly at the last session of Parliament to His Excellency the Lieutenant Governor.”

“An Act to provide for the ascertaining and establishing the division line between the townships of Ancaster and Flamboro' West, in the District of Gore.”

“An Act to repeal part of, and extend the provisions of an Act passed in the 4th year of his present Majesty's Reign, entitled “An Act to incorporate certain persons therein mentioned under the style and title of the Welland Canal Company.”

“An Act to authorise the Justices of the Home District to raise a further sum by loan, to be applied in completing a Gaol and Court House for the said District.”

Mr. Rolph from the committee, to whom was referred the petition of Philo Hawley, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would please to receive the same.

The report was ordered to be received, and the bill was read the first time.

Mr. Rolph, seconded by Mr. Perry, moves that the bill for the relief of Philo Hawley, be read a second time on Tuesday next. Which was ordered.

Mr. Clark from the select committee to whom was referred the gaol limits amendment bill, reported that the committee had considered the bill and made some amendments, to which he was desired to request the concurrence of the House.

The report was ordered to be received.

Mr. Rolph, seconded by Mr. Clark, moves that the gaol limits amendment bill be read a second time on Monday next.

Which was ordered.

Mr. Perry from the committee, to whom was referred the petition of George Seaman and others, reported that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would please to receive the same.

The report was ordered to be received, and the draft was read the first time.

Mr. Perry, seconded by Mr. Randal, moves that the Fredericksburgh survey bill be read a second time on Tuesday next.

Which was ordered.

Agreeably to notice, Mr. Rolph, seconded by Mr. McCall, moves for leave to bring in a bill to facilitate the recovery of dower.

Which was granted, and the bill read.

Mr. Rolph, seconded by Mr. McCall, moves that the dower relief bill be read a second time on Tuesday next.

Which was ordered.

Mr. Thomson, from the committee to whom was referred the several petitions from the District of Gore, reported that the committee had agreed to report by bill, a draft of which he was directed to submit whenever the House would please receive it.

The report was ordered to be received and the draft was read the first time.

Mr. Hamilton, seconded by Mr. Matthews, moves that the Gore District gaol and court house bill, be read a second time on Tuesday next.

Which was ordered.

Agreeably to the order of the day the House went into committee on the address to His Excellency the Lieutenant Governor thanking him for his gracious messages of the 29th ult.

Mr. Thompson was called to the chair.

The House resumed.

Mr. Thompson reported the address without amendment.

The report was ordered to be received.

Mr. Gordon, seconded by Mr. VanKoughnett, moves that the address to His Excellency the Lieutenant Governor be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day the absconding debtors arrest bill, was read the second time.

Mr. Lefferty, seconded by Mr. Scollick, moves that this House do now resolve itself into a committee of the whole upon the absconding debtors bill.

Which was carried, and Mr. Atkinson was called to the chair of the committee.

The House resumed.

Mr. Atkinson reported the committee had risen.

Agreeably to the order of the day the dog tax bill was read the second time.

Mr. Thomson, seconded by Mr. McDonald, moves that the House do now resolve itself into a committee of the whole upon the dog tax bill.

Which was carried and Mr. Baby was called to the chair.

The House resumed.

Mr. Baby reported progress and obtained leave to sit again to-morrow.

Agreeably to the order of the day the address to His Excellency the Lieutenant Governor thanking him for his messages of the 29th ult. was read the third time, passed and signed by the Speaker, and is as follows:—

2d Session, 9th Parliament, 5th Geo: IV.

To His Excellency **SIR PEREGRINE MAITLAND**, Knight Commander of the Most Honourable 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 dutiful and loyal subjects the Commons House of Assembly, in Provincial Parliament, assembled humbly thank Your Excellency for your several messages of the 29th ult. communicating the account of casual and territorial revenue, the statement of debentures, the arbitrators' report, the Canal Commissioners' accounts, and the returns of population for the year one thousand eight hundred and twenty-five.

JOHN WILLSON, *Speaker.*

Commons House of Assembly, 16th December, 1825.

Mr. J. Jones, seconded by Mr. Gordon, moves that Messrs. Morris and VanKoughnett be a committee to wait upon His Excellency to know when he will be pleased to receive the address of this House and to present the same.

Which was ordered.

Agreeably to notice Mr. Attorney General, seconded by Mr. J. Jones, moves that the House do now resolve itself into a committee of the whole upon the several reports of the select committee upon the petitions, relating to the Welland Canal.

Which was carried, and Mr. Beasley was called to the chair.

The House resumed.

Mr. Beasley reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House and asked leave to sit again to-morrow.

The report was ordered to be received.

The resolution was then put, on which the House divided and the yeas and nays being taken, were as follows:—

YEAS—Messrs. Attorney General, Beasley, Burnham, Cameron, Clark, Fothergill, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, Lyons, Matthews, McBride, McCall, McDonell, Morris, Perry, Playter, Scollick, Thompson, Thomson and VanKoughnett—25.

NAYS—Messrs. Hamilton and Randal—2.

The question was carried in the affirmative by a majority of twenty three, leave was granted, and it was Resolved that it is the opinion of the House that it would undoubtedly be expedient to authorise by law the deviation from the route of the proposed Canal from the mountain to the Twelve Mile Creek, as prayed for in the petition of the President and Directors of the Company, and surveyed and reported upon, by Mr. Clowes and Mr. Roberts, Engineers.

The House then adjourned.

Saturday, 17th December, 1825.

Mr. Matthews, seconded by Mr. Hornor, moves for leave to bring up the petition of Peter Lossing and others.

Which was granted, and the petition brought up.

Agreeably to the order of the day the petition of Leonard Soper, praying to be allowed to traverse a certain inquisition; the petition of the inhabitants of the county of Middlesex, praying to be erected into a separate District; and the petition of George Ward and others, inhabiting the Long Woods, praying for the privilege of erecting a dam across the River Thames—were read.

Agreeably to notice Mr. Attorney General, seconded by Mr. McDonell, moves that the House do now resolve itself into a committee of the whole upon the petition of the agents of the Honourable the East India Company, for the sale of their Tea in Canada.

Which was carried, and Mr. Clark was called to the chair.

The House resumed.

Mr. Clark reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House.

On the question for receiving the report the House divided and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Beasley, Burnham, Cameron, Clark, Fothergill, Gordon, Hornor, Ingersol, C. Jones, J. Jones, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Playter, Scollick, Thompson, VanKoughnett, Wilkinson, and White—23.

NAYS—Messrs. Hamilton, Perry, Randal, and Rolph—4.

The question was carried in the affirmative by a majority of 19, the report was received, and it was resolved, that it is the opinion of this House that it is expedient to address His Excellency the Lieutenant Governor, stating the willingness of this House to concur in such enactments as may be made by the Legislature of Lower Canada, in respect to the several objects stated in the petition of the agents to the Honourable the East India Company for the sale of their Tea in Canada.

Mr. Attorney General, seconded by Mr. Gordon, moves that the resolution of this House upon the petition of the agents to the Honourable the East India Company, for the sale of their Tea in Canada, be communicated to the Honourable the Legislative Council, and the concurrence of that House be requested therein.

Which was ordered.

Messrs. Gordon and Lafferty, were ordered by the Speaker to carry up to the Honourable the Legislative Council, a message communicating the resolution of this House founded on the petition of the Agents of the Honourable the East India Company, and to request their concurrence therein.

Agreeably to notice, Mr. Rolph, seconded by Mr. Charles Jones, moves that his name and the name of Beardsley be struck off all committees upon which their names may stand, except the Welland Canal committee, and to insert other names therein.

In amendment Mr. Hamilton, seconded by Mr. Perry, moves that after the word "moves" the whole be expunged, and the following be inserted, "that the decision of the House in allowing the Attorney General's name to be struck off the committee on the petition of John Matthews, Esq. was not intended to imply a censure upon the other members of the committee on the bill entitled, "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned."

On which the House divided and the yeas and nays being taken were as follows:—

YEAS.—Messrs. Atkinson, Beasley, Burnham, Cameron, Clark, Gordon, Hamilton, Hornor, D. Jones, Lyons, Lafferty, Matthew, McBride, McCall, McDonald, McDonell, Morris, Perry, Playter, Randal, Scollick, Thompson, Thomson, Walsh, Wilkinson, and White—26.

NAYS.—Messrs. C. Jones, J. Jones, and VanKoughnett—3.

The question was carried in the affirmative by a majority of twenty-three and ordered accordingly.

The original question as amended, was then put and carried.

Agreeably to notice, Mr. Thomson, seconded by Mr. Hamilton, moves that Messrs. VanKoughnett, Wilkinson, and McDonald, be a committee to enquire if any and what laws are about to expire, and to report by bill or otherwise.

Which was ordered.

Sir P. Maitland, K. C. B. Lieut. Governor.

Agreeably to the order of the day the House went into committee on the reports of the select committee to whom were referred the several petitions relative to the Welland Canal.

Mr. Beasley in the chair.

The House resumed.

Mr. Beasley reported that the committee had agreed to several resolutions, which he was requested to submit for the adoption of the House.

The report was ordered to be received, and the first resolution was put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Attorney General, Beasley, Bidwell, Burnham, Clark, Fothergill, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, Lyons, Matthews, McBride, McDonald, Morris, Perry, Playter, Scollick, Thompson, Thomson, Van Koughnett, Walsh, Wilkinson, and White—28.

NAYS—Messrs. Hamilton and Randal—2.

The question was carried in the affirmative by a majority of twenty-six; and it was resolved that it is the opinion of this House that until reference has been had to the stockholders of the Welland Canal Company, to be convened at a general meeting for that purpose, and their consent or objections made known, the Legislature ought not to sanction, upon any terms, the diverting, by an independent company, any part of the water brought down by the Welland Canal Company for the purpose of forming a canal by another route, and of affording facilities for the erection of rival establishments of mills or other machinery.

The second resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Attorney General, Beasley, Bidwell, Burnham, Clark, Fothergill, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Morris, Perry, Playter, Randal, Scollick, Thompson, Thomson, Van Koughnett, Walsh, Wilkinson, and White—30.

NAY—Mr. Hamilton—1.

The question was decided in the affirmative by a majority of twenty-nine, and it was resolved, that this House is highly favourable to the undertaking of such a work as the inhabitants of the town of Niagara and its vicinity have prayed for, and they earnestly hope that the Welland Canal Company will either find it consistent with their interests to engage in it, upon their stock being enlarged for that purpose, or in the event of their declining that course, that they would accede to some reasonable arrangement which may enable a distinct company to effect an object so desirable, and capable of being so easily accomplished.

The third resolution was then put and carried, nem. con.

Members present—Messrs. Atkinson, Attorney General, Beasley, Bidwell, Burnham, Clark, Fothergill, Gordon, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Morris, Perry, Playter, Randal, Scollick, Thompson, Thomson, Van Koughnet, Walsh, Wilkinson, and White; and it was resolved, that it is the opinion of this House that it would be a proper indulgence, to be granted on the part of this House, to the Welland Canal Company to accede to their prayer with respect to the remission of duties, if the same can be legally done; and if not, that the government be authorised by a particular appropriation to return to the company an equal amount to that which they shall have paid and shall hereafter pay for duties.

The fourth resolution was then put, on which the house divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Attorney General, Beasley, Burnham, Fothergill, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, Matthews, McBride, McDonald, Morris, Playter, Scollick, Thompson, Van Koughnett, Wilkinson, and White—23.

NAYS—Messrs. Bidwell, Hamilton, Lafferty, McCall, Perry, Randal, Thomson, and Walsh—8.

The question was carried in the affirmative by a majority of fifteen, and it was resolved, that the House concur in the first and second report of the select committee appointed to take into consideration the several petitions of the President and Directors of the Welland Canal Company; of James Gordon, Esquire, a stockholder in the said company; of Jacob Upper and others, inhabitants of the District of Niagara; of Samuel Wood and others, and of the inhabitants of the town of Niagara and its vicinity.

Mr. J. Jones, seconded by Mr. McDonald, moves that Messrs. Attorney General and C. Jones be a committee to draft and report bills pursuant to the foregoing resolutions.

Which was ordered.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the first and second reports of the select committee upon the several petitions respecting the Welland Canal, together with the appendix and the resolutions of this House adopted thereupon be communicated to the honourable the Legislative Council.

Which was ordered.

Messrs. Attorney General and J. Jones were ordered, by the Speaker, to carry up to the honourable the Legislative Council a message communicating the first and second reports of the select committee upon the petitions relative to the Welland Canal, with appendix and resolutions adopted thereupon.

Agreeably to the order of the day the foreigners' civil rights bill was read the second time.

Mr. Hamilton, seconded by Mr. Matthews, moves that the House do now resolve itself into a committee of the whole on the rights of certain persons' bill with regard to foreigners.

Which was carried, and Mr. Fothergill was called to the chair.

The chairman left the chair.

Doors closed.

Doors opened.

The chairman resumed the chair.

The House resumed.

Mr. Fothergill reported the bill as amended.

On the question for receiving the report the House divided and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Wilkinson, and White—23.

NAYS—Messrs. Attorney General, Burnham, Cameron, Gordon, C. Jones, J. Jones, McDonell, Morris, and Van Koughnett—9.

The question was carried in the affirmative by a majority of fourteen, and the report was accordingly received.

Mr. Bidwell, seconded by Mr. Rolph, moves that the forty-first rule of this House, so far as regards the foreigners' civil rights bill, be dispensed with, and that the same be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day the small debt relief bill was read the second time.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the House do now resolve itself into a committee of the whole on the small debt relief bill.

Which was carried, and Mr. Hamilton was called to the chair.

The House resumed.

Mr. Hamilton reported progress and obtained leave to sit again on Monday next.

Agreeably to the order of the day the foreigners' civil rights bill was read the third time.

Mr. Bidwell, seconded by Mr. Rolph, moves that the bill do now pass, and that it be entitled "An Act to secure to certain inhabitants of this Province, rights and privileges as British subjects."

2d Session, 9th Parliament, 5th Geo: IV.

On which the House divided and the yeas and nays being taken were as follows :

YEAS—Messrs. Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Lefferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Walsh, Wilkinson, and White—22.

NAYS—Messrs. Attorney General, Cameron, Gordon, C. Jones, McDonell, Morris, and Van Koughnett—7.

The question was carried in the affirmative by a majority of fifteen, and the bill was signed.

Mr. Rolph and Mr. McBride were ordered by the Speaker to carry up to the honourable the Legislative Council the bill entitled "An Act to secure to certain inhabitants of this Province rights and privileges as British subjects," and to request their concurrence thereto.

Mr. Morris gives notice that he will, on Monday next, move for leave to bring in a bill for the relief of Leonard Soper.

The House then adjourned till Monday at ten o'clock, A. M.

Monday, 19th December, 1825.

Mr. Hamilton, seconded by Mr. Baby, moves for leave to bring up the petition of the inhabitants of the District of Niagara respecting the losses sustained during the late war with the United States of America.

Which was granted and the petition brought up.

Mr. Perry, seconded by Mr. Bidwell, moves for leave to bring up the petition of James Lake and others.

Which was granted and the petition brought up.

Mr. Lefferty, seconded by Mr. Walsh, moves for leave to bring up the petition of Luke Carrol and others, of the township of Stamford and District of Niagara.

Which was granted and the petition brought up.

Mr. Clark, seconded by Mr. C. Jones, moves for leave to bring up the petition of John Carey of the town of York, printer.

Which was granted and the petition brought up.

Mr. D. Jones, seconded by Mr. Morris, moves for leave to bring up the petition of Matthew Leach.

Which was granted and the petition brought up.

Agreeably to the order of the day the petition of C. H. McDonell and others, praying for authority to hold land for church purposes, was read.

Mr. Rolph, seconded by Mr. Baby, moves that the petition of Mr. McDonell, and other Roman Catholics of the village of Dundas, be referred to a select committee, and that Messrs. Matthews and Hamilton do compose the same, with leave to report by bill or otherwise.

Which was ordered.

Mr. Walsh, seconded by Mr. McCall, moves that the petition of the inhabitants of the townships of Bayham and Mallahide, praying that those townships may not be taken from the county of Middlesex, be referred to a select committee, and that Messrs. Rolph, Matthews, Hornor, and Ingersol, do compose the said committee, with power to send for persons and papers, and with leave to report thereon to the House by bill or otherwise.

Which was ordered.

Agreeably to the order of the day the House went into committee on colonial trade.

Mr. Hornor was called to the chair.

The House resumed.

Mr. Hornor reported progress and obtained leave to sit again to-morrow.

Agreeably to the order of the day the York fire company bill was read the second time.

Mr. Attorney General, seconded by Thompson, moves that the House do now resolve itself into a committee of the whole on the York fire company bill.

Which was carried and Mr. Lefferty was called to the chair.

The House resumed.

Mr. Lefferty reported the bill as amended.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. Thompson, moves that the bill to prevent accidents by fire in the different towns throughout this Province, be engrossed and read a third time on Wednesday next.

Which was ordered.

Agreeably to the order of the day the House went into committee on the state of the Province.

Mr. Burnham in the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, master in chancery, brought down from the honourable the Legislative Council a message, and having retired, the Speaker read the same as follows :

MR. SPEAKER.

The Honourable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of the resolution sent up from that House, respecting a proposed address to His Majesty in behalf of the sufferers by the late war.

The Honourable the Legislative Council have appointed a committee of two members who will be ready to meet a committee of the Commons House of Assembly in the joint committee room at four o'clock, P. M. this day.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 19th December, 1825.

Mr. Morris, seconded by Mr. Gordon, moves that the request of the honourable the Legislative Council for a conference on the resolution relating to the sufferers by the late war, be acceded to, and that Messrs. Gordon, C. Jones, Attorney General, and Clark, be a committee for that purpose.

Which was carried.

Mr. Morris, seconded by Mr. Burnham, moves that a message be sent to the honourable the Legislative Council informing that honourable House that this House has acceded to their request for a conference on the subject of the resolution of this House, relative to the sufferers by the late war, and have appointed a committee of four members who will be ready to proceed to the joint committee room at the time appointed.

Which was ordered.

Messrs. McBride and Ingersol were ordered by the Speaker to carry up to the honourable the Legislative Council a message, informing that honourable House that this House had acceded to their request for a conference on the subject of the sufferers by the late war.

The House went again into committee on the state of the Province.

Mr. Burnham in the chair.

The House resumed.

Mr. Burnham reported progress, and asked leave to sit again to-morrow.

The report was ordered to be received, and leave was granted accordingly.

Sir P. Maitland, K. C. B. Lieut. Governor.

Mr. Attorney General, from the committee to confer with the committee of the honourable the Legislative Council on the subject of the resolution of this House relative to the sufferers by the late war, report as follows:

The committee of conference appointed to confer with the committee of the honourable the Legislative Council upon the subject of the resolution sent up from the House of Assembly respecting the claims of the sufferers during the late war, met the said committee in the joint committee room at the time appointed, and were informed by them that the said resolution appeared to the Legislative Council to be incorrect, in so far as it asserts that the sufferers have long looked in vain for relief, without adverting to the very considerable grants which have been already made by His Majesty, and without noticing that an offer has been made by His Majesty to contribute equally with this Province to pay the whole amount.

Mr. Morris gives notice that he will, on Wednesday next, move an address to his Excellency the Lieutenant Governor praying that his Excellency will be graciously pleased to make known to His Majesty's government the expediency of establishing sales of the East India Company's Tea within this Province.

The House then adjourned.

Tuesday, 20th December, 1825.

Mr. Attorney General, seconded by Mr. Morris, moves for leave to bring up the petition of Isaac Rall.

Which was granted and the petition brought up.

Mr. Playter, seconded by Mr. Perry, moves for leave to bring up the petition of John Willson of the township of Markham.

Which was granted and the petition brought up.

Agreeably to the order of the day the petition of Peter Lossing and others of the township of Norwich, praying that certain roads made in said township may be confirmed by law, was read.

Mr. Matthews, seconded by Mr. Hornor, moves that the petition of Peter Lossing and others be referred to a select committee to be composed of Messrs. Rolph and Hamilton, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Agreeably to the order of the day the absconding debtors' attachment bill was read the second time.

Mr. Rolph, seconded by Mr. Atkinson, moves that the House do go into committee on the absconding debtors' bill.

Which was carried and Mr. Lyons was called to the chair.

The House resumed.

Mr. Lyons reported progress and obtained leave to sit again to-morrow.

Agreeably to the order of the day the House went into committee on the colonial trade.

Mr. Hornor in the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, master in chancery, brought down from the honourable the Legislative Council the bill entitled "An Act to dispense with the necessity of actually pronouncing sentence of death in certain cases of capital conviction," which they had passed without amendment; also, the bill entitled "An Act to enable societies professing christianity to hold lands for certain purposes," to which the honourable the Legislative Council had made some amendments, and to which he was desired to request the concurrence of this House, and having retired, the amendments made by the honourable the Legislative Council in and to the bill entitled "An Act to enable societies professing christianity to hold lands for certain purposes," were read the first time as follows:

In the title—after the word "enable," expunge "societies professing christianity," and insert "certain denominations of christians within this Province."

Press. 1, line 1—After the word "Whereas," expunge the remainder of the bill and insert "certain denominations of christians within this Province are desirous of obtaining legislative authority to hold, in a corporate capacity, land whereon to erect places of worship, and for burying grounds; and also for a place of residence for their respective ministers or teachers; 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 it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, by and with the advice of his Executive Council for the affairs thereof, to grant to any congregation or body of Christians professing to be Roman Catholics, Presbyterians, Lutherans, Congregationalists, Baptists, Methodists, Quakers, Menonists, Tunkers, or Moravians, having a settled Minister or Teacher, regularly ordained, according to the rights and ceremonies of such denomination respectively, and being a natural born subject of His Majesty, or a subject of His Majesty naturalized by act of the British Parliament, or a subject of His Majesty, having become such by the conquest and cession of the Province of Canada, requiring the same by petition, a Charter under the great seal of this Province, enabling them to receive a conveyance of land by grant or purchase, for the purposes aforesaid, and to appoint trustees to whom, and their successors to be chosen or appointed in such manner and form as shall be specified in such charter, the land requisite for the site of a church and burying ground and residence for their respective ministers or teachers may be conveyed or granted, and such trustees and their successors in perpetual succession shall be made capable, by the same charter, of taking possession and enjoying the same, and of conveying and maintaining in their personal names, as joint trustees, any action or actions in law for the protection thereof and of their rights thereunto.

2. And be it further enacted by the authority aforesaid, that no one congregation of christians of the denominations aforesaid shall have power under the charter granted as aforesaid by the authority of this act to hold a greater quantity of land than five acres in any one township of this Province.

3. Provided always, and be it further enacted by the authority aforesaid, that nothing in this act contained shall make it lawful for the governor, lieutenant governor, or person administering the government, by and with the advice of his Executive Council as aforesaid, to grant more than one charter to any of the denominations aforesaid for the purposes hereinbefore mentioned, in one and the same township or place.

WILLIAM CAMPBELL, *Speaker.*

*Legislative Council Chamber, }
20th day of December, 1825. }*

Mr. McBride, seconded by Mr. Beasley, moves that the bill entitled "An Act to enable societies professing Christianity to hold lands for certain purposes," sent down from the honourable the Legislative Council with the amendments, be read a second time this day six months.

In amendment, Mr. J. Jones, seconded by Mr. Thompson, moves that the words "this day six months" be expunged, and "Monday next" be inserted.

On which the House divided, and the yeas and nays being taken were as follows:

YEAS—Messrs. Atkinson, Bidwell, Burnham, Burke, Cameron, Clark, Fothergill, Gordon, Hamilton, Hornor, Ingersol, D. Jones, J. Jones, Matthews, McCall, McDonald, Morris, Playter, Rolph, Scollick, Thompson, Thomson, Van Koughnett, Walsh, Wilkinson, and White—26.

NAYS—Messrs. Beasley, Lafferty, Lyons, McBride, Perry, and Randal—6.

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The question was carried in the affirmative by a majority of twenty, and ordered accordingly.

The original question as amended was then put and carried.

The House went again into committee on colonial trade.

Mr. Hornor in the chair.

The House resumed.

Mr. Hornor reported progress and obtained leave to sit again to-morrow.

Mr. Playter gives notice that he will, on Thursday next, move that a committee be appointed to inquire if any, and what, arrangements may be necessary to prepare a building for the future sitting of the Legislature of this Province, and to report accordingly.

The House then adjourned.

Wednesday, 21st December, 1825.

Agreeably to the order of the day the Fire Company's bill was read the third time.

Mr. Attorney General, seconded by Mr. Cameron, moves that the bill do now pass and that the title thereof be "An Act to make further and more effectual provision for the prevention of accidents by fire in the several police towns of this Province."

Which was carried and the bill signed.

Messrs. Attorney General and Cameron were ordered by the Speaker to carry up to the honourable the Legislative Council the bill entitled "An Act to make further and more effectual provision for the prevention of accidents by fire in the several police towns of this Province," and to request their concurrence thereto.

Agreeably to the order of the day the petition of certain inhabitants of the Niagara District praying for balance of claims for losses by them sustained during the late war; the petition of James Lake and others, praying for pecuniary aid for repairing road between Kingston and the Napanee; the petition of Luke Carrol and others praying for alterations in the act regulating tavern licences; the petition of John Carey, of the town of York, printer, praying that the Gore District gaol and court-house bill may not be passed; and the petition of Matthew Leech, Esquire, praying that his case may be taken into consideration and relief granted to him—were read.

Mr. D. Jones, seconded by Mr. McBride, moves that the petition of Matthew Leech be referred to a select committee, and that Messrs. Gordon, Rolph, Beasley, and Thomson, do compose the same, to report thereon by bill or otherwise.

Which was ordered.

Mr. Perry, seconded by Mr. Bidwell, moves that the petition of James Lake and others be referred to the committee of supply.

Which was ordered.

Mr. Lafferty, seconded by Mr. Clark, moves that the petition of Luke Carrol and others of the township of Stamford and District of Niagara, be referred to a select committee, with power to send for persons and papers, and that Messrs. Walsh and Playter do compose the same, with power to report by bill or otherwise.

Which was ordered.

Mr. Clark, seconded by Mr. J. Jones, moves that the petition of John Carey be referred to a committee of the whole House to-morrow.

Doors closed.

Doors opened.

On the question the House divided, and the Yeas and Nays being taken were as follows:

YEAS—Messrs. Clark, Gordon, Horner, C. Jones, McDonnell, Perry, Scollick, Van Koughnet, and Walsh—9.

NAYS—Messrs. Atkinson, Baby, Beasley, Bidwell, Burnham, Burke, Cameron, Fothergill, Hamilton, Ingersol, D. Jones, J. Jones, Lafferty, Lyons, Matthews, McBride, Morris, Playter, Rolph, Thomson, Wilkinson, and White—22.

The question was decided in the negative, by a majority of thirteen, and lost accordingly.

Agreeable to notice, Mr. Walsh, seconded by Mr. C. Jones, moves for leave to bring in a bill to amend and extend the law respecting County Registries in this Province, and to provide for the erection of fire-proof offices or vaults for the preservation of county records.

Which was granted and the bill read.

Mr. Walsh, seconded by Mr. C. Jones, moves that the bill to amend and extend the law respecting county registers, and to provide for the erection of fire-proof offices or vaults, be read a second time on Monday next.

Which was ordered.

Agreeably to notice Mr. Bidwell, seconded by Mr. Matthews, moves for leave to bring in a bill to provide for the appointment of guardians to infants

Which was granted and the bill read.

Mr. Bidwell, seconded by Mr. Matthews, moves that the guardian bill be read a second time on Saturday next.

Which was ordered.

Agreeably to notice Mr. Fothergill, seconded by Mr. Matthews, moves for leave to bring in a bill for the purpose of introducing the replevin laws of England into this Province.

Which was granted and the bill read.

Mr. Fothergill, seconded by Mr. Matthews, moves that the bill for the introduction of the replevin laws of England into this Province be read a second time on Saturday next.

Which was ordered.

Agreeably to the order of the day the Kingston police bill was read a second time.

Mr. Thomson, seconded by Mr. Atkinson, moves that the House do now resolve itself into a committee of the whole on the Kingston police bill.

Which was carried, and Mr. Ingersol was called to the chair.

The House resumed.

Mr. Ingersol reported the bill as amended.

The report was ordered to be received.

Mr. Thomson, seconded by Mr. Atkinson, moves that the Kingston police bill be engrossed and read a third time on Saturday next.

Which was ordered.

Agreeably to notice Mr. Rolph, seconded by Mr. Matthews, moves for leave to bring in a bill for the division of the London District.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. Matthews, moves that the London District division bill be read a second time on Monday next.

In amendment, Mr. Matthews, seconded by Mr. Wilkinson, moves that after the word "moves," the whole be expunged, and the following be inserted, "that the bill for the division of the London District be referred to a committee of seven members of this House, to be selected by ballot, with power to send for persons and papers, and to report thereon by bill or otherwise."

Which was lost.

In amendment, Mr. Attorney General, seconded by Mr. Jonas Jones, moves that after the word "that," the remaining words be expunged, and the following be inserted, "it be resolved that the bill for dividing the District of London be referred to a select committee of seven members, to be chosen by ballot, and that the said committee be instructed to consider and report whether it would be more advisable

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under present circumstances to divide the said District or to remove the county town to some more central position; and in either case to report what scite would be the most eligible for that purpose, and that the said committee have power to send for persons and papers, and to report by bill or otherwise.

Which was carried.

The original question, as lastly amended, was then put and carried, and the House proceeded to ballot accordingly, when the following members were drawn:

Messrs. Gordon, Attorney General, Morris, Matthews, C. Jones, Rolph, and Ingersol.

The House then adjourned.

Thursday, 22d, December, 1825.

Mr. Lefferty, seconded by Mr. Clark, moves for leave to bring up the petition of W. L. Mackenzie, of York.

Which was granted and the petition brought up.

Mr. Thompson, seconded by Mr. Playter, moves for leave to bring up the petition of John Silverthorn and others.

Which was granted and the petition brought up.

Mr. Rolph, seconded by Mr. Randal, moves for leave to bring up the petition of certain inhabitants of the London District respecting the division thereof.

Which was granted and the petition brought up.

Agreeably to the order of the day the petition of Isaac Rall, praying for a pension; and the petition of John Willson, Esquire, Markham, praying a support, were read.

Mr. Playter, seconded by Mr. Perry, moves that the petition of John Willson, of the township of Markham, be referred to the Committee of supply.

Which was ordered.

Mr. Attorney General, seconded by Mr. Lyons, moves that the petition of Isaac Rall be referred to the committee of the whole House, upon the militia pension bill.

Which was ordered.

Agreeably to notice Mr. Morris, seconded by Mr. J. Jones, moves that that part of the journals of last session relative to the report of the joint committee on internal navigation, together with the resolutions annexed, be now read.

Which was carried and that part of the journals was read as follows:

The Joint Committee, appointed to confer upon the improvement of the Internal Navigation of this Province, have had before them the several reports of the Commissioners appointed under the Provincial Statute, 2d Geo. 4th, chap. 2d, which they have read with great interest, and especially the third or last report, accompanied with an able and very judicious letter, addressed by Mr. Macaulay, the President, to Mr. Gordon, one of the members of the board, and submitted by the latter to the committee.

All these papers are subjoined to this report in an appendix, and the committee have much satisfaction in calling attention to them as to documents which are, in their opinion, highly creditable to the zeal and intelligence of the commissioners.

With respect to the estimates in detail, however important it is to ascertain their accuracy, it can scarcely be expected that the committee can of their own knowledge either verify or discredit them, or in fact, that they can do any thing more than express their judgement as to the degree of confidence they appear entitled to from the means which were employed in procuring them. On this point the committee is happy to believe there is no ground to discourage a reliance upon their general accuracy; on the contrary Mr. Clowes, after the experience the commissioners have had of him, appears to possess fully their good opinion of his professional knowledge and of his respectable character, and the committee finds no reason to apprehend that the result of his surveys would not be found generally correct, except that, as in all similar undertakings of great extent, there is a chance that obstacles might present themselves in the progress of the work, which it is not always possible to discover or foresee.

The probability of some obstacles occurring which would enhance the cost, is perhaps too great to admit of its being safely kept out of view in any case, but as this is purely a contingency, and no calculation can possibly be made to meet it, the estimates must necessarily be assumed to be, in the main, correct, in the absence of any known reason for suspecting their accuracy.

To these reports, therefore, the committee refer as containing the best, and in truth the only, satisfactory information it is in their power to present, as to the means of improving the internal navigation of this Province, and indeed, in the observations contained in the reports, so comprehensive a view is taken of the subject, and the public interests involved in it, are discussed with so much candour and judgment, that the committee would unwillingly bespeak attention to any attempt of theirs to reason minutely upon the same points with less advantage of leisure and far less opportunities of knowledge. They have, therefore, confined themselves to such remarks as occurred on a general review of these important results of the labour of the commissioners.

Though many of the improvements of which the inland navigation of this province is susceptible are perfectly obvious, and they had, therefore, been very early the subject of discussion, the first attempt to direct the attention to them by any public measure (if we except the provision made by the legislature in 1819 for surveying the waters of the St. Lawrence) was by the Act of 1821 appointing the board of commissioners, whose labours are comprehended in the subjoined reports. It is due to the memory of the late Colonel Nichol, formerly an active and very intelligent member of the legislature, to remark, that his zeal in the cause of public improvements occasioned this measure to be brought forward at an earlier period than it would otherwise have been, and that so long as he lived he persevered very faithfully in carrying it into effect.

When the state of the Province, even at the present moment, is considered with regard to its population and its resources, it must be acknowledged that it was at an early stage of its advancement that attention was thus turned to objects so important. It has been not unusual to reproach the people of Upper Canada with a want of enterprise and exertion in not having sooner applied themselves to works of this description. A comparison not very strict, with the neighbouring States, has appeared to give occasion to such reproaches, but they are in truth undeserved.

When the State of New-York contained four times the present population of Upper Canada, and when its resources from its commercial advantages and the greater general opulence of its inhabitants, exceeded those of this Province in a proportion infinitely greater, no work of the magnitude of some of those which we now venture to contemplate, had been undertaken or even thought of.

When in very recent years the patriotic zeal of a few men of more than ordinary talents, inspired them with courage to propose the wonderful undertaking which the State of New-York has now carried nearly to its completion, it appeared to most persons so far above the means of the country to accomplish, that it was with difficulty the plan could be at first supported against the prejudice of public opinion, but it is obvious that when it was determined to proceed in its execution, it was in the power of that state to furnish great resources for the undertaking.

It cannot, with any reason, be thought to reflect shame on this country that it has hitherto felt itself unable to commence works of even far less cost.

It must be remembered, that with more than a million of inhabitants whose circumstances are, generally speaking, much more opulent, the State of New-York possesses a very flourishing sea port which attracts the riches of commerce and affords the means of raising with ease and certainty a great revenue by indirect taxation, and that her more advanced state with regard to population and trade, not only makes her infinitely more equal to any great undertaking like that alluded to, but affords a more certain prospect of an immediate and profitable return.

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It is in one respect fortunate for this Province, that the State of New-York has found itself able, at so early a day, to attempt the completion of an inland navigation, which might well have been thought to exceed its power. An example has, in the progress of this great work, been afforded to the people of Canada, sufficiently applicable in all essential points to form the ground of satisfactory calculations.

With respect to the general face of the country, (not noticing some particular features) the climate and change of seasons, which call for some consideration, the price of labour, and most profitable mode of employing it, the circumstances are so far similar as to make experience in the one country highly useful in the other, and the resemblance in other respects is sufficiently strong to enable us to estimate, with tolerable accuracy, the probable effects of such improvements on the commerce and the agriculture of this country, by observing the progress of both, under the change of circumstances, produced by the canal in the State of New-York.

With such advantages it is fair to presume, that the commissioners and those they have employed, have not materially erred in their estimate of the probable expense of the several improvements suggested. There is at least much less room for apprehension of any material error being discovered in proceeding to put their plans in execution, than there might have been under other circumstances.

Upper Canada, regarding only those parts of it within the great waters which appear to be capable of cultivation, contains an area of about 50,000 square miles, the soil of which is, with very little exception, most favourable to agriculture, and the climate being equally propitious there is no doubt that when it is sufficiently peopled, its productions, and consequently its trade, must be immense. An inspection of the map discovers remarkable facilities afforded by nature to inland navigation; and it is impossible but that in time, besides those shorter inland cuts connecting the different chains of waters, and communicating at intervals with the St. Lawrence, advantage will be taken of the remarkable features of the country, to render navigable without interruption, the double access to the ocean by the great waters composing the frontier of the Province, and by those which inclose its settlements to the northward.

To these grand objects the public attention should undoubtedly first be called, for in these consist the distinguishing advantages with which the Province is so remarkably favoured. It is very probable that works of a similar nature, but of much more limited extent might be undertaken in particular sections of the Province with a more certain prospect of an immediate recompense, but there are reasons more obviously applying to Upper Canada, than perhaps to almost any other country, why the accomplishment of the greater objects should receive the first, and engross the whole attention of the Province, though in the present state of trade and population, a less return of profit should follow their completion.

It was no doubt with this conviction that the legislature has first and principally directed the attention of the commissioners "to the exploring the most practicable route for a canal between Lake Erie and the eastern boundary of this Province."

With what success they have performed their duty is to be learnt by an attentive perusal of their reports and an examination of their estimates, which it is believed, so far as they may be relied on, are by no means discouraging to those who may have ventured before to look forward to the commencement of undertakings apparently so disproportionate to the present means of the Province.

After examining the estimates and reports, the considerations remaining to be weighed, are, the probable influence of the projected improvements upon our security and welfare, the scale on which they should be attempted, the expense at which they can be accomplished, and the means of meeting that expense, the time in which they may and ought to be undertaken, and in what order.

Upon all these points the Commissioners have offered very valuable remarks; and the committee may without any censurable failure in their duty, forbear much additional observation of their own upon points upon which great diversity of opinion will undoubtedly prevail, however much they may be discussed, because they involve considerations so various in their nature, and so combined a view must be taken of the several questions, that it would be vain to pretend to demonstrate satisfactorily the precise conclusion to which the suggestions of the commissioners ought, under all circumstances, to lead.

That a canal from Kingston to the Ottawa River, would, in the event of a war, not merely diminish beyond measure the charge of our defence, but render its success greatly more certain, admits of no doubt. Happily present appearances indicate no interruption of the good understanding between Great Britain and America, on the contrary, they afford a well-grounded hope of its permanence; but without bringing probabilities into discussion it may be affirmed, that it would be most imprudent to reckon securely on a very long continuance of peace.

In the event of a war, protracted as the last, the safety and the saving of transport, conducted by such a channel, would, it is believed, fully compensate to the nation the charge of the improvement, and it is most evident that to give full effect to the sound and liberal policy which has created the military settlements on the Rideau, & introduced, since the war, a loyal population of more than 10,000 souls where there was before no inhabitant, and which is now surmounting at a considerable expense the interruption of the navigation of the Ottawa, it is necessary to perfect the water communication removed from the enemy's frontier, and leading in truth, from the ocean to Kingston, which is the key to Lake Ontario and the principal military station in the Province. The same reasoning applies, but in a less degree, to the proposed canal connecting Lakes Erie and Ontario, such a work would undoubtedly facilitate military operations in defence of the Province to a great extent under any probable circumstances, but it would not so decidedly ensure the safety of the western portion of the Province as the first mentioned canal would of the eastern, because the enemy, if in possession of the Lake, might still cut off resources from below, and render the benefit of such a work partial and uncertain.

With respect to the advantages to trade & commerce which the projected communications would procure, little can be said that has not been urged and nothing, that observation in a neighbouring country does not readily suggest. In this view, the improvement which would connect the waters of Lake Erie and Ontario, is undoubtedly the most important, because, the more remote that portion of the Province is from the ocean, the more ruinous to its commerce and consequently to its agriculture, is any natural obstruction which increases materially the difficulty of transport.

To a country so situated, the manufactures its inhabitants consume come at a higher charge, and if the only articles they can furnish in return are subject to disadvantages which almost exclude them from the markets, there is reason to fear a depression of circumstances, a discouragement to exertion, and ultimately perhaps, even a consequent inferiority in moral character, amidst great positive advantages of climate and soil.

When the great importance in a commercial point of view, of an uninterrupted navigation from the country bordering on Lake Erie is thus considered, it is very gratifying to find that a hope is held out of its speedy accomplishment by the exertions of a private company at a much less expense than that contemplated by the commissioners, but by a route which may perhaps as effectually serve the interests of the country in time of peace.

If the Welland Canal should proceed upon the scale now contemplated by the company, admitting of sloop navigation, it is to be supposed that, for all purposes of commerce, the execution of the plan reported by the commissioners, might be postponed till the population of the country should become such as to warrant its being entertained for the reasons that it would serve the interests of a much greater extent of interior country and would terminate at a safer and more commodious harbour.

The latter reason would undoubtedly indicate the canal projected by the commissioners, as that which would best conduce to the military defence of the country—but if the Welland Canal should be carried successfully through, it is conceived that no sufficient motive would remain for desiring the completion of the other until many more necessary improvements of a similar kind had been first executed.

The benefits which may be expected to accrue to agriculture and trade from a canal leading to the Ottawa from Kingston, are investigated at some length in the paper alluded to, (No.) and although with whatever candour and intelligence the inquiry is there conducted, it is very possible that the results may appear questionable to many; the committee will not pretend to discuss the merits of an estimate founded on details by which it may be to a certain degree verified or contradicted by any who have more leisure and better opportunity to examine them.

The question on what scale it would be expedient to undertake either of the canals projected, seems to have appeared very doubtful to the commissioners, and it certainly is one which admits of much discussion and calls for great consideration.

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Beginning in the westward, it is certainly most important that the lakes should be connected by a navigation which will allow of the same vessels continuing their voyage without discharging their cargoes, so that a schooner laden at Amherstburgh could proceed, without breaking bulk, to Kingston or Prescott. The present design of the Welland Canal Company admits of this to the fullest extent contemplated by the commissioners, and it is therefore, for the moment, unnecessary to discuss the point as regards that part of the communication. With respect to the great canal from Kingston to the Ottawa, it remains an important and somewhat difficult question.

The comparative expense is—On a scale of 7 feet in depth, 40 feet in width at the bottom, and 61 feet in width at the surface of the water, the banks to slope one foot and a half to one foot perpendicular, the locks to be of stone, and 100 feet in length by 22 feet in width, with turning bridges 22 feet in the clear and 10 feet wide—Cost £230,785 14 1½.

On a scale of 5 feet in depth, 28 feet in width at the bottom, and 48 feet in width at the surface of the water, the banks to slope two feet to one foot perpendicular, the locks to be of stone, and 80 feet in length by 15 feet in width, with turning bridges 15 feet in the clear and 10 feet wide—Cost £145,802 7 8½.

On a scale of 4 feet in depth, 20 feet in width at bottom, and 32 feet in width at the surface of the water, the banks to slope one foot and a half to one foot perpendicular, the locks to be of wood and 75 feet in length by 10 feet in breadth, with turning bridges 10 feet in the clear and 10 feet wide—Cost £62,258 8 10.

The committee, in estimating the weight of those arguments which would lead to the adoption of the largest scale on the ground of greater military security, cannot avoid stating that, if the idea is entertained of facilitating by such a canal the naval defence of the Upper Lakes, by the introduction of vessels of war of a small class from the sea, they consider such an anticipation by no means a safe one. It is evident, that it would be at any time in the power of the Americans to construct on the lakes, ships of such overwhelming force, that vessels of the small class which could ascend by the canal, could render no effectual service, and it would be at last reduced again to a contest of ship building in the harbours of the lakes.

A canal larger than is necessary to transport with convenience all description of naval and military stores, would, by its greater dimensions, afford, in the opinion of the committee, no additional security to the Province.

Judging thus, they are inclined to prefer the plan second in the order, being of a canal 5 feet in depth.

So far as the interests of trade are concerned, the committee see more reason to deliberate. It is, however, to be considered in the first place that unless the canal at the Ottawa and the Lachine Canal are altered so as to be of corresponding dimensions, it would be perfectly useless to construct ours on the enlarged scale. If that could be anticipated with certainty, and if it would be clearly desirable to have the canal on the larger plan, it would seem good policy to make every exertion to attain that object at once, and to commence it accordingly:—because, though the smaller works alluded to might, at a tolerable expense, be enlarged to suit the greater, it would scarcely be rational to calculate upon enlarging so long a line of canal as that from Kingston to the Ottawa, when once completed. It is but too questionable, however, whether the policy of Lower Canada will ever admit of such an enlargement of the La Chine canal as would allow of navigation by vessels that could continue their voyage to Atlantic ports. There are obvious interests against it, and it must be expected these will have their influence. If, however, this difficulty did not interfere, there is still, in the opinion of the committee, much reason to incline to the smaller scale.

That the same vessels which navigate one of the Upper Lakes should be able to pass to Kingston and Prescott is clearly of much consequence, because they are equally fit for every part of the voyage, and they save an expense of transshipment at a moderate charge of toll and lockage upon a short line of canal, but unless we could contemplate that these same vessels would continue their course to the West Indies or other parts beyond Lower Canada which for several reasons could scarcely be expected it would perhaps not be advisable to construct a canal at so great a cost merely to admit of their continuing their route to Montreal or Quebec instead of stopping at Prescott or Kingston.—It is true one transfer of the cargo would be saved, but on the other hand the toll must be so much greater on a canal of such length with many locks constructed on such large dimensions, and the wear and tear of a vessel of considerable size and value passing through a long navigation of that description, might perhaps be such that little would be lost by avoiding it at the expense of a transshipment into large and secure canal boats at Kingston, but when, in addition to these considerations, the committee reflect that the River St. Lawrence when the obstacles in some parts of its course are removed, will present a much more direct and natural course for the navigation of vessels to Lower Canada, they are of opinion that, looking merely at the commercial interests of the province, a canal on the smaller scale would be most advisable as being most easily and certainly to be compassed within a moderate period and as affording to every necessary degree the accommodation required.

At the same time it is clear that if the Parent State, concurring with the colony in a work so essential to the preservation of her dominions in this quarter of the world, should assume a share of the charge, it would be highly expedient to attempt a canal on the largest dimensions.

The expense of this and of the other undertaking suggested by the commissioners is to be looked for in their estimates, and assuming their calculations to be correct, the most material inquiry is, whether, in the present state of our revenue, and with the resources which might be called in aid without imposing oppressive burthens upon the people, a sum could be raised sufficient to meet the principal undertaking—the canal from Kingston to the Ottawa. The very encouraging offer from His Majesty's Government, which was communicated to both Houses by His Excellency the Lieutenant Governor at the commencement of this session, would, if we can avail ourselves of it, ensure the necessary advance being procured upon the most favourable terms and with such periods of re-payment as might be thought most convenient.

An increase of revenue, sufficient to provide for the payment of the interest & for the gradual liquidation of the principal of a loan of such sum as would be necessary for carrying into execution the plan of the commissioners, might, it is believed, be obtained without injury to the commercial interests of this Province, and without inconvenience being felt by any of its inhabitants, if the legislature of Lower Canada, recognizing the importance of such a work to that Province, should be disposed to concur in imposing a small additional duty on such articles imported as could easily bear it, uniting their resources for a work of common advantage, there is no doubt the Provinces would be fully equal to the immediate execution of a canal on the smaller scale adapted to commercial purposes; but, if, as has been mentioned, the mother country, regarding a canal upon the largest scale proposed, as a work certain to contribute most essentially to the military defence of the Province, should consent to participate in the charge, the committee conceives that the means of this Province would enable it to meet the exertion which ought, in that case, to be made on her part, to accelerate the period of her security.

Whether the time is now arrived when the Province should actually attempt the execution of works which but a very few years ago would have been considered altogether visionary, is another point to be determined—so far as the decision should be influenced by the most reasonable expectation that can be formed, as to the return such works would immediately yield, the calculations which are given in some of the papers annexed may form perhaps as safe a guide as the committee could pretend to furnish.

One thing is clear, in the peculiar circumstances of Upper Canada, a country of great capability, thinly peopled, and requiring, above all things, that capital and population should be attracted to it by every possible means, the same reasons which might be properly urged in other countries, should not apply, to induce us to delay such undertakings until they are certain to afford profit.

It is greatly the interest of the present generation to submit to some temporary sacrifice in the prospect of a very rapid recompense.—The more natural order here would be, that the improvement should precede, in order to accelerate, the population and commerce of the country, rather than to await the arrival of a period when the existing circumstances of the country would, in a commercial point of view, at once justify the enterprize.

The great impulse which would be given to the country by the demand for labour, the encouragement it would afford to emigrants of capital to remove to this Province, and the confidence it would create in the security of the colony, would amply warrant, in the opinion of the committee, the commencement of the canal at the present period, although the expectation of the Commissioners of an immediate indemnity should appear too sanguine.

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As to the order in which the internal improvements suggested should be taken up by the Province, it appears obvious to the committee that the concurrence of the parent state ought to determine us to apply our first exertions to the communication from Kingston to the Ottawa, and besides the prospect of a canal from Lake Erie to Ontario being accomplished by a private company, appears to the committee to put it out of the question that public attention should be turned to the other with the least possible delay.

At the same time, the committee are of opinion, that regarding only the commercial interests of the Province in time of peace with the United States, and setting out of view all other considerations, the improvement of the river St. Lawrence would naturally first engage attention, because there can be little doubt that a much less expenditure than would be necessary for effecting an internal communication, would render this direct and natural channel to the ocean, more convenient for all purposes of trade.

Under any view of the subject, it appears to the committee so important that no time should be lost in ascertaining the nature and probable cost of the required improvement of the St. Lawrence, that they have come to certain resolutions on that subject, which, they trust, will meet with the approbation of the legislature, and which are annexed to this report. The most unfortunate disadvantage to which we are subjected in our navigation of the St. Lawrence by the cession of Barnhart's island to the Americans, if that cession must be final, demands the earliest and most earnest attention of the Province, in order that before any expense is incurred in improving the channel of the river in other parts of its course, it may be known how we can best avert the evil of our extraordinary exclusion from the navigation at that point.

Upon the subject of the navigation of the St. Lawrence, the committee have to state that they have had under their consideration the petition of Daniel Sutherland, Esq. and others, praying to be incorporated as a company for improving the navigation of the St. Lawrence by deepening its bed and removing obstructions and by facilitating the ascent of boats by chains and fastenings to be used in the channel. It appears to the committee, from the information they have received, that there is ground to believe the improvement thus suggested might be accomplished at an expense easily to be compassed by a private association; but besides that, they have not the means of satisfying themselves as to the expediency of adopting such a mode of improvement, they are apprehensive that it might interfere with the more obvious and effectual system of making a channel fit for sloop navigation near the shore with locks where they may be necessary, and a towing path, and they would hesitate to recommend the vesting in any company an exclusive right that might be found to occasion inconvenience in the passage through this great and natural outlet to the sea.

The committee recommends that a sufficient number of copies of this report, with the accompanying resolutions, if the same shall meet with the concurrence of the legislature, be printed, and that the act of 1821, appointing the commissioners for the improvement of the internal navigation, the several reports of the commissioners in their order, and the letter of Mr. Macaulay referred to, be printed as an appendix.

All which is respectfully submitted.

JOHN STRACHAN,
Chairman of the Committee for the Legislative Council.
ANGUS McINTOSH.

JOHN B. ROBINSON,
Chairman of the Committee of the House of Assembly.
WILLIAM MORRIS,
J. GORDON.

Joint Committee Room, April 6th, 1825.

Resolved, That the offer of His Majesty's government to grant a loan of £70,000 to assist in opening a canal from the Ottawa River to Kingston, calls for the warmest gratitude of His Majesty's Canadian subjects and the earliest consideration of a measure so important to the prosperity of both Provinces.

Resolved, That the extensive tract of fertile country on the line of the proposed canal will, without a water communication to market, long remain unsettled and the inhabitants of that populous portion of the Province still more remote from the St. Lawrence will continue to suffer great inconvenience and loss in carrying their products over land to its banks.

Resolved, That a Canal connecting Lake Ontario and the Ottawa River will secure to the Government the most effectual means of defence in the event of a war with the United States of America, and to the Inhabitants of Upper and Lower Canada, a safe inland navigation, when the exposed situation of the St. Lawrence might render commerce dangerous and perhaps impracticable.

Resolved, That it is proper to request the Legislature of Lower Canada to unite with this Parliament in carrying into effect a work of equal importance and interest to the inhabitants of both Provinces, and in order to raise a fund to pay the annual interest of the proposed loan, and ultimately to liquidate the principal, it is necessary to impose a small additional duty on such articles of general consumption imported into Quebec as will best bear it, and prove least burthensome to His Majesty's subjects.

Resolved, That an humble address be presented to his Excellency the Lieutenant Governor, praying that his Excellency will be pleased to communicate a copy of the foregoing resolutions to the government of Lower Canada to be laid before the Parliament of that Province.

Resolved, That it is expedient to ascertain with the least possible delay, the depth of water on the north side of Barnharts Island, in the River St. Lawrence the facilities which that channel affords for boat navigation and the transportation of Lumber, and whether, in case of its being found capable of improvement so as to admit of such navigation without difficulty, rafts of timber, and heavy crafts descending the river from Prescott can be conveniently brought into that channel.

Resolved, That an humble address be presented to his Excellency the Lieutenant Governor, praying that His Excellency will be pleased, as soon as the season will permit, to direct a survey of the said part of the river St. Lawrence for the purpose aforesaid, and that the person employed to perform the same be instructed to report to his Excellency, for the information of the legislature, the practicability and probable expense of removing the obstructions and deepening the bed of the river so as to allow rafts of the ordinary breadth drawing four feet of water, to pass down.

Resolved, That the expense incurred in making the said survey, be made good to his Excellency at the next session of the legislature.

Resolved, That it is expedient to address his Excellency the Lieutenant Governor, praying that his Excellency will communicate to the government of Lower Canada the earnest wish of the legislature of this Province, that the recommendation of the arbitrators sanctioned by our act, 4th Geo. 4, chap. 22, should also receive the sanction of the legislature of Lower Canada in order that it may be carried immediately into effect, the subject matter thereof being of such great and undoubted interest to both Provinces.

Resolved, That it is expedient to address his Excellency the Lieutenant Governor, to pray that his Excellency, in case the legislature of Lower Canada shall separate without making any provision for carrying into effect the recommendation of the arbitrators above referred to, will direct a survey to be made, for the information of the legislature, of the waters of the St. Lawrence from the town of Johnstown to the eastern extremity of this Province in order to ascertain in what manner and for what expense a navigation can be effected, fit for schooners drawing seven feet water, to ascend, as well as descend, and affording a towing path along the whole line of the course, with the exception of the Lake Saint Francois, and that part of the river which will be embraced on the survey to be made of the waters near Barnhart's island.

Mr. Morris, seconded by Mr. J. Jones, moves that the House do now resolve itself into a committee of the whole on that part of the journals of last session relative to the report of the joint committee on internal navigation, together with the resolutions annexed, read.

Which was carried, and Mr. C. Jones was called to the chair.

The House resumed.

Mr. Jones reported that the committee had risen for want of a quorum.

Present—Messrs. Attorney General, Beasley, Burke, Cameron, Clark, Gordon, Ingersol, C. Jones, J. Jones, Lafferty, Lyons, McDonald,

Sir P. Maitland, K. C. B. Lieut. Governor.

Morris, Perry, Playter, Scollick, Thompson, Van Koughnett, Walsh, and White—20.

At half past 2 o'clock, P. M. the Speaker declared the House adjourned for want of a quorum.

Friday, 23d December, 1825.

Mr. Boulton, master in chancery, brought down from the honourable the Legislative Council a message, and having retired the Speaker read the message as follows :

MR. SPEAKER.

The Honourable the Legislative Council have concurred in the resolution sent up from the Commons House of Assembly, on the 19th instant, on the expediency of addressing His Excellency the Lieutenant Governor on the subject matter of the petition of the agents to the honourable the East India Company for the sale of their Tea in Canada, and have appointed a committee of two members who will be ready to meet a committee of the Commons House of Assembly, to prepare a joint address in conformity thereto, in the joint committee room at three o'clock to-morrow.

Legislative Council Chamber, 22d December, 1825.

WILLIAM CAMPBELL, *Speaker.*

Mr. Morris, seconded by Mr. McDonell, moves that the request of the honourable the Legislative Council for a conference on the resolution of the House of the 19th instant be acceded to, and that Messrs. Attorney General, C. Jones, D. Jones, and Thomson, be a committee for that purpose.

Which was ordered.

Mr. Morris, seconded by Mr. McDonell, moves that a message be sent to the honourable the Legislative Council to acquaint that honourable House that this House has agreed to their request for a conference on the subject of the resolution of this House of the 19th instant, and have appointed a committee of four members who will proceed to the joint committee room at the time appointed.

Which was ordered.

Messrs. D. Jones and McDonell were ordered by the Speaker to carry up to the honourable the Legislative Council a message, informing that honourable House that this House had agreed to their request for a conference on the subject of the resolution of the 19th instant. Agreeably to the order of the day the House went into committee on the resolution respecting inland navigation.

Mr. C. Jones in the chair.

The chairman left the chair.

The Speaker resumed the chair.

The House went again into committee on the resolutions respecting internal navigation.

Mr. C. Jones in the chair.

The House resumed.

Mr. Jones reported progress and obtained leave to sit again to-morrow.

The House adjourned.

Saturday, 24th, December, 1825.

Mr. Gordon, seconded by Mr. J. Jones, moves for leave to bring up the petition of sundry inhabitants of the county of Kent.

Which was granted and the petition brought up.

Mr. McDonald, seconded by Mr. Perry, moves for leave of absence from this honourable House after Monday next during the remainder of the present session of Parliament.

Which was granted.

Agreeably to the order of the day the Kingston police bill was called for a third reading.

Mr. Thomson, seconded by Mr. Atkinson, moves that the bill be not now read, but re-committed.

Which was carried and Mr. Ingersol was called to the chair.

The House resumed.

Mr. Ingersol reported the bill as amended.

The report was ordered to be received.

Mr. Thomson, seconded by Mr. Bidwell, moves that the Kingston police bill be engrossed and read a third time this day, and that the 41st rule of this House be dispensed with, as far as respects the same.

Which was ordered.

Agreeably to the order of the day the petition of W. L. Mackenzie, praying that printers may not be obliged to pay the postage of their papers, and that a premium may be given the individual who may first build a paper mill in Upper Canada; the petition of John Silverthorn and others praying that one tenth may be allowed in future as toll for grinding, and the petition of the inhabitants of the county of Middlesex, praying to be erected into a separate District, were read.

Mr. Lafferty, seconded by Mr. Clark, moves that the petition of W. L. Mackenzie be referred to a select committee, and that Messrs. Rolph and Walsh do compose the same, with power to send for persons and papers, and with leave to report by bill or otherwise.

Which was ordered.

Agreeably to the order of the day the House went into committee on the resolutions of the joint committee of conference of last session on internal navigation.

Mr. C. Jones in the chair.

The House resumed.

Mr. Jones reported that the committee had agreed to several resolutions which he was directed to submit for the adoption of the House, and asked leave to sit again on Monday next.

The report was ordered to be received and leave granted accordingly.

The resolutions were then read as follows :

Resolved—That the offer of His Majesty's government to grant a loan of £70,000 to assist in opening a canal from the Ottawa river to Kingston, calls for the warmest gratitude of His Majesty's Canadian subjects, and the earliest consideration of a measure so important to the prosperity of both Provinces.

Resolved—That the extensive tract of fertile country on the line of the proposed canal, will, without a water communication to market, long remain unsettled, and the inhabitants of that populous portion of the Province still more remote from the Saint Lawrence will continue to suffer great inconvenience and loss in carrying their products over land to its banks.

Resolved—That a canal connecting Lake Ontario and the Ottawa river will secure to the government the most effectual means of defence in the event of a war with the United States of America, and to the inhabitants of Upper and Lower Canada, a safe inland navigation when the exposed situation of the Saint Lawrence might render commerce dangerous and perhaps impracticable.

Resolved—That it is proper to request the Legislature of Lower Canada to unite with this Parliament, in carrying into effect a work of equal importance and interest to the inhabitants of both Provinces, and in order to raise a fund to pay the annual interest of the propos-

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ed loan, and ultimately to liquidate the principal it is necessary to impose a small additional duty on such articles of general consumption, imported into Quebec, as will best bear it and prove least burthensome to His Majesty's subjects.

Resolved, That it is expedient for the improvement of this Province, and for carrying into effect the proposed object of connecting the waters of the Ontario and the Ottawa by a Canal five feet deep for boat navigation, to accept the gracious offer of His Majesty's Government to loan to this Province £70,000.

Resolved, That an humble address be presented to his Excellency the Lieutenant Governor, praying that his Excellency will be pleased to communicate a copy of the foregoing Resolutions to the government of Lower Canada to be laid before the parliament of that Province.

The first resolution was then put and carried nem. con.

Present, Messrs.—Atkinson, Att'y General, Baby, Beasley, Bidwell, Burke, Cameron, Clark, Fothergill, Gordon Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Leferty, Lyons, Matthews, McBride, McCall, McDonald, McDonell, Morris, Perry, Playter, Randal, Rolph, Scollick, Thomson, VanKoughnet, Walsh, Wilkinson and White.

And it was Resolved, That the offer of His Majesty's Government to grant a loan of £70,000 to assist in opening a canal from the Ottawa River to Kingston, calls for the warmest gratitude of His Majesty's Canadian Subjects, and the earliest consideration of a measure so important to the prosperity of both Provinces.

The second resolution was then put, on which the House divided and the Yeas and Nays being taken were as follows:—

YEAS.—Messrs. Atkinson, Att'y General, Beasley, Bidwell, Burke, Cameron, Clark, Fothergill, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, Matthews, McBride, McCall, McDonald, McDonell, Morris, Perry, Playter, Randal, Rolph, Thomson, Van Koughnet and Wilkinson—23.

NAYS.—Messrs. Baby, Leferty, Scollick, Walsh, and White—5.

The question was carried in the affirmative by a majority of twenty-three and it was Resolved, That the extensive tract of fertile country on the line of the proposed canal, will without a water communication to market long remain unsettled and the inhabitants of that populous portion of the Province, still more remote from the Saint Lawrence, will continue to suffer great inconvenience and loss in carrying their products over land to its banks.

The third resolution was then put, on which the House divided and the Yeas and Nays being taken were as follows:—

YEAS.—Messrs. Atkinson, Att'y General, Beasley, Bidwell, Burke, Cameron, Clark, Fothergill, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, Matthews, McBride, McCall, McDonald, McDonell, Morris, Perry, Playter, Randal, Rolph, Thomson, Van Koughnet, Walsh, and Wilkinson—29.

NAYS.—Messrs. Baby, Leferty, Scollick, and White—4.

The question was carried in the affirmative by a majority of twenty-five, and it was Resolved, That a canal connecting Lake Ontario and the Ottawa River will secure to the government the most effectual means of defence in the event of a war with the United States of America, and to the inhabitants of Upper and Lower Canada a safe inland navigation, when the exposed situation of the Saint Lawrence might render commerce dangerous and perhaps impracticable.

The fourth resolution was then put, on which the House divided and the Yeas and Nays being taken were as follows:—

YEAS.—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Gordon, Hornor, Ingersol, D. Jones, C. Jones, J. Jones, Lyons, McBride, McDonald, McDonell, Morris, Playter, Thomson, Van Koughnet, and Wilkinson—21.

NAYS.—Messrs. Baby, Bidwell, Fothergill, Leferty, Matthews, McCall, Perry, Randal, Rolph, Scollick, Walsh, and White—12.

The question was carried in the affirmative by a majority of nine and it was Resolved, That it is proper to request the Legislature of Lower Canada to unite with this Parliament in carrying into effect a work of equal importance and interest to the inhabitants of both Provinces, and in order to raise a fund to pay the annual interest of the proposed loan, and ultimately to liquidate the principal it is necessary to impose a small additional duty on such articles of general consumption, imported into Quebec, as will best bear it and prove least burthensome to His Majesty's subjects.

The fifth Resolution was then put, on which the House divided and the Yeas and Nays being taken were as follows:—

YEAS.—Messrs. Atkinson, Attorney General, Burke, Cameron, Clark, C. Jones, D. Jones, J. Jones, McBride, McDonald, McDonell, Morris, Playter, Randal, and Wilkinson—15.

NAYS.—Messrs. Baby, Beasley, Bidwell, Fothergill, Gordon, Hornor, Ingersol, Leferty, Lyons, Matthews, McCall, Perry, Rolph, Scollick, Thomson, Van Koughnet, Walsh, and White—18.

The question was decided in the negative by a majority of three and lost accordingly.

The sixth Resolution was then put, on which the House divided and the Yeas and Nays being taken were as follows:—

YEAS.—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, McBride, McDonald, McDonell, Morris, Playter, Thomson, and Van Koughnet—19.

NAYS.—Messrs. Baby, Bidwell, Fothergill, Hornor, Leferty, Matthews, McCall, Perry, Randal, Rolph, Scollick, Walsh, Wilkinson, and White—14.

The question was carried in the affirmative by a majority of five and it was Resolved, That an humble address be presented to His Excellency the Lieutenant Governor, praying that his Excellency will be pleased to communicate a copy of the foregoing resolution to the government of Lower Canada to be laid before the parliament of that Province.

Mr. Morris, seconded by Mr. Burke moves that a message be sent to the honourable the Legislative Council informing that honourable House, that this House has concurred in the first, second, third, fourth, & sixth resolutions reported by the joint committee on internal navigation near the close of the last session, and will unite with that honourable House in a joint address to his Excellency the Lieutenant Governor in pursuance of the said fifth resolution.

On which the House divided and the Yeas and Nays being taken were as follows:—

YEAS.—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, McBride, McDonald, McDonell, Morris, Playter, Thomson, and Van Koughnet—19.

NAYS.—Messrs. Baby, Bidwell, Fothergill, Hornor, Leferty, Matthews, McCall, Perry, Randal, Rolph, Scollick, Walsh, Wilkinson, and White—14.

The question was carried in the affirmative by a majority of five and ordered accordingly.

Messrs. Morris and Atkinson were ordered by the Speaker to carry up to the honourable the Legislative Council a message informing that honourable House that this House has concurred in the first, second, third, fourth and sixth resolutions, reported by the joint committee on internal navigation, &c.

The House then adjourned.

Monday, 26th December, 1825.

Agreeably to the order of the day the Kingston police bill was read the third time.

Mr. Bidwell, seconded by Mr. Randal, moves that the bill do now pass, and that it be entitled "An Act to repeal part of and extend the provisions of an act passed in the fourth year of His Majesty's reign entitled 'an act to make more ample provision for regulating the police of the town of Kingston.'"

Which was carried and the bill signed.

Sir P. Maitland, K. C. B. Lieut. Governor.

Messrs. Bidwell and Atkinson were ordered by the Speaker to carry up to the honourable the Legislative Council the bill entitled "An Act to repeal part and extend the provisions of an act passed in the fourth year of His Majesty's reign entitled 'an act to make more ample provision for regulating the police of the town of Kingston,' and to request their concurrence thereto.

Agreeably to the order of the day the House went into committee of supply.

Mr. Matthews in the chair.

The House resumed.

Mr. Matthews reported that the committee had agreed to three resolutions which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow.

The report was ordered to be received, and leave was granted accordingly.

The first resolution was then put and carried nem. con.

Present—Messrs. Attorney General, Beasley, Burke, Bidwell, Cameron, Clark, Fothergill, Hamilton, Hornor, Ingersol, D. Jones, J. Jones, Lefferty Lyons, Matthews, McBride, McCall, McDonell, Perry, Playter, Randal, Scollick, Van Koughnet, Walsh, Wilkinson, and White; and it was resolved, that it is the opinion of this House that it is expedient to provide for continuing the navigation from Burlington harbour at the Head of the Lake Ontario to Coote's Paradise, near to the village of Dundas, in order to render the improvement now in progress as beneficial as possible to the inhabitants of the western section of this Province.

The second resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

YEAS—Messrs. Attorney General, Beasley, Burke, Cameron, Clark, Fothergill, Hamilton, Hornor, Ingersol, Matthews, Playter, Randal, and Wilkinson—13.

NAYS—Messrs. Bidwell, D. Jones, J. Jones, Lefferty, Lyons, McBride, McCall, McDonell, Perry, Scollick, Van Koughnet, Walsh, and White—13.

The question was carried in the affirmative by the casting vote of the Speaker, and it was resolved, that it is the opinion of this House that it is expedient to enable the government to purchase from the contractors for the canal, at the outlet of Burlington Bay, the machinery used by them in deepening the channel.

The third resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

YEAS—Messrs. Attorney General, Beasley, Bidwell, Burke, Cameron, Clark, Fothergill, Hamilton, Hornor, Ingersol, D. Jones, J. Jones, Lefferty, Lyons, McBride, McCall, McDonell, Playter, Randal, Scollick, Van Koughnet, Walsh, Wilkinson, and White—24.

NAYS—Mr. Perry—1.

The question was carried in the affirmative by a majority of twenty-three, and it was resolved, that it is the opinion of this House that the sum of six hundred pounds be granted to His Majesty to be paid to the surviving commissioner appointed to superintend the erection of a monument of the late Major General Sir Isaac Brock, in order to enable the said commissioner to pay the charge necessarily incurred in erecting the said monument upon a scale worthy of its design.

Mr. Attorney General, seconded by Mr. Cameron, moves that Messrs. Clark and D. Jones be a committee to prepare a bill in pursuance of the resolution of this House for granting a sum of money for the completion of the monument to the late Sir Isaac Brock.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Beasley, Burke, Bidwell, Cameron, Clark, Fothergill, Gordon, Hamilton, Hornor, Ingersol, D. Jones, J. Jones, Lefferty, Lyons, Matthews, McBride, McCall, McDonell, Playter, Randal, Scollick, Van Koughnet, Walsh, Wilkinson, & White—26.

NAYS—Mr. Perry—1.

The question was carried in the affirmative by a majority of twenty-five and ordered accordingly.

Agreeably to the order of the day the bill sent down from the honourable the Legislative Council entitled "An Act to prevent the operation in this Province of an act of Parliament made in England in the twenty-first year of the reign of His late Majesty King James the first, entitled "an act to prevent the destroying and murdering of bastard children," and to make other provisions in lieu thereof, was read the second time.

Mr. Attorney General, seconded by Mr. Cameron, moves that the House do now resolve itself into a committee of the whole upon the bill sent down from the honourable the Legislative Council entitled "An Act to prevent the operation in this Province of an act of Parliament made in England in the twenty-first year of the reign of His late Majesty King James the first, entitled "an act to prevent the destroying and murdering of bastard children," and to make other provisions in lieu thereof.

Which was carried and Mr. McBride was called to the chair.

The House resumed.

Mr. McBride reported the bill without amendment.

The report was ordered to be received.

Mr. J. Jones seconded by Mr. Lefferty moves that the bill sent down from the honourable the Legislative Council entitled "An Act to prevent the operation in this Province of an act of Parliament made in England in the twenty-first year of the reign of His late Majesty King James the first, entitled "an act to prevent the destroying and murdering of bastard children" and to make other provisions in lieu thereof," be read a third time on Thursday next.

Which was ordered.

Agreeably to the order of the day the House went into committee on the Mill-dam bill.

Mr. Van Koughnet in the chair.

The House resumed.

Mr. Van Koughnet reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House.

The report was ordered to be received and the resolution adopted as follows:—

Resolved, That the chairman be instructed to move the House that a select committee be appointed to take into consideration the mill-dam bill, and to report thereon.

Mr. Van Koughnet, seconded by Mr. McDonell, moves that Messrs. Attorney General, J. Jones, and Lefferty, be a committee to take the mill-dam bill into consideration and to report thereon by bill or otherwise, with power to send for persons and papers.

Which was carried.

Agreeably to notice Mr. Playter, seconded by Mr. Lefferty, moves that a committee be appointed to enquire if any and what arrangements may be necessary to prepare a building for the future sitting of the Provincial Legislature, and that Messrs. Attorney General, Morris, McBride and Lefferty do form such committee with power to send for persons and papers and to report accordingly.

Which was ordered.

The House then adjourned till 12 o'clock to-morrow.

Tuesday, 27th December, 1825.

Agreeably to the order of the day the petition of the inhabitants of the County of Kent, praying for pecuniary aid, was read.

Mr. Gordon, seconded by Mr. Wilkinson, moves that the petition of the inhabitants of the County of Kent be referred to a committee of supply.

Which was ordered.

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Agreeably to the order of the day the House went into committee on the state of the Province.

Mr. Crysler was called to the chair.

The Speaker resumed the chair.

Doors closed.

Doors opened.

The House adjourned.

Wednesday, 28th December, 1825.

Mr. Gordon, seconded by Mr. Clark, moves for leave to bring up the petition of Peter Des Jardins and others, praying to be constituted a Joint Stock company for making a canal between Burlington and the Village of Coote's Paradise.

Which was granted and the petition brought up.

Mr. Playter, seconded by Mr. Thompson, moves for leave to bring up the petition of sundry inhabitants of the Home District.

Which was granted and the petition brought up.

Mr. Gordon, seconded by Mr. Clark, moves that so much of the forty-third rule as requires petitions to be on the table two days be dispensed with in so far as relates to the petition of Peter Des Jardins and others, and that the same be now read.

Which was carried and the petition of Peter Des Jardins and others praying that a joint stock company may be formed for the purpose of connecting the Village of Coote's Paradise with Burlington Bay, by a navigable canal for vessels of burthen, under the style and title of Des Jardins canal company, was read.

Mr. Gordon, seconded by Mr. Clark, moves that the petition of Peter Des Jardins and others be referred to a select committee to be composed of Messrs. D. Jones, Morris, Hamilton, and J. Jones, and that they have power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Doors closed.

Doors opened.

Mr. Wilkinson, seconded by Mr. Matthews, moves that the resolution of yesterday, which appears on the Journals relative to privilege, be expunged from the Journals.

On which the House divided and the yeas and nays being taken, were as follows:—

YEAS.—Messrs. Baby, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Leferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, Wilkinson, and White—20.

NAYS.—Messrs. Attorney General, Beasley, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, McDonell, Morris, Van Koughnet, and Walsh—12.

The question was carried in the affirmative by a majority of eight, and ordered accordingly.

Agreeably to the order of the day the House went into committee on the state of the Province.

Mr. Crysler in the chair.

The House resumed.

Mr. Crysler reported that the committee had agreed to several resolutions, which he was requested to submit for the adoption of the House, and asked leave to sit again to-morrow.

The report was ordered to be received, and leave was granted accordingly.

The first resolution was then put and carried as follows:

Resolved, That the clause from the 18th of Geo. 3rd introduced into the 31st of the same reign and which directs all monies raised in this Colony to be accounted for before the House of Assembly, and to be appropriated by the said House, is a fundamental part of the constitution of this Province.

The second resolution was then put, on which the House divided and the yeas and nays being taken were as follows:—

YEAS.—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Leferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, and White—19.

NAYS.—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Van Koughnet, and Walsh—12.

The question was carried in the affirmative by a majority of seven, and it was Resolved, That as the post office department raises, in this Province, considerable sums of money contrary to the spirit of the 46th and 47th clauses of the thirty-first George the third, it is desirable to have it under the control and direction of the provincial legislature.

The third resolution was then put, on which the House divided and the yeas and nays being taken were as follows:—

YEAS.—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Gordon, Hamilton, Hornor, Leferty, Lyons, Matthews, McBride, McCall, Morris, Perry, Playter, Randal, Rolph, Scollick, Thompson, Walsh, and White—22.

NAYS.—Messrs. Attorney General, Burke, Cameron, Crysler, C. Jones, D. Jones, J. Jones, McDonell, and Van Koughnet—9.

The question was carried in the affirmative by a majority of thirteen, and it was resolved, that a well regulated Post-Office, responsible to the constituted authorities of this Province, and extended in the number of its establishments, would essentially tend to correct and prevent abuses in the department, facilitate commercial intercourse, and promote the diffusion of knowledge.

The fourth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS.—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Leferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, and White—19.

NAYS.—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Walsh, and Van Koughnet—12.

The question was carried in the affirmative by a majority of seven, and it was resolved that the Post-Office must, in time, become an important branch of the Provincial revenue.

Mr. Attorney General, from the committee to whom was referred the petitions relative to the Welland Canal, reported a bill which was received and read the first time.

Mr. Attorney General, seconded by Mr. Thompson, moves that the bill for altering and amending the Welland Canal acts, be read a second time on Friday next.

Which was ordered.

Mr. Hamilton, from the committee to whom was referred the petition of sundry Roman Catholics, informed the House that the committee had agreed to a bill which he was directed to submit for the adoption of the House, whenever it would please receive the same.

The report was ordered to be received and the bill was read the first time.

Mr. Hamilton, seconded by Mr. Matthews, moves that the bill for the relief of certain Roman Catholics, be read a second time on Friday next.

Which was ordered.

Mr. Morris gives notice that he will, on to-morrow, move for leave to bring in a bill to make good certain monies paid and advanced by his Excellency the Lieutenant Governor, in pursuance of the address of this House, at the close of the last session.

Sir P. Maitland, K. C. B. Lieut. Governor.

Mr. Rolph, seconded by Mr. Bidwell, moves for leave of absence, after to-day, till the ninth of January next.
Which was granted.

Mr. Attorney General gives notice that he will move, to-morrow, for the appointment of a select committee to enquire into and report upon the state of the light-house on Gibraltar point, and the expediency of providing for the same, by the imposition of light-house duties.
The House then adjourned until twelve o'clock to-morrow.

Thursday, 29th December, 1825.

Mr. Walsh, seconded by Mr. McCall, moves for leave to bring up the petitions of the inhabitants of the townships of Bayham and Malahide, praying that those townships may be established as part of the County of Norfolk.

Which was granted and the petitions brought up.

Mr. Walsh, seconded by Mr. McCall, moves that so much of the rule of this House as requires petitions to be two days on the table previous to the reading of the same, be dispensed with, so far as relates to the petitions of the inhabitants of the townships of Bayham and Malahide, and that the petitions be now read.

Which was carried, and the petitions from the inhabitants of the townships of Bayham and Malahide, praying that said townships may, by law, be established as part of the County of Norfolk, were read.

Mr. Thompson, seconded by Mr. Playter, moves that the petition of John Silverthorn and others be referred to a select committee, and that Messrs. Clark, Baby, McDonell, and Lyons, do compose that committee, with power to report thereon by bill or otherwise.

Which was ordered.

Mr. Walsh, seconded by Mr. McCall, moves that the petitions of the inhabitants of the townships of Bayham and Malahide, be referred to the committee to whom was referred the petition for the division of the London District, & with leave to report thereon by bill or otherwise.

Which was ordered.

Agreeably to the order of the day the bill sent down from the honourable the Legislative Council entitled "An Act to prevent the operation in this Province of an act of Parliament made in England in the twenty-first year of the reign of His late Majesty King James the First, entitled "An Act to prevent the destroying and murdering of bastard children," and to make other provisions in lieu thereof," was read the third time, passed and signed by the Speaker.

Messrs. Thompson and Clark were ordered to carry up to the honourable the Legislative Council the bill entitled "An Act to prevent the operation in this Province of an act of Parliament made in England in the twenty-first year of the reign of His late Majesty King James the First, entitled "An Act to prevent the destroying and murdering of bastard children," and to make other provisions in lieu thereof," & to inform that honourable House that the House of Assembly had passed the same without amendment.

Mr. Clark, from the committee appointed to draft a bill in conformity to the resolution of this House relative to the completion of a monument erected to the memory of the late Major General Sir Isaac Brock, reported a draft which was received and read the first time.

Mr. Clark, seconded by Mr. Ingersol, moves that the Brock Monument bill be read a second time on Monday next.

Which was ordered.

Mr. Van Koughnet, from the committee appointed to examine and report what laws were about to expire, informed the House that they had examined, as directed, and were ready to offer a report, if the House would please receive the same.

The report was ordered to be received and was read as follows:

TO THE HONOURABLE THE COMMONS HOUSE OF ASSEMBLY,

Your Committee appointed to examine and report to your honourable House what laws were about to expire, beg leave to report as follows:

That an act to continue for a limited time an act passed in the second year of His Majesty's reign entitled 'an act to make provision for the improvement of the internal navigation of this Province,' as amended by an act passed in the third year of His Majesty's reign, entitled "An Act to make provision for the improvement of the internal navigation of this Province, (except so much thereof as is thereby repealed) and to grant a further sum of money for such improvement," expires on the nineteenth day of January, one thousand eight hundred and twenty-six, and that the following acts will expire at the close of the present session, viz: "An Act to repeal an act passed in the fifty-fifth year of His late Majesty's reign, entitled "An Act to explain & amend an act passed in the 53d year of His Majesty's reign, entitled "An Act to provide for the maintenance of persons disabled & the widows & children of such persons as may be killed in His Majesty's service," and also an act passed in the 56th year of His late Majesty's reign, entitled "An Act to repeal part of & to alter & amend the laws now in force for granting pensions to persons disabled in the service, and the widows and children of persons who may have been killed in the service, and to extend the provisions of the same," and an act passed in the 57th year of His late Majesty's reign, entitled "An Act to repeal part of and amend an act passed in the 56th year of His Majesty's reign, entitled "An Act to repeal part of & to alter & amend the laws now in force for granting pensions to persons disabled in the service, and the widows and children of persons who may have been killed in the service, and to extend the provisions of the same," and to make provision for granting pensions to persons disabled in the service, and to the widows and children of persons who may have been killed in the service, or who may have died while in captivity with the enemy, during the late war with the United States of America."

"An Act to remunerate the clerk of the crown in chancery, for past services, and to provide for the future payment of that officer."

"An Act to permit the importation of machinery into this Province, free from duty, for a limited time."

And "An Act to restrain the selling of beer, ale, cider and other liquors, not spirituous, in certain towns and villages in this Province, and to regulate the manner of licencing ale houses, within the same."

All which is respectfully submitted.

P. VAN KOUGHNET, *Chairman.*

Committee Room, Commons House of Assembly,
27th December, 1825.

Mr. Van Koughnet, seconded by Mr. J. Jones, moves that the report of the select committee on expiring laws be referred to a committee of the whole House on Saturday next.

Which was ordered.

Mr. J. Jones, from the committee appointed on the administration of justice in this Province informed the House that the committee had prepared their first bill, a draft of which he was ready to submit whenever the House would please receive it.

The report was ordered to be received and the draft was read the first time.

Mr. J. Jones, seconded by Mr. Morris, moves that the District Court bill be read a second time on Monday next.

Which was ordered.

Mr. Lefferty, seconded by Mr. Clark, moves that one hundred copies of the District court bill be printed.

Which was ordered.

Agreeably to the order of the day the House went into committee on the state of the Province.

Mr. Crysler in the chair.

2d Session, 9th Parliament, 5th Geo: IV.

The House resumed.

Mr. Crysler reported progress and asked leave to sit again to-morrow.

The report was ordered to be received and leave was granted accordingly.

Mr. Fothergill, seconded by Mr. Hornor, moves that the committee of enquiry into the state of the Province may be first on the order of the day for to-morrow.

Which was carried.

Mr. Fothergill gives notice that he will, to-morrow, move that an address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to direct the proper officer to lay before this House information respecting the number and names of the townships which have been surveyed within the last ten years, together with the number and extent of the several locations made therein, and in the older townships within the same period, and under what particular orders in council such locations have been made.

The House adjourned.

Friday 30th December, 1825.

Agreeably to the order of the day the House went into committee on the state of the Province.

Mr. Crysler in the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, master in chancery, brought down from the honourable the Legislative Council a message, and, having retired, the Speaker read the same as follows:

MR. SPEAKER,

The honourable the Legislative Council have appointed a committee of two members to prepare, jointly with a committee of the commons House of Assembly, an address to his Excellency the Lieutenant Governor, on the subject matter of the fifth resolution, reported last session by the joint committee on internal navigation.

The committee will be ready to meet the committee of the Commons House of Assembly in the joint committee room, on Tuesday next at 2 o'clock, P. M.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber,
30th December, 1825. }

Mr. J. Jones, seconded by Mr. Burke, moves that Messrs. Attorney General, C. Jones, Morris, and Clark, be a committee to meet the committee of the honourable the Legislative Council to prepare a joint address to his Excellency the Lieutenant Governor on the subject of the Rideau Canal.

Which was ordered.

Mr. J. Jones, seconded by Mr. Burke, moves that a message be sent to the honourable the Legislative Council, informing that honourable body that this House has appointed a committee of four members who will proceed to the joint committee room at the time appointed for the purpose of preparing an address to his Excellency the Lieutenant Governor, on the subject of the Rideau Canal.

Which was ordered.

Messrs. J. Jones and Cameron were ordered by the Speaker to carry up to the honourable the Legislative Council a message informing the honourable body that this House has appointed a committee of four of its members, who will proceed to the joint committee room at the time appointed.

The House went again into committee on the state of the Province.

Mr. Crysler in the chair.

The House resumed.

Mr. Crysler reported that the committee had agreed to a series of resolutions which he was requested to submit for the adoption of the House, and asked leave to sit again to-morrow.

The report was ordered to be received, and leave was granted accordingly.

The first resolution was then read as follows:

Resolved—That a large portion of the inhabitants of this Province consists of persons who were born, or whose fathers or paternal grandfathers were born, within the allegiance of the British crown, but who were resident in the United States of America at and after the treaty of one thousand seven hundred and eighty-three.

In amendment, Mr. Attorney General, seconded by Mr. D. Jones, moves that after the word "resolved" in the original resolution, the remaining words be expunged, and that these words be inserted: "That it is expedient humbly to address His Majesty expressing the thanks of this House for the gracious consideration given by His Majesty to the situation of many persons formerly citizens and subjects of the United States of America, who are now resident in this Province, and whose claim to be regarded as natural born subjects of Great Britain appears, with respect to some of such persons to be questionable—& declaring the wish of this House that His Majesty would be graciously pleased to carry into effect His Royal intentions in confirmation of the desire of the government of this Province, by recommending to His Imperial Parliament to confer, by a legislative enactment, all the rights of natural born British subjects upon such American citizens, & also, upon all other foreigners now resident in this Province, as are not by law entitled to claim the same with such exceptions only as have been hitherto provided by the statutes of this Province."

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Scollick, Thompson, and Van Koughnet—13.

NAYS—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, White, and Wilkinson—19.

The question was decided in the negative by a majority of six, and lost accordingly.

On the original question the House divided and the Yeas and Nays being taken were as follows:

YEAS—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, C. Jones, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—22.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—10.

The question was carried in the affirmative by a majority of twelve, and it was Resolved—That a large portion of the inhabitants of this Province consists of persons who were born, or whose fathers or paternal grandfathers were born, within the allegiance of the British crown, but who were resident in the United States of America at and after the treaty of one thousand seven hundred and eighty-three.

The second resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, D. Jones, C. Jones, J. Jones, McDonell, Morris, and Van Koughnet—11.

Sir P. Maitland, K. C. B. Lieut. Governor.

The question was carried in the affirmative by a majority of ten, and it was Resolved—That from the earliest settlement of Upper Canada, which commenced immediately after the peace of 1783, these persons with the knowledge and approbation of His Majesty's Government, came in great numbers to this Province, and were immediately admitted and uniformly considered to be entitled (with no other restrictions than those imposed by the Provincial Legislature by which they were disqualified from electing or being elected to the House of Assembly, until they had resided seven years continually in the Province) to all the rights and privileges, and subject to all the duties, responsibilities and obligations of natural born British subjects.

The third resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

YEAS.—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

NAYS.—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, D. Jones, C. Jones, J. Jones, McDonell, Morris, and Van Koughnet—11.

The question was carried in the affirmative by a majority of ten, and it was Resolved—That the 30th Geo. 3. Chap. 27. was passed for the avowed purpose of encouraging such persons to come & settle in the Province of Quebec & His Majesty's other North American Territories, and evidently contemplated their settling as freeholders, which if they were aliens they could not do without being naturalized.

The fourth resolution was then put, on which the House divided and the yeas and nays being taken were as follows:

YEAS.—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, White, and Wilkinson—20.

NAYS.—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Thompson, & VanKoughnet—12.

The question was carried in the affirmative by a majority of eight, and it was Resolved—That as the said statutes contains no provision for the naturalization of such persons, and as there was no law for the naturalization of persons who were born in the King's Allegiance, as those were, whom it was principally the object of that statute to invite into these Provinces, the said statute according to a fair and liberal construction, implies that their natural allegiance had never been in anywise destroyed, forfeited or dissolved; but that, on the contrary, according to the common law principles of perpetual & double allegiance, as laid down by Bracton & other ancient authorities, and applied to the people of Normandy, and other territories in France, recognized by the court in Calvin's case in the reign of James I. and subsequently recognized by the Judges in the Exchequer Chamber, in the decision of the case of Marryatt and Wilson, notwithstanding they had been subjects of the United States of America, they still remained natural born British subjects.

The fifth resolution was then put, on which the House divided and the yeas and nays being taken were as follows:

YEAS.—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

NAYS.—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—11.

The question was carried in the affirmative by a majority of ten, and it was Resolved—That as the 31st Geo. 3. Chap. 31. was passed in the ensuing year by the same Parliament, and dictated by the same spirit and policy for the improvement and benefit of this Colony, as the aforesaid 30 Geo. 3. Chap. 27. the said statutes should be considered in connexion and so construed as most to reconcile and promote the objects and provisions of each, and that, therefore the term "*natural born subjects of His Majesty*" used in the said 31st Geo. 3. Chap. 31. should be regarded as having been intended to include persons of the same description as those who, by the statute of the preceding year had been invited into these Provinces as settlers; & that this construction is strengthened by the consideration that if this had not been the intention, while it was the avowed policy of the Imperial Parliament to hold out peculiar encouragement to such persons to come into and settle in these Provinces, they, nevertheless, were, by the very same Parliament, absolutely and for ever debarred from enjoying the most valuable and important rights of British subjects, which at the same time were freely and fully granted to aliens by birth, upon their compliance with certain forms and conditions prescribed by the naturalization laws.

The sixth resolution was then put, on which the House divided and the yeas and nays being taken were as follows:

YEAS.—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

NAYS.—Messrs. Attorney General, Burke, Cameron, Crysler, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—10.

The question was carried in the affirmative by a majority of eleven, and it was Resolved,—That this construction is conformable not only to the spirit of these statutes, and the avowed object in particular of the said 30 Geo. 3. Chap. 27. but also to the uniform practice, both of His Majesty's Government and of the Provincial Legislature, that such persons have been encouraged by His Majesty's Government to come and settle in this Province, have received grants of land from His Majesty, have been appointed to various offices of trust and honour, have been required to serve in the Militia, as well during the late war with the United States of America as in Peace, and to perform various other duties as British subjects, and have continually held seats in the Legislature; and that various Provincial statutes have been passed upon the principle, that they were, to all intents and purposes, British subjects.

The seventh resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS.—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

NAYS.—Messrs. Attorney General, Burke, Cameron, Crysler, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—10.

The question was carried in the affirmative by a majority of eleven, and it was Resolved—That the meritorious and loyal conduct, in defence of this Province, of such persons of this description as were called into actual service during the late contest with the United States of America, the gallantry with which they encountered the dangers—and the patience and cheerfulness with which they endured the privations of war—proved that they justly appreciate the rights which they have so long enjoyed, and are fully entitled to the confidence, protection, and paternal care of His Majesty's government, and that no danger need be apprehended to the Province from the aforesaid construction of the law with respect to them.

The eighth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS.—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

NAYS.—Messrs. Attorney General, Burke, Cameron, Crysler, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—10.

The question was carried in the affirmative by a majority of eleven, and it was Resolved—That in all civil transactions in the Province, they have invariably been considered as British subjects: that as such they have taken by grant, purchase, devise, marriage and inheritance, and have held, conveyed, and disposed of land; that many of them have deceased, leaving land in the Province to others; that a very large proportion of all the cultivated land in the Province, either is now holden, or has been held & transferred by them, without any question until lately, as to their legal capacity to do so, and that now to regard them as aliens, contrary to the former construction of law, which for so long a period had universally prevailed and been acted upon, would in this respect, as well as others, be attended with great inconvenience and produce incalculable confusion and trouble through the Province.

The ninth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS.—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

2d Session, 9th Parliament, 5th Geo: IV.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—11.

The question was carried in the affirmative by a majority of ten, and it was Resolved—That as these persons have become connected in all the relations of social and domestic life with the other inhabitants of the Province, have for so long a period been invariably considered as British subjects, and have contributed by their industry and good order to the tranquility and welfare, and by their bravery and loyalty, to the security and defence of the Province; to reverse, at this time, the said construction of the law with respect to them, would excite great dissatisfaction and alarm through the Province, and would tend to destroy all confidence in the security of civil rights and in the certainty of the laws in general.

The tenth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Leflerty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—11.

The question was carried in the affirmative by a majority of ten, and it was Resolved—That as this construction of the law has, from the earliest settlement of this Province, been solemnly and repeatedly sanctioned by the practice of His Majesty's government, and by Acts of the Provincial Legislature, which although submitted to His Majesty's government in England, according to the provisions of the 31st of George the Third, chapter 31, have not been dissented to, it would be an unparalleled violation of honour and good faith on the part of His Majesty's government, and an act of manifest impolicy and injustice, to adopt a new and different construction, whereby they would be regarded as aliens.

The eleventh resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, C. Jones, Leflerty, Lyons, Matthews, McBride, McCall, McDonell, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—23.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, D. Jones, J. Jones, Morris, and Van Koughnet—9.

The question was carried in the affirmative by a majority of fourteen, and it was Resolved—That during the present Session, His Excellency, the Lieutenant Governor, has, by message, informed the two Houses of the Provincial Parliament, that in consequence of the construction put upon the law in a recent decision by one of the Courts of Law in England, such persons would hereafter be exposed to the inconvenience of finding those rights denied, which they have hitherto enjoyed; and that in the persuasion that they might be safely received and acknowledged as subjects, with no other qualifications than those which the Legislature of this Province has from time to time thought it expedient to impose, and having earnestly pressed the subject upon the consideration of His Majesty's Government, has received His Majesty's express sanction to assent to an enactment which may afford relief to such persons, and has also been pleased to transmit an extract of a letter from the Right Hon. the Earl Bathurst, His Majesty's principal Secretary of State for the Colonies, containing the opinion of His Majesty's Government, that it would be advisable to secure to such persons the rights and privileges of British Subjects.

The twelfth resolution was then put, on which the House divided and the yeas and nays being taken were as follows:

YEAS—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, C. Jones, Leflerty Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—22.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—10.

The question was carried in the affirmative by a majority of twelve, and it was Resolved—That a bill has been sent down to this House, from the honourable the Legislative Council, referring to said message, predicated upon the principle that such persons were aliens, and conferring upon them certain rights and privileges, but not, according to the obvious intention of His Majesty's Government, as expressed in said message and extract, all the rights and privileges of British subjects, to wit, the rights of voting at any Election of a member to serve in the House of Assembly—and of being elected at such election; which bill this House, after mature and solemn consideration of the law and justice of the case, has returned to the honourable the Legislative Council, with an amendment, by which it is declared and enacted, according to the former uniform construction of the law in this Province, that such persons have been, are, and shall be considered to be, to all intents and purposes, natural born British subjects.

The thirteenth resolution was then put, on which the House divided and the yeas and nays being taken were as follows:

YEAS—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Leflerty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—11.

The question was carried in the affirmative by a majority of ten, and it was Resolved—That as it is uncertain whether such bill so amended will pass the other branches of the Legislature, and as it is the duty of this House, whenever the rights of the people may be in danger, to omit no precautions for their security, some further measures should be adopted to prevent this new and alarming construction of the law from being enforced, to the prejudice, terror, and disfranchisement of a large portion of the inhabitants of this Province, who have quietly and loyally confided in the security and certainty of the laws as uniformly construed and administered for more than thirty years, and in the honor, good faith, and paternal care of His Majesty's Government.

The fourteenth resolution was then put, on which the House divided and the yeas and nays being taken were as follows:

YEAS—Messrs. Baby, Beasley, Bidwell, Burke, Clark, Fothergill, Hamilton, Hornor, Ingersol, C. Jones, Leflerty, Lyons, Matthews, McBride, McCall, McDonell, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—24.

NAYS—Messrs. Attorney General, Cameron, Crysler, Gordon, D. Jones, J. Jones, Morris, and Van Koughnet—8.

The question was carried in the affirmative by a majority of sixteen, and it was Resolved—That there are also in this Province various other persons, not natural born British subjects, who have not strictly complied with the provisions of those British statutes, under which they might have been entitled to the privileges of British subjects, and to whom, as their well known loyalty and good conduct satisfactorily prove, it would be not only safe, but just and expedient, according to the recommendation of His Majesty's Government, that all the rights and privileges of British subjects should be effectually secured.

The fifteenth resolution was then put, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hornor, Hamilton, Ingersol, C. Jones, Leflerty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, Wilkinson, and White—22.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—10.

The question was carried in the affirmative by a majority of twelve, and it was Resolved—That this House, anxious to extend to such persons all the rights and privileges which the Provincial Legislature is authorised constitutionally to confer, has passed a bill to secure to all persons domiciled in this Province, all the rights and privileges of natural born British subjects, subject nevertheless to the qualifications imposed by the laws of this Province, with respect to the right of voting and being elected, and has sent the said bill to the honourable the Legislative Council.

The sixteenth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Leflerty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

Sir P. Maitland, K. C. B. Lieut. Governor.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—11.

The question was carried in the affirmative by a majority of ten, and it was Resolved—That it is the duty of this House to take some measures, without delay, to obtain for such persons all the rights and privileges of British subjects without restriction, which can effectually be done only by an enactment of the Imperial Parliament.

The seventeenth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—11.

The question was carried in the affirmative by a majority of ten, and it was Resolved—That an humble address be presented to His Majesty, representing the matters contained in the foregoing Resolutions, and praying His Majesty to take the same into His Most Gracious consideration, and to recommend to his Parliament the adoption of such measures, as may effectually prevent the denial, by a new construction of the law, to the persons first mentioned in the foregoing Resolutions, of rights, which they have so long enjoyed without being questioned, and with the sanction of His Majesty's government, and as may secure, beyond doubt, to all persons resident in this Province, fully and absolutely all the rights and privileges of natural born British subjects.

Mr. Matthews, seconded by Mr. Hornor, moves that two thousand copies of the foregoing resolutions, with the amendment, and the yeas and nays, be printed for the use of the members of this House.

Which was carried, nem. con.

Present—Messrs. Attorney General, Baby, Beasley, Bidwell, Burke, Cameron, Crysler, Clark, Fothergill, Gordon, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lefferty, Lyons, Matthews, McBride, McCall, McDonell, Morris, Perry, Playter, Randal, Rolph, Scollick, Thompson, Van Koughnet, White, and Wilkinson.

Mr. Bidwell, seconded by Mr. Rolph, moves that Messrs. Wilkinson and McBride be a committee to draft an address to His Majesty mentioned in the foregoing resolutions.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Beardsley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris and Van Koughnet—11.

The question was carried in the affirmative by a majority of nine, and ordered accordingly.

The House then adjourned till Monday next at the hour of ten, A. M.

Monday, 2d January, 1826.

Mr. Attorney General, seconded by Mr. J. Jones, moves that he have leave to bring in the petition of Thomas Carfrae the Younger, & other inhabitants of the Town of York.

Which was granted and the petition brought up.

Agreeably to the order of the day the petition of certain inhabitants of the Home District, praying for the repeal of the third clause of an act passed in the fifty-sixth year of his late Majesty's reign, relative to Courts of Requests, was read.

Mr. Playter, seconded by Mr. Rolph, moves that the petition of sundry inhabitants of the Home District be referred to a select committee, composed of Messrs. Hornor, Clark, and Thompson, with power to report by bill or otherwise.

Which was ordered.

Agreeably to notice, Mr. Hamilton, seconded by Mr. Randal, moves for leave to bring in a bill to alter and amend the Assessment acts of this Province.

Which was granted and the bill read.

Mr. Hamilton, seconded by Mr. Randal, moves that the assessment amendment bill be read a second time on Thursday next.

Which was ordered.

Agreeably to the order of the day the House went into committee on Clergy Reserves.

Mr. Randal in the chair.

The House resumed.

Mr. Randal reported that the committee had agreed to the following resolutions, which he was directed to submit for the adoption of the House :

Resolved—That the authority given to His Majesty by a late act of the Imperial Parliament to set apart one fourteenth of the lands of this Province for the support and maintenance of a protestant clergy in addition to the quantity already set apart for that purpose, is contrary to the desire of a large portion of the inhabitants of this Province, and injurious to the prosperity thereof.

Resolved—That an humble address be presented to His Majesty, setting forth the substance of the foregoing resolution, & praying that His Majesty may be graciously pleased to submit to his Parliament the propriety of repealing so much of the said law as authorises the appropriation aforesaid.

The report was ordered to be received.

The first resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Beardsley, Beasley, Burke, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lyons, Matthews, McCall, McDonell, Morris, Perry, Playter, Randal, Rolph and White—18.

NAYS—Messrs. Crysler, C. Jones, Scollick, and Van Koughnet—4.

The question was carried in the affirmative by a majority of fourteen, and it was Resolved—That the authority given to His Majesty by a late act of the Imperial Parliament to set apart one fourteenth of the lands of this Province for the support and maintenance of a Protestant Clergy in addition to the quantity already set apart for that purpose, is contrary to the desire of a large portion of the inhabitants of this Province, and injurious to the prosperity thereof.

The second resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Beardsley, Beasley, Burke, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lyons, Matthews, McCall, McDonell, Morris, Perry, Playter, Randal, Rolph, and White—18.

NAYS—Messrs. Crysler, C. Jones, Scollick, and Van Koughnet—4.

The question was carried in the affirmative by a majority of fourteen, and it was Resolved—That an humble address be presented to His Majesty, setting forth the substance of the foregoing resolution, and praying that His Majesty may be graciously pleased to submit to his Parliament the propriety of repealing so much of the said law as authorises the appropriation aforesaid.

Mr. Morris, seconded by Mr. Ingersol, moves that Messrs. McDonell and Clark be a committee to draft and report an address to His Majesty, pursuant to the foregoing resolution.

On which the House divided, and the yeas and nays being taken, were as follows :

2d Session, 9th Parliament, 5th Geo: IV.

YEAS—Messrs. Beardsley, Beasley, Bidwell, Burke, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lyons, Matthews, McCall, McDonell, Morris, Perry, Playter, Randal, Rolph, and White—19.

NAYS—Messrs. Crysler, C. Jones, J. Jones, Scollick, and Van Koughnet—5.

The question was carried in the affirmative by a majority of fourteen and ordered accordingly.

Agreeably to the order of the day the House went into committee on the offenders arrest bill.

Mr. Bidwell was called to the chair.

The House resumed.

Mr. Bidwell reported the bill as amended.

On the question for receiving the report the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Beasley, Bidwell, Burke, Cameron, Gordon, Hamilton, Hornor, C. Jones, J. Jones, Lafferty, Lyons, Matthews, McCall, Morris, Perry, Playter, Randal, Rolph, Scollick, White, and Wilkinson—22.

NAYS—Messrs. Beardsley and Clark—2.

The question was carried in the affirmative by a majority of twenty and the report was accordingly received.

Mr. Rolph, seconded by Mr. Bidwell, moves that the offenders' arrest bill be engrossed and read a third time on Wednesday next.

Which was ordered.

Agreeably to the order of the day, the House went into committee on the assessment collection bill.

Mr. J. Jones was called to the chair.

The House resumed.

Mr. Jones reported the bill as amended.

On the question for receiving the report the House divided and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beardsley, Bidwell, Burke, Cameron, Clark, Crysler, Fothergill, Lafferty, Lyons, McBride, McDonell, Perry, Playter, Randal, Rolph, and Van Koughnet—17.

NAYS—Messrs. Attorney General, Beasley, Gordon, Hamilton, Hornor, C. Jones, D. Jones, J. Jones, Matthews, McCall, Morris, Scollick, Walsh, White, and Wilkinson—15.

The question was carried in the affirmative by a majority of two, and the report was received accordingly.

Mr. Perry, seconded by Mr. McBride, moves that the assessment bill be engrossed and read a third time on Wednesday next.

Which was ordered.

Mr. Matthews, from the committee to whom was referred the petition of James Edwards, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive it.

The report was ordered to be received, and the bill was read the first time.

Mr. Matthews, seconded by Mr. Hamilton, moves that the bill for the relief of James Edwards, be read a second time on Thursday next.

Which was ordered.

Mr. Fothergill, from the committee appointed, to confer with the committee of the honourable the Legislative Council on the subject of the library, reported as follows:

The committee appointed by your honourable House to confer with a committee appointed by the honourable the Legislative Council respecting the library, having met, your committee, in the absence of instructions from your honourable House on the subject, could state no specific object of the meeting.

Mr. Fothergill gives notice that he will, on to-morrow, move that a joint committee be requested with the honourable the Legislative Council, on the subject of the library.

Mr. Fothergill gives notice that he will, to-morrow, move for leave to bring in a bill to amend an act passed in the second year of His Majesty's reign, entitled "An Act to repeal the laws now in force relative to the preservation of Salmon, and to make further provisions respecting the fisheries in certain parts of this Province, and also to prevent accidents by fire from persons fishing by torch or fire-light."

Mr. Hamilton gives notice that he will, on to-morrow, move for leave to bring in a bill to amend the census act.

Agreeably to notice Mr. Attorney General, seconded by Mr. J. Jones, moves that Messrs. Gordon, Morris, C. Jones, and McBride, be a committee to enquire and report into the state of the light-house at Gibraltar point, and the expediency of providing a fund for its support by the imposition of a light-house duty, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

The House adjourned, till twelve o'clock to-morrow.

Tuesday, 3d January, 1826.

Agreeably to notice, Mr. Fothergill, seconded by Mr. Matthews, moves that an address be presented to his Excellency the Lieutenant Governor, requesting that he will be pleased to direct the proper officer to lay before this House information respecting the number, names, and extent of the several townships which have been surveyed within the last ten years; with the number and extent of the several locations made therein, and under what particular orders in council such locations have been made.

Which was carried.

Mr. Fothergill, seconded by Mr. Hornor, moves that Messrs. Matthews and Hamilton be a committee to prepare and report to this House an address to His Excellency the Lieutenant Governor, pursuant to the foregoing resolution of this House.

Which was ordered.

Mr. Matthews from the committee appointed to draft an address to his Excellency the Lieutenant Governor relative to lands located during the last ten years, reported a draft which was received and read the first time.

Mr. Fothergill, seconded by Mr. Matthews, moves that the address to his Excellency for information respecting the number, names and extent of the several townships surveyed within the last ten years, with the number of the locations made therein, and under what particular orders in council, be now read a second time.

Which was carried, and the draft was read the second time.

Mr. Fothergill, seconded by Mr. Matthews, moves that this House do now resolve itself into committee of the whole on the address to his Excellency the Lieutenant Governor respecting the land-granting department.

Which was carried, and Mr. McDonell was called to the chair.

The House resumed.

Mr. McDonell reported the address as amended.

On the question for receiving the report the House divided and the yeas and nays being taken were as follows:

YEAS—Messrs. Baby, Beardsley, Beasley, Bidwell, Burke, Clark, Fothergill, Gordon, Hornor, Ingersol, C. Jones, J. Jones, Lyons, Matthews, McBride, McCall, McDonell, Morris, Perry, Playter, Randal, Rolph, Thompson, Van Koughnet, White, and Wilkinson—26.

NAYS—Mr. Walsh—1.

The question was carried in the affirmative by a majority of twenty-five, and the report was accordingly received.

Mr. Fothergill, seconded by Mr. Matthews, moves that the address to his Excellency the Lieutenant Governor for information respecting the land-granting department be engrossed and read a third time this day.

Sir P. Maitland, K. C. B. Lieut. Governor.

Which was ordered.

Agreeably to the order of the day, the House went into committee on the state of the Province.

Mr. Wilkinson in the chair.

The House resumed to receive a message.

Mr. Secretary Hillier brought down from his Excellency the Lieutenant Governor, certain messages and documents, and having retired, the Speaker read the messages as follows :

P. MAITLAND.

The Lieutenant Governor thinks proper to transmit to the House of Assembly a further report from the commissioners of the Burlington Bay Canal.

Government House 3d January, 1826.

P. MAITLAND.

The Lieutenant Governor thinks proper to transmit to the House of Assembly copies of the assessment rolls as far as the same have been received.

Government House, 3d January, 1826.

P. MAITLAND.

The Lieutenant Governor thinks proper to transmit to the House of Assembly copies of the District treasurer's accounts, as far as the same have been received.

Government House, 3d January, 1826.

P. MAITLAND.

The Lieutenant Governor thinks proper to transmit to the House of Assembly the copy of a petition presented to him by the Messisagua tribe of Indians, and to recommend the subject of it to the attention of the House, as it appears that the object of it, if it be thought expedient, can only be accomplished by a legislative enactment.

The Lieutenant Governor has much satisfaction in stating that this tribe of Indians has recently given very satisfactory proofs of a disposition to embrace the christian religion, and that assistance has been afforded them towards establishing them in a village within the tract reserved for their use on the Credit River, in order that they may be confirmed in their improved habits, and enjoy opportunities of religious and moral instruction.

Government House, 3d January, 1826.

To our Great Father Sir Peregrine Maitland, K. C. B. Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.

The Petition of the Messisagua Nation of Indians residing on the River Credit—

HUMBLY SHEWETH :

That we your children of the Messisagua Indians being assembled in council, have considered for our future profit and happiness the fishery on this Credit River. We have always considered ourselves the owners of this River and fishery and have been enabled in a measure to reap some benefit of the said fishery ; & as we are about to settle down through your advice & assistance at this place, to become planters & to attend to the means of religion and education since our minds have been enlightened by the rays of the gospel light, we look back on our past lives with the greatest wonder and astonishment that we have been so wicked and have led such a miserable life, but now we wish to do better, but we think again it will be very hard for us to do better so long as this river is the public resort of the inferior class of white people, who bring and introduce all manner of evil amongst us.

Wherefore we your petitioners humbly pray your Excellency may be pleased to secure the said fishery unto us, and to stop all white people from fishing on the said river, so far as our reserve extends, that is to say, from the mouth of the river to Mr. Racy's line.

And should our petition meet with your approbation, we have made the following resolution for the sale of our fish, and for the preservation of the fishery, namely : to appoint some trusty person as agent to cure and make market for all the salmon caught, and the money derived to be divided amongst the Nation ; and to preserve the fishery, it is agreed not to fish two nights in a week, viz : Saturday nights and Sunday nights, and not to catch any salmon for sale after the tenth day of November.

And we, your subjects, as in duty bound will ever pray.

(Signed) AGETANCE, and twenty one other signatures.

A true copy, G. HILLIER.

Credit River, November 16, 1825.

P. MAITLAND.

The Lieutenant Governor thinks proper to communicate to the House of Assembly the copy of a dispatch which he has received from His Majesty's principal secretary of state for the colonies on the subject of establishing the British metallic currency as a circulating medium in this Province.

The Lieutenant Governor apprehends that the value of certain coins mentioned in this communication having been established by an act of the Provincial Legislature the object desired by His Majesty's government cannot be effected without a legislative provision.

Government House, 3d January, 1826.

CIRCULAR.

Downing Street, May 1825.

SIR—

His Majesty's government having taken into consideration the expediency of establishing the British metallic currency as the circulating medium of all the Colonial possessions of the crown, I transmit to you inclosed an order of His Majesty in council declaring that a tender or payment of British silver coin to the amount of four shillings and four pence should be considered as equivalent to the tender or payment of one Spanish dollar, and so in proportion of any greater or less amount of debt, and also that British copper money should be made a legal tender to the amount of twelve pence in one payment in all the British colonies for its due and proper proportions of British silver money, & I have to signify to you His Majesty's commands that on the necessary previous arrangements being made with the officer in charge of the commissariat, you cause the said order to be duly promulgated & carried into execution in the Colony under your government. I also transmit for your information a copy of the circular instructions which the Lords Commissioners of the treasury have directed to be addressed to the officer in charge of the duties of the commissariat department in the colonies by which you will learn the principles and grounds upon which four shillings and four pence of British silver and copper money is declared to be equivalent to the Spanish dollar.

2d Session, 9th Parliament, 5th Geo: IV.

With a view to give the fullest effect to the intention of the Lords Commissioners of the treasury, I have to direct that at the same time that you promulgate the order in council, public notice be given that the holders of British silver money may demand from the officer in charge of the commissariat department bills upon the Lords Commissioners of the treasury, at thirty days sight, in exchange for any sums whatever tendered by them in British silver money, not less in amount than one hundred pounds at the fixed rate of a bill for £100 for every £103, of British silver money so tendered.

And you will further publicly declare what is the sum of money of account to which the British silver money is, in the spirit of these instructions, equivalent: thus, if the Spanish dollar current is equivalent to five shillings of "money of account," you will declare that 17 shillings & 4 pence of British silver and copper money is equivalent to one pound of such money of account; if the Spanish dollar is equivalent to five shillings and four pence of the "money of account," sixteen shillings and three pence of British silver and copper money must be declared equal to one pound of such "money of account;" and if the Spanish dollar is equivalent to six shillings and eight pence of "money of account" thirteen shillings of British silver money must be declared equal to one pound of such "money of account;" if the actual value of the Spanish dollar in the "money of account" is not furnished by any of these examples, the proportion between the British silver money and the "money of account" may be easily calculated upon the same principle, according to the actual value.

I have only further to acquaint you that the Lords Commissioners of the Treasury have caused to be shipped for the Colony under your government the sum of £30,000 in British silver money, and a small supply of copper money for the service of the Canadas.

I have the honour to be, &c. &c. &c.

(Signed) BATHURST.

A True Copy, G. HILLIER.

COMMISSARIAT DEPARTMENT, }
CIRCULAR No. 8, 9. }

Treasury Chambers, 12th February, 1825.

SIR—

The Lords Commissioners of His Majesty's treasury having had under their consideration the rate at which the dollar is issued to the troops at the station under your charge, and having also adverted to the difficulty which exists at many stations of procuring not only the Spanish dollar, but also the proportional parts of the dollar, so as to form a convenient medium for the issue of pay to the troops; have determined to send to all the Colonies, British silver and copper money which is to be issued for the pay of the staff and regimental officers and non-commissioned officers and soldiers, and also for the pay of all persons having permanent appointments in any of the civil departments of the army, at its nominal rate, and they have requested the Secretary of State to make such communications to the Governors of the several Colonies as may insure its general use as a circulating medium.

With a view of attaining that object and to secure its circulation without the great fluctuation in the rate of the exchange to which a circulation of Spanish dollars is subject, with reference to bills drawn upon this board, in sterling money, I am commanded by their Lordships to direct that at certain hours in every day, or upon one certain day of each week, as the officer commanding the forces may deem most expedient, you will be prepared to receive British silver money in sums of not less than £103 from any persons whatever who may tender the same; & that you will grant to such persons bills upon this board at 30 days' sight, for the money so tendered, at the fixed rate of a bill for £100 for every £103 of silver money, you will of course take care that you do not receive in exchange for bills upon this board any British silver money wantonly or fraudulently defaced or reduced in its true weight, but such only as may be perfect, and you will receive all such money by tale; but a very satisfactory check upon the tale may be obtained by weighing the coin which may be tendered to you in exchange for bills; as every lb. Troy should produce by tale £3 6, (i. e.) 66 shillings; and therefore £103, to be given in exchange for a bill of £100 should weigh 31 lb. 2 oz. 10 dwt. $21\frac{1}{4}$ grains, Troy, but which weight may be subject to a slight variation from the fair wear of the coin.

I am further to desire that you will not on any account, or under any pretence, receive British silver money in exchange for bills upon this board, at any other rate than that before specified; and that whenever you have British silver money in the chest you will issue it for the pay of the troops in preference to every other species of coin. Copper money will be sent to you with the British silver money, and it is to be issued from time to time at its nominal rate; but my Lords desire that fractions only of less than six pence may be issued in this coin, unless particularly requested by the persons who are to receive the same.

In the event of your not having sufficient British silver money in the military chest for the purpose of making the necessary payments to the troops, you will issue to them Spanish dollars, at present, but at the rate of four shillings and four pence per dollar; and you will issue all other dollars or coins in payment to the troops at the same proportionate rate with reference to their actual contents in pure silver.

A scale of the rates at which some of the coins should be so issued is enclosed.

The principal upon which their Lordships are pleased to direct the dollar to be issued to the troops at fifty-two pence each, is, that this is its nearest value as compared to British standard silver at five shillings and two-pence per oz. being the ancient standard of the silver coin of the realm; and therefore, in fixing the value of all other coins with reference to that standard, it is necessary that you should attend not only to the weight of the coin, but to its contents in pure silver, a pound Troy of standard silver containing 11 oz. 2 dwt. of pure silver, and 18 dwt. of alloy, the proportion between pure and standard silver, may be expressed by the fractions $\frac{22}{27} \frac{1}{37}$.

The pound Troy of Spanish dollars contains 10 oz. 14 dwt. of pure silver and 1 oz. 6 dwt. of alloy, and the proportion between the gross weight of the Spanish dollar and its contents in pure silver may be expressed by the fraction $\frac{2}{3} \frac{1}{12}$.

I am further to direct that in negotiating bills upon this board for dollars or any other coin, (except British silver coin) you will pursue the present course, and obtain the same upon the most favourable rates of exchange that may be practicable, it not being their Lordships' intention that any other coin, than British silver coins should be received into the military chest in exchange for bills upon this board, at any other than the current rate of exchange.

My Lords further desire that this arrangement with respect to the rate at which British silver money or dollars is to be issued in payment to the Troops, may take place from the 24th of the month next after date of the general order, which the Officer commanding the forces may issue, in consequence of the instructions which will be conveyed to him, for giving effect to this measure.

With respect to the mode of paying for supplies of every description which may have already been agreed on, or contracted for, my Lords desire that the payments may be paid in every respect in the same manner, and at the same rates as the payments would have been made if the proposed alteration had not been directed; and in all future cases where articles may be contracted for, my Lords desire that it may be expressly stated in the advertisement for the supply, and also in the contract to be entered into, that the payments are to be made in British silver money; but with a reservation of a power on the part of the commissary to pay in bills upon this board, at the rate of a bill for £100 for every £103 due upon the contract, and which power you will of course avail yourself of, in all cases where there may be a scarcity of British silver money in the chest.

I am further directed to acquaint you that it may much facilitate their Lordships' object in obtaining a circulation for British silver money in all the colonies, if all your sub-accountants at detached stations where there is a branch of the military chest, were furnished by you with bills upon this board, drawn in their favour for sums of £100 each, and with which you might charge them as with cash, and which bill they should be instructed to endorse over to those persons, who may lodge in the military chest, under their charge, £103 of British silver money for each bill. The regulations now in force for ascertaining the balance of money in the military chest, will be as equally applicable to bills as to cash; and with a view to simplify the transaction as much as possible, and to guard against any irregularities, their Lordships have directed me to transmit blank bills, which may be used exclusively for this purpose.

Sir P. Maitland, K. C. B. Lieut. Governor.

I am further directed to acquaint you, that their Lordships have called the attention of the officer commanding the forces to the rates in money, granted as pay to persons holding local or temporary appointments, and also in lieu of allowances of forage, fuel, lodging, &c. to regimental and staff officers; and which rates have been fixed with reference to the expence of the articles, in lieu of which the money allowance was granted, and to the value of the currency in which the pay and allowance were issued, with a view to his causing boards to be assembled for revising the whole of those allowances and for fixing new rates of pay and allowances in lieu thereof payable in British silver money, by which my Lords expect that a nominal reduction will be made in the amount of those allowances, equal, or nearly equal to the difference between the value of the dollar as it has hitherto been issued at four shillings and four pence.

You will also issue to the officers of all public departments, to whom you may be called upon to make payments in exchange for their certificates, bills, or drafts, British silver money at its nominal rate Spanish dollars at four shillings and four pence each, & other dollars or coins at the same proportionate rate; but the payment of the drafts of the ordnance officers for materials or other articles of supply under existing contracts, you will of course make in the same manner, and in coins at the same rate as the payments would have been made in the event of the foregoing arrangements not having been adopted.

I am further directed to acquaint you that supplies of British money will, from time to time, be sent to you, and of the shipments of which you will be duly apprised.

I am, Sir, your obedient servant.

At the Court at Carlton House, 23d March, 1825.

Present—The King's Most Excellent Majesty in Council.

Whereas, it has been represented to His Majesty at this board by the Lords Commissioners of His Majesty's Treasury, that they have given directions that His Majesty's troops serving in the several British Colonies and possessions abroad, should, in certain cases, be paid in British silver and copper money, and that with a view of securing the circulation of such money in those colonies it would be expedient that an order in council should be issued, declaring that in all those colonies where the Spanish dollar is now either by law, fact, or practice, considered as a legal tender for the discharge of debts, or where the duties to the government are rated or collected, or the individuals have a right to pay in that description of coin, that a tender and payment of British silver money to the amount of four shillings and four pence should be considered as equivalent to the tender or payment of one Spanish dollar, and so in proportion for any greater or less amount of debt.

And whereas it has been further represented by the Lords Commissioners of His Majesty's Treasury, that with respect to the Cape of Good Hope, where there are not any Spanish dollars in circulation, but where the circulation consists entirely of paper Rix Dollar and its porportions; and with respect to Ceylon, where the circulation consists of silver and paper Rix Dollars, as well as of a variety of other coins, which are generally received and paid with relation to their value as compared with Rix Dollars, it would be expedient that a tender & payment of one shilling and six-pence in British silver money should be considered as equivalent to a tender and payment of one such Rix Dollar so current at the Cape of Good Hope and Ceylon respectively, and so in proportion for any greater or less sum, and also that British copper money should be made a legal tender in all the British colonies to its due and proper proportion of British silver money as by law established in Great Britain, but that no person should be compelled to take more than twelve pence in copper money at any one payment; His Majesty having taken the said representation into consideration is pleased by and with the advice of His Privy Council, to approve of what is therein proposed & the Right Honourable the Lords Commissioners of His Majesty's Treasury; and the Right Honourable Earl Bathurst, one of His Majesty's Principal Secretaries of State are to give the necessary directions herein, as to them may respectively appertain.

(Signed) C. C. GREVILLE.

Table of the Gross Weight of the contents in pure silver and of the value computed at the rate of five shillings and two-pence per oz. Troy, British standard fineness, of the undermentioned silver coins, taken from assays made at the mints at Paris and London, together with the rate at which those coins are to be issued (when British coin is not in the military chest) for the pay of the British troops in the colonies.

	Gross Weight of the Coins.	Contents in pure silver.	Valued at 5s. & 2d. per oz. standard.	To be issued to the troops at
	Grains.	Grains.	S. D. dec.	Shill. Pence.
FRENCH.				
Piece of five Francs, - - - - -	385	344 9	4 0 16	4 0
two ditto. - - - - -	155	138 8	1 7 38	1 8
Pranc, - - - - -	77½	69 4	0 9 69	0 10
SICILIAN.				
Dollar or Scudo, - - - - -	422	348 2	4 0 62	4 1
Piece of 40 grains, - - - - -	141	117 5	1 4 40	1 5
20 ditto. - - - - -	72	59 1	0 8 25	0 9
SPANISH.				
Dollar, - - - - -	416	370 9	4 3 79	4 4
UNITED STATES OF AMERICA.				
Dollar, - - - - -	416	370 1	4 3 68	4 4
EAST INDIES.				
Calcutta Rupee - - - - -	192	175 9	2 0 56	2 1
Bombay, } ditto. - - - - -	179	164 7	1 11 61	1 11
or Surat, }				

M. J. Jones, seconded by Mr. Morris, moves that an humble address be presented to his Excellency thanking his Excellency for his several messages of this day, and assuring his Excellency that this House will not fail to take the same into their serious consideration, and that Messrs Van Koughnet and Cameron be a committee to draft the same.

Which was ordered.

Mr. Van Koughnet, from the committee to draft an address to his Excellency the Lieutenant Governor, thanking him for his several messages of this day, reported a draft which was received and read the first time.

The House went again into committee on the state of the Province.

Mr. Wilkinson in the chair.

The House resumed.

Mr. Wilkinson reported that the committee had agreed to two resolutions which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow.

2d Session, 9th Parliament, 5th Geo: IV.

The report was ordered to be received, and leave was granted accordingly.

The first resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Baby, Beardsley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Lefferty, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, and Wilkinson—17.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, McDonel, Morris, Van Koughnet, and White—14.

The question was carried in the affirmative by a majority of three, and it was Resolved, that it is the opinion of this House that great abuses do exist in the post-office department of this Province.

The second resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Baby, Beardsley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, and Wilkinson—18.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonell, Morris, Van Koughnet, Walsh, and White—14.

The question was carried in the affirmative by a majority of four, and it was Resolved, that an humble address be presented to His Most Gracious Majesty, grounded on the foregoing resolution, representing the expediency of having the post-office department under provincial controul.

Agreeably to the order of the day the address to his Excellency the Lieutenant Governor on the subject of lands located within the last ten years, was read the third time.

On the question for passing the address the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Baby, Beardsley, Cameron, Clark, Crysler, Fothergill, Gordon, Hamilton, Hornor, Ingersol, C. Jones, Lefferty, Lyons, Matthews, McBride, McCall, Morris, Perry, Playter, Randal, Rolph, Scollick, Van Koughnet, White, and Wilkinson—25.

NAYS—Messrs. Attorney General, Burke, McDonell, and Walsh—4.

The question was carried in the affirmative by a majority of twenty-one, and the address was signed, and is as follows :

*To His Excellency SIR PEREGRINE MAITLAND, Knight Commander of the Most Honourable 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 dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled request that your Excellency will be pleased to direct the proper officer to lay before this House, information respecting the number, names, and extent of the several townships which have been surveyed within the last ten years; together with the number and extent of the several locations which have been made therein, and also in the old townships within the said period, and under what particular orders in council such locations have been made, and stating the full amount already paid on each lot, and the amount to be paid on lots located on the issuing of the patents for the same.

JOHN WILLSON, Speaker.

Commons House of Assembly, 3d January, 1826.

Mr. Rolph, seconded by Mr. Playter, moves that Messrs. Baby and Randal do form a committee to draft and report an address to His Most Gracious Majesty, grounded on the post-office resolutions.

Which was ordered.

Mr. Fothergill, seconded by Mr. Matthews, moves that Messrs. Clark and Lefferty be a committee to wait upon his Excellency the Lieutenant Governor to know when he will be pleased to receive the address of this House relative to the land granting department, and to present the same.

Which was ordered.

Mr. Van Koughnet gives notice that he will, on to-morrow, move for leave to bring in a bill to amend an act passed in the fortieth year of His late Majesty's reign, entitled "An Act for the summary conviction of persons selling spirituous liquors by retail, without licence."

Mr. Van Koughnet gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal part of an act passed in the fifty-sixth year of His late Majesty's reign, entitled "An Act to extend the jurisdiction of the Court of Requests."

Mr. Attorney General gives notice that he will move on Monday next, for leave to bring in a bill to regulate the fishery at and near the mouth of the River Credit.

Mr. Attorney General gives notice that he will move, on Monday next, for leave to bring in a bill to facilitate the circulation of the British silver and copper coinage in this Province.

Mr. Attorney General gives notice that he will move, on Monday next, for leave to bring in a bill to render legal the registry of certain conveyances in the county of Northumberland.

The House adjourned.

Wednesday, 4th January, 1826.

Agreeably to the order of the day the offenders' arrest bill was read the third time.

Mr. Rolph, seconded by Mr. Bidwell, moves that the bill do now pass, and that it be entitled "An Act to provide for the arrest in this Province of certain offenders against the laws of the United States, and for their being delivered to the constituted authorities of the same."

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Baby, Beasley, Bidwell, Burnham, Burke, Cameron, Crysler, Fothergill, Gordon, Hamilton, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, Matthews, McBride, McCall, McDonell, Morris, Perry, Playter, Randal, Rolph, Scollick, Thompson, Walsh, White, and Wilkinson—29.

NAYS—Messrs. Attorney General, Beardsley, Clark, Hornor, Lefferty, and Van Koughnet—6.

The question was carried in the affirmative by majority of twenty-three, and the bill was signed.

Messrs. Rolph and Baby were ordered by the Speaker to carry up to the honourable the Legislative Council the bill entitled "An Act to provide for the arrest in this Province of certain offenders against the laws of the United States, and for their being delivered to the constituted authorities of the same," and to request their concurrence thereto.

Agreeably to the order of the day the assessment collection bill was read the third time.

Mr. Perry, seconded by Mr. McDonell, moves that the bill do now pass, and that it be entitled "An Act to authorize and require the treasurers of the several Districts in this Province to receive, in certain cases, the rates on lands situate in other Districts than those in which the same are paid."

Sir P. Maitland, K. C. B. Lieut. Governor.

In amendment, Mr. Gordon, seconded by Mr. C. Jones, moves that the word "now" be expunged, and that after the word "pass" the words "this day three months" be inserted.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Attorney General, Beasley, Burnham, Gordon, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McCall, Morris, Scollick, Walsh, White, and Wilkinson—17.

NAYS—Messrs. Baby, Beardsley, Bidwell, Burke, Cameron, Clark, Crysler, Fothergill, Lafferty, Lyons, McBride, McDonell, Perry, Playter, Randal, Rolph, and Van Koughnet—17.

The question was carried in the affirmative by the casting vote of the Speaker, and ordered accordingly.

On the original question, as amended, the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Attorney General, Beasley, Burnham, Gordon, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McCall, Morris, Scollick, Walsh, White, and Wilkinson—17.

NAVS—Messrs. Baby, Beardsley, Bidwell, Burke, Cameron, Clark, Crysler, Fothergill, Lafferty, Lyons, McBride, McDonell, Perry, Playter, Randal, Rolph, and Van Koughnet—17.

The question was carried in the affirmative by the casting vote of the Speaker, and ordered accordingly.

Agreeably to the order of the day the petition of Thomas Carfrae, Junior, and others, inhabitants of the town of York, praying for authority to hold by law a certain piece of land for the purpose of a public burying ground, was read.

Mr. Attorney General, seconded by Mr. Morris, moves that the petition of Thomas Carfrae, Junior, and others, inhabitants of the town of York, be referred to a select committee to consist of Messrs. Gordon, Playter, and Van Koughnet, to report by bill or otherwise.

Which was ordered.

Mr. J. Jones, seconded by Mr. Van Koughnet, moves that the address to his Excellency thanking him for his several messages of yesterday be read a second time.

Which was carried and the address was read a second time.

Mr. J. Jones, seconded by Mr. Van Koughnet, moves that the House do now go into committee on the address to his Excellency.

Which was carried, and Mr. McCall was called to the chair.

The House resumed.

Mr. McCall reported the address as amended.

The report was ordered to be received.

Mr. J. Jones, seconded by Mr. Van Koughnet, moves that the address to his Excellency be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day the Welland Canal loan bill was read the second time.

Mr. J. Jones, seconded by Mr. Morris, moves that the House do now resolve itself into a committee of the whole on the Welland Canal loan bill.

Which was carried, and Mr. Morris was called to the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honourable the Legislative Council the bill entitled "An Act to make further and more effectual provision for the prevention of accidents by fire in the several police towns of this Province," which they had passed without amendment, and withdrew.

The House went again into committee on Welland Canal loan bill.

Mr. Morris in the chair.

The House resumed.

Mr. Morris reported the bill as amended.

On the question for receiving the report the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Attorney General, Baby, Beasley, Burnham, Burke, Clark, Crysler, Ingersol, C. Jones, J. Jones, Matthews, McBride, Morris, Scollick, White, and Wilkinson—16.

NAYS—Messrs. Beardsley, Bidwell, Hamilton, Lafferty, McCall, Perry, Randal, and Van Koughnet—8.

The question was carried in the affirmative by a majority of eight and the report was accordingly received.

Mr. Attorney General, seconded by Mr. J. Jones, moves, that the Welland Canal loan bill be engrossed and read a third time on Monday next.

Which was ordered.

Agreeably to the order of the day, the Welland Canal amendment bill was read a second time.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the House do now resolve itself into a committee of the whole on the Welland Canal amendment bill.

Which was carried and Mr. Playter was called to the chair.

The House resumed.

Mr. Playter reported the bill as amended.

On the question for receiving the report the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Attorney General, Beasley, Burnham, Burke, Cameron, Clark, Crysler, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, Matthews, McBride, McCall, McDonell, Morris, Perry, Playter, Scollick, Van Koughnet, White, and Wilkinson—25.

NAYS—Messrs. Beardsley, Lafferty, Randal, and Walsh—4.

The question was carried in the affirmative by a majority of twenty-one, and the report was accordingly received.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the Welland Canal amendment bill be engrossed and read a third time on Monday next.

Which was ordered.

Agreeably to the order of the day the address to his Excellency the Lieutenant Governor thanking him for his several messages of yesterday, was read the third time, passed and signed, and is as follows :

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

MAY IT PLEASE YOUR EXCELLENCY,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament Assembled, beg leave to thank your Excellency for your several messages of yesterday, and to assure your Excellency that we will not fail to take the same into our serious consideration.

JOHN WILLSON, Speaker.

Commons House of Assembly, 4th January, 1826.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Morris, from the joint committee of conference to draft an address to his Excellency the Lieutenant Governor, on the subject of the loan of £70,000, reported a draft of the same, which was read as follows :

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

&c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, His Majesty's dutiful and loyal subjects the Legislative Council and Assembly of the Province of Upper Canada, in Provincial Parliament Assembled, humbly beg leave to approach your Excellency to express our grateful sense of the solicitude entertained by His Majesty's Government to promote the prosperity and welfare of the inhabitants of this Province, evinced in the dispatch of the Right Honourable Earl Bathurst, respecting the improvement of the internal navigation of this Province, which your Excellency was pleased to transmit to both Houses of the Legislature at the commencement of the last session.

The procuring for this Province, in the manner proposed, a loan of seventy thousand pounds for the purpose of opening a canal between the Ottawa River and Kingston, on Lake Ontario, would very greatly facilitate the accomplishment of that object; but important as an inland navigation from Montreal to the Lakes undoubtedly is, and munificent as is the assistance which it has thus been proposed to extend to this valuable undertaking, so limited is the revenue of Upper Canada, that unless the Legislature of the Lower Province will consent to cooperate in carrying on a work of such vast importance to the safety and commercial advantage of so considerable a portion of His Majesty's dominions it will be extremely difficult for His Majesty's loyal subjects of Upper Canada to avail themselves of this most gratifying offer.

Should the British empire be again involved in war with the United States of America, the proposed canal would with the same exertions which were so promptly afforded by the Mother Country during the last contest, place the safety of these Provinces almost beyond the reach of doubt, by insuring a safe and less expensive mode of conveyance for naval and military stores of all descriptions to the upper portions of the Province, when the temporary occupation of a part of the frontier by the enemy, might otherwise interrupt these indispensable supplies.

Under the peculiar situation of the inhabitants of this Province, as respects the intercourse with Lower Canada in the event of a war, and the consequent obvious necessity of improving an inland navigation between that Province and the Lake, we venture to hope that His Majesty may be graciously pleased to recommend to the government of the sister Province the adoption of such measures, in conjunction with Upper Canada, as will best answer the object in view, and to this end, we beg leave to request that your Excellency will be pleased to have such communication with His Majesty's government as may appear to your Excellency most expedient and proper.

We also beg leave to request that your Excellency will be pleased to transmit the accompanying resolutions to the government of Lower Canada to be laid before the Parliament of that Province.

Mr. Morris, seconded by Mr. Attorney General, moves that the joint address to his Excellency the Lieutenant Governor on the subject of the loan of seventy thousand pounds, be concurred in.

In amendment, Mr. Rolph, seconded by Mr. Hamilton, moves that after the word "that" all be expunged and the following words inserted, "the address be read again on Monday next."

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Beardsley, Beasley, Bidwell, Hamilton, Hornor, Lafferty, Matthews, McCall, Perry, Playter, Randal, Rolph, Scollick, Walsh, White, and Wilkinson—16.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Clark, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, McBride, McDonell, Morris, and Van Koughnet—16.

The question was carried in the affirmative by the casting vote of the Speaker, and ordered accordingly.

Mr. Gordon, seconded by Mr. Matthews, moves that Messrs. Ingersol and Cameron be a committee to wait on his Excellency the Lieutenant Governor to know when he will be pleased to receive the address of this House, and to present the same.

Which was ordered.

Mr. Lafferty gives notice that he will, on to-morrow, move that the Sergeant at Arms be instructed to rent two pews in the Presbyterian meeting House, for the use of the members of the House of Assembly.

Adjourned.

Thursday, 5th January, 1826.

Agreeably to notice, Mr. Perry, seconded by Mr. Thomson, moves for leave to bring in a bill for the more ready recovering of estrays. Which was granted and the bill read.

Mr. Perry, seconded by Mr. Thomson, moves that the bill just read, be read a second time on Monday next.

Which was ordered.

Agreeably to the order of the day the House went into committee on the state of the Province.

Mr. Crysler in the chair.

The Speaker resumed the chair.

Mr. Crysler reported that the committee had risen on a question of order.

Mr. J. Jones, seconded by Mr. Burke, moves that it be resolved, that when in committee of the whole House a resolution is proposed for adoption and debated, a motion to withdraw such resolution is not in order if objected to, and the original motion pressed.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Beasley, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Perry, Thompson, and Van Koughnet—15.

NAYS—Messrs. Atkinson, Baby, Beardsley, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, Playter, Randal, Rolph, Scollick, Thomson, Walsh, Wilkinson, and Wilson—19.

The question was decided in the negative by a majority of four, and lost accordingly.

Mr. Morris, seconded by Mr. Van Koughnet, moves that it be resolved, that it is unparliamentary for any member to withdraw from the chairman of a committee of the whole House a resolution which has been proposed, read, and debated upon, without leave of the committee.

In amendment, Mr. J. Jones, seconded by Mr. Crysler, moves that after the word "that" the whole of the original resolution be expunged and the following inserted, "a resolution which has been proposed, read and discussed in a committee of the whole House, cannot be withdrawn by the person moving it, without the consent of the committee."

On which the House divided, and the yeas and nays being taken, were as follows:

Sir P. Maitland, K. C. B. Lieut. Governor.

YEAS—Messrs. Atkinson, Attorney General, Beardsley, Beasley, Bidwell, Burnham, Burke, Clark, Cameron, Crysler, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, McBride, McCall, McDonell, Morris, Perry, Playter, Randal, Rolph, Scollick, Thomson, Van Koughnet, and Walsh—29.

NAYS—Messrs. Hamilton and Matthews—2.

The question was carried in the affirmative by a majority of twenty-seven, and ordered accordingly.

The original question as amended was then put and carried.

The House adjourned.

Friday 6th January, 1826.

Agreeably to the order of the day, the House went into committee on the state of the Province.

Mr. Crysler in the chair.

The House resumed.

Mr. Crysler reported progress and obtained leave to sit again to-morrow.

Mr. Clark, from the committee to wait on his Excellency the Lieutenant Governor with the address of this House relative to the lands located during the last ten years, reported delivering the same, and that his Excellency had been pleased to make thereto the following reply :

Gentlemen of the House of Assembly,

My answer to a similar application from the House of Assembly in the last session, must have made them aware that it is necessary I should take the pleasure of His Majesty on the subject of this address.

Upon the occasion of this second application it will be incumbent upon me to communicate the purpose for which the enquiry is made, which the House of Assembly has not yet enabled me to do.

It is proper I should acquaint the House that a compliance with this address, according to its terms, should His Majesty see fit to authorise it, would, as I am informed, be attended with an expense of which no adequate idea may have been conceived.

In the mean time I am happy that by the permission, which I solicited from His Majesty's government, I have already had it in my power to furnish to the Assembly full information of the amount of the fund adverted to, and the objects to which it has been applied within the whole period to which their enquiry was directed.

Mr. McBride gives notice that he will, on Monday next, move for leave to bring in a bill to free the inhabitants residing in the several towns in this Province, which do now or may hereafter, send a member or members to the House of Assembly, from the rates, now by law levied upon them, for the payment of wages to members representing Counties or Ridings.

Mr. Fothergill gives notice that he will, to-morrow, move that this House do go into a committee of the whole, on his Excellency the Lieutenant Governor's answer to the address on the subject of the land granting Department.

Mr. Crysler gives notice that he will on Tuesday next, move for leave to bring in a bill to provide a pension to such persons as resided in the United States previous to the year 1775, joined the British standard previous to the year 1783, and came to this Province previous to the year 1798, and are unable to gain a livelihood by hard labour.

The House adjourned till ten o'clock, A. M. on Monday.

Monday, 9th January, 1826.

Agreeably to the order of the day the Welland Canal amendment bill was read the third time.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the bill do now pass, and that the title be thereof "An Act to repeal parts of and to explain and amend the several acts of this Province relating to the Welland Canal Company."

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Attorney General, Beasley, Burke, Cameron, Clark, Gordon, Hornor, Ingersol, C. Jones, J. Jones, Lyons, Matthews, McBride, McCall, McDonell, Morris, Perry, Scollick, Thompson, Van Koughnet, Wilkinson, and Wilson—22.

NAYS—Messrs. Beardsley, Hamilton, Lefferty, and Walsh—4.

The question was carried in the affirmative by a majority of eighteen, and the bill was signed.

Messrs. Attorney General and Matthews were ordered by the Speaker to carry up to the Honourable the Legislative Council the bill entitled "An Act to repeal parts of, and to explain and amend the several acts of this Province, relating to the Welland Canal Company," and to request their concurrence thereto.

Agreeably to the order of the day the Welland Canal loan bill was read the third time.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the Welland Canal loan bill do now pass, and that the title thereof be "An Act to authorize the government to borrow a certain sum of money upon debenture, to be loaned to the Welland Canal Company."

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Attorney General, Atkinson, Beasley, Burnham, Burke, Cameron, Clark, Coleman, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McDonell, Morris, Scollick, Thompson, and Wilkinson—21.

NAYS—Messrs. Beardsley, Bidwell, Hamilton, Lefferty, Lyons, McCall, Perry, Randal, Rolph, Van Koughnet, Walsh, and Wilson—12.

The question was carried in the affirmative by a majority of nine, and the bill was signed.

Messrs. Clark and Gordon were ordered by the Speaker to carry up to the honourable the Legislative Council the bill entitled "An Act to authorise the government to borrow a certain sum of money upon debenture to be loaned to the Welland Canal Company," and to request their concurrence thereto.

Agreeably to the order of the day the address reported by the joint committee of conference on the subject of the loan from His Majesty's government of £70,000 was read the second time.

Mr. Morris, seconded by Mr. Burke, moves that the joint address to his Excellency the Lieutenant Governor from the Legislative Council and House of Assembly on the subject of the loan of £70,000, be concurred in.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Attorney General, Beasley, Burnham, Burke, Cameron, Clark, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, McBride, McDonell, Morris, Playter, Thompson, and Van Koughnet—20.

NAYS—Messrs. Baby, Beardsley, Bidwell, Coleman, Fothergill, Hamilton, Hornor, Lefferty, Matthews, McCall, Perry, Randal, Rolph, Scollick, Walsh, Wilkinson, and Wilson—17.

The question was carried in the affirmative by a majority of three, and ordered accordingly.

Mr. Morris, seconded by Mr. Burke, moves that a message be sent to the honourable the Legislative Council, to inform that honourable body that this House has concurred in the report of the joint committee on the subject of the loan of £70,000.

Which was carried.

Messrs. Van Koughnet and Clark, were ordered by the Speaker to carry up to the honourable the Legislative Council a message informing them that this House had concurred in the report of the joint committee of conference on the subject of an address to his Excellency the Lieutenant Governor, relative to the loan of £70,000 from his Majesty's government.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Gordon, from the committee to whom was referred the petition of P. Desjardins, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would please receive the same.

The report was ordered to be received and the bill was read the first time.

Mr. Gordon, seconded by Mr. D. Jones, moves that the Desjardins' Canal Company bill be read a second time on Thursday next.

Which was ordered.

Mr. Attorney General from the committee to whom were referred the several petitions from the London District, informed the House that the committee had agreed to a report, which he was ready to submit whenever the House would please receive the same.

The report was ordered to be received, and was read as follows :

See appendix.

The London District Court House removal bill was read the first time.

Mr. Attorney General, seconded by Mr. C. Jones, moves that the London District Gaol and Court House bill be read a second time on Thursday next.

Which was ordered.

The London District loan bill was then read the first time.

Mr. Attorney General, seconded by Mr. Matthews, moves that the London District Gaol and Court House loan bill be read a second time on Thursday next.

Which was ordered.

Mr. Attorney General, from the joint committee of conference on the subject of the petition of the agents of the honourable the East India Company, relative to the sale of their tea in Canada, reported the following address :

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

&c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We His Majesty's dutiful and loyal subjects, the Legislative Council and House of Assembly of the Province of Upper Canada in Provincial Parliament assembled, humbly beg leave to represent to your Excellency that the agents to the honourable the East India Company for the sale of their tea in Canada, have by their petition set forth that smuggling, especially of tea, was carried on from the United States to Canada to such an extent as tended to habituate the people of both Provinces to a breach of the laws, to produce demoralization and to occasion a great loss to the revenue.

That addresses were voted by the Legislative Council and Assembly of each Province with a view to obtain a remedy for so growing and baneful an evil, and that accordingly an act was passed by the Imperial Parliament to authorize the East India Company to trade direct from China to the British Colonies and Plantations in America.

That pursuant thereto, two ships, laden with tea arrived in Quebec in July last, from Canton, when it was found that the existing law was inapplicable to this new state of the trade in that article, it being impracticable to ascertain the duties on landing, and therefore that some alterations were necessary.

That entries of the number of packages and species of Tea, and of the prices and description of other Goods from China, belonging to the said company would be sufficient on the arrival of ships from Canton, and that bonds for payment of the duties when ascertained, duly executed by the said agents on behalf of the said Company without the security of other persons, would be an adequate protection to the Provincial revenue.

That the instructions from the court of directors of the said company, to the agents, for the ascertaining the actual state of the teas—the tare weight thereof—that all teas exposed to sale shall be free from damage, and that the packages containing the same shall be in good repair, prescribed a course of proceeding that requires a long time with a heavy expense to accomplish, and which in itself affords ample means for a correct calculation of the duties.

That such calculation could most conveniently be made upon the quantities of tea actually sold at each periodical public sale, an officer of the customs attending at the weighing thereof; and that it would be a beneficial alteration, in respect to the duties, to abrogate the present credit of eight months thereon, and to make them payable on the quantities so sold, within thirty days from and after such sale respectively, so as to admit of time for making up and rendering an accurate statement thereof.

That for the encouragement of the tea trade from China it would be expedient and proper that drawbacks, equal to the duties paid, should be allowed to exporters of teas from Quebec by sea to other British colonies, or to countries to which the same may be lawfully sent by sea; provided that regular certificates be first produced that the teas so exported have been actually landed at the sea port of their destination.

That the preliminary proceedings, above said, which assure the sale of *such teas only* as are merchantable, will necessarily leave on hand those that are damaged and unfit for use, and it is therefore just and reasonable that the duties thereon should be remitted and not claimable, provided that the said teas shall be actually destroyed.

That the statute of the Imperial Parliament, 3d. Geo. 4th Chap. 119, requires certain formalities to be observed respecting what may relate to duties which directly or indirectly affect this Province, and that it would be a great saving of time and afford a much earlier accomplishment of the objects submitted by the said petitioners if addresses from the Legislative Council and Assembly of this Province were voted in conformity to the proviso contained in the twenty-ninth section of the said statute.

That the practice in London in respect to importation of teas, ascertainment of duties thereon, and remission of the same on such as are destroyed, with allowance of drawbacks on exportation, is substantially in conformity to the terms of the said petition, and that as no alteration in the rates of duty on importation is proposed or wished for, the petitioners therefore prayed that the premises might be taken into consideration; and we humbly represent to your Excellency that we are desirous of concurring in removing every obstacle to the convenient and advantageous prosecution of a trade which we trust will continue to be highly beneficial to the Province; and so far as our assent may be desired to that end, we beg leave to request that your Excellency will be graciously pleased to communicate to his Excellency the Governor in Chief of Lower Canada that the Legislative Council and Assembly of this Province will concur in any measures which the Legislature of Lower Canada shall deem expedient for carrying into effect the several objects desired by the said petitioners.

Mr. Attorney General, seconded by Mr. C. Jones, moves that the report of the joint committee upon the petition of the agents to the honourable the East India Company for the sale of their tea in Canada, be concurred in.

Which was carried.

Mr. Attorney General, seconded by Mr. C. Jones, moves that a message be sent to the honourable the Legislative Council acquainting them that this House has concurred in the report of the joint committee upon the petition of the agents to the honourable the East India Company for the sale of their tea in Canada.

Which was carried, and Messrs. C. Jones and Chrysler were ordered by the Speaker to carry up to the honourable the Legislative Council a message informing them that this House has concurred in the report of the joint committee upon the petition of the agents of the honourable the East India Company for the sale of their tea in Canada.

Sir P. Maitland, K. C. B. Lieut. Governor.

Mr. Walsh, from the committee to whom was referred the petition of the inhabitants of the township of Townsend, informed the House that the committee had agreed to a report which he was ready to submit whenever the House would please receive the same.

The report was ordered to be received, and was read as follows:

The committee to whom was referred the petition of certain inhabitants of the township of Townsend, in the London District, praying that an act may be passed to correct an erroneous survey, by establishing more correctly the front of the thirteenth concession of the said township, and also the petition of Michael Shaw and other inhabitants of the said township of Townsend, praying that no such act may be passed—

BEG LEAVE TO REPORT AS FOLLOWS :

That your committee have examined the said petitions referred to them, and also the documents and papers relating to the surveys of the front of the said thirteenth concession obtained from the Surveyor General's office, from which it appears to your Committee that it is necessary the said erroneous survey should be corrected inasmuch as by that survey the lots in the twelfth concession of the said township would fall short of the required length very considerably and those in the said thirteenth concession would be increased in length in the same proportion—it is therefore evident to your committee that the remaining part of the township (run out after the error was discovered) was surveyed in such manner as to correspond with a correction of the erroneous survey.

Your committee would observe that a post or monument was placed in the limit of the township near the place where a correct line would have terminated, distant about eight chains from the termination of the erroneous survey; from this post the Surveyor afterwards reversed the concession, running the line anew across one lot, and by which post and survey last mentioned the settlers on each side have been guided in making their improvements—but in another part of the said thirteenth concession improvements have been made according to the erroneous line or survey, and from this circumstance the opposition manifested against the correction of the erroneous survey appears to have originated.

Your committee at the same time that they would recommend to your honourable House a favorable consideration of the prayer of the petitioners for correcting the erroneous survey, beg leave to state that the picket line, run in the year 1823, although it appears to leave nearly an equal quantity of land in each of the said concessions and is not far from where the front of the thirteenth concession should be; yet, in the opinion of your committee, it is not in the most proper place to establish the front of the thirteenth concession as thereby some of the lots would be unequal as to the length with corresponding numbers in the other concession.

Your committee would therefore recommend to your honourable House the passing of a bill to authorize the erecting of monuments or governing points from which the true front of the thirteenth concession shall be produced, in order that none of the lots in either of the said concessions may contain a less quantity than two hundred acres.

Your committee have framed a bill in conformity with the recommendation contained in this report, which bill they herewith submit for the consideration of your honourable House.

By order of the Committee,

FRANCIS L. WALSH, *Chairman.*

The bill founded on the petition of the inhabitants of Townsend was then read the first time.

Mr. Walsh, seconded by Mr. McBride, moves that the Townsend survey bill be read a second time on Thursday next.

Which was ordered.

Agreeably to notice Mr. Morris, seconded by Mr. J. Jones, moves for leave to bring in a bill for the relief of Leonard Soper.

Which was granted and the bill read.

Mr. Morris, seconded by Mr. J. Jones, moves that the bill for the relief of Leonard Soper be read a second time on Thursday next.

Which was ordered.

Agreeably to the order of the day the House went into committee on the high-way bill.

Mr. Perry was called to the chair.

The House resumed.

Mr. Perry reported progress and asked leave to sit again to-morrow.

On the question for receiving the report the House divided and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Attorney General, Burnham, Burke, Cameron, Clark, Coleman, Crysler, Gordon, Ingersol, C. Jones, J. Jones, Lyons, McBride, McDonell, Morris, Perry, Scollick, Thomson, and Van Koughnet—20.

NAYS—Messrs. Beasley, Fothergill, Hamilton, Hornor, Lefferty, Matthews, McCall, Playter, Randal and Walsh—10.

The question was carried in the affirmative by a majority of ten, the report was received, and leave granted accordingly.

The House then adjourned.

Tuesday, 10th January, 1826.

Mr. Playter, seconded by Mr. Burnham, moves for leave to bring up the petition of John Deterick Peterson of the township of Markham.

Which was granted and the petition brought up.

Mr. Playter, seconded by Mr. Burnham, moves for leave to bring up the petition of sundry inhabitants of the townships of North Guilfordsbury, in the Home District.

Which was granted, and the petition brought up.

Mr. Jonas Jones, seconded by Mr. Atkinson, moves for leave to bring up the petition of Charles Tozer.

Which was granted, and the petition brought up.

Mr. Rolph, seconded by Mr. Bidwell, moves for leave to bring up the petition of Valentine Gill, praying for relief.

Which was granted, and the petition brought up.

Mr. Coleman, seconded by Mr. Scollick, moves for leave to bring up the petition of sundry inhabitants of the county of Hastings.

Which was granted and the petition brought up.

Agreeably to the order of the day the House went into committee on the state of the Province.

Mr. Randal was called to the chair.

The House resumed.

Mr. Randal reported that the committee had agreed to a resolution which he was requested to submit for the adoption of the House, and asked leave to sit again to-morrow.

The report was ordered to be received, leave was granted, and it was Resolved, that, in the great contest with the revolted colonies in the revolutionary war, and afterwards the principal means of rewarding all such as came within the British lines, was land, each man according to his rank and services being entitled to a certain number of acres for himself, his wife and children, without fees or imposts.

Mr. Fothergill, seconded by Mr. Randal, moves that the resolution reported by the committee on the state of the Province relative to grants of land to U. E. Loyalists, be referred to a select committee, to be composed of Messrs. Beardsley, Van Koughnet, Hamilton, and Hornor, with power to send for persons and papers.

Which was carried.

Agreeably to the order of the day the House went into committee on the report of the select committee on the improvement bill.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Matthews in the chair.

The House resumed.

Mr. Matthews reported the bill as amended by the select committee.

The report was ordered to be received.

Mr. McBride, seconded by Mr. J. Jones, moves that the improvement bill be engrossed and read a third time on Thursday next.

Which was ordered.

Agreeably to the order of the day the address to His Excellency the Lieutenant Governor, on the subject of consolidating or bringing nearer together the different offices of the land granting department of this Province, was read a second time.

Mr. Fothergill, seconded by Mr. Hornor, moves that this House do now go into committee of the whole, on the address to his Excellency the Lieutenant governor, on the land granting department.

Which was carried and Mr. Wilson was called to the chair.

The House resumed, the black rod being at the door.

Mr. Boulton, master in chancery, brought down from the honourable the Legislative Council the joint address to his Excellency the Lieutenant Governor, on the subject of the internal navigation of this Province, reported by the joint committee of conference on that subject which that honourable House had adopted, and having retired, the address was read as follows :

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

&c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, His Majesty's dutiful and loyal subjects, the Legislative Council and Assembly of the Province of Upper Canada, in Provincial Parliament assembled, humbly beg leave to approach your Excellency to express our grateful sense of the solicitude entertained by His Majesty's Government to promote the prosperity and welfare of the inhabitants of this Province, evinced in the dispatch of the Right Honourable Earl Bathurst, respecting the improvement of the internal navigation of this Province, which your Excellency was pleased to transmit to both Houses of the Legislature at the commencement of the last session.

The procuring for this Province, in the manner proposed, a loan of seventy thousand pounds for the purpose of opening a Canal between the Ottawa River and Kingston on Lake Ontario, would very greatly facilitate the accomplishment of that object; but important as an inland navigation from Montreal to the lakes undoubtedly is, and munificent as is the assistance which it has thus been proposed to extend to this valuable undertaking, so limited is the revenue of Upper Canada, that unless the Legislature of the Lower Province will consent to co-operate in carrying on a work of such vast importance to the safety and commercial advantage of so considerable a portion of His Majesty's dominions it will be extremely difficult for His Majesty's loyal subjects of Upper Canada to avail themselves of this most gratifying offer.

Should the British empire be again involved in war with the United States of America, the proposed canal would, with the same exertions which were so promptly afforded by the Mother Country during the last contest, place the safety of these Provinces almost beyond the reach of doubt, by insuring a safe and less expensive mode of conveyance for naval and military stores of all descriptions to the upper portions of the Province, when the temporary occupation of a part of the frontier by the enemy, might otherwise interrupt these indispensable supplies.

Under the peculiar situation of the inhabitants of this Province, as respects the intercourse with Lower Canada in the event of a war, and the consequent obvious necessity of improving an inland navigation between that Province and the Lake, we venture to hope that His Majesty may be graciously pleased to recommend to the government of the sister Province, the adoption of such measures, in conjunction with Upper Canada, as will best answer the object in view, and to this end, we beg leave to request that your Excellency will be pleased to have such communication with His Majesty's government as may appear to your Excellency most expedient and proper.

We also beg leave to request that your Excellency will be pleased to transmit the accompanying resolutions to the government of Lower Canada, to be laid before the Parliament of that Province.

WILLIAM CAMPBELL, Speaker.

Legislative Council Chamber, 10th January, 1826.

Mr. Morris, seconded by Mr. Burke, moves that the joint address to his Excellency on the subject of the loan of seventy thousand pounds, be concurred in.

On which the House divided, and the yeas and nays being taken were as follows :

YEAS—Messrs. Atkinson, Beasley, Burnham, Burke, Cameron, Clark, Coleman, Crysler, Gordon, Ingersol, C. Jones, D. Jones, Lyons, McBride, McDonell, Morris, Playter, Thompson, Thomson, and Van Koughnet—20.

NAYS—Messrs. Beardsley, Fothergill, Hornor, Leferty, Matthews, Perry, Randal, Scollick, Walsh, Wilkinson, and Wilson—11.

The question was carried in the affirmative by a majority of nine, and the address was signed by the Speaker, and is as follows :

To His Excellency SIR PEREGRINE MAITLAND, Knight Commander of the Most Honourable 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 dutiful and loyal subjects, the Legislative Council and Assembly of the Province of Upper Canada, in Provincial Parliament assembled, humbly beg leave to approach your Excellency to express our grateful sense of the solicitude entertained by His Majesty's Government to promote the prosperity and welfare of the inhabitants of this Province, evinced in the dispatch of the Right Honourable Earl Bathurst, respecting the improvement of the internal navigation of this Province, which your Excellency was pleased to transmit to both Houses of the Legislature at the commencement of the last session.

The procuring for this Province, in the manner proposed, a loan of seventy thousand pounds for the purpose of opening a Canal between the Ottawa River and Kingston on Lake Ontario, would very greatly facilitate the accomplishment of that object; but important as an inland navigation from Montreal to the Lakes undoubtedly is, and munificent as is the assistance which it has thus been proposed to extend to this valuable undertaking, so limited is the revenue of Upper Canada, that unless the Legislature of the Lower Province will consent to co-operate in carrying on a work of such vast importance to the safety and commercial advantage of so considerable a portion of His Majesty's dominions it will be extremely difficult for His Majesty's loyal subjects of Upper Canada to avail themselves of this most gratifying offer.

Sir P. Maitland, K. C. B. Lieut. Governor.

Should the British empire be again involved in a war with the United States of America, the proposed canal would, with the same exertions which were so promptly afforded by the Mother Country during the last contest, place the safety of these Provinces almost beyond the reach of doubt, by insuring a safe and less expensive mode of conveyance for naval and military stores of all descriptions to the upper portions of the Province, when the temporary occupation of a part of the frontier by the enemy, might otherwise interrupt these indispensable supplies.

Under the peculiar situation of the inhabitants of this Province, as respects the intercourse with Lower Canada in the event of a war, and the consequent obvious necessity of improving an inland navigation between that Province and the Lakes, we venture to hope that His Majesty may be graciously pleased to recommend to the government of the sister Province, the adoption of such measures, in conjunction with Upper Canada, as will best answer the object in view, and to this end, we beg leave to request that your Excellency will be pleased to have such communication with His Majesty's government as may appear to your Excellency most expedient and proper.

We also beg leave to request that your Excellency will be pleased to transmit the accompanying resolutions to the government of Lower Canada, to be laid before the Parliament of that Province.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 10th January, 1826.

JOHN WILLSON, *Speaker.*

Commons House of Assembly, 10th January, 1826.

Mr. Morris, seconded by Mr. J. Jones, moves that a message be sent to the honourable the Legislative Council to inform that honourable body that this House has concurred in the joint address sent down from that honourable House on the subject of the loan of seventy thousand pounds.

Which was ordered, and Messrs. McBride and McDonell were ordered to carry up to the honourable the Legislative Council the joint address on internal navigation with a message informing that honourable body that this House had concurred therein.

The House went again into committee on the address to His Excellency the Lieutenant Governor, respecting the offices of the land granting department.

Mr. Wilson in the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, master in chancery, brought down from the honourable the Legislative Council a message, and having retired, the Speaker read the same as follows:

MR. SPEAKER.

The Honourable the Legislative Council have appointed a committee of two members who will be ready at two o'clock tomorrow to wait, jointly with a committee of the Commons House of Assembly, upon his Excellency the Lieutenant Governor, to know when he will be pleased to receive the joint address, respecting the internal navigation of this Province.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 10th January, 1826.

Mr. J. Jones, seconded by Mr. Van Koughnet, moves that the request of the honourable the Legislative Council for the appointment of a joint committee to deliver the address of both branches of the Legislature to his Excellency the Lieutenant Governor, on the subject of the loan of £70,000, be acceded to, and that Messrs. Morris, Burke, Clark, and Ingersol, be a committee for the purpose.

Which was carried.

Mr. Morris seconded by Mr. Burke, moves that a message be sent to the honourable the Legislative Council, to acquaint that honourable House that this House has appointed a committee of four members who will meet the committee of that honourable body at the time mentioned for the purpose of presenting the address of both Houses on the subject of the loan of seventy thousand pounds.

Which was carried and Messrs. Lyons and Thomson were ordered by the Speaker to carry up to the honourable the Legislative Council a message to that effect.

The House went again into committee on the address to his Excellency the Lieutenant Governor, respecting the offices of the land granting department.

Mr. Wilson in the chair.

The House resumed.

Mr. Wilson reported the address without amendment.

The report was ordered to be received.

Mr. Fothergill, seconded by Mr. Hornor, moves that the address to his Excellency the Lieutenant Governor, on the subject of the land granting department, be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day, the pension bill was read the second time.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the House do now resolve itself into a committee of the whole on the pension bill.

Which was carried, and Mr. Coleman was called to the chair.

The House resumed.

Mr. Coleman reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House.

The report was ordered to be received, and the resolution was adopted as follows:

Resolved, that the bill be referred to the consideration of a select committee, and that the chairman be instructed to move the House for the appointment of the said committee.

Mr. Coleman, seconded by Mr. Morris, moves that the pension law amendment bill be referred to a select committee with power to report thereon, and to send for persons and papers, and that Messrs. J. Jones, Van Koughnet and Thomson do compose the same.

Which was ordered.

Members present—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Coleman, Crysler, Fothergill, Lafferty, Lyons, McBride, McCall, McDonell, Morris, Perry, Playter, Thompson, Thomson, Scollick, and Walsh—20.

At half past five o'clock, P. M. the Speaker declared the House adjourned for want of a quorum.

Wednesday, 11th January, 1826.

Mr. Playter, seconded by Mr. Perry, moves for leave to bring up the petition of Ann Shaw, of the township of Markham, praying for relief.

Which was granted and the petition brought up.

Agreeably to the order of the day the address to his Excellency the Lieutenant Governor, on the subject of consolidating or bringing nearer together the offices of the land granting department of this Province, was read the third time, passed, and signed by the Speaker, and is as follows:

2d Session, 9th Parliament, 5th Geo: IV.

To His Excellency *SIR PEREGRINE MAITLAND*, Knight Commander of the Most Honourable 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 dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, having resolved upon the expediency, if practicable, of concentrating or bringing nearer together the various offices connected with the land granting department of this Province, for the greater convenience of the public, humbly request that your Excellency will be pleased to take the necessary steps for the accomplishment of so desirable and important a measure, by procuring plans and estimates of a fire proof building or buildings suitable for the above purposes, and to cause the same to be laid before this House at the next session of the Legislature.

JOHN WILLSON, *Speaker*.

Commons House of Assembly, 11th January, 1826.

Mr. Fothergill, seconded by Mr. Hornor, moves that Messrs. Walsh and Burnham be a committee to wait upon His Excellency the Lieutenant Governor to know when he would be pleased to receive the address on the subject of the land granting department, and to present the same.

Which was ordered.

Mr. J. Jones, seconded by Mr. Morris, moves that the forty-third rule of this House be dispensed with, so far as relates to the petition of Charles Tozer, and that the said petition be now read.

Which was carried, and the petition of Charles Tozer, praying that the premises may be taken into consideration and relief granted—was read.

Mr. Thomson, seconded by Mr. Perry, moves that the forty-third rule of the House be dispensed with, so far as relates to the petition of Valentine Gill, and that the petition be now read.

Which was carried and the petition of Valentine Gill, praying for remuneration for services stated to be performed, was read.

Mr. Thomson, seconded by Mr. Fothergill, moves that the petition of Valentine Gill be referred to a select committee, to consist of Messrs. Matthews and Ingersol.

Which was ordered.

Mr. J. Jones, seconded by Mr. Morris, moves that the petition of Charles Tozer be referred to a select committee to be composed of Messrs. Attorney General and Walsh, with power to send for persons and papers, and leave to report thereon by bill or otherwise.

Which was ordered.

Mr. Playter, from the committee to whom was referred the petition of sundry inhabitants of the Home District, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would please receive the same.

The report was ordered to be received and the draft was read the first time.

Mr. Playter, seconded by Mr. Hornor, moves that the bill to repeal and amend part of the act passed in the fifty-sixth year of His late Majesty's reign, relative to the Court of Requests, be read a second time on Saturday next.

Which was ordered.

Agreeably to the order of the day the House went into committee on the state of the Province.

Mr. Scollick was called to the chair.

The House resumed.

Mr. Scollick reported that the committee had agreed to a series of resolutions which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow.

The report was ordered to be received and leave was granted accordingly.

The first resolution was then read as follows:

Resolved—That many who were conspicuous during the late war for their firm attachment to His Majesty, and for their zeal and loyalty in the defence of this Province, were connected with the convention of 1818, formed by the people to seek, by petition to the Throne, for the redress of grievances.

In amendment, Mr. Attorney General, seconded by Mr. C. Jones, moves, that after the word "resolved," in the original resolution, the remaining words be expunged, and the following words inserted, "That this House is satisfied, that the political principles and plans of Mr. Gourlay, are hostile to the government of this country, and that no good and loyal subject can hesitate to declare his entire disapprobation of them, and that any persons who still vindicate and avow them are unworthy the confidence of the government or people of this Province, although the House is convinced that by far the greater number of those who acted with him in this country, were at the time unconscious of the tendency of his measures."

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—12.

NAYS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Coleman, Fothergill, Hamilton, Hornor, Lesserty, Matthews, McBride, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Wilkinson, and Wilson—21.

The question was decided in the negative by a majority of nine, and lost accordingly.

Mr. Boulton, master in chancery, brought down from the honourable the Legislative Council the joint address to his Excellency the Lieutenant Governor, founded on the petition of the Agents of the honourable the East India Company for the sale of their teas in Canada, as reported by the joint committee of conference on that subject, which the honourable the Legislative Council had passed, and having retired, the address was read, concurred in, and signed by the Speaker, and is as follows:

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

&c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, His Majesty's dutiful and loyal subjects, the Legislative Council and Assembly of the Province of Upper Canada in Provincial Parliament assembled, humbly beg leave to represent to your Excellency that the agents to the honourable the East India Company for the sale of their tea in Canada, have by their petition set forth that smuggling, especially of tea, was carried on from the United States to Canada to such an extent as tended to habituate the people of both Provinces to a breach of the laws, to produce demoralization and to occasion a great loss to the revenue.

Sir P. Maitland, K. C. B. Lieut. Governor.

That addresses were voted by the Legislative Council and Assembly of each Province with a view to obtain a remedy for so growing and baneful an evil, and that accordingly an act was passed by the Imperial Parliament to authorize the East India Company to trade direct from China to the British Colonies and Plantations in America.

That pursuant thereto, two ships, laden with tea arrived at Quebec in July last, from Canton, when it was found that the existing law was inapplicable to this new state of the trade in that article, it being impracticable to ascertain the duties on landing, and therefore that some alterations were necessary.

That entries of the number of packages and species of Tea, and of the prices and description of other Goods from China, belonging to the said company would be sufficient on the arrival of ships from Canton, and that bonds for payment of the duties when ascertained, duly executed by the said agents on behalf of the said Company without the security of other persons, would be an adequate protection to the Provincial revenue.

That the instructions from the court of directors of the said company, to the agents, for the ascertaining the actual state of the teas—the tare weight thereof—that all teas exposed to sale shall be free from damage, and that the packages containing the same shall be in good repair, prescribed a course of proceeding that requires a long time with a heavy expense to accomplish, and which in itself affords ample means for a correct calculation of the duties.

That such calculation could most conveniently be made upon the quantities of tea actually sold at each periodical public sale, an officer of the customs attending at the weighing thereof; and that it would be a beneficial alteration, in respect to the duties, to abrogate the present credit of eight months thereon, and to make them payable on the quantities so sold, within thirty days from and after such sale respectively, so as to admit of time for making up and rendering an accurate statement thereof.

That for the encouragement of the tea trade from China it would be expedient and proper that drawbacks, equal to the duties paid, should be allowed to exporters of teas from Quebec by sea to other British colonies, or to countries to which the same may be lawfully sent by sea; provided that regular certificates be first produced that the teas so exported have been actually landed at the sea port of their destination.

That the preliminary proceedings, above said, which assure the sale of such teas only as are merchantable, will necessarily leave on hand those that are damaged and unfit for use, and it is therefore just and reasonable that the duties thereon should be remitted and not claimable, provided that the said teas shall be actually destroyed.

That the statute of the Imperial Parliament, 3d. Geo. 4th Chap. 119, requires certain formalities to be observed respecting what may relate to duties which directly or indirectly affect this Province, and that it would be a great saving of time and afford a much earlier accomplishment of the objects submitted by the said petitioners if addresses from the Legislative Council and Assembly of this Province were voted in conformity to the proviso contained in the twenty-ninth section of the said statute.

That the practice in London in respect to importation of teas, ascertainment of duties thereon, and remission of the same on such as are destroyed, with allowance of drawbacks on exportation, is substantially in conformity to the terms of the said petition, and that as no alteration in the rates of duty on importation is proposed or wished for, the petitioners therefore prayed that the premises might be taken into consideration; and we humbly represent to your Excellency that we are desirous of concurring in removing every obstacle to the convenient and advantageous prosecution of a trade which we trust will continue to be highly beneficial to the Province; and so far as our assent may be desired to that end, we beg leave to request that your Excellency will be graciously pleased to communicate to his Excellency the Governor in Chief of Lower Canada that the Legislative Council and Assembly of this Province will concur in any measures which the Legislature of Lower Canada shall deem expedient for carrying into effect the several objects desired by the said petitioners.

Legislative Council Chamber, 11th January, 1826.

Commons House of Assembly, 11th January, 1826.

WILLIAM CAMPBELL, *Speaker.*

JOHN WILLSON, *Speaker.*

Mr. Attorney General seconded by Mr. J. Jones, moves that the joint address upon the petition of the agents to the honourable the East India Company, be communicated to the Legislative Council.

Which was ordered.

The original Resolution, as reported by the committee on the state of the Province, was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Burnham, Cameron, Clark, Coleman, Fothergill, Hamilton, Hornor, C. Jones, D. Jones, Lafferty, Matthews, McBride, Morris, Perry, Playter, Randal, Rolph, Thompson, Thomson, Van Koughnet, Wilkinson, and Wilson—26.

VAYS—Messrs. Attorney General, Burke, Crysler, J. Jones, McDonell, and Scollick—6.

The question was carried in the affirmative by a Majority of twenty, and it was Resolved—That many who were conspicuous during the late war for their firm attachment to His Majesty, and for their zeal and loyalty in the defence of this Province, were connected with the convention of 1818—formed by the people to seek by petition to the throne, for the redress of grievances.

The second resolution was then read as follows:

Resolved—That the promised bounty in land of His late Most Gracious Majesty, on account of meritorious service during the late war, has been withheld from some persons entitled to it on account of their connection with the said convention, although they never have been tried by any lawful or constitutional tribunal whatsoever for the part they acted.

In amendment, Mr. Morris, seconded by Mr. Van Koughnet, moves that after the word "convention," in the original resolution, the remaining words be expunged.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Burke, Burnham, Cameron, C. Jones, D. Jones, J. Jones, Morris, McDonell, Van Koughnet, and Walsh—11.

NAYS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Coleman, Crysler, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Wilkinson, and Wilson—22.

The question was decided in the negative by a majority of eleven, and was lost accordingly.

The original question was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Coleman, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—20.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Scollick, Van Koughnet, and Walsh—14.

The question was carried in the affirmative by a majority of six, and it was Resolved—That the promised bounty in land of His late Most Gracious Majesty, on account of meritorious service during the late war, has been withheld from some persons entitled to it on account of their connection with the said convention, although they never have been tried by any lawful or constitutional tribunal whatsoever for the part they acted.

The third resolution was then read as follows:

2d Session, 9th Parliament, 5th Geo: IV.

Resolved—That this House is satisfied of the loyalty and patriotism of such delegates, and the purity of the intentions of the people who appointed them, while the withholding from such meritorious persons the promised and well earned bounty of their sovereign, on account of their exertions to procure a redress of public grievances, implies a serious and unmerited imputation, which not only affects them and their posterity, but also the people who appointed them.

In amendment, Mr. C. Jones, seconded by Mr. Gordon, moves that after the word "that," in the original resolution, the following be inserted—" in the opinion of this House Robert Gourlay was the principal instigator of the convention, and that his principles are republican in the extreme, and adverse to our monarchical, free, and most glorious constitution, and although it was no doubt his intention to mislead, yet," &c. &c. &c.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, J. Jones, McDonell, Van Koughnet, and Walsh—11.

NAYS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Coleman, Fothergill, Hamilton, Hornor, D. Jones, Lafferty, Matthews, McBride, Morris, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Wilkinson, and Wilson—23.

The question was decided in the negative by a majority of twelve, and lost accordingly.

The original question was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Coleman, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—20.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Scollick, Van Koughnet, and Walsh—14.

The question was carried in the affirmative by a majority of six, and it was Resolved—That this House is satisfied of the loyalty and patriotism of such delegates, and the purity of the intentions of the people who appointed them, while the withholding from such meritorious persons the promised and well earned bounty of their sovereign, on account of their exertions to procure a redress of public grievances, implies a serious and unmerited imputation, which not only affects them and their posterity, but also the people who appointed them.

The fourth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Coleman, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—20.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Scollick, Van Koughnet, and Walsh—14.

The question was carried in the affirmative by a majority of six, and it was Resolved—That to withdraw the gracious promise given from the throne on such a ground, bespeaks a system the direct tendency and consequence of which is the prevention of the free expression of public opinion against public grievances however great, and the sacrifice of those who exert themselves for their redress.

The fifth resolution was then put, on which the House divided and the yeas and nays being taken, were as follows :

YEAS—Messrs.—Atkinson, Baby, Beardsley, Beasley, Clark, Coleman, Fothergill, Hamilton, Horton, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—20.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Scollick, Van Koughnet, and Walsh—14.

The question was carried in the affirmative by a majority of six, and it was Resolved—That an humble address, grounded on the foregoing resolutions, be presented to His Majesty, representing the claim of such persons to receive the promised bounty in land according to their rank in the militia.

The sixth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Cameron, Clark, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, McDonell, Perry, Playter, Randal, Rolph, Thompson, Thomson, Walsh, Wilkinson, and Wilson—22.

NAYS—Messrs. Attorney General, Burnham, Burke, Crysler, J. Jones, Morris, Scollick, and Van Koughnet—8.

The question was carried in the affirmative by a majority of fourteen, and it was Resolved—That in the absence of commercial and manufacturing capital, land is, and for a length of time to come, must be, the chief basis of public credit, and therefore whatever tends to increase or longer continue the late and present lamentable depression in its value, a depression, the prolongation of which threatens much distress, imperiously calls for the firm and earnest interference of Parliament.

The seventh resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Attorney General, Baby, Beardsley, Beasley, Burnham, Burke, Cameron, Clark, Fothergill, Hamilton, Hornor, J. Jones, Lafferty, Matthews, McBride, McDonell, Morris, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Van Koughnet, Wilkinson, and Wilson—28.

NAYS—Messrs. Crysler and Walsh—2.

The Question was carried in the affirmative by a majority of twenty-six, and it was Resolved—That population is most essential to the agricultural and landed interest of this Province, as well as to its general welfare and prosperity.

The eighth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—19.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, J. Jones, McDonell, Morris, Scollick, Van Koughnet, and Walsh—11.

The question was carried in the affirmative by a majority of eight, and it was Resolved that after the establishment of this Province, many persons, who were born in the allegiance of the late King, and their children came into it with their families from the United States to settle, being attracted by the superior fertility of our soil, the advantages of our climate, and the excellence of our laws and government, when liberally administered.

The ninth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Baby, Beardsley, Clark, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Thomson, Wilkinson, and Wilson—17.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, J. Jones, McDonell, Morris, Scollick, Van Koughnet, and Walsh—11.

The question was carried in the affirmative by a majority of six, and it was Resolved—That under the wisest and happiest administrations of His Majesty's government every liberal encouragement and invitation have been given to such citizens of the United States to settle in this Province and renew their allegiance.

The tenth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Beardsley, Baby, Beasley, Clark, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Thomson, Walsh, Wilkinson, and Wilson—19.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, J. Jones, McDonell, Morris, Scollick, and Van Koughnet—10.

Sir P. Maitland, K. C. B. Lieut. Governor.

The question was carried in the affirmative by a majority of nine, and it was Resolved—That such settlers in this Province are among the most useful, industrious and loyal subjects of His Majesty, and exemplified during the late war, the most firm attachment to His Royal Person and Government, and the relative situation of the United States and this Province, and the smallness of the armies arrayed for its defence, put their fidelity to the test in a degree rarely experienced in any other country; and the 30th Geo. 3d. chap. 27, was passed by the wisdom of the Imperial Parliament to encourage the settlement of this Province with such citizens from the United States under the evident persuasion that they might with safety and advantage be allowed to renew their allegiance.

The eleventh resolution was then put and carried, nem. con. Present—Messrs. Atkinson, Attorney General, Beardsley, Baby, Beasley, Burnham, Burke, Cameron, Clark, Crysler, Fothergill, Hamilton, Hornor, J. Jones, Lafferty, Matthews, McBride, McDonell, Morris, Perry, Playter, Thomson, Randal, Rolph, Scollick, Van Koughnet, Walsh, Wilson, and Wilkinson and it was Resolved—That after the termination of the late war with the United States, the Prince Regent, now our most Gracious Sovereign, was pleased to signify, through the commander in chief of the forces, his high approbation of the militia of this Province, and to state, that had it not been, for their intrepid and gallant conduct, this Province must have been subjugated by the enemy.

The twelfth resolution was then read as follows:

Resolved—That it is highly expedient to renew & continue every encouragement to an emigration which has already afforded a population so eminently worthy of His Majesty's paternal government, & to allow such persons to settle under the provisions of the 30th Geo. 3d. chap. 27, and the restrictions of the Provincial statutes respecting them, and to purchase land.

In amendment, Mr. Attorney General, seconded by Mr. J. Jones, moves that after the word "resolved," in the original resolution, the remaining words be expunged, and the following words inserted, "that this House will ever view with regret any circumstance that may tend to prevent the emigration to this Province of our fellow subjects from the United Kingdom of Great Britain and Ireland, because feeling, as we do, the most faithful attachment to, and the most decided preference for the monarchical form of Government under which we live, we shall ever prefer to see them become settlers among us rather than the subjects of a foreign country which was lately in arms against us, who have been accustomed to a form of government, of which, as British subjects, we do not approve, and to which those American loyalists who have sought an asylum in this country, are equally adverse.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Attorney General, Burnham, Burke, Cameron, Crysler, J. Jones, McDonell, Morris, Scollick, Thompson, Thomson, Van Koughnet, and Walsh—14.

NAYS—Messrs. Baby, Beardsley, Beasley, Clark, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Wilkinson, and Wilson—16.

The question was decided in the negative by a majority of two, and lost accordingly.

On the original question the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—19.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, J. Jones, McDonell, Morris, Scollick, Van Koughnet, and Walsh—11.

The question was carried in the affirmative by a majority of eight, and it was Resolved—That it is highly expedient to renew and continue every encouragement to an emigration which has already afforded a population so eminently worthy of His Majesty's paternal government, and to allow such persons to settle under the provisions of the 30th Geo. 3d. chap. 27, and the restrictions of the Provincial statutes respecting them, and to purchase land.

The thirteenth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—19.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, J. Jones, McDonell, Morris, Scollick, Van Koughnet, and Walsh—11.

The question was carried in the affirmative by a majority of eight, and it was Resolved—That such emigration is a desirable addition to what His Majesty has lately encouraged and assisted from Great Britain, and which last mentioned emigration this House regards as a most gracious and acceptable policy, tending in an eminent degree to promote the prosperity of this Province.

The fourteenth resolution was then put, on which the house divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—19.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, J. Jones, McDonell, Morris, Scollick, Van Koughnet, and Walsh—11.

The question was carried in the affirmative by a majority of eight, and it was Resolved—That a most humble address be presented to His Majesty grounded on the foregoing resolutions.

Mr. Rolph, seconded by Mr. Playter, moves that Messrs. Hornor and Wilson be a committee to draft and report the address to His Majesty on the foregoing resolutions.

Which was ordered.

Mr. Rolph, seconded by Mr. Wilson, moves that Messrs. Baby, and Perry, be a committee to draft and report an address on the foregoing resolutions.

Which was ordered.

Mr. Randal, from the committee appointed to draft an address to His Majesty on the subject of the Post-Office department, reported a draft which was received and read the first time.

Mr. Fothergill, seconded by Mr. Matthews, moves that the address to His Majesty on the Post-Office department be read a second time this day.

Which was carried, and the address was read the second time.

Mr. Fothergill, seconded by Mr. Matthews, moves that the address to His Majesty on the Post-Office department be adopted.

On which the House divided, and the yeas and nays being taken were as follows:

YEAS—Messrs. Atkinson, Beardsley, Beasley, Clark, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Wilkinson, and Wilson—19.

NAYS—Messrs. Cameron, Burnham, Burke, McDonell, and Walsh—5.

The question was carried in the affirmative by a majority of fourteen, and ordered accordingly.

Mr. Fothergill, seconded by Mr. Matthews, moves that the address to His Majesty on the post-office department be engrossed and read a third time to-morrow.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Beardsley, Beasley, Clark, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McBride, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Wilkinson, and Wilson—19.

NAYS—Messrs. Cameron, Burnham, Burke, McDonell, and Walsh—5.

The question was carried in the affirmative by a majority of fourteen, and ordered accordingly.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Leferty gives notice, that he will, on to-morrow, move that a committee be appointed to examine the Journals of the Honourable the Legislative Council, on the proceedings had on the bill sent from this house during this session to that honourable body, entitled "an act to provide for the payment of the Representatives of towns in this Province."

The House then adjourned.

Thursday, 12th January, 1826.

Mr. Baby, seconded by Mr. Matthews, moves for leave to bring up the petition of Peter Paul Lecroix, complaining of the conduct of certain Commissioners of the Customs in the Western District.

Which was granted and the petition brought up.

Agreeably to the order of the day the address to His Majesty on the subject of the Post-Office department of this Province was read the third time.

On the question for passing the address, the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Leferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, Tompson, Wilkinson, and Wilson—22.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Gordon, Ingersol, C. Jones, D. Jones, McDonell, Morris, Van Koughnet, and Walsh—12.

The Question was carried in the affirmative by a majority of ten, and the address was signed by the Speaker, and is as follows:

To the King's most Excellent Majesty—

&c. &c. &c.

The humble, loyal and dutiful Address of the Commons of Upper Canada in Provincial Parliament assembled.

MOST GRACIOUS SOVEREIGN,

We, your Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, most humbly approach your Majesty with the warmest sentiments of loyalty and attachment to your Majesty's sacred person and family.

We beg to assure your Majesty of our most grateful acknowledgements for the repeated instances of paternal regard, which your Majesty has been graciously pleased, from time to time, to manifest towards your loyal people of Upper Canada, and which has induced your subjects in this remote corner of the empire to submit with the greater confidence to your Majesty's consideration, that the clause from the 18th of the late King, introduced into the 31st of the same reign, (and which directs all monies raised in the Colony of Upper Canada to be accounted for before the House of Assembly, and to be appropriated by the said House) is held by them to be a fundamental part of the constitution of this Province: And that as the Post-Office department raises in this Province considerable sums of money contrary to the spirit of the 46th and 47th clauses of the said 31st of the late King, it is desirable to have it under the control and direction of the Provincial Legislature.

We further beg leave humbly to submit, that a well regulated Post-Office, responsible to the constituted authorities in this Province, and extended in the number of its establishments, would essentially tend to correct and prevent abuses in that department, which are found to exist under the present system, in some parts of the Province, facilitate commercial intercourse, promote the diffusion of knowledge, and that in time it must become an important branch of the Provincial revenue.

Permit us, therefore, august Sire, to hope, that in addition to the many benefits already conferred upon us, the control and emoluments of the Post-Office department, so far as it concerns this Province, may be conceded to us, and permit us also, whilst we presume to lay before you these our earnest solicitations on that head, to express our fullest confidence that it only requires to make known to your Majesty the complaints or reasonable wishes of your faithful and loyal subjects, however remote from the seat of your glorious empire, to ensure that your Royal and paternal regard will direct the proper relief.

JOHN WILLSON, *Speaker.*

Commons House of Assembly, 12th January, 1826.

On the order of the day for the third reading of the improvement bill being called,

Mr. McBride, seconded by Mr. Ingersol, moves that the bill to promote the progress of useful arts, be not now read, but that the same be re-committed.

Which was carried, and Mr. Matthews was called to the chair.

The House resumed.

Mr. Matthews reported the bill as amended.

The report was ordered to be received.

Mr. McBride, seconded by Mr. Ingersol, moves that the bill to promote the progress of useful arts, be engrossed and read a third time this day, and that the forty-first rule be dispensed with, so far as relates to the same.

Which was ordered.

Agreeably to the order of the day, the bill for the encouragement of useful arts in this Province, was read the third time.

Mr. McBride, seconded by Mr. Morris, moves that the bill do now pass, and that it be entitled "an act to encourage the progress of useful arts within this Province."

Which was carried, and the bill signed.

Messrs. McBride and Leferty were ordered by the Speaker to carry up to the Honourable the Legislative Council the bill entitled "an act to encourage the progress of useful arts within this Province," and to request their concurrence thereto.

Messrs. Morris and Gordon were ordered by the Speaker to carry up to the Honourable the Legislative Council, the joint address to his Excellency the Lieutenant Governor, founded on the petition of the agents to the honourable the East India Company, for the sale of their teas in Canada.

Mr. Morris, seconded by Mr. McDonell, moves that a message be sent to the honourable the Legislative Council, to request a free conference on the subject of the resolution of this house of the 15th December last, respecting the sufferers in the late war.

Which was ordered.

Messrs. Morris and Gordon were ordered by the Speaker to carry up to the honourable the Legislative Council a message requesting a free conference, on the subject of the resolution of this house of the 15th December last, respecting the sufferers by the late war.

Agreeably to the order of the day, the petition of John D. Peterson, minister of the Lutheran Church in the townships of Markham and

Sir P. Maitland, K. C. B. Lieut. Governor.

Vaughan, praying for pecuniary assistance; the petition of sundry inhabitants of the township of North Gwillimbury, praying that their lines may be established, according to the original survey; and the petition from the inhabitants of the County of Hastings, praying that said County may be erected into a separate District; were read.

Mr. Playter, seconded by Mr. Rolph, moves that the petition of John Ditterick Peterson be referred to the committee of supply.

Which was ordered.

Mr. Playter, seconded by Mr. Rolph, moves that the petition of sundry inhabitants of North Gwillimbury be referred to a select committee, and that Messrs. Perry and Burnham do form such committee, with power to send for persons and papers, and to report thereon by bill or otherwise.

Which was ordered.

Mr. Coleman, seconded by Mr. Ingersol, moves that the petition of the inhabitants of Hastings be referred to a select committee to be composed of Messrs. Attorney General and Morris.

Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. McDonell, moves for leave to bring in a bill to reduce the punishment in certain cases of larceny.

Which was granted and the bill read.

Mr. Attorney General, seconded by Mr. McDonell, moves that the larceny bill be read a second time to-morrow, and that the 41st rule of this house be dispensed with, so far as relates to the said bill.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the abolition bill.

Mr. Attorney General was called to the chair.

The House resumed.

Mr. Attorney General reported progress, and asked leave to sit again to-morrow.

On the question for receiving the report, the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Attorney General, Beardsley, Beasley, Bidwell, Burke, Cameron, Clark, Fothergill, Gordon, Hamilton, Matthews, McBride, McCall, McDonell, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—23.

NAYS—Messrs. Chrysler, C. Jones, D. Jones, J. Jones, Lelferty, Morris, and Van Koughnet—7.

The question was carried in the affirmative by a majority of sixteen, the report was received, and leave granted accordingly.

Mr. Playter, seconded by Mr. Rolph, moves that one hundred copies of the bill be printed for the use of the member of this house.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Bidwell, Burnham, Burke, Cameron, Coleman, Hamilton, Ingersol, J. Jones, Lyons Matthews, McBride, McDonell, Morris, Playter, Randal, Rolph, Thompson, Thomson, Van Koughnet, Walsh, Wilkinson, and Wilson—22.

NAYS—Messrs. Attorney General, Chrysler, C. Jones, and Scollick—4.

The question was carried in the affirmative by a majority of eighteen, and ordered accordingly.

Mr. Bidwell, seconded by Mr. Perry, moves that it be Resolved—That in future two hundred copies of the Journals of this house be printed, as soon as may be practicable after each session of the Provincial Legislature, under the provisions of the forty-sixth rule.

Which was ordered.

Mr. Morris, from the joint committee appointed by the honorable the Legislative Council and House of Assembly to wait on his Excellency the Lieutenant Governor, with the address of both Houses on the subject of the loan from his Majesty's government of seventy thousand pounds, for the purpose of internal navigation, reported, delivering the same, and that his Excellency had been pleased to make thereto the following reply:

Honorable Gentlemen and Gentlemen,

I shall not fail to communicate with his Majesty's government on the subject of your address; and I shall lose no time in transmitting a copy of your resolutions to his Excellency the Governor in Chief, with your request that they may be laid before the Legislature of Lower Canada.

Mr. Walsh, from the committee to wait upon his Excellency the Lieutenant Governor with the address of this house relative to consolidating or bringing nearer together the different offices of the Land Granting Department in this Province, reported, delivering the same, and that his Excellency had been pleased to make thereto the following reply,

Gentlemen of the House of Assembly,

The subject of your address shall receive due attention.

Agreeably to the order of the day, the house went into committee on the dog tax bill.

Mr. Baby was called to the chair.

The House resumed.

Mr. Baby reported the bill as amended.

On the question for receiving the report, the House divided and the yeas and nays being taken, were as follows:

YEAS—Messrs.—Atkinson, Attorney General, Beasley, Bidwell, Burnham, Burke, Cameron, Coleman, Chrysler, Fothergill Gordon, Ingersol, C. Jones, J. Jones, Lyons, Matthews, McDonell, Morris, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Van Koughnet, Walsh, and Wilson—28.

NAYS—Messrs. Beardsley, Clark, Hornor, D. Jones, Lelferty, McBride and Wilkinson—7.

The question was carried in the affirmative by a majority of twenty-one, and the report was received accordingly.

Mr. Thompson, seconded by Mr. Atkinson, moves that the dog tax bill be engrossed and read the third time on Saturday next.

Which was ordered.

Agreeably to the order of the day, the Newcastle Court-house bill was read the second time.

Mr. Lyons, seconded by Mr. Cameron, moves that this house do now resolve itself into a committee of the whole on the Newcastle District Gaol bill.

Which was carried, and Mr. Wilson called to the chair.

The house resumed, the Black Rod being at the door.

Mr. Boulton, master in chancery, brought down from the honourable the Legislative Council the bill entitled "an act to repeal parts of and to explain and amend the several acts of this Province relating to the Welland Canal Company," and the bill entitled "an act to authorise the government to borrow a certain sum of money upon debenture, to be loaned to the Welland Canal Company," both of which the honorable the Legislative Council had passed without amendment, and retired.

The house went again into committee on the Newcastle Court-house bill.

Mr. Wilson in the chair.

The Speaker resumed the chair.

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Mr. Wilson reported that the committee had risen.

Mr. McBride, from the committee appointed to draft an address to his Majesty founded on certain resolutions of this house respecting the rights of certain persons, reported a draft which was received and read the first time.

Mr. Boulton, Master in Chancery, brought down from the honorable the Legislative Council several messages, and having withdrawn, the Speaker read the same as follows:

MR. SPEAKER.

The Honourable the Legislative Council have appointed a committee of two members who will be ready at one o'clock to-morrow, to wait jointly with a committee of the Commons House of Assembly upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive the joint address, respecting the petition of the Agents to the Honorable the East India Company for the sale of their tea in Canada

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 12th January, 1826.

MR. SPEAKER.

The Honorable the Legislative Council have acceded to the request of the Commons House of Assembly for a free conference on the subject of the resolution of that House respecting the sufferers by the late war, and have appointed a committee of four members who will be ready to meet a committee of the Commons House of Assembly for that purpose, in the joint committee room at 12 o'clock noon to-morrow.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 12th January, 1826.

M. Bidwell, seconded by Mr Wilkinson, moves that the address just read be read a second time this day.

Which was carried and the address was read the second time.

Mr. Bidwell, seconded by Mr. McBride, moves that the address just read be adopted.

On which the House divided and the yeas and nays being taken were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Clark, Coleman, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Thompson, Thomson, Walsh, Wilkinson, and Wilson—25.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, J. Jones, McDonell, Morris and Van Koughnet,—11.

The question was carried in the affirmative by a majority of fourteen, and the address was adopted accordingly.

Mr. Bidwell, seconded by Mr. McBride, moves that the address just read be engrossed and read a third time to-morrow.

Which was ordered.

Mr. Attorney General seconded by Mr. J. Jones, moves that Messrs. C. Jones, Gordon, Van Koughnett and Clark be a committee, together with the committee of the Legislative Council to present the joint address to His Excellency the Lieutenant Governor, upon the subject of the petition of the Agents to the Honorable the East India Company.

Which was ordered.

Mr. Morris, seconded by Mr. Van Koughnet, moves that Messrs. Hamilton, Clark, Ingersol, Beardsley, Burnham, McBride, McDonell, and Playter be a committee to meet the conferees on the part of the Honorable the Legislative Council, on the resolution respecting the sufferers by the late war.

Which was ordered.

Agreeably to the order of the day House went into committee on the state of the Province.

The Speaker resumed the chair.

Members present, Messrs. Baby, Beardsley, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Lefferty, Matthews, McBride, McCall, Playter, Perry, Randal, Rolph, Thomson, Walsh, Wilkinson, and Wilson—20.

At 5 o'clock P. M. the speaker declared the House adjourned for want of a quorum.

Friday, 13th January, 1826.

Agreeably to the order of the day the petition of Ann Shaw, of the township of Markham, praying for pecuniary aid, was read.

Mr. Playter, seconded by Mr. Burnham, moves that the petition of Ann Shaw be referred to the committee of supply.

Which was ordered.

Agreeably to the order of the day the House went into committee on the state of the Province.

Mr. Randal in the chair.

The House resumed.

Mr. Randal reported that the committee had agreed to several resolutions, which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow.

The report was ordered to be received and leave was granted accordingly.

The first resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Burnham, Clark, Coleman, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Walsh, Wilkinson, and Wilson—25.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Scollick, and Van Koughnet—12.

The question was carried in the affirmative by a majority of thirteen, and it was Resolved—That the Executive Council is appointed by His Most Gracious Majesty, to advise His Excellency upon the affairs of this Province.

The second resolution was then put, on which the House divided and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Clark, Coleman, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—23.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Scollick, Van Koughnet and Walsh—14.

The question was carried in the affirmative by a majority of nine and it was Resolved—That the connection of the Chief Justice of this Province with the Executive Council, wherein he has to advise His Excellency upon Executive measures, many of which may bear an intimate relation to the judicial duties he may have thereupon to discharge, is highly inexpedient, tending to embarrass him in his judicial functions, and render the administration of justice less satisfactory, if not less pure.

The third resolution was then put and carried Nem. Con.

Sir P. Maitland, K. C. B. Lieut. Governor.

Present—Messrs. Atkinson, Attorney General, Baby, Beardsley, Beasley, Bidwell, Burnham, Burke, Cameron, Clark, Coleman, Crysler, Fothergill, Gordon, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lefferty, Lyons, Matthews, McBride, McDonell, Morris, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Van Koughnet, Walsh, Wilkinson, and Wilson—And it was Resolved—That it is highly expedient that the Judges of the King's bench in this Province should be as independent of the crown and of the people, as are the Judges of England.

The fourth resolution was then read as follows :

Resolved—That an humble address grounded on the foregoing resolutions be presented to His Majesty, humbly praying that he will be graciously pleased to discontinue to impose on the Chief Justice duties so incompatible with his judicial character, and so ill suited to the present state of this Province; and that the Judges in this Province may be rendered, with His Majesty's approbation, as independent of the crown and of the people as are the Judges in England.

In amendment Mr. J. Jones, seconded by Mr. Morris, moves that after the word "address" the remainder of the resolution be expunged, and the following words inserted "be presented to His Majesty, humbly praying that he will be graciously pleased to recommend, that the judges of the court of King's bench in this Province be rendered as independent of the crown and people as the Judges are in England.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Scollick, and Van Koughnet—13.

NAYS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Clark, Coleman, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Walsh, Wilkinson, and Wilson—24.

The question was decided in the negative by a majority of eleven and lost accordingly.

On the original question the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Clark, Coleman, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson and Wilson—23.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Scollick, VanKoughnet, and Walsh—14.

The question was carried in the affirmative by a majority of nine, and it was Resolved—That an humble address grounded on the foregoing resolutions be presented to His Majesty, humbly praying that he will be graciously pleased to discontinue to impose on the Chief Justice duties so incompatible with his judicial character, and so ill suited to the present state of this Province; and that the Judges in this Province may be rendered, with His Majesty's approbation, as independent of the crown and of the people as are the Judges in England.

Mr. Rolph, seconded by Mr. Perry, moves that it be Resolved—That Messrs. Clark and Coleman do form a committee to draft and report an address to His Majesty grounded on the foregoing resolutions, respecting the independence of the Judges.

Which was ordered.

Mr. Hamilton from the joint committee of conference with the Honorable the Legislative Council on the subject of the losses sustained by the inhabitants of this Province during the late war with the United States of America, reported as follows :

The committee of the Commons House of Assembly appointed to confer with the committee of the Honorable the Legislative Council on the subject of the claims for losses by the sufferers, during the late war—respectfully report that they have jointly agreed to the following resolutions.

Resolved,—That this Province is unable from its own resources to provide that effectual relief to the sufferers by the late war to which they have so strong a claim, or to concur with the parent state, to that extent which has been proposed; that we acknowledge with great thankfulness the gracious munificence of His Majesty's Government, in the aid which has already been extended, and we trust that it will not be deemed an evidence of a contrary feeling on our part, having already applied in vain to our sister Province for assistance, that we are now disposed to press as our last hope an earnest appeal to His Majesty to submit the whole case of the sufferers to the Imperial Parliament, in the humble expectation that the more flourishing and prosperous state of our mother country will be now thought to give the power to afford such relief as his Majesty in Parliament may be pleased to grant.

Resolved,—That the committee do recommend to their respective Houses that a joint address may be presented to His Majesty founded upon the foregoing resolution.

Mr. Hamilton, seconded by Mr. Wilkinson, moves that the report of the committee respecting the losses be now read a second time.

Which was carried, and the report was read a second time.

Mr. Hamilton, seconded by Mr. Wilkinson, moves that the report of the joint committee respecting the losses be concurred in.

Which was carried.

Mr. Hamilton, seconded by Mr. Wilkinson, moves that a message be sent to the Honorable the Legislative Council to inform them that this House has concurred in the report of the joint committee respecting the losses sustained during the late war.

Which was ordered.

Messrs. Clark and Burke, were ordered by the Speaker to carry up to the honourable the Legislative Council a message, informing them that this House has concurred in the report of the joint committee of conference on the subject of losses.

Agreeably to the order of the day the address to His Majesty on the subject of rights of certain inhabitants of this Province was read the third time.

On the question for passing the address being put,

Mr. Attorney General, seconded by Mr. J. Jones, moves in amendment that after the word "Sovereign" the whole of the address be expunged and the following substituted,

"We, your Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly beg leave to represent to Your Majesty, that a very considerable portion of the population of this Province consists of persons who have come from the United States of America, since the acknowledgment of the independence of those States by treaty, in the year 1783.

"That of these persons, many who were born before the year, 1783, had adhered to the British Crown during the contest which preceded, and had, of course, preserved with their allegiance their character of British subjects: That there were others, who having from their tender years, or other cause, taken no active part in the said contest, remained in the United States, after its conclusion, but who, neither by abjuring allegiance to the British crown, nor in any other manner, particularly manifested their election to become subjects thereof, and that among those who have so removed into this Province, there were also some who, during the said contest, were actively opposed to his Majesty's arms, or who, since its termination, and before their removal into this Province, had, either by oaths, or acceptance of office, or otherwise, unequivocally declared themselves to be subjects of the government of the said United States.

"We further beg leave humbly to represent to your Majesty, that among those who have so removed into this Province from the said United States of America, there were also many who were born in the said States, since the acknowledgement of their independence, of parents who came within some one of the descriptions of persons already mentioned.

"That a great portion of the inhabitants of the United States of America, who have thus removed into this Province, have become settled in the same with the sanction of the Government and have received grants of land therein from the Crown, and others have become possessed of real estate, which they claim to hold by purchase or inheritance; and that there are likewise in this Province, many persons born in other foreign countries, who have also received grants of land from the Crown, or become otherwise possessed of real estate therein.

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"We beg leave further to represent to your Majesty, that of these different descriptions of persons, such as were aliens at the time of their coming into this Province and might have become entitled to the privileges of British subjects by observing all the provisions of the statutes of Great Britain, made for naturalizing foreign Protestants in the colonies, have nevertheless omitted to avail themselves of such provisions, by reason whereof their rights and privileges of subjects, which they have hitherto been allowed to exercise and enjoy, and liable to be impeached, unless relief is afforded by legislative enactment.

"We do not feel, may it please your Majesty, that we are called upon to express our opinion as to the right which the several classes of persons above enumerated may respectively have to be regarded as natural born subjects of Great Britain; nor do we desire to anticipate the decisions which the constitutional tribunals may pronounce whenever their civil rights may be called in question. We will only avow to your Majesty, that with respect to those persons who gave proofs of their adherence to the Crown of Great Britain during the American rebellion, as well as their immediate descendants, we have never considered that their rights as British subjects can be questioned, or that they can stand in need of any enactment for conferring them.

"With respect to those who have removed to this Province, without establishing, or pretending to establish any right to be regarded otherwise than as independent subjects of the United States at the time of their arrival, as well as those who, having either in the rebellion, or in the war more recently terminated, shown themselves hostile to the British arms, have since become inhabitants of this Province, we desire only to assure your Majesty, that our confidence in their general good conduct, from past experience, and our assurance of their disposition to support the government of which they have become subjects, leave us no ground for apprehension from their being admitted to equal rights with your Majesty's natural born subjects in this Province.

"We are by no means inclined to recognize, in those who opposed and in those who maintained the British cause in times of danger and trial, an equal claim to the enjoyment of these rights, nor could we, without violence to our feelings as subjects of your Majesty, acknowledge it; but a desire to protect the interests of all your Majesty's subjects in this Province from being made the object of perplexing litigation, and to leave no ground of uneasiness to any class of the inhabitants of this Province, has led us, hitherto, to look with solicitude for a period to those doubts which have for some time prevailed; and we are now most happy to find that your Majesty has been graciously pleased to recommend that all persons now resident in this Province should be admitted to every civil right of subjects, with no other exceptions than the statutes of this Province have provided.

"We beg to inform your Majesty that we should cheerfully have given our concurrence to an enactment which should have given effect to your Majesty's most gracious intentions: but as it did not appear to us that we could, consistently with the provisions of the statute, by which the Legislature of the Province is created, confer certain rights and privileges of natural born subjects upon any who were not entitled to them, we humbly pray your Majesty to recommend to your Imperial Parliament to pass such an act as may confer upon all persons now resident in this Province, all those rights and privileges which your Majesty's natural born subjects enjoy in this Province, with such limitations only as have been heretofore imposed by Provincial enactments."

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Burnham, Burke, Cameron, Coleman, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonell, Morris, Schollick, and Van Koughnet—15.

NAYS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Thompson, Thomson, Walsh, Wilkinson, and White—23.

The question was carried in the negative by a majority of eight, and lost accordingly.

On the original question, the House divided and the yeas and nays being taken were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Schollick, Thompson, Thomson, Wilkinson, and Wilson—24.

NAYS—Messrs. Attorney General, Burke, Cameron, Coleman, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Van Koughnet, and Walsh—14.

The question was carried in the affirmative by a majority of ten, and the address was signed by the Speaker and is as follows:—

TO THE KING'S MOST EXCELLENT MAJESTY.**MOST GRACIOUS SOVEREIGN,**

We, your Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly beg leave to approach your Majesty upon a subject of the most vital importance to this Province, and to represent to your Majesty, that a large portion of its inhabitants consists of persons who were born, or whose fathers, or paternal grandfathers, were born within the allegiance of the British Crown, but who were resident in the United States of America at and after the Treaty of 1783.

From the earliest settlement of Upper Canada, which commenced immediately after the peace of 1783, these persons, with the knowledge and approbation of your Majesty's Government, came in great numbers to this Province, and were immediately admitted, and uniformly considered to be entitled (with no other restrictions than those imposed by the Provincial Legislature, by which they were disqualified from electing or being elected to the House of Assembly until they had resided seven years continually in the Province) to all the rights and privileges, and subject to all the duties, responsibilities, and obligations of natural born British subjects.

We would further most humbly represent, that the 30th Geo. 3d, cap. 27, was passed for the avowed purpose of encouraging such persons to come and settle in the Province of Quebec, and your Majesty's other North American Territories, and evidently contemplated their settling as freeholders, which, if they were aliens, they could not do without being naturalized; and that as the said statute contains no provision for the naturalization of such persons, and as there was no law for the naturalization of persons who were born in the King's allegiance, as those were whom it was principally the object of that statute to invite into these provinces, the said statute, according to a fair and liberal construction, implies that their natural allegiance had never been in anywise destroyed, forfeited, or dissolved, but that on the contrary, according to the common law principle of perpetual and double allegiance, as laid down by Bracton and other ancient authorities, and applied to the people of Normandy and other territories in France, recognised by the court in Calvin's case, in the reign of James the First, and subsequently recognised by the judges in the Exchequer chamber, in the decision of the case of *Marryatt and Wilson*, notwithstanding they had been subjects of the United States of America, they still remained natural born British subjects.

We would also most humbly represent, that as the 31st Geo. 3d, cap. 31st, was passed in the ensuing year, by the same Parliament, and dictated by the same spirit and policy for the improvement and benefit of this colony as the aforesaid 30th Geo. 3d, cap. 27, the said statutes should be considered in connection, and so construed as most to reconcile and promote the objects and provisions of each; and that therefore the term "*natural born subject of his Majesty*," used in the said 31st Geo. 3d, cap. 31st, should be regarded as having been intended to include persons of the same description as those who, by the statute of the preceding year, had been invited into these Provinces as settlers, and that this construction is strengthened by the consideration, that if this had not been the intention, while it was the avowed policy, of the Imperial Parliament to hold out peculiar encouragement to such persons to come into and settle in these Provinces, they nevertheless were by the very same Parliament absolutely and for ever debarred from enjoying the most valuable and important rights of British subjects, which, at the same time, were freely and fully granted to aliens by birth, upon their compliance with certain forms and conditions prescribed by the naturalization laws; That this construction is conformable, not only to the spirit of these statutes, and the avowed object in particular of the said 30th Geo. 3d, cap. 27, but also, to the uniform practice both of your Majesty's Government and of the Provincial Legislature: That such persons have been encouraged by your Majesty's Government to come and settle in this Province, have received grants

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of land from your Majesty, have been appointed to various offices of trust and honour, have been required to serve in the militia, as well during the late war with the United States of America, as in peace; and to perform various other duties as British subjects; and have continually held seats in the Legislature; and that various Provincial statutes have been passed upon the principle that they were, to all intents and purposes, British subjects,

That the meritorious and loyal conduct, in defence of this Province, of such persons of this description as were called into actual service during the late contest with the United States of America, the gallantry with which they encountered the dangers, and the patience and cheerfulness with which they endured the privations of war, prove that they justly appreciate the rights which they have so long enjoyed, and are fully entitled to the confidence, protection, and paternal care of your Majesty's government; and that no danger need be apprehended to the Province from the aforesaid construction of the law, with respect to them.

That in all civil transactions in the Province, they have invariable been considered as British subjects; that as such they have taken by grant, purchase, devise, marriage, and inheritance, and have held, conveyed, and disposed of land; that many of them have deceased, leaving land in the Province to others; that a very large proportion of all the cultivated land in the Province, either is now holden or has been held and transferred by them, without any question, until lately, as to their legal capacity to do so; and that now to regard them as aliens, contrary to the former construction of law, which for so long a period has universally prevailed and been acted upon, would, in this respect, as well as in others, be attended with great inconvenience, and produce incalculable confusion and trouble through the Province.

That as these persons have become connected in all the relations of social and domestic life with the other inhabitants of the Province, have for so long a period been invariably considered as British subjects, and have contributed by their industry and good order to the tranquillity and welfare, and by their bravery and loyalty to the security and defence of the Province, to reverse at this time the said construction of the law, with respect to them, would excite great dissatisfaction and alarm through the Province, and would tend to destroy all confidence in the security of civil rights, and in the certainty of the laws in general.

That as this construction of the law has, from the earliest settlement of this Province, been solemnly and repeatedly sanctioned by the practice of your Majesty's government, and by acts of the Provincial Legislature, which although submitted to your Majesty's government in England, according to the provisions of the 31st Geo. 3d, cap. 31st, have not been disallowed, it would be inconsistent with the honor and good faith which have always characterised your Majesty's government, and an act of manifest impolicy and injustice now to adopt a new and different construction, whereby they would be regarded as aliens.

That during the present session, his Excellency the Lieutenant Governor has, by message, informed the two houses of the Provincial Parliament, that, in consequence of the construction put upon the law, in a recent decision by one of the courts of law in England, such persons would hereafter be exposed to the inconvenience of finding those rights denied which they have hitherto enjoyed; and that in the persuasion that they might be safely received and acknowledged as subjects, with no other qualifications than those which the Legislature of this Province has, from time to time, thought it expedient to impose, having earnestly pressed the subject upon the consideration of your Majesty's government, he has received your Majesty's express sanction to assent to an enactment which may afford relief to such persons; and has also been pleased to transmit an extract of a letter from the Right Honorable the Earl Bathurst, your Majesty's Principal Secretary of State for the Colonies, containing the opinion of your Majesty's government, that it would be advisable to secure to such persons, the rights and privileges of British subjects.

That a bill has been sent down to your Majesty's faithful Commons, from the Honourable the Legislative Council, referring to said message, predicated upon the principle that such persons were aliens, and conferring upon them certain rights and privileges; but not according to the obvious intention of your Majesty's Government, as expressed in said message and extract, all the rights and privileges of British subjects, to wit, the rights of voting at any election of a member to serve in the House of Assembly, and of being elected at such election: which bill your Majesty's faithful Commons, after mature and solemn consideration of the law and justice of the case, have returned to the Honourable the Legislative Council, with an amendment, by which it is declared and enacted, according to the uniform construction of the law in this Province, that such persons have been, are, and shall be considered to be, to all intents and purposes, natural born British subjects.

That as it is uncertain whether such bill, so amended, will pass the other branches of the Legislature, and as it is the duty of your Majesty's faithful Commons, whenever the rights of the people may be in danger, to omit no precautions for their security, they most humbly represent that some further measures should be adopted to prevent this new and alarming construction of the law from being enforced, to the prejudice, terror and disfranchisement of a large portion of the inhabitants of this Province, who have quietly and loyally confided in the security and certainty of the laws, as uniformly construed and administered for more than thirty years, and in the honor, good faith, and paternal care of your Majesty's government.

We would further most humbly represent to your Majesty, that there are also in this Province various other persons not natural born British subjects, who have not strictly complied with the provisions of those British statutes, under which they might have been entitled to the privileges of British subjects, and to whom, as their well-known loyalty and good conduct satisfactorily prove, it would be not only safe, but just and expedient, according to the recommendation of your Majesty's government, that all the rights and privileges of British subjects should be effectually secured.

That your Majesty's faithful Commons, anxious to extend to such persons all the rights and privileges which the Provincial Legislature is authorised constitutionally to confer, have passed a bill to secure to all persons domiciled in this Province, all the rights and privileges of natural born British subjects, subject nevertheless to the qualifications imposed by the laws of this Province, with respect to the right of voting and being elected, and have sent the said bill to the honorable the Legislative Council.

And that your Majesty's faithful Commons have felt it to be their duty to take some measures without delay, to obtain for such persons all the rights and privileges of British subjects, without restriction, which can effectually be done only by an enactment of the Imperial Parliament.

Wherefore, we humbly pray your Majesty to take these matters into your most gracious consideration, and to recommend to your Parliament the adoption of such measures as may effectually prevent the denial, by a new construction of the law, to the persons first mentioned, of rights which they have so long enjoyed without being questioned, and with the sanction of your Majesty's government, and the evils which would result from the application of this new construction to persons who, having owned land in this Province, are now deceased, or resident in a foreign country; and as may secure beyond doubt, to all persons resident in this Province, fully and absolutely, all the rights and privileges of natural born British subjects.

JOHN WILLSON, *Speaker.*

Commons House of Assembly, 14th January, 1826.

Mr. C. Jones, seconded by Mr. Gordon, moves that two thousand copies of the address to his Majesty, and the amendment moved by the Attorney General thereto, together with the yeas and nays on the question, be printed.

Which was ordered.

Mr. Clark from the committee appointed to draft an address to his Majesty relative to the duties of the Chief Justice of this Province, reported a draft which was received and read the first time.

Mr. Rolph, seconded by Mr. Hornor, moves that the address be read a second time this day.

Which was carried and the address was read the second time.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Rolph, seconded by Mr. Playter, moves that the address to His Majesty on the independence of the judges, be engrossed and read a third time to-morrow.

Which was ordered.

Mr. Rolph, from the committee appointed to draft an address to His Majesty on the subject of conventionists' lands, reported a draft which was received and read the first time.

Mr. Rolph, seconded by Mr. Leferty, moves that the address to His Majesty respecting the conventionalists' land, be read a second time this day.

Which was carried and the address was read the second time.

Mr. Playter, seconded by Mr. Coleman, moves that the address to His Majesty on the withholding of certain grants of land, be engrossed and read a third time to-morrow.

In amendment, Mr. Rolph, seconded by Mr. Leferty, moves that the word "to-morrow" in the original motion be expunged, and the words "this day," be inserted.

Which was lost.

The original question was then put, carried, and ordered.

Agreeably to notice, Mr. Leferty, seconded by Mr. Thompson, moves that a committee be appointed to examine the journals of the Honorable the Legislative Council, on the proceedings had on the bill sent from this house during this session to that honorable body, entitled "an act to provide for the payment of the Representatives of Towns in this Province," and that Messrs. Rolph and Bidwell do compose the same, and report the said proceedings to this house.

Which was ordered.

The House then adjourned.

Saturday, 14th January, 1826.

Agreeably to the order of the day, the dog tax bill was read the third time.

Mr. Thompson, seconded by Mr. Atkinson, moves that the bill do now pass, and that it be entitled "an act to impose a tax upon dogs in certain towns in this Province."

On which the House divided, and the yeas and nays being taken were as follows:

YEAS—Messrs. Atkinson, Beasley, Burnham, Burke, Cameron, Coleman, Crysler, Gordon, C. Jones, J. Jones, Lyons, Matthews, McDonell, Morris, Perry, Playter, Randal, Scollick, Thompson, Thomson, and VanKoughnet—21.

NAYS—Messrs. Baby, Beardsley, Clark, Hornor, D. Jones, Leferty, McBride, Wilkinson, and Wilson—9.

The question was carried in the affirmative by a majority of twelve, and the bill was signed.

Messrs. Thompson and Atkinson were ordered by the Speaker to carry up to the Honorable the Legislative Council the bill entitled "an act to impose a tax upon dogs in certain towns in this Province," and to request their concurrence thereto.

Agreeably to the order of the day the address to his Majesty on the independence of the judges in this Province, was read a third time.

On the question for passing the address, the House divided and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Coleman, Hamilton, Hornor, Leferty, Lyons, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—20.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Scollick, and Van Koughnet—13.

The Question was carried in the affirmative by a majority of seven, and the address was signed by the Speaker, and is as follows:

To the King's Most Excellent Majesty.**MOST GRACIOUS SOVEREIGN,**

We, your Majesty's loyal and dutiful subjects, the Commons of Upper Canada, in Provincial Parliament assembled; beg leave most humbly to approach your Majesty upon a subject of the deepest interest, connected with the administration of public justice. We would humbly represent that the Executive Council is appointed by your Majesty, to advise his Excellency upon the affairs of this Province, and that the connection of the Chief Justice with it, wherein he has to advise his Excellency upon Executive measures, many of which may bear an intimate relation to the judicial duties he may have thereupon to discharge, is, highly inexpedient, tending to embarrass him in his judicial functions, and render the administration of justice less satisfactory, if not less pure. Your Majesty's faithful Commons further humbly represent their deep sense of the expediency of rendering the judges of this Province as independent of the Crown and of the people as are the judges of England.

We therefore humbly beg, most gracious Sovereign, that you will be pleased to discontinue to impose upon the Chief Justice, a duty so incompatible with his judicial character, and so ill-suited to the present state of this Province, and that the judges, with the approbation of your Majesty, may be rendered as independent of the Crown and of the people, as are the judges of England.

JOHN WILLSON, *Speaker.*

Commons House of Assembly, 14th January, 1826.

Agreeably to the order of the day, the address to his Majesty relative to conventionalists' land was read the third time.

On the question for passing the address, the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Coleman, Hamilton, Hornor, Leferty, Lyons, Matthews, McBride, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—20.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, Scollick, Van Koughnet, and Walsh—14.

The question was carried in the affirmative by a majority of six, and the address was signed by the Speaker, and is as follows:

To the King's Most Excellent Majesty.**MOST GRACIOUS SOVEREIGN,**

We, your Majesty's loyal and dutiful subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave humbly to approach your Majesty with feelings of gratitude, for the share we enjoy in the liberality of your imperial government, and the glories of your illustrious reign.

We would most humbly represent, that many who were conspicuous during the late war for their firm attachment to your Majesty, and for their zeal and loyalty in the defence of this Province, were connected with the convention of 1818, formed by the people to seek by petition

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to the Throne for the redress of grievances; and that the promised bounty in lands of your most gracious Majesty, on account of such meritorious services, has been withheld from some persons entitled to it, on account of their connection with the said convention although they never have been tried by any lawful or constitutional tribunal whatsoever for the part they acted.

We further beg leave humbly to represent that we are fully satisfied of the loyalty and patriotism of such persons, and the purity of the intentions of the people who appointed them as delegates to such convention, while we cannot otherwise than painfully regard the withholding from such meritorious persons the promised and well-earned bounty of their Sovereign, on account of their exertions to procure the redress of public grievances, as implying a serious and unmerited imputation, which not only affects them and their posterity, but also, the people who appointed them.

Nor do we less feel, most gracious Sovereign, that the withdrawing the gracious promise given from the Throne on such a ground, by the Provincial government, bespeaks a system, the direct tendency and consequence of which is, the prevention of the free expression of public opinion against public grievances however great, and the sacrifice of those who exert themselves for their redress.

Permit us therefore, most gracious Sovereign, humbly to represent the expediency and justice of confirming to all such persons the promised grant of land for their meritorious services; and of removing what we cannot but regard as the continued expression of the Royal displeasure towards some of your most faithful subjects, who only exercised the right of petitioning against public grievances, the existence of which is equally inconsistent with the happiness of the people and the honor of the Crown; and remote as the people of this province are from the seat of your imperial government, we hold the right of so offering our petitions to the Throne as one of those inestimable liberties which we most humbly hope will never be abridged.

JOHN WILLSON, *Speaker.*

Commons House of Assembly, 14th January, 1826.

Mr. Gordon, from the committee to wait upon his Excellency the Lieutenant Governor with the joint address of the honorable the Legislative Council and the House of Assembly, founded on the report of the select committee on the petition of the agents to the honorable the East India Company, for the sale of their teas in Canada, reported delivering the same, and that his Excellency had been pleased to make thereto the following reply:

Honorable Gentlemen and Gentlemen,

I shall take an early opportunity of communicating to his Excellency the Governor in Chief, in compliance with your request, that the Legislative Council and House of Assembly of this province will concur in any measure which the Legislature of Lower Canada shall deem expedient for carrying into effect the several objects adverted to in your joint address.

Agreeably to the order of the day, the petition of Peter Paul Lacroix, deputy collector at the port of Sandwich, praying for relief in the premises, was read.

Mr. Rolph, seconded by Mr. Perry, moves that the petition of Peter Paul Lacroix be referred to a committee, with power to send for persons and papers, and that Messrs. Matthews and Hamilton do form the same.

Which was ordered.

Agreeably to the order of the day, the Desjardins' Canal bill was read the second time.

Mr. Gordon, seconded by Mr. C. Jones, moves that this house do now resolve itself into a committee of the whole on the Desjardins' Canal Company bill.

Which was carried, and Mr. Thompson called to the chair.

The House resumed.

Mr. Thompson reported the bill as amended.

The report was ordered to be received.

Mr. Gordon, seconded by Mr. Ingersol, moves that the Desjardins' Canal Company bill be engrossed and read a third time on Tuesday next.

Which was ordered.

Agreeably to the order of the day Hawley's relief bill was read the second time.

Mr. J. Jones, from the select committee to whom was referred the pension bill, informed the house that the committee had agreed to a report, which he was ready to submit whenever the house would be pleased to receive the same.

The report was ordered to be received, and was read as follows:

The select committee appointed to report upon the pension bill, having considered the same, have agreed to the following report:

Your committee proceeded to the examination of the honorable the Receiver General, whose evidence is hereto subjoined, and being desirous of obtaining all the information possible, required the attendance of the pension agent.

In reply to their summons, that officer stated his inability to attend from indisposition. The committee then addressed to him the letter of which the annexed is a copy, and received his answer also annexed.

Upon mature consideration of all the matters thus subjoined, your committee recommend to your honorable house the propriety of continuing the office of pension agent, with a salary of seventy-five pounds, and an allowance of twenty-five pounds for contingencies: and report an amendment to that effect.

JONAS JONES, *Chairman.*

House of Assembly, Committee Room, 14th January, 1826.

MINUTES OF EVIDENCE.

Witness the honorable JOHN HENRY DUNN.

13th January, 1826.

Committee met. Mr. Jones in the chair.

The honorable Mr. Dunn called in and examined.

Question. Are you aware of the services performed by the pension agent, under the pension laws of this province, and the amount paid for such services?

Answer. I am not aware of the services performed; the amount paid for his services is one hundred pounds salary, and fifty pounds for contingencies.

Question. Can you point out any other means by which the same services may be performed, and by which any considerable saving may be made to the Province?

Answer. I am of opinion that the duty can be performed by myself, without any charge to the province, further than the actual disbursements. I do not conceive that an additional clerk will be required in my office. A warrant can be drawn for the whole amount in my favour, in the manner that it is now drawn in favour of the pension agent, and the money paid to the individual pensioners upon such acquittances as I shall think necessary, giving no additional trouble or expense to such individuals. However willing I feel to undertake any service, and thereby

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reduce the expenditure of public money, in this particular instance I feel reluctant to do so, inasmuch as it goes to lessen the income of an old and faithful servant, who has filled a very responsible and respectable situation, for so many years in the first office under the Governor, for the small remuneration of two hundred pounds annually.

*Commons House of Assembly,
Committee-Room, 13th January, 1826.*

SIR,

Will you be good enough to transmit to me by to-morrow morning, if possible, an account of the contingent expenses of your office for the last four years, and as detailed an account as possible of the extent of services performed by you under the pension act. The object principally submitted to the committee is, to ascertain whether a saving cannot be made to the Province by dispensing with your office, or, at all events, by reducing the salary and contingencies proportionate to the services performed, (if upon inquiry they should now be found more than a fair compensation,) you will therefore be pleased to communicate such information as is in your power, in this respect, and also state whether, in your own opinion, a less amount than heretofore given, will not compensate your services, considering the regular system into which your duty is now reduced.

I have the honor to be, Sir,

Your obedient servant,

(Signed) JONAS JONES, *Chairman.*

Edward McMahon, Esquire, Pension-Agent

*Militia Pension Office, York,
13th January, 1826.*

SIR,

In reply to your letter of this date, I have the honor to state, that not having kept any accurate account of disbursements on account of contingencies in my office, especially for the last two years, I am unable to speak with certainty as to the amount, having been satisfied from memoranda made during the two first years of the four alluded to in your letter, that the allowance for that object was fully, or rather more than, adequate to cover the expense. During the years 1822 and 1823 together, these contingencies amounted to about eighty pounds, and for the last two years, I should think from twenty-five to thirty pounds per annum. The items consist of

Stationary,
Postage,
Printing,
Advertising,
Office & Fuel.

The manual duties of the office are, paying half-yearly the annuities to seventy-seven persons now on the pension list, taking vouchers in triplicate from each individual, for every payment, making up annually, in triplicate, accounts of the pensions paid during the year, and corresponding, as occasion requires, with pensioners, or their agents.

With reference to compensation to the officer discharging those duties, and assuming the contingent expenses, I think, in the present state of the pension-list, that seventy-five pounds per annum would remunerate the former, and twenty-five pounds defray the latter.

I have the honor to be, Sir,

Your most obedient

Humble servant,

EDWARD McMAHON,

Agent for paying Militia Pensions.

Mr. Rolph, seconded by Mr. D. Jones, moves that the house do now resolve itself into a committee of the whole on the bill for the relief of Philo Hawley.

Which was carried, and Mr. Gordon was called to the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the honorable the Legislative Council the bill entitled "an act to confirm and make valid certain marriages heretofore contracted, and further to provide for the future solemnization of marriages within this Province," which that honourable house had passed with some amendments, to which he was desired to request the concurrence of this house, and having retired, the amendment made by the honorable the Legislative Council in and to the bill entitled "an act to confirm and make valid certain marriages heretofore contracted, and further to provide for the future solemnization of marriages within this Province," were read the first time as follows:

Press 1, line 1, after "whereas," expunge the remainder of the bill to the sixth clause, and insert "it is expedient to repeal an act passed in the thirty-eighth year of the reign of his late Majesty King George the Third, entitled 'an act to extend the provisions of an act passed the second session of the first Provincial Parliament of Upper Canada, intituled, 'an act to confirm and make valid certain marriages heretofore contracted in the country now comprised within the Province of Upper Canada, and to provide for the future solemnization of marriages within the same,' and to make further provision for the solemnization of matrimony within this Province:' 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 same," that the above recited act shall be, and the same is hereby repealed.

"II. And be it further enacted by the authority aforesaid, that from and after the passing of this act, it shall and may be lawful to and for the minister or clergyman of any congregation of persons professing to be members of the Church of Scotland, Lutherans, Congregationalists, Baptists, Methodists, Quakers, Menonists, Tinkers, or Moravians, who shall be authorised in manner hereafter directed, to celebrate the ceremony of matrimony according to the rites of such church or congregation, between any two persons, neither of whom are under any legal disqualification to contract matrimony, and one of whom shall have been a member of such congregation at least six months before the said marriage any law or usage to the contrary notwithstanding.

"III. Provided nevertheless, and be it further enacted by the authority aforesaid that no person shall be taken or deemed to be a minister or clergyman of any such congregation, within the intent and meaning of this act, who shall not have been born and regularly ordained, constituted and appointed within the dominions of his present Majesty King George the Fourth, and according to the rites and forms of such congregation, or who shall be either directly or indirectly under the control or influence of any foreign ecclesiastical jurisdiction, and unless he shall have appeared or come before the justices of the peace assembled in quarter sessions, in the District in which he shall reside, when not less than six magistrates, besides the chairman, shall be present, and shall have then with him at least seven respectable persons, members of the congregation to which he belongs, who shall declare him to be their settled and resident minister or clergyman; and unless he shall produce proofs of his ordination, constitution or appointment to that office, and unless he shall then and there take the oath of allegiance to His Ma-

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jesty; when if it shall appear to the majority of the justices then present expedient and proper, they are hereby authorised to grant him a certificate under the seal of the court, and signed by the chairman and clerk of the peace, (for which the said clerk of the peace shall be entitled to demand and receive the sum of five shillings) certifying him to be the settled minister or clergyman of such congregation, which certificate shall be in the following form:

" Be it remembered, that at the general quarter sessions of the peace, holden at the town of _____ in the County of _____ in and for the _____ District, on the _____ day of _____ in the year of our Lord _____ before A. B. (and six others) Esquires, and other justices of our Sovereign Lord the King, assigned to keep the peace in the said District, &c. came C. D. of _____ together with E. F. of _____ (and six others, whose names and descriptions must be inserted) members of a congregation of _____ at _____ in the County of _____ in the said District. And the said E. F. &c. being duly examined, satisfied the court that the said C. D. was born within the dominions of his present Majesty King George the Fourth, and is the settled (minister) or (clergyman) of the said congregation, and was regularly ordained, constituted, and appointed thereto.

" I. K. Clerk of the Peace.

G. H. Chairman.

" IV. Provided nevertheless, that no such certificate shall be given by the said court of quarter sessions, as aforesaid, unless the person applying for the same shall have given notice in writing to the Clerk of the Peace, at or before the general quarter sessions immediately preceding that on which he shall apply for such certificate, which notice in writing the said Clerk of the Peace shall read in open court, and shall also fix up in some conspicuous part of his office, within eight days after the same shall have been so read; for which service he the said Clerk of the Peace shall be entitled to demand and receive the sum of five shillings, and no more.

" V. Provided also, and be it further enacted by the authority aforesaid, that no such minister or clergyman shall, at any time, celebrate the ceremony of matrimony between any two persons as above described, unless he shall, on three several Sundays before he shall celebrate the said ceremony, openly, and with a loud voice, in the church, chapel, meeting house, or other place of worship of such congregation, either in some intermediate part of the service, or immediately before it begins, or immediately after it is ended, declare his intention so to do, and shall, at each time of making such declaration, also declare the number of times for which he shall have made such declaration respectively; or, unless such minister or clergyman shall have been duly authorised by licence under the hand and seal of the Governor, Lieutenant Governor, or person administering the government of the Province, to celebrate the said ceremony between the two persons therein named.

" VI. And be it further enacted by the authority aforesaid, that it shall and may be lawful to and for the parties thus married, or either of them, to demand of the said minister or clergyman, and he is hereby authorised and required to give the same, a certificate of such marriage, which may be in the following form, viz:

" Whereas A. B. of _____ and C. D. of _____ were desirous of intermarrying with each other, and have applied to me for that purpose, their intention so to do having been regularly proclaimed on three several Sundays as is directed, or having presented a licence (as the case may be) now these are to certify that I, E. F. minister of the congregation of _____ at _____ have this day married the said A. B. and C. D. together, and they are become legally contracted to each other.

" As witness my hand at _____ this
day of _____ in the year of our Lord _____
In presence of G. H. I. K.

which certificate shall and may be registered by the Clerk of the Peace, in like manner as is directed in the aforesaid act passed in the thirty-third year of his late Majesty's reign, entitled 'an act to confirm and make valid certain marriages heretofore contracted in the country now comprised within the Province of Upper Canada, and to provide for the future solemnization of marriage within the same.'

Press 6, lines 16, 17, after "marriages," expunge "and whether such marriages respectively shall have been solemnised by licence or publication of banns."

Press 6, line 20, after "in," expunge "the," and insert "a."

" " after "book," expunge "required by law to be kept by him for the register of the certified marriages of members of the Church of Scotland, Lutherans, and Calvinists," and insert "to be kept by him for that purpose."

Press 7, line 6, after "direct," insert

" VIII. And be it further enacted by the authority aforesaid, that all marriages which may have been celebrated since the passing of the said act of the thirty-third year of his late Majesty's reign, by any person who shall obtain such certificate, as aforesaid, or by any person deemed until the passing of this act a minister or clergyman of any congregation of the denominations aforesaid, between any two persons either of whom now is or then was a member of any of the said congregations above named, shall be deemed good and valid, any law to the contrary notwithstanding. Provided always, that the testimony of the same be preserved as directed in the second section of the aforesaid act of the thirty-third year of his late Majesty's reign.

" IX. Provided always, and be it further enacted by the authority aforesaid, that nothing in this act contained shall extend or be construed to extend to legalize any illegal marriage in cases where either or both of the parties shall have subsequently contracted a legal marriage or marriages with other parties.

" X. And be it further enacted by the authority aforesaid, that this act shall be publicly read in the several Districts of this Province, at the opening of the general quarter sessions of the peace for each District that shall be holden next after the passing thereof, and once in every year, for two years following, at the quarter sessions to be holden in the month of January."

WILLIAM CAMPBELL, Speaker.

Legislative Council Chamber, 14th January, 1826.

Mr. Hamilton, seconded by Mr. Burnham, moves that the amendments to the bill entitled "an act to confirm and make valid certain marriages hitherto contracted, and further to provide for the future solemnization of marriages within this Province," be read a second time on Wednesday next.

On which the House divided, and the yeas and nays being taken were as follows:

YEAS—Messrs. Atkinson, Attorney General, Beasley, Burnham, Burke, Clark, Coleman, Fothergill, Gordon, Hamilton, Ingersol, C. Jones, D. Jones, J. Jones, Lefferty, Lyons, Matthews, McCall, McDonell, Morris, Randal, Scollick, Thompson, Thomson, VanKoughnet, Walsh, Wilkinson, and Wilson—28.

NAYS—Messrs. Beardsley, Hornor, McBride, and Perry—4.

The question was carried in the affirmative by a majority of twenty-four, and ordered accordingly.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council, a message, and the bill entitled "an act to repeal part of and extend the provisions of an act passed in the fourth year of His Majesty's reign, entitled "an act to make more ample

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provision for regulating the police of the town of Kingston," which that honorable house had passed without amendment, and having retired, the Speaker read the message as follows :

MR. SPEAKER.

The honorable the Legislative Council request a conference with the Commons House of Assembly, on the subject matter of the bill entitled " an act to provide for the erection of the County of Prince Edward into a separate District," 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, on Monday next, at two o'clock, P. M.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 14th January, 1826.

Mr. Hamilton, seconded by Mr. McDonell, moves that Messrs. Wilson, Beardsley, Thomson, and Horner be a committee to meet the conferees on the part of the honorable Legislative Council, on the subject matter of the bill entitled " an act to provide for the erection of the County of Prince Edward into a separate District."

Which was carried.

Mr. Morris, seconded by Mr. Hamilton, moves that a message be sent to the Honorable the Legislative Council to inform them that this House has agreed to a conference on the subject matter of the bill entitled " an act to provide for the erection of the County of Prince Edward into a separate District," and have appointed a committee of four members who will proceed to the joint committee-room at the time appointed.

Which was ordered.

Br. Boulton, Master in Chancery, brought down from the honorable the Legislative Council, a message, and having withdrawn, the Speaker read the same as follows :

MR. SPEAKER.

The honorable the Legislative Council have concurred in the joint report of the committee of free conference respecting losses sustained by the inhabitants of this Province, during the late war, and have appointed a committee of two members who will be ready to meet a committee of the Commons House of Assembly to prepare an address pursuant thereto, in the joint committee-room, at 3 o'clock, P. M. on Monday next.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 14th January, 1826.

Mr. Gordon, seconded by Mr. Thompson, moves that Messrs. Attorney General, Hamilton, Clark, and Beasley, be a committee to meet the committee of the honourable the Legislative Council, on the subject of the losses sustained by the inhabitants of this Province, during the late war.

Which was ordered.

Mr. Hamilton, seconded by Mr. Rolph, moves that a message be sent to the Honorable the Legislative Council, to inform them that this house has appointed a committee of four members to meet the committee on the part of the honorable the Legislative Council to prepare a joint address on the subject of losses, at the time and place appointed.

Which was ordered.

Messrs. Burnham and Perry were ordered by the Speaker to carry up to the Honorable the Legislative Council the messages ordered to be sent to that honourable House on the subject of conferences on the bill entitled " an act to provide for the erection of the County of Prince Edward into a separate District," and losses sustained during the late war.

The house went again into committee on Hawley's relief bill.

Mr. Gordon in the chair.

The House resumed.

Mr. Gordon reported the bill as amended.

The report was ordered to be received.

Mr. D. Jones, seconded by Mr. Rolph, moves that the bill for the relief of Philo Hawley be engrossed and read a third time on Tuesday next.

Which was ordered.

Mr. Morris, seconded by Mr. D. Jones, moves that he have leave of absence during the remainder of the session,

Which was granted.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the pension bill be recommitted on Monday next, and that the report of the select committee on the said bill be referred at the same time, to the committee of the whole house.

Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. J. Jones, moves for leave to bring in a bill for regulating the British silver and copper coinage in this Province.

Which was granted and the bill read.

Mr. Attorney General, seconded by Mr. D. Jones, moves that the silver coinage bill be read a second time on Monday next, and that the 41st rule of this house be dispensed with, so far as relates to the said bill.

Which was ordered.

Mr. Mathews, seconded by Mr. Horner, moves that two thousand copies be printed of the resolutions on the independence of the judges, and on the land of the conventionalists, and the addresses to his Majesty grounded thereon, with the yeas and nays.

Which was ordered.

The House adjourned till Monday at 10 o'clock, A. M.

Monday, 16th January, 1826.

Mr. McDonell, seconded by Mr. Cameron, moves for leave to bring up the petition of sundry inhabitants of the County of Glengary.

Which was granted, and the petition brought up.

Agreeably to the order of the day the Militia bill was read the second time.

Mr. Perry, seconded by Mr. Atkinson, move that this house do now go into committee on the Militia law amendment bill.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Beasley, Horner, Lyons, McBride, McCall, Perry, Randal, Rolph, Thomson, Walsh, and Wilson—12.

NAYS—Messrs. Attorney General, Burnham, Burke, Coleman, Cameron, Gordon, Ingersol, J. Jones, Lefferty, Matthews, Seollick, Thompson, Van Loughnet and Wilkinson—14.

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The question was decided in the negative by a majority of two, and lost accordingly.

Agreeably to the order of the day the report of the select committee on the gaol limits bill was read a second time.

Mr. Rolph, seconded by Mr. Perry, moves that the house do go into a committee on the gaol limit bill.

Which was carried, and Mr. Burke was called to the chair.

The House resumed.

Mr. Burke reported the bill as amended.

The report was ordered to be received.

Mr. Rolph, seconded by Mr. Matthews, moves that the gaol limits bill be engrossed and read a third time this day, and that the 41st rule of this house be dispensed with, so far as this bill is concerned.

Which was ordered.

Agreeably to the order of the day Edwards' relief bill was read the second time.

Mr. Matthews, seconded by Mr. Hamilton, moves that this house do now resolve itself into a committee of the whole on the bill for the relief of James Edwards.

Which was carried, and the Attorney General was called to the chair.

The House resumed.

The Attorney General reported progress, and obtained leave to sit again to-morrow.

Mr. Thompson, from the committee appointed to examine and report upon the public accounts sent down by his Excellency the Lieutenant Governor, during the present session, informed the house that the committee had agreed to a report which he was ordered to submit whenever the house would please receive the same.

The report was ordered to be received, and was read as follows:

(See Appendix L.)

Mr. Gordon, seconded by Mr. Clark, moves that the report of the committee of finance be referred to a committee of the whole house on Thursday next.

Which was ordered.

Mr. Gordon, seconded by Mr. Clark, moves that that part of the report of the committee of finance, which relates to the estimates, be referred to the committee of supply.

Which was ordered.

Mr. Gordon, seconded by Mr. Thompson, moves that three hundred copies of the report of the committee of finance be printed.

Which was ordered.

Agreeably to the order of the day the bill for the relief of Leonard Soper was read the second time.

Mr. J. Jones, seconded by Mr. Gordon, move that the house do now resolve itself into a committee of the whole on the bill for the relief of Leonard Soper.

Which was carried, and Mr. Rolph was called to the chair.

The House resumed.

Mr. Rolph reported the bill as amended.

The report was ordered to be received.

Mr. J. Jones, seconded by Mr. Burnham, moves that the bill for the relief of Leonard Soper be engrossed and read a third time this day, and that the 41st rule of this house be dispensed with, so far as relates to the same.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the small debt relief bill.

Mr. Hamilton in the chair.

The House resumed.

Mr. Hamilton reported the bill without amendment.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. D. Jones, moves that the small debt relief bill be engrossed and read a third time to-morrow, and that the 41st rule be dispensed with, so far as relates to the said bill.

Which was ordered.

Mr. Attorney General, from the committee to whom was referred the petition of Charles Tozer, informed the house that the committee had agreed to a report, which he was ready to submit whenever the house would please receive the same.

The report was ordered to be received, and was read as follows:

The select committee to whom was referred the petition of Charles Tozer have examined the matter referred to them, and have agreed to the following report:

Your committee having procured the attendance of Samuel Bidout, Esquire, senior clerk in the Surveyor General's office, and having also heard the statements of the petitioner in person, find the facts to be substantially as stated in the petition.

It appears that the townships of South Dorchester and Malahide were both surveyed in the year 1810. That the former was surveyed by Mr. Wilmot, who (tho' it is alleged that he placed corner posts at the east and west angles of the rear line of the 13th concession of Dorchester intended to form the southern boundary of the township) certainly did not run out the line and the consequence was, that Mr. Burwell when he proceeded in the same year to survey the township of Malahide finding no course run or marked till he arrived at the front of the 13th concession of Dorchester, and not even finding as he declares any corner post at the rear of the 13th concession, naturally took the first line he found run out, and marked, to be the township line, and thus included in his survey of Malahide that which Mr. Wilmot had returned as part of Dorchester. No means existed in the Surveyor General's office of detecting this error, until recently in compiling a map of the District, it was discovered in putting the several townships together, that there was not, in fact, the supposed quantity of land. In the mean time, all the lands, except Reserves, had been located as being in the thirteenth concession of South Dorchester, principally to U. E. claimants, who, though their patents are generally perfected, have never resided upon or in any manner improved the same, and subsequently the same lands have been located to actual settlers as part of Malahide, and these latter have long resided upon them, and made improvements, in some instances, extensive.

The plan which accompanies this report will shew the error which has been committed, and the schedule, also annexed, exhibits a return of the present settlers upon the lots in question, with the improvements they have severally made.

Your committee conceiving this to be a case in which the legislature may interpose to prevent a very serious evil to many individuals, have been at a loss to decide in what manner relief could be most justly and conveniently afforded; and they submit with this report a draft of a bill which in their opinion would be most effectual for that purpose; but as they consider it just that time should be given for all persons interested to have notice of such proposed enactment, the committee recommend that the bill alluded to should be printed, and that a bill should be brought in in the present session, of which they also report a draft, for protecting the present occupants in their possession in the mean time.

2d Session, 9th Parliament, 5th Geo: IV.

All which is respectfully submitted.

JOHN B. ROBINSON, *Chairman.*

House of Assembly, Committee Room, 16th January, 1826.

The South Dorchester boundary bill was then read the first time.

Mr. Attorney General, seconded by Mr. Van Koughnet, moves that the South Dorchester boundary line bill be read a second time on Thursday next.

Which was ordered.

The Malahide settlers' relief bill was then read the first time.

Mr. Attorney General, seconded by Mr. Walsh, moves that the Malahide settlers' relief bill be read a second time to-morrow, and that the 41st rule of this house be dispensed with, so far as relates to the said bill.

Which was ordered.

Mr. D. Jones, from the committee to whom was referred the petition of Matthew Leech, informed the house that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the house would please receive the same.

The report was ordered to be received and the bill was read the first time.

Mr. D. Jones, seconded by Mr. Cameron, moves that the bill for the relief of Matthew Leech, be read a second time on Thursday next.

In amendment, Mr. Atkinson, seconded by Mr. McDonnell, moves that after the word "time," the remainder be expunged, and "this day three months" inserted.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, and McDonnell—2.

NAYS—Messrs. Beasley, Burnham, Burke, Cameron, Clark, Coleman, Fothergill, Gordon, Ingersoll, D. Jones, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, Van Koughnet, Walsh, and Wilkinson—24.

The question was decided in the negative by a majority of twenty-two and lost accordingly.

The original question was then put, carried, and ordered.

Agreeably to the order of the day, the gaol limits bill was read the third time.

Mr. Rolph, seconded by Mr. Ingersoll, moves that the bill do now pass, and that it be entitled "an act to continue and amend an act passed in the second year of the reign of George the Fourth, entitled 'an act for assigning limits to the respective gaols within this Province.'"

Which was carried, and the bill signed.

Messrs. Rolph and Randal were ordered by the Speaker to carry up to the Honorable the Legislative Council the bill entitled "an act to continue and amend an act passed in the second year of the reign of George the Fourth, entitled an act for assigning limits to the respective gaols within this Province." and to request their concurrence thereto.

Agreeably to the order of the day Soper's relief bill was read the third time.

Mr. Fothergill, seconded by Mr. Wilkinson, moves that the bill do now pass and that it be entitled "an act for the relief of Leonard Soper."

Which was carried, and the bill signed.

Mr. Lefferty, from the committee to whom was referred the petition of W. L. McKenzie of the town of York, printer, informed the house that the committee had agreed to report by bill, a draft of which he was ready to submit if the house would please receive the same.

The report was ordered to be received, and the bill was read a first time.

Mr. Secretary Munier brought down from his Excellency the Lieutenant Governor a message, and having retired, the Speaker read the same as follows:

P. MAITLAND.

The Lieutenant Governor thinks proper to transmit to the House of Assembly the copy of a representation which he has just received from the Judges of the Court of King's Bench relative to the want of proper accommodation for the sittings of that Court, which he recommends to the particular consideration of the house.

Government-House, 16th January, 1826.

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

MAY IT PLEASE YOUR EXCELLENCY,

The Judges of His Majesty's Court of King's Bench in said Province most respectfully represent:

That the building where the terms of their court have been held during several years, for the public administration of justice for the whole Province, is in a most ruinous, uncomfortable, and uninhabitable state, every way unfit for the decent accommodation of any court of justice.

That the Judges have hitherto refrained from making any official representation to your Excellency on the subject, in the hope that the notoriety of so derogatory and unbecoming a situation would have attracted the attention of the provincial legislature, and have pointed out the expedience and propriety of providing suitable accommodations for His Majesty's supreme court of judicature in this Province, as in the neighbouring colonies.

That the reluctance of the Judges to obtrude on your Excellency's attention a subject so painful to themselves, and so degrading and prejudicial to the public administration of justice, is at length overcome by the necessity of the case, rendered still more pressing in consequence of an official notice lately given to the Chief Justice by Grant Powell, Esquire, on the part and the behalf of the trustees and magistrates of the Home District, purporting that the Court of King's Bench will not be permitted to occupy the court-house now in progress of completion in the town of York, it having been granted in trust for the exclusive use and purposes of the District, and erected entirely at the expense of the District.

The Judges are therefore under the necessity of submitting most respectfully to your Excellency's consideration the expediency of adopting such measures as to your Excellency's wisdom may seem meet, for the immediate erection of a provincial court-house, on a scale adapted to the respectable accommodation of His Majesty's supreme court of judicature, and the various offices connected with it, suitable to the opulence and the importance of the Province.

(Signed)

{ WILLIAM CAMPBELL, C. J.
LEVIUS P. SHERWOOD, J.

York, 14th January, 1826.

Sir P. Maitland, K. C. B. Lieut. Governor.

Mr. Attorney General, seconded by Mr. Gordon, moves that the message of his Excellency the Lieutenant Governor, respecting the providing of a suitable accommodation for the Court of King's Bench be referred to the committee of supply.

Which was ordered.

Mr. Lefferty, seconded by Mr. Clark, moves that the bill for the encouragement of the manufacturing of paper, be referred to the committee of supply.

Which was ordered.

Mr. Attorney General, seconded by Mr. Gordon, moves that an address be presented to his Excellency the Lieutenant Governor, in answer to his Excellency's message of this day respecting the providing suitable accommodation for the Court of King's Bench, assuring his Excellency that this house will take the same into their serious consideration, and that Messrs. Ingersol and Thompson be a committee to prepare the said address.

Which was ordered.

Agreeably to the order of the day, the Frederickburgh bill was read the second time.

Mr. Perry, seconded by Mr. Hamilton, moves that the house do now go into committee on the Fredericksburgh survey bill.

Which was carried and Mr. Van Koughnet called to the chair.

The house resumed.

Mr. Van Koughnet reported the bill as amended.

The report was ordered to be received.

Mr. Perry, seconded by Mr. Randal, moves that the Fredericksburgh survey bill be engrossed and read a third time to-morrow and that the forty-first rule of this house be dispensed with so far as respects the said bill.

Which was ordered.

Agreeably to the order of the day, the Townsend boundary bill was read the second time.

Mr. Walsh, seconded by Mr. McBride, moves that the house do now resolve itself into a committee of the whole on the Townsend survey bill.

Which was carried, and Mr. D. Jones, called to the chair.

The house resumed.

Mr. D. Jones reported the bill without amendment.

The report was ordered to be received.

Mr. Clark, from the committee to frame an address to his Majesty, on the subject of the lands set apart in this Province for the support and maintenance of a Protestant clergy, reported as follows :

*To the King's Most Excellent Majesty.***MAY IT PLEASE YOUR MAJESTY,**

We, your Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, most humbly beg leave to approach your Majesty to express our sentiments on a subject of deep interest to your faithful subjects of Upper Canada. We perceive by the provisions of an act passed during the last session of the Imperial Parliament that your Majesty is empowered to order the appropriation of a further allotment of land within this Province for the support and maintenance of a Protestant clergy, in lieu of that portion of the lands already set apart for the purpose, (called the clergy reserves) which has lately been, or is about to be, sold to the Canada Land Company. We would most reluctantly appear to your Majesty as unfriendly in the cause of religion, but when we consider that one-seventh of all the surveyed lands within this Province is already by an act passed in the 31st year of the reign of His late Majesty appointed to that object, and are of opinion that the extent of the present reservation is injurious to the prosperity of the colony, we feel a strong desire that no further appropriation may be made, but that your Majesty will be graciously pleased to submit to your parliament the expediency of repealing so much of the late act as permits the said further allotment.

We further most humbly represent, most gracious Sovereign, that the lands set apart in this Province for the maintenance and support of a Protestant clergy, ought not to be enjoyed by any one denomination of Protestants, to the exclusion of their Christian brethren of other denominations equally conscientious in their respective modes of worshipping God, and equally entitled as dutiful and loyal subjects, to the protection of your Majesty's benign and liberal government. We therefore humbly hope it will, in your Majesty's wisdom, be deemed expedient and just that not only the present reserves, but that any funds arising from the sales thereof, should be devoted to the advancement of the Christian Religion generally, and the happiness of all your Majesty's subjects of whatever denomination; or, if such application or distribution should be deemed inexpedient, that the profits arising from such appropriation should be applied to the purposes of education and the general improvement of this Province.

M. Clark, seconded by Mr. McDonell, moves that the address to His Majesty, on the Clergy Reserves, be read a second time to-morrow.

Which was ordered.

Mr. Thomson, from the joint committee-room of conference on the subject matter of the bill entitled "an act to provide for the erection of the County of Prince Edward into a separate District," reported as follows :

To the Commons House of Assembly,

Your committee appointed to confer with a committee of the honorable the Legislative Council, on the subject matter of the bill entitled "an act to provide for the erection of the County of Prince Edward into a separate District," met the conferees of that honorable house at the time appointed, and were told by them that the conference was requested in order to acquaint the House of Assembly, that in the opinion of the Legislative Council more money will be allowed for schools in the townships of the said District than its proportion; that the new District contemplated by the bill ought to sustain a proportionate part of the old debt of the District of which it formerly was a part; and that in the clause authorising the Lieutenant Governor to declare the County of Prince Edward a separate District, it should state that the Governor, Lieutenant Governor, or person administering the government of the Province, should declare this by and with the advice of His Majesty's Executive Council in this province.

Which is respectfully submitted.

H. C. THOMSON, *Chairman.*

Joint Committee-Room, 13th January, 1826.

Mr. Walsh, seconded by Mr. Rolph, moves that the bill for correcting the line of the township of Townsend, be engrossed and read a third time to-morrow, and that the forty-first rule be dispensed with, as far as said bill is concerned.

Which was ordered.

Mr. Thomson, seconded by Mr. Wilson, moves that a free conferences be requested with the honorable the Legislative Council, on the subject of the bill entitled "an act to provide for the erection of the County of Prince Edward into a separate District."

Which was ordered.

2d Session, 9th Parliament, 5th Geo: IV.

Messrs. Coleman and Wilson were ordered by the Speaker to wait upon the honorable the Legislative Council, with a message requesting a free conference on the subject of the bill entitled "an act to provide for the erection of the County of Prince Edward into a separate District."

Mr. Lefferty, from the committee ordered to search the Journals of the honorable the Legislative Council, for the proceedings had by them on the bill entitled "an act to provide for the payment of representatives of towns in this Province," and to report the same to this House reported as follows:

November 21st, 1825.

The bill received in the Legislative Council, and read the first time.

14th December. Read a second time, and referred to a select committee to report thereon.

16th December. Select committee reported as follows:

Report of the select committee of the honorable the Legislative Council appointed to report on the bill entitled "an act to provide for the payment of the representatives of towns in this Province."

Most respectfully submit, that it was the ancient custom in England for the several members representing the counties, cities, and boroughs therein, to receive wages for their attendance in parliament, which custom has gradually fallen into disuse, no person having ever claimed or received any such wages since the restoration of Charles the Second, except Andrew Marvell, Esquire, member for Hull, who (in 1678) died some years before the revolution.

That many causes have been assigned for this change. It was found that paying wages to members of the house of commons had a tendency to protract public business, a consequence of which, the history of the long parliament affords a strong illustration; they became also an inducement to persons but ill qualified for so important a trust to aspire to become members, and to adopt means of obtaining popularity, which those who were qualified by education for the trust would not in general resort to, and by those means the affairs of the nation were frequently embarrassed and thrown into confusion. It was therefore considered, that as few or none were elected members of parliament without earnest solicitation on their part, it was inconsistent with their freedom and independence to become the hired servants of their constituents, and this sentiment coming to prevail generally, it became by degrees a point of honor not to receive wages.

That it is fair to presume that the custom of paying wages to members of parliament ceased with the doctrine that each member was merely a deputy for his own district and place, and had to follow the instructions of his constituents, a doctrine which is now very generally disavowed upon the more generous principle, that every member serves for the whole empire, and not for a part, and is no further connected with his borough or county, than to promote such local improvements and confer such benefits as may be in strict accordance with the general good.

That in the thirty-third year of his late Majesty King George the Third, being the second session of the first provincial parliament, a law was passed allowing wages to members of the House of Assembly. The country was at that time nearly a wilderness, there were no roads, the water communication tedious and uncertain, and the inhabitants generally unable to bear any considerable charge, it was therefore difficult to find persons at the same time qualified and able to assume an office so burthensome and of so great responsibility.

It might therefore have been found necessary to make such compensation as should cover their actual expenses, but it could scarcely have been in contemplation to continue this heavy tax after the causes which rendered it necessary had totally disappeared and other matters so totally changed, that instead of a necessity for offering inducement to persuade gentlemen to become members of Assembly, a number of candidates eagerly press for that office, and it has become an object of contest, as it always was one of honor and distinction.

The committee feels fully the force of an argument that may be urged in favour of the bill, namely, that as by law all members receive wages except the representatives of towns, it seems unjust to apply general principles so as to exclude a few from the recompence which others receive for performing the same duty; but in answer they have to observe, that they are called upon to exercise their judgment in the case as it stands, not the establishment of wages at the first settlement of the province, a question altogether different from the expediency of continuing the system, and that having the example, not only of the parent state, but of the legislature of Lower Canada, constituted under the same imperial statute as our own, to warrant them in their objections to the measure, and having also the means of observing in other countries the ill consequences of receiving wages for legislative duties, they conceive they will best discharge their duty as a committee by reporting against the adoption of the bill, and have the less hesitation in doing this as they are well convinced that in towns even more than in counties, there can be no difficulty, in the present state of the province, in finding gentlemen willing to serve their country in so important a situation, without the pecuniary recompense which it is desired to afford them.

Agreeably to the order of the day, the dower bill was read a second time.

Mr. Rolph, seconded by Mr. Playter, moves that the house do go into committee on the dower relief bill.

Which was carried, and Mr. J. Jones was called to the chair.

The House resumed.

Mr. Jones reported progress, and obtained leave to sit again to-morrow.

Mr. Attorney General, from the committee to whom was referred the petition of Thomas Carfrae, junior, and others, inhabitants of the Town of York, informed the house, that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the house would please receive it.

The report was ordered to be received, and the draft was read the first time.

Mr. Attorney General seconded by Mr. Van Koughnet, moves that the York strangers' burying ground bill be read a second time on Wednesday next, and that the forty-first rule of this house be dispensed with, so far as relates to the said bill.

Which was ordered.

The House adjourned.

Tuesday, 17th January, 1826.

Mr. McBride, seconded by Mr. Thomson, moves for leave to bring up the petition of John G. Spragge and James King, copying-clerks of this honorable house.

Which was granted, and the petition brought up.

Mr. Randal, seconded by Mr. Perry, moves for leave to bring up the petition of Captain John Hardy of the Township of Stamford, in the District of Niagara.

Which was granted, and the petition brought up.

Mr. D. Jones, seconded by Mr. J. Jones moves for leave to bring up the petition of Dr. James Schofield, and other inhabitants of the sixth concession of the township of Bastard.

Which was granted, and the petition brought up.

Agreeably to the order of the day, Hawley's relief bill was read the third time.

Sir P. Maitland, K. C. B. Lieut. Governor.

Mr. D. Jones, seconded by Mr. Atkinson, moves that the bill do now pass, and that it be entitled "an act for the relief of Philo Hawley."

On which the House divided, and the yeas and nays being taken were as follows :

YEAS—Messrs. Atkinson, Burnham, Clark, Gordon, Hamilton, Hornor, Ingersol, D. Jones, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Walsh, and Wilson—20.

NAYS—Messrs. Beardsley, Burke, Cameron, Coleman, McDonell, and Thompson—6.

The question was carried in the affirmative by a majority of fourteen, and the bill was signed.

Messrs. D. Jones, and Thomson, were ordered by the Speaker to carry up to the Honorable the Legislative Council the bill entitled "an act for the relief of Philo Hawley," and to request their concurrence thereto.

Agreeably to the order of the day, the small debtors relief bill was read the third time.

Mr. J. Jones, seconded by Mr. Atkinson, moves that the bill do now pass, and that it be entitled "an act to authorise the discharge of debtors from imprisonment in certain cases.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Beardsley, Beasley, Burke, Cameron, Clark, Gordon, Hornor, Ingersol, J. Jones, Matthews, Perry, and Scollick—13.

NAYS—Messrs. Baby, Burnham, Coleman, Hamilton, Lyons, McBride, McCall, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson and Wilson—14.

The question was decided in the negative by a majority of one, and lost accordingly.

Mr. Rolph, seconded by Mr. Wilson, moves that the bill be now re-committed.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Baby, Beardsley, Burnham, Coleman, Clark, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, Playter, Randal, Rolph, Thompson, Thomson, Walsh, Wilkinson, and Wilson—20.

NAYS—Messrs. Atkinson, Beasley, Burke, Cameron, Ingersol, C. Jones, D. Jones, J. Jones, McDonell, Perry, and Scollick—11.

The question was carried in the affirmative by a majority of nine, and Mr. Hamilton took the chair.

The Speaker resumed the chair.

Mr. Hamilton reported that the committee had risen upon a point of order.

The Speaker left the chair.

Mr. Hamilton in the chair of committee.

The House resumed.

Mr. Hamilton reported the bill amended.

The report was ordered to be received.

Mr. McBride, seconded by Mr. Wilson, moves that the small debtors relief bill be engrossed and read a third time this day, and that the 41st rule of this house be dispensed with, so far as relates to the same.

Which was ordered.

Agreeably to the order of the day, the Townsend boundary bill was read the third time.

Mr. Walsh, seconded by Mr. Rolph, moves that the following clause be added as a rider to the bill :

"And be it further enacted by the authority aforesaid, That nothing in this act contained shall give any right, or be taken or construed to give any right to any person or persons possessed of lands by gift, devise, inheritance, purchase, or marriage, in either of the said concessions, to maintain any action or actions against any person or persons, for or on account of any alteration occasioned by the passing of this act, in the limits of any lot or parcel of land, which shall be unimproved at the time of the passing thereof."

Which was carried.

Agreeably to the order of the day, the small debtors relief bill was read a third time.

Mr. McBride, seconded by Mr. Rolph, moves that the bill do now pass and that it be entitled "an act to afford relief to debtors in execution for debt, in certain cases."

On which the House divided and the yeas and nays being taken were as follows :

YEAS—Messrs. Atkinson, Beardsley, Beasley, Burnham, Burke, Clark, Gordon, Hornor, D. Jones, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Thomson, Wilkinson, and Wilson—21.

NAYS—Messrs. Cameron, Ingersol, C. Jones, J. Jones, and Scollick—5.

The question was carried in the affirmative by a majority of sixteen, and the bill was signed.

Messrs. McBride and Wilson were ordered by the Speaker to carry up to the honorable the Legislative Council, the bill entitled "an act to afford relief to debtors in execution for debt, in certain cases," and to request their concurrence thereto.

Agreeably to the order of the day, Fredericksburgh survey bill was read the third time.

Mr. Perry, seconded by Mr. Atkinson, moves that the bill do now pass, and that it be entitled "an act to make provision for a survey of the first, second, and third concessions of Fredericksburgh Original, and the whole of Fredericksburgh Additional."

Which was carried, and the bill signed.

Messrs. Perry and Wilson were ordered by the Speaker to carry up to the honorable the Legislative Council, the bill entitled "an act to make provision for a survey of the first, second, and third concessions of Fredericksburgh Original, and the whole of Fredericksburgh Additional," and to request their concurrence thereto.

Mr. Secretary Cameron brought down from his Excellency the Lieutenant Governor an abstract account of payments made by the Pension-Agent, during the year 1825, and having retired, the same was read as follows :

(See Appendix M.)

Agreeably to the order of the day, Desardins' Canal bill was read the third time.

Mr. Gordon, seconded by Mr. VanKoughnet, moves that the bill do now pass, and that it be entitled "an act to incorporate certain persons therein mentioned, under the style and title of "the Desjardins' Canal Company."

Which was carried and the bill signed.

Messrs. Gordon and Van Koughnet were ordered by the Speaker to carry up to the honorable the Legislative Council the bill entitled "an act to incorporate certain persons therein mentioned under the style and title of the Desjardins' Canal Company," and to request their concurrence thereto.

Agreeably to the order of the day, the Townsend survey bill was read the third time.

Mr. Walsh, seconded by Mr. C. Jones, moves that the Townsend survey bill be now re-committed.

Which was carried, and Mr. D. Jones was called to the chair.

The House resumed.

2d Session, 9th Parliament, 5th Geo : IV.

Mr. D. Jones reported the bill as amended.

The report was ordered to be received.

Mr. Walsh, seconded by Mr. Playter, moves that the Townsend survey bill be engrossed and read a third time this day.

Which was ordered.

Mr. Randal, seconded by Mr. Perry, moves that the 43d rule of this house be dispensed with, so far as relates to the petition of John Hardy, so that it may be now read.

Which was carried, and the petition of John Hardy, praying for relief in the premises, was read.

Mr. Randal, seconded by Mr. Perry, moves that the petition of John Hardy be referred to a select committee, to report thereon, and that Messrs. McBride and Baby, compose the same.

Which was ordered.

Mr. Rolph, seconded by Captain Matthews, moves that the 43d rule of this house be dispensed with, so far as the petition of Francis Baby, Esquire, is concerned, to enable him to move for the bringing up and for the reading of the same this day.

Which was carried.

Mr. Rolph, seconded by Mr. Matthews, moves for leave to bring up the petition of Francis Baby, Esquire, complaining of grievances, and praying for relief, and that the petition be read this day.

Which was granted, and the petition of Francis Baby, Esquire, praying for redress, was brought up and read.

Mr. Rolph, seconded by Mr. Matthews, moves that the petition of Francis Baby be referred to the committee on the state of the Province.

Which was ordered.

Agreeably to the order of the day the Townsend survey bill was read the third time.

Mr. Walsh, seconded by Mr. McBride, moves that the bill do now pass, and that it be entitled "an act to authorise and establish a re-survey of the front of the thirteenth concession of the township of Townsend."

Which was carried, and the bill signed.

Messrs. Walsh and McCall were ordered by the Speaker to carry up to the honorable the Legislative Council, the bill entitled "an act to authorise and establish a re-survey of the front of the thirteenth concession of the township of Townsend," and to request their concurrence thereto.

Mr. Wilson, from the committee ordered to prepare an address, founded on the resolutions of this house relative to emigration from the United States, reported a draft, which was received and read the first time.

Mr. Rolph, seconded by Mr. Matthews, moves that the address to his Majesty, on the subject of American emigration, be read a second time this day.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Coleman, Hamilton, Ingersol, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Thompson, Wilkinson, and Wilson—19.

NAYS—Messrs. Attorney General, Burnham, Burke, D. Jones, J. Jones, Scollick, Van Koughnet, and Walsh—8.

The question was carried in the affirmative by a majority of eleven, and the address was read the second time.

Mr. Rolph, seconded by Mr. Matthews, moves that the address to his Majesty, on the subject of American emigration, be adopted.

In amendment, Mr. Attorney General, seconded by Mr. J. Jones, moves that after the word "moves," in the original motion, the remaining words be expunged, and the following inserted:—"that it be referred to a committee of the whole house on to-morrow.

On which the House divided and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Burnham, Burke, Cameron, Coleman, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonell, Scollick, Thompson, and Van Koughnet—14.

NAYS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Hamilton, Hornor, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Thomson, Walsh, Wilkinson, and Wilson—20.

The question was decided in the negative by a majority of six, and lost accordingly.

Mr. Boulton, Vaster in Chancery, brought down from the Honorable the Legislative Council, a message, and the bill entitled "an act to encourage the progress of useful arts within this Province," which they had passed without amendment, and having retired, the Speaker read the message as follows:

MR. SPEAKER.

The honorable the Legislative Council, have acceded to the request of the Commons House of Assembly, for a free conference on the bill entitled "an act to provide for the erection of the County of Prince Edward into a separate District," and have appointed a committee of two members, who will be ready to meet a committee of the Commons House of Assembly, in the joint committee-room, to-morrow, at 12 o'clock, noon.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 17th January, 1826.

On Mr. Rolph's question the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Hamilton, Hornor, Ingersol, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson—21.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Coleman, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Scollick, Van Koughnet, and Walsh—13.

The question was carried in the affirmative by a majority of eight, and the address adopted accordingly.

Mr. Rolph, seconded by Mr. Matthews, moves that the address to his Majesty on the subject of American emigration, be engrossed and read a third time to-morrow.

Which was ordered.

Mr. Thompson, seconded by Mr. Atkinson, moves that Messrs. Wilson, Perry, Coleman, and Hamilton, be a committee to manage a free conference with the honorable the Legislative Council, on the subject of the bill entitled "an act to provide for the erection of the County of Prince Edward into a separate District."

Which was ordered.

Agreeably to the order of the day, the house went into committee on Edwards' relief bill.

Mr. Attorney General, in the chair.

The house resumed.

Mr. Attorney General reported the bill as amended.

The report was ordered to be received.

Mr. Matthews, seconded by Mr. Hamilton, moves that the bill for the relief of James Edwards be engrossed and read a third time to-morrow and that the forty-first rule be dispensed with for that purpose.

Which was ordered.

Sir P. Maitland, K. C. B. Lieut. Governor.

Agreeably to the order of the day, the Brock's monument bill was read the second time.

Mr Attorney General, seconded by Mr. Clark, moves that the Brock monument bill be now referred to a committee of the whole house.

Which was carried, and the Walsh was called to the chair.

The House resumed.

Mr. Walsh reported the bill without amendment.

The report was ordered to be received.

Mr. Attorney General seconded by Mr. Clark, moves that the Brock monument bill be engrossed and read a third time to-morrow, and that the forty-first rule of this house be dispensed with, so far as relates to the said bill.

Which was ordered.

Mr. Ingersol, seconded by Mr. Clark moves for leave of absence after to-morrow, during the remainder of the session,

Which was granted.

Mr. McBride, from the select committee to whom was referred the petition of John Hardy, informed the house that the committee had agreed to a report, which he was ready to submit whenever the house would please receive the same.

The report was ordered to be received, and was read as follows :

Your committee to whom was referred the petition of John Hardy, beg leave to report, that having examined the matters therein set forth, recommend that the said petition be withdrawn from the select committee, and referred to the committee of the whole house on the state of the Province.

Which is respectfully submitted.

ROBERT RANDAL, *Chairman.*

Committee-Room, 17th January, 1826.

Mr. Randal, seconded by Mr McBride, moves that the report of the select committee on the petition of John Hardy, be adopted.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Clark, Coleman, Hornor, Lafferty, Lyons, McBride, McCall, Randal, Rolph, Thomson, Wilkinson, and Wilson—13.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Gordon, Ingersol, J. Jones, McDonell, Playter, Scollick, and Thompson—11.

The question was carried in the affirmative by a majority of two, and ordered accordingly.

The House adjourned

Wednesday, 18th January, 1826.

Agreeably to the order of the day, the bill granting a sum of money for the completion of the monument erected to the memory of the late major-general Sir Isaac Brock, was read the third time.

Mr. Attorney General, seconded by Mr. Clark, moves that the bill do now pass, and that it be entitled "an act to grant a further sum of money for the completion of the monument to the memory of the late Major General Sir Isaac Brock."

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Attorney General, Beardsley, Beasley, Burnham, Cameron, Clark, Gordon, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, Lyons, Matthews, McBride, McCall, McDonell, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Van Koughnet, Walsh, Wilkinson and Wilson—30.

NAY—Mr. Perry—1.

The question was carried in the affirmative by a majority of twenty-nine, and the bill was signed.

Messrs. Clark and Hamilton, were ordered by the Speaker to carry up to the honourable the Legislative Council, the bill entitled "an act to grant a further sum of money for the completion of the monument to the memory of the late Major General Sir Isaac Brock," and to request their concurrence thereto.

Agreeably to the order of the day, Edwards' relief bill was read the third time.

Mr. Matthews, seconded by Mr. Hamilton, moves that the bill for the relief James Edwards do now pass, and that it be entitled "an act for the relief of James Edwards."

Which was carried and the bill signed.

Messrs. Matthews and Hornor, were ordered by the Speaker to carry up to the honorable the Legislative Council the bill entitled "an act for the relief of James Edwards," and to request their concurrence thereto.

Agreeably to the order of the day, the address to his Majesty on the subject of emigration, was read the third time.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the address do not now pass, but that the same be now referred to a committee of the whole house.

On which the house divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Coleman, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Scollick, Thompson and Van Koughnet—14.

NAYS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Thomson, Walsh, Wilkinson and Wilson—22.

The question was decided in the negative, by a majority of eight, and lost accordingly.

On the question for passing the address, the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Clark, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson and Wilson—22.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Coleman, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Scollick, Van Koughnet, and Walsh—14.

The Question was carried in the affirmative by a majority of eight, and the address was signed by the Speaker, and is as follows :

To the King's Most Excellent Majesty.**MOST GRACIOUS SOVEREIGN,**

We, your Majesty's loyal and dutiful subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave humbly to approach your Majesty to represent, that from a recent change of Colonial policy, American citizens are discouraged from coming into this Province, as settlers, to live under your Majesty's paternal government, and thus representation we are the more constrained

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to offer to your Royal consideration, from the late and continued depression in the value of land in most parts of this Province. In the absence of commercial and manufacturing capital, land is, and for a length of time to come must be, the chief basis of public credit, and therefore, whatever tends to increase, or longer continue, the late and present lamentable depression in its value, (a depression the prolongation of which threatens much distress) calls, most gracious Sovereign, for those earnest representations which, in common with all your subjects, we feel assured will receive your Royal consideration.

Population, most gracious Sovereign, in the infant state of this colony, is most essential to the agricultural and landed interests, as well as to our general welfare and prosperity. With respect to the present population, we humbly represent, that after the establishment of this Province, many persons who were born in the allegiance of our late most gracious Sovereign, and their children, came into it, with their families, from the United States, to settle, being attracted by the superior fertility of our soil, the advantages of our climate, and the excellence of our laws and government, when liberally administered, and that under the wisest and happiest administrations of your Majesty's government, every liberal encouragement and invitation have been given to such citizens of the United States to settle in this Province, and renew their allegiance. Such settlers, we can satisfactorily assure your Majesty, are among your most useful and loyal subjects, and exemplified, during the late war, the most firm attachment to your Royal person and government, while the relative situation of the United States and this Province, and the smallness of the armies arrayed for its defence, from the suddenness of the war and the magnitude of the struggle in which your Majesty was so gloriously engaged in Europe for the liberty of other nations, as well as the safety of your empire, put their fidelity to the test in a degree rarely experienced in any other country.

This class of your Majesty's subjects served in common with the militia at large, who have already been the object of your gracious commendation; and we notice this circumstance with the higher satisfaction, because it justifies the enlightened views of the Imperial Parliament, which, in the thirtieth year of the reign of our late most gracious Sovereign, passed an act to encourage the settlement of this Province with such citizens from the United States, under the persuasion that they might with safety and advantage be allowed to renew their allegiance, and the expediency of continuing this policy in the future, is recommended by the happiest experience of the past.

Within these last few years, many thousands of families, with wealth and industry, instead of peopling the western territory of the United States, would have emigrated into this Province and added to our population and prosperity, had they not been unhappily discouraged by a change of policy, which change is sensibly injurious to our interests, and inconsistent with that existing law to which we have above humbly begged your Majesty's attention. Persons seeking to establish themselves in this Province, from whatever nation on the earth they may come, will, most gracious Sovereign, as experience has proved, become happy under your liberal and benign government, and attached to your illustrious house, and the more populous and prosperous this colony becomes, the more unalienably will it become related to the mother country.

We therefore humbly and earnestly represent, most gracious Sovereign, that it is expedient to renew and continue an encouragement to an emigration which has already afforded a population so eminently worthy of your Majesty's paternal government, and to allow such persons to settle under the provisions of the said 30th Geo. 3d, chap. 27, and to purchase land, subject, nevertheless, to those restrictions imposed by certain Provincial statutes, under which they are restrained for seven years from the exercise of those political privileges which render the British nation the freest in the world.

The above emigration we regard as a desirable addition to what your Majesty has lately encouraged and assisted from Great Britain, and which last-mentioned emigration, most gracious Sovereign, we regard as a most gracious and acceptable policy, tending in an eminent degree to promote the prosperity of the Province.

JOHN WILLSON, *Speaker.*

Commons House of Assembly, 18th January, 1826.

Mr. Attorney General seconded by Mr. J. Jones moves that the address be communicated to the Honorable the Legislative Council, and that their concurrence therein be requested.

On which the house divided, and the yeas and nays being taken were as follows:

YEAS—Messrs. Attorney General, Burnham, Burke, Cameron, Clark, Coleman, Crysler, Gordon, Ingersol, C. Jones, J. Jones, Scollick, Thompson, Van Koughnett, and Walsh—15.

NAYS—Messrs. Atkinson, Baby, Beardsley, Beasley, Fothergill, Hamilton, Hornor, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Thomson, Wilkinson and Wilson—19.

The question was decided in the negative by a majority of four, and lost accordingly.

Agreeably to the order of the day, the petition of the inhabitants of Lancaster was read.

Mr. McDonell, seconded by Mr. Cameron, moves that the petition of sundry inhabitants of the county of Glengary be inserted on the Journals of this house.

Which was carried, and is as follows:

To the honorable the Legislative Council and House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled.

The petition of the inhabitants of the Township of Lancaster,

Humbly sheweth,

That the fourth section of the fourteenth chapter of George the Third, is the cause of much inconvenience to your petitioners, the eastern boundary of said township being the division line between the Provinces of Upper and Lower Canada, differing about ten degrees from the courses mentioned in the letters patent by which we hold our lands.

Wherefore, your petitioners pray, that the honorable Parliament may be pleased to frame a law to enable surveyors to run our division lines parallel to the western boundary of the said township of Lancaster, and so afford relief to your petitioners.

And your petitioners, as in duty bound, will ever pray.

JOHN McLENNAN, and others.

Lancaster, 9th January, 1826.

Mr. Atkinson, seconded by Mr. Rolph, moves that two hundred copies of the Registry Law amendment bill be printed.

Which was ordered.

Agreeably to the order of the day, the Gore District Gaol and Court-House bill was read the second time.

Mr. Hamilton, seconded by Mr. Wilkinson, moves that the house do now resolve itself into a committee of the whole on the Gore District Gaol and Court-House bill.

Which was carried, and Mr. Beardsley was called to the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the honorable the Legislative Council the bill entitled "an act to impose a tax upon dogs in certain towns in this Province," which they had passed without amendment, and a message, and having retired, the Speaker read the message as follows:

Sir P. Maitland, K. C. B. Lieut. Governor.

MR. SPEAKER.

The honorable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of the amendments made by that honorable house in and to the bill entitled "an act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," and also, upon the subject matter of the bill entitled "an act to secure to certain inhabitants of this Province rights and privileges as British subjects."

The Legislative Council have appointed a committee of two members who will be ready to meet a committee of that honorable house, in the joint committee-room, at four o'clock this day.

WILLIAM CAMPBELL, *Speaker.**Legislative Council Chamber, 18th January, 1826.*

Mr. Rolph, seconded by Mr. McBride, moves that this house do accede to the request of the honorable the Legislative Council, for a conference on the amendments made to the bill entitled "an act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," and also, the bill entitled "an act to secure to certain inhabitants of this Province, rights and privileges as British subjects," and that Messrs. Matthews, Baby, Hamilton, and Wilkinson, do form a committee to meet the conferees of that honorable house at the time and place appointed.

Which was carried.

Messrs. Hornor and McCall were ordered by the Speaker to carry up to the honorable the Legislative Council, a message, informing that honorable house that this house had acceded to their request for a conference on the subject matter of the amendments made by this house in and to the bill entitled "an act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," and on the subject matter of the bill entitled "an act to secure to certain inhabitants of this Province, rights and privileges as British subjects," and had appointed a committee for that purpose.

The house went again into committee on the Gore District gaol and court-house bill.

Mr. Beardsley in the chair.

The House resumed.

Mr. Beardsley reported the bill as amended.

On the question for receiving the report, the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Beardsley, Beasley, Burnham, Coleman, Fothergill, Hamilton, Hornor, Ingersol, Lafferty, Matthews, McBride, McCall, Playter, Randal, Rolph, Thomson, Walsh, Wilkinson, and Wilson—20.

NAYS—Messrs. Attorney General, and Scollick—2.

The question was carried in the affirmative by a majority of eighteen, and the report was received.

Mr. Hamilton, seconded by Mr. Beasley, moves that the Gore District gaol and court-house bill be engrossed and read a third time to-morrow, and that the forty-first rule of this house be dispensed with, so far as relates to the said bill.

Which was ordered.

Mr. Wilson gives notice, that he will to-morrow move for leave to bring in a bill for the division of the Midland District.

The House adjourned.

Thursday, 19th January, 1826.

Agreeably to the order of the day, the Gore District gaol and court-house bill was read a third time.

Mr. Hamilton, seconded by Mr. Thompson, moves that the bill do now pass, and that it be entitled "an act to provide for the building a gaol and court-house in the District of Gore, and to authorise the magistrates to loan a sum of money for that purpose."

In amendment, Mr. Scollick, seconded by Mr. McBride, moves that after the word "bill," in the original motion, the words be expunged, and "be now re-committed," inserted.

On which the House divided and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Burke, Cameron, Clark, Coleman, Crysler, J. Jones, McBride, McDonell, Perry, Lyons, and Scollick—12.

NAYS—Messrs. Atkinson, Baby, Beasley, Fothergill, Hamilton, Hornor, D. Jones, Lafferty, Matthews, McCall, Playter, Randal, Rolph, Thompson, Thomson, Van Koughnet Walsh, and Wilkinson—18.

The question was decided in the negative by a majority of six, and lost accordingly.

On the original question the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beasley, Burke, Fothergill, Hamilton, Hornor, D. Jones, Lafferty, Matthews, McBride, McCall, Playter, Randal, Rolph, Thompson, Thomson, Van Koughnet Walsh, and Wilkinson—20.

NAYS—Messrs. Attorney General, Cameron, Clark, Coleman, Crysler, J. Jones, McDonell, Lyons, Perry, and Scollick—10.

The Question was carried in the affirmative by a majority of ten, and the bill was signed and ordered to be taken to the honorable the Legislative Council by Messrs. Hamilton and Clark.

Agreeably to the order of the day the petition of John Spragg and James King, copying clerks in the clerk's office, House of Assembly, praying for increase of wages, and the petition of James Schofield, and others, inhabitants of the township of Bastard, praying that certain lines may be run and established, were read.

Mr. McBride, seconded by Mr. Playter, moves that the petition of John G. Spragg and James King be referred to a select committee, and that Messrs. Bidwell, Rolph, Matthews, and McDonell, do compose the same, and report thereon.

Which was ordered.

Mr. D. Jones, seconded by Mr. McDonell, moves that the petition of Doctor James Schofield, and others, inhabitants of the sixth concession of the township of Bastard, be referred to a select committee, to consist of Messrs. C. Jones, Van Koughnet, Cameron, and J. Jones, and that such committee be empowered to send for persons and papers, and to report thereon by bill or otherwise.

Which was ordered.

Mr. Clark, from the committee to whom was referred the petition of Chauncey Beadle, informed the house that the committee had agreed to a report, which he was ready to submit whenever the house would please receive the same.

The report was ordered to be received, and was read as follows:

Your committee to whom was referred the petition of Chauncey Beadle, praying for an exclusive right to run a stage in certain parts of this Province, beg leave to report:

That the petitioner was requested to attend your committee, and from him they learn, that he has received satisfactory assurances that upon the formation of a company, under the authority of an Act of Parliament, persons of capital will take stock, and efficiently embark in

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the undertaking. The terms upon which a company would be willing to embark, are stated by the petitioner to be an exclusive right for twelve years: nor would a company consider a shorter term as affording an adequate inducement to embark the necessary capital. The necessary capital to form a line of three hundred miles, and put it into operation, is thirty-six thousand dollars.

The petitioner states, that he would not desire to embark in it, unless the privilege were extended from Queenston to Amherstburgh, and without his being required to expend any other sum on the road than according to his discretion and interest; but he admits that without much improvement of the road, it would be impracticable to run a stage. He is willing to undertake to run good and comfortable stages, take free of charge, a reasonable quantity of baggage, and submit to a proper regulation of the fare. He will run a stage immediately once a week, and oftener, as the post, or other circumstances, may hereafter require.

The petitioner states to the committee, that exclusive privileges for running stages have been granted in the United States upon terms quite as favourable as specified in this report.

All of which is respectfully submitted.

JOHN CLARK, *Chairman.*

Committee-Room, 18th January, 1826.

Agreeably to the order of the day, the bill for the relief of Matthew Leech was read the second time.

Mr. D. Jones, seconded by Mr. Rolph, moves that this house do now go into committee on the bill for the relief of Matthew Leech. Which was carried.

Mr. Beardsley was called to the chair.

The house resumed.

Mr. Beardsley reported the bill without amendment.

On the question for receiving the report the house divided, and the yeas and nays being taken were as follows:

YEAS—Messrs. Beardsley, Beasley, Burke, Cameron, Clark, Coleman, Crysler, Hamilton, Hornor, D. Jones, Lefferty, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, and Wilson—22.

NAYS—Messrs. Atkinson, Burnham, J. Jones, Lyons, McDonell, and Van Koughnet—6.

The question was carried in the affirmative by a majority of sixteen, and the report was received.

Mr. D. Jones, seconded by Mr. Thomson, moves that the bill for the relief of Matthew Leech, be engrossed and read a third time this day, and that the forty-first rule of this house, so far as regards the same, be dispensed with.

Which was ordered.

Agreeably to the order of the day, the house went into committee on Colonial trade.

Mr. Hornor in the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the honorable the Legislative Council the bill entitled "an act to continue and amend an act passed in the second year of the reign of George the Fourth, entitled 'an act for assigning limits to the respective gaols within this Province,' which they had passed without amendment, and retired.

The house went again into committee on the Colonial trade.

Mr. Hornor in the chair.

The house resumed.

Mr. Hornor reported that the committee had agreed to a series of resolutions which he was directed to submit for the adoption of the house.

The report was ordered to be received, and the resolutions were severally put and carried as follows:

Resolved—That it is the opinion of this house, that an humble address be presented to His Majesty, expressing the most grateful acknowledgements of the very liberal policy which has been established by the several acts of the Imperial Parliament recently passed for regulating the trade and navigation of the colonies.

Resolved—That it is the opinion of this house, that the recent relaxation in the British Corn Laws in favour of the British North American Colonies, although it is of very limited duration, and although the operation of the measure is confined to the admission of wheat only, demands nevertheless, our most grateful acknowledgements, as it manifests a disposition in the imperial government to encourage the agriculture of the colonies, so far as it may be done consistently with the domestic interests of the United Kingdom.

Resolved—That it is the opinion of this house, that it is extremely desirable for the effectual encouragement of the agriculture of this Province, that its flour should be admitted as well as wheat, the produce of this country into the ports of the United Kingdom, not only on account of the greater facility and diminished cost and risque of transport, but also, because such produce, when manufactured into flour and sent in that state to Quebec, is in a condition to be forwarded to the West Indies, and other markets, to which wheat cannot be sent by reason of the climate, and it would thus be in the power of the exporter to avail himself of the most profitable market which the circumstances of the moment might present.

Resolved—That it is the opinion of this house, that to ensure a sufficient protection and encouragement to the growth and manufacture of tobacco in this Province, a greater abatement is required from the import duty payable in the United Kingdom, than that which was formerly prayed for by the legislature of this Province, and which has been graciously conceded by the Imperial Parliament, and that it is desirable to intercede for a further remission of six pence per pound of the duties payable upon tobacco the growth of this Province.

Resolved—That it would tend much to the prosperity and convenience of the people of this Province, if the following articles could be admitted to be imported from the United States of America, free of duty, to wit: ashes, raw hides, tallow, plants, shrubs, and trees alive, garden and other seeds, gypsum, printing paper, and the travelling carriages of persons coming into, or passing through this Province.

On the sixth resolution, the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Beasley, Burnham, Burke, Clark, Coleman, Crysler, Gordon, Fothergill, Hamilton, Hornor, J. Jones, Matthews, McBride, McCall, Playter, Randal, Rolph, Scollick, Thompson, Van Koughnet, Walsh, Wilkinson, and Wilson—24.

NAYS—Messrs. Lefferty, and Perry—3.

The question was carried in the affirmative by a majority of twenty-one, and it was Resolved—That it is the opinion of this house that it is highly important to the revenue of this Province, and necessary for the encouragement of its native productions, that salt imported from the United States of America should continue to be subject to duty, as it has always hitherto been, and that to that end, a duty should be imposed, of six pence per bushel, by act of the Imperial Parliament; or, that the legislature of this Province should be permitted to make such regulations in respect thereof, from time to time, as may appear expedient.

The following resolutions were then put and carried:

Resolved—That it is the opinion of this house that it would also tend to the prosperity of this Province, if the legislature thereof were permitted to impose such duties as they might deem expedient, upon fresh fruit and vegetables; or, if that were thought inexpedient, that those articles should be subjected to the general ad valorem duty.

Resolved—That it is very desirable, on account of the interruption of direct intercourse with England, during a great part of the

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year, that we should be permitted to import from the United States, on payment of a moderate duty, such periodical works, originally published in England, as may be re-printed in the United States.

On the ninth resolution being put, the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Beardsley, Beasley, Clark, Coleman, Fothergill, Hamilton, Hornor, Leflerty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson and Wilson—20.

NAYS—Messrs. Attorney General, Atkinson, Burnham, Burke, Crysler, Gordon, J. Jones, McDonell, Scollick, Vad Koughnet, and Walsh—11.

The question was carried in the affirmative by a majority of nine, and it was Resolved—That it is expedient to allow all English works re-published in America to be imported into this Province from America, on payment of 15 per cent. duty.

The following resolutions were then put and carried :

Resolved—That by the construction given in Lower Canada to the British trade acts, the duties upon articles imported from the United States of America, which have been entered in this Province, and upon which duties have been paid here, are exacted in Lower Canada, in the same manner as if they had been directly imported into that Province, without regard to the previous entry of such articles, and to the payment of duties thereon in this Province; and that in the opinion of this house such a construction is not warranted, and is injurious to the fair interests of this Province by giving to Lower Canada the whole advantage of a foreign Trade in articles not consumed there, but entered merely to pass through that colony in their way to transatlantic markets.

Resolved—That it is the opinion of this house, that an address be presented to his Excellency the Lieutenant Governor, praying his Excellency to intercede with His Majesty's government upon the several matters embraced in the foregoing resolutions, (the two first excepted.)

Mr. Attorney General, seconded by Mr. Scollick, moves that the resolutions be communicated to the honorable the Legislative Council, and with a request that they will be pleased to concur therein.

Which was carried, and Messrs. J. Jones, and Van Koughnet were ordered by the Speaker to carry up the same to the honorable the Legislative Council, and to request their concurrence thereto.

Mr. Hamilton, from the free conference with the Honorable the Legislative Council, on the subject matter of the bill entitled "an act to provide for the erection of the County of Prince Edward into a separate District," reported as follows :

To the Honorable the Commons House of Assembly.

Your committee appointed to confer with a committee of the honorable the Legislative Council, on the subject matter of a bill entitled "an act to provide for the erection of the County of Prince Edward into a separate District," met the conferees of that honorable house at the time appointed, and were told by them, that in the opinion of the Legislative Council more money will be allowed for schools in the townships of the said District than its proportion; that the new District contemplated by the bill ought to sustain a proportionate part of the old debt of the District of which it formerly was a part: and that in the clause authorising the Lieutenant Governor to declare the County of Prince Edward a separate District, it should state that the Governor, &c. &c. should declare this by and with the advice of His Majesty's Executive Council, in this Province.

GEORGE HAMILTON, *Chairman.*

Joint Committee Room, 18th January, 1826.

Mr. Hamilton, from the joint committee of conference on the subject of the amendments made by this house to the bill sent down from the honorable the Legislative Council, entitled "an act to confirm and quiet in the possession of their estates and to admit to the civil rights of subjects, certain classes of persons therein mentioned," and on the subject matter of the bill entitled "an act to secure to certain inhabitants of this Province, rights and privileges as British subjects," reported as follows :

To the honorable the Commons House of Assembly.

The committee appointed to meet the conferees on the part of the honorable Legislative Council, and to confer upon the subject matter of the amendments made by your honorable house in and to the bill sent down from the honorable the Legislative Council, entitled "an act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," and also, upon the subject matter of the bill entitled "an act to secure to certain inhabitants of this Province, rights and privileges as British subjects," met at the time appointed, and were handed by them the subjoined resolutions, and informed that the honorable Legislative Council request a free conference with your honorable house on the subject.

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Resolved—That the Legislative Council by their bill passed on the 28th day of November last, and sent down for the concurrence of House of Assembly, evinced their intentions to confer, without reserve, the rights, privileges, and immunities of British subjects upon all persons now resident in this Province, who have been formerly citizens of the United States, and have never been naturalised by any act of the British Parliament; and likewise, upon persons who have come from other foreign countries, and upon the reduced officers and discharged soldiers of foreign corps late in His Majesty's service.

Resolved—That the bill was intended by this house to carry into complete effect the gracious intentions of His Majesty, as communicated to this house by his Excellency the Lieutenant Governor, in his messages of the 15th and 22d of November, and if passed into a law, would, it is still conceived, have completely secured those different descriptions of persons in all the rights, privileges, and immunities of British subjects and forever prevented them from being exposed to the inconvenience of having them called in question.

Resolved—That the amendments sent up by the Commons House of Assembly to the said bill, are, in the opinion of this house, at variance with the laws and established policy of Great Britain, as well as of the United States, and therefore, if passed into a law by this legislature, would afford no relief to many of those persons, who were born in the United States, and who have come into and settled in this Province.

Resolved—That this house, still anxious to carry into effect the messages of his Excellency of the 15th and 22d of November, is willing to concur with the Commons House of Assembly in such enactments as may accomplish that desirable object.

Mr. Rolph, seconded by Mr. Playter, moves that the report of the committee of conference with the honorable the Legislative Council, on the subject matter of the amendments to the bill entitled "an act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," sent down from that honorable house, and the bill entitled "an act to secure to certain inhabitants of this Province, rights and privileges as British subjects," be referred to the committee on the state of the Province to-morrow.

Which was ordered.

Agreeably to the order of the day, the London District Gaol and Court-House bill was read the second time.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Attorney General, seconded by Mr. Matthews, moves that the house do now resolve itself into a committee of the whole on the London District Gaol and Court-house bill.

Which was carried and Mr. Cameron was called to the chair.

The House resumed.

Mr. Cameron reported the bill as amended.

On the question for receiving the report, the House divided and the yeas and nays being taken were as follows:

YEAS—Messrs. Attorney General, Cameron, Clark, Crysler, Fothergill, Gordon, D. Jones, J. Jones, Leftery, Matthews, McBride, McDonell, Perry, Rolph, Thompson, Thomson, Van Koughnet, and Wilkinson—18.

NAYS—Messrs. Hamilton, Hornor, McCall, Randal, Scollick and Walsh—6.

The question was carried in the affirmative by a majority of twelve, and the report was received accordingly.

Mr. Attorney General, seconded by Mr. Matthews, moves that the London District Gaol and Court-house bill be engrossed and read a third time to-morrow, and that the 41st rule of this house be dispensed with, so far as relates to the said bill.

In amendment, Mr. Walsh, seconded by Mr. McCall, moves that after the word "moves" in the original motion, the remainder be expunged, and the following inserted: "That the bill to establish the District Town at the forks of the River Thames, in the London District, be referred to a select committee, to be composed of Messrs. Rolph, Matthews, Hornor, and McCall, for the purpose of providing in the bill for the erecting of the County of Middlesex into a separate District."

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Hornor, McCall, Perry, Randal, Scollick, and Walsh—5.

NAYS—Messrs. Attorney General, Cameron, Clark, Crysler, Fothergill, Gordon, Hamilton, J. Jones, Leftery, Matthews, McBride, McDonell, Rolph, Thompson, Thomson, Van Koughnet, and Wilkinson—17.

The question was decided in the negative, by a majority of eleven, and lost accordingly.

In amendment, Mr. Walsh, seconded by Mr. Scollick, moves that after the word "moves," in the original motion, the remaining words be expunged, and the following inserted: "That the bill to establish the District Town at the forks of the River Thames, in the District of London, be referred to a select committee, to be composed of Messrs. Rolph, Matthews, Hornor, and McCall, for the purpose of providing in the said bill for holding and assembling the District Courts, and Courts of General Quarter Sessions of the Peace for the said District alternately in the Counties of Norfolk, Oxford, and Middlesex.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Hornor, McCall, Randal, Scollick, and Walsh—6.

NAYS—Messrs. Attorney General, Cameron, Clark, Crysler, Fothergill, Gordon, Hamilton, J. Jones, Leftery, Matthews, McBride, McDonell, Perry, Rolph, Thomson, Thompson, Van Koughnet, and Wilkinson—18.

The question was decided in the negative by a majority of thirteen, and lost accordingly.

The original question was put, carried, and ordered.

The second reading of the London District loan bill was called.

PRESENT—Messrs. Attorney General, Cameron, Clark, Crysler, Gordon, Hamilton, J. Jones, Leftery, Matthews, McBride, McCall, McDonell, Randal, Rolph, Scollick, Thompson, Thomson, Van Koughnet, Walsh, and Wilkinson—20.

At seven o'clock, p. m. the Speaker, declared the house adjourned for want of a quorum.

Friday, 20th January, 1826.

Agreeably to the order of the day, Leech's relief bill was read the third time.

Mr. D. Jones, seconded by Mr. Thompson, moves that the bill do now pass, and that it be entitled "an act for the relief of Matthew Leech."

Which was carried, and the bill signed.

Messrs. D. Jones, and Thompson, were ordered by the Speaker to carry up the same to the honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the London District Gaol and Court-house bill was read the third time.

Mr. Attorney General, seconded by Mr. Matthews, moves that the bill do now pass, and that the title thereof be "an act to establish the District Town of the District of London in a more central position than at present, and to annex the Townships of Walpole and Rainham to the County of Haldiman in the District of Niagara."

In amendment, Mr. Rolph, seconded by Mr. McCall, moves that all be expunged after the word "moves," and the following inserted:—"that the bill be now re-committed."

Which was lost.

On the original question, the house divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Attorney General, Burnham, Bidwell, Cameron, Clark, Coleman, Fothergill, Gordon, C. Jones, D. Jones, J. Jones, Leftery, Lyons, Matthews, McBride, Rolph, Thompson, Thomson, Van Koughnet, Wilkinson and Wilson—22.

NAYS—Messrs. Baby, Beardsley, Burke, Hamilton, Hornor, Playter, Randal, Scollick, McCall, and Walsh—10.

The question was carried in the affirmative by a majority of twelve, and the bill was signed and sent up to the honorable the Legislative Council, by Messrs. Attorney General and Matthews, for their concurrence.

Agreeably to the order of the day, the London District loan bill was read the second time.

Mr. Attorney General, seconded by Mr. Matthews, moves that the house do now resolve itself into a committee of the whole, to take into consideration the London District Gaol and Court-house bill.

In amendment, Mr. Walsh, seconded by Mr. McCall, moves that the London District Gaol and Court-house bill be referred to a select committee, for the purpose of providing in the bill that a proportion of the expenses for erecting a gaol and court-house in the London District, be borne by the Provincial Treasury.

Which was lost.

The original question was then put and carried.

Mr. C. Jones was called to the chair.

The House resumed.

Mr. C. Jones reported the bill as amended.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. Cameron, moves that the London District Gaol and Court-house bill be engrossed and read a third time this day, and that the 41st rule of this house be dispensed with, so far as relates to the said bill.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Bidwell, Burnham, Burke, Clark, Coleman, Crysler, Gordon, Hamilton, C. Jones, J. Jones, Leftery, Lyons, Matthews, McBride, Rolph, Thomson, Wilkinson, and Wilson—19.

Sir P. Maitland, K. C. B. Lieut. Governor.

NAYS—Messrs. Baby, Beardsley, Hornor, McCall, Perry, Playter, Randal, Scollick, and Walsh—9.

The question was carried in the affirmative by a majority of ten, and ordered accordingly.

Agreeably to notice, Mr. Wilson, seconded by Mr. Fothergill, moves for leave to bring in a bill for the division of the Midland District.

Which was granted and the bill read.

Mr. Wilson, seconded by Mr. Fothergill, moves that the bill for the division of the Midland District be read a second time this day, and that the 11st rule of this house be dispensed with, so far as relates to said bill.

Which was carried, and the bill was read the second time.

Mr. Wilson, seconded by Mr. Fothergill, moves that this house do now resolve itself into a committee of the whole on the Midland District Division bill.

Which was carried, and Mr. Wilkinson was called to the chair.

The house resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the honorable the Legislative Council the bill entitled "an act for the relief of Leonard Soper," and the bill entitled "an act to grant a further sum of money for the completion of the monument to the memory of the late Major General Sir Isaac Brock," both of which that honorable house had passed without amendment.

The house went again into committee on the Midland District division bill.

Mr. Wilkinson in the chair.

The house resumed.

Mr. Wilkinson reported the bill as amended.

The report was ordered to be received.

Mr. Wilson, seconded by Mr. Fothergill, moves that the bill for the division of the Midland District, be engrossed and read the third time this day.

Which was ordered.

Agreeably to the order of the day, the house went into committee of supply.

Mr. Van Koughnet was called to the chair.

The house resumed.

Mr. Van Koughnet reported progress, and obtained leave to sit again to-morrow.

Mr. Thomson gives notice that he will, on to-morrow, move that the contingent accounts of the present session be laid upon the table on Monday next.

The house adjourned.

Saturday, 21st January, 1826.

Agreeably to the order of the day, the London District loan bill was read a third time.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the bill do now pass, and that the title thereof be "an act to provide for the erection of a gaol and court-house in the District of London, and to authorise the imposing an additional rate for that purpose."

In amendment. Mr. Walsh, seconded by Mr. McCall, moves that after the word "moves," in the original motion, the remainder be expunged, and the following inserted, "that the London District loan bill be now re-committed,"

On which the House divided and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beardsley, Bidwell, Hamilton, Lyons, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thomson, Walsh, and Wilson—15.

NAYS—Messrs. Attorney General, Burnham, Burke, Clark, Cameron, Crysler, Fothergill, Gordon, C. Jones, D. Jones, J. Jones, Lefferty, Matthews, Van Koughnet, McDonell, and Wilkinson—16.

The question was decided in the negative by a majority of one, and lost accordingly.

On the original question the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Burnham, Burke, Cameron, Clark, Crysler, Fothergill, Gordon, C. Jones, D. Jones, J. Jones, Lefferty, Lyons, Matthews, McBride, McDonell, Rolph, Thomson, Van Koughnet, Wilkinson, and Wilson—21.

NAYS—Messrs. Baby, Bidwell, Hamilton, McCall, Perry, Playter, Randal, Scollick, and Walsh—9.

The Question was carried in the affirmative by a majority of twelve, and the bill was signed.

Messrs. Gordon and Matthews, were ordered by the Speaker to carry up the bill to the honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Midland District division bill was read the third time.

Mr. Fothergill, seconded by Mr. Matthews, moves that the bill do now pass, and that it be entitled "an act to divide the Midland District, and erect the County of Prince Edward into a separate District."

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beardsley, Bidwell, Burnham, Clark, Crysler, Fothergill, Hamilton, Hornor, D. Jones, Lefferty, Lyons, Matthews, McBride, Perry, Playter, Randal, Rolph, Scollick, Thomson, Wilkinson, and Wilson—22.

NAYS—Messrs. Burke, Cameron, Coleman, Gordon, and Van Koughnet—5.

The question was carried in the affirmative by a majority of seventeen, and the bill was signed, and sent up to the honorable the Legislative Council, by Messrs. Fothergill and Wilson for their concurrence thereto.

Mr. Bidwell, seconded by Mr. J. Jones, moves that Mr. J. Jones of Grenville and himself, have leave of absence the remainder of the session.

Which was granted.

Mr. Attorney General, from the committee to whom was referred the subject of future accommodations for the Legislature reported as follows:

The select committee appointed to enquire into and report upon the proper measures to be adopted for providing accommodation for the sitting of the Legislature, have considered the matter referred to them, and agreed to the following report:

The committee are of opinion, that it would not be advisable to attempt repairing the parliament house, which has been destroyed by fire, not only because they are convinced that it would be injudicious to apply so considerable a sum of money as would be necessary in the attempt to repair a building of which the remaining walls might not be found to be of much value, but because they do not think the situation so eligible as one which they hope may be procured in the western section of the town.

It appears to your committee, if the plot of ground called Simcoe-Place could be appropriated entirely to public buildings, that either the eastern or western side of it would present a very desirable site for the buildings required for the use of the Legislature; that a loan should be authorised of a sum sufficient to erect buildings of stone or brick, on a scale that will be permanently adequate for the purpose intended, and that commissioners should be appointed for the purpose of contracting for and superintending the building.

2d Session, 9th Parliament, 5th Geo: IV.

The committee also take the liberty of suggesting, that an address be presented to his Excellency the Lieutenant Governor expressing the thanks of this house for the accommodation afforded by the building at present occupied, desiring to know whether any objection exists to the erection of buildings for the use of the Legislature upon Simcoe-Place, as recommended, and expressing their hope that the Legislature may be allowed to occupy the house now used until the proposed buildings can be erected.
All of which is respectfully submitted.

JOHN B. ROBINSON, *Chairman.*

House of Assembly, Committee-Room, 19th January, 1826.

Mr. Attorney General, seconded by Mr. Playter, moves that it be resolved, that an address be presented to His Excellency the Lieutenant Governor, expressing the thanks of this house for the accommodation which has been provided for the use of the Legislature since the destruction of the parliament house by fire, requesting to be informed, whether a site can be obtained, for the erection of new buildings for the use of the Legislature, on the east or west side of Simcoe-Place, and praying that his Excellency will be pleased to suffer the Legislature, if possible, to occupy the present building until a proper one can be erected, for which steps will be taken without delay.

On which the house divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Attorney General, Bidwell, Burnham, Burke, Cameron, Clark, Coleman, Crysler, Fothergill, Gordon, C. Jones, D. Jones, J. Jones, Leflerty, Lyons, McBride, McDonell, Playter, Rolph, Scollick, Thomson, Van Koughnet, and Wilkinson—24.

NAYS—Messrs. Baby, Beardsley, Hamilton, Hornor, Matthews, McCall, Perry, Randal, and Wilson—9.

The question was carried in the affirmative by a majority of fifteen, and ordered accordingly.

Mr. Attorney General, seconded by Mr. Playter, moves that the report of the select committee respecting the providing buildings for the use of the Legislature, be referred to the committee of supply.

Which was carried.

Mr. Attorney General, seconded by Mr. Playter, moves that Messrs. Gordon and C. Jones be a committee to prepare an address in pursuance to the order of the house respecting the accommodation for the Provincial Legislature.

Which was ordered.

Mr. Leflerty, from the committee to whom was referred the bill for regulating the construction of mill-dams on the rivers Humber and Credit, reported a bill with minutes of evidence taken by the committee as follows :

MILL-DAMS.

Wednesday, January 4th, 1826.

At one o'clock, the committee met.

The Attorney General in the chair.

TIMOTHY STREET called in and examined.

Where do you reside, and what occupation do you follow?

In Toronto, where I own a grist-mill, saw-mill, and other machinery, on the River Credit.

How do you obtain your supply of water from the river?

By damming up the stream diagonally, the height of the upper part of the dam being from fifteen to eighteen inches, which throws the water into a raceway of sixteen rods or more, and gives a sufficient fall for an undershot wheel.

Does not your dam interfere with the passage of craft down the river, or obstruct the passage of salmon?

The Credit is not used there for purposes of navigation, except for floating staves down, which the dam does not obstruct but rather facilitates it. The salmon do not appear to be prevented by it from ascending the stream. My dam has been erected for four or five years.—Salmon were much more plenty for the first two or three years; for two years past there have been but few.

To what do you attribute the salmon being less numerous latterly?

To the greater number of fishermen near the mouth of the creek, and to seines being used there; it is almost impossible for the salmon to escape.

Can you not have a mill or mills in your present situation without running a dam across?

I think not such a one as would run at all seasons; a long race would fill up with ice in winter.

Are there no smaller streams in the vicinity of your mills upon which mills could be erected without being any injury to the inhabitants?

I know of no such streams in my neighbourhood, on which it would be worth while to build a mill.

Are there dams above yours on the River Credit?

There is Row's, a mile above; Mr. Beattie's, two miles above; Densmore's, four or five miles; Walker's, six miles; M'Nabb's, ten or twelve miles, and several where the creek branches. The salmon used to go up as high as the falls, thirty miles above my mills.

What dams are there below yours?

One Comfort is building a mill below and Mr. Racey has one lower down. The dams for both will run across the river.

GARRY CAMP called in and examined.

Where do you reside?

In Toronto, near the River Credit. I have built Mr. Racey's mills, and Mr. M'Nabb's, on the Credit.

Have you finished the dams for those mills?

I did not build them: they are not quite complete. Mills cannot be built in all parts of the river without damming across the stream; in some they can, as I have heard; but I do not know any such place, except at Mr. Racey's, where a raceway might be cut from the head of the pond.

Do you not think that such obstruction as the dams occasion, will have the effect of making salmon forsake a stream, although they may be able to surmount it?

I do not know much of the nature of salmon; I have seen them go over the dam at Mr. Street's mills. I think an inclined plane of one foot rise to four, would admit of an easy ascent for fish.

ISRAEL RANSOM called in and examined.

Where do you reside?

In Toronto, near Mr. Street's mills.

Do you think mills could be erected in that place with a dam that would occasion less obstruction?

Not to do sufficient business in the summer season.

Do you know no other situation, either on the river or any other stream in the neighbourhood, where mills could be erected that would answer all the purposes of the country, without occasioning any inconvenience to the inhabitants?

I do not.

Sir P. Maitland, K. C. B. Lieut. Governor.

Is Mr. Street's dam generally complained of in the country?

It is not; some few complain of it.

Do you not think that the mills on the Credit have had the effect of rendering fish less plenty?

I think they have had that effect.

Do you not think that the fish would be gradually brought to forsake a stream, by finding a dam across it although there might be a place at which they could ascend?

I think if people were prevented by law from taking them at the foot of the dam, they would not desert the stream. The inclined plane, I think, should not be less than sixteen feet wide, and that a rise of one foot in four will be sufficiently gradual.

Is the Credit a river likely to be made use of for the purposes of navigation?

I think decidedly not; it never could be done without immense expense and many locks. As the stream now is, I should have no idea of making use of it to transport produce down, at any season. I send much potash and other articles to market by land, and if there were no dams in the River, I should do the same.

Mr. WILLIAM P. PATRICK called in and examined.

Do you own lands near the River Credit?

Yes, I have lands on both sides.

Have you been frequently there?

I have; my land is in the township of Toronto, about three miles above Street's mills.

Can you venture to say what is the prevailing opinion of the inhabitants there respecting the mill-dams on the Credit?

I can. In the first place the people complained much of Street's mills, because the dam was a complete obstacle to the fish passing, having bushes on the top of it; it also presented obstacles to the staves passing. I am convinced that the people generally would desire to have the mills continue, and would not object to the river being dammed across provided the dams were so made as to admit the descent of staves and the ascent of fish.

The bill was then read the first time.

Mr. Lefferty, seconded by Mr. McBride, moves that the bill for the better construction of mill-dams over the Rivers Credit and Humber, be read a second time this day, and that the forty-first rule be dispensed with, so far as relates to the same.

Which was lost under the forty-second rule.

Agreeably to the order of the day, the house went into committee of supply.

Mr. Van Koughnet in the chair.

The house resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council, the bill entitled "an act to make provision for a survey of the first, second, and third concessions of Fredericksburgh Original, and the whole of Fredericksburgh Additional," the bill entitled "an act to incorporate certain persons therein mentioned, under the style and title of 'the Desjardins' Canal Company,'" and the bill entitled "an act to authorise and establish a re-survey of the front of the thirteenth concession of the township of Townsend," all of which that honorable house had passed without amendment, and retired.

The house went again into committee on supply.

Mr. Van Koughnet in the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the honorable the Legislative Council, a message, and having retired, the Speaker read the same as follows:

MR. SPEAKER.

The honorable the Legislative Council, request a conference with the Commons House of Assembly, on the subject matter of the resolutions sent up from that house on the 20th instant, respecting the Colonial Trade, 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, on Monday next, at eleven o'clock, A. M.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 21st January, 1826.

Mr. J. Jones, seconded by Mr. Perry, moves that the conference requested by the honorable the Legislative Council, be acceded to, and that Messrs. Attorney General, C. Jones, Gordon, and Scollick, compose the committee of conference on the part of this house.

Which was carried, and Messrs. Clark, and Lefferty were ordered by the Speaker to carry up to the honourable the Legislative Council, a message, informing them of the same.

The house went again into committee on supply.

Mr. VanKoughnet in the chair.

The House resumed.

Mr. Van Koughnet reported progress, and obtained leave to sit again on Monday.

Mr. Gordon, from the committee to draft an address to his Excellency the Lieutenant Governor, on the subject of the future accommodation of the Legislature, reported a draft, which was received and read the first time.

Mr. Attorney General, seconded by Mr. Scollick, moves that the address be read a second time on Monday next.

Which was ordered.

Agreeably to notice, Mr. Thomson, seconded by Mr. Atkinson, moves that the contingent accounts of the present session be laid on the table on Monday next.

Which was ordered.

The house then adjourned till ten o'clock, A. M. on Monday next.

Monday, 23d January, 1826.

Mr. Matthews, seconded by Mr. Wilkinson, moves for leave to bring up the petition of John Carey.

Which was granted, and the petition brought up.

Mr. Matthews, seconded by Mr. Wilkinson, moves that the petition of John Carey be read a first time this day, dispensing with the 43d rule of this house.

Which was carried, and the petition of John Carey, praying for remuneration, was read.

Mr. Matthews, seconded by Mr. Wilkinson, moves that the petition of John Carey be referred to a select committee consisting of Messrs. Hornor and Walsh.

Which was ordered.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Thomson, seconded by Mr. Atkinson, moves that a committee be appointed to examine and report upon the contingent accounts of the present session, and that Messrs. Lafferty, Scollick, D. Jones, and Wilkinson, do compose the same.

Which was ordered.

Mr. Coleman, seconded by Mr. Jones, moves that it be resolved, that the forty-first rule of this house be suspended.

In amendment, Mr. Bidwell, seconded by Mr. Playter, moves that after the word "moves," all be expunged, and the following words be inserted:—"that the forty-second rule of this house, and so much of the forty-first as requires the consent of twenty-three members for its suspension, be rescinded.

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Bidwell, Hamilton, Lyons, Perry, Playter, Rolph, Thomson, and Wilkinson—9.

NAYS—Messrs. Baby, Beardsley, Burnham, Burke, Cameron, Clark, Coleman, Crysler, Gordon, Hornor, C. Jones, J. Jones, Lafferty, McBride, McCall, McDonell, Randal, Scollick, Thompson, Van Koughnet, and Wilson—21.

The question was decided in the negative, by a majority of twelve, and lost accordingly.

On the original question the house divided, and the yeas and nays being taken were as follows:

YEAS—Messrs. Atkinson, Burke, Cameron, Coleman, Crysler, Gordon, J. Jones, McDonell, and Van Koughnet—9.

NAYS—Messrs. Baby, Beardsley, Bidwell, Burnham, Clark, Hamilton, Hornor, C. Jones, Lafferty, Lyons, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, Thomson, Wilkinson, and Wilson—21.

The question was decided in the negative by a majority of twelve, and lost accordingly.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of the future accommodation of the Legislature, was read the second time.

Mr. Gordon, seconded by Mr. C. Jones, moves that the address to His Excellency the Lieutenant Governor, relative to providing accommodations for the future sittings of the Legislature, be concurred in.

Which was ordered.

Mr. Gordon, seconded by Mr. Clark, moves that the address to His Excellency the Lieutenant Governor be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day, the house went into committee of supply.

Mr. Van Koughnet in the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council, the bill entitled "an act for the relief of James Edwards," which they had passed without amendment, and the bill entitled "an act to provide for the building a gaol and court-house in the District of Gore, and to authorise the magistrates to loan a sum of money for that purpose," to which the honorable the Legislative Council had made some amendments, and to which he was instructed to request the concurrence of this house, and retired.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of future accommodation for the Legislature, was read the third time, passed, and signed, and is as follows:

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

MAY IT PLEASE YOUR EXCELLENCY,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to express our grateful thanks to your Excellency for the accommodation which has been provided for the use of the Legislature since the destruction of the Parliament house by fire, and to request that your Excellency will be pleased to inform us whether a site can be obtained for the erection of new buildings, for the use of the Legislature, on the east or west side of Simcoe-Place.

We humbly pray, that your Excellency will be pleased to suffer the Legislature, if possible, to occupy the present building until a proper one can be erected, for which steps will be taken without delay.

JOHN WILLSON, *Speaker.*

Commons House of Assembly, 23d January, 1826.

Mr. Gordon, seconded by Mr. Clark, moves that Messrs. D. Jones and Scollick be a committee to wait on His Excellency the Lieutenant Governor, with the address of this house, on the subject of providing future accommodation for the Legislature, and to present the same.

Which was ordered.

The Speaker left the chair.

The chairman resumed the chair.

The house resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the honorable the Legislative Council, a message, and having retired, the Speaker read the same as follows:

MR. SPEAKER.

The honorable the Legislative Council have concurred in the resolutions on the subject of the Colonial Trade, sent up on the 20th instant, for their adoption, and have appointed a committee of two members who will be ready to meet a committee of the Commons House of Assembly in the joint committee-room, at 2 o'clock, P. M. to-morrow, for the purpose of preparing a joint address to His Excellency the Lieutenant Governor, pursuant to the last resolution.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 23d January, 1826.

Mr. J. Jones, seconded by Mr. Coleman, moves that Messrs. Attorney General, D. Jones, Gordon, and Scollick, be a committee to prepare with the committee of the honorable the Legislative Council, a joint address on the Colonial Trade.

Which was ordered.

The house went again into committee of supply.

Mr. Van Koughnet in the chair.

The house resumed.

Sir P. Maitland, K. C. B. Lieut. Governor.

Mr. Vankoughnet reported that the Committee had agreed to a series of resolutions, which he was desired to submit for the adoption of the House, and asked leave to sit again to-morrow.

The Report was ordered to be received, and leave was granted accordingly.

The following resolutions were then severally put and carried.

Resolved, that it is the opinion of this House, that a supply be granted to His Majesty, to enable His Majesty to provide for the following Services, for the year 1825, viz:—

For the Administration of Justice,	£1800	0	0
— Government Office,	1250	0	0
— Receiver General's Office,	500	0	0
— Surveyor General's Office,	1200	0	0
— Executive Council Office,	700	0	0
— Register's and Secretary's Office,	350	0	0
— Inspector General's Office,	420	0	0
— Government Printer,	300	0	0
— Printing the Laws,	30	0	0
— Repairs &c. of the Government House,	200	0	0
— Casual and other expenses,	250	0	0
	<u>£7000</u>	<u>0</u>	<u>0</u>

Resolved, that it appears to this House that after deducting the probable amount of the Crown Revenue, for the last year, the sum of three thousand nine hundred and seventy three pounds, fourteen shillings and tenpence half-penny, will be required to be appropriated by act of the Legislature, to complete the Civil Service of the year 1825.

Resolved, that it is the opinion of this House, that a supply be granted to His Majesty to enable His Majesty to provide for the following Services for the year 1826, viz:—

For the Administration of Justice,	£1800	0	0
— Government Office,	1200	0	0
— Receiver General's Office,	500	0	0
— Surveyor General's Office,	1400	0	0
— Executive Council Office,	650	0	0
— Secretary and Register's Office,	400	0	0
— Inspector General's Office,	420	0	0
— Government Printer,	200	0	0
— Printing the Laws,	200	0	0
— Casual and other expenses,	500	0	0
	<u>£7270</u>	<u>0</u>	<u>0</u>

Resolved, that it appears to this House that after deducting the probable amount of the Crown Revenue, for the present year, the sum of £3870, will be required to be appropriated for the Service of the present year by Act of the Legislature.

On the fifth resolution, the House divided, and the yeas and nays being taken, were as follows.

Yeas, Messrs. Atkinson, Attorney General, Beardsley, Burnham, Clark, Coleman, Gordon, Hamilton, Hornor, C. Jones, J. Jones, Lefferty, Lyons, McBride, Perry, Playter, Randal, Scollick, Thompson, Thomson and Walsh—21.

Nays, Messrs. Crysler, McCall, and Van Koughnet—3.

The question was carried in the affirmative by a Majority of eighteen, and it was resolved, that the sum of twelve hundred pounds be granted to His Majesty for the purpose of being applied to the repair of Highways, and Bridges.

The following resolutions were then put and carried.

Resolved, that the exertions of a number of individuals, who have associated themselves together as a society, by the name of "The Society for improving the public Road, in a part of the Township of Ernest Town and Kingston," are such as deserve public encouragement and Legislative aid.

Resolved, that the sum of one hundred pounds be granted to the said Society, to be by them applied and expended, in improving the public road through the Townships aforesaid.

Resolved, that it is the undoubted right of the House of Assembly, as expressing the voice of the people, to interfere in the expenditure of the Civil List Revenues, and of every other branch of the Public Revenue, whenever it shall appear expedient to the wisdom of this House so to do.

The ninth resolution was then read as follows:—

Resolved, that the charge of £400 to the Speaker of the Legislative Council, and the charge of £500 to the late Receiver General of this province, and all appropriations under the 56th Geo. 3d. Chap. 26, without the consent of the Parliament of this Province, is unconstitutional, and ought not to be admitted.

On which the House divided, and the yeas and nays being taken, were as follows:—

Yeas, Messrs. Beardsley, Hamilton, Lefferty, Lyons, McBride, Perry, Playter, Randal, Thompson, and Thomson. 10.

Nays, Messrs. Atkinson, Attorney General, Burnham, Clark, Coleman, Crysler, Gordon, Hornor, C. Jones, J. Jones, McCall, Scollick, Van Koughnet, and Walsh—14.

The Question was decided in the negative, by a majority of four, and lost accordingly.

The tenth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:—

YEAS, Messrs. Atkinson, Clark, Coleman, Hamilton, Lyons, McBride, Perry, Playter, Randal, Thompson, Thomson and Walsh—12.

NAYS, Messrs. Attorney General, Beardsley, Burnham, Crysler, Gordon, C. Jones, J. Jones, Lefferty, McCall, Scollick, and Van Koughnet—11.

The question was carried in the affirmative, by a majority of one, and it was resolved, that the pensions paid out of the 56th Geo. 3d. are contrary to the intent and meaning of the said act, but from their long continuance this House declines, for the present Session, withholding the same.

The following resolution was then put and carried.

Resolved, that there be granted to His Majesty, a sum not exceeding £450, to be applied in aid of building a bridge over the 12 mile creek, in the Township of Nelson, in the District of Gore, and reducing the hill on the North side thereof.

On the twelfth resolution the House divided, and the yeas and nays being taken, were as follows:—

2d Session, 9th Parliament, 5th Geo: IV.

YEAS, Messrs. Atkinson, Attorney General, Beardsley, Burnham, Clark, Gordon, Hamilton, C. Jones, J. Jones, Lafferty, McBride, Perry, Playter, Randall, Scollick, Thompson, Thomson, Van Koughnett, and Walsh—19.

NAYS, Messrs. Coleman, Crysler, Lyons and McCall—4.

The question was carried in the affirmative, by a majority of fifteen, and it was resolved, that the sum of three hundred pounds be granted in aid of a subscription, raised by the inhabitants of the County of Kent, for erecting a bridge over the River Thames, between Lots No. 3, in the Township of Camden, and 3 in the Township of Howard in the said County.

On the thirteenth resolution being put the House divided, and the yeas and nays being taken, were as follows:—

YEAS, Messrs. Atkinson, Attorney General, Beardsley, Burnham, Clark, Gordon, Hamilton, C. Jones, J. Jones, Lafferty, McBride, Perry, Playter, Randall, Scollick, Thompson, Thomson and Van Koughnett—18.

NAYS, Messrs. Coleman, Crysler, Lyons, McCall, and Walsh—5.

The question was carried in the affirmative by a majority of thirteen, and it was resolved, that the sum of one hundred pounds be granted to His Majesty, to be applied in aid of building a bridge over the Rideau River, at the foot of the Rapid commonly called Daniel Merri's rapid, from Lot No. 25 in the 1st concession, of the Township of Marlborough, to Lot No. 5 in the 1st concession of Oxford, in the District of Johnstown.

On the fourteenth resolution being put, the House divided and the yeas and nays being taken, were as follows:—

YEAS, Messrs. Atkinson, Attorney General, Beardsley, Burnham, Clark, Gordon, Hamilton, C. Jones, J. Jones, Lafferty, McBride, Perry, Playter, Randall, Scollick, Thomson, and Van Koughnett—17.

NAYS, Messrs. Coleman, Crysler, Lyons, McCall, Thompson, and Walsh—6.

The question was carried in the affirmative, by a majority of 11, and it was resolved, that the sum of one hundred pounds be granted to His Majesty, in aid to improve the road between William Tolmans, in Kitley, to Perth in the Bathurst District, and to improve the roads in the Township of Burgess, and the Townships of North and South Crosby, in the Johnstown District.

The fifteenth resolution was then put and carried as follows:—

Resolved, that it is the opinion of this House, that it is expedient that the sum of one hundred and twenty-five pounds be granted to His Majesty, to be applied as a premium to be given to the first person or persons, who shall build a Mill and Machinery, for the purpose of making and manufacturing paper in this province, and carry the same into successful operation.

On the sixteenth resolution being put, the House divided, and the yeas and nays being taken, were as follows:

YEAS, Messrs. Atkinson, Attorney General, Beardsley, Burnham, Clark, Hamilton, C. Jones, J. Jones, Lafferty, McBride, Perry, Playter, Randall, Scollick, Thompson, Thomson, and Van Koughnett, 17.

NAYS, Messrs. Coleman, Crysler, Lyons, McCall, and Walsh, 5.

The question was carried in the affirmative, by a majority of 12, and it was resolved, that the sum of fifty pounds be granted to His Majesty, to be expended for the purpose of making a Road from Portland to the western part of Loughborough, and the Road leading from thence to the Village of Waterloo, in the Midland District.

On the seventeenth resolution being put, the House divided, and the yeas and nays being taken, were as follows:

YEAS, Messrs. Atkinson, Attorney General, Beardsley, Burnham, Clark, Gordon, Hamilton, C. Jones, J. Jones, Lafferty, McBride, Perry, Playter, Randall, Scollick, Thompson, Thomson, and Van Koughnett, 18.

NAYS, Messrs. Coleman, Crysler, Lyons, McCall, and Walsh, 5.

The question was carried in the affirmative, by a majority of thirteen; and it was resolved, that the sum of one hundred pounds be granted to His Majesty, to be laid out and expended on the Road leading through the County of Glengary to Hawkesbury, in the Ottawa District.

The following resolution was then put and carried.

Resolved, that in reference to the petition of Thomas Alex. Steward and others, praying for a grant of money in aid to build a Bridge over the Otanabee River, at the town plot in Monaghan, this House is of opinion that building of such a bridge is required, and if means are raised by the petitioners or others, to carry the object into effect, with a grant of money from the provincial funds, equal to one third of the whole sum required, such grant should be made.

Mr. J. Jones, seconded by Mr. Van Koughnett, moves that Messrs. Attorney General and Thomson, be a committee to draft bills pursuant to the resolutions of this House, reported by the committee of supply.

Which was ordered.

The House then adjourned.

Tuesday, 24th January, 1826.

Agreeably to the order of the day, the House went into committee on the state of the Province.

Mr. Crysler was called to the chair.

The House resumed.

Mr. Crysler reported that the committee had agreed to several resolutions, which he was requested to submit for the adoption of the House.

The report was ordered to be received.

The first resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Bidwell, Burnham, Clark, Fothergill, Hamilton, Hornor, C. Jones, D. Jones, Lafferty, Lyons, McBride, McCall, Perry, Playter, Randal, Rolph, Thomson, Wilkinson and Wilson—22.

NAYS—Messrs. Burke, Crysler and J. Jones—3.

The question was carried in the affirmative by a majority of nineteen, and it was Resolved, That this House would be most unwilling to believe that the honorable the Legislative Council, by their bill, passed on the 28th day of November last, and sent down for the concurrence of this House, did not intend to confer without reserve, the rights, privileges and immunities of British subjects, upon the several classes of persons therein described, according to the gracious intention of His Majesty.

The second resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Bidwell, Burnham, Clark, Fothergill, Hamilton, Hornor, C. Jones, Lafferty, Lyons, McBride, McCall, Perry, Playter, Randal, Rolph, Thomson, Wilkinson and Wilson—21.

NAYS—Messrs. Attorney General, Burke, Cameron, Crysler, D. Jones, J. Jones and Van Koughnett—7.

The question was carried in the affirmative by a majority of fourteen, and it was Resolved, That the bill from the Legislative Council did not in its terms secure to the different classes of inhabitants therein mentioned, the rights, privileges and immunities of British subjects, according to the gracious intention of His Majesty.

The third resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Baby, Beardsley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Lafferty, Lyons, McBride, McCall, Perry, Playter, Randal, Rolph, Thomson, Wilkinson and Wilson—19.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, C. Jones, D. Jones, J. Jones and Van Koughnett—9.

2d Session, 9th Parliament, 5th Geo: IV.

The question was carried in the affirmative by a majority of ten, and it was Resolved, That the amendments, sent up by the Commons' House of Assembly, to the bill from the honorable the Legislative Council, were not at variance with the laws of this Province, or the policy of Great Britain.

The fourth Resolution was then put and carried, as follows:

Resolved, that the Provincial parliament cannot by any enactment naturalize such as are Aliens.

The fifth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beardsley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Leftery, Lyons, McBride, McCall, Perry, Playter, Randal, Rolph, Thomson and Wilson—17.

NAYS—Messrs. Atkinson, Attorney General, Burnham, Burke, Cameron, Crysler, C. Jones, D. Jones, J. Jones, Van Koughnett and Wilkinson—11.

The question was carried in the affirmative by a majority of six, and it was Resolved, that John Hardy, an inhabitant of Pennsylvania, before the American Revolution, having served His Majesty in the 84th Regiment for 8 years, as an American Volunteer, and received his discharge as a Sergeant from such service, became entitled to be put upon the list as a U. E. Loyalist.

The sixth Resolution was put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beardsley, Bidwell, Clark, Coleman, Fothergill, Hamilton, Hornor, Leftery, Lyons, McBride, McCall, Perry, Playter, Randal, Rolph, Thomson, and Wilson—18.

NAYS—Messrs. Atkinson, Attorney General, Burnham, Burke, Cameron, Crysler, C. Jones, D. Jones, J. Jones, Van Koughnett and Wilkinson—11.

The question was carried in the affirmative by a majority of seven, and it was Resolved, that the said John Hardy, having from his discharge to the present time, and during the late war, well and faithfully demeaned himself as a subject, is still entitled to be on the said U. E. list.

The seventh resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beardsley, Bidwell, Clark, Coleman, Fothergill, Hamilton, Hornor, Leftery, Lyons, McBride, McCall, Perry, Playter, Randal, Rolph, Thomson, and Wilson—18.

NAYS—Messrs. Atkinson, Attorney General, Burnham, Burke, Cameron, Crysler, C. Jones, D. Jones, J. Jones, Van Koughnett and Wilkinson—11.

The question was carried in the affirmative by a majority of seven, and it was Resolved, that the said John Hardy, having been struck off the said U. E. list, to the great prejudice of his family, it is expedient to address His Majesty for his restoration to the said U. E. list.

Mr. Bidwell, seconded by Mr. Hamilton, moves that the foregoing resolutions on the subject matter of the amendments made by this house, to the bill entitled, "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," and also upon the subject matter of the bill entitled, "An Act to secure to certain inhabitants of this Province, rights and privileges as British subjects," be communicated to the honorable the Legislative Council, and that the request of the honorable the Legislative Council, for a free conference on the said subjects be acceded to.

Which was ordered, and Messrs. Rolph and Playter, were ordered by the Speaker to carry up the same.

Mr. Randal, seconded by Mr. McBride, moves that Messrs. Rolph and Beardsley, be a committee to draft and report an address on the resolutions respecting John Hardy.

Which was ordered.

Mr. Attorney General, seconded by Mr. Crysler, moves that the address of this house, to His Excellency the Lieutenant Governor, upon the subject of providing a building for the future accommodation of the Legislature, be communicated to the honorable the Legislative Council, and that that House be requested to concur therein.

Which was ordered, and Messrs. D. Jones and Scollick were ordered to carry up the same.

Agreeably to the order of the day, the House went into committee on Internal Navigation.

Mr. C. Jones was called to the chair.

The House resumed.

Mr. Jones reported that the committee had agreed to several resolutions which he was directed to submit for the adoption of the House.

The report was ordered to be received, and the resolutions were severally put and carried as follows:

Resolved, that it is expedient to ascertain, with the least possible delay, the depth of water on the north side of Barnhart's Island, in the River St. Lawrence, the facilities which that channel affords for boat navigation, and the transportation of lumber, and whether, in case of its being found capable of improvement, so as to admit of such navigation without difficulty, Rafts of timber and heavy craft descending the River from Prescott, can be conveniently brought into that channel.

Resolved, that an humble address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased as soon as the season will permit, to direct a survey of the said part of the River Saint Lawrence, for the purposes aforesaid, and that the person employed to perform the same, be instructed to report to His Excellency, for the information of the Legislature, the practicability and probable expense of removing the obstructions and deepening the bed of the River so as to allow rafts of the ordinary breadth drawing four feet of water to pass down.

Resolved, that the expense incurred in making the said survey, be made good to His Excellency, at the next session of the legislature.

Resolved, that it is expedient to address His Excellency the Lieutenant Governor, praying that His Excellency will communicate to the government of Lower Canada, the earnest wish of the Legislature of this Province, that the recommendation of the Arbitrators, sanctioned by our Act 4 Geo. 4, Chap. 22, should also receive the sanction of the Legislature of Lower Canada, in order that it may be carried immediately into effect; the subject matter thereof being of such great and undoubted interest to both provinces.

Resolved, that it is expedient to address His Excellency the Lieutenant Governor to pray that His Excellency, in case the Legislature of Lower Canada, shall separate without making any provision for carrying into effect, the recommendation of the Arbitrators above referred to, will direct a survey to be made for the information of the Legislature, of the waters of the St. Lawrence, from the Town of Johnstown to the eastern extremity of this Province, in order to ascertain in what manner and for what expense, a navigation can be affected fit for schooners drawing 7½ feet water, to ascend, as well as descend, and affording a towing path along the whole line of the course.

Resolved, that the expense incurred, in making the said survey, (if made in pursuance of the foregoing resolution, under the directions of His Excellency the Lieutenant Governor,) be made good to His Excellency, at the next session of the Legislature.

Mr. J. Jones, seconded by Mr. C. Jones, moves that a message be sent to the honorable the Legislative Council, informing them that this House has concurred in the resolutions, respecting a survey of the River St. Lawrence, reported by the Joint committee of the last session of the present parliament, upon the Internal Navigation of the province, and have also agreed to a further resolution upon the same subject, to which the concurrence of that honorable House is requested.

Which was carried, and Messrs. J. Jones and Crysler, were ordered by the Speaker to carry up the same.

Sir P. Maitland, K. C. B. Lieut. Governor.

Mr. Hamilton from the committee to whom was referred the petition of P. P Lacroix, reported as follows:

To the Honorable the Commons' of Upper Canada, in Provincial
Parliament assembled.

Your committee, to whom was referred, the petition of Peter Paul Le Croix, Deputy Collector of the Customs, in the Western District, beg leave to report:

That they have examined the same as corroborated by the accompanying documents, Viz: a certificate of seizure in the Township of Tilbury, in the Western District, of certain goods, wares and merchandize, amounting as per appraisement, to £20. 4s. 6d. together with costs amounting to £5 11s. 3d. with the decision of the Commissioners of customs thereupon, as follows:

"The Commissioners are of opinion, that they cannot enter into the merits of the above case, on account that there was no meeting on the 27th day of August last, the day on which the said seizure should have been tried." Therefore "Ordered," That the "said goods seized, be restored to the claimant, and costs paid by the informer."

That your committee are at a loss to conceive with what Justice or equity the said Commissioners could adopt such a judgment, as the difficulty (if any) arose from a neglect, if not their own, certainly not attributable to the Plaintiff.

That they respectfully recommend that an humble address be presented to His Excellency, requesting that he will be pleased to enquire into the merits of the case, and render such justice as may to him seem meet, and submit the result of such enquiry to the next Session of Parliament.

GEORGE HAMILTON,

Chairman, Committee.

Memorandum of expenses incurred on the seizure of Goods and Merchandise under the Revenue act.

	CURRENCY.
To Transport of property from Stoney Point to Sandwich,	0 10 0
Information in the Office of the Clerk of the Commissioners of Customs, -	0 5 0
Copies of the inclosed papers,	0 6 3
	<hr/>
	1 1 3
3 Trips to Sandwich to attend the Court of Customs, 9 days at 10s.	4 10 0
	<hr/>
	£5 11 3

Dover, December 8th, 1825.

P. P. LECROIX,

Dp'y Collector of the Customs.

Upper Canada, Western } At a meeting of the Commissioners of Customs, for the Western District, held at the Court House, in
District, Sandwich, to Wit; } the Town of Sandwich, on Saturday the 29th day of October, in the year of our Lord, one thousand eight
hundred and twenty-five, and in the sixth year of His Majesty's Reign.

Before William Duff Esquire, and Charles Ashkin Esquire, Commissioners of Customs, &c. &c. &c.

Peter Paul Le Croix, Deputy Collector of Customs for the Port of Sandwich, lays before the Commissioners an information filed on the 18th July last, for Sundries seized by him on the 17th July -last, on the public highway, in the Township of Tilbury—Notices filed—appraisement filed, amounting to £20 4 6—claim and bond filed—Demand of seizure filed—memorandum of Sundries also filed.

The Commissioners are of opinion that they cannot enter into the merits of the above case on account that there was no meeting on the 27th day of August last, the day on which the said seizure should have been tried.

Therefore, "Ordered," That the said Goods seized, be restored to the claimant, and costs paid by the informer.

I Joseph C. Lewis, of the Town of Sandwich aforesaid, Clerk to the Commissioners of Customs for the said District, do hereby certify that the foregoing is a true copy of the records of the proceedings of the said Commissioners.

JOSEPH C. LEWIS,

Clerk C. C. W. D.

Sandwich, 4th Nov. 1825.

Appraisement of sundry Goods, Wares and Merchandizes, seized by Pierre Paul Le Croix, Deputy Collector of Customs for the Port of Sandwich, the 17th July 1825, for a breach of the Revenue Laws.

6½ Yards Leno,	1s	£0 6 9
34½ do. Striped Cotton	1s 6d	2 11 9
13½ do. White Cotton,	1s	0 13 3
8 Vest patterns,	2s	0 16 0
6 Pieces Ribbon,	7s 6d	2 5 0
5 Pairs Suspenders,	2s	0 10 0
12 do. Gloves,	2s	1 4 0
31 Yards white Cotton,	7½d	0 19 4½
11 do. Bombazette,	2s	1 2 0
10 do. figured do.	2s 6d	1 5 0
40 do. coloured cotton,	1s 3d	2 10 0
26 do. do.	1s 3d	1 12 6
29 do. Striped do.	1s	1 9 0
34½ do. power loom Shirting	9d	1 5 10½
9 Pairs half hose,	2s	0 18 0
1 Doz. Knives and Forks,	5s	0 5 0
9 Gimblets,	2s 3d	0 2 3
8 Horn Combs,	6d	0 4 0
2 Gallons Whiskey,	1s 9d	0 3 6
1 Keg.	1s 3d	0 1 3

£20 4 6

Sir P. Maitland, K. C. B. Lieut. Governor.

John Gentle and William Hands, junior, of Sandwich, gentlemen, maketh oath and saith, that the above appraisement is made according to the best of their knowledge and belief.

(Signed)

JOHN GENTLE.

WILLIAM HANDS, JUNR.

Sworn before me

(Signed) J. B. BABY, J. P. W. D.

Endorsed appraisement, filed 18th July, 1825.

JOSEPH C. LEWIS, Clerk C. C. W. D.

I do hereby certify that the foregoing is a true copy of the original appraisement, filed in my office of Record.]

JOSEPH C. LEWIS.

Clerk, C. C. W. D.

Sandwich, 4th November, 1825.

WESTERN DISTRICT, }
SANDWICH—TO WIT. }

BE IT REMEMBERED—That on the eighteenth day of July, in the year of our Lord one thousand eight hundred and twenty-five, and in the sixth year of His Majesty's reign, personally appeared before me, Charles Askin, Esquire, one of the Commissioners of Customs for the said Western District, Pierre Paul Lecroix, Deputy Collector of Customs for the port of Sandwich, who being duly sworn on the holy evangelists of Almighty God, deposed and saith, that on the 17th day of July instant, he seized on the public highway, in the township of Tilbury, six and three-fourth yards leno, thirty four and an half yards striped cotton, thirteen and a quarter yards white cotton, eight vest patterns, six pieces ribbon, five pair suspenders, twelve pairs gloves, thirty-one yards white cotton, eleven yards bombazette, 10 yards figured bombazette, 40 yards coloured cotton, twenty-six yards coloured cotton, twenty-nine yards striped cotton, thirty-four and a half yards power loom shirting, nine pairs cotton half hose, one dozen knives and forks, nine gimblets, eight horn combs, two gallons whiskey, and one keg, for a breach of the revenue laws.

Wherefore this deponent prays that the said seizure may be tried before the commissioners of customs, at the court-house, Sandwich, on Saturday the 27th day of August next.

Sworn before me at Sandwich, }
this 18th day of July, 1825. }

(Signed) CHARLES ASKIN, Commissioner of Customs.

(Signed)

P. P. LECROIX, *Depy. Collector.*

Endorsed information, P. P. La Croix, Dep. Col. of Customs for the Port of Sandwich, filed 18th July, 1825.

JOSEPH C. LEWIS, *Clk. C. C. W. D.*

I do hereby certify that the foregoing is a true copy of the information filed in my office of Record.

Sandwich, 4th November, 1825.

JOSEPH C. LEWIS, *Clk. C. C. W. D.*

Mr. Hamilton, seconded by Mr. Wilkison, moves that the report of the select committee on the petition of Peter Paul La Croix, be adopted.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Bidwell, Fothergill, Hamilton, Hornor, McBride, Randal, Rolph, and Wilkinson—8.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Clark, Crysler, Gordon, C. Jones, D. Jones, J. Jones, Lyons, Perry, Playter, Scollick, Thomson, Van Koughnet and Walsh—17.

The question was decided in the negative by a majority of nine, and lost accordingly.

Mr. Boulton, master in chancery, brought down from the Honourable the Legislative Council, the bill entitled "An Act to establish the District Town of the District of London in a more central position than at present, and to annex the townships of Walpole and Rainham to the County of Haldimand, in the District of Niagara," and the bill entitled "An Act to provide for the erection of a Gaol and Court House in the District of London, and to authorise the imposing an additional rate for that purpose," which that Honourable House had passed without amendment and a message, and also a joint address to His Majesty on the subject of losses sustained by the inhabitants of this Province during the late war, and having retired, the Speaker read the message and address as follows :

MR. SPEAKER,

The Honourable the Legislative Council have passed an address to His Majesty on the subject of losses during the late war, to which the concurrence of the Commons' House of Assembly is requested.

Legislative Council Chamber, }
24th January, 1826. }

WILLIAM CAMPBELL,

Speaker.

To the King's Most Excellent Majesty.**MOST GRACIOUS SOVEREIGN—**

We, your Majesty's most dutiful and loyal subjects, the Legislative Council and Commons of Upper Canada in Provincial Parliament assembled, humbly beg leave to approach your Majesty with our earnest supplications in behalf of that class of our fellow subjects in this Province who suffered losses from the invasion of the enemy during the late war with the United States of America.

We desire humbly to represent to your Majesty that the claims of the sufferers have been twice examined and reported upon in obedience to your Majesty's orders, and that according to the second examination of them, they are found to amount to about 180,000 pounds, sterling, of which your Majesty has been most graciously pleased to direct the payment of sixty-five thousand pounds, sterling, to be made to the claimants, a relief which they have received with the greatest thankfulness, and for which, on their behalf, we have already offered to your Majesty our most humble and grateful acknowledgments.

Finding ourselves unable from the resources of this colony to contribute equally with your Majesty for their relief, we applied ourselves to the Legislature of your Majesty's Province of Lower Canada, through your Majesty's Governor in chief, in the hope that they would unite with us in imposing such additional duties upon merchandize imported into Quebec for the consumption of both Provinces as might enable us to extend the relief so long sought for by the sufferers, and so justly due to the extreme hardship of their case.

We have been unsuccessful in this application, and being again earnestly pressed by the claimants, we now, as our last hope, implore your Majesty to submit their case, with your Majesty's favourable recommendation, to the consideration of the Imperial Parliament, in the humble assurance that their magnanimity and benevolence, of which all quarters of the globe exhibit the most honourable testimonies, will lead them readily to second your Majesty's disposition in favor of the sufferers.

We will not here enumerate the many and great proofs of the humanity of the British nation which has prompted them to relieve the miseries inflicted by war upon British subjects in other colonies of the empire, and in many instances to relieve the sufferings which war, tempest or famine, have brought upon the people of foreign nations.

Whatever may be the issue of our present application we shall ever experience the same pleasure in reflecting upon and beholding these glorious acts of munificence of our parent state for the relief of the unfortunate in other countries. We are not so ungenerous as to seek to establish, from these instances of national benevolence, the grounds of a claim which cannot fairly be resisted ; but we cannot but avow that in common with those for whom we intercede, we find in them the most flattering grounds for hope that our prayers may at length be successful.

2d Session, 9th Parliament, 5th Geo: IV.

We also, may it please your Majesty, disclaim the opinion that because we inhabit a colony remote from the United Kingdom, and excluded by our geographical position from a direct intercourse by sea with other countries, we are therefore not equally interested with other subjects of your Majesty in every event that can tend to the strength and prosperity of the empire, and equally bound to share in the dangers and misfortunes of any war which may be necessary to vindicate the honor of your Majesty's crown, or to maintain the rights of the British nation: but we humbly beg to represent that, from the desire of the United States of America to possess themselves of this Province, the misfortunes of a war, engaged in ostensibly for other purposes, fell principally upon this portion of your Majesty's dominions, and that the inhabitants of the District of Niagara, and of the more western districts were, throughout the whole period of the contest, exposed to the calamity of having their homes made the seat of war, and, during a great part of the time, in possession of the enemy; that, besides the interruption of their labour, they inevitably suffered in consequence of the destruction of their buildings, the devastation of their farms, and the spoliation of every description of personal property, and that many who were before in comfortable and independent circumstances, were by these losses reduced to ruin.

We are fully assured, from the relief already graciously afforded by your Majesty to the sufferers, that your Majesty does not desire that those persons should be left to bear so disproportionate a share of the misfortunes of war, who, in the course of it, evinced so ardent a loyalty and such unshaken attachment to your Majesty's crown. If it is due to them that by the generous aid of their country they should, after the contest, be placed on as good a footing as their fellow subjects in other parts of the Province, they can but look for indemnity to the parent state, or to the legislature of this Province.

We trust that your Majesty will not think we have manifested any unwillingness to bear to the utmost our proportion of the consequences of war, when we inform Your Majesty, that during the contest we appropriated such means as were in our power to the charges of our defence, and that since the peace we have paid out of our limited revenue, more than forty-two thousand pounds sterling, in pensions to the wounded militia men and to the widows and children of those who perished in the contest, and that we do at present bear a very considerable annual charge for pensions of the same description.

We therefore venture to hope, that your Majesty will be graciously pleased to recommend to the Imperial Parliament, to provide such relief for the sufferers as will complete the indemnity for their losses sustained during the late war.

Legislative Council. }
23rd January, 1826. }

WILLIAM CAMPBELL,
Speaker.

Mr. Attorney General, seconded by Mr. Hamilton, moves that the address to His Majesty on the subject of losses, sent down from the honorable the Legislative Council, be now read a second time.

Which was carried and the address was read a second time, concurred in and signed by the Speaker.

Mr. Attorney General, seconded by Mr. J. Jones, moves that a message be sent to the honorable the Legislative Council acquainting them that this house has concurred in the address.

Which was carried, and Messrs. Hamilton and Lafferty were ordered to carry up the same.

Mr. Attorney General, from the committee appointed to draft bills in conformity to the resolutions of this house, reported by the committee of supply, informed the house that the committee had agreed to three bills, the drafts of which he was ready to submit whenever the house would please receive them.

The report was ordered to be received, and the civil list bill was read the first time.

Mr. Attorney General, seconded by Mr. Van Koughnett, moves that the civil list bill be now read a second time, and that the 41st rule of this house be dispensed with so far as relates to the said bill.

Which was carried, and the bill was read a second time.

Mr. Attorney General, seconded by Mr. Van Koughnett, moves that the house do now resolve itself into a committee of the whole, upon the civil list bill.

Which was carried, and Mr. J. Jones was called to the chair.

The house resumed.

Mr. Jones reported the bill as amended.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. Van Koughnett, moves that the civil list bill be engrossed and read a third time this day.

Which was ordered.

The Road and Bridge appropriation bill was read the first time.

Mr. Attorney General, seconded by Mr. Cameron, moves that the Highway money bill, be now read a second time, and that the 41st rule of this house be dispensed with, so far as it relates to said bill.

Which was carried and the bill was read the second time.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the house do now resolve itself into a committee upon the bill.

Which was carried, and Mr. Gordon was called to the chair.

The house resumed.

Mr. Gordon reported the bill amended.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. Cameron, moves that the Highway money bill, be engrossed and read a third time this day.

Which was ordered.

Mr. Attorney General, seconded by Mr. J. Jones, moves that such rules of this house as require a greater number than a majority of the members present, (being sufficient to form a quorum) to decide any question, be rescinded.

Which was carried.

The dredging machine purchase bill was read the first time.

Mr. Attorney General, seconded by Mr. Hamilton, moves that the dredging machine purchase bill be read a second time this day, and that the 41st rule of this house be dispensed with, so far as relates to the same.

On which the house divided, and the yeas and nays being taken, were as follows:

YEAS.—Messrs. Attorney General, Burnham, Burke, Cameron, Clark, Coleman, Crysler, Hamilton, Hornor, C. Jones, M^r.Bride, Playter, Randall, Rolph, Scollick, Thompson, Wilson and Wilkinson—18.

NAYS.—Messrs. Atkinson, Beardsley, Bidwell, Gordon, D. Jones, J. Jones, Lafferty, Lyons, M^r.Call, M^r.Donell, Perry, Thomson, Van Koughnett and Walsh—14.

The question was carried in the affirmative by a majority of four, and the bill was read the second time.

Mr. Attorney General, seconded by Mr. Hamilton, moves that the House do now resolve itself into a committee upon the bill.

Which was carried, and Mr. Playter was called to the chair.

The House resumed.

Mr. Playter reported the bill as amended.

On the question for receiving the report the House divided, and the yeas and nays being taken, were as follows.

YEAS.—Messrs. Attorney General, Burnham, Burk, Cameron, Clark, Crysler, Hamilton, Hornor, J. Jones, M^r.Bride, Playter, Randall, Scollick, Thompson, and Wilkinson, 15.

NAYS.—Messrs. Atkinson, Beardsley, Lyons, McCall, Lafferty, Perry and Walsh, 7.

Sir P. Maitland, K. C. B. Lieut. Governor.

The question was carried in the affirmative by a majority of eight and the report was received accordingly.

The Attorney General seconded by Mr. Hamilton, moves that the Dredging Machine purchase bill be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day the Civil List supply bill was read the third time.

Mr. Attorney General seconded by Mr. Van Koughnett, moves that the bill do now pass and that the title thereof be "An Act for granting certain sums of money to his Majesty, to enable his Majesty to defray the expense of the administration of Justice, and the support of the Civil Government of this Province, for the years one thousand eight hundred and twenty-five, and one thousand eight hundred and twenty-six."

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Attorney General, Burnham, Burke, Cameron, Clark, Crysler, Hornor, J. Jones, Lyons, McBride, McDonell, Perry, Playter, Scollick, Thompson, Thomson, Wilkinson and Wilson, 19.

NAYS—Messrs. Beardsley, Hamilton, Lafferty, McCall, and Randall, 5.

The question was carried in the affirmative, by a majority of fourteen and the bill was signed.

Messrs. Scollick and Lyons were ordered by the Speaker to carry up the same to the hon. the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the road and bridge appropriation bill was read the third time.

Mr. Attorney General, seconded by Mr. Cameron, moves that the bill do now pass, and that the title thereof be, "An Act to grant to his Majesty a certain sum of money, to be applied in making, repairing and amending highways and bridges in this province."

Which was carried and the bill signed.

Messrs. Hamilton and Hornor were ordered by the Speaker to carry the same up to the hon. the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day the Coin Bill was read the second time.

Mr. Attorney General seconded by Mr. Cameron, moves that this house do now resolve itself into a committee of the whole, upon the coinage bill.

Which was carried, and Mr. Hamilton was called to the chair.

The house resumed.

Mr. Hamilton reported the bill as amended.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. Cameron, moves that the Coinage Bill, be engrossed and read a third time to-morrow, and that the 41st rule of this house be dispensed with, so far as relates to the said bill.

Which was ordered.

Agreeably to notice Mr. Attorney General, seconded by Mr. Cameron, moves for leave to bring in a bill for making good certain monies issued upon an address of this house during their last session.

Which was granted and the bill read.

Mr. Attorney General, seconded by Mr. Cameron, moves that the bill, for making good certain monies be read a second time this day, and that the 41st rule of this house be dispensed with, so far as relates to the same.

Which was carried and the bill was read the second time.

Mr. Attorney General, seconded by Mr. Cameron, moves that the house do now resolve itself into a committee upon the bill.

Which was carried, and Mr. Clark was called to the chair.

The House resumed.

Mr. Clark reported the bill without amendment.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. Cameron, moves that the bill be engrossed and read a third time to-morrow.

Which was ordered.

Mr. Hamilton gives notice that he will, on to-morrow, move that an address be presented to his Excellency the Lieutenant Governor, upon retrenchment in the Public Expenditure.

The house then adjourned.

Wednesday, 25th January, 1826.

Agreeably to the order of the day, the Dredging Machine purchase bill was read the third time.

Mr. Attorney General, seconded by Mr. Hamilton, moves that the bill do now pass, and that the title thereof be, "An Act to grant a sum of money to his Majesty for the purchase of certain machinery, now used in deepening the waters at Burlington Bay."

On which the house divided, and the yeas and nays being taken were as follows.

YEAS—Messrs. Attorney General, Burnham, Burke, Cameron, Clark, Coleman, Crysler, Fothergill, Hamilton, Hornor, C. Jones, Matthews, McBride, Playter, Randal, Rolph, Scollick, Thompson, Wilkinson and Wilson, 20.

NAYS—Messrs. Atkinson, Beardsley, Lyons, McCall, Perry, Thomson, Van Koughnett, and Walsh, 8.

The Question was carried in the affirmative by a majority of twelve, and the Bill was signed.

Messrs. Hamilton and Scollick, were ordered by the Speaker to carry the same up to the honourable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Coinage bill was read the third time.

Mr. Attorney General, seconded by Mr. Cameron, moves that the bill do now pass, and that the title thereof be, "An Act to repeal part of an Act passed in the thirty sixth year of his late Majesty's reign, entitled, "An act for the better regulation of certain coins, current in "this Province," and to make further provision for the regulation of the British Silver and copper coinage, current in this province.

Which was carried and the bill signed, and Messrs. Attorney General and Van Koughnett, were ordered by the Speaker to carry the same up to the honourable the Legislative Council, and request their concurrence thereto.

Mr. Boulton, Master in Chancery, brought down from the honourable the Legislative Council, a message, and having retired, the Speaker read the same, as follows :

MR. SPEAKER,

The honourable the Legislative Council have appointed a committee of five members, who will be ready to meet a committee of the Commons' House of Assembly, in free conference, on the subject matter of the bill, entitled, "An Act to confirm, and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," and of the bill, entitled, "An Act to secure to certain inhabitants of this Province, rights and privileges as British Subjects." The committee of the honourable the Legislative Council will be ready for that purpose at three o'clock this day.

Legislative Council Chamber,
25th January, 1826.

W. CAMPBELL,

Speaker.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Thomson, seconded by Mr. McCall, moves that Messrs. Hamilton, Matthews, Fothergill, Wilkinson, McBride, Perry, Baby, Beardsley, Rolph and Playter, be a committee to manage the conference on the part of this house on the subject of the bill entitled, "An Act to confirm and quiet in the possession of their estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned," and the bill entitled, "An act to secure to certain inhabitants of this province rights and privileges as British Subjects," and that the 30th rule be dispensed with for that purpose.

Which was ordered.

Agreeably to the order of the day, the bill to make good certain monies was read the third time.

Mr. Attorney General seconded by Mr. Cameron, moves that the bill do now pass, and that the title thereof be, "An act to make good certain monies, issued and advanced by His Excellency the Lieutenant Governor, in pursuance of an address of the house of Assembly."

Which was carried, and Messrs. McBride and Lyons were ordered by the Speaker to carry the same up to the honourable the Legislative Council, and to request their concurrence thereto.

Mr. Randal from the committee appointed to draft an address to His Majesty, on the subject of the petition of John Hardy, reported a draft, which was received and read the first time.

Mr. Randal, seconded by Mr. McBride, moves that the address to His Majesty relative to John Hardy be now read a second time.

Which was carried and the address was read the second time.

Mr. Randal, seconded by Mr. McBride, moves that the address to His Majesty, relative to John Hardy, be now adopted.

Which was carried.

Mr. Randal, seconded by Mr. McBride, moves that the address to His Majesty on the subject of John Hardy, be engrossed and read a third time this day.

Which was ordered.

Mr. Playter from the committee to whom was referred the petition from the inhabitants of North Gwillimbury, informed the house that the committee had agreed to a report which he was directed to submit whenever the house would please receive the same.

The report was ordered to be received, and it was read as follows :

The select committee to whom was referred the petition of sundry inhabitants of the township of North Gwillimbury, beg leave to report that the prayer of the petitioners is a proper subject for legislative enactment, and the only means to afford them the relief they require ; but as public notice thereof has not been given according to the 40th rule of this house, your committee recommend the propriety of laying the subject over until the next meeting of the legislature, in order that the proper notice may, in the mean time, be given,

Committee Room,

17th January, 1826.

ELY PLAYTER,

Chairman.

Agreeably to the order of the day, the house went into committee on the pension bill.

Mr. Coleman was called to the chair.

The house resumed, the black rod being at the door.

Mr. Boulton master in chancery, brought down from the honorable the Legislative Council, a message and the address to His Excellency the Lieutenant Governor, on the subject of the future accommodation of the Legislature ; and having retired, the Speaker read the message as follows :

MR. SPEAKER,

The honorable the Legislative Council have concurred in the address to His Excellency the Lieutenant Governor on the subject of the future accommodation of the Provincial Legislature ; and have appointed a committee of two members, who will be ready at 11 o'clock to-morrow, to wait jointly with a committee of the Commons' House of Assembly upon His Excellency, to know when he will be pleased to receive the said address, and to present the same.

W. CAMPBELL,

Speaker.

Legislative Council Chamber, }
25th January, 1826. }

Mr. Attorney General, seconded by Mr. Crysler, moves that Messrs. Gordon, Playter, McBride and Lafferty, be a committee to present to His Excellency the Lieutenant Governor, with the committee appointed on the part of the honourable the Legislative Council, the joint address on the subject of providing buildings for the use of the Legislature.

Which was ordered.

The house went again into committee on the pension bill.

Chairman left the chair.

Speaker resumed the chair.

Mr. Coleman reported the committee had risen for want of a quorum.

Present, Messrs. Beardsley, Clark, Coleman, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Thompson, Walsh and Wilkinson, 18.

At Six o'Clock, P. M. The Speaker declared the House adjourned for want of a quorum.

Thursday, 26th January, 1826.

Mr. Boulton, Master in Chancery, brought down from the honourable the Legislative Council, a message, with an address to His Excellency the Lieutenant Governor, entreating His Excellency to transmit to His Majesty, the joint address of the two houses on the subject of losses, and having retired, the Speaker read the message, as follows :

MR. SPEAKER,

The honourable the Legislative Council have passed an address to His Excellency the Lieutenant Governor, entreating him to cause the joint address to His Majesty on the subject of losses, to be laid at the foot of the throne, which they now communicate for the concurrence of the Commons' House of Assembly.

Legislative Council Chamber, }
25th January, 1826. }

WILLIAM CAMPBELL,

Speaker.

The address to His Excellency was then read.

Mr. Gordon, seconded by Mr. Hamilton, moves that the address sent down by the honourable the Legislative Council, to His Excellency the Lieutenant Governor, requesting His Excellency to transmit the joint address of both houses to His Majesty, relative to the sufferers by the late war, be now read a second time.

Which was carried, and the address was read a second time.

Mr. Gordon, seconded by Mr. Hamilton, moves that the address to His Excellency the Lieutenant Governor, sent down by the honourable the Legislative Council, be concurred in.

Which was carried, and the address was signed by the Speaker, and is as follows :

Sir P. Maitland, K. C. B. Lieut. 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.

May it please Your Excellency,

The Legislative Council and House of Assembly in Provincial Parliament assembled, have agreed in a joint address to His Majesty praying that our most gracious Sovereign, would be pleased to recommend to the Imperial Parliament to provide such relief for the sufferers in this province as will complete the indemnity for their losses sustained during the late war with the United States of America.

They therefore entreat that Your Excellency will be pleased to cause their address to His Majesty to be laid at the foot of the Throne.

Legislative Council Chamber, }
26th January, 1826. }

WILLIAM CAMPBELL,
Speaker.

Commons' House of Assembly, }
26th January, 1826. }

JOHN WILLSON,
Speaker.

Mr. Gordon, seconded by Mr. Hamilton, moves that a message be sent to the honourable the Legislative Council, to acquaint that honourable body, that this house has concurred in the address to His Excellency the Lieutenant Governor, requesting His Excellency to transmit to His Majesty the joint address of both houses relative to the losses during the late war.

Which was ordered, and Messrs. Thompson and McBride were ordered by the Speaker to carry up the same.

Agreeably to the order of the day the house went into committee on the pension bill.

Mr. Coleman in the Chair.

The house resumed.

Mr. Coleman reported the bill as amended.

The report was ordered to be received.

Mr. Perry, seconded by Mr. Rolph, moves that the Militia Pension Bill be engrossed and read a third time this day, and that the 41st rule be dispensed with, so far as relates to the said bill.

Which was ordered.

Agreeably to the order of the day the address to His Majesty, founded on the petition of Captain John Hardy, was read the third time, passed and signed by the Speaker, and is as follows:—

To the King's Most Excellent Majesty.

MAY IT PLEASE YOUR MAJESTY,

We your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave humbly to approach your Majesty to represent the claim of John Hardy, and to pray the extension of your gracious favor towards him.

It appears that he was an inhabitant of Pennsylvania before the American revolution, and, as an American volunteer, served your Majesty 8 years, in the 84th Regiment, and received his discharge as a Serjeant from such service.

He was put upon the U. E. list in this Province, from which he has since been struck off. But as he has well and faithfully demeaned himself from the time of his discharge, and during the late war as a subject, having been for years intrusted with a commission as a Captain in the Militia in this Province, we would humbly submit to your Majesty the justice of his being restored to the U. E. list, that his children may not lose the bounty of your most gracious Majesty.

Commons' House of Assembly, }
26th January, 1826. }

JOHN WILLSON,
Speaker.

Agreeably to the order of the day, the address to His Majesty on the subject of Clergy reserves was read the second time.

Mr. Clark, seconded by Mr. Randal, moves that the house do now resolve itself into a Committee of the whole on the subject of the address on Clergy Reserves.

Which was carried, and Mr. Gordon was called to the chair.

The house resumed.

Mr. Gordon reported the address without amendment.

On the question for receiving the report, the house divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Baby, Beardsley, Clark, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, M'Bride, McCall, Perry, Playter, Randal, Rolph, Thompson, Walsh, and Wilson, 18.

NAYS—Messrs. Crysler, C. Jones, J. Jones, Gordon, Scollick, and Van Koughnett, 6.

The question was carried in the affirmative by a majority of twelve, and the report was received accordingly.

Mr. Perry, seconded by Mr. Clark, moves that the address to His Majesty, relative to the Clergy Reserves in this Province, be engrossed, and read a third time this day.

Which was ordered.

Agreeably to the order of the day, the house went into Committee of Supply.

Mr. Van Koughnett in the Chair.

The House resumed.

Mr. Van Koughnett reported that the Committee had agreed to several resolutions, which he was requested to submit for the adoption of the house.

The report was ordered to be received.

The first resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Burke, Burnham, Cameron, Clark, Crysler, J. Jones, McBride, McDonell, Playter, Rolph, Thompson, and Van Koughnett, 13.

NAYS—Messrs. Atkinson, Baby, Beardsley, Hornor, Lafferty, Lyons, Matthews, McCall, Perry, Randal, Scollick, Thomson and Walsh, 13.

The question was carried in the affirmative, by the casting vote of the Speaker, and it was resolved, that it is expedient to authorise the raising by loan, the sum of £10,000 to be appropriated in erecting buildings for the use of the Legislature, and that three Commissioners shall be appointed for the purpose of contracting for, and superintending the said buildings.

The second resolution was then put and carried, as follows:—

Resolved, that the sum of 600 pounds be granted to enable His Excellency the Lieutenant Governor, to remunerate the services of the officers employed in the late negotiation for determining by arbitration, what proportion of the duties levied at the Port of Quebec, shall be paid to this Province.

The third resolution was then put and carried, as follows:—

Resolved, that it is the opinion of this house, that it is expedient to provide by law, for the payment of the additional allowance voted to several of the officers of the Legislature at the last session of the provincial parliament.

2d Session, 9th Parliament, 5th Geo: IV.

Agreeably to the order of the day, the pension bill was read a third time.

Mr. Attorney General, from the Committee to whom was referred the consideration of the Light House at Gibraltar Point, reported a bill which was received and read the first time.

Mr. Attorney General, seconded by Mr. McBride, moves that the Light House bill be read a second time to-morrow, and that the 41st rule of this house be dispensed with so far as relates to the said bill.

Which was ordered.

Mr. Attorney General from the Committee appointed to draft bills, in conformity to the resolutions of this house, reported by the Committee on supply, reported a bill for the encouragement of the manufacture of paper in this province, which was received and read the first time.

Mr. Leflerty, seconded by Mr. McDonell, moves that the bill for the encouragement of making and manufacturing paper in this Province, be read a second time to-morrow, and that the 41st rule of this house be dispensed with so far as relates to the same.

Which was ordered.

Mr. Matthews from the Committee to whom was referred the petition of Valentine Gill, reported as follows;— The committee appointed to report upon the petition of Valentine Gill, claiming remuneration for drafting a map, furnished to the commissioners for internal navigation, Humbly submit,

That upon enquiry, they find that a map well executed, was furnished by the petitioner, to the said commissioners, and that the only reason for refusing him payment for it, was a belief on the part of the said commissioners, that the map was intended as a present. From Mr. Gordon, a member of this house, as well as from others, we learn that nothing should be allowed him, from a conviction, as a commissioner, that the petitioner had received too much for other services; but as it appears to your committee unquestionable, that the service was performed in an able manner and accepted; and as the petitioner was, and still is indigent, and could not be expected reasonably to make such a contribution to a public work, and as your committee feel that they cannot properly interfere with any remuneration for other services actually paid, they are of opinion that it is just and reasonable to allow the petitioner the sum of £40, as a fair compensation for his work, and the trouble and expense given him in repeated and unavailing application for relief.

Committee-Room,
26th January, 1826.

J. MATTHEWS,
Chairman.

The Attorney General from the committee to draft a bill, pursuant to the resolution of this house on arbitrator's remuneration, reported a draft, which was received and read the first time.

Mr. Attorney General, seconded by Mr. Cameron, moves that the arbitrator's remuneration bill be read a second time to-morrow, and that the 41st rule of this house be dispensed with, so far as relates to the said bill.

Which was ordered.

The house adjourned.

Friday, 27th January, 1826.

Agreeably to the order of the day, the Malahide relief bill was read the second time.

Mr. Attorney General, seconded by Mr. Thompson, moves that the house do now resolve itself into a committee of the whole upon the Malahide relief bill.

Which was carried, and Mr. Fothergill was called to the chair.

The house resumed.

Mr. Fothergill reported the bill as amended.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the bill be engrossed and read a third time this day, and that the 41st rule of this House be dispensed with, so far as relates to the said bill.

Which was ordered.

Mr. Gordon from the joint committee, to wait on His Excellency the Lieutenant Governor, with the address of both houses on the subject of the future accommodation of the Legislature, reported delivering the same, and that His Excellency had been pleased to make thereto the following reply :

Honorable Gentlemen, and Gentlemen,

I shall be happy to consent to the appropriation of a site for the erection of buildings for the future accommodation of the Legislature on either the East or West side of Simcoe Place, whichever may be found most expedient; and I hope that an arrangement may be effected, by which the Legislature may in the mean time be enabled to occupy the Provincial Hospital, without interfering materially with the object for which it was erected.

Mr. Perry, seconded by Mr. Rolph, moves the following as a rider to the pension bill.

"AND WHEREAS it is inexpedient unnecessarily to multiply warrants, BE it further enacted by the authority aforesaid, that it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province, by one or more warrant or warrants, under his hand and seal, to order and direct the payment and appropriation of the several sums therein named, by the said Receiver General, to the purposes of this act."

Which was ordered.

Agreeably to the order of the day, the paper bounty bill was read the second time.

Mr. Leflerty, seconded by Mr. Clark, moves that this House do now resolve itself into a committee of the whole, on the bill relative to the making and manufacturing of paper in this Province.

Which was carried, and Mr. Clark was called to the chair.

The house resumed, the black rod being at the door.

Mr. Boulton, master in chancery, brought down from the Honourable the Legislative Council, the bill entitled "An Act for granting certain sums of money to His Majesty, to enable His Majesty, to defray the expense of the administration of justice and the support of the Civil Government of this Province, for the years one thousand eight hundred and twenty-five, and one thousand eight hundred and twenty-six," the bill entitled "An Act to grant to His Majesty, a certain sum of money, to be applied in making, repairing, and amending highways and bridges in this Province," the bill entitled "An Act to grant a sum of money to His Majesty, for the purchase of certain machinery now used in deepening the waters at Burlington Bay," the bill entitled "An Act to repeal part of an act passed in the thirty-sixth year of His late Majesty's reign, entitled "An Act for the better regulation of certain coins current in this Province," and to make further provision for the regulation of the British Silver and Copper coinage, current in this Province," and the bill entitled "An Act to make good certain monies, issued and advanced by His Excellency the Lieutenant Governor, in pursuance of an address of the House of Assembly," all of which the honorable the Legislative Council, had passed without amendment, and withdrew.

The house went again into committee on the paper bounty bill.

Mr. Clark in the chair.

The House resumed.

Mr. Clark reported the bill as amended.

The report was ordered to be received.

Sir P. Maitland, K. C. B. Lieut. Governor.

Mr. Lefferty, seconded by Mr. Clark, moves that the bill for the encouragement of the making and manufacturing of paper, be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day, the pension bill was read the third time.

Mr. Perry, seconded by Mr. Rolph, moves that the bill do now pass, and that it be entitled "An Act to repeal part of, amend, and continue the laws now in force, for the payment of militia pensions.

Which was carried, and the bill signed:

Messrs. Perry and Burke, were ordered by the Speaker to carry up to the honorable the Legislative Council the same, and to request their concurrence thereto.

Mr. Attorney General, from the Committee to draft a bill, founded on the resolution of this house, respecting an additional allowance to certain of the officers and servants of the two houses, reported a draft, which was received, and read the first time.

Mr. J. Jones, seconded by Mr. Cameron, moves that the officers additional allowance bill, be now read a second time, and that the 41st rule of this house be dispensed with, so far as relates to the said bill.

Which was carried, and the bill was read the second time.

Mr. J. Jones, seconded by Mr. Van Koughnett, moves that the house do resolve itself into a committee of the whole on the bill.

Which was carried, and Mr. Thomson was called to the chair.

The house resumed.

Mr. Thomson reported the bill amended.

On the question for receiving the report the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Atkinson, Attorney General, Burke, Cameron, Coleman, Crysler, Fothergill, Gordon, Hornor, C. Jones, J. Jones, Lyons, Matthews, M'Donoll, Perry, Rolph, Scollick, Thompson, Thomson, Van Koughnett, Walsh and Wilson—22.

NAYS—Messrs. Baby, Beardstey, Clark, Hamilton, Lefferty, McCall, Playter and Randal, 8.

The question was carried in the affirmative by a majority of fourteen, and the report was received accordingly.

Mr. Attorney General, seconded by Mr. Cameron, moves that the bill be engrossed, and read a third time this day.

Which was ordered.

Mr. J. Jones, seconded by Mr. Walsh, moves that one hundred copies of the Dorchester boundary bill, be printed and distributed by the clerk, among the members of this house, representing the district of London.

Which was ordered.

Mr. Attorney General, from the joint committee of both houses, appointed to draft addresses, on the subject of the Internal Navigation of this Province, reported that the joint committee had agreed upon an address to His Majesty, and an address to His Excellency the Lieutenant Governor on that subject, drafts of which he was ready to submit whenever the house would please receive the same.

The report was ordered to be received, and the address to His Majesty was read the first time.

Mr. Boulton, Master in Chancery, brought down from the honourable the Legislative Council, a message, and having retired, the Speaker read the same as follows:

MR. SPEAKER,

The honorable the Legislative Council, have concurred in the resolution respecting a survey of the River St. Lawrence, communicated to this house, on the 24th inst. and have appointed a committee of two members, who will be ready, at 2 o'clock this day, to meet a committee of the Commons' House of Assembly, in the joint committee room, for the purpose of preparing an address to His Excellency the Lieutenant Governor, relative thereto.

Legislative Council Chamber,
27th January, 1826.

WILLIAM CAMPBELL,
Speaker.

Mr. J. Jones, seconded by Mr. Cameron, moves that Messrs. Attorney General, C. Jones, Gordon and Clark, be a committee jointly with the committee on the part of the honorable the Legislative Council, to prepare an address to His Excellency, pursuant to the joint resolutions, on the subject of a survey of the Saint Lawrence.

Which was ordered.

The address to His Excellency the Lieutenant Governor, reported by the joint committee on Internal Navigation, was then read the first time.

Mr. Attorney General, seconded by Mr. C. Jones, moves that the joint address to His Majesty, on the subject of colonial trade, be now read a second time.

Which was ordered, and the address was read the second time, and concurred in.

Mr. Attorney General, seconded by Mr. C. Jones, moves that the joint address to His Excellency the Lieutenant Governor, on the subject of colonial trade, be now read a second time.

Which was carried, and the address was read the second time, and concurred in.

Mr. Attorney General, seconded by Mr. Cameron, moves that a message be sent to the honorable the Legislative Council, to acquaint them that this house has concurred in the several addresses, reported by the joint committee on trade.

Which was ordered, and Messrs. Wilson and Van Koughnett, were ordered to carry up the same.

Agreeably to the order of the day, the address to His Majesty on the subject of Clergy Reserves, was read the third time.

On the question for passing the address, the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Cameron, Coleman, Clark, Fothergill, Hamilton, Lefferty, Lyons, McBride, McDonnell, Playter, Randal, Thompson, Walsh and Wilson, 14.

NAYS—Messrs. Attorney General, Burke, Crysler, C. Jones, D. Jones, J. Jones, Scollick and Van Koughnett, 8.

The question was carried in the affirmative, by a majority of six, and the address was signed by the Speaker, and is as follows:

To the King's Most Excellent Majesty.

May it please Your Majesty,

We, Your Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial parliament assembled, most humbly beg leave to approach Your Majesty, to express our sentiments on a subject of deep interest to your faithful subjects of Upper Canada. We perceive by the provisions of an act passed during the last session of the Imperial Parliament, that Your Majesty is empowered to order the appropriation of a further allotment of land within this Province, for the support and maintenance of a Protestant Clergy, in lieu of that portion of the lands already set apart for the purpose (called the Clergy Reserves,) which has lately been, or is about to be sold to the Canada Land Company.

We would most reluctantly appear to your Majesty as unfriendly to the cause of Religion, but, when we consider that one-seventh of all the surveyed lands within this Province, is already, by an act passed in the 31st year of the reign of His late Majesty, appropriated to that object, and are of opinion, that the extent of the present reservation is injurious to the prosperity of the Colony. We feel a strong desire that no further appropriation may be made, but that your Majesty will be graciously pleased to submit to your Parliament the expediency of repealing so much of the late act as permits the said further allotment.

2d Session, 9th Parliament, 5th Geo: IV.

We further most humbly represent, most gracious Sovereign, that the lands set apart in this Province, for the maintenance and support of a Protestant Clergy, ought not to be enjoyed by any one denomination of Protestants, to the exclusion of their christian brethren of other denominations, equally conscientious in their respective modes of worshipping God, and equally entitled, as dutiful and loyal Subjects, to the protection of your Majesty's benign and liberal government. We therefore humbly hope, it will, in your Majesty's wisdom, be deemed expedient and just, that, not only the present reserves, but that any funds arising from the sales thereof, should be devoted to the advancement of the Christian Religion generally, and the happiness of all your Majesty's Subjects of whatsoever denomination: or if such application, or distribution should be deemed inexpedient, that the profits arising from such appropriation, should be applied to the purposes of education, and the general improvement of this province.

Commons' House of Assembly, }
27th January, 1826. }

JOHN WILLSON,
Speaker.

Agreeably to the order of the day, the Light House bill was read a second time.

Mr. Attorney General, seconded by Mr. McBride, moves that the Light House bill be now submitted to a committee of the whole house. Which was carried, and Mr. Thomson was called to the chair.

The house resumed.

Mr. Thomson reported the bill as amended.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. McBride, moves that the Light House bill be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day, the Malahide relief bill was read the third time.

Mr. Boulton, Master in Chancery, brought down from the honourable the Legislative Council the bill entitled, "An Act to repeal part of, amend, and continue the Laws now in force, for the payment of Militia Pensions," which they had passed without amendment and withdrew.

Mr. J. Jones, seconded by Mr. Thompson, moves that the bill do now pass, and that the title thereof, be "An Act to protect certain inhabitants of the County of Middlesex in the possession of their Lands during the continuance thereof."

Which was carried and the bill signed.

Agreeably to the order of the day, the paper bounty bill was read the third time.

Mr. Leflerty, seconded by Mr. Clark, moves that the bill do now pass, and that it be entitled, "An Act to grant to His Majesty a sum of money for the encouragement of manufacturing paper in this Province."

Which was carried and the bill signed.

Messrs. Leflerty and Hornor were ordered by the Speaker to carry up the Bill to the honourable the Legislative Council, and request their concurrence thereto.

Agreeably to the order of the day, the Arbitrator's compensation bill was read the second time.

Mr. J. Jones, seconded by Mr. Cameron, moves that the house do now resolve itself into a committee of the whole, upon the Arbitrator's compensation bill.

Which was carried, and Mr. Fothergill was called to the chair.

The house resumed.

Mr. Fothergill reported the bill without amendment.

The report was ordered to be received.

Mr. J. Jones, seconded by Mr. Cameron, moves that the Arbitrator's compensation bill, be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day, the burial ground bill, was read the second time.

Mr. J. Jones, seconded by Mr. Thompson, moves that the house do now resolve itself into a committee of the whole, on the burial ground bill.

Which was carried, and Mr. Hornor was called to the chair.

The house resumed.

Mr. Hornor reported the bill as amended.

The report was ordered to be received.

Mr. J. Jones, seconded by Mr. Thompson, moves that the burial ground bill, be engrossed and read a third time this day, and that the 41st rule of this house be dispensed with, so far as relates to this bill.

Which was ordered.

Mr. Attorney General, from the joint committee of conference on the subject of the survey of the River St. Lawrence, reported that the committee had agreed to an address, which he was ready to submit, if the House would please receive the same.

The report was ordered to be received, and the address was read the first time.

Mr. Attorney General, seconded by Mr. Gordon, moves that the joint address to His Excellency the Lieutenant Governor, on the subject of the survey of the Saint Lawrence, be read a second time this day.

Which was carried, and the address was read the second time, and concurred in.

Mr. Attorney General, seconded by Mr. Gordon, moves that a message be sent to the honorable the Legislative Council, to acquaint them that this house has concurred in the address reported from the joint committee on the subject of the survey of the Saint Lawrence.

Which was ordered, and Messrs. Beardsley and Burnham were ordered to carry up the same to the honorable the Legislative Council.

Mr. Attorney General, from the Committee to draft a bill, founded on the resolution of this house, respecting future accommodations for the Legislature, reported a draft which was received and read the first time.

Mr. Attorney General, seconded by Mr. Thompson, moves that the Legislative buildings bill be now read a second time, and that the 41st rule of this house be dispensed with, so far as relates to the same.

Which was carried, and the bill was read the second time.

Mr. Attorney General, seconded by Mr. Thompson, moves that this house do now resolve itself into a committee of the whole upon the Legislative buildings bill.

Which was carried, and Mr. Hamilton was called to the chair.

The house resumed, the black rod being at the door.

Mr. Boulton, master in chancery, brought down from the honorable the Legislative Council, the joint address to His Excellency, respecting survey of the St. Lawrence, which was signed by the Speaker, and is as follows:

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 and Assembly of the Province of Upper Canada, in Provincial Parliament assembled, humbly beg leave to represent to Your Excellency, that we have concurred in certain resolutions, which

Sir P. Maitland, K. C. B. Lieut. Governor.

we beg to lay before Your Excellency, respecting the survey of the River St. Lawrence, with a view to the improvement of its navigation, and we humbly pray Your Excellency will be pleased to give directions for the said survey, and for the procuring the estimates contemplated in the said resolutions, and the expence attending the same, shall be made good to Your Excellency by the legislature, at its next session.

Legislative Council Chamber, }
27th January, 1826. }

WILLIAM CAMPBELL,
Speaker.

Commons' House of Assembly, }
27th January, 1826. }

JOHN WILLSON,
Speaker.

Agreeably to the order of the day, the extra service remuneration bill was read the third time.

Mr. J. Jones, seconded by Mr. Cameron, moves that the bill do now pass, and that the title thereof, be "An Act to grant to His Majesty, a sum of money for the purposes therein mentioned."

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Burke, Burnham, Cameron, Coleman, Crysler, Fothergill, Gordon, Hornor, C. Jones, D. Jones, J. Jones, Lyons, M'Donell, Playter, Scollick, Thompson, Van Koughnett and Wilson—19.

NAYS—Messrs. Beardsley, Clark, Hamilton, Leflerty, McBride, McCall and Randal, 7.

The question was carried in the affirmative by a majority of twelve, and the bill was signed.

Messrs. C. Jones and Coleman, were ordered by the Speaker to carry up the same to the honorable the Legislative Council, and to request their concurrence thereto.

Mr. Boulton, Master in Chancery, brought down from the honourable the Legislative Council the bill entitled, "An Act to protect certain inhabitants of the County of Middlesex in the possession of their Lauds during the continuance thereof," and the bill entitled, "An Act to grant to His Majesty a sum of money for the encouragement of manufacturing paper in this Province," which they had passed without amendment, and retired.

The house went again into committee on the legislature accommodation bill.

Mr. Hamilton in the chair.

The house resumed.

Mr. Hamilton reported the bill amended.

On the question for receiving the report, the house divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Attorney General, Baby, Burnham, Burke, Cameron, Clark, Coleman, Crysler, Gordon, C. Jones, D. Jones, J. Jones, Lyons, McBride, McDonell, Playter, Scollick, Thompson, Thomson and Wilkinson, 21.

NAYS—Messrs. Beardsley, Fothergill, Hamilton, Hornor, Leflerty, Matthews, McCall, Perry, Randal, Rolph, VanKoughnett, Walsh and Wilson, 13.

The question was carried in the affirmative by a majority of eight, and the report was received.

Mr. Attorney General, seconded by Mr. Playter, moves that the Legislature building bill, be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day, the Light House bill was read the third time.

Mr. Attorney General, seconded by Mr. McBride, moves that the bill do now pass, and that the title thereof, be "An Act to provide for the improvement of the Light House at Gibraltar Point, and for imposing duties for defraying the charge of the same; and for erecting other Light Houses in this Province."

Which was carried and the bill signed.

Mr. Rolph, seconded by Mr. Hornor, moves that an humble address be presented to His Excellency, requesting him to transmit to His Majesty's principal Secretary of State, for the Colonies, the several addresses which have passed this house, to His Most Excellent Majesty, requesting that the same may be most humbly submitted to His Majesty's most gracious consideration; and that the 32d rule of this house be dispensed with, so far as this address is concerned, and that Messrs. Baby and Perry, be a committee to draft and report the same.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Baby, Beardsley, Clark, Coleman, Fothergill, Hamilton, Hornor, Leflerty, Lyons, Matthews, M'Bride, McCall, Perry, Playter, Randal, Rolph, Thompson, Thomson, Wilkinson and Wilson, 21.

NAYS—Messrs. Attorney General, Burnham, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Scollick, Van Koughnett and Walsh, 13.

The question was carried in the affirmative by a majority of eight and ordered accordingly.

Mr. Perry, from the committee to draft an address to His Excellency the Lieutenant Governor, on the subject of transmitting certain addresses to His Majesty's Principal Secretary of State for the Colonies, reported a draft which was received and read the first time.

Mr. Rolph, seconded by Mr. Matthews, moves that the address to His Excellency be read a second time this day.

Which was carried, and the address was read the second time.

Mr. Rolph, seconded by Mr. Matthews, moves that the house do go into committee on the address to His Excellency.

Which was carried, and Mr. Van Koughnett was called to the chair.

The house resumed.

Mr. Van Koughnett reported the address amended.

The report was ordered to be received.

Mr. Rolph, seconded by Mr. Perry, moves that the address to His Excellency, be engrossed and read a third time this day.

Which was ordered.

Mr. Thompson, from the committee to whom was referred the petition of John Silverthorn, and others, reported as follows.

To the honourable the Commons of Upper Canada in Provincial Parliament assembled.

The committee, to whom was referred the petition of John Silverthorn and others, inhabitants of the Township of Toronto, stating that the toll now authorised by law, to be taken by millers for grinding grain, is not sufficient to compensate them for the expence of erecting and building Mills and giving necessary attendance thereto, and praying for an extension thereof, having met and taken the same into consideration, beg leave to report, that they do not feel themselves warranted in recommending an additional allowance of toll, as prayed for by the petitioners, upon an application so limited as the one before your committee; being of opinion the rate now authorised by law is generally considered in the country to be a fair remuneration.

All which is respectfully submitted.

Committee-Room, House of Assembly, }
24th January, 1826. }

W. M. THOMPSON,
Chairman.

Mr. Thomson, from the Committee to whom were referred the contingent accounts of the present session, reported as follows :—

To the Honourable the Commons' House of Assembly, in Provincial Parliament assembled.

Report of the Select Committee, appointed to examine and report upon the contingent accounts of the present session.

2d Session, 9th Parliament, 5th Geo: IV.

Your Committee to whom were referred the contingent accounts of the present session; have examined the accounts of the house of Assembly, which consist of the contingencies in the offices of the Clerk and Serjeant at Arms, amounting to £1747 : 3 : 5½

As follows viz;—

		<i>Clerk's Office,</i>		
To complete the payment for transcribing the Journals of last session for Printer,				£12 15 6
		<i>Due Copying Clerks.</i>		
	To William P. Patrick,	£95	5 0	
	“ William Coates,	57	11 8	
	“ David Jardine,	50	5 0	
	“ John Spragg,	40	6 8	
	“ James King,	42	11 8	
		<u>286</u>	<u>0 0</u>	
	Less, allowed by Statute and received by the Clerk,	25	0 0	
				261 0 0
Amount estimated to complete the services of the present session,				195 0 0
		<i>Printing Newspapers, &c.</i>		
	To W. L. Mac Kenzie	47	4 1	
	“ John Carey,	51	13 3	
	“ John Collins,	50	19 3	
	“ Charles Fothergill.	107	16 0	
				<u>257 12 7</u>
		<i>To Sundry Persons for Labour &c. &c. per Vouchers, viz;—</i>		
No. of Voucher.	2 John Ewart,	26	5 9½	
	3 Thomas Hallowell,	1	14 8	
	4 E. Winan,	2	5 0	
	5 Carfrae, Priestman, and McLean,	17	2 1	
	6 H. Sullivan,	6	14 1½	
	7 J. Crooks,	6	0 0	
				<u>60 1 8½</u>
		<i>Stationary, &c.</i>		
	E. Lesslie and Sons,	230	11 8½	
	P. McPhail	62	10 9	
				<u>293 2 5½</u>
		<i>Clerk for Extra Services.</i>		
	Distributing Statutes	50	0 0	
	Superintending Printing,	40	0 0	
	Library,	12	10 0	
	Index to Journals.	5	0 0	
				<u>107 10 0</u>
	John Hunter, extra attendance after prorogation, 40 days at 2s. 6d. per day			5 0 0
	To William Allan, for Postage,			157 12 2
	“ Samuel McMurray, House Messenger,			20 0 0
	“ Complete the payment of printing the Journals of 1825.			179 8 3
				<u>£1479 2 7½</u>

Serjeant at Arms contingencies.

To James Bridgland, per account,	£10	17 0	
“ Thomas Carfrae	22	5 9	
“ M. & R. Meighan	15	9 10½	
“ Peter McDougall	26	10 0	
“ Pew Rent	7	10 0	
“ P. Clinger	2	2 9	
“ Thomas Lay,	4	3 5	
“ Malone and Reynolds,	0	17 0	
“ John Beikie,	5	0 0	
“ Hugh Carfrae,	5	0 6	
“ Deputy Serjeant at Arms,	50	0 0	
“ William Knott Door-keeper,	20	0 0	
“ John Hunter Messenger,	40	0 0	
“ ——— Alloway, Extra do.	20	15 0	
“ James Bridgland,	21	5 0	
“ Thomas Hickley.	21	5 0	
			<u>273 0 9½</u>

Your Committee have received a statement of the amount of contingent accounts of the honourable the Legislative Council, which are audited by that honourable house as follows;—

In the Clerk's Office;	£524	0 5
Gentleman Usher of the Black Rod	171	13 5
		<u>£695 13 10</u>

Mr. Fothergill's account includes the charges for the Royal Calender, for the year 1826, Extra Gazette, &c.

Your Committee have deducted from Mr. Carey's account, for Printing the Journals of last Session, the sum of thirty-eight pounds, eight shillings and sixpence, being the amount of an error in calculating the composition.

All which is respectfully submitted.

House of Assembly, Committee-Room, }
27th January, 1826.

H. C. Thomson,
Chairman.

Sir P. Maitland, K. C. B. Lieut. Governor.

Agreeably to the order of the day, the burial ground bill, was read a third time.

Mr. Thompson, seconded by Mr. J. Jones, moves that the bill do now pass and that it be entitled, "An Act to authorize certain persons therein named, and their successors to hold certain lands for the purposes therein mentioned."

Which was carried and the bill signed.

Agreeably to the order of the day, the Arbitrator's remuneration bill was read the third time.

Mr. Boulton, Master in Chancery, brought down from the honorable the Legislative Council, the joint addresses to His Majesty, and His Excellency the Lieutenant Governor, on the subject of Colonial Trade, which were signed by the Speaker and returned, and are as follows:—

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN—

We, your Majesty's most dutiful and loyal subjects, the Legislative Council and House of Assembly of Upper Canada, in Provincial Parliament assembled, beseech Your Majesty graciously to accept our most humble thanks, for the very liberal footing upon which the commerce of this Province has been recently placed, by the wisdom and munificence of Your Majesty's councils.

Your Majesty's faithful subjects in this Province, have ever been so effectually protected by their Sovereign amidst the dangers of war, and so generously and carefully fostered in peace, that they have felt it equally their duty, and their interest to submit with cheerfulness to such regulations of their intercourse with the other dominions of your Majesty, and with foreign states, as were deemed necessary to the general welfare of the British empire. But, although fully confiding in the wisdom and justice of Your Majesty's councils, we have never regarded with impatience those restrictions, which by the late acts of the Imperial Parliament, have been so liberally removed, we do not the less rejoice that in this season of peace, the enlightened councils of your Majesty, have found it to be consistent with the interests of the great empire, over which your Majesty so happily and gloriously rules, to abolish those commercial prohibitions and restraints, which had hitherto been considered a necessary part of the Colonial system.

Possessing the privileges of commerce, to which we have thus been admitted, and enjoying at the same time in common with our fellow subjects of the United Kingdom, the blessings of a free constitution, we behold in our subjection to your Majesty's crown, the best assurance of our welfare and security unattended with a single disadvantage, and we therefore anticipate with confidence, that future times will exhibit the most gratifying effects of your Majesty's councils, in the increased opulence and strength of this portion of your dominions, and in the constant and zealous attachment of its inhabitants to your Majesty's Royal person and government.

We fervently pray, that the supreme disposer of human events, may long preserve your Majesty, to guide by your councils, the destinies of the mighty empire to which it is our glory to belong, and to dispense the blessings of paternal care and affection through every part of your Majesty's extended dominion.

Legislative Council Chamber, }
27th January, 1826. }

WILLIAM CAMPBELL,
Speaker.

Commons' House of Assembly, }
27th January, 1826. }

JOHN WILLSON,
Speaker.

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. &c.

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Legislative Council and Assembly of Upper Canada in Provincial Parliament assembled, humbly beg leave to represent to Your Excellency, that impressed with the most grateful sense of the liberal footing upon which the commerce of this colony has been placed, by the acts recently passed by the Imperial Parliament, for the regulation of the colonial trade, we have united in an humble address of thanks to our most gracious sovereign, which we humbly pray your Excellency will be pleased to transmit to His Majesty's Secretary of State for the colonies, to be laid at the foot of His Majesty's Throne.

We beg leave further to represent to your Excellency, that there are circumstances which in a particular manner, apply to this colony from its situation, remote from the sea, and its contiguity, along a whole line of frontier, to a foreign country having the same natural productions, which render in a great measure inapplicable, some of the details of that general system of Colonial trade, which has been recently established; and we trust that these circumstances will appear to afford satisfactory reasons for our desiring some exceptions from the operation of laws of which the general principles are so highly advantageous to us, as well as to the other colonies of His Majesty's.

The recent relaxation in the British corn laws, in favor of the British North American colonies, although it is of very limited duration, and although the operation of the measure is confined to the admission of wheat, demands nevertheless our most grateful acknowledgment, as it manifests a disposition in the Imperial government, to encourage the agriculture of the colonies, so far as it may be done consistently with the domestic interest of the United Kingdom.

We beg leave however to represent to Your Excellency, that it is extremely desirable for the effectual encouragement of the agriculture of this Province, that flour should be admitted, as well as wheat, the produce of this Country, into the Ports of the United Kingdom, not only on account of the greater facility and diminished cost of transport; but also, because such produce when manufactured into flour, and sent in that state to Quebec, is in a condition, to be forwarded to the West Indies and other markets, to which Wheat cannot be sent by reason of the climate, and it would thus be in the power of the exporter, to avail himself of the most profitable market, which the circumstances of the moment might present.

We also beg leave to represent to Your Excellency, that in order to secure sufficient protection and encouragement, to the growth and manufacture of Tobacco in this Province, a greater abatement is required from the import duty, payable in the United Kingdom, than that which was formerly prayed for by the Legislature of this Province, and which has been graciously conceded by the Imperial parliament, and that it is desirable to intercede for a further remission of six pence per lb. of the duties paid upon Tobacco, the growth of this Province.

Having given particular attention to the provisions of the recent British statutes, for regulating the trade of the colonies, we beg to submit to Your Excellency that it would tend much to the advantage and convenience of the people of this Province, if Ashes, Rawhides, Tallow, Plants, Shrubs and Trees alive, Garden and other seeds, Gypsum, Paper used for printing, and the carriages of persons, removing into or passing through this Province, could be admitted to be imported from the United States of America, free of duty. That it is highly important to the revenue of this Province, and necessary for the encouragement of its native productions, that salt imported from the United States of America, should continue to be subject to duty as it has always hitherto been, and that to that end the duty of six pence per bushel heretofore imposed by provincial acts, should be either imposed by an act of the Imperial parliament, or that the legislature of this province should be permitted to make such regulations in respect thereof, from time to time as may appear expedient. That it would tend to the prosperity of this province if the legislature thereof were permitted to impose such duties as they might think proper upon fresh fruit and vegetables brought from the United States; or, if that were thought inexpedient, that those articles should be subjected to the general ad valorem duty. That the interruption of direct intercourse with England during a great part of the year, makes it very desirable that we should be permitted to import from the United States, on payment of a moderate duty, such British books as may be republished in the United States, and more especially periodical works, which, from their possessing rather a temporary, than a permanent interest lose much of their value before the return of navigation enables us to import them directly from England.

2d Session, 9th Parliament, 5th Geo: IV.

We beg leave further to represent to your Excellency, that by the construction given in Lower Canada to the British Trade Acts, the duties upon articles imported from the United States of America, which have been entered in this province, and upon which duties have been paid here, are exacted in Lower Canada in the same manner as if they had been directly imported into that province, without regard to the previous entry of such articles, and to the payment of duties thereon in this province, and that such a construction, if it can be reconciled to the provisions of the law, is injurious to the fair interests of this province, by giving to Lower Canada the whole advantage of a foreign trade, in articles not consumed there, but intended merely to pass through that Colony in the way to transatlantic markets.

Upon these different subjects we beg leave earnestly to apply to your Excellency, humbly requesting that your Excellency will be pleased to intercede with His Majesty's Government in respect to the several matters contained in this address.

Legislative Council Chamber, }
27th January, 1826. }

WILLIAM CAMPBELL,
Speaker.

Commons' House of Assembly, }
27th January, 1826. }

JOHN WILLSON,
Speaker.

Mr. Attorney General, seconded by Mr. Cameron, moves that the bill do now pass and that the title thereof be, "An Act to grant a sum of money to His Majesty, to enable His Majesty to compensate the services of certain persons therein mentioned.

Which was carried and the bill signed.

Messrs. Thompson and Playter were ordered by the Speaker to carry up to the honourable the Legislative Council, the bill last passed, and request their concurrence thereto.

Agreeably to the order of the day, the house went into Committee on expiring Laws.

Mr. Lafferty was called to the Chair.

The House resumed.

Mr. Lafferty reported that the Committee had agreed to two resolutions, which he was directed to submit for the adoption of the house.

The report was ordered to be received.

The first resolution was then put and carried as follows;—

Resolved that it is expedient to continue for a limited time, an act passed in the fourth year of His present Majesty's reign, entitled, "An Act to restrain the selling of beer, ale, cider, and other liquors, not spirituous, in certain towns and villages in this province, and to regulate the manner of licencing Ale houses within the same."

The second resolution was then read as follows;—

Resolved that it is expedient to continue so much of an Act, passed in the second year of His Majesty's reign, entitled "An Act to remunerate the clerk of the Crown in Chancery, for past services, and to provide for the future payment of that officer," as provides a salary for said office.

On which the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Attorney General, Clark, Coleman, Crysler, Gordon, C. Jones, D. Jones, J. Jones, Playter, Van Koughnett and Wilkinson, 12.

NAYS—Messrs. Beardsley, Fothergill, Hornor, Lafferty, Lyons McBride, McCall, Perry, Randal, Rolph, Scollick, Thompson and Thoms-on, 13.

The question was decided in the negative by a majority of one and lost accordingly.

Mr. Van Koughnett, seconded by Mr. Crysler, moves that Messrs. J. Jones and Gordon, be a committee to draft a bill pursuant to the foregoing resolution.

Which was ordered.

Mr. Gordon from the committee to draft a bill in conformity to the resolution of this house, respecting ale houses, reported a draft which was received and read the first time.

Mr. Van Koughnett, seconded by Mr. Crysler, moves that the beer and ale house bill be read a second time this day, and that the 4th rule of this house be dispensed with, so far as relates to the same.

Which was carried, and the bill was read the second time.

Mr. Boulton, Master in Chancery, brought down from the honorable the Legislative Council, a message, and having retired, the Speaker read the same as follows :

MR. SPEAKER,

The honorable the Legislative Council request a conference with the Commons' house of Assembly on the subject matter of the bill entitled "An act to provide for the improvement of the Light-house on Gibraltar point and for imposing duties for defraying the charge of the same, and for erecting other Light-houses in this province," and have appointed a committee of two members who are now ready to meet a committee of that house in the joint committee room.

W. CAMPBELL,
Speaker.

Legislative Council Chamber }
27th January, 1826. }

Mr. J. Jones, seconded by Mr. D. Jones, moves that the conference requested by the Honorable the Legislative Council, be acceded to, and that Messrs. Attorney General, Gordon, McBride and Clark, be a committee of conference on the part of this house.

Which was carried.

Mr. Attorney General, from the committee of conference, on the subject matter of the bill entitled, "An Act to provide for the improvement of the Light-house on Gibraltar point and for imposing duties for defraying the charge of the same, and for erecting other Light-houses in this province," reported as follows :

The committee of the house of assembly appointed to confer with the committee of the honorable the Legislative council on the subject of the bill for the improvement of the Light-house on Gibraltar point and for raising a fund for maintaining the same, and for providing other Light-houses in this province, met the said committee in the joint committee room and were informed by them, that the Legislative Council had requested the said conference in order to ascertain whether it was intended by the said bill to provide for the payment of any charges already incurred on account of the Light-house at Gibraltar point, which are now unprovided for.

Mr. Van Koughnett, seconded by Mr. Crysler, moves that the house do now resolve itself into a committee of the whole on the Beer and Ale House bill.

Which was carried, and Mr J. Jones was called to the chair.

The house resumed.

Mr. J. Jones reported the bill without amendment.

The report was ordered to be received.

Mr. Van Koughnett, seconded by Mr. Crysler, moves that the Ale and Beer house bill be engrossed and read a third time to-morrow.

Which was ordered.

Mr. Van Koughnett gives notice that he will to-morrow, move for leave to bring in a bill to revive an act granting a salary to the clerk of the Crown in Chancery.

Sir P. Maitland, K. C. B. Lieut. Governor.

The house adjourned.

Saturday, 28th January, 1826.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of transmitting addresses to His Majesty, was read a third time, passed and signed by the Speaker, and is as follows:—

To His Excellency Sir Peregrine Mailland, 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. &c.

May it please Your Excellency,

WE His majesty's dutiful and loyal subjects, the Commons' of Upper Canada in provincial parliament assembled, beg leave to request Your Excellency to transmit to His majesty's principal Secretary of State for the colonies, the several addresses which have passed this house to His most Excellent majesty; being an address to His majesty on the Post-Office; on the Civil rights of certain inhabitants of this province; on the subject of American emigration; on Claims of certain persons for the bounty of His majesty in land; on the petition of John Hardy; on the independence of the Judges, and respecting the Clergy Reserves; requesting that the same may be by him, most humbly submitted to His majesty's most gracious consideration.

Commons' House of Assembly, }
28th January, 1826. }

JOHN WILLSON,
Speaker.

Mr. Rolph, seconded by Mr. Matthews, moves that Messrs. Playter and Hamilton be a committee to wait upon His Excellency to know when he will be pleased to receive this House with the address of this House, requesting him to transmit to His majesty's principal Secretary of State, the several addresses to His Most Excellent Majesty, on the post office department, on the civil rights of certain inhabitants of the Province, on the independence of the judges, on the petition of John Hardy, on the American emigration, on the clergy reserves, and on claims of certain persons to the bounty of His Majesty in lands.

Which was ordered.

Agreeably to the order of the day the Ale-house bill, was read the third time.

Mr. VanKoughnett, seconded by Mr. Cameron, moves that the bill do now pass, and that it be entitled "An Act to continue for a limited time an act passed in the fourth year of His Majesty's reign, entitled "An Act to restrain the selling of beer, ale, cider, and other liquors not spiritous, in certain towns, and villages in this Province, and to regulate the manner of licencing ale houses within the same."

Which was carried, and the bill signed.

Mr. Boulton, master in chancery, brought down from the Hon. the Legislative Council, the bill entitled "An Act to provide for the improvement of the Light-house on Gibraltar Point, and for imposing duties for defraying the charge of the same, and for erecting other Light-houses in this province," the bill entitled "An Act to authorise certain persons therein named, and their successors, to hold certain lands for the purposes therein mentioned," and the bill entitled "An Act to grant a sum of money to His majesty to enable His Majesty to compensate the services of certain persons therein mentioned," which the Honourable the Legislative Council had passed without amendment, and a message: and having withdrawn, the Speaker read the message as follows:

MR. SPEAKER,

The Honourable the Legislative Council have appointed a committee of two members who will be ready at twelve o'clock to-morrow to wait, with a committee of the Commons' House of Assembly, upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive the several joint addresses of the two Houses of the Legislature to His Majesty and to himself on various subjects.

Legislative Council Chamber, }
27th January, 1826. }

WILLIAM CAMPBELL,
Speaker.

Mr. Gordon, seconded by Mr. C. Jones, moves that Messrs. Attorney General, D. Jones, Burke, and McDonell, be a committee to wait on His Excellency the Lieutenant Governor with the committee of the Honourable the Legislative Council, to know when he will be pleased to receive the joint addresses to His Majesty and to himself.

Which was ordered.

Agreeably to the order of the day the Legislature accommodation bill was read the third time.

Mr. Attorney General, seconded by Mr. Playter, moves that the bill do now pass and that the title thereof be, "An Act to authorise the raising by debenture, a sum of money, to be applied in erecting Buildings for the use of the Legislature."

On which the House divided, and the yeas and nays being taken, were as follows:

YEAS—Messrs. Attorney General, Burke, Cameron, Clark, Coleman, Crysler, Gordon, C. Jones, D. Jones, J. Jones, Lyons, Mc Bride, McDonell, Playter, Scollick, and Thompson, 16.

NAYS—Messrs. Beardsley, Fothergill, Hamilton, Hornor, Matthews, McCall, Perry, Randal, Rolph, VanKoughnett, Walsh and Wilson, 12.

The question was carried in the affirmative by a majority of four, and the bill was signed.

Messrs. VanKoughnett and Playter were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

Mr. Thomson, seconded by Mr. Wilkinson, moves that the House do now resolve itself into a committee of the whole on the report of the committee on the contingent accounts.

Which was carried, and Mr. Hornor was called to the chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, master in chancery, brought down from the Honourable the Legislative Council a message, and having retired, the Speaker read the same as follows:

MR. SPEAKER—

The Honourable the Legislative Council request a conference with the Commons' House of Assembly on the subject matter of the bill entitled "An Act to authorize the raising by debenture a sum of money to be applied in erecting buildings for the use of the Legislature," and have appointed a committee of two members who are now ready, to meet a committee of the Commons' House of Assembly, in the joint committee room for that purpose.

Legislative Council Chamber, }
28th January, 1826. }

WILLIAM CAMPBELL,
Speaker.

Mr. J. Jones, seconded by Mr. D. Jones, moves that the conference be acceded to, and that Messrs. Attorney General, Thompson, Gordon, and Playter, do compose the committee of conference, on the part of this House.

Which was ordered.

The Speaker left the chair.

The Chairman resumed the chair.

2d Session, 9th Parliament, 5th Geo: IV.

The House resumed, the Black Rod being at the door.

Mr. Boulton, master in chancery, brought down from the Hon. the Legislative Council the bill entitled "An Act to continue for a limited time an act passed in the fourth year of His Majesty's reign, entitled "An Act to restrain the selling of beer, ale, cider, and other liquors not spirituous, in certain towns and villages in this Province, and to regulate the manner of licencing ale houses within the same," which they had passed without amendment and withdrew.

The House went again into committee on the report of the select committee on the contingent accounts.

Mr. Hornor in the chair.

The house resumed.

Mr. Hornor reported that the Committee had agreed to several resolutions which he was directed to submit for the adoption of the house.

The report was ordered to be received and the resolutions were adopted as follows :

Resolved, that it is the opinion of this house, that an humble address be presented to His Excellency the Lieutenant Governor, praying him to issue his warrant in favor of John Powell, Esquire, Clerk of the honorable the Legislative Council, for the sum of five hundred and twenty-four pounds and five pence, being to pay the contingencies of his office.

Resolved, that His Excellency be humbly requested to issue his warrant in favor of William Lee, Esquire, Gentleman Usher of the Black Rod, for certain contingent expenses of the honourable the Legislative Council, during the present session, for the sum of one hundred and twenty-one pounds, thirteen shillings and five pence.

Resolved, that the subscription to the present Upper Canada Gazette and Weekly Register be continued, one for each member of the House, for the remainder of the present year, and that the sum of thirty-six pounds, struck off by the committee on contingent accounts, be added to Mr. Fothergill's account for printing, &c. for the present session, for that purpose; and that the Editor be requested to publish the proclamations.

Resolved, that the sum of £100 be allowed to Francis Collins, and the sum of £100 to John Carey, for their strict attendance at this house during the present session as reporters, and desirable to the country at large, and that the same shall form a part of the contingencies of this house.

Resolved, that the sum of £36 10s. be paid to Mr. Wm. Lyon McKenzie, to compensate him for papers furnished to this house, during the present session, and for reporting.

Resolved that the sum of £40 pounds be allowed Valentine Gill, as recommended by the report of the select committee on his petition.

On the seventh resolution the House divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Clark, Coleman, Fothergill, Hornor, D. Jones, McBride, McCall, Playter, Randal, Thompson, Walsh, Wilkinson and Wilson—13.

NAYS—Messrs. Atkinson, Attorney General, Burnham, Crysler, Hamilton, Lefferty, Lyons, Matthews, Perry, Rolph, Scollick, and Thomson—12.

The question was carried in the affirmative by a majority of one, and it was resolved, that the sum of £36 6. deducted from Mr. Carey's account, be restored.

The following resolutions were then put and carried :

Resolved—That the sum of £50 be paid to the Sergeant-at-Arms of this House, as an allowance for a deputy for the present session.

Resolved—That the sum of fifty pounds be paid to the Gentleman Usher of the Black Rod, in addition to his salary for the present session.

Resolved—That the sum of twenty pounds be paid to the door-keeper of the Honourable Legislative Council, in addition to his salary for the present session.

Resolved—That the sum of twenty pounds be paid to the door-keeper of this House in addition to his salary for the present session.

Resolved—That the sum of one hundred and fifty pounds be paid to the clerk of this House to defray the printing of the journals of the present session.

Resolved—That His Excellency be requested to issue his warrant in favor of the Sergeant-at-Arms, to enable him to pay the contingent expenses of his office, for the sum of two hundred and twenty-three pounds and nine-pence half-penny.

Resolved—That the sum of one hundred pounds be allowed to the clerk of this House for his extra services during the present session.

Resolved—That the clerk of this House be instructed to pay thirty pounds to the editor of the Upper Canada Gazette and Weekly Register, for seventy-five copies of the statutes of this province, since the year 1819.

Resolved, that His Excellency be requested to issue his warrant in favour of Grant Powell, Esq. Clerk of the House of Assembly, to enable him to pay the contingent expenses of his office, for the sum of two thousand two hundred and fifty pounds one shilling and one penny.

Mr. Matthews, seconded by Mr. Wilkinson, moves that Messrs. Clark and Fothergill be a committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the Resolutions just adopted.

Which was ordered.

Mr. Fothergill from the committee to draft an address to His Excellency the Lieutenant Governor, founded on the foregoing resolutions, reported a draft, which was received and read the first time.

Mr. Matthews, seconded by Mr. Fothergill, moves the address be now read a second time.

Which was carried and the address was read the second time and adopted.

Mr. Matthews, seconded by Mr. Fothergill, moves that the address be engrossed and read a third time this day.

Which was ordered.

Mr. Attorney General, from the joint committee of conference on the subject of Colonial Trade, reported as follows :

The joint Committee to whom was referred the resolutions of the two Houses of the Legislature on the subject of Colonial Trade, respectfully report.

That Having considered the resolutions referred to them in relation to the commerce of this Province, and prepared addresses in pursuance of the order of the two Houses, they deem it proper to submit the following report, explanatory of the several objects comprehended in the address to His Excellency the Lieutenant Governor.

The great importance to this province of such a relaxation in the British Corn Laws, as will admit of the importation of our bread stuffs into the United Kingdom, upon payment of a moderate duty, has been sufficiently explained on former occasions, and His Majesty's Government are evidently fully impressed with the conviction of the benefits which we should derive from such a measure. It must in truth very much depend upon our being able to find a steady market for this staple article of production, whether we can or can not supply ourselves with the manufactures of Great Britain, in proportion to our wants. But it is needless to insist further upon so obvious a truth—we trust that the short experience which may be had under the act of last year, will induce the Imperial Parliament, to render the measure permanent, and at the same time more available to this Colony by admitting our Flour as well as wheat, for the reasons stated in the address. The evident certainty that the surplus corn which can be exported from Upper Canada for many years to come, can produce no considerable effect in the English market, could scarcely fail to obviate any apprehensions of the English Agriculturalists, unless indeed it may be feared that the corn of the United States would be introduced in great quantities through the same channel. But, besides that the limitation of the privilege to a reasonable quantity, for instance, 200,000 quarters, would effectually preclude any danger of that kind, it can scarcely be supposed but that the vigilance of the government, and of the Legislature of the province, might prevent such an abuse occurring to any very considerable extent. When the bulk of an article is great, in proportion to its value, the temptation to smuggle it is the less, and the difficulties are not so easily

Sir P. Maitland, K. C. B. Lieut. Governor.

surmounted—and it has indeed been found, that, notwithstanding the facilities presented by a long line of contiguous frontier, the duties heretofore imposed by the Legislature upon flour and wheat, produced in the United States, which were intended to be prohibitory, have been seldom evaded.

Upon that part of the address, which respects the duties to be paid in England, on Tobacco grown in this Province, your committee have to observe, that it is but too certain, that the abatement of three-pence per pound, upon the English import duty of four shillings, is not sufficient to enable us to compete with the foreign grower. The Legislature in their former application desired to be as moderate as possible in their request, and from the imperfect knowledge which they had acquired of the course of trade in a production, then very recently introduced into this province, they erroneously imagined that the abatement they asked for, would give a sufficient protection. It has been since made apparent, that the difference of cost in producing Tobacco, and preparing it for shipment in countries fully peopled, where the labour attending the different processes, is performed by slaves and their children, and, in this province where no labour can be procured which is not paid for at a high rate, is much greater than was supposed, and the effect of this disadvantage is the more decisive from the necessity, of which the legislature was not at first aware, of sending it to market in a more prepared state, than would appear necessary to persons unacquainted with the course of the trade in that article. The committee are sanguine in their hope that the Imperial Parliament will admit of the abatement prayed for, of nine-pence per lb. on Canadian Tobacco, in which case, there is a reason to believe that it will be cultivated to an extent which will very materially advance the prosperity of the Western Districts of the Province.

With respect to the resolution which relates to the expediency of being allowed to admit, free of duty, the following articles from the United States of America—to wit; ashes, raw hides, tallow, plants, shrubs, and trees alive, garden and other seeds, gypsum, paper used for printing, and the travelling carriages of persons removing into, or passing through, this Province, your committee consider that it may be useful to offer the following remarks as explanatory of the several objects.

1st. ASHES—By the late British statute for regulating duties on importations, Pot and Pearl Ashes manufactured in foreign countries are charged with a duty of £6 per ton, on their admission into the ports of the United Kingdom, while Colonial ashes are admitted free of duty. In the statute regulating the Colonial trade, Ashes are neither among the articles enumerated as prohibited, nor as admissible free of duty, nor among those to which any specific duty is affixed; they are, therefore, only admissible into these Colonies from the United States, on payment of the general advalorem duty of fifteen per cent; But as it is clear that the discrimination in the British act does not regard the country from whence ashes are imported; but the country of which they are the manufacture, it follows that American ashes imported into Canada, and paying, as they must do, on such importation, the advalorem duty of fifteen per cent, would nevertheless be subject, on their arrival in England, to the foreign duty of six pounds per ton; and the consequence of course must be, that the ashes of the United States will not be imported into Canada for exportation to England: the same quantity will nevertheless find its way there, and the inhabitants of this Province will lose the advantage of its transport and the convenience of it as a remittance, and instead of British shipping transporting it from Quebec to England it must descend the American canals to New-York, and be exported from thence.

Your committee cannot doubt, that as the revenue of the mother country cannot be injured by allowing American Ashes to be sent to England, through the Canadas; and as the duty in the Colonial Trade acts must appear to have been imposed principally, if not solely with a view to protect the trade of the Colonies, His Majesty's government will accede to the prayer of the Legislature in this respect.

RAW HIDES, TALLOW.—These are articles of which Upper Canada does not furnish a quantity, by any means sufficient for its domestic consumption: the Province being yet in a great measure in a course of settlement and many emigrants constantly arriving, whose interest it is, for many years, rather to rear cattle, than to kill them: it has been always hitherto found necessary to obtain these articles in large quantities from the United States, and imposing a duty upon them would subject the manufacturer and consumer to disadvantage for no good object.

PLANTS, SHRUBS and TREES alive, GARDEN and other SEEDS, GYPSUM.—From the contiguity of this Province to the United States, it is convenient, and in many instances desirable to import such articles as last enumerated, from thence—and they are not such as can interfere with any commercial or agricultural interest of England, neither are they of that nature, that we should desire to raise a revenue from them.

PRINTING PAPER.—Your committee understands that the difference of cost between the coarser descriptions of paper, used in printing newspapers, and work of that description, when imported from England and when imported from the United States, is so very considerable, as to make it desirable to be allowed to obtain it from the latter country.

With regard to the carriages of travellers, your committee will observe that such an exception is most desirable, both for emigrants coming into the Province, and for persons travelling through it from the eastern to the western states of America, and the exaction of the advalorem duty of 15 per cent. in these instances would be felt as a very serious inconvenience, and would yield no adequate advantage to the Province.

The resolution which relates to the importation of Salt, your committee regards as one of the most important. The import duty of six-pence per bushel, under Colonial acts, upon salt coming from the United States, usually produced about fifteen hundred pounds annual revenue, and it afforded besides some encouragement to the manufacture of salt in the Province, which without doubt might be carried on to an extent equal to our consumption.

It is conceived that the act "for regulating the trade of His Majesty's possessions abroad" in classing salt among the articles to be admitted duty free, has abolished the duty above mentioned, and as it is obvious that the Imperial Parliament can have had no particular inducement for forcing upon us an article of foreign production free of duty, contrary to our interests, both as it regards our revenue and the encouragement of our own productions, we can scarcely imagine that any difficulty will be found in acceding to the object of this resolution.

The resolution which regards the imposing an advalorem duty on fresh fruit and vegetables, is not of such trifling import as it might at first appear. This Province borders on the United States for nearly six hundred miles, and the countries thus adjacent producing the same fruits and vegetables, it is found by experience that unless some check is given, by the imposition of duties, the markets in several parts of this Province will be often engrossed by our neighbours, who will sell these articles at prices really below their fair value, and thus deprive the grower, in this Province, of the chance of obtaining a certain and fair price for productions which cannot, from their nature, be sent to a distant market. Besides your committee sees no reason, why articles of this description, which are produced as abundantly here, as in the United States, should not, if imported, contribute to the revenue.

Upon the two remaining resolutions your committee offer no remark as their objects are sufficiently explained, but they cannot forbear expressing their sense of the particular importance of calling the attention of His Majesty's government to the last resolution, which involves a question of more than ordinary importance to the trade and revenue of this province.

All which is respectfully submitted:

Joint Committee-Room, }
January, 1826. }

THOMAS CLARK,
Chairman, Legislative Council.

JOHN B. ROBINSON,
Chairman, House of Assembly,

The report was concurred in.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Attorney General, seconded by Mr. Scollick, moves that a message be sent to the Honourable the Legislative Council to acquaint them that this House has concurred in the report of the joint committee on the subject of Colonial trade.

Which was ordered.

Agreeably to the order of the day the contingent address was read the third time as follows:

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. &c.

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to request that your Excellency will be pleased to issue your warrant to the Receiver General of this Province in favor of John Powell, Esq. Clerk of the Honourable the Legislative Council, for the sum of five hundred and twenty four pounds and five pence, for certain contingent expenses during the present session.

Also, in favor of William Lee, Esquire, Gentleman Usher of the Black Rod, for certain contingent expenses of the Honourable the Legislative Council, during the present session, for the sum of one hundred and seventy-one pounds, thirteen shillings and five pence.

Also, in favor of Grant Powell, Esquire, Clerk of the House of Assembly, to enable him to pay the contingencies of his office for the present session, for the sum of two thousand, two hundred and fifty pounds, one shilling and one penny.

Also in favor of the Sergeant at Arms, to enable him to discharge the contingent expenses of his office, for the present session, for the sum of two hundred and seventy-three pounds, and nine pence halipenny. Which sums His Majesty's faithful Commons will make good during the next session of the Provincial Legislature.

Commons' House of Assembly, }
28th January, 1826. }

JOHN WILLSON,
Speaker.

Mr. Matthews, seconded by Mr. Wilkinson, moves that Messrs. Lafferty and Scollick be a committee to wait on His Excellency the Lieutenant Governor, to know when he will be pleased to receive the address of this House, praying his Excellency to issue his warrants on the Receiver General, for certain sums therein mentioned, and to present the same.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the assessment amendment bill.

Mr. Coleman in the chair.

The House resumed.

Mr. Coleman, reported the Bill as amended.

The report was ordered to be received.

The Attorney General, from the joint committee of conference on the subject matter of the bill entitled, "An Act to authorize the raising by debenture a sum of money to be applied in erecting Buildings for the use of the Legislature," reported as follows :

The Committee appointed to confer on the part of the House of Assembly, with the committee of conference from the Legislative Council, upon the subject matter of a bill sent up from the house of Assembly, for authorising the raising by debenture, a sum of money to be applied in erecting buildings for the use of the Legislature, met the said committee in the joint Committee-Room, at the time appointed, and were informed by them, that the conference was requested by the Legislative Council, for the purpose of informing the house of Assembly, that the naming the Commissioners in the bill, for expending public moneys, not for a local purpose, but for a provincial object, appearing to them a departure from the usage which has been hitherto observed, and particularly in respect to the provision for the same object, on a former occasion—and it appeared to the Legislative Council, that inconvenience might arise for want of the bill authorising two of the commissioners to act, in any matter entrusted to them.

Joint Committee-Room, }
28th January, 1826. }

JOHN B. ROBINSON, *Chairman,*
Committee of Conference, House of Assembly.

Mr. Attorney General, seconded by Mr. Playter, moves that a message be sent to the Honourable the Legislative Council, to acquaint them that this house has received the report of the committee of conference, upon the subject of the bill for providing buildings for the use of the Legislature, and that this house conceiving the nomination of commissioners, in bills of this description not unusual, and considering that the late period of the session will not admit of a search into precedents, trust that the Legislative Council will not, on this occasion, persist in the objection.

Which was carried, and Messrs. Playter and Attorney General, were ordered by the Speaker to carry up the same to the honourable the Legislative Council.

Mr. Hamilton, seconded by Mr. Wilkinson, moves that the assessment amendment bill, be engrossed and read a third time this day, and that the 41st rule of this house be dispensed with for that purpose.

Which was ordered.

Mr. Attorney General, seconded by Mr. McBride, moves that during the remainder of this session, the number necessary to constitute a quorum, be fifteen.

Which was carried.

Mr. Boulton, Master in Chancery, brought down from the honourable the Legislative Council, the bill entitled, "An Act to authorise the raising by debenture, a sum of money to be applied in erecting buildings for the use of the Legislature," which they had passed without amendment, and retired.

The house adjourned.

Monday, 30th January, 1826.

Mr. Attorney General, from the joint committee, to wait on His Excellency the Lieutenant Governor, with the address of the two houses, on the subject of a survey of the River St. Lawrence, reported delivering the same, and that His Excellency had been pleased to make thereto, the following reply :

Honorable Gentlemen, and Gentlemen,

I shall not fail to endeavour to procure for you, before the next session of the Legislature, the information requested in your address.

Mr. Attorney General, from the joint committee, to wait upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive the two houses, with the joint addresses to His Majesty, on the subject of Colonial trade, and the claims for losses, reported that His Excellency had named the hour of eleven, this day, for that purpose.

Mr. Hamilton from the committee to learn when His Excellency would receive this house with its several addresses to the King, reported that the hour of twelve, this day, was named, by His Excellency for that purpose.

Sir P. Maitland, K. C. B. Lieut. Governor.

At Eleven o'clock the house waited on His Excellency, and being returned, the Speaker reported that this house, together with the honorable the Legislative Council, had waited on His Excellency the Lieutenant Governor, with the joint addresses, praying him to transmit the joint addresses to His Majesty, on the subject of the Colonial Trade, and the claims for losses, and that His Excellency, had been pleased to make thereto the following replies :

Honorable Gentlemen and Gentlemen,

I shall take an early opportunity of transmitting to His Majesty's principal Secretary of State for the Colonies, your joint addresses to the King, expressing your gratitude for the benefits conferred on this colony, by the late relaxation in the commercial system of the mother country, and I shall readily submit for the favorable consideration of His Majesty's Government, your sentiments respecting the different objects adverted to, in this joint address.

Honorable Gentlemen, and Gentlemen,

I shall take an early opportunity of transmitting to His Majesty's Government, your joint address to the King, on the subject of losses sustained by the inhabitants of this province, during the late war with the United States of America, and of requesting that it may be recommended to His Majesty's favourable consideration.

Also the Speaker further reported, that this house had, at the time appointed, presented to His Excellency its humble address, praying His Excellency to transmit the several addresses of this house, to His Most Excellent Majesty, to His Majesty's principal Secretary of State, for the Colonies, to be by him, most humbly submitted to His Majesty, for His Majesty's most gracious consideration, and that His Excellency had been pleased to make thereto the following replies.

Gentlemen of the House of Assembly,

I shall, in compliance with your request, transmit to His Majesty's principal Secretary of State for the colonies, your address to the King, respecting the Post-Office, with your request that it may be laid at the foot of the Throne.

Gentlemen of the House of Assembly,

I will transmit to His Majesty your address on the subject of the Civil rights of certain inhabitants of this province, which must necessarily be accompanied with an expression of my regret that His Majesty's very gracious recommendation in behalf of those persons has proved so ineffectual. I shall not have it in my power to explain to His Majesty's government upon what grounds, that is called a new construction of the law, which declares American citizens not to be entitled to all the privileges of natural born British subjects, and more especially in this province, in which public declarations that they were not so entitled, had proceeded, many years ago, from the House of Assembly.

It is just to the Assembly that I should make them aware that the conduct and opinions of the government of this province, with respect to persons removing into it from the United States, from the earliest period of the settlement of the colony, as manifested by their public acts, shall be made fully known to His Majesty's government.

Gentlemen of the House of Assembly,

I shall transmit to His Majesty's principal Secretary of State for the Colonies, your address to the King, recommending to His Majesty the encouragement of emigration from the United States of America to this Colony.

Gentlemen of the House of Assembly,

I will transmit to His Majesty your address against the principle of withholding the King's bounty of lands from the officers of militia who were members of the convention of 1818, a principle which has been entirely approved of by His Majesty's government. I feel it due to myself and to the House of Assembly, to state explicitly, that, as a long interval has since elapsed, I shall deem it necessary, at the same time, to assure His Majesty, that I fully concur with the House of Assembly, that many who were conspicuous, during the late war, for their firm attachment to His Majesty, and for their zeal and loyalty in the defence of this Province, were connected with the convention; and that I have, in common with the House of Assembly of that period, expressed my deep regret that they were so connected.— That I am equally convinced that many individuals, whatever may have been their previous character or conduct, who were for a time so far imposed upon as to become promoters of the convention, did not entertain designs hostile to the constitution, or to the peace of the country: That I have shewn my readiness to discriminate whenever, upon the application of the party, satisfactory circumstances have enabled me to do so; and that I have not felt that I could properly go beyond this without disregarding what was due to the best interests of society, and to the sense of the legislature, strongly and expressly declared at that period.

I shall, at the same time, solicit the attention of His Majesty to the resolutions of the House of Assembly and the act of the legislature, passed when the occurrences to which they refer were recent, and when the proceedings of the convention of delegates, and their consequences, could be most correctly appreciated.

I shall also feel it my duty to make His Majesty aware that there is so little room for an implication that the acknowledged right of the people to petition for a redress of grievances has been ever interfered with, or attempted to be controlled, that a recommendation to leave it free and unrestrained, in measures which it might be deemed proper to enact, was given from the Throne, and carefully observed by the Legislature.

Gentlemen of the House of Assembly,

I shall transmit to His Majesty's government your address to the King, respecting the suspension of a person named John Hardy, from the U. E. list.

Amidst the very numerous cases of applicants for the honourable mark of the favor of their Sovereign, which it has fallen to the government to decide on, in the time of my predecessors, I regret, that any one should appear to the House of Assembly to furnish occasion of complaint; but since a complaint has arisen which the House of Assembly has thought it proper to entertain, I am confident that nothing could be more desirable than that the grounds of it should be investigated by His Majesty's government.

If the House of Assembly, entertaining a complaint of this description, had taken the course of addressing themselves in the first instance to the government of this Province, they would have learned that Mr. Hardy, who for his services in the 84th regiment, had been rewarded with the usual bounty of land, had failed to furnish, at the call of the government, that proof of the place and circumstances under which he joined the British standard, which alone could have warranted me in reversing the order of my predecessor, and without which a decision can scarcely be expected to be made by His Majesty at the hazard of admitting an abuse of a very peculiar mark of royal bounty, and of giving just cause of offence to those loyalists and their descendants, who, with reason, pride themselves upon that designation to which it has been long ago determined, that Mr. Hardy, was once erroneously admitted.

Gentlemen of the House of Assembly,

I will transmit to Earl Bathurst your address to His Majesty on the subject of the appointment of the Judges, and the functions of Chief Justice, in this Province; but I am not enabled to explain to His Majesty's government what there is peculiar in the present state of this Colony which you allude to in the conclusion of your address as inducing you to desire the change which you solicit.

Gentlemen of the House of Assembly,

I will transmit to Earl Bathurst your address to His Majesty on the subject of the clergy reserves in this Province; and I think it proper to make you aware that I have reason to believe the first object of your representation is grounded upon a misapprehension of the intention of the British statute to which you refer.

2d Session, 9th Parliament, 5th Geo: IV.

Mr. Lefferty from the committee to wait on His Excellency the Lieutenant Governor, with the address of this house praying him to issue his warrants for certain sums of money therein mentioned, reported delivering the same, and that His Excellency had been pleased to make thereto the following reply.

Gentlemen of the House of Assembly,

Having objected last year to the payment, upon your address, of certain charges which it appeared to me could not constitutionally be provided for, otherwise than by an act of the Legislature, and perceiving by your journals that these charges are, this year, repeated, and others included which seem to me to be no less exceptionable, I shall feel it necessary at present to confine the authority for payment to the ordinary heads of contingency, and take the pleasure of His Majesty's Government with regard to those charges which appear extraordinary.

For the information of the persons who are interested in the several votes, I shall direct that the Clerk of the House of Assembly, be furnished with a list of those charges of which the payment will be suspended.

Mr. McBride, seconded by Mr. Wilson, moves that five hundred copies of the answers of His Excellency to the several addresses, presented this day, to His Majesty, be printed for the use of the members.

Which was ordered.

Mr. Lefferty, seconded by Mr. Clark, moves that the house do now resolve itself into a committee of the whole, to appoint a commissioner to carry home the address relative to civil rights.

At one o'clock P. M. Mr. Lee, Gentleman Usher of the Black Rod, came to the bar and delivered the commands of His Excellency the Lieutenant Governor, for the immediate attendance of this house at the bar of the Legislative Council Chamber, and having withdrawn, the Speaker and the house forthwith proceeded to the bar of the Legislative Council chamber, where His Excellency the Lieutenant Governor was pleased to give the assent in His Majesty's name, to the following bills, viz :

"An act granting to His Majesty a sum of money for the relief of the sufferers in New Brunswick by the late fire."

"An act to prevent the operation in this Province of an act of Parliament, made in England in the twenty-first year of the Reign of His late Majesty, King James the 1st. entitled, "An act to prevent the destroying and murdering of bastard children," and to make other provisions in lieu thereof."

"An act to dispense with the necessity of actually pronouncing sentence of death in certain cases of capital conviction."

"An act to make further and more effectual provision for the prevention of accidents by fire in the several police towns of this province."

"An act to repeal part, and extend the provisions of an act passed in the fourth year of His Majesty's reign entitled, "An act to make more ample provision for regulating the police of the town of Kingston."

"An act to repeal parts of, and to explain and amend the several acts of this province, relating to the Welland Canal Company."

"An act to authorise the Government to borrow a certain sum of money upon debenture, to be loaned to the Welland Canal Company."

"An act to encourage the progress of useful arts within this province."

"An act to impose a tax upon dogs in certain towns in this province."

"An act to continue and amend an act passed in the second year of the reign of George the fourth, entitled, "An act for assigning limits to the respective gaols within this province."

"An act for the relief of Leonard Soper."

"An act to make provision for a survey of the first, second and third concessions of Fredericksburgh original, and the whole of Fredericksburgh additional."

"An act to incorporate certain persons therein mentioned, under the style and title of "The Des Jardin's Canal Company."

"An act to authorise and establish a re-survey of the front of the thirteenth concession of the township of Townsend."

"An act to grant a further sum of money for the completion of the monument to the memory of the late Major General Sir Isaac Brack."

"An act for the relief of James Edwards."

"An act to establish the District town of the District of London, in a more central position than at present, and to annex the Townships of Walpole and Rainham, to the County of Haldimand in the District of Niagara."

"An act to provide for the erection of a Gaol and Court house, in the District of London, and to authorise the imposing an additional rate for that purpose."

"An act for granting certain sums of money to His Majesty, to enable His Majesty to defray the expense of the administration of Justice and the support of the Civil government of this province, for the years one thousand eight hundred and twenty-five, and one thousand eight hundred and twenty-six."

"An act to grant to His Majesty a certain sum of money, to be applied in making, repairing and amending highways and bridges in this Province."

"An act to grant a sum of money to His Majesty for the purchase of certain machinery now used in deepening the waters at Burlington Bay."

"An act to repeal part of an act passed in the thirty-sixth year of His late Majesty's reign, entitled "An act for the better regulation of certain coins, current in this province," and to make further provision for the regulation of the British silver and copper coinage, current in this province."

"An act to make good certain monies, issued and advanced by His Excellency the Lieutenant Governor in pursuance of an address of the House of Assembly."

"An act to repeal part of, amend, and continue the laws now in force for the payment of Militia Pensions."

"An act to protect certain inhabitants of the County of Middlesex, in the possession of their lands, during the continuance thereof."

"An act to grant to His Majesty a sum of money for the encouragement of manufacturing paper in this province."

"An Act to provide for the improvement of the Light-house on Gibraltar Point, and for imposing duties for defraying the charge of the same, and for erecting other Light-houses in this province."

"An act to authorise certain persons therein named, and their successors, to hold certain lands for the purposes therein mentioned,"

"An Act to grant a sum of money to His Majesty to enable His Majesty to compensate the services of certain persons therein mentioned."

"An Act to continue for a limited time an act passed in the fourth year of His Majesty's reign, entitled "An Act to restrain the selling of beer, ale, cider, and other liquors not spirituous, in certain towns, and villages in this Province, and to regulate the manner of licencing ale houses within the same."

"An act to authorize the raising by debenture a sum of money to be applied in erecting buildings for the use of the Legislature."

His Excellency was then pleased to address the two houses, with the following most gracious speech.

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

You have now been so long a period in session that it is due to other branches of the public service as well as to your private convenience that I should relieve you from a further attendance on the Provincial Parliament.

I am happy to find that some portion of your time has been employed in advancing works of public improvement, which if fostered by ourselves with the same zeal for the prosperity of this Colony which animates the councils of the parent state, must produce additional causes for that contentment and thankfulness which ought to pervade a population enjoying every blessing of security, freedom and peace.

Sir P. Maitland, K. C. B. Lieut. Governor.

Gentlemen of the House of Assembly,

I thank you in the name of His Majesty for the supplies you have granted to enable me to provide for the administration of justice and the civil service of the government for the past and present years, and for the timely assistance which you afforded to your afflicted fellow subjects in the Province of New-Brunswick.

I have received from the Lieutenant Governor of that Colony an expression of the grateful sense which his Excellency and the people entertain of the affectionate sympathy and liberality manifested towards them in this country.

Honourable Gentlemen, and Gentlemen,

I have much satisfaction in assenting to the bill which you have passed in pursuance of the recommendation of His Majesty's government for facilitating the circulation of the British silver coinage in this Province.

Your joint address of thanks to His Majesty for the very liberal regulations which have recently been established in regard to the trade of this Colony, will be as acceptable to His Majesty as it is honourable to yourselves.

To exhibit a just sense of benefits received is due to the character of a generous people, at the same time that it is necessary to their best interests that a mutual confidence should in reality exist between them and their government, without which the great ends of civil society can be but imperfectly attained.

I regret that the gracious recommendation of His Majesty in behalf of certain inhabitants of this Province whose civil rights are liable to question, has not been met in all the branches of the legislature with the feeling it might have been expected to call forth, and that its object should have been defeated in any quarter by a want of confidence so difficult to reconcile with those unvarying expressions of gratitude to a most munificent government which I have ever witnessed with the greatest satisfaction from my knowledge of the paternal care and protection by which they were so abundantly deserved. I am unwilling to entertain the belief that any considerable number of the people of this Province can have been insensible to the kindness and protection which they have uniformly received from his Majesty's government, and I have therefore entire confidence that the good sense and good feeling of those whom it was the wish of the government to relieve, will readily correct any delusion which may have been excited.

In putting a period to this session I should refrain I think improperly from expressing the sentiments which I reluctantly entertain, if I forbore to declare that while in this valuable Province the natural effects of times and circumstances highly propitious are presenting on every side the most encouraging prospects, something has recently been wanting to our proportionate progression in all that can render a country happy, virtuous and great, which the best directed efforts of the government, without the cordial cooperation of the legislature, can never supply. I hope, however, that the legislature may meet again in times equally propitious to the Province, and with a common feeling of anxiety to improve to the utmost those great natural advantages with which the people of this Colony are singularly blest, and which our excellent laws and constitution and our connexion with a great and generous nation will enable us, when assisted by our own exertions, most fully to enjoy.

After which, the honourable the Speaker of the Legislative Council declared, that it was his Excellency's pleasure that this Parliament be prorogued to Thursday the ninth day of March next, and declared the Parliament prorogued to the said ninth day of March, to be then and here holden.

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HOUSE OF ASSEMBLY.

Sir P. Maitland, K. C. B. Lieut. Governor.

2d Session, 9th Parliament, 5th and 6th Geo: IV.

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1826.

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